

AMENDMENTS TO LB205

Introduced by McDonnell, 5.

1           1. Strike the original sections and insert the following new  
2 sections:

3           Section 1. Sections 1 to 5 of this act shall be known and may be  
4 cited as the Critical Infrastructure Utility Worker Protection Act.

5           Sec. 2. For purposes of the Critical Infrastructure Utility Worker  
6 Protection Act, unless the context otherwise requires:

7           (1) Civil defense emergency has the same meaning as in section  
8 81-829.39;

9           (2) Critical infrastructure utility worker means an essential  
10 critical infrastructure worker identified in the Guidance on the  
11 Essential Critical Infrastructure Workforce, Version 4.1, as released on  
12 August 5, 2021, by the United States Department of Homeland Security  
13 Cybersecurity and Infrastructure Security Agency;

14           (3) Disaster has the same meaning as in section 81-829.39;

15           (4) Emergency has the same meaning as in section 81-829.39;

16           (5) Priority access means access at least equal to that provided to  
17 hospital and medical personnel, law enforcement personnel, or other  
18 emergency responders;

19           (6) Utility means any legal entity, including a political  
20 subdivision, that owns or operates a utility system, or any part thereof,  
21 in this state; and

22           (7) Utility system means the physical and cyber assets and  
23 infrastructure used in providing utility services to wholesale or retail  
24 customers. Utility system includes electrical, gas, water, steam, sewage,  
25 and telecommunications services.

26           Sec. 3. The purposes of the Critical Infrastructure Utility Worker  
27 Protection Act are to:

1       (1) Provide for protection of critical infrastructure utility  
2 workers during any civil defense emergency, disaster, or emergency;

3       (2) Provide priority access to personal protective equipment;  
4 medical screening, testing, and preventative health services; medical  
5 treatment; and the administration of vaccines for critical infrastructure  
6 utility workers in the event of an emergency involving a severe threat to  
7 human health; and

8       (3) Authorize federal and state financial aid for critical  
9 infrastructure utility workers during any civil defense emergency,  
10 disaster, or emergency involving a severe threat to human health.

11       Sec. 4. Utilities shall maintain a list of critical infrastructure  
12 utility workers by position description without listing individual names.  
13 The list shall not be deemed a public record subject to disclosure  
14 pursuant to sections 84-712 to 84-712.09, but shall be made available to  
15 the Nebraska Emergency Management Agency upon request. The list shall be  
16 kept confidential by the agency.

17       Sec. 5. In the event of any civil defense emergency, disaster, or  
18 emergency involving a severe threat to human health, the Governor shall:

19       (1) Ensure that critical infrastructure utility workers are provided  
20 priority access to personal protective equipment, medical screening,  
21 testing, preventive health services, medical treatment, and the  
22 administration of vaccines approved by the federal Food and Drug  
23 Administration; and

24       (2) Take all necessary measures to provide available federal funding  
25 for the adequate protection and care of critical infrastructure utility  
26 workers in accordance with federal law and regulations regarding  
27 eligibility for such funding.