

**ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019**  
**COMMITTEE STATEMENT**  
**LB16**

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**Hearing Date:** Friday February 08, 2019  
**Committee On:** Government, Military and Veterans Affairs  
**Introducer:** Briese  
**One Liner:** Provide for the withholding of records relating to certain critical infrastructure

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

|                            |   |  |
|----------------------------|---|--|
| <b>Aye:</b>                | 5 | Senators Brewer, Blood, Hunt, La Grone, Lowe |
| <b>Nay:</b>                |   |  |
| <b>Absent:</b>             |   |  |
| <b>Present Not Voting:</b> | 3 | Senators Hansen, M., Hilgers, Kolowski       |

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**Oral Testimony:**

**Proponents:**

Senator Tom Briese  
Shelley Sahling-Zart  
Kevin Wailes  
Jill Becker

**Representing:**

Introducer  
Nebraska Power Association  
Lincoln Electric System  
Black Hills Energy

**Opponents:**

Shawn Renner

**Representing:**

Media of Nebraska

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

LB 16 would modify Section 84-712.05, the statute listing records which may be withheld from the public under Nebraska's law that establishes the right of the public generally to examine public records. This bill would allow the withholding of records that contain "information that relates details of physical and cyber assets of critical energy infrastructure or critical electric infrastructure." The bill incorporates by reference the definitions of these terms contained in federal regulations (See 18 C.F.R. 388.113).

It would further require that records to be withheld under the new exception only be records whose disclosure would threaten "national security, public health, or safety." These would include both engineering and design records, as well as the identity of personnel responsible for granting individuals access to physical or cyber assets. The bill also provides that general location information for infrastructure and the identity of a CEO, general manager, vice president, or board member of a public entity could not be withheld under the new exception.

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