

SIXTIETH DAY - APRIL 20, 2022**LEGISLATIVE JOURNAL****ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION****SIXTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, April 20, 2022

PRAYER

The prayer was offered by Senator Williams.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Hilgers.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Briese, Erdman, and Pahls who were excused; and Senators Hunt and Pansing Brooks who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-ninth day was approved.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 13, 2022, at 2:40 p.m. was the following: LB888.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

REFERENCE COMMITTEE REPORT

2022 Resolution calling for an Interim Study

LR438	Interim study to identify policy changes for improving communication and sharing	Health and Human Services
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	of case-specific information among state and local government agencies responsible for care, custody, treatment, and rehabilitation or youth	
LR463	Interim study to examine the structure and administration of an compliance with certain taxes	Revenue
LR415	Rereferred from Health and Human Services to Banking, Commerce and Insurance	

(Signed) Dan Hughes, Chairperson
Executive Board

EXECUTIVE BOARD COMMUNICATION

April 19, 2022

Patrick O'Donnell
Clerk of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. O'Donnell:

Rule 4, Sec. 3(d) authorizes the Executive Board, on its own behalf, to conduct interim studies or create a select interim committee to do so. Pursuant to this rule, the Executive Board has appointed a Select Interim Committee to be known as the Select Interim Ethics Committee of the Legislature. The members of the committee are:

Senator Wishart and Speaker Hilgers, representing the first district.
Senator DeBoer and Senator Linehan, representing the second district.
Senator Slama and Senator Lowe, representing the third district.

A copy of the interim study creating the Select Interim Committee is enclosed.

Sincerely,
Senator Dan Hughes
Chair, Executive Board

MESSAGE(S) FROM THE GOVERNOR

April 18, 2022

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Clerk O'Donnell:

Engrossed Legislative Bills 436, 450, 450A, 519, 698, 698A, 707e, 717, 769, 780, 809, 809A, 820, 840, 863, 864, 887, 925, 925A, 964, 1015, 1023e, 1112, 1112A, 1236, 1246, 1273, and 1273A were received in my office on April 12, 2022.

Engrossed Legislative Bills 741, 741A, 750e, 750A, 752, 752A, 800e, 804, 804A, 848, 848A, 852, 902, 902A, 917, 917A, 977e, 977Ae, 998e, 1016, 1037e, 1037Ae, 1068e, 1068Ae, 1241e, and 1241Ae were received in my office on April 12, 2022.

Engrossed Legislative Bills 29e, 59, 75, 91, 691, 697, 697A, 705e, 742, 779, 795, 807, 808, 824, 829, 851, 855, 856, 905, 908, 971, 983, 1007, 1024e, 1024Ae, 1057, 1065, 1069e, 1082, 1092, 1102, 1102A, 1124, 1137, 1147e, 1148, 1165, 1178, 1184, and 1204 were received in my office on April 12, 2022.

These bills were signed and delivered to the Secretary of State on April 18, 2022

Sincerely,
(Signed) Pete Ricketts
Governor

April 19, 2022

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Clerk O'Donnell:

Engrossed Legislative Bills 376, 376A, 598e, 686, 792, 805, 805A, 843, 876e, 888, 896, 896A, 921, 921A, 922, 922A, 927, 984, 984A, 1130, 1144e, 1144Ae, 1150e, 1150A, 1173e, 1173Ae, 1218, and 1218A were received in my office on April 13, 2022.

These bills were signed and delivered to the Secretary of State on April 19, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

April 19, 2022

Mr. President, Mr. Speaker, and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I have signed LB 376 and LB 376A; however I am sharing a structural concern that occurs in LB 376A in order to document and preserve the issue for the 2023 legislative session.

Section 1 of LB 376A appropriates \$500,000 of Home and Community Based Services ARPA federal funds for Fiscal Year 2022-23. To be correct, the appropriation should have been \$500,000 of cash funds.

There are two references in Section 2 of LB 376A that appropriate and earmark \$6,055,913 of federal funds from the same source. These should also have been appropriations of cash funds. These occur in Fiscal Year 2023-24.

Finally, the personal services limitation contained in Section 4 was placed in the Medicaid aid program. It should be properly placed in the agency's administration program.

The appropriation in Section 1 will necessitate a deficit appropriation to the Department of Health and Human Services in the 2023 legislative session. This issue will not slow the agency's ability to comply with the requirements of LB 376.

The other items in LB 376A also need to be corrected but those changes can be made in the 2023 legislative session prior to the July 1, 2023, start of the next biennium budget.

Sincerely,
(Signed) Pete Ricketts
Governor

April 19, 2022

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Clerk O'Donnell:

Engrossed Legislative Bill 1261e was received in my office on April 13, 2022.

This bill was signed and delivered to the Secretary of State on April 19, 2022.

Sincerely,
(Signed) Pete Ricketts
Governor

REPORTS

Agency reports electronically filed with the Legislature can be found on the [Nebraska Legislature's website](#).

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 436, 437, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, and 461 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 436, 437, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, and 461.

MOTION - Proposed Rule Change

Senator Hughes offered his proposed rule change, found on page 1276.

The Hughes proposed rule change was adopted with 45 ayes, 0 nays, and 4 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 462. Read. Considered.

LR462 was adopted with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR 462.

MOTION - Notify Governor

Senator Pansing Brooks moved that a committee of five be appointed to notify the Governor that the One Hundred Seventh Legislature, Second Session of the Nebraska Legislature, is about to complete its work, and to return with any message the Governor may have for the Legislature.

The motion prevailed.

The Chair appointed Senators Friesen, Kolterman, McCollister, Stinner, and Williams to serve on said committee.

The committee returned and escorted Governor Pete Ricketts to the rostrum where he delivered a message to the members.

The committee escorted Governor Pete Ricketts from the Chamber.

EXECUTIVE BOARD COMMUNICATION

April 19, 2022

Patrick O'Donnell
Clerk of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. O'Donnell:

Pursuant to LB1024, I am appointing the following four senators to the Economic Recovery Special Committee of the Legislature: Senator Mike McDonnell, Senator Tony Vargas, Senator Brett Lindstrom, and Senator Terrell McKinney. Each of these senators represent legislative districts with one or more qualified census tracts within a city of the metropolitan class.

Sincerely,
Senator Dan Hughes
Chair, Executive Board

SPEAKER HILGERS PRESIDING

SENATOR HUGHES PRESIDING

SENATOR ARCH PRESIDING

MOTION - Disposition of Bills

Senator Hilkemann moved that all bills not otherwise disposed of, excluding bills on Final Reading and vetoed or line-item vetoed bills on this date, be indefinitely postponed.

The motion prevailed.

MOTION - Committee Records

Senator M. Hansen moved that the chairpersons of all standing committees file with the Clerk of the Legislature all standing committee records so that a proper record may be made of the final disposition of all bills.

The motion prevailed.

MOTION - Printing of Journal, Session Laws, and Indexes

Senator Lathrop moved that the Legislature approve the preparation and printing of the permanent Legislative Journal, Session Laws, and Indexes by Patrick J. O'Donnell and that he be directed to send to each member of the Legislature a copy of the permanent Legislative Journal and Session Laws, and that the Journal for the Sixtieth Day, as prepared by the Clerk of the Legislature, be approved.

The motion prevailed.

VISITOR(S)

Visitors to the Chamber were high school students, teachers, and sponsor from Minden High School, Minden; fourth- and fifth-grade students from St. Paul's Lutheran Church, West Point; Senator Albrecht's grandchildren Keegan and Kylie Fischer, and their mother Laura Fischer; fourth-grade students from Overton Elementary, Overton.

The Doctor of the Day was Dr. Jason Bepalec of Geneva.

MOTION - Adjourn Sine Die

Senator Hughes moved that the One Hundred Seventh Legislature, Second Session of the Nebraska Legislature, having finished all business before it, now at 1:53 p.m., adjourn sine die.

Senator Wayne requested a record vote on the motion to adjourn sine die.

Voting in the affirmative, 44:

Aguilar	Cavanaugh, M.	Hansen, B.	Linehan	Sanders
Albrecht	Clements	Hansen, M.	Lowe	Slama
Arch	DeBoer	Hilgers	McCollister	Stinner
Blood	Dorn	Hilkemann	McDonnell	Vargas
Bostar	Flood	Hughes	McKinney	Walz
Bostelman	Friesen	Jacobson	Morfeld	Wayne
Brandt	Geist	Kolterman	Moser	Williams
Brewer	Gragert	Lathrop	Murman	Wishart
Cavanaugh, J.	Halloran	Lindstrom	Pansing Brooks	

Voting in the negative, 0.

Present and not voting, 1:

Day

Excused and not voting, 4:

Briese Erdman Hunt Pahls

The Hughes motion to adjourn sine die prevailed with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

Patrick J. O'Donnell
Clerk of the Legislature