

**DEPARTMENT OF LAW**  
**FY2012 HOUSE FINANCE BUDGET SUBCOMMITTEE NARRATIVE REPORT**  
**February 25, 2011**

**SUBCOMMITTEE MEMBERS:**

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Rep. Stoltze, Chair	Rep. Chenault	Rep. Gatto
Rep. Gruenberg	Rep. Herron	Rep. Holmes
Rep. Keller		

**RECOMMENDATIONS:**

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The House Finance Budget Subcommittee for the Department of Law submits a recommended operating budget for FY2012 to the House Finance Committee as follows:

Unrestricted General Funds (UGF)	\$ 52,582.3
Designated General Funds (DGF)	\$ 2,614.3
Other Funds	\$ 25,828.5
Federal Funds	\$ 1,947.3
<b>TOTAL</b>	<b>\$ 82,972.4</b>

**BUDGET ACTION:**

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The House Finance Budget Subcommittee for the Department of Law held 4 meetings with the Department and analyzed all of the Governor's budget transactions. The following are budget action highlights:

- The Subcommittee recommends authorizing \$ 3,706.0 less general funds and 1 less full-time position as the Governor's Amended FY2012 request.
- The Subcommittee recommends a total increase from the FY2012 Adjusted Base of \$1,565.7 UGF and \$ 318.1 DGF for a total General Fund change of \$1,883.8. The change from Adjusted Base in Other Funds is \$668.2 and from Federal Funds is \$294.7. The total change from the Adjusted Base is \$2846.7 and 8 new full-time positions.

## Accepted

### 1. Criminal Division Second Judicial District

An Attorney for the Second Judicial District in Kotzebue \$210.0

Currently, the caseload for the Department's one Assistant Attorney General in Kotzebue had 844 cases. This is the highest in the state. According to the Department, the additional position would cut the case load to 422 per attorney still 100 cases above the mean for the state.

### 2. Civil Division- Collections and Support

A Paralegal to assist with the backlog of restitution owed to victims \$140.0

In 2002, under legislative mandate, the Department began collecting and distributing restitution owed to victims in criminal cases. The associated FY02 fiscal note was not funded at the requested level and budgetary constraints continue to hinder the program. The unit's staff has been unable to keep up with the workload (increasing from 800 active cases in 2002 to 6500 in 2010) and the backlog is preventing timely payments to victims. Furthermore new case openings have been delayed, which has impacted garnishment of offender's PFDs.

### 3. Civil Division- Environmental Law

An Attorney for Environmental Law to review air permitting and potential impacts of new EPA regulations \$175.0

The Department requests one-time funding for outside counsel to review air permitting issues and potential impacts of new Environmental Protection Agency and Green House Gas regulations related to oil and gas development.

## Denied

### 1. Civil Division- Oil, Gas & Mining

Work Related to the state gas pipeline & to bring North Slope gas to market. \$2,700.0

The Department requested funds to continue its role in one of the Governor's top priority projects- the construction of a gas pipeline and bringing natural gas to market. Additionally, the Department has a number of major oil and gas projects underway that continue to require outside counsel and experts beyond the funding included in the department's base budget. This issue was referred to the full Finance Committee for discussion

### 2. Civil Division- Timekeeping and Litigation

Add Public Records Attorney V: \$210.0

Due in large part to the increased use of electronic communications, heightened public awareness of available record, and federal court decisions providing sanctions for failure to retain and provide records, the Department requested an additional attorney to advise the Governor's Office and agencies regarding retention and production requirements, coordinate responses to large public records and discovery requests, and represents the state in related proceedings. This debate of public records compliance was saved for the Finance Committee as a whole.

**AMENDMENT ACTION:**

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The House Finance Budget Subcommittee for the Department of Law also analyzed the Governor's budget amendments submitted by February 16, 2011, and approved each of them

**ATTACHED REPORTS:**

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The House Finance Budget Subcommittee for the Department of Law adopts the attached reports:

**Subcommittee generated reports**

Budget Action Worksheet

**Legislative Finance Division Reports (Numbers Only) – House Structure**

1. Agency Totals – FY2012 Operating Budget
2. Appropriation/Allocation Summary (All Funds)
3. Appropriation/Allocation Summary (GF)
4. Transaction Comparison between ADJ Base and H Subcomm
5. Transaction Comparison between Gov Amd and H Subcomm
6. Wordage Report – FY2012 Operating Budget

**Representative Bill Stoltze, Chair**  
**House Finance Budget Subcommittee for the Department of Law**  
**February 25, 2011**