

Form Number 500

Agency Adjustment Summary

State of Nebraska - Administrative Services - Budget Division

	PAGE NUMBER	1
	CODE & DESCRIPTION	
AGENCY	011	Attorney General

EXPENDITURE ACCOUNT	ADJUSTMENTS
	2008-2009
Permanent F.T.E. Positions	
511100 Permanent Salaries - Wages	92,000
511200 Temporary Salaries - Wages	
511600 Per Diem Payments	
511900 Supplemental (One-time payments)	
All Other Salaries	
Sub-Total Salaries	92,000
515100 Retirement Plans Expense	6,900
515200 OASDI Expense	7,038
515400 Life and Accident Insurance Expense	17
515500 Health Insurance Expense	12,600
All Other Personal Services	
Sub-Total Benefits	26,555
510000 Personal Services	118,555
520000 Operating Expenses	571,000
570000 Travel Expenses	
580000 Capital Outlay	
590000 Government Aid	
Total Expense	689,555
Means of Financing	
General Fund	629,555
Cash Fund	60,000
Federal Fund	
Revolving Fund	
Total Funding	689,555
Personal Services Limitation (PSL)	92,000

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

State of Nebraska – Administrative Services – Budget Division

	CODE	DESCRIPTION
AGENCY	011	Attorney General
PROGRAM	507	Interpretation & Application of Law
REQUEST	01	Interstate Water Litigation

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

A) Funding for arbitration and litigation arising from Republican River Compact. Requesting \$511,000.00 be transferred from Water Resources Cash Fund to Attorney General’s Program 507 General Fund. The arbitration and litigation budget was agreed upon by the Nebraska Department of Natural Resources and the Nebraska Department of Justice.

B) The State of Kansas has made a demand on the State of Nebraska for damages of \$72,365,133 and that Nebraska shut off groundwater irrigation for over 515,000 acres in Southwest and South-Central Nebraska. Kansas has initiated the arbitration process contained in the Final Settlement Stipulation to pursue its damage and injunctive claims. Nebraska has initiated its defense of this claim.

Nebraska is obligated by state and federal law to participate in the arbitration process. In addition, the State faces a potentially significant damage claim and negative economic impact if the restrictions advocated by Kansas are adopted.

C) If the request is not funded, the office does not have adequate resources to successfully defend the seventy-two million dollar (\$72M) damage claim made by Kansas

D) No statutory change is required.

Form Number 520

Program Adjustment Request

State of Nebraska - Administrative Services - Budget Division

	PAGE NUMBER	3
	CODE & DESCRIPTION	
AGENCY	011	Attorney General
PROGRAM	507	Interpretation & Application of Law
REQUEST	01	Interstate Water Litigation

EXPENDITURE ACCOUNT	APPROPRIATIONS	ADJUSTMENTS
	2008-2009	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		
515100 Retirement Plans Expense		
515200 OASDI Expense		
515400 Life and Accident Insurance Expense		
515500 Health Insurance Expense		
All Other Personal Services		
Sub-Total Benefits		
510000 Personal Services		
520000 Operating Expenses		
541700 Legal Related Expenses		511,000
570000 Travel Expenses		
580000 Capital Outlay		
590000 Government Aid		
Total Expense		511,000
Means of Financing		
General Fund		511,000
Cash Fund		
Federal Fund		
Revolving Fund		
Total Funding		511,000
Personal Services Limitation (PSL)		

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	Interpretation & Application of Law
REQUEST	02	Legal Services Bureau Attorney

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

- A) Returns funding of twenty plus year attorney in Legal Services Bureau.
- B) Funding for twenty plus year attorney in Legal Services Bureau was transferred to the School Finance Litigation Program to accurately reflect time spent on case. When case settled, funding for this attorney was to be transferred back to Legal Services Bureau.
- C) This will return funding for a 20+ year experienced attorney transferring back to the Legal Services Bureau from the former School Finance Litigation program. This attorney will return to working on matters previously handled by him including, writing Attorney General opinions; providing legal advice to state agencies, boards, commissions, departments and offices; and handling antitrust, probate, escheat, and other specialized matters including election law and constitutional litigation. Portions of his pre-School Finance work were covered by other attorneys during the case but needs to be transferred back to reduce other attorney workload to normal levels.
- D) No statutory change is required.

Form Number 520

Program Adjustment Request

State of Nebraska - Administrative Services - Budget Division

	PAGE NUMBER	5
	CODE & DESCRIPTION	
AGENCY	011	Attorney General
PROGRAM	507	Interpretation & Application of Law
REQUEST	02	Legal Services Bureau Attorney

EXPENDITURE ACCOUNT	APPROPRIATIONS	ADJUSTMENTS
	2008-2009	2008-2009
Permanent F.T.E. Positions		
511100 Permanent Salaries - Wages		92,000
511200 Temporary Salaries - Wages		
511600 Per Diem Payments		
511900 Supplemental (One-time payments)		
All Other Salaries		
Sub-Total Salaries		92,000
515100 Retirement Plans Expense		6,900
515200 OASDI Expense		7,038
515400 Life and Accident Insurance Expense		17
515500 Health Insurance Expense		12,600
All Other Personal Services		
Sub-Total Benefits		26,555
510000 Personal Services		118,555
520000 Operating Expenses		
570000 Travel Expenses		
580000 Capital Outlay		
590000 Government Aid		
Total Expense		118,555
Means of Financing		
General Fund		118,555
Cash Fund		
Federal Fund		
Revolving Fund		
Total Funding		118,555
Personal Services Limitation (PSL)		92,000

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

State of Nebraska – Administrative Services – Budget Division

	CODE	DESCRIPTION
AGENCY	011	Attorney General
PROGRAM	507	Interpretation & Application of Law
REQUEST	03	Tobacco Master Settlement Agreement Enforcement

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

- A) Increase Cash Fund Appropriation from the Health Care Cash Fund related to enforcing the tobacco master settlement agreement (MSA).
- B) Additional tobacco MSA enforcement funding from the Health Care Cash Fund for arbitration ordered by the Nebraska Supreme Court between the State of Nebraska and participating tobacco manufacturers regarding whether the State of Nebraska “diligently enforced” its escrow statute applicable to nonparticipating manufacturers.
- C) This issue is critical to Nebraska’s receipt of its full payments under the MSA. Nebraska’s MSA payments from participating manufacturers may potentially be reduced by millions of dollars if an arbitration panel determines that Nebraska did not “diligently enforce” its escrow statute applicable to nonparticipating manufacturers. Additional funding from the Health Care Cash Fund is necessary to enable the Attorney General's Office to prepare for and defend the State of Nebraska in this arbitration.
- D) No statutory change is required.

Form Number 520

Program Adjustment Request

State of Nebraska - Administrative Services - Budget Division

	PAGE NUMBER	7
	CODE & DESCRIPTION	
AGENCY	011	Attorney General
PROGRAM	507	Interpretation & Application of Law
REQUEST	03	Tobacco Master Settlement Agreement Enforcement

EXPENDITURE ACCOUNT	APPROPRIATIONS	ADJUSTMENTS
	2008-2009	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		
515100 Retirement Plans Expense		
515200 OASDI Expense		
515400 Life and Accident Insurance Expense		
515500 Health Insurance Expense		
All Other Personal Services		
Sub-Total Benefits		
510000 Personal Services		
520000 Operating Expenses		
541700 Legal Related Expenses		60,000
570000 Travel Expenses		
580000 Capital Outlay		
590000 Government Aid		
Total Expense		60,000
Means of Financing		
General Fund		
Cash Fund		60,000
Federal Fund		
Revolving Fund		
Total Funding		60,000
Personal Services Limitation (PSL)		

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