

State of Alaska
FY2020 Governor's Operating Budget

Department of Law
Transportation Section
Component Budget Summary

Component: Transportation Section**Contribution to Department's Mission**

The Transportation section provides advice and legal representation to state agencies on all aspects of the construction and operation of the state's public facilities, including highways, airports, ferries, buildings, harbors, and other public works. The Department of Transportation and Public Facilities (DOTPF) generates a high percentage of the section's work.

Core Services

- Assist agencies with project development, including compliance with project planning and environmental laws.
- Assist agencies with project execution, including funding issues, land acquisition, procurement of contractors, and resolution of claims by contractors.
- Assist agencies with management and operation of completed facilities.
- Provide advice and representation on myriad issues daily confronting agencies related to development and operation of public infrastructure.

Major Component Accomplishments in 2018

Section attorneys provided legal support for DOTPF land acquisition for highway and airport projects throughout Alaska, and defended multiple contractor claims filed against DOTPF. Included among the larger cases were claims arising from road construction and airport projects in DOTPF's Central and Southcoast regions, and a claim pertaining to the M/V Columbia. Section attorneys also assisted on a variety of environmental matters, including the National Environmental Protection Act (NEPA), the Comprehensive Environmental Response, Compensation, and Liability Act, and Clean Water Act issues. Section attorneys were also involved in right-of-way acquisitions for major projects on the Parks, Glenn, and Richardson Highways, and in planning and construction issues related to the Marine Highways System's newest ferries. Section attorneys also continue to assist in an ongoing dispute with the United States Forest Service over rights-of-way throughout Southeast Alaska.

Key Component Challenges

The section will continue assisting with implementation of the state's transportation and infrastructure programs. The section will continue helping state agencies with project development, including the resolution of environmental issues, land ownership and acquisition issues, contract specification and procurement issues, and any necessary changes to laws or regulations. The section will continue to advise and represent state agencies concerning eminent domain, bid protests, and construction claims. The section will help agencies manage and operate completed facilities, including ferry, international and rural airports, and highway facilities.

Significant Changes in Results to be Delivered in FY2020

The section will continue to assist DOTPF as it assumes the Federal Highway Administration's responsibilities under NEPA, which DOTPF believes will reduce overall costs and speed up project delivery.

Statutory and Regulatory Authority

AS 44.23.020

Contact Information

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**Transportation Section
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	12	13	Annual Salaries	1,375,656
Part-time	0	0	COLA	9,209
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	718,275
			<i>Less 4.02% Vacancy Factor</i>	(84,640)
			Lump Sum Premium Pay	0
Totals	12	13	Total Personal Services	2,018,500

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Attorney IV	3	1	2	0	6
Attorney V	1	0	1	0	2
Attorney VI	1	0	0	0	1
Law Office Assistant I	1	1	1	0	3
Paralegal II	1	0	0	0	1
Totals	7	2	4	0	13

Component Detail All Funds
Department of Law

Component: Transportation Section (2214)
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	1,509.2	1,778.7	1,778.7	1,828.7	2,018.5	189.8	10.4%
72000 Travel	24.4	28.5	28.5	28.5	28.5	0.0	0.0%
73000 Services	640.3	561.0	561.0	561.0	561.0	0.0	0.0%
74000 Commodities	22.1	28.4	28.4	28.4	28.4	0.0	0.0%
75000 Capital Outlay	1.8	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	2,197.8	2,396.6	2,396.6	2,446.6	2,636.4	189.8	7.8%
Fund Sources:							
1007 I/A Rcpts (Other)	1,883.8	2,196.6	2,196.6	2,246.6	2,436.4	189.8	8.4%
1061 CIP Rcpts (Other)	314.0	200.0	200.0	200.0	200.0	0.0	0.0%
Unrestricted General (UGF)	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Designated General (DGF)	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Other Funds	2,197.8	2,396.6	2,396.6	2,446.6	2,636.4	189.8	7.8%
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Positions:							
Permanent Full Time	13	12	12	12	13	1	8.3%
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: Transportation Section (2214)
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	2,396.6	1,778.7	28.5	561.0	28.4	0.0	0.0	0.0	12	0	0
1007 I/A Rcpts		2,196.6										
1061 CIP Rcpts		200.0										
Subtotal		2,396.6	1,778.7	28.5	561.0	28.4	0.0	0.0	0.0	12	0	0
***** Changes From FY2019 Authorized To FY2019 Management Plan *****												
Transfer Law Office Assistant I (03-0322) to Natural Resources to Address Workload Demands												
	Trout	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-1	0	0
Transfer Law Office Assistant I (03-0322) to Natural Resources to accommodate the workload and office demands.												
Transfer Attorney IV (03-0207) from Natural Resources 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 (03-0207) from the Natural Resources component to keep pace with the required level of legal expertise needed within the section. The position is located in Anchorage.												
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 Law Office Assistant II (03-1047) to Torts and Workers' Compensation to Address Workload Demands												
	Trout	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-1	0	0
Transfer Law Office Assistant II (03-1047) to Torts and Workers' Compensation to accommodate the workload and office demands.												
Transfer Law Office Assistant I (03-0217) from Torts and Workers' Compensation to Address Workload Demands												
	Trin	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0	0
Transfer Law Office Assistant I (03-0217) from Torts and Workers' Compensation to accommodate the workload and office demands.												
Transfer from Torts and Workers' Compensation to Comply with Vacancy Factor Guidelines												
	Trin	50.0	50.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1007 I/A Rcpts		50.0										
Transfer budget authority from the Torts and Workers' Compensation component to align authority with anticipated expenditure levels for personal services. There are no impacts on services associated with this transfer.												
Subtotal		2,446.6	1,828.7	28.5	561.0	28.4	0.0	0.0	0.0	12	0	0

Change Record Detail - Multiple Scenarios with Descriptions
Department of Law

Component: Transportation Section (2214)
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 Management Plan To FY2020 Governor *****												
Transfer from Child Protection to Comply with Vacancy Factor Guidelines												
1007 I/A Rcpts	Trin	180.0	180.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
Transfer budget authority from the Child Protection component to align authority with anticipated expenditure levels for personal services. There are no impacts on services associated with this transfer.												
Transfer Law Office Assistant I (03-0171) from Commercial and Fair Business to Address Workload Demands												
	Trin	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1	0	0
Transfer Law Office Assistant I (03-0171) from Commercial and Fair Business to accommodate the workload and office demands.												
FY2020 Salary Adjustments - GGU, CEA, TEAME												
1007 I/A Rcpts	SalAdj	9.2	9.2	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
FY2020 Salary Adjustments - GGU, CEA, TEAME: \$9.2												
FY2020 GGU HI from \$1432 to \$1530: \$3.4												
FY2020 GGU 3% COLA: \$5.8												
Reverse Alaska State Employees Association (GGU) 15 Hour Furlough												
1007 I/A Rcpts	SalAdj	0.6	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
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		2,636.4	2,018.5	28.5	561.0	28.4	0.0	0.0	0.0	13	0	0

Personal Services Expenditure Detail
Department of Law

Scenario: FY2020 Governor (15610)
Component: Transportation Section (2214)
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
03-0065	Law Office Assistant I	FT	A	GP	Anchorage	200	11C / D	12.0		38,270	1,540	0	31,563	71,373	0
03-0069	Attorney V	FT	A	XE	Anchorage	99	25O	12.0		143,129	0	0	66,952	210,081	0
03-0084	Paralegal II	FT	A	GP	Anchorage	99	16N	12.0		73,392	2,954	0	43,561	119,907	0
03-0115	Attorney IV	FT	A	XE	Anchorage	N00	24F / J	12.0		109,332	0	0	56,034	165,366	0
03-0132	Paralegal II	FT	A	GP	Fairbanks	203	16J	6.0	*	33,429	1,346	0	20,665	55,440	0
03-0133	Attorney IV	FT	A	XE	Juneau	N05	24M	12.0		127,020	0	0	62,076	189,096	0
03-0169	Attorney VI	FT	A	XE	Anchorage	99	26O / P	12.0		149,099	0	0	68,626	217,725	0
03-0171	Law Office Assistant I	FT	A	GP	Fairbanks	203	11F / G	12.0		43,683	1,758	0	33,412	78,853	0
03-0207	Attorney IV	FT	A	XE	Anchorage	N00	24F / J	12.0		108,180	0	0	55,641	163,821	0
03-0217	Law Office Assistant I	FT	A	GP	Juneau	205	11B / C	12.0		40,032	1,611	0	32,165	73,808	0
03-0294	Attorney V	FT	A	XE	Juneau	99	25O / P	12.0		148,797	0	0	68,541	217,338	0
03-0312	Attorney IV	FT	A	XE	Anchorage	N00	24F	12.0		106,452	0	0	55,050	161,502	0
03-0314	Attorney IV	FT	A	XE	Fairbanks	99	24O	12.0		140,041	0	0	66,087	206,128	0
03-1211	Attorney IV	FT	A	XE	Juneau	N05	24F / J	12.0		114,800	0	0	57,902	172,702	0

Total Positions	New	Deleted	Total Salary Costs:	1,375,656
Full Time Positions:	13	0	Total COLA:	9,209
Part Time Positions:	0	0	Total Premium Pay:	0
Non Permanent Positions:	0	0	Total Benefits:	718,275

Positions in Component:	13	0	0	Total Pre-Vacancy:	2,103,140
Total Component Months:	162.0			Minus Vacancy Adjustment of 4.02%:	(84,640)
				Total Post-Vacancy:	2,018,500
				Plus Lump Sum Premium Pay:	0
				Personal Services Line 100:	2,018,500

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1007 Interagency Receipts	2,103,140	2,018,500	100.00%
Total PCN Funding:	2,103,140	2,018,500	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: Transportation Section (2214)

Line Number	Line Name		FY2018 Actuals	FY2019 Management Plan
2000	Travel		24.4	28.5
Object Class	Servicing Agency	Explanation	FY2018 Actuals	FY2019 Management Plan
2000 Travel Detail Totals			24.4	28.5
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.	13.3	13.3
2001	In-State Non-Employee Travel	Travel costs for witnesses to testify in court.	5.8	5.8
2002	Out of State Employee Travel	Travel costs and expenses for out-of-state travel for conferences, training, etc.	1.8	1.8
2006	Other Travel Costs	Travel cost transfers.	3.5	7.6

Line Item Detail (1676)
Department of Law
Services

Component: Transportation Section (2214)

Line Number	Line Name		FY2018 Actuals	FY2019 Management Plan
3000	Services		640.3	561.0
Object Class	Servicing Agency	Explanation	FY2018 Actuals	FY2019 Management Plan
3000 Services Detail Totals			640.3	561.0
3000	Education Services	Conferences, training and memberships.	0.9	0.9
3002	Legal and Judicial Services	Depositions, research costs, expert witness and consultant fees.	384.9	332.9
3011	Other Services	Cost transfers and miscellaneous items within the services line (commissions, etc.).	254.5	227.2

Line Item Detail (1676)
Department of Law
Commodities

Component: Transportation Section (2214)

Line Number	Line Name		FY2018 Actuals	FY2019 Management Plan
4000	Commodities		22.1	28.4
Object Class	Servicing Agency	Explanation	FY2018 Actuals	FY2019 Management Plan
4000 Commodities Detail Totals			22.1	28.4
4000	Business	Reference materials and subscriptions, including statutes, software applications, non-capital desktop refresh, and miscellaneous office supplies.	0.1	0.1
4022	Commodity Transfer	Commodity cost transfers.	22.0	28.3

Line Item Detail (1676)

**Department of Law
Capital Outlay**

Component: Transportation Section (2214)

Line Number	Line Name		FY2018 Actuals	FY2019 Management Plan
5000	Capital Outlay		1.8	0.0
Object Class	Servicing Agency	Explanation	FY2018 Actuals	FY2019 Management Plan
5000 Capital Outlay Detail Totals			1.8	0.0
5009	Capital Outlay Transfer	Capital cost transfers.	1.8	0.0

Revenue Detail (1681)
Department of Law

Component: Transportation Section (2214)

Revenue Type (OMB Fund Code) Revenue Source	Component	Comment	FY2018 Actuals	FY2019 Management Plan
5007 I/A Rcpts (1007 I/A Rcpts)			1,883.8	2,246.6
5301 Inter-Agency Receipts	Trans - Department-wide	RSA Transportation, Department-wide - legal services. Program code: CV03215522.	1,528.2	1,696.6
5301 Inter-Agency Receipts	Trans - Department-wide	RSA Transportation, Alaska International Airport System - legal services for the Anchorage and Fairbanks international airports. Program code: CV03215538.	210.7	275.0
5301 Inter-Agency Receipts	Trans - Department-wide	RSA Transportation, Alaska Marine Highway System - legal services. Program code: CV03215546.	144.9	275.0
5061 CIP Rcpts (1061 CIP Rcpts)			314.0	200.0
5351 Capital Improvement Project Inter-Agency	Trans - Department-wide	RSA Transportation, Shelter Cove Road legal services (Arcadis). Program code: CV03215645.	38.3	25.0
5351 Capital Improvement Project Inter-Agency	NatRes - Department-wide	RSA Natural Resources, Parks and Outdoor Recreation - legal services for the Denali State Park claim. Program code: CV03215550.	76.3	25.0
5351 Capital Improvement Project Inter-Agency	Trans - Department-wide	RSA Transportation, Shelter Cove Road legal services (Foster & Associates). Program code: CV03215646.	122.4	100.0
5351 Capital Improvement Project Inter-Agency	Trans - Department-wide	RSA Transportation, Alaska Marine Highway System - legal services related to the Tustumena replacement. Program code: CV03215625.	77.0	50.0