

Introduced by

1 A BILL for an Act to create and enact a new section to chapter 48-01.2 of the North Dakota
2 Century Code, relating to public building efficiency standards; and to amend and reenact
3 section 54-44.5-04 of the North Dakota Century Code, relating to the duties of the division of
4 community services.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new section to chapter 48-01.2 is created:

7 **Public buildings energy efficiency standards.** Any new building construction in
8 excess of five million dollars or a modification of an existing structure in excess of two million
9 dollars for a public improvement must comply with the regulations adopted under this section.
10 The division of community services of the department of commerce shall promulgate rules that
11 adopt construction standards applicable to public improvements under this section which are
12 consistent with or exceed the silver building rating of the leadership in energy and
13 environmental design's rating system for new commercial construction and major renovation
14 projects, as established by the United States green building council. The division must provide
15 for an exemption from the construction standards for any public improvement for which a written
16 analysis is provided that states that the cost of compliance significantly outweighs the benefits.
17 The division must provide a procedure an method for employing and verifying activities
18 necessary to meet the construction standards.

19 **SECTION 2. AMENDMENT.** Section 54-44.5-04 is amended:

20 **54-44.5-04. Division of community services - Powers and duties.** The division of
21 community services shall:

- 22 1. Provide relevant information on pertinent topics and issues which relate to public
23 policy development, interpretation, modification, and implementation.

- 1 2. Research, analyze, and recommend public policy for the office of management and
2 budget and the executive office.
- 3 3. Coordinate public policy implementation within the state. Powers conferred upon
4 departments, agencies, or instrumentalities of the state, counties, townships, or
5 cities by any existing state or local law may not be derogated by this duty.
- 6 4. Develop state energy conservation policy and manage federal energy conservation
7 program activities between all levels of the public and private sectors regarding the
8 prudent and efficient use of energy resources.
- 9 5. Develop, implement, and administer federal categorical and block grant programs
10 assigned to the division.
- 11 6. Advise, coordinate, and assist cities, political subdivisions, and the state in all
12 phases of state and local planning for the physical development of the state.
- 13 7. Render financial assistance to any government planning agency within federal law
14 or regulation.
- 15 8. Advise, consult, coordinate, assist, and contract with or on behalf of the various
16 planning agencies in developing and harmonizing planning activities of the state.
- 17 9. Implement a state facility energy improvement program.
- 18 10. Adopted rules implementing energy efficiency construction standards for public
19 improvements.