

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
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FLOOR DEBATE

March 28, 2003      LB 439

SENATOR HUDKINS: Thank you, Mr. President and members of the body. Well, stated real simply, LB 439 would switch the responsibility of providing security for certain buildings and ground owned or leased by the state of Nebraska in Lincoln from the Department of Administrative Services to the Nebraska State Patrol. Now, there will be a committee amendment and that makes the language more specific so that it actually does what it was originally intended to do. The way it's drafted now, the green copy could be read as making the patrol responsible for security over all state of Nebraska property in Lincoln. That would include the University of Nebraska, the Department of Aeronautics, the Department of Roads, Game and Parks, and so forth. That was not what was intended and it is most certainly not what the State Patrol wants to do, so the amendment makes it very specific that the State Patrol will only provide security for the State Capitol and the Governor's residence and the surrounding properties. A couple of years ago, I introduced a similar Capitol security bill, but nothing became of it. This session, the Governor's Policy Research Office approached me to carry the current proposal. I discussed the legislation with DAS, as well as the legislative liaison for the State Patrol and individual members of the current Capitol security force. The bill appears to have the support of them all, at least no one has responded negatively to my inquiries or approached me with misgivings about it. The bill is not intended to reflect negatively in any way upon the current Capitol security officers and the job that they do. Nevertheless, they cannot offer the Capitol complex the protection that is really needed. This is not their fault. Rather, it is due to the fact that they are not commissioned police officers, and they are prohibited by their job descriptions and internal regulations from doing anything that might be considered confrontational. No matter how badly they might want to help, they cannot. They lack the authority to approach suspicious individuals. They cannot detain someone whom they see commit a crime on the Capitol grounds. All they can do, and indeed all they are allowed to do, is observe and report. When the Legislature is in session, the State Patrol augments Capitol security. Whenever the Legislature is out of session, the troopers who are normally in the hallways, in the balcony or at the various public hearings are also absent. True, the Governor's Mansion does have