

**2012 Legislature - Operating Budget
Transaction Compare - Governor Structure
Between Adj Base and Gov Amd**

Numbers and Language Differences Agencies: Law

Agency: Department of Law

	Column	Trans Type	Total Expenditure	Personal Services	Travel	Services	Commodities	Capital Outlay	Grants	Misc	PFT	PPT	TMP
Criminal Division													
Second Judicial District													
Fully Fund New Kotzebue Attorney (03?016) Added in FY2012	Gov Amd	IncM	52.5	52.5	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
<i>To fully fund the Kotzebue Attorney added in FY2012 and funded at 75%. Requesting additional 25% funding needed for FY2013.</i>													
1004 Gen Fund (UGF)			52.5										
* Allocation Difference *			52.5	52.5	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
Third Judicial District: Anchorage													
Language Interpreter Program for Victims and Witnesses of DVSA Crimes	Gov Amd	Inc	140.0	0.0	0.0	140.0	0.0	0.0	0.0	0.0	0	0	0
<i>Domestic Violence/Sexual Assault (DVSA) cases are difficult and labor intensive. The complexity is compounded when victims or witnesses are not proficient in the English language. Federal grants to state agencies are conditioned on implementing a state plan to translate languages. This funding will be used to assure the State's increasing number of limited English proficient individuals (the Anchorage School District reports that children in its schools speak 91 languages) will have access to appropriate interpreters and translators when they become victims or witnesses to DVSA crimes. The funding will also be used to assure the Law's written materials for victims and witnesses are translated into the most common used languages and that these written materials are kept updated.</i>													
1004 Gen Fund (UGF)			140.0										
* Allocation Difference *			140.0	0.0	0.0	140.0	0.0	0.0	0.0	0.0	0	0	0
Criminal Appeals/Special Litigation													
Cold Case Prosecutor - Domestic Violence and Sexual Assault (DVSA)	Gov Amd	Inc	225.0	192.0	1.0	27.0	4.0	1.0	0.0	0.0	1	0	0
<i>The Cold Case Prosecution Unit has prosecuted ten cases since its creation in 2006. All but one of these cases (a gang related homicide), involved sexual assault or domestic violence. Eight cases went to trial; two resulted in pleas. Cold cases require intensive prosecutorial attention at the investigation stage because evidence is almost always circumstantial and stale, which means that attorneys must work more closely with investigators to devise strategies for legally obtaining corroborative evidence. For this reason cold cases generally take longer than similar non-cold cases, averaging five and a half months from screening to conviction. There are currently 100 cold cases under investigation by four Department of Public Safety investigators. In addition to these 100 cases, the number of cold cases the Municipality of Anchorage refers to the Cold Case Prosecution Unit is expected to increase because the Municipality has received a \$500,000 grant and has requested an additional \$500,000 to investigate cold cases in its jurisdiction.</i>													
<i>1 PFT Attorney V PCN 03-#xxx (Anchorage)</i>													
1004 Gen Fund (UGF)			225.0										
Fully Fund Three New Medicaid Fraud Investigator's (03-?020/03?021/03?022) Added in FY2012	Gov Amd	IncM	28.1	28.1	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
<i>Fully fund the 3 new Medicaid Fraud Investigator's added in FY2012. The funding for the positions includes state match requirement. The FY12 budget provided only 75% of the state match. This request funds the additional 25% state funding needed for FY2013.</i>													
1003 G/F Match (UGF)			28.1										

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Criminal Division (continued)													
Criminal Appeals/Special Litigation (continued)													
* Allocation Difference *			253.1	220.1	1.0	27.0	4.0	1.0	0.0	0.0	1	0	0
** Appropriation Difference **			445.6	272.6	1.0	167.0	4.0	1.0	0.0	0.0	1	0	0
Civil Division													
Child Protection													
Fully Fund New Child Protection Attorney (03-0415) and Paralegal (03-0412) Added in FY2012	Gov Amd	IncM	87.5	87.5	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
<i>To fully fund the Child Protection Attorney & Paralegal added in FY2012 and funded at 75%. Requesting additional 25% funding needed for FY2013.</i>													
1004 Gen Fund (UGF)			87.5										
Add Inter-Agency Receipt Authority for Anticipated Reimbursable Service Agreements	Gov Amd	IncM	368.4	368.4	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
<i>Increase Inter-Agency Receipt Authority for anticipated reimbursable services agreements.</i>													
1007 I/A Rcpts (Other)			368.4										
* Allocation Difference *			455.9	455.9	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
Collections and Support													
Fully Fund New Paralegal (03-?019) Added in FY2012	Gov Amd	IncM	35.0	35.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
<i>Fully fund the Paralegal that was added in FY2012 with partial funding. This request is for the remaining funding necessary to support the full-time position in FY2013.</i>													
1005 GF/Prgm (DGF)			35.0										
Add Inter-Agency Receipt Authority for Anticipated Reimbursable Service Agreements	Gov Amd	IncM	92.8	92.8	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
<i>Increase Inter-Agency Receipt Authority for anticipated reimbursable services agreements.</i>													
1007 I/A Rcpts (Other)			92.8										
* Allocation Difference *			127.8	127.8	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
Environmental Law													
Add Inter-Agency Receipt Authority for Anticipated Reimbursable Service Agreements	Gov Amd	IncM	132.1	132.1	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
<i>Increase Inter-Agency Receipt Authority to fund baseline increases in services and for anticipated reimbursable services agreements.</i>													
1007 I/A Rcpts (Other)			132.1										
* Allocation Difference *			132.1	132.1	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
Natural Resources													
Statehood Defense to Natural Resource Development and Transportation Outside Counsel	Gov Amd	Inc	450.0	0.0	0.0	450.0	0.0	0.0	0.0	0.0	0	0	0
<i>The Department of Law requests additional funding in the Natural Resources Section to pursue the Governor's statehood defense and natural resource development initiatives. These funds will be used to advocate for the state's right to access public lands and the right to develop state and private natural resources.</i>													

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Civil Division (continued)													
Natural Resources (continued)													
Statehood Defense to Natural Resource Development and Transportation Outside Counsel (continued)													
<p><i>The success of the Governor's statehood defense and resource development initiatives requires a knowledgeable legal team. The positions will work with the Governor's Office and the state's resource agencies to challenge federal initiatives that unreasonably limit or delay responsible resource development, and will continue the state's aggressive advocacy of its rights through litigation.</i></p> <p><i>An example of federal actions requiring state intervention are the currently ongoing revisions of federal land management plans. Active state involvement is important because these plan revisions will guide activities in and access through national parks, wildlife refuges (including ANWR), forests, NPR-A and BLM land in Alaska. Other examples include BLM proposals to vacate existing easements through ANCSA conveyances to public lands. And to preserve access on RS 2477 rights-of-way, the state will initiate quiet title actions against the federal government (for the purpose of planning requirements, Utah, another state aggressively seeking title to its RS 2477 rights-of-way, has tasked seven attorneys to gather evidence and prepare its RS 2477 cases for filing). For instance, section attorneys are engaged in multiple lawsuits and administrative proceedings involving federal Endangered Species Act decisions. As an example of a position the state takes in these actions, the state opposes listing healthy populations of animals based on speculative models of climate 100 years in the future; the state urges the use of shorter, more accurate time frames. In the timber arena, section attorneys are pursuing an appeal in the 9th Circuit to reinstate an Alaska-specific exemption to the federal Roadless Rule. Simultaneously, the section is seeking to overturn the Roadless Rule through a declaratory judgment action in Washington, D.C. With regard to mineral development, the section is providing critical advice to assure that the permits the state issues are well supported. The section is also defending against administrative appeals and lawsuits opposing mineral development, particularly in southwest Alaska. Other work already engaging section attorneys includes navigability, submerged land and public water issues (such as the Peratorvich case concerning whether pockets of federal fisheries management exist within larger state management areas), and all fish and game management issues.</i></p>													
1004 Gen Fund (UGF)			450.0										
Add Inter-Agency Receipt Authority for Anticipated Reimbursable Service Agreements	Gov Amd	IncM	162.0	162.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
<p><i>Increase Inter-Agency Receipt Authority to fund baseline increases in services and for anticipated reimbursable services agreements.</i></p>													
1007 I/A Rcpts (Other)			162.0										
* Allocation Difference *			612.0	162.0	0.0	450.0	0.0	0.0	0.0	0.0	0	0	0
Oil, Gas and Mining													
Replace carryforward funding for Oil & Gas Litigation (Outside Counsel--Non-Gasline). Adds to \$3,000.0 FY12/13 approp	Gov Amd	IncM	2,000.0	0.0	0.0	2,000.0	0.0	0.0	0.0	0.0	0	0	0

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Civil Division (continued)													
Oil, Gas and Mining (continued)													
Replace carryforward funding for Oil & Gas Litigation (Outside Counsel--Non-Gasline). Adds to \$3,000.0 FY12/13 approp (continued)													
<i>In FY11, the Oil, Gas and Mining Section collected \$110.0 million in additional taxes and royalties. It achieved its success by using both Department personnel and outside counsel. The funding requested for FY13 will enable the Oil, Gas and Mining Section to enter into contracts with outside counsel and consultants having expertise in specialized oil, gas and mining issues. The areas to be funded include Tariff Proceedings (\$2,570.0M); Taxes (\$1,475.0M); Royalty Reopeners (\$1,600.0M); Point Thomson litigation/settlement (\$505.0M). The amount requested compares favorably to prior years (\$6,870.0 was appropriated in FY11 for outside counsel; additional outside counsel costs of \$1,047.6 were covered by funds available under the FY11 allocation for the Gasline).</i>													
1004 Gen Fund (UGF)			2,000.0										
Additional Funding for Oil & Gas Outside Counsel (Non-Gasline)	Gov Amd	Inc	4,150.0	0.0	0.0	4,150.0	0.0	0.0	0.0	0.0	0	0	0
<i>In FY11, the Oil, Gas and Mining Section collected \$110.0 million in additional taxes and royalties. It achieved its success by using both Department personnel and outside counsel. The funding requested for FY13 will enable the Oil, Gas and Mining Section to enter into contracts with outside counsel and consultants having expertise in specialized oil, gas and mining issues. The areas to be funded include Tariff Proceedings (\$2,570.0M); Taxes (\$1,475.0M); Royalty Reopeners (\$1,600.0M); Point Thomson litigation/settlement (\$505.0M). The amount requested compares favorably to prior years (\$6,870.0 was appropriated in FY11 for outside counsel; additional outside counsel costs of \$1,047.6 were covered by funds available under the FY11 allocation for the Gasline).</i>													
1004 Gen Fund (UGF)			4,150.0										
Gas Pipeline Outside Counsel & Experts	Gov Amd	IncOTI	2,900.0	0.0	0.0	2,900.0	0.0	0.0	0.0	0.0	0	0	0
<i>These funds will continue the efforts required by AGIA, including analysis of FERC issues, monitoring of the FERC process, review of precedent agreements stemming from the APP open season filing to assure compliance with AGIA, transportation agreements, FERC filings relating to a certificate of public convenience and necessity, filings and evaluations relating to the Canadian regulatory process, commercial issues relating to pipeline development, and shipper-related fiscal issues.</i>													
<i>The Department of Law's Oil, Gas and Mining section continues to play a major role in the State's top priority project related to the construction of a gas pipeline and bringing natural gas to market. A number of contracts with outside counsel and experts are underway and will continue as needed. Funding will assist the department in the preparation of legislation and implementation of a comprehensive plan to commercialize North Slope gas.</i>													
1004 Gen Fund (UGF)			2,900.0										
Add Inter-Agency Receipt Authority for Anticipated Reimbursable Service Agreements	Gov Amd	IncM	222.0	222.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0
<i>Increase Inter-Agency Receipt Authority to fund baseline increases in services and for anticipated reimbursable services agreements.</i>													
1007 I/A Rcpts (Other)			222.0										
* Allocation Difference *			9,272.0	222.0	0.0	9,050.0	0.0	0.0	0.0	0.0	0	0	0
Transportation Section													
Fast Ferry Litigation	Gov Amd	IncOTI	600.0	0.0	0.0	600.0	0.0	0.0	0.0	0.0	0	0	0
<i>In 2001, the State executed a \$68M contract with Derecktor Shipyards for the design & construction of 2 fast vehicle ferries (FVFs). The manufacturer of the engines that Derecktor installed, MTU, represented that the State</i>													

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Civil Division (continued)													
Transportation Section (continued)													
Fast Ferry Litigation (continued)													
<i>could expect 100,000 service hours from each of the 8 diesel engines (4 per vessel) that powered the ferries. Contrary to what was warranted, the engines have suffered aggressive internal degradation and will not likely last much beyond 15,000 hours/engine. The State contends that Derecktor and MTU have contractual/warranty obligations to the State that require effective engine repair or replacement, while Derecktor and MTU believe improper maintenance by the State is to blame for the premature engine failures. The State has filed a breach of contract suit against both Derecktor and MTU and is requesting that Derecktor and MTU honor their obligations by either retrofitting or replacing the engines, or by paying money damages.</i>													
			1004 Gen Fund (UGF)	600.0									
			* Allocation Difference *	600.0	0.0	0.0	600.0	0.0	0.0	0.0	0	0	0
			** Appropriation Difference **	11,199.8	1,099.8	0.0	10,100.0	0.0	0.0	0.0	0	0	0
Administration and Support													
Administrative Services													
			Add Inter-Agency Receipt Authority for	Gov Amd	IncM	195.0	0.0	0.0	195.0	0.0	0.0	0	0
			Established Reimbursable Service Agreements										
			<i>Increase Inter-Agency Receipt authority to fund baseline increases in services.</i>										
			1007 I/A Rcpts (Other)	195.0									
			* Allocation Difference *	195.0	0.0	0.0	195.0	0.0	0.0	0.0	0	0	0
			** Appropriation Difference **	195.0	0.0	0.0	195.0	0.0	0.0	0.0	0	0	0
			*** Agency Difference ***	11,840.4	1,372.4	1.0	10,462.0	4.0	1.0	0.0	1	0	0
			**** All Agencies Difference ****	11,840.4	1,372.4	1.0	10,462.0	4.0	1.0	0.0	1	0	0

Column Definitions

Adj Base (FY13 Adjusted Base) - FY2012 Management Plan less one-time items, plus FY2013 adjustments for position counts, funding transfers, line item transfers, temporary increments (IncT) from prior years, and additions for statewide items (risk management and most salary and benefit increases). The Adjusted Base is the "first cut" of the FY2013 budget; it is the base to which the Governor's and the Legislature's increments, decrements, and fund changes are added.

Gov Amd (FY13 Governor Amended) - FY13 Governor's Amended Budget (Includes Governor's Dec 15th budget AND the Governor's Amendments submitted on February 17th)