

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 new public building efficiency and sustainability standards; and to  
3 amend and reenact section 54-44.5-04 of the North Dakota Century Code, relating to the duties  
4 of the division of community services.

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

6 **SECTION 1.** A new section to chapter 48-01.2 of the North Dakota Century Code is  
7 created and enacted as follows:

8 **Public building energy efficiency and sustainability standards.** The division of  
9 community services of the department of commerce shall adopt rules for construction standards  
10 which are consistent with or exceed the silver building rating of the leadership in energy and  
11 environmental design's rating system for new commercial construction and major renovation  
12 projects, as established by the United States green building council. Any public improvement  
13 that is new building construction in excess of two million dollars must comply with the rules  
14 adopted under this section. The division shall provide for an exemption from these construction  
15 standards for any public improvement for which a written analysis is provided which proves that  
16 the cost of compliance significantly outweighs the benefits.

17 **SECTION 2. AMENDMENT.** Section 54-44.5-04 of the North Dakota Century Code is  
18 amended and reenacted as follows:

19 **54-44.5-04. Division of community services - Powers and duties.** The division of  
20 community services shall:

- 21 1. Provide relevant information on pertinent topics and issues which relate to public  
22 policy development, interpretation, modification, and implementation.
- 23 2. Research, analyze, and recommend public policy for the office of management and  
24 budget and the executive office.

Sixty-second  
Legislative Assembly

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