

# **State of Alaska FY2018 Governor's Operating Budget**

## **Department of Law Legislation/Regulations Component Budget Summary**

**Component: Legislation/Regulations**

## **Contribution to Department's Mission**

The Legislation and Regulations section provides legal advice to executive agencies to assure compliance with legal standards regarding legislation and regulations. The section provides assistance to the Office of the Governor, including the Office of Management and Budget, on budget and legislative matters.

## **Core Services**

- Drafts legislation, including budget bills, at the Governor's request for introduction in the legislature.
- Responsible for final legal review of all regulations adopted under the Alaska Administrative Procedure Act.
- Reviews all enacted legislative for legal issues and coordinates review for the Governor of all enacted legislation.
- Coordinates responses to legal questions and requests for information from legislators to the Department of Law.
- Prepares and publishes the Drafting Manual for Administrative Regulations, which all agencies must follow.
- The regulations attorney serves as the executive branch representative to the National Conference of Commissioners on Uniform State Laws, which formulates model legislation on issues of nationwide concern.

## **Major Component Accomplishments in 2016**

- Coordinated and prepared approximately 53 bills on behalf of the administration for the 30th legislative session including bills on insurance provisions to address the cost of insuring high-risk residents, to address use of permanent fund earnings for the state budget, to establish proxy procedures for adoption of a child in state custody, to make needed reforms to the oil and gas production tax and to establish cost savings reforms for medical assistance.
- Assisted with special sessions held in June and July of 2016 by drafting and monitoring legislation and assisting with legislative inquiries.
- Planned and delivered training in the regulations process for state agencies and assistant attorneys general. The state agency classes were attended by approximately 110 persons.
- The section is the main point of contact for the media on stories that could involve the Department of Law; in that role the section works with other sections to prepare talking points, press releases and press statements on matters that are likely to garner media attention. The section is often the first contact for legislators who may have questions about an issue or matter.
- The section conducted legal review of nearly 1,200 pages of regulations during FY2016. In the role of providing regulatory process oversight, the section assisted with regulations to implement on an emergency basis, cost containment measures for inflation adjustments to Medicaid payment rates, to establish procedures and requirements regarding recovery, from persons liable under state law, for costs that the Department of Environmental Conservation and the state may incur as response costs for release of oil or other hazardous substances, update the standards for hiring police officers, to update fees for review of wastewater systems, update tariff filing requirements for competitive local exchange markets, and to repeal obsolete personal use fisheries regulations.

## **Key Component Challenges**

Continued budget challenges require the section to assist executive agencies with legislation and regulations designed to increase efficient operation of state agencies, decrease costs of programs, and raise occupational licensing and fees for state services to better cover the costs of occupational oversight and state services, such as inspections. The section continues to subject regulations submitted for review to detailed scrutiny for legality, constitutionality and clarity. Whenever major program and policy changes are implemented, the section strives to

meet the increased need for assistance in order to save costs, increase efficiency and effectiveness in the provision of state services by assisting with timely changes to statutes, regulations, or a combination of both.

Due to recent enactment of medical assistance, insurance, and oil and gas production tax reforms, the section will provide assistance to executive branch agencies tasked with developing regulations to implement the legislatively mandated reforms. The section will respond by providing guidance to executive agencies charged with implementation of the reform measures. The section anticipates its role in advising on regulations process matters and coordinating public outreach will continue to grow.

### **Significant Changes in Results to be Delivered in FY2018**

The section anticipates continued legislative enactments and regulations will be needed to address the state's fiscal situation as agencies consider ways to streamline operations and provide services with reduced funding. Budget issues often require legislative attention, and we anticipate and increase in legislative needs (both in drafting and monitoring activities) and assisting with regular and special legislative sessions without any increase in resources needed to meet these increased demands.

### **Statutory and Regulatory Authority**

AS 44.23.020  
AS 44.23.040  
AS 44.62.060  
AS 44.62.125

Contact Information
<p><b>Contact:</b> Susan Pollard, Chief Assistant Attorney General <b>Phone:</b> (907) 465-3600 <b>Fax:</b> (907) 465-2520 <b>E-mail:</b> susan.pollard@alaska.gov</p>

Legislation/Regulations Personal Services Information					
Authorized Positions			Personal Services Costs		
	<u>FY2017</u> <u>Management</u> <u>Plan</u>	<u>FY2018</u> <u>Governor</u>			
Full-time	6	6	Annual Salaries	618,331	
Part-time	0	0	Premium Pay	0	
Nonpermanent	0	0	Annual Benefits	320,032	
			<i>Less 2.71% Vacancy Factor</i>	(25,463)	
			Lump Sum Premium Pay	0	
<b>Totals</b>	<b>6</b>	<b>6</b>	<b>Total Personal Services</b>	<b>912,900</b>	

Position Classification Summary					
Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney II	0	0	2	0	2
Attorney IV	0	0	1	0	1
Attorney V	0	0	1	0	1
Attorney VI	0	0	1	0	1
Law Office Assistant I	0	0	1	0	1
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>6</b>

**Component Detail All Funds**  
**Department of Law**

**Component:** Legislation/Regulations (2209)  
**RDU:** Civil Division (35)

Non-Formula Component

	<b>FY2016 Actuals</b>	<b>FY2017 Conference Committee</b>	<b>FY2017 Authorized</b>	<b>FY2017 Management Plan</b>	<b>FY2018 Governor</b>	<b>FY2017 Management Plan vs FY2018 Governor</b>	
71000 Personal Services	884.3	885.2	885.2	900.2	912.9	12.7	1.4%
72000 Travel	5.6	22.2	22.2	22.2	22.2	0.0	0.0%
73000 Services	144.7	152.6	152.6	152.6	152.6	0.0	0.0%
74000 Commodities	17.0	21.4	21.4	21.4	21.4	0.0	0.0%
75000 Capital Outlay	0.7	0.0	0.0	0.0	0.0	0.0	0.0%
77000 Grants, Benefits	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
78000 Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
<b>Totals</b>	<b>1,052.3</b>	<b>1,081.4</b>	<b>1,081.4</b>	<b>1,096.4</b>	<b>1,109.1</b>	<b>12.7</b>	<b>1.2%</b>
<b>Fund Sources:</b>							
1004Gen Fund (UGF)	824.3	848.7	848.7	863.7	874.3	10.6	1.2%
1007I/A Rcpts (Other)	228.0	232.7	232.7	232.7	234.8	2.1	0.9%
<b>Unrestricted General (UGF)</b>	<b>824.3</b>	<b>848.7</b>	<b>848.7</b>	<b>863.7</b>	<b>874.3</b>	<b>10.6</b>	<b>1.2%</b>
<b>Designated General (DGF)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0%</b>
<b>Other Funds</b>	<b>228.0</b>	<b>232.7</b>	<b>232.7</b>	<b>232.7</b>	<b>234.8</b>	<b>2.1</b>	<b>0.9%</b>
<b>Federal Funds</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0%</b>
<b>Positions:</b>							
Permanent Full Time	6	6	6	6	6	0	0.0%
Permanent Part Time	0	0	0	0	0	0	0.0%
Non Permanent	0	0	0	0	0	0	0.0%

**Change Record Detail - Multiple Scenarios with Descriptions**  
**Department of Law**

**Component:** Legislation/Regulations (2209)  
**RDU:** Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	PFT	PPT	NP
***** Changes From FY2017 Conference Committee To FY2017 Authorized *****												
FY2017 Conference Committee												
	ConfCom	1,081.4	885.2	22.2	152.6	21.4	0.0	0.0	0.0	6	0	0
1004 Gen Fund		848.7										
1007 I/A Rcpts		232.7										
	Subtotal	1,081.4	885.2	22.2	152.6	21.4	0.0	0.0	0.0	6	0	0
***** Changes From FY2017 Authorized To FY2017 Management Plan *****												
Transfer from Labor and State Affairs to Comply with Vacancy Factor Guidelines												
	Trin	15.0	15.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		15.0										
Transfer budget authority from Labor and State Affairs to align authority with anticipated expenditure levels for personal services. There are no impacts on services associated with this transfer.												
	Subtotal	1,096.4	900.2	22.2	152.6	21.4	0.0	0.0	0.0	6	0	0
***** Changes From FY2017 Management Plan To FY2018 Governor *****												
FY2018 Salary and Health Insurance Increases												
	SalAdj	0.5	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		0.2										
1007 I/A Rcpts		0.3										
Includes: ACOA COLA, 2.25% per contract ending 6/30/2018; GGU HI increase from \$1346 to \$1389; LTC HI increase from \$1363 to \$1432.: \$0.5												
FY2018 PS Health Ins.: \$0.5												
FY2018 Alaska Care & PSEA Health Insurance Increase												
	SalAdj	12.2	12.2	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		10.4										
1007 I/A Rcpts		1.8										
Alaska Care rate increase from \$1346 to \$1555 per month for exempt and partially exempt employees. \$12.2												
	Totals	1,109.1	912.9	22.2	152.6	21.4	0.0	0.0	0.0	6	0	0

**Personal Services Expenditure Detail**  
**Department of Law**

**Scenario:** FY2018 Governor (13956)  
**Component:** Legislation/Regulations (2209)  
**RDU:** Civil Division (35)

PCN	Job Class Title	Time Status	Retire Code	Barg Unit	Location	Salary Sched	Range / Step	Comp Months	Split / Count	Annual Salaries	COLA	Premium Pay	Annual Benefits	Total Costs	UGF Amount
03-0056	Attorney VI	FT	A	XE	Juneau	99	26K / L	12.0		138,310	0	0	65,392	203,702	203,702
03-0139	Attorney V	FT	A	XE	Juneau	99	25O	12.0		149,834	0	0	68,632	218,466	54,617
03-0146	Assoc Attorney II	FT	A	XE	Juneau	99	19K / L	12.0		88,911	0	0	49,154	138,065	138,065
03-0290	Assoc Attorney II	FT	A	XE	Juneau	99	19J / K	12.0		85,352	0	0	47,935	133,287	133,287
03-0296	Law Office Assistant I	FT	A	GP	Juneau	205	11B / C	12.0		39,111	0	0	30,209	69,320	27,728
03-0302	Attorney IV	FT	A	XE	Juneau	N05	24J / K	12.0		116,813	0	0	58,710	175,523	175,523
<b>Total Salary Costs:</b>														618,331	
<b>Total COLA:</b>														0	
<b>Total Premium Pay::</b>														0	
<b>Total Benefits:</b>														320,032	
<b>Total Pre-Vacancy:</b>														938,363	
<b>Minus Vacancy Adjustment of 2.71%:</b>														(25,463)	
<b>Total Post-Vacancy:</b>														912,900	
<b>Plus Lump Sum Premium Pay:</b>														0	
<b>Personal Services Line 100:</b>														912,900	

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1004 General Fund Receipts	732,922	713,033	78.11%
1007 Interagency Receipts	205,442	199,867	21.89%
<b>Total PCN Funding:</b>	<b>938,363</b>	<b>912,900</b>	<b>100.00%</b>

Note: If a position is split, an asterisk (\*) will appear in the Split/Count column. If the split position is also counted in the component, two asterisks (\*\*) will appear in this column.  
[No valid job title] appearing in the Job Class Title indicates that the PCN has an invalid class code or invalid range for the class code effective date of this scenario.

**Line Item Detail (1676)**  
**Department of Law**  
**Travel**

**Component:** Legislation/Regulations (2209)

<b>Line Number</b>	<b>Line Name</b>		<b>FY2016 Actuals</b>	<b>FY2017 Management Plan</b>	<b>FY2018 Governor</b>
2000	Travel		5.6	22.2	22.2
<b>Object Class</b>	<b>Servicing Agency</b>	<b>Explanation</b>	<b>FY2016 Actuals</b>	<b>FY2017 Management Plan</b>	<b>FY2018 Governor</b>
<b>2000 Travel Detail Totals</b>			<b>5.6</b>	<b>22.2</b>	<b>22.2</b>
2000	In-State Employee Travel	Travel for attorneys to interview witnesses and attend court proceedings, as well as for necessary training for both attorneys and paraprofessionals.	3.0	19.0	19.0
2006	Other Travel Costs	Transfer of legal service expenditures from suspense account to operating components based on hours billed to client agencies.	2.6	3.2	3.2



**Line Item Detail (1676)**

**Department of Law  
Services**

**Component:** Legislation/Regulations (2209)

<b>Line Number</b>	<b>Line Name</b>		<b>FY2016 Actuals</b>	<b>FY2017 Management Plan</b>	<b>FY2018 Governor</b>
3000	Services		144.7	152.6	152.6
<b>Object Class</b>	<b>Servicing Agency</b>	<b>Explanation</b>	<b>FY2016 Actuals</b>	<b>FY2017 Management Plan</b>	<b>FY2018 Governor</b>
<b>3000 Services Detail Totals</b>			<b>144.7</b>	<b>152.6</b>	<b>152.6</b>
3000	Education Services	Conferences, training and memberships.	32.0	32.0	32.0
3006	Delivery Services	Freight, courier, postage, and transportation of trial exhibit materials.	0.2	0.2	0.2
3011	Other Services	Transfer of legal service expenditures from suspense account to operating components based on hours billed to client agencies.	112.5	120.4	120.4

**Line Item Detail (1676)**

**Department of Law  
Commodities**

**Component:** Legislation/Regulations (2209)

<b>Line Number</b>	<b>Line Name</b>		<b>FY2016 Actuals</b>	<b>FY2017 Management Plan</b>	<b>FY2018 Governor</b>
4000	Commodities		17.0	21.4	21.4
<b>Object Class</b>	<b>Servicing Agency</b>	<b>Explanation</b>	<b>FY2016 Actuals</b>	<b>FY2017 Management Plan</b>	<b>FY2018 Governor</b>
<b>4000 Commodities Detail Totals</b>			<b>17.0</b>	<b>21.4</b>	<b>21.4</b>
4022	Commodity Transfer	Transfer of legal service expenditures from suspense account to operating components based on hours billed to client agencies.	17.0	21.4	21.4

**Line Item Detail (1676)**

**Department of Law  
Capital Outlay**

**Component:** Legislation/Regulations (2209)

<b>Line Number</b>	<b>Line Name</b>		<b>FY2016 Actuals</b>	<b>FY2017 Management Plan</b>	<b>FY2018 Governor</b>
5000	Capital Outlay		0.7	0.0	0.0
<b>Object Class</b>	<b>Servicing Agency</b>	<b>Explanation</b>	<b>FY2016 Actuals</b>	<b>FY2017 Management Plan</b>	<b>FY2018 Governor</b>
<b>5000 Capital Outlay Detail Totals</b>			<b>0.7</b>	<b>0.0</b>	<b>0.0</b>
5009	Capital Outlay Transfer	Transfer of legal service expenditures from suspense account to operating components based on hours billed to client agencies.	0.7	0.0	0.0

**Revenue Detail (1681)**  
**Department of Law**

**Component:** Legislation/Regulations (2209)

Revenue Type (OMB Fund Code)	Component	Comment	FY2016 Actuals	FY2017 Management Plan	FY2018 Governor
Revenue Source					
<b>5007 I/A Rcpts (1007 I/A Rcpts)</b>			<b>228.0</b>	<b>232.7</b>	<b>234.8</b>
5301 Inter-Agency Receipts		Interagency Receipts, Various - legal services for regulation review to most state agencies. Individual agency amounts vary from year to year, depending on the volume of regulations projects.	228.0	232.7	234.8