

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 285**

Introduced by Conrad, 46.

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

1 appropriated or transferred from the Nebraska Health Care Cash Fund  
2 in any fiscal year.

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

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

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

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

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