

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 228**

Introduced by Mello, 5; Dubas, 34; Haar, 21.

Read first time January 10, 2011

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Deferred Building Renewal Act; to amend  
2 sections 81-173 and 81-190, Reissue Revised Statutes of  
3 Nebraska; to provide for energy audits to be conducted  
4 under the act; to require a report; to remove obsolete  
5 language; to harmonize provisions; to repeal the original  
6 sections; and to outright repeal section 81-191.01,  
7 Reissue Revised Statutes of Nebraska.  
8 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 81-173, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   81-173 For purposes of the Deferred Building Renewal Act  
4 and sections 85-106 and 85-304, unless the context otherwise  
5 requires:

6                   (1) Renewal work means any (a) deferred or preventive  
7 maintenance projects that will restore facilities and utility systems  
8 as closely as practicable to their original constructed condition as  
9 defined by the Task Force for Building Renewal, (b) projects that  
10 will bring facilities into compliance with current fire safety, life  
11 safety, and hazardous materials abatement requirements, and (c)  
12 projects that will bring facilities into compliance with the federal  
13 Americans with Disabilities Act of 1990. The standard of quality  
14 maintenance shall be set after consideration of the facility users,  
15 geographical location, condition, and physical analysis of each  
16 building;

17                   (2) Deferred maintenance means any measures taken to: (a)  
18 Correct or repair structural or mechanical defects that would  
19 endanger the integrity of a building or its components or allow  
20 unwanted penetration of the building by the outdoor elements; (b)  
21 correct or repair structural, mechanical, or other defects in a  
22 building or its components or utility systems which endanger the  
23 lives or health of state employees or the general public; (c) bring a  
24 building into compliance with the federal Americans with Disabilities  
25 Act of 1990; ~~or~~ (d) correct a waste of energy, including minor

1 repairs, alteration and maintenance painting, cost of materials,  
2 hiring of building maintenance personnel, and other necessary  
3 expenses for the maintenance of roofs, exterior walls, retaining  
4 walls, foundations, flooring, ceilings, partitions, doors, building  
5 hardware, windows, plaster, structural ironwork, screens, plumbing,  
6 heating, air-handling, and air conditioning equipment, or electrical  
7 systems, but excluding decorative finish or furnishing or building  
8 additions; or (e) conduct an energy audit;

9 (3) Preventive maintenance means any measures taken to  
10 maintain the structural or mechanical integrity of a building or its  
11 components including those measures listed in subdivision (2) of this  
12 section; and

13 (4) Task force means the Task Force for Building Renewal.

14 Sec. 2. Section 81-190, Reissue Revised Statutes of  
15 Nebraska, is amended to read:

16 81-190 Sections 81-173 to ~~81-191.01~~ 81-190 and section 3  
17 of this act shall be known and may be cited as the Deferred Building  
18 Renewal Act.

19 Sec. 3. A report of the findings of any energy audit  
20 conducted under the Deferred Building Renewal Act shall be sent to  
21 the state agency operating or managing the state-owned building,  
22 utility, or ground on which the audit was conducted and the Committee  
23 on Building Maintenance of the Legislature.

24 Sec. 4. Original sections 81-173 and 81-190, Reissue  
25 Revised Statutes of Nebraska, are repealed.

1                   Sec. 5. The following section is outright repealed:

2    Section 81-191.01, Reissue Revised Statutes of Nebraska.