

**State of Alaska  
FY2017 Governor's Operating Budget**

**Department of Law  
Legislation/Regulations  
Component Budget Summary**

**Component: Legislation/Regulations****Contribution to Department's Mission**

The Legislation and Regulations section provides legal advice to executive agencies to assure compliance with legal standards regarding legislation and regulations. The section provides assistance to the Office of the Governor on a number of procedural matters related to the legislative branch and to executive agencies tasked with statutory implementation through regulation.

**Core Services**

- Drafts legislation at the Governor's request for introduction in the legislature, tracks and reviews all legislation for legal issues and reviews virtually all regulations adopted by the executive branch for compliance with legal requirements.
- Assists the Office of Governor in seeking passage of legislation introduced at the request of the governor by assisting with amendments at the request of the Governor's Office.
- Coordinates responses to legal questions and requests for information from legislators to the Department of Law.
- Prepares and publishes the Drafting Manual for Administrative Regulations, which all agencies must follow.
- The regulations attorney serves as the executive branch representative to the National Conference of Commissioners on Uniform State Laws, which formulates model legislation on issues of nationwide concern.

**Major Component Accomplishments in 2015**

The Legislation and Regulations section conducted legal review of 1,309 pages of regulations during FY2015.

The section assisted with preparing and finalizing approximately 27 bills for the upcoming legislative session, including bill drafting, presentation, monitoring, and explanation of legislative rules and procedures. Bills of special interest including insurance code updates to bring Alaska into compliance with federal standards, establishment of a marijuana control board to address the regulation of marijuana due to its legalization and a bill related to child support passage of which was necessary to preserve federal funding for needy families.

The section substantially updated its training materials for Department of Law attorneys and legal assistants on legislative drafting requirements for typing, formatting, style, and drafting technique information for preparation of legislation projects. The section conducted its annual class for approximately 25 Department of Law legal office assistants in legislative typing and other procedures. The section conducted regulation training classes in Juneau and Anchorage for 143 state employees from various agencies. Additionally, the section presented a training geared towards occupational licensing board staff at the request of the department. The training was well-received by the approximately 25 attendees.

In the fall of 2014, the section coordinated and assisted with 46 bill drafting projects for the 2015 regular legislative session. In the spring of 2015, the section coordinated preparation of and performed final editing of bill reviews for the Governor. The section assisted with two special sessions held in June 2015 by drafting budget bills, monitoring legislation, providing advice and completing bill reviews for complex budget bills and a bill related to education training requirements.

The section also coordinated public outreach activities and media communications and acted as the main point of contact for the media on stories that could involve the Department of Law by working with other sections to prepare talking points, press releases and press statements on matters that were likely to garner media attention. Numerous cases or matters continue to receive substantial media attention, including the state's challenge to the Tongass National Forest Roadless Rule, the acceptance by the U.S. Supreme Court of the *Sturgeon v. Masica* case challenging federal overreach into Alaskan lands and waters, and the final resolution of the Exxon Valdez settlement.

In the role of regulatory process oversight, the section assisted with the following complex projects:

Manual of Legislative Drafting. The manual, published in paper copy and on the department's Internet site, must be followed by agencies in the preparation of regulations. Substantial amendments were made this year to account for 2014 changes in the Administrative Procedure Act, to reduce the size of the manual, and to provide more clarity on drafting formatting.

Marijuana. The section has provided substantial assistance with issues related to establishing regulations to oversee the marijuana industry, including presenting an overview of the regulations process at two public meetings of the Marijuana Control Board at their request. We expect this workload to continue.

Medical coverage and payment. The section assisted with emergency regulations to address health care cost containment concerns by providing advice on the emergency adoption process.

Wood fired heating devices. The section provided assistance to the agency in finalizing critical and controversial regulations related to wood-fired heating devices in order to meet federal requirements (or risk federal governance of air pollution due to wood smoke).

Naturally occurring asbestos. This regulations concern the testing and laboratory requirements related to naturally occurring asbestos. This address the important public health and policy issues related to the existence of naturally occurring asbestos.

## **Key Component Challenges**

Budget challenges may result in the need for legislation to address current programs. In addition, there may be increased scrutiny of executive agency regulatory action in light of budget concerns. We will continue to provide detailed guidance on questions of legislative drafting and interpretation, and continue to subject regulations submitted for review to detailed scrutiny for legality, constitutionality, and clarity. Whenever major program and policy changes are implemented, the section strives to meet the increased need for assistance in order to save costs, increase efficiency, and effectiveness in the provision of state services by assisting with timely changes to statutes, regulations, or a combination of both.

Regulations are increasingly complex in the natural resources and health care areas due to the need to comply with federal standards. The section will respond by providing training and guidance to executive agencies charged with regulating these complex areas. The section anticipates its role in advising on regulations process matters and coordinating public outreach will continue to grow.

## **Significant Changes in Results to be Delivered in FY2017**

The section anticipates a substantial number of regulations in the areas of health care, regulation of marijuana, child protection services (including foster care), compliance with federal clean air standards, and other priority matters. Budget issues often require legislative attention, and we anticipate an increase in legislative needs (both in drafting and monitoring activities) and assisting with regular and special legislative sessions.

## **Statutory and Regulatory Authority**

AS 44.23.020  
AS 44.23.040  
AS 44.62.060  
AS 44.62.125

**Contact Information**

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Legislation/Regulations Personal Services Information				
Authorized Positions			Personal Services Costs	
	<u>FY2016</u> <u>Management</u> <u>Plan</u>	<u>FY2017</u> <u>Governor</u>		
Full-time	6	6	Annual Salaries	625,603
Part-time	0	0	Premium Pay	0
Nonpermanent	0	0	Annual Benefits	308,387
			<i>Less 3.55% Vacancy Factor</i>	(33,190)
			Lump Sum Premium Pay	0
<b>Totals</b>	<b>6</b>	<b>6</b>	<b>Total Personal Services</b>	<b>900,800</b>

Position Classification Summary					
Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Assoc Attorney II	0	0	2	0	2
Attorney III	0	0	1	0	1
Attorney V	0	0	1	0	1
Attorney VI	0	0	1	0	1
Law Office Assistant I	0	0	1	0	1
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>6</b>

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

**Component:** Legislation/Regulations (2209)  
**RDU:** Civil Division (35)

Non-Formula Component

	<b>FY2015 Actuals</b>	<b>FY2016 Conference Committee</b>	<b>FY2016 Authorized</b>	<b>FY2016 Management Plan</b>	<b>FY2017 Governor</b>	<b>FY2016 Management Plan vs FY2017 Governor</b>	
71000 Personal Services	965.1	882.7	882.7	900.8	900.8	0.0	0.0%
72000 Travel	6.0	22.2	22.2	22.2	22.2	0.0	0.0%
73000 Services	121.5	152.6	152.6	152.6	152.6	0.0	0.0%
74000 Commodities	18.6	21.4	21.4	21.4	21.4	0.0	0.0%
75000 Capital Outlay	3.2	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>1,114.4</b>	<b>1,078.9</b>	<b>1,078.9</b>	<b>1,097.0</b>	<b>1,097.0</b>	<b>0.0</b>	<b>0.0%</b>
<b>Fund Sources:</b>							
1004Gen Fund (UGF)	886.2	846.4	846.4	864.5	864.5	0.0	0.0%
1007I/A Rcpts (Other)	228.2	232.5	232.5	232.5	232.5	0.0	0.0%
<b>Unrestricted General (UGF)</b>	<b>886.2</b>	<b>846.4</b>	<b>846.4</b>	<b>864.5</b>	<b>864.5</b>	<b>0.0</b>	<b>0.0%</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>228.2</b>	<b>232.5</b>	<b>232.5</b>	<b>232.5</b>	<b>232.5</b>	<b>0.0</b>	<b>0.0%</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	6	6	6	6	6	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:** Legislation/Regulations (2209)  
**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 FY2016 Conference Committee To FY2016 Authorized *****												
<b>FY2016 Conference Committee</b>												
	ConfCom	1,078.9	882.7	22.2	152.6	21.4	0.0	0.0	0.0	6	0	0
1004 Gen Fund		846.4										
1007 I/A Rcpts		232.5										
<b>Subtotal</b>		<b>1,078.9</b>	<b>882.7</b>	<b>22.2</b>	<b>152.6</b>	<b>21.4</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>6</b>	<b>0</b>	<b>0</b>
***** Changes From FY2016 Authorized To FY2016 Management Plan *****												
<b>Transfer from Oil, Gas and Mining to Comply with Vacancy Factor Guidelines</b>												
	Trin	15.6	15.6	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		15.6										
Transfer budget authority from Oil, Gas and Mining to align authority with anticipated expenditure levels for personal services. There are no impacts on services associated with this transfer.												
<b>Transfer from Commercial and Fair Business to Comply with Vacancy Factor Guidelines</b>												
	Trin	2.5	2.5	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		2.5										
Transfer budget authority from Commercial and Fair Business to align authority with anticipated expenditure levels for personal services. There are no impacts on services associated with this transfer.												
<b>Subtotal</b>		<b>1,097.0</b>	<b>900.8</b>	<b>22.2</b>	<b>152.6</b>	<b>21.4</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>6</b>	<b>0</b>	<b>0</b>
***** Changes From FY2016 Management Plan To FY2017 Governor *****												
<b>Transfer Out FY2016 One-Time Salary Reductions to Unallocated in FY2017</b>												
	SalAdj	15.6	15.6	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		15.6										
Restore UGF FY2016 Salary Increases because cuts taken in other expenditure lines.												
<b>Reverse FY2016 One-Time Unrestricted General Fund Salary Adjustments in FY2017 Budget Request</b>												
	SalAdj	-15.6	-15.6	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
1004 Gen Fund		-15.6										
Cost of living adjustment for certain bargaining units: \$19.0												
Year three cost of living adjustment for non-covered employees - 2.5%: \$17.3												
Year three cost of living adjustment for Alaska State Employees Association/General Government Unit - 2.5%: \$1.7												

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

**Component:** Legislation/Regulations (2209)  
**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	
	Totals	1,097.0	900.8	22.2	152.6	21.4	0.0	0.0	0.0	6	0	0

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

**Scenario:** FY2017 Governor (12995)  
**Component:** Legislation/Regulations (2209)  
**RDU:** Civil Division (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
03-0056	Attorney VI	FT	A	XE	Juneau	E05	26K / L	12.0		134,685	0	0	61,170	195,855	195,855
03-0139	Attorney V	FT	A	XE	Juneau	E05	25O	12.0		149,844	0	0	65,414	215,258	107,629
03-0146	Assoc Attorney II	FT	A	XE	Juneau	E05	19K / L	12.0		87,033	0	0	45,898	132,931	132,931
03-0290	Assoc Attorney II	FT	A	XE	Juneau	E05	19J / K	12.0		85,352	0	0	45,324	130,676	130,676
03-0296	Law Office Assistant I	FT	A	GP	Juneau	405	11M / N	12.0		53,285	0	0	35,000	88,285	31,668
03-0302	Attorney III	FT	A	XE	Juneau	N05	24J	12.0		115,404	0	0	55,581	170,985	170,985
													<b>Total Salary Costs:</b>	625,603	
													<b>Total COLA:</b>	0	
													<b>Total Premium Pay:</b>	0	
													<b>Total Benefits:</b>	308,387	
													<b>Total Pre-Vacancy:</b>	933,990	
													<b>Minus Vacancy Adjustment of 3.55%:</b>	(33,190)	
													<b>Total Post-Vacancy:</b>	900,800	
													<b>Plus Lump Sum Premium Pay:</b>	0	
													<b>Personal Services Line 100:</b>	900,800	

PCN Funding Sources:	Pre-Vacancy	Post-Vacancy	Percent
1004 General Fund Receipts	769,744	742,390	82.41%
1007 Interagency Receipts	164,246	158,410	17.59%
<b>Total PCN Funding:</b>	<b>933,990</b>	<b>900,800</b>	<b>100.00%</b>

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.

**Line Item Detail**  
**Department of Law**  
**Travel**

**Component:** Legislation/Regulations (2209)  
**RDU:** Civil Division (35)

Line Number	Line Name		FY2015 Actuals	FY2016 Management Plan	FY2017 Governor
72000	Travel		6.0	22.2	22.2
Expenditure Account	Servicing Agency	Explanation	FY2015 Actuals	FY2016 Management Plan	FY2017 Governor
<b>72000 Travel Detail Totals</b>			<b>6.0</b>	<b>22.2</b>	<b>22.2</b>
72110	Employee Travel (Instate)	Attorney travel to provide training on regulations matters to state agencies and legal staff.	6.0	22.2	22.2

**Line Item Detail**  
**Department of Law**  
**Services**

**Component:** Legislation/Regulations (2209)  
**RDU:** Civil Division (35)

Line Number	Line Name		FY2015 Actuals	FY2016 Management Plan	FY2017 Governor
73000	Services		121.5	152.6	152.6
Expenditure Account	Servicing Agency	Explanation	FY2015 Actuals	FY2016 Management Plan	FY2017 Governor
<b>73000 Services Detail Totals</b>			<b>121.5</b>	<b>152.6</b>	<b>152.6</b>
73025	Education Services	Conferences, training and memberships.	10.0	14.0	14.0
73150	Information Technlgy	Software licensing and maintenance.	25.0	30.0	30.0
73225	Delivery Services	Freight and messenger services. Movement of materials, exhibits, legal documents and courier services.	4.9	4.9	4.9
73650	Struc/Infstruct/Land	Rentals/Leases and Repairs/Maintenance - office space and records storage.	9.0	9.0	9.0
73675	Equipment/Machinery	Rentals/Leases and Repairs/Maintenance of office equipment - copiers and postage meters.	7.5	14.0	14.0
73750	Other Services (Non IA Svcs)	Printing forms, briefs and legal notices.	4.4	15.0	15.0
73805	IT-Non-Telecommunication	Admin - Enterprise Technology Services RSA Administration, ETS - Computer Services EPR.	3.2	3.2	3.2
73805	IT-Non-Telecommunication	Law - Administration and Support RSA Law, Administration, Information services and procurement support (includes MS Exchange).	5.0	10.0	10.0
73806	IT-Telecommunication	Admin - Enterprise Technology Services RSA Administration, ETS -Telecommunication EPR.	7.1	7.1	7.1
73809	Mail	Admin - Central Mail RSA Administration, Central Mailroom.	0.1	0.1	0.1
73810	Human Resources	Administrative Services RSA Law, Human Resource position.	0.6	0.6	0.6
73811	Building Leases	Admin - Leases RSA Administration, GS&S - leased office spaces.	40.0	40.0	40.0
73814	Insurance	Admin - Risk Management RSA Administration, Risk Management.	1.0	1.0	1.0
73815	Financial	Admin - Finance RSA Administration, Finance Chargeback	0.2	0.2	0.2

**Line Item Detail**  
**Department of Law**  
**Services**

**Component:** Legislation/Regulations (2209)

**RDU:** Civil Division (35)

<b>Expenditure Account</b>		<b>Servicing Agency</b>	<b>Explanation</b>	<b>FY2015 Actuals</b>	<b>FY2016 Management Plan</b>	<b>FY2017 Governor</b>
<b>73000 Services Detail Totals</b>				<b>121.5</b>	<b>152.6</b>	<b>152.6</b>
			(AKSAS/AKPAY).			
73815	Financial	Administrative Services	RSA Law, Timekeeping administration and litigation support.	3.4	3.4	3.4
73816	ADA Compliance	Personnel	RSA Administration, Personnel - Americans With Disabilities Act.	0.1	0.1	0.1
73819	Commission Sales (IA Svcs)	State Travel Office	Travel fees.	0.0	0.0	0.0

**Line Item Detail**  
**Department of Law**  
**Commodities**

**Component:** Legislation/Regulations (2209)  
**RDU:** Civil Division (35)

Line Number	Line Name		FY2015 Actuals	FY2016 Management Plan	FY2017 Governor
74000	Commodities		18.6	21.4	21.4
Expenditure Account	Servicing Agency	Explanation	FY2015 Actuals	FY2016 Management Plan	FY2017 Governor
<b>74000 Commodities Detail Totals</b>			<b>18.6</b>	<b>21.4</b>	<b>21.4</b>
74200	Business	Library materials including Alaska Statutes, Alaska Code, Advanced Legislative Service and Court Rules; subscriptions, office supplies; software applications, printer cartridges, paper and miscellaneous data processing supplies; computer supplies - desktop refresh, non-capital.	18.6	21.4	21.4

**Line Item Detail**  
**Department of Law**  
**Capital Outlay**

**Component:** Legislation/Regulations (2209)  
**RDU:** Civil Division (35)

Line Number	Line Name		FY2015 Actuals	FY2016 Management Plan	FY2017 Governor
75000	Capital Outlay		3.2	0.0	0.0
Expenditure Account	Servicing Agency	Explanation	FY2015 Actuals	FY2016 Management Plan	FY2017 Governor
<b>75000 Capital Outlay Detail Totals</b>			<b>3.2</b>	<b>0.0</b>	<b>0.0</b>
75830	Info Technology	Computer equipment, printers and modems.	3.2	0.0	0.0

**Restricted Revenue Detail**  
**Department of Law**

**Component:** Legislation/Regulations (2209)  
**RDU:** Civil Division (35)

<b>Master Account</b>	<b>Revenue Description</b>				<b>FY2015 Actuals</b>	<b>FY2016 Management Plan</b>	<b>FY2017 Governor</b>
51015	Interagency Receipts				228.2	232.5	232.5
<b>Detail Information</b>							
<b>Revenue Amount</b>	<b>Revenue Description</b>	<b>Component</b>	<b>Collocation Code</b>	<b>AKSAS Fund</b>	<b>FY2015 Actuals</b>	<b>FY2016 Management Plan</b>	<b>FY2017 Governor</b>
51015	Interagency Receipts		03207751	11100	228.2	232.5	232.5
	Legal services for regulation review to most state agencies. Individual agency amounts vary from year to year depending on the volume of regulations projects.						

**Interagency Services**  
**Department of Law**

**Component:** Legislation/Regulations (2209)  
**RDU:** Civil Division (35)

Expenditure Account		Service Description	Service Type	Servicing Agency	FY2015 Actuals	FY2016 Management Plan	FY2017 Governor
73805	IT-Non-Telecommunication	RSA Administration, ETS - Computer Services EPR.	Inter-dept	Admin - Enterprise Technology Services	3.2	3.2	3.2
73805	IT-Non-Telecommunication	RSA Law, Administration, Information services and procurement support (includes MS Exchange).	Intra-dept	Law - Administration and Support	5.0	10.0	10.0
<b>73805 IT-Non-Telecommunication subtotal:</b>					<b>8.2</b>	<b>13.2</b>	<b>13.2</b>
73806	IT-Telecommunication	RSA Administration, ETS -Telecommunication EPR.	Inter-dept	Admin - Enterprise Technology Services	7.1	7.1	7.1
<b>73806 IT-Telecommunication subtotal:</b>					<b>7.1</b>	<b>7.1</b>	<b>7.1</b>
73809	Mail	RSA Administration, Central Mailroom.	Inter-dept	Admin - Central Mail	0.1	0.1	0.1
<b>73809 Mail subtotal:</b>					<b>0.1</b>	<b>0.1</b>	<b>0.1</b>
73810	Human Resources	RSA Law, Human Resource position.	Intra-dept	Administrative Services	0.6	0.6	0.6
<b>73810 Human Resources subtotal:</b>					<b>0.6</b>	<b>0.6</b>	<b>0.6</b>
73811	Building Leases	RSA Administration, GS&S - leased office spaces.	Inter-dept	Admin - Leases	40.0	40.0	40.0
<b>73811 Building Leases subtotal:</b>					<b>40.0</b>	<b>40.0</b>	<b>40.0</b>
73814	Insurance	RSA Administration, Risk Management.	Inter-dept	Admin - Risk Management	1.0	1.0	1.0
<b>73814 Insurance subtotal:</b>					<b>1.0</b>	<b>1.0</b>	<b>1.0</b>
73815	Financial	RSA Administration, Finance Chargeback (AKSAS/AKPAY).	Inter-dept	Admin - Finance	0.2	0.2	0.2
73815	Financial	RSA Law, Timekeeping administration and litigation support.	Intra-dept	Administrative Services	3.4	3.4	3.4
<b>73815 Financial subtotal:</b>					<b>3.6</b>	<b>3.6</b>	<b>3.6</b>
73816	ADA Compliance	RSA Administration, Personnel - Americans With Disabilities Act.	Inter-dept	Personnel	0.1	0.1	0.1
<b>73816 ADA Compliance subtotal:</b>					<b>0.1</b>	<b>0.1</b>	<b>0.1</b>
73819	Commission Sales (IA Svcs)	Travel fees.	Inter-dept	State Travel Office	0.0	0.0	0.0
<b>73819 Commission Sales (IA Svcs) subtotal:</b>					<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Legislation/Regulations total:</b>					<b>60.7</b>	<b>65.7</b>	<b>65.7</b>
<b>Grand Total:</b>					<b>60.7</b>	<b>65.7</b>	<b>65.7</b>