

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.

Sixty-first  
Legislative Assembly

- 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.