

LEGISLATIVE BILL 228

Approved by the Governor March 16, 2011

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

FOR AN ACT relating to the Deferred Building Renewal Act; to amend sections 81-173 and 81-190, Reissue Revised Statutes of Nebraska; to provide for energy audits to be conducted under the act; to require a report; to remove obsolete language; to harmonize provisions; to repeal the original sections; and to outright repeal section 81-191.01, Reissue Revised Statutes of Nebraska.

Be it enacted by the people of the State of Nebraska,

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

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

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

(2) Deferred maintenance means any measures taken to: (a) Correct or repair structural or mechanical defects that would endanger the integrity of a building or its components or allow unwanted penetration of the building by the outdoor elements; (b) correct or repair structural, mechanical, or other defects in a building or its components or utility systems which endanger the lives or health of state employees or the general public; (c) bring a building into compliance with the federal Americans with Disabilities Act of 1990; ~~or~~ (d) correct a waste of energy, including minor repairs, alteration and maintenance painting, cost of materials, hiring of building maintenance personnel, and other necessary expenses for the maintenance of roofs, exterior walls, retaining walls, foundations, flooring, ceilings, partitions, doors, building hardware, windows, plaster, structural ironwork, screens, plumbing, heating, air-handling, and air conditioning equipment, or electrical systems, but excluding decorative finish or furnishing or building additions; or (e) conduct an energy audit;

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

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

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

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

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

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

Sec. 5. The following section is outright repealed: Section 81-191.01, Reissue Revised Statutes of Nebraska.