

State of Alaska FY2002 Governor's Operating Budget

Department of Law
Natural Resources
Component

Component: Natural Resources

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Component Mission

Mission statement appears at the department summary and BRU levels.

Component Services Provided

Provide legal advice and representation to state departments, boards and commissions that regulate Alaska's lands, waters, and renewable natural resources. Represent those agencies in litigation, and draft and review regulations governing them. Draft bills requested by the Governor's Office, and comment on legislation dealing with natural resources. Advise the Governor's Office on natural resource matters.

Component Goals and Strategies

Ensure that Alaska's lands, waters, and renewable natural resources are managed and allocated by state agencies in a manner that is consistent with the law.

Defend against legal challenges to actions taken by Alaska natural resources agencies.

Pursue legal actions against persons who are illegally using, damaging, or destroying Alaska's lands, waters, or renewable natural resources.

Provide legal advice and assistance to the Governor's Office and state agencies on matters of federal Indian law and assist in the development of state-tribal relations.

Provide legal advice to the Alaska Board of Fisheries and to the Alaska Board of Game and defend their conservation and allocation decisions against legal challenges.

Provide legal advice to the Alaska Commercial Fisheries Entry Commission and defend the commission's decisions concerning the issuance of limited entry permits for participating in certain state fisheries.

Provide legal advice to the Alaska Department of Fish and Game to ensure that its management of commercial, sport, personal use, and subsistence fisheries and its management of sport and subsistence hunts comply with the law. Advise the department in its efforts to enhance fishery and game populations, interact with private fish hatcheries, and operate state fish hatcheries. Pursue legal action to prevent, mitigate, or eliminate harmful impacts on fish habitat.

Provide legal advice to the Division of Governmental Coordination and to the Coastal Policy Council to ensure that coastal zone coordination is conducted in a lawful manner. Defend against legal challenges to state actions implementing the Alaska Coastal Management Program.

Assist the Alaska Department of Natural Resources to negotiate and draft state timberland leases. Help the department resolve legal issues concerning ownership and management of uplands, tidelands, and submerged lands.

Advise state agencies on riparian rights and represent the state in legal actions concerning transfer, leasing, and other uses of state lands. Assist the agencies on matters regarding public access to Alaska and federal lands.

Advise and assist the Alaska Department of Natural Resources to manage mining claims on state lands and restrict or eliminate surface uses that conflict with those claims.

Pursue legal actions that will prevent or eliminate trespass on, destruction of, or damage to state lands, waters, timber, and other natural resources.

Help wildlife protection officers, other law enforcement officers, and Assistant District Attorneys investigate and prosecute crimes against the state's natural resources including, when appropriate, acting as prosecutors in criminal cases. Pursue legal actions for the forfeiture of vessels and other property used in violating state natural resource laws.

Advise state agencies on issues relating to mental health trust lands and Native allotments and represent the state in legal actions involving those lands.

Advise natural resource agencies on legal issues arising under state laws that govern procurement, ethics, open meetings, and public records.

Key Component Issues for FY2001 – 2002

Natural Resources' FY 2001 budget sustained a reduction of \$134,000. As a result we are holding an attorney position in this section vacant. Loss of this position further curtails the ability to provide advice and representation to the Department of Fish and Game and the Department of Natural Resources. The ability to advise the agencies on issues ranging from commercial and sport fishing, hunting, and aquatic farming to municipal entitlements, state land disposals and state park management, among others, is diminished as a result.

Major Component Accomplishments for FY2000

Briefed two administrative appeals before the superior court concerning DGC consistency determinations.

Completed drafting major revisions to regulations governing the coastal program consistency review process.

Began advising on revisions to coastal program regulatory standards.

Assisted ADEC defend a decision regarding log transfer facilities.

Statutory and Regulatory Authority

AS 44.23.020

Natural Resources
Component Financial Summary

All dollars in thousands

	FY2000 Actuals	FY2001 Authorized	FY2002 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	937.5	1,171.0	1,157.0
72000 Travel	12.3	23.7	23.7
73000 Contractual	141.1	49.2	57.1
74000 Supplies	14.5	30.2	30.2
75000 Equipment	2.0	0.0	0.0
76000 Land/Buildings	0.0	0.0	0.0
77000 Grants, Claims	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,107.4	1,274.1	1,268.0
Funding Sources:			
1004 General Fund Receipts	888.5	958.2	960.4
1007 Inter-Agency Receipts	218.9	309.2	307.6
1053 Investment Loss Trust Fund	0.0	4.9	0.0
1108 Statutory Designated Program Receipts	0.0	1.8	0.0
Funding Totals	1,107.4	1,274.1	1,268.0

Estimated Revenue Collections

Description	Master Revenue Account	FY2000 Actuals	FY2001 Authorized	FY2001 Cash Estimate	FY2002 Governor	FY2003 Forecast
Unrestricted Revenues						
None.		0.0	0.0	0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0	0.0	0.0
Restricted Revenues						
Interagency Receipts	51015	216.9	309.2	323.8	307.6	307.6
Statutory Designated Program Receipts	51063	0.0	1.8	0.0	0.0	0.0
Investment Loss Trust Fund	51393	0.0	4.9	0.0	0.0	0.0
Restricted Total		216.9	315.9	323.8	307.6	307.6
Total Estimated Revenues		216.9	315.9	323.8	307.6	307.6

Natural Resources**Proposed Changes in Levels of Service for FY2002**

No service changes.

Summary of Component Budget Changes
From FY2001 Authorized to FY2002 Governor

All dollars in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2001 Authorized	963.1	0.0	311.0	1,274.1
Adjustments which will continue current level of service:				
-Convert Special FY2001 Labor Cost Fund Sources to GF	1.8	0.0	-1.8	0.0
-Year 2 Labor Costs - Net Change from FY 2001	-4.5	0.0	-1.6	-6.1
FY2002 Governor	960.4	0.0	307.6	1,268.0

Natural Resources**Personal Services Information**

Authorized Positions			Personal Services Costs	
	FY2001 Authorized	FY2002 Governor		
Full-time	15	16	Annual Salaries	915,004
Part-time	1	1	COLA	18,689
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	271,567
			<i>Less 4.00% Vacancy Factor</i>	(48,210)
			Lump Sum Premium Pay	0
Totals	16	17	Total Personal Services	1,157,050

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Attorney III	2	0	1	0	3
Attorney IV	3	0	1	0	4
Attorney V	1	1	1	0	3
Legal Secretary I	2	1	2	0	5
Legal Secretary II	1	0	1	0	2
Totals	9	2	6	0	17