

# **State of Alaska FY2024 Governor's Operating Budget**

## **Department of Law Environmental Law Component Budget Summary**

**Component: Environmental Law**

**Contribution to Department's Mission**

The Environmental Law section provides advice and legal representation to state agencies, primarily the Department of Environmental Conservation (DEC), on state and federal environmental laws and programs.

**Core Services**

- Section attorneys assist DEC with implementation and enforcement of state environmental laws and regulations.
- The section advises and defends DEC in administrative appeals of DEC decisions and certifications.
- When spills occur, section attorneys provide investigative, enforcement, and litigation services to ensure prompt and complete response, and reimbursement of state costs and damages.
- The section advises DEC on air and water discharge permitting and enforcement.
- The section provides legal advice and representation to DEC on public health issues such as food safety, animal health, pesticides, solid waste, and drinking water.

**Major Component Accomplishments in 2022**

In FY2022, the section assisted DEC in recovering nearly \$1,885,000 for civil assessments, state costs recovery and penalties related to violations of state environmental laws and spills. Costs associated with operating the section totaled \$1,161,300 for all fund sources.

**Key Component Challenges**

- Recovering costs of DEC oversight and cleanup costs of spill response and contaminated sites, and diminished ability to pursue cleanup of "lingering contaminated sites" where no responsible party is undertaking a cleanup.
- Defending challenges to DEC decisions before the Office of Administrative Hearings.
- Engaging federal agencies on matters and decisions that affect the state's interests. The section provides legal advice and representation on federal regulatory or administrative actions and rulemakings and to represent state agency interests, either to support or to challenge federal rules.

**Significant Changes in Results to be Delivered in FY2024**

No significant changes are anticipated in the next fiscal year.

**Statutory and Regulatory Authority**

AS 44.23.020  
AS 46.08.070

**Contact Information**

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Environmental Law Personal Services Information				
Authorized Positions			Personal Services Costs	
	<u>FY2023</u> <u>Management</u> <u>Plan</u>	<u>FY2024</u> <u>Governor</u>		
Full-time	11	0	Annual Salaries	0
Part-time	0	0	Premium Pay	0
Nonpermanent	0	0	Annual Benefits	0
			<i>Less 0.00% Vacancy Factor</i>	(0)
			Lump Sum Premium Pay	0
<b>Totals</b>	<b>11</b>	<b>0</b>	<b>Total Personal Services</b>	<b>0</b>

Position Classification Summary					
Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
No personal services.					
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

**Component:** Environmental Law (2092)  
**RDU:** Civil Division (35)

Non-Formula Component

	<b>FY2022 Actuals</b>	<b>FY2023 Conference Committee</b>	<b>FY2023 Authorized</b>	<b>FY2023 Management Plan</b>	<b>FY2024 Governor</b>	<b>FY2023 Management Plan vs FY2024 Governor</b>	
71000 Personal Services	726.6	1,546.6	1,791.9	1,701.9	0.0	-1,701.9	-100.0%
72000 Travel	2.2	20.0	20.0	10.0	0.0	-10.0	-100.0%
73000 Services	165.7	400.5	402.3	502.3	0.0	-502.3	-100.0%
74000 Commodities	11.1	9.0	9.0	9.0	0.0	-9.0	-100.0%
75000 Capital Outlay	0.0	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%
<b>Totals</b>	<b>905.6</b>	<b>1,976.1</b>	<b>2,223.2</b>	<b>2,223.2</b>	<b>0.0</b>	<b>-2,223.2</b>	<b>-100.0%</b>
<b>Fund Sources:</b>							
1004 Gen Fund (UGF)	57.4	721.4	909.5	909.5	0.0	-909.5	-100.0%
1007 I/A Rcpts (Other)	551.7	779.2	779.2	779.2	0.0	-779.2	-100.0%
1055 IA/OIL HAZ (Other)	296.5	475.5	534.5	534.5	0.0	-534.5	-100.0%
<b>Unrestricted General (UGF)</b>	<b>57.4</b>	<b>721.4</b>	<b>909.5</b>	<b>909.5</b>	<b>0.0</b>	<b>-909.5</b>	<b>-100.0%</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>848.2</b>	<b>1,254.7</b>	<b>1,313.7</b>	<b>1,313.7</b>	<b>0.0</b>	<b>-1,313.7</b>	<b>-100.0%</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	11	11	11	11	0	-11	-100.0%
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:** Environmental Law (2092)  
**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 FY2023 Conference Committee To FY2023 Authorized *****												
<b>FY2023 Conference Committee</b>												
	ConfCom	1,976.1	1,546.6	20.0	400.5	9.0	0.0	0.0	0.0	11	0	0
1004 Gen Fund		721.4										
1007 I/A Rcpts		779.2										
1055 IA/OIL HAZ		475.5										
<b>Align Authority for Statewide Rate Adjustments</b>												
	Unalloc	1.8	0.0	0.0	1.8	0.0	0.0	0.0	0.0	0	0	0
1055 IA/OIL HAZ		1.8										
Transfer of additional authority associated with unallocated statewide core services rate adjustment to align the additional authority to the correct component.												
<b>FY2023 Exempt 5% COLA</b>												
	SalAdj	59.1	59.1	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		45.3										
1055 IA/OIL HAZ		13.8										
FY2023 Exempt 5% COLA: \$59.1												
<b>FY2023 15% Attorney and Administrative Law Judge COLA</b>												
	SalAdj	186.2	186.2	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		142.8										
1055 IA/OIL HAZ		43.4										
FY2023 15% Attorney and Administrative Law Judge COLA: \$186.2												
<b>Subtotal</b>		<b>2,223.2</b>	<b>1,791.9</b>	<b>20.0</b>	<b>402.3</b>	<b>9.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>11</b>	<b>0</b>	<b>0</b>
***** Changes From FY2023 Authorized To FY2023 Management Plan *****												
<b>Transfer Authority from Personal Services and Travel for Anticipated Services Expenditures</b>												
	LIT	0.0	-90.0	-10.0	100.0	0.0	0.0	0.0	0.0	0	0	0
Transfer authority from the personal services and travel lines to the services line for anticipated costs. The remaining personal services and travel authority is anticipated to be sufficient to cover operating expenditures.												
<b>Subtotal</b>		<b>2,223.2</b>	<b>1,701.9</b>	<b>10.0</b>	<b>502.3</b>	<b>9.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>11</b>	<b>0</b>	<b>0</b>
***** Changes From FY2023 Management Plan To FY2024 Governor *****												
<b>Transfer 11 Personnel and Associated Costs to Statehood Defense and Resource Development for Restructuring Purposes</b>												
	Trout	-2,241.4	-1,720.1	-10.0	-502.3	-9.0	0.0	0.0	0.0	-11	0	0

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

**Component:** Environmental Law (2092)  
**RDU:** Civil Division (35)

Scenario/Change Record Title	Trans Type	Totals	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants, Benefits	Miscellaneous	Positions		
										PFT	PPT	NP
1004 Gen Fund		-917.1										
1007 I/A Rcpts		-786.8										
1055 IA/OIL HAZ		-537.5										
Transfer seven attorney positions and four support staff positions to Statehood Defense and Resource Development from Environmental Law in order to leverage legal expertise and support in related areas of legal work under a streamlined organizational structure in the Civil Division.												
As part of a broader restructuring of the Civil Division within the Department of Law that will allow the department to operate with greater efficiency and efficacy, the 11 positions and associated activities are transferred to the new Statehood Defense and Resource Development component from the current Environmental Law component.												
<b>FY2024 AlaskaCare Health Insurance Increase - Exempt and Partially Exempt</b>												
	SalAdj	10.1	10.1	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		3.2										
1007 I/A Rcpts		4.6										
1055 IA/OIL HAZ		2.3										
FY2024 AlaskaCare health insurance increase for exempt and partially exempt employees from \$1,685 to \$1,793 per member per month.: \$10.1												
<b>FY2024 PERS Rate Adjustment</b>												
	SalAdj	3.4	3.4	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		1.2										
1007 I/A Rcpts		1.5										
1055 IA/OIL HAZ		0.7										
FY2024 PERS rate adjustment to 25.10%: \$3.4												
<b>FY2024 Salary and Health Insurance Increases</b>												
	SalAdj	4.7	4.7	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		3.2										
1007 I/A Rcpts		1.5										
FY2024 Salary and Health Insurance Increases: \$4.7FY2024 GGU cost of living increase 2.5%: \$4.5												
FY2024 GGU health insurance increase from \$1,567.50 to \$1,573.50 per member per month.: \$0.2												
<b>Totals</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>0.0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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

**Component:** Environmental Law (2092)

<b>Line Number</b>	<b>Line Name</b>		<b>FY2022 Actuals</b>	<b>FY2023 Management Plan</b>	<b>FY2024 Governor</b>
2000	Travel		2.2	10.0	0.0
<b>Object Class</b>	<b>Servicing Agency</b>	<b>Explanation</b>	<b>FY2022 Actuals</b>	<b>FY2023 Management Plan</b>	<b>FY2024 Governor</b>
<b>2000 Travel Detail Totals</b>			<b>2.2</b>	<b>10.0</b>	<b>0.0</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. Includes travel for management purposes.	0.8	7.0	0.0
2002	Out of State Employee Travel	Travel costs and expenses for out-of-state travel for conferences, training, etc.	0.0	1.0	0.0
2006	Other Travel Costs	Travel cost transfers.	1.4	2.0	0.0

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

**Component:** Environmental Law (2092)

<b>Line Number</b>	<b>Line Name</b>		<b>FY2022 Actuals</b>	<b>FY2023 Management Plan</b>	<b>FY2024 Governor</b>
3000	Services		165.7	502.3	0.0
<b>Object Class</b>	<b>Servicing Agency</b>	<b>Explanation</b>	<b>FY2022 Actuals</b>	<b>FY2023 Management Plan</b>	<b>FY2024 Governor</b>
<b>3000 Services Detail Totals</b>			<b>165.7</b>	<b>502.3</b>	<b>0.0</b>
3000	Education Services	Conferences, training and memberships.	3.3	5.0	0.0
3002	Legal and Judicial Services	Depositions, research costs, expert witness and consultant fees.	0.0	1.0	0.0
3006	Delivery Services	Freight, courier, postage, and transportation of trial exhibit materials.	0.0	1.0	0.0
3008	Utilities	Waste management disposal costs not included in lease.	2.1	7.0	0.0
3009	Structure/Infrastructure/Land	Rentals/leases - records and evidence storage.	0.0	1.0	0.0
3011	Other Services	Cost transfers and miscellaneous items within the services line (commissions, etc.).	160.3	487.3	0.0



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

**Component:** Environmental Law (2092)

<b>Line Number</b>	<b>Line Name</b>		<b>FY2022 Actuals</b>	<b>FY2023 Management Plan</b>	<b>FY2024 Governor</b>
4000	Commodities		11.1	9.0	0.0
<b>Object Class</b>	<b>Servicing Agency</b>	<b>Explanation</b>	<b>FY2022 Actuals</b>	<b>FY2023 Management Plan</b>	<b>FY2024 Governor</b>
<b>4000 Commodities Detail Totals</b>			<b>11.1</b>	<b>9.0</b>	<b>0.0</b>
4022	Commodity Transfer	Commodity cost transfers.	11.1	9.0	0.0

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

**Component:** Environmental Law (2092)

Revenue Type (OMB Fund Code) Revenue Source	Component	Comment	FY2022 Actuals	FY2023 Management Plan	FY2024 Governor
<b>5007 I/A Rcpts (1007 I/A Rcpts)</b>			<b>551.7</b>	<b>779.2</b>	<b>0.0</b>
5301 Inter-Agency Receipts		RSA Environmental Conservation, Water Quality - legal services. Program code: CV03204502.	0.1	113.4	0.0
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Water Quality - legal services. Program code: CV03204502.	227.3	272.8	0.0
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Water Quality - legal services provided for implementation of Commercial Passenger Vessel Environmental Compliance (CVPEC) law, air opacity and wastewater enforcement actions, and on-going services of a consultant expert to advise the state in pursuit of commercial passenger vessel air opacity violations. Program code: CV03204504.	0.3	1.0	0.0
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Air Quality - legal services. Program code: CV03204505.	98.8	119.0	0.0
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Environmental Health - legal services provided to the Food Safety & Sanitation section. Program code: CV03204506.	206.1	248.0	0.0
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Spill Prevention and Response - legal services supporting Department of Defense cleanup work. Program code: CV03204507.	18.3	22.0	0.0
5301 Inter-Agency Receipts	EnvCon - Department-wide	RSA Environmental Conservation, Commissioner's Office - legal services. Program code: CVEN18001.	0.8	3.0	0.0

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

**Component:** Environmental Law (2092)

Revenue Type (OMB Fund Code) Revenue Source	Component	Comment	FY2022 Actuals	FY2023 Management Plan	FY2024 Governor
<b>5055 IA/OIL HAZ (1055 IA/OIL HAZ)</b>			<b>296.5</b>	<b>534.5</b>	<b>0.0</b>
5391 Oil and Hazardous Waste Inter-Agency		RSA Environmental Conservation, Spill Prevention and Response - legal services. Program code: CV03204501.	0.0	0.5	0.0
5391 Oil and Hazardous Waste Inter-Agency	EnvCon - Department-wide	RSA Environmental Conservation, Spill Prevention and Response - legal services. Program code: CV03204501.	296.5	534.0	0.0

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

**Scenario:** FY2024 Governor (19867)  
**Component:** Environmental Law (2092)  
**RDU:** Civil Division (35)

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.