

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

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

18 **54-44.5-04. Division of community services - Powers and duties.** The division of
19 community services shall:

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

- 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 construction standards for public
- 17 buildings as otherwise provided by law.