

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

March 8, 2005                    LB 115

CLERK: LB 115, introduced by Senator Friend. (Read title.) Introduced on January 6, referred to the Judiciary Committee, advanced to General File. I do have committee amendments, Mr. President. (AM0107, Legislative Journal page 423.)

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Friend, to open on LB 115.

SENATOR FRIEND: Thank you. Thank you, Mr. President, members of the Legislature. LB 115 permits the automatic decertification of a law enforcement officer upon final conviction of a felony offense, without necessity of conducting a hearing under the Administrative Procedures Act. For a little bit of background, the Nebraska Revised Statutes Section 81-1403, subsection (6), gives the Police Standards Advisory Council the authority to revoke or suspend certificates or diplomas as they issue. And additionally, the Nebraska Revised Statutes Section 81-1410, subdivision (2)(f), essentially restricts convicted felons from admission to the law enforcement training academy. Currently, based on rule and regulation, the policy...or, excuse me, the Police Standards Advisory Council and the Crime Commission hold hearings to decertify officers convicted of felony crimes. This requires considerable preparation and presentation to conform to both relevant rule and regulations, as well as Administrative Procedures Act, this in spite of the fact that a convicted felon cannot be admitted to the training center without a pardon, and that essentially most law enforcement agencies would not intentionally hire a convicted felon. And simply put, I think LB 115 saves time and resources. With that, I would ask for the advancement of LB 115. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Friend. You've heard the opening on LB 115. As stated, there are committee amendments by the Judiciary Committee. Senator Bourne, as Chairman of the committee, you're recognized to open.

SENATOR BOURNE: Thank you, Mr. President, members. The committee amendment makes two changes to the green copy of the bill. The committee amendment first strikes the language in the bill denying an individual who has been convicted of a felony