

LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 4

Introduced by Krist, 10.

Read first time January 10, 2013

Committee: Appropriations

A BILL

1 FOR AN ACT relating to the Nebraska Health Care Cash Fund; to amend
2 section 71-7611, Revised Statutes Cumulative Supplement,
3 2012; to change provisions governing transfers; to repeal
4 the original section; and to declare an emergency.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-7611, Revised Statutes Cumulative
2 Supplement, 2012, is amended to read:

3 71-7611 (1) The Nebraska Health Care Cash Fund is
4 created. The State Treasurer shall transfer (a) fifty-six million one
5 hundred thousand dollars no later than July 15, 2009, (b) fifty-nine
6 million one hundred thousand dollars on or before July 15, 2010, July
7 15, 2011, and July 15, 2012, and on or before every July 15
8 thereafter through July 15, 2014, (c) fifty-six million one hundred
9 forty-five thousand dollars no later than July 15, ~~2013, 2015,~~ (d)
10 fifty-three million one hundred ninety thousand dollars no later than
11 July 15, ~~2014, 2016,~~ and (e) fifty million two hundred thirty-five
12 thousand dollars beginning July 15, ~~2015, 2017,~~ and annually
13 thereafter no later than July 15 from the Nebraska Medicaid
14 Intergovernmental Trust Fund and the Nebraska Tobacco Settlement
15 Trust Fund to the Nebraska Health Care Cash Fund, except that such
16 amount shall be reduced by the amount of the unobligated balance in
17 the Nebraska Health Care Cash Fund at the time the transfer is made.
18 The state investment officer upon consultation with the Nebraska
19 Investment Council shall advise the State Treasurer on the amounts to
20 be transferred from the Nebraska Medicaid Intergovernmental Trust
21 Fund and from the Nebraska Tobacco Settlement Trust Fund under this
22 section in order to sustain such transfers in perpetuity. The state
23 investment officer shall report electronically to the Legislature on
24 or before October 1 of every even-numbered year on the sustainability
25 of such transfers. Except as otherwise provided by law, no more than

1 the amount specified in this subsection may be appropriated or
2 transferred from the Nebraska Health Care Cash Fund in any fiscal
3 year.

4 It is the intent of the Legislature that no additional
5 programs are funded through the Nebraska Health Care Cash Fund until
6 funding for all programs with an appropriation from the fund during
7 FY2012-13 are restored to their FY2012-13 levels.

8 (2) Any money in the Nebraska Health Care Cash Fund
9 available for investment shall be invested by the state investment
10 officer pursuant to the Nebraska Capital Expansion Act and the
11 Nebraska State Funds Investment Act.

12 (3) The University of Nebraska and postsecondary
13 educational institutions having colleges of medicine in Nebraska and
14 their affiliated research hospitals in Nebraska, as a condition of
15 receiving any funds appropriated or transferred from the Nebraska
16 Health Care Cash Fund, shall not discriminate against any person on
17 the basis of sexual orientation.

18 Sec. 2. Original section 71-7611, Revised Statutes
19 Cumulative Supplement, 2012, is repealed.

20 Sec. 3. Since an emergency exists, this act takes effect
21 when passed and approved according to law.