

Change Record Detail with Description
Special Appropriations

Scenario: FY2013 Supplementals Submitted Mar 19 (10623)
Component: Judgments, Claims and Settlements (3008)
RDU: Judgments, Claims and Settlements (615)
Title: Judgments and Settlements

| Language | Trans Type | Totals | Personal Services | Travel | Services | Commodities | Capital Outlay | Grants, Benefits | Miscellaneous | Positions | | |
|---------------|------------|--------|-------------------|--------|----------|-------------|----------------|------------------|---------------|-----------|-----|----|
| | | | | | | | | | | PFT | PPT | NP |
| Y | Inc | 447.3 | 0.0 | 0.0 | 447.3 | 0.0 | 0.0 | 0.0 | 0.0 | 0 | 0 | 0 |
| 1004 Gen Fund | | 447.3 | | | | | | | | | | |

Amend judgments and settlements appropriation to add cases settled in the amount of \$447.3 after the 2/13 supplemental amendment was submitted.

Amend * Sec. 8. DEPARTMENT OF LAW., as follows:

* Sec. 8. DEPARTMENT OF LAW. (a) The sum of \$5,329,300 [\$4,882,000] is appropriated from the general fund to the Department of Law, civil division, deputy attorney general's office, for the purpose of paying judgments and settlements against the state for the fiscal year ending June 30, 2013.

- \$300.0 - Sequestered Solutions Alaska LLC vs Enterprise Technology Services
- \$41.6 - Wold v SOA
- \$289.9 - Holly M Gittlein and Alexander Gittlein v SOA, DOT & Public Facilities and David C Carlsen
- \$3.4 - Gerald Edwards v State, Dept of Revenue, CSSD
- \$226.9 - Carmen Baker v State, DHSS, SDS
- \$255.5 - Robin Heitz v SOA, DHSS, OCS
- \$3,638.1 - DOT fish hatchery lawsuit
- \$20.4 - ABC Board Settlement
- \$106.2 - Aniak Vocational School, Kuspuk School Contaminated Site Cleanup
- \$220.0 - Estate of Shandrika Jenkins v. SOA, DOT&PF
- \$25.0 - City of Fairbanks discovery claims against the state
- \$100.7 - Katzeek v. CBJ, et al.
- \$101.7 - Mulgrew v. SOA, DHSS, OCS

Change Record Detail with Description
Department of Law

Scenario: FY2013 Supplementals Submitted Mar 19 (10623)

Component: Transportation Section (2214)

RDU: Civil Division (35)

Title: Fast Ferry Litigation Supplemental Withdraw \$1.5 million - Case Settled 3-1-13

| Language | Trans Type | Totals | Personal Services | Travel | Services | Commodities | Capital Outlay | Grants, Benefits | Miscellaneous | Positions | | |
|---------------|------------|----------|-------------------|--------|----------|-------------|----------------|------------------|---------------|-----------|-----|----|
| | | | | | | | | | | PFT | PPT | NP |
| Y | Suppl | -1,500.0 | 0.0 | 0.0 | -1,500.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0 | 0 | 0 |
| 1004 Gen Fund | | -1,500.0 | | | | | | | | | | |

Delete proposed language in section 8(c), page 8, line 28 of FY2013 supplemental bill:

Section 10(c), ch. 5, SLA 2012, is amended to read:

(c) The sum of \$2,100,000 [\$600,000] is appropriated from the general fund to the Department of Law, civil division, transportation section, for the purpose of paying the costs associated with fast ferry litigation for the fiscal years ending June 30, 2012, [and] June 30, 2013, and June 30, 2014.

Additional funding is needed for the lawsuit brought by the Alaska Marine Highway System in connection with the defective engines installed in the fast ferries Fairweather and Chenega. The increased cost is due to the court's postponement of the trial from September 2012 to April 2013, and because of the increased complexity of the litigation.

The increased complexity of the case is due to: the state's 2012 amendment of the lawsuit (based on information discovered during the litigation) to allege additional claims for misrepresentation and bad faith business practices; the efforts of the defendants to avoid litigating in Alaska, which efforts have included unsuccessful attempts to remove the case another forum; the ongoing development of engine problems, resulting in the need for additional expert witness analysis; the expansion of the state's damages claims; and the contentious nature of the litigation, which has made it necessary for the state to engage in a very substantial amount of motion work to force the defendants to participate and cooperate.

This funding is anticipated to be needed through FY2014 (multi-year lapse date) and does not include any possible appeal costs. This is a one-time increment.