

State of Alaska FY2024 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 (DOT&PF) 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 2022

Section attorneys provided legal support for DOT&PF land acquisition for highway and airport projects throughout Alaska and defended multiple contractor claims filed against DOT&PF. Included among the larger cases were claims arising from road construction and airport projects in DOT&PF'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 Seward Meridian Road. 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, with an increasing focus on marine highway terminal and vessel construction projects. Section members will continue providing assistance and legal guidance in the development of future transportation projects, 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 future bid protests and construction claims. Section members will additionally provide ongoing legal guidance in connection with the operation and maintenance of completed facilities, including marine highway assets, international and rural airports, and highway facilities. Workload for the section is projected to grow due to the additional federal funding that has increased the number and scope of DOT&PF infrastructure projects.

Significant Changes in Results to be Delivered in FY2024

No significant changes in results to be delivered.

Statutory and Regulatory Authority

AS 44.23.020

Contact Information

Contact: Max Garner, Chief Assistant Attorney General
Phone: (907) 269-5100
E-mail: max.garner@alaska.gov

Transportation Section Personal Services Information				
Authorized Positions			Personal Services Costs	
	<u>FY2023</u> <u>Management</u> <u>Plan</u>	<u>FY2024</u> <u>Governor</u>		
			Annual Salaries	0
Full-time	14	0	Premium Pay	0
Part-time	0	0	Annual Benefits	0
Nonpermanent	0	0	<i>Less 0.00% Vacancy Factor</i>	(0)
			Lump Sum Premium Pay	0
Totals	14	0	Total Personal Services	0

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

Component Detail All Funds
Department of Law

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

Non-Formula Component

	FY2022 Actuals	FY2023 Conference Committee	FY2023 Authorized	FY2023 Management Plan	FY2024 Governor	FY2023 Management Plan vs FY2024 Governor	
71000 Personal Services	1,610.5	2,286.9	2,662.4	2,512.4	0.0	-2,512.4	-100.0%
72000 Travel	12.0	19.2	19.2	33.5	0.0	-33.5	-100.0%
73000 Services	554.5	481.0	481.7	617.4	0.0	-617.4	-100.0%
74000 Commodities	15.4	28.4	28.4	28.4	0.0	-28.4	-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%
Totals	2,192.4	2,815.5	3,191.7	3,191.7	0.0	-3,191.7	-100.0%
Fund Sources:							
1004 Gen Fund (UGF)	92.9	26.2	401.7	401.7	0.0	-401.7	-100.0%
1007 I/A Rcpts (Other)	1,909.5	2,589.7	2,589.7	2,589.7	0.0	-2,589.7	-100.0%
1061 CIP Rcpts (Other)	190.0	199.6	200.3	200.3	0.0	-200.3	-100.0%
Unrestricted General (UGF)	92.9	26.2	401.7	401.7	0.0	-401.7	-100.0%
Designated General (DGF)	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Other Funds	2,099.5	2,789.3	2,790.0	2,790.0	0.0	-2,790.0	-100.0%
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0	0.0%
Positions:							
Permanent Full Time	14	14	14	14	0	-14	-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: 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 FY2023 Conference Committee To FY2023 Authorized *****												
FY2023 Conference Committee												
	ConfCom	2,815.5	2,286.9	19.2	481.0	28.4	0.0	0.0	0.0	14	0	0
1004 Gen Fund		26.2										
1007 I/A Rcpts		2,589.7										
1061 CIP Rcpts		199.6										
Align Authority for Statewide Rate Adjustments												
	Unalloc	0.7	0.0	0.0	0.7	0.0	0.0	0.0	0.0	0	0	0
1061 CIP Rcpts		0.7										
Transfer of additional authority associated with unallocated statewide core services rate adjustment to align the additional authority to the correct component.												
FY2023 Exempt 5% COLA												
	SalAdj	86.6	86.6	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		86.6										
FY2023 Exempt 5% COLA: \$86.6												
FY2023 15% Attorney and Administrative Law Judge COLA												
	SalAdj	288.9	288.9	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		288.9										
FY2023 15% Attorney and Administrative Law Judge COLA: \$288.9												
Subtotal		3,191.7	2,662.4	19.2	481.7	28.4	0.0	0.0	0.0	14	0	0
***** Changes From FY2023 Authorized To FY2023 Management Plan *****												
Transfer Authority from Personal Services for Anticipated Travel and Services Expenditures												
	LIT	0.0	-150.0	14.3	135.7	0.0	0.0	0.0	0.0	0	0	0
Transfer authority from the personal services line to the travel and services lines for anticipated costs. The remaining personal services authority is anticipated to be sufficient to cover operating expenditures.												
Subtotal		3,191.7	2,512.4	33.5	617.4	28.4	0.0	0.0	0.0	14	0	0
***** Changes From FY2023 Management Plan To FY2024 Governor *****												
Transfer 14 Personnel and Associated Costs to Statehood Defense and Resource Dev for Restructuring Purposes												
	Trout	-3,217.5	-2,538.2	-33.5	-617.4	-28.4	0.0	0.0	0.0	-14	0	0
1004 Gen Fund		-401.7										
1007 I/A Rcpts		-2,615.5										

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			
										PFT	PPT	NP	
1061 CIP Rcpts		-200.3											
Transfer nine attorney positions and four support staff positions to Statehood Defense and Resource Development from Transportation 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 14 positions and associated activities are transferred to the new Statehood Defense and Resource Development component from the current Transportation component.													
FY2024 AlaskaCare Health Insurance Increase - Exempt and Partially Exempt													
1007 I/A Rcpts	SalAdj	12.6	12.6	12.6	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
FY2024 AlaskaCare health insurance increase for exempt and partially exempt employees from \$1,685 to \$1,793 per member per month.: \$12.6													
FY2024 PERS Rate Adjustment													
1007 I/A Rcpts	SalAdj	5.0	5.0	5.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
FY2024 PERS rate adjustment to 25.10%: \$5.0													
FY2024 Salary and Health Insurance Increases													
1007 I/A Rcpts	SalAdj	8.2	8.2	8.2	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
FY2024 Salary and Health Insurance Increases: \$8.2FY2024 GGU cost of living increase 2.5%: \$7.9													
FY2024 GGU health insurance increase from \$1,567.50 to \$1,573.50 per member per month.: \$0.3													
Totals		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0

Line Item Detail (1676)
Department of Law
Travel

Component: Transportation Section (2214)

Line Number	Line Name		FY2022 Actuals	FY2023 Management Plan	FY2024 Governor
2000	Travel		12.0	33.5	0.0
Object Class	Servicing Agency	Explanation	FY2022 Actuals	FY2023 Management Plan	FY2024 Governor
2000 Travel Detail Totals			12.0	33.5	0.0
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.	6.5	6.5	0.0
2001	In-State Non-Employee Travel	Travel costs for witnesses to testify in court.	0.0	7.0	0.0
2002	Out of State Employee Travel	Travel costs and expenses for out-of-state travel for conferences, training, etc.	3.7	15.0	0.0
2006	Other Travel Costs	Travel cost transfers.	1.8	5.0	0.0

Line Item Detail (1676)
Department of Law
Services

Component: Transportation Section (2214)

Line Number	Line Name		FY2022 Actuals	FY2023 Management Plan	FY2024 Governor
3000	Services		554.5	617.4	0.0
Object Class	Servicing Agency	Explanation	FY2022 Actuals	FY2023 Management Plan	FY2024 Governor
3000 Services Detail Totals			554.5	617.4	0.0
3000	Education Services	Conferences, training and memberships.	1.9	7.0	0.0
3002	Legal and Judicial Services	Depositions, research costs, expert witness and consultant fees.	332.0	378.4	0.0
3006	Delivery Services	Freight, courier, postage, and transportation of trial exhibit materials.	4.8	7.0	0.0
3011	Other Services	Cost transfers and miscellaneous items within the services line (commissions, etc.).	215.8	220.0	0.0
3029	Inter-Agency Education/Training	Classes and training offered by another state department.	0.0	5.0	0.0

Line Item Detail (1676)
Department of Law
Commodities

Component: Transportation Section (2214)

Line Number	Line Name		FY2022 Actuals	FY2023 Management Plan	FY2024 Governor
4000	Commodities		15.4	28.4	0.0
Object Class	Servicing Agency	Explanation	FY2022 Actuals	FY2023 Management Plan	FY2024 Governor
4000 Commodities Detail Totals			15.4	28.4	0.0
4000	Business	Reference materials and subscriptions, including statutes, software applications, non-capital desktop refresh, and miscellaneous office supplies.	0.5	2.0	0.0
4022	Commodity Transfer	Commodity cost transfers.	14.9	26.4	0.0

Revenue Detail (1681)
Department of Law

Component: Transportation Section (2214)

Revenue Type (OMB Fund Code) Revenue Source	Component	Comment	FY2022 Actuals	FY2023 Management Plan	FY2024 Governor
5007 I/A Rcpts (1007 I/A Rcpts)			1,909.5	2,589.7	0.0
5301 Inter-Agency Receipts		RSA Transportation, Department-wide - legal services. Program code: CV03215522.	0.1	167.4	0.0
5301 Inter-Agency Receipts	Trans - Department-wide	RSA Transportation, Department-wide - legal services. Program code: CV03215522.	1,577.3	1,982.0	0.0
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.	188.6	250.3	0.0
5301 Inter-Agency Receipts	Trans - Department-wide	RSA Transportation, Alaska Marine Highway System - legal services. Program code: CV03215546.	143.5	190.0	0.0
5061 CIP Rcpts (1061 CIP Rcpts)			190.0	200.3	0.0
5351 Capital Improvement Project Inter-Agency		RSA Governor - Endangered Species Act-related outside counsel legal services. Program code: CVNAR10003.	76.5	80.0	0.0
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.	0.1	0.0	0.0
5351 Capital Improvement Project Inter-Agency	Trans - Department-wide	RSA Transportation, Shelter Cove Road legal services (Arcadis). Program code: CV03215645.	84.8	87.3	0.0
5351 Capital Improvement Project Inter-Agency	Trans - Department-wide	RSA Transportation - legal services related to stormwater permitting and compliance. Program code: CVTRA25001.	28.6	33.0	0.0

Personal Services Expenditure Detail
Department of Law

Scenario: FY2024 Governor (19867)
Component: Transportation Section (2214)
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.