

LEGISLATIVE BILL 40A

Approved by the Governor June 2, 2005

Introduced by Redfield, 12

AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 40, Ninety-ninth Legislature, First Session, 2005; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. There is hereby appropriated (1) \$1,500,000 from the Affordable Housing Trust Fund for FY2005-06 and (2) \$2,000,000 from the Affordable Housing Trust Fund for FY2006-07 to the Department of Economic Development, for Program 601, to aid in carrying out the provisions of Legislative Bill 40, Ninety-ninth Legislature, First Session, 2005.

There is included in the appropriation to this program for FY2005-06 \$1,500,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2006-07 \$2,000,000 Cash Funds for state aid, which shall only be used for such purpose.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 2. There is hereby appropriated (1) \$2,000,000 from the Behavioral Health Services Fund for FY2005-06 and (2) \$2,000,000 from the Behavioral Health Services Fund for FY2006-07 to the Department of Health and Human Services Finance and Support, for Program 38, to aid in carrying out the provisions of Legislative Bill 40, Ninety-ninth Legislature, First Session, 2005.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

There is included in the appropriation to this program for FY2005-06 \$2,000,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2006-07 \$2,000,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 3. There is hereby appropriated \$100,000 from the Behavioral Health Services Fund for FY2005-06 to the Department of Health and Human Services Finance and Support, for Program 38, to aid in carrying out the provisions of Legislative Bill 40, Ninety-ninth Legislature, First Session, 2005.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

There is included in the appropriation to this program for FY2005-06 \$100,000 Cash Funds for state aid, which shall only be used for such purpose.

Funds appropriated in this section shall only be used for housing-related assistance for very low-income adults with serious mental illness. The Division of Behavioral Health Services of the Department of Health and Human Services shall manage and distribute such funds based upon a formula established by the division, in consultation with regional behavioral health authorities and the Department of Health and Human Services Finance and Support, in a manner consistent with and reasonably calculated to promote the purposes of the public behavioral health system provided in section 71-803.

The Division of Behavioral Health Services of the Department of Health and Human Services shall contract with each regional behavioral health authority for the provision of such assistance. Each regional behavioral health authority may contract with qualifying public, private, or nonprofit entities for the provision of such assistance.

For purposes of this section (1) housing-related assistance means rental payments, utility payments, security and utility deposits, and other related costs and payments, (2) very low-income means a household income of fifty percent or less of the applicable median family income estimate as established by the United States Department of Housing and Urban Development, and (3) adult with serious mental illness means a person eighteen years of age or older who has, or at any time during the immediately preceding twelve months has had, a diagnosable mental, behavioral, or emotional disorder of sufficient duration to meet diagnostic criteria identified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders and which has resulted in functional impairment that substantially interferes with or limits one or more major life functions. Serious mental illness does not include DSM V codes, substance abuse disorders, or developmental disabilities

unless such conditions exist concurrently with a diagnosable serious mental illness.

Sec. 4. There is hereby appropriated \$300,000 from the Petroleum Release Remedial Action Cash Fund for FY2005-06 to the Department of Environmental Quality, for Program 513, to aid in carrying out the provisions of Legislative Bill 40, Ninety-ninth Legislature, First Session, 2005.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

There is included in the appropriation to this program for FY2005-06 \$300,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 5. There is hereby appropriated \$1,845,000 from the Behavioral Health Services Fund for FY2005-06 to the Department of Health and Human Services Finance and Support, for Program 38, to aid in carrying out the provisions of Legislative Bill 40, Ninety-ninth Legislature, First Session, 2005.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

There is included in the appropriation to this program for FY2005-06 \$1,845,000 Cash Funds for state aid, which shall only be used for such purpose.

Funds appropriated in this section shall be distributed to each regional behavioral health authority on a per capita basis no later than thirty days after receipt of such funds and shall only be used for one-time funding for new construction, acquisition, or rehabilitation of housing to assist very low-income adults with serious mental illness.

Each regional behavioral health authority may contract with qualifying public, private, or nonprofit entities for the provision of such assistance.

For purposes of this section (1) very low-income means a household income of fifty percent or less of the applicable median family income estimate as established by the United States Department of Housing and Urban Development and (2) adult with serious mental illness means a person eighteen years of age or older who has, or at any time during the immediately preceding twelve months has had, a diagnosable mental, behavioral, or emotional disorder of sufficient duration to meet diagnostic criteria identified in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders and which has resulted in functional impairment that substantially interferes with or limits one or more major life functions. Serious mental illness does not include DSM V codes, substance abuse disorders, or developmental disabilities unless such conditions exist concurrently with a diagnosable serious mental illness.

Sec. 6. Since an emergency exists, this act takes effect when passed and approved according to law.