

State of Alaska FY2020 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, for introduction in the legislature on behalf of the Governor.
- Responsible for final legal review of all regulations adopted under the Alaska Administrative Procedure Act.
- Reviews all enacted legislation 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 and coordinates necessary testimony before legislative committees.
- Provides advice and guidance to attorneys on legislative procedures and formalities, and reviews all legislative correspondence.
- 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.
- Responsible for all major public outreach activities within the Department of Law for both the Civil and Criminal Divisions, including drafting speaking notes and op-eds for the Attorney General, responding to media inquiries, coordinating and drafting press releases, and staffing any public meetings or events within the department.
- Acts as the main point of contact for most Governors' office legal inquiries and coordinates responses.

Major Component Accomplishments in 2018

- Coordinated and drafted legislative bills on behalf of the administration for the 30th legislative session. Significant bills that passed include bills to improve the state's background check system for employment of police officers and persons who provide care to vulnerable citizens, to allow for emergency scheduling of dangerous drugs by regulation, and relating to the permanent fund and the funding structure for state government.
- The section is the main point of contact for the media on stories that could involve the Department of Law and is often the first contact for legislators who may have questions about an issue or matter.
- The section drafted or reviewed over 30 press releases in 2018 to date, in addition to assisting with communication plans, talking points, and responding to media inquiries. The media and public relations job duties have started taking up increasing amounts of time with more media and public outreach activities, amounting to approximately one-third of the time of an assistant attorney general. Key public issues addressed in releases include steps to address the opioid epidemic, the rise in crime, and the Department of Law's role in ongoing litigation on state sovereignty.
- The section conducted legal review of nearly 1,350 pages of regulations during FY2018. In the role of providing regulatory process oversight, the section assisted with regulations to update and streamline regulations on Medicaid coverage, update regulations on air-quality and application and use fees for land use. Occupational license boards also had many regulations to address new laws related to, for example, drug prescription limitations. The section has continued to make improvements in the internal aspects of the regulations process to reduce unnecessary paperwork and allow more productive use of staff time; improvements last year included increased use of WebEx technology to convey information to state agencies on recent changes to state law on the regulations process.

Key Component Challenges

The section assists 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. However, the number of regulation projects continues to increase, straining the section's ability to perform a timely review of regulations. The section continues to review adopted regulations 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.

The section continues to prioritize its work on regulations to allow timely finalization of regulations to implement recent legislative reforms. The section will provide assistance to executive branch agencies tasked with developing regulations to implement the legislatively mandated reforms. The section anticipates its role in advising on regulations process matters and coordinating public outreach will continue to grow.

Increased staff turnover both at the client-agency level and within the Department of Law has resulted in the section providing more training on the regulatory process.

Significant Changes in Results to be Delivered in FY2020

The section anticipates continued legislative enactments and regulations will be needed as the administration and legislature continue to 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).

Statutory and Regulatory Authority

AS 44.23.020
AS 44.23.040
AS 44.62.060
AS 44.62.125

Contact Information
Contact: Susan Pollard, Chief Assistant Attorney General Phone: (907) 465-3600 E-mail: susan.pollard@alaska.gov

Legislation/Regulations Personal Services Information				
Authorized Positions			Personal Services Costs	
	<u>FY2019</u> <u>Management</u> <u>Plan</u>	<u>FY2020</u> <u>Governor</u>		
Full-time	7	8	Annual Salaries	910,922
Part-time	0	0	COLA	1,607
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	457,525
			<i>Less 2.10% Vacancy Factor</i>	<i>(28,754)</i>
			Lump Sum Premium Pay	0
Totals	7	8	Total Personal Services	1,341,300

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	3	0	3
Attorney VI	0	0	1	0	1
Law Office Assistant I	0	0	1	0	1
Totals	0	0	8	0	8

Component Detail All Funds
Department of Law

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

Non-Formula Component

	FY2018 Actuals	FY2019 Conference Committee	FY2019 Authorized	FY2019 Management Plan	FY2020 Governor	FY2019 Management Plan vs FY2020 Governor	
71000 Personal Services	825.7	958.4	958.4	1,118.4	1,341.3	222.9	19.9%
72000 Travel	5.5	22.2	22.2	22.2	22.2	0.0	0.0%
73000 Services	174.5	152.6	152.6	152.6	152.6	0.0	0.0%
74000 Commodities	12.6	21.4	21.4	21.4	21.4	0.0	0.0%
75000 Capital Outlay	1.0	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%
Totals	1,019.3	1,154.6	1,154.6	1,314.6	1,537.5	222.9	17.0%
Fund Sources:							
1004 Gen Fund (UGF)	792.3	819.5	819.5	899.5	1,060.6	161.1	17.9%
1007 I/A Rcpts (Other)	227.0	335.1	335.1	415.1	476.9	61.8	14.9%
Unrestricted General (UGF)	792.3	819.5	819.5	899.5	1,060.6	161.1	17.9%
Designated General (DGF)	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Other Funds	227.0	335.1	335.1	415.1	476.9	61.8	14.9%
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Positions:							
Permanent Full Time	6	6	6	7	8	1	14.3%
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	Positions		NP
										PFT	PPT	
***** Changes From FY2019 Conference Committee To FY2019 Authorized *****												
FY2019 Conference Committee												
	ConfCom	1,154.6	958.4	22.2	152.6	21.4	0.0	0.0	0.0	6	0	0
1004 Gen Fund		819.5										
1007 I/A Rcpts		335.1										
Subtotal		1,154.6	958.4	22.2	152.6	21.4	0.0	0.0	0.0	6	0	0
***** Changes From FY2019 Authorized To FY2019 Management Plan *****												
Transfer Attorney IV (03-0320) from Special Litigation for Required Legal Expertise												
	Trin	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0	0
Transfer Attorney IV (03-0320) from the Special Litigation component to keep pace with the required level of legal expertise needed within the section. The position is located in Juneau.												
Department of Law attorney positions are partially exempt and flexibly-ranged positions. Attorneys I-VI are transferred in accordance with attorney salary placement, allowing positions to be sub-filled at lower levels. Positions are also transferred to accommodate promotions. Because of constant movement of positions to keep up with demand, funding is not always transferred with the position. Budget authority is evaluated and aligned between components as needed.												
Transfer from Commercial and Fair Business to Comply with Vacancy Factor Guidelines												
	Trin	160.0	160.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		80.0										
1007 I/A Rcpts		80.0										
Transfer budget authority from the Commercial and Fair Business component to align authority with anticipated expenditure levels for personal services. There are no impacts on services associated with this transfer.												
Subtotal		1,314.6	1,118.4	22.2	152.6	21.4	0.0	0.0	0.0	7	0	0
***** Changes From FY2019 Management Plan To FY2020 Governor *****												
Transfer from Opinions, Appeals and Ethics to Comply with Vacancy Factor Guidelines												
	Trin	120.0	120.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		60.0										
1007 I/A Rcpts		60.0										
Transfer budget authority from the Opinions, Appeals and Ethics component to align authority with anticipated expenditure levels for personal services. There are no impacts on services associated with this transfer.												
Transfer Attorney V (03-0381) from Labor and State Affairs for Required Legal Expertise												
	Trin	100.0	100.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0	0
1004 Gen Fund		100.0										

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	Positions		NP
										PFT	PPT	
Transfer Attorney V (03-0381) from the Labor and State Affairs component to keep pace with the required level of legal expertise needed within the section.												
Department of Law attorney positions are partially exempt and flexibly-ranged positions. Attorneys I-VI are transferred in accordance with attorney salary placement, allowing positions to be sub-filled at lower levels. Budget authority is evaluated and aligned between components as needed.												
FY2020 Salary Adjustments - GGU, CEA, TEAME												
	SalAdj	2.8	2.8	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		1.1										
1007 I/A Rcpts		1.7										
FY2020 Salary Adjustments - GGU, CEA, TEAME: \$2.8												
FY2020 GGU HI from \$1432 to \$1530: \$1.2												
FY2020 GGU 3% COLA: \$1.6												
Reverse Alaska State Employees Association (GGU) 15 Hour Furlough												
	SalAdj	0.1	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1007 I/A Rcpts		0.1										
The Alaska State Employees Association (representing the general government unit) contractually required 15 hours of furlough for each permanent full-time employee in each year from July 1, 2016, to June 30, 2019. The furlough requirement was removed from the contract in FY2020.												
Totals		1,537.5	1,341.3	22.2	152.6	21.4	0.0	0.0	0.0	8	0	0

Personal Services Expenditure Detail
Department of Law

Scenario: FY2020 Governor (15610)
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
03-0029	Attorney V	FT	A	XE	Juneau	N05	25K / L	12.0		131,199	0	0	63,504	194,703	97,352
03-0056	Attorney VI	FT	A	XE	Juneau	99	26M / N	12.0		143,578	0	0	67,078	210,656	210,656
03-0139	Attorney V	FT	A	XE	Juneau	99	25Q	12.0		158,963	0	0	71,390	230,353	57,588
03-0146	Assoc Attorney II	FT	A	XE	Juneau	99	19M / N	12.0		92,795	0	0	50,385	143,180	143,180
03-0290	Assoc Attorney II	FT	A	XE	Juneau	N05	19K / L	12.0		87,351	0	0	48,525	135,876	135,876
03-0296	Law Office Assistant I	FT	A	GP	Juneau	205	11B / C	12.0		39,935	1,607	0	32,132	73,674	29,470
03-0320	Attorney IV	FT	A	XE	Juneau	N05	24F / J	12.0		112,988	0	0	57,283	170,271	85,136
03-0381	Attorney V	FT	A	XE	Juneau	99	25O / P	12.0		144,113	0	0	67,228	211,341	158,506

	Total Positions	New	Deleted
Full Time Positions:	8	0	0
Part Time Positions:	0	0	0
Non Permanent Positions:	0	0	0
Positions in Component:	8	0	0

Total Component Months: 96.0

Total Salary Costs:	910,922
Total COLA:	1,607
Total Premium Pay:	0
Total Benefits:	457,525
Total Pre-Vacancy:	1,370,054
Minus Vacancy Adjustment of 2.10%:	(28,754)
Total Post-Vacancy:	1,341,300
Plus Lump Sum Premium Pay:	0
Personal Services Line 100:	1,341,300

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1004 General Fund Receipts	917,763	898,501	66.99%
1007 Interagency Receipts	452,291	442,799	33.01%
Total PCN Funding:	1,370,054	1,341,300	100.00%

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)

Line Number	Line Name		FY2018 Actuals	FY2019 Management Plan
2000	Travel		5.5	22.2
Object Class	Servicing Agency	Explanation	FY2018 Actuals	FY2019 Management Plan
2000 Travel Detail Totals			5.5	22.2
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. Includes travel for management purposes.	3.6	19.5
2006	Other Travel Costs	Travel cost transfers.	1.9	2.7

Line Item Detail (1676)
Department of Law
Services

Component: Legislation/Regulations (2209)

Line Number	Line Name		FY2018 Actuals	FY2019 Management Plan
3000	Services		174.5	152.6
Object Class	Servicing Agency	Explanation	FY2018 Actuals	FY2019 Management Plan
3000 Services Detail Totals			174.5	152.6
3000	Education Services	Conferences, training and memberships.	35.3	13.6
3011	Other Services	Cost transfers and miscellaneous items within the services line (commissions, etc.).	139.2	139.0

Line Item Detail (1676)
Department of Law
Commodities

Component: Legislation/Regulations (2209)

Line Number	Line Name		FY2018 Actuals	FY2019 Management Plan
4000	Commodities		12.6	21.4
Object Class	Servicing Agency	Explanation	FY2018 Actuals	FY2019 Management Plan
4000 Commodities Detail Totals			12.6	21.4
4000	Business	Reference materials and subscriptions, including statutes, software applications, non-capital desktop refresh, and miscellaneous office supplies.	0.5	0.6
4022	Commodity Transfer	Commodity cost transfers.	12.1	20.8

Line Item Detail (1676)
Department of Law
Capital Outlay

Component: Legislation/Regulations (2209)

Line Number	Line Name		FY2018 Actuals	FY2019 Management Plan
5000	Capital Outlay		1.0	0.0
Object Class	Servicing Agency	Explanation	FY2018 Actuals	FY2019 Management Plan
5000 Capital Outlay Detail Totals			1.0	0.0
5009	Capital Outlay Transfer	Capital cost transfers.	1.0	0.0

Revenue Detail (1681)
Department of Law

Component: Legislation/Regulations (2209)

Revenue Type (OMB Fund Code) Revenue Source	Component	Comment	FY2018 Actuals	FY2019 Management Plan
5007 I/A Rcpts (1007 I/A Rcpts)			227.0	415.1
5301 Inter-Agency Receipts	Admin - Department-wide	RSA Administration, Department-wide - legal services for legislation and regulations review. Program code: CV03207751.	4.4	20.0
5301 Inter-Agency Receipts	Commerce - Department-wide	RSA Commerce, Department-wide - legal services for legislation and regulations review. Program code: CV03207751.	43.0	50.0
5301 Inter-Agency Receipts	Correct - Department-wide	RSA Corrections, Department-wide - legal services for legislation and regulations review. Program code: CV03207751.	0.5	5.0
5301 Inter-Agency Receipts	E&ED - Department-wide	RSA Education, Department-wide - legal services for legislation and regulations review. Program code: CV03207751.	13.3	35.1
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Department-wide - legal services for legislation and regulations. Program code: CV03207751.	19.1	25.0
5301 Inter-Agency Receipts	FishGm - Department-wide	RSA Fish and Game, Department-wide - legal services for legislation and regulations review. Program code: CV03207751.	49.1	75.0
5301 Inter-Agency Receipts	Gov - Department-wide	RSA Office of the Governor, Department-wide - legal services for legislation and regulations review. Program code: CV03207751.	29.5	50.0
5301 Inter-Agency Receipts	H&SS - Department-wide	RSA Health and Social Services, Department-wide - legal services for legislation and regulations review. Program code: CV03207751.	33.1	50.0
5301 Inter-Agency Receipts	Labor - Department-wide	RSA Labor, Department-wide - legal services for legislation and regulations review. Program code:	3.9	10.0

Revenue Detail (1681)
Department of Law

Component: Legislation/Regulations (2209)

Revenue Type (OMB Fund Code) Revenue Source	Component	Comment	FY2018 Actuals	FY2019 Management Plan
5301 Inter-Agency Receipts	M&VA - Department-wide	CV03207751. RSA Military and Veteran's Affairs, Department-wide - legal services for legislation and regulations. Program code: CV03207751.	0.3	5.0
5301 Inter-Agency Receipts	NatRes - Department-wide	RSA Natural Resources, Department-wide - legal services for legislation and regulations review. Program code: CV03207751.	2.7	20.0
5301 Inter-Agency Receipts	PubSaf - Department-wide	RSA Public Safety, Department-wide - legal services for legislation and regulations review. Program code: CV03207751.	9.1	20.0
5301 Inter-Agency Receipts	Rev - Department-wide	RSA Revenue, Department-wide - legal services for legislation and regulations review. Program code: CV03207751.	11.7	20.0
5301 Inter-Agency Receipts	Trans - Department-wide	RSA Transportation, Department-wide - legal services for legislation and regulations review. Program code: CV03207751.	4.9	15.0
5301 Inter-Agency Receipts	Admin - Department-wide	RSA Administration, Alaska Oil and Gas Conservation Commission - legal services for legislation and regulations review. Program code: CV03207751.	0.7	5.0
5301 Inter-Agency Receipts	FishGm - Department-wide	RSA Fish and Game, Commercial Fisheries Entry Commission - legal services for legislation and regulations. Program code: CV03207751.	1.3	5.0
5301 Inter-Agency Receipts	Gov - Department-wide	RSA Office of the Governor, Elections - legal services for legislation and regulations. Program code: CV03207751.	0.4	5.0

Revenue Detail (1681)
Department of Law

Component: Legislation/Regulations (2209)