

State of Alaska
FY2023 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, international and rural 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.
- Advise DOTPF in negotiations and disputes with federal funding agencies.

Major Component Accomplishments in 2021

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. Land acquisitions were associated with major projects on the Parks, Glenn, Seward, and Richardson Highways, Knik-Goose Bay Road, and in the City of Fairbanks. Among these matters is the ongoing litigation against federal agencies regarding the proposed road between the communities of King Cove and Cold Bay. Section attorneys also assist DOTPF in the management of highway rights-of-way, and recovering repair costs following incidents where bridges or overpasses are seriously damaged by vehicle collisions.

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 with 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. Workload for the section is projected to grow due to the increased federal funding that is being made available for DOTPF infrastructure projects.

Significant Changes in Results to be Delivered in FY2023

No significant changes in results to be delivered.

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>FY2022</u> <u>Management</u> <u>Plan</u>	<u>FY2023</u> <u>Governor</u>		
Full-time	14	14	Annual Salaries	1,505,112
Part-time	0	0	Premium Pay	0
Nonpermanent	0	0	Annual Benefits	836,805
			<i>Less 2.77% Vacancy Factor</i>	(64,817)
			Lump Sum Premium Pay	0
Totals	14	14	Total Personal Services	2,277,100

Position Classification Summary					
Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Associate Attorney 1	1	0	0	0	1
Attorney 4	2	1	1	0	4
Attorney 5	2	0	3	0	5
Attorney 6	1	0	0	0	1
Law Office Assistant 1	1	1	1	0	3
Totals	7	2	5	0	14

Component Detail All Funds
Department of Law

Component: Transportation Section (2214)
RDU: Civil Division (Excludes Janus) (35)

Non-Formula Component

	FY2021 Actuals	FY2022 Conference Committee	FY2022 Authorized	FY2022 Management Plan	FY2023 Governor	FY2022 Management Plan vs FY2023 Governor	
71000 Personal Services	1,420.7	2,219.3	2,219.3	2,567.1	2,277.1	-290.0	-11.3%
72000 Travel	7.5	19.2	19.2	19.2	19.2	0.0	0.0%
73000 Services	535.9	481.0	481.0	481.0	481.0	0.0	0.0%
74000 Commodities	16.4	28.4	28.4	28.4	28.4	0.0	0.0%
75000 Capital Outlay	5.7	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%
Totals	1,986.2	2,747.9	2,747.9	3,095.7	2,805.7	-290.0	-9.4%
Fund Sources:							
1004 Gen Fund (UGF)	4.6	112.5	112.5	112.5	26.2	-86.3	-76.7%
1007 I/A Rcpts (Other)	1,827.1	2,435.8	2,435.8	2,783.6	2,579.9	-203.7	-7.3%
1061 CIP Rcpts (Other)	154.5	199.6	199.6	199.6	199.6	0.0	0.0%
Unrestricted General (UGF)	4.6	112.5	112.5	112.5	26.2	-86.3	-76.7%
Designated General (DGF)	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Other Funds	1,981.6	2,635.4	2,635.4	2,983.2	2,779.5	-203.7	-6.8%
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Positions:							
Permanent Full Time	13	13	13	14	14	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: Transportation Section (2214)
RDU: Civil Division (Excludes Janus) (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		NP
										PFT	PPT	
***** Changes From FY2022 Conference Committee To FY2022 Authorized *****												
FY2022 Conference Committee												
	ConfCom	2,747.9	2,219.3	19.2	481.0	28.4	0.0	0.0	0.0	13	0	0
1004 Gen Fund		112.5										
1007 I/A Rcpts		2,435.8										
1061 CIP Rcpts		199.6										
Subtotal		2,747.9	2,219.3	19.2	481.0	28.4	0.0	0.0	0.0	13	0	0
***** Changes From FY2022 Authorized To FY2022 Management Plan *****												
Transfer Two Attorney Positions from Commercial and Fair Business for Required Legal Expertise												
	Trin	347.8	347.8	0.0	0.0	0.0	0.0	0.0	0.0	2	0	0
1007 I/A Rcpts		347.8										
Transfer two full-time Attorney 4 positions (03-0044 and 03-0094), range 24, located in Juneau and Anchorage, from the Commercial and Fair Business component to the Transportation component to keep pace with the required level of legal expertise needed within the office. The remaining staff in Commercial and Fair Business are sufficient to accommodate anticipated workload.												
Transfer Law Office Assistant 1 (03-0171) 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 a full-time Law Office Assistant 1 (03-0171), range 11, located in Fairbanks, to the Torts and Workers' Compensation component from the Transportation component to accommodate workload demands. The remaining staff in Transportation are sufficient to cover the anticipated workload.												
Subtotal		3,095.7	2,567.1	19.2	481.0	28.4	0.0	0.0	0.0	14	0	0
***** Changes From FY2022 Management Plan To FY2023 Governor *****												
FY2023 Executive Health Insurance, SBS, and Risk Management Rate Changes												
	SalAdj	21.7	21.7	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1007 I/A Rcpts		21.7										
FY2023 Change Partially Exempt & Exempt Executive (EE) - Health Insurance from \$1,555 to \$1,685; SBS and Risk Management Rates: \$21.7												
FY2023 General Government Unit SBS and Risk Management Rate Changes												
	SalAdj	0.6	0.6	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1007 I/A Rcpts		0.6										
FY2023 Change General Government Unit (GG, GP, GY, GZ) - SBS, and Risk Management Rates: \$0.6												
FY2023 PERS Actuarial Rate Adjustment to 24.79% Ch9 SLA2021 (SB55)												
	SalAdj	-86.3	-86.3	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0

Change Record Detail - Multiple Scenarios with Descriptions
Department of Law

Component: Transportation Section (2214)
RDU: Civil Division (Excludes Janus) (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		NP	
										PFT	PPT		
1007 I/A Rcpts		-86.3											
Includes: FY2023 Adjustment for PERS ARM Board Approved Rate of 24.79% (from 30.11%): \$-86.3													
Transfer Law Office Assistant (03-0204) 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	0.0	1	0	0
Transfer a full-time Law Office Assistant 1 (03-0204), range 11, located in Anchorage, from the Torts and Workers' Compensation component to the Transportation component to accommodate workload demands. The remaining staff in Torts and Workers' Compensation are sufficient to cover the anticipated workload.													
Transfer Attorney 5 (03-0069) to Commercial and Fair Business for Required Legal Expertise													
	Trout	-226.0	-226.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-1	0	0
1007 I/A Rcpts		-226.0											
Transfer one full-time Attorney 5 position (03-0069), range 25, located in Anchorage, to the Commercial and Fair Business component from the Transportation component to keep pace with the required level of legal expertise needed within the office. The remaining staff in Transportation are sufficient to accommodate anticipated workload.													
Realign PERS Rate Adjustment by Fund Source Ch9 SLA2021 (SB55)													
	FndChg	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		-86.3											
1007 I/A Rcpts		86.3											
Remove one-time UGF subsidy for rate agency assigned in SB55 fiscal note (Ch 9 SLA 2021).													
Totals		2,805.7	2,277.1	19.2	481.0	28.4	0.0	0.0	0.0	0.0	14	0	0

Line Item Detail (1676)
Department of Law
Travel

Component: Transportation Section (2214)

Line Number	Line Name		FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
2000	Travel		7.5	19.2	19.2
Object Class	Servicing Agency	Explanation	FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
2000 Travel Detail Totals			7.5	19.2	19.2
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.	2.5	6.1	6.1
2001	In-State Non-Employee Travel	Travel costs for witnesses to testify in court.	0.0	5.0	5.0
2002	Out of State Employee Travel	Travel costs and expenses for out-of-state travel for conferences, training, etc.	1.8	6.1	6.1
2006	Other Travel Costs	Travel cost transfers.	3.2	2.0	2.0

Line Item Detail (1676)
Department of Law
Services

Component: Transportation Section (2214)

Line Number	Line Name		FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
3000	Services		535.9	481.0	481.0
Object Class	Servicing Agency	Explanation	FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
3000 Services Detail Totals			535.9	481.0	481.0
3000	Education Services	Conferences, training and memberships.	5.5	3.0	3.0
3002	Legal and Judicial Services	Depositions, research costs, expert witness and consultant fees.	299.3	299.3	299.3
3006	Delivery Services	Freight, courier, postage, and transportation of trial exhibit materials.	0.2	1.8	1.8
3011	Other Services	Cost transfers and miscellaneous items within the services line (commissions, etc.).	230.4	175.9	175.9
3029	Inter-Agency Education/Training	Classes and training offered by another state department.	0.5	1.0	1.0

Line Item Detail (1676)

**Department of Law
Commodities**

Component: Transportation Section (2214)

Line Number	Line Name		FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
4000	Commodities		16.4	28.4	28.4
Object Class	Servicing Agency	Explanation	FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
4000 Commodities Detail Totals			16.4	28.4	28.4
4000	Business	Reference materials and subscriptions, including statutes, software applications, non-capital desktop refresh, and miscellaneous office supplies.	0.0	1.7	1.7
4022	Commodity Transfer	Commodity cost transfers.	16.4	26.7	26.7

Line Item Detail (1676)
Department of Law
Capital Outlay

Component: Transportation Section (2214)

Line Number	Line Name		FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
5000	Capital Outlay		5.7	0.0	0.0
Object Class	Servicing Agency	Explanation	FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
5000 Capital Outlay Detail Totals			5.7	0.0	0.0
5009	Capital Outlay Transfer	Capital cost transfers.	5.7	0.0	0.0

Revenue Detail (1681)
Department of Law

Component: Transportation Section (2214)

Revenue Type (OMB Fund Code) Revenue Source	Component	Comment	FY2021 Actuals	FY2022 Management Plan	FY2023 Governor
5007 I/A Rcpts (1007 I/A Rcpts)			1,827.1	2,783.6	2,579.9
5301 Inter-Agency Receipts	Trans - Department-wide	RSA Transportation, Department-wide - legal services. Program code: CV03215522.	1,364.2	2,233.6	1,885.8
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.	298.4	300.0	347.1
5301 Inter-Agency Receipts	Trans - Department-wide	RSA Transportation, Alaska Marine Highway System - legal services. Program code: CV03215546.	164.5	250.0	347.0
5061 CIP Rcpts (1061 CIP Rcpts)			154.5	199.6	199.6
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.	14.4	49.6	49.6
5351 Capital Improvement Project Inter-Agency	Trans - Department-wide	RSA Transportation, Shelter Cove Road legal services (Arcadis). Program code: CV03215645.	96.3	100.0	100.0
5351 Capital Improvement Project Inter-Agency	Trans - Department-wide	RSA Transportation - legal services related to stormwater permitting and compliance. Program code: CVTRA25001.	43.8	50.0	50.0

Personal Services Expenditure Detail
Department of Law

Scenario: FY2023 Governor (18673)
Component: Transportation Section (2214)
RDU: Civil Division (Excludes Janus) (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
03-0044	Attorney 4	FT	A	XE	Juneau	N05	24F	12.0		111,774	0	0	61,851	173,625	0
03-0065	Law Office Assistant 1	FT	A	GP	Anchorage	200	11B	12.0		38,922	0	0	33,272	72,194	0
03-0084	Associate Attorney 1	FT	A	GP	Anchorage	200	17O / P	12.0		84,620	0	0	50,285	134,905	0
03-0094	Attorney 4	FT	A	XE	Anchorage	N00	24F	12.0		106,451	0	0	59,869	166,320	0
03-0115	Attorney 5	FT	A	XE	Anchorage	N00	25F	12.0		114,426	0	0	62,838	177,264	0
03-0132	Paralegal 2	FT	A	GP	Fairbanks	203	16L	6.0	*	36,894	0	0	23,126	60,020	0
03-0169	Attorney 6	FT	A	XE	Anchorage	N00	26L	12.0		156,824	0	0	78,002	234,826	0
03-0204	Law Office Assistant 1	FT	A	GP	Fairbanks	203	11B	6.0	**	20,144	0	0	16,890	37,034	0
03-0207	Attorney 4	FT	A	XE	Anchorage	N00	24F / J	12.0		109,844	0	0	61,132	170,976	0
03-0217	Law Office Assistant 1	FT	A	GP	Juneau	205	11D / E	12.0		43,469	0	0	34,965	78,434	0
03-0294	Attorney 5	FT	A	XE	Juneau	99	25P / Q	12.0		153,633	0	0	77,010	230,643	0
03-0312	Attorney 5	FT	A	XE	Juneau	N05	25K	12.0		128,076	0	0	67,920	195,996	0
03-0314	Attorney 4	FT	A	XE	Fairbanks	99	24O	12.0		140,041	0	0	72,375	212,416	0
03-0391	Attorney 5	FT	A	XE	Juneau	N05	25O	12.0		145,568	0	0	74,432	220,000	0
03-1211	Attorney 5	FT	A	XE	Anchorage	N00	25F	12.0		114,426	0	0	62,838	177,264	0

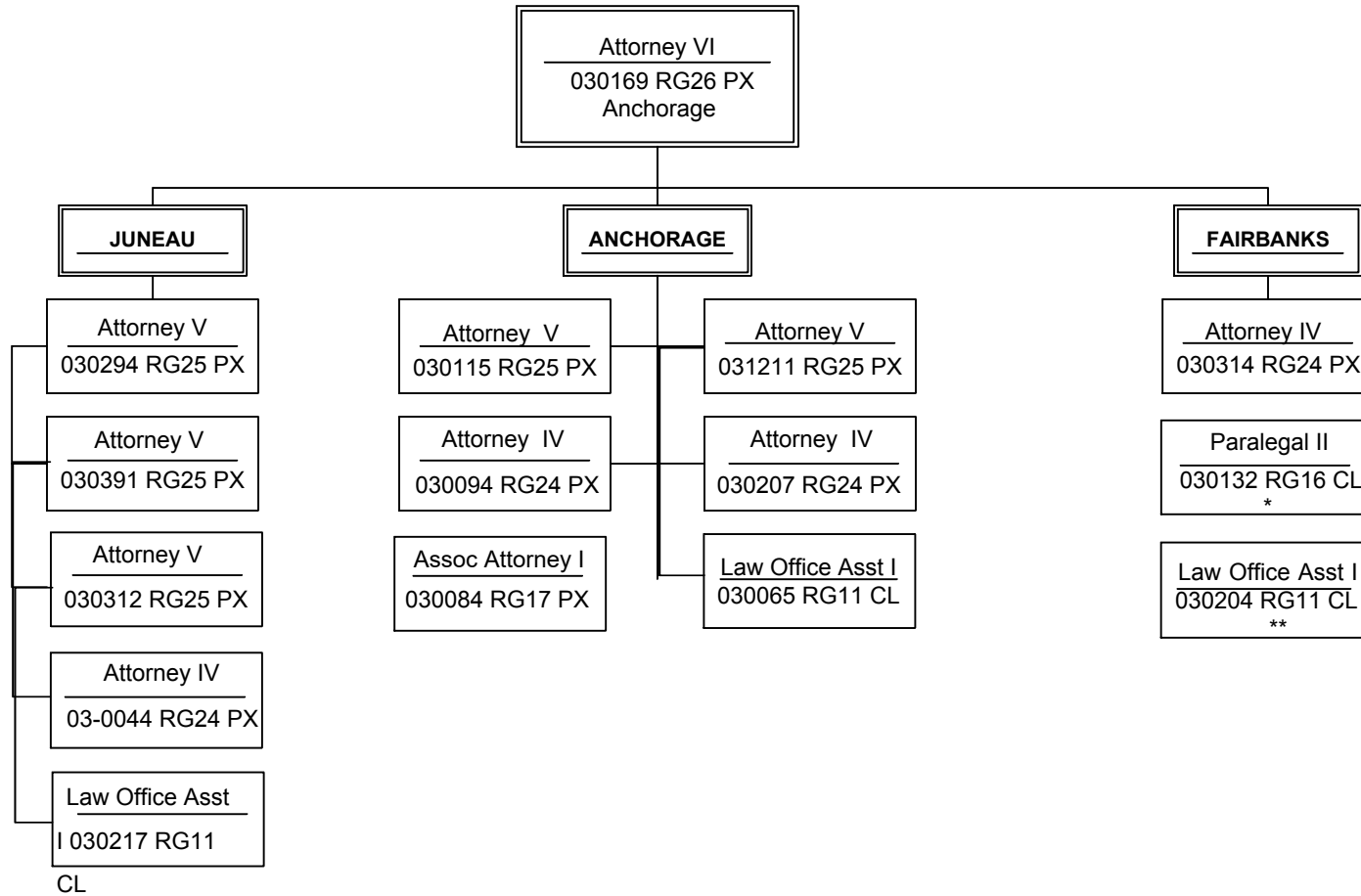
	Total Positions	New	Deleted		Total Salary Costs:	1,505,112
					Total COLA:	0
Full Time Positions:	14	0	0		Total Premium Pay:	0
Part Time Positions:	0	0	0		Total Benefits:	836,805
Non Permanent Positions:	0	0	0			
Positions in Component:	14	0	0		Total Pre-Vacancy:	2,341,917
					Minus Vacancy Adjustment of 2.77%:	(64,817)
					Total Post-Vacancy:	2,277,100
Total Component Months:	168.0				Plus Lump Sum Premium Pay:	0
					Personal Services Line 100:	2,277,100

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1007 Interagency Receipts	2,341,917	2,277,100	100.00%
Total PCN Funding:	2,341,917	2,277,100	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.

CIVIL DIVISION

Transportation Section



Note: If a position is split, an asterisk (*) will appear. If the split position is counted in the component, two asterisks (**) appear.