

Form Number 500

Agency Adjustment Summary

State of Nebraska - Administrative Services - Budget Division

	PAGE NUMBER	1 of 13
	CODE & DESCRIPTION	
AGENCY	011	Attorney General

EXPENDITURE ACCOUNT	ADJUSTMENTS	
	2007-2008	2008-2009
Permanent F.T.E. Positions	2.75	2.75
511100 Permanent Salaries - Wages	142,887	258,080
511200 Temporary Salaries - Wages	15,000	16,666
511600 Per Diem Payments		
511900 Supplemental (One-time payments)		
All Other Salaries		
Sub-Total Salaries	157,887	274,746
515100 Retirement Plans Expense	10,717	19,356
515200 OASDI Expense	12,080	21,018
515400 Life and Accident Insurance Expense	34	34
515500 Health Insurance Expense	41,224	54,780
All Other Personal Services		
Sub-Total Benefits	64,055	95,188
510000 Personal Services	221,942	369,934
520000 Operating Expenses		
541700 Legal Related Expense	617,000	75,638
570000 Travel Expenses		
580000 Capital Outlay		
590000 Government Aid		
Total Expense	838,942	445,572
Means of Financing		
General Fund	767,442	367,214
Cash Fund	70,000	75,108
Federal Fund		
Revolving Fund	1,500	3,250
Total Funding	838,942	445,572

Note: In the blank lines under Operating Expenses, itemize individual line items that comprise a significant portion of the Total Operating Expenses.

Program Adjustment Narrative

State of Nebraska – Administrative Services – Budget Division

	CODE	DESCRIPTION
AGENCY	011	Attorney General
PROGRAM	507	Interp. & Appl. of Law
REQUEST	01	

Provide the following information: A) Description of Request; B) Rationale for Request; C) Impact of Request; and, D) Statutory Change if Required.

- A) Increase General Fund Appropriation to cover the actual increase of the agency's Health Insurance Premiums
- B) Current Appropriation included a projected health insurance premium increase of 10% and actual increase was over 15%.
- C) If the request is not funded then the Attorney General's Office will be forced to cut approximately \$23,000 in expenses to cover this actual increase in health insurance premiums for current employees.
- D) No Statutory Change Required.

Program Adjustment Request

State of Nebraska - Administrative Services - Budget Division

CODE & DESCRIPTION	
AGENCY	011 Attorney General
PROGRAM	507 Interp. & Appl. of Law
REQUEST	01

EXPENDITURE ACCOUNT	APPROPRIATIONS		ADJUSTMENTS	
	2007-2008	2008-2009	2007-2008	2008-2009
Permanent F.T.E. Positions				
511100 Permanent Salaries - Wages				
511200 Temporary Salaries - Wages				
511600 Per Diem Payments				
511900 Supplemental (One-time payments)				
All Other Salaries				
Sub-Total Salaries	0	0	0	0
515100 Retirement Plans Expense				
515200 OASDI Expense				
515400 Life and Accident Insurance Expense				
515500 Health Insurance Expense			9,500	18,250
All Other Personal Services				
Sub-Total Benefits	0	0	9,500	18,250
510000 Personal Services	0	0	9,500	18,250
520000 Operating Expenses				
570000 Travel Expenses				
580000 Capital Outlay				
590000 Government Aid				
Total Expense	0	0	9,500	18,250
Means of Financing				
General Fund			8,000	15,000
Cash Fund				
Federal Fund				
Revolving Fund			1,500	3,250
Total Funding	0	0	9,500	18,250

Note: In the blank lines under Operating Expenses, itemize individual line items that comprise a significant portion of the Total Operating Expenses.

Program Adjustment Narrative

State of Nebraska – Administrative Services – Budget Division

	CODE	DESCRIPTION
AGENCY	011	Attorney General
PROGRAM	507	Interp. & Appl. of Law
REQUEST	02	

Provide the following information: A) Description of Request; B) Rationale for Request; C) Impact of Request; and, D) Statutory Change if Required.

- A) Increase Tobacco Enforcement Cash Fund Spending Authority and PSL for an additional Attorney to handle Tobacco Master Settlement Agreement Litigation.
- B) Additional tobacco enforcement funding is requested for an experienced litigation attorney to prepare and litigate or arbitrate the case against participating manufacturers and, potentially against other states, regarding whether the State of Nebraska “diligently enforced” its escrow statute applicable to nonparticipating manufacturers in 2003, 2004, and possibly several years thereafter.
- C) Hiring an experienced litigation attorney will allow the Attorney General's Office to create an effective litigation team to handle these cases, each of which poses the risk of multi-million dollar losses. Such an in-house litigation attorney will be able to effectively represent the State's substantial monetary interest without retaining an expensive private law firm.
- D) No Statutory Change Required.

Program Adjustment Request

State of Nebraska - Administrative Services - Budget Division

CODE & DESCRIPTION	
AGENCY	011 Attorney General
PROGRAM	507 Interp. & Appl. of Law
REQUEST	02

EXPENDITURE ACCOUNT	APPROPRIATIONS		ADJUSTMENTS	
	2007-2008	2008-2009	2007-2008	2008-2009
Permanent F.T.E. Positions			1.00	1.00
511100 Permanent Salaries - Wages			47,000	49,350
511200 Temporary Salaries - Wages				
511600 Per Diem Payments				
511900 Supplemental (One-time payments)				
All Other Salaries				
Sub-Total Salaries	0	0	47,000	49,350
515100 Retirement Plans Expense			3,525	3,701
515200 OASDI Expense			3,596	3,775
515400 Life and Accident Insurance Expense			17	17
515500 Health Insurance Expense			15,862	18,265
All Other Personal Services				
Sub-Total Benefits	0	0	23,000	25,758
510000 Personal Services	0	0	70,000	75,108
520000 Operating Expenses				
570000 Travel Expenses				
580000 Capital Outlay				
590000 Government Aid				
Total Expense	0	0	70,000	75,108
Means of Financing				
General Fund				
Cash Fund			70,000	75,108
Federal Fund				
Revolving Fund				
Total Funding	0	0	70,000	75,108

Note: In the blank lines under Operating Expenses, itemize individual line items that comprise a significant portion of the Total Operating Expenses.

Program Adjustment Narrative

State of Nebraska – Administrative Services – Budget Division

	CODE	DESCRIPTION
AGENCY	011	Attorney General
PROGRAM	507	Interp. & Appl. of Law
REQUEST	03	

Provide the following information: A) Description of Request; B) Rationale for Request; C) Impact of Request; and, D) Statutory Change if Required.

- A) Increase General Fund and PSL for an additional Civil Litigation Bureau attorney.
- B) The number of civil litigation cases handled by the Attorney General's Office continues to increase at a dramatic rate and there is an immediate need to add an experienced attorney to handle these complex civil cases.
- C) The civil cases that the Attorney General's Office defends involve issues ranging from design of roadways to traffic accidents to acts of state agencies. The difference between an over-burdened lawyer handling some of these cases versus an additional experienced lawyer handling the same cases can translate into settlements differing by tens of thousands of dollars per case. Funding this request to hire one additional Litigator will easily be paid for in the savings realized in just one case.
- D) No Statutory Change Required.

Program Adjustment Request

State of Nebraska - Administrative Services - Budget Division

CODE & DESCRIPTION	
AGENCY	011 Attorney General
PROGRAM	507 Interp. & Appl. of Law
REQUEST	03

EXPENDITURE ACCOUNT	APPROPRIATIONS		ADJUSTMENTS	
	2007-2008	2008-2009	2007-2008	2008-2009
Permanent F.T.E. Positions			1.00	1.00
511100 Permanent Salaries - Wages			47,000	49,350
511200 Temporary Salaries - Wages				
511600 Per Diem Payments				
511900 Supplemental (One-time payments)				
All Other Salaries				
Sub-Total Salaries	0	0	47,000	49,350
515100 Retirement Plans Expense			3,525	3,701
515200 OASDI Expense			3,596	3,775
515400 Life and Accident Insurance Expense			17	17
515500 Health Insurance Expense			15,862	18,265
All Other Personal Services				
Sub-Total Benefits	0	0	23,000	25,758
510000 Personal Services	0	0	70,000	75,108
520000 Operating Expenses				
570000 Travel Expenses				
580000 Capital Outlay				
590000 Government Aid				
Total Expense	0	0	70,000	75,108
Means of Financing				
General Fund			70,000	75,108
Cash Fund				
Federal Fund				
Revolving Fund				
Total Funding	0	0	70,000	75,108

Note: In the blank lines under Operating Expenses, itemize individual line items that comprise a significant portion of the Total Operating Expenses.

Program Adjustment Narrative

State of Nebraska – Administrative Services – Budget Division

	CODE	DESCRIPTION
AGENCY	011	Attorney General
PROGRAM	507	Interp. & Appl. of Law
REQUEST	04	

Provide the following information: A) Description of Request; B) Rationale for Request; C) Impact of Request; and, D) Statutory Change if Required.

- A) Increase General Fund and PSL for Law Clerk formerly paid directly by HHS.
- B) A Law Clerk in the Attorney General’s Office was paid by HHS under a contract to provide general HHS litigation support and to review agency rules and regulations. This position was eliminated shortly after the merger of DHHS on July 1, 2007. At any given time, the Attorney General’s Civil Litigation Bureau has between 75-100 active litigation cases involving DHHS. Hence, the law clerk assigned to the position was always very busy and active with DHHS cases. In addition, this position provides direct litigation support to 2.5 attorneys that are working on the DHHS litigation cases.
- C) The funding of this request will allow the Attorney General's Office to retain this law clerk position to support DHHS. However, without this position, some or all of that work be transitioned back to DHHS.
- D) No Statutory Change Required.

Program Adjustment Request

State of Nebraska - Administrative Services - Budget Division

CODE & DESCRIPTION	
AGENCY	011 Attorney General
PROGRAM	507 Interp. & Appl. of Law
REQUEST	04

EXPENDITURE ACCOUNT	APPROPRIATIONS		ADJUSTMENTS	
	2007-2008	2008-2009	2007-2008	2008-2009
Permanent F.T.E. Positions				
511100 Permanent Salaries - Wages				
511200 Temporary Salaries - Wages			15,000	16,666
511600 Per Diem Payments				
511900 Supplemental (One-time payments)				
All Other Salaries				
Sub-Total Salaries	0	0	15,000	16,666
515100 Retirement Plans Expense				
515200 OASDI Expense			1,148	1,275
515400 Life and Accident Insurance Expense				
515500 Health Insurance Expense				
All Other Personal Services				
Sub-Total Benefits	0	0	1,148	1,275
510000 Personal Services	0	0	16,148	17,941
520000 Operating Expenses				
570000 Travel Expenses				
580000 Capital Outlay				
590000 Government Aid				
Total Expense	0	0	16,148	17,941
Means of Financing				
General Fund			16,148	17,941
Cash Fund				
Federal Fund				
Revolving Fund				
Total Funding	0	0	16,148	17,941

Note: In the blank lines under Operating Expenses, itemize individual line items that comprise a significant portion of the Total Operating Expenses.

Program Adjustment Narrative

State of Nebraska – Administrative Services – Budget Division

	CODE	DESCRIPTION
AGENCY	011	Attorney General
PROGRAM	507	Interp. & Appl. of Law
REQUEST	05	

Provide the following information: A) Description of Request; B) Rationale for Request; C) Impact of Request; and, D) Statutory Change if Required.

- A) 1. Increase the FY08 General Fund Base by \$200,000 to offset the Governor's veto in 2007 Session. The agency is not requesting additional General Fund appropriation for FY08, but only that the General Fund base be restored.
- 2. Increase the FY09 General Fund by \$200,000 which was vetoed by the Governor in the 2007 Session. The agency is requesting additional General Fund appropriation for FY09 and increased PSL.
- B) In 2007, the Governor vetoed \$200,000 from the General Fund in both FY08 and FY09 due to an increase in the State Settlement Cash Fund. We request that this agency's ongoing Operational Budget not be Cash funded from State Settlements. Therefore, we request that the FY08 General Fund be re-based with an additional \$200,000.

We are requesting that the FY09 General Fund be increased by \$200,000 which was the amount vetoed by the Governor in 2007. These funds will allow the Attorney General's Office to pay for operational expenses from the General Fund rather than using State Settlements.

We are requesting an increase in PSL to use these General Funds to increase salaries to keep AGO salaries in the ranges agreed to by the State and NAPE. The employees of the Attorney General's Office are not covered by NAPE.

- C) The funding of this request will allow the Attorney General to increase employees' salaries, so that they are comparable to their Nebraska State government counterparts and not lag further behind comparable salaries in the Lancaster and Douglas County Attorneys' offices and Lincoln and Omaha City Attorneys' offices.
- D) No Statutory Change Required.

Program Adjustment Request

State of Nebraska - Administrative Services - Budget Division

CODE & DESCRIPTION	
AGENCY	011 Attorney General
PROGRAM	507 Interp. & Appl. of Law
REQUEST	05

EXPENDITURE ACCOUNT	APPROPRIATIONS		ADJUSTMENTS	
	2007-2008	2008-2009	2007-2008	2008-2009
Permanent F.T.E. Positions				
511100 Permanent Salaries - Wages				108,000
511200 Temporary Salaries - Wages				
511600 Per Diem Payments				
511900 Supplemental (One-time payments)				
All Other Salaries				
Sub-Total Salaries	0	0	0	108,000
515100 Retirement Plans Expense				8,100
515200 OASDI Expense				8,262
515400 Life and Accident Insurance Expense				
515500 Health Insurance Expense				
All Other Personal Services				
Sub-Total Benefits	0	0	0	16,362
510000 Personal Services	0	0	0	124,362
520000 Operating Expenses				
541700 Legal Related Expenses			0	75,638
570000 Travel Expenses				
580000 Capital Outlay				
590000 Government Aid				
Total Expense	0	0	0	200,000
Means of Financing				
General Fund				200,000
Cash Fund				
Federal Fund				
Revolving Fund				
Total Funding	0	0	0	200,000

Note: In the blank lines under Operating Expenses, itemize individual line items that comprise a significant portion of the Total Operating Expenses.

Program Adjustment Narrative

	CODE	DESCRIPTION
AGENCY	011	Attorney General
PROGRAM	508	School Finance Litigation
REQUEST	06	

State of Nebraska – Administrative Services – Budget Division

Provide the following information: A) Description of Request; B) Rationale for Request; C) Impact of Request; and, D) Statutory Change if Required.

- A) Increase General Fund for current school litigation costs. Restore PSL for additional attorney.
- B) Under this program, attorneys from the Department of Justice, in conjunction with outside counsel, continue to defend the state officials, including the Governor and the members of the State Board of Education, who have been named as defendants in various lawsuits contesting the constitutionality of education related issues. In addition to outside counsel, the program funds the incidental expenses related to the litigation, e.g., expert witnesses, discovery costs, travel and support staff.
- C) Due to the timing of this litigation, there is an immediate need for additional General Funds for FY08 & FY09 outside counsel costs and litigation related expenses for staff. Outside counsel is necessary in a case of this size because we do not have the staff available to absorb the extraordinary number of hours required by this litigation. An additional attorney within our office working on the case alongside outside counsel and monitoring the fees of outside counsel enables us to keep the costs as low as possible.
- D) No Statutory Change Required.

Program Adjustment Request

State of Nebraska - Administrative Services - Budget Division

CODE & DESCRIPTION	
AGENCY	011 Attorney General
PROGRAM	508 School Finance Litigation
REQUEST	06

EXPENDITURE ACCOUNT	APPROPRIATIONS		ADJUSTMENTS	
	2007-2008	2008-2009	2007-2008	2008-2009
Permanent F.T.E. Positions			0.75	0.75
511100 Permanent Salaries - Wages			48,887	51,380
511200 Temporary Salaries - Wages				
511600 Per Diem Payments				
511900 Supplemental (One-time payments)				
All Other Salaries				
Sub-Total Salaries	0	0	48,887	51,380
515100 Retirement Plans Expense			3,667	3,854
515200 OASDI Expense			3,740	3,931
515400 Life and Accident Insurance Expense				
515500 Health Insurance Expense				
All Other Personal Services				
Sub-Total Benefits	0	0	7,407	7,785
510000 Personal Services	0	0	56,294	59,165
520000 Operating Expenses				
541700 Legal Related Expense			617,000	0
570000 Travel Expenses				
580000 Capital Outlay				
590000 Government Aid				
Total Expense	0	0	673,294	59,165
Means of Financing				
General Fund			673,294	59,165
Cash Fund				
Federal Fund				
Revolving Fund				
Total Funding	0	0	673,294	59,165

Note: In the blank lines under Operating Expenses, itemize individual line items that comprise a significant portion of the Total Operating Expenses.