

**HOUSE BILL NO. 1212**

Introduced by

Representatives Klein, Ekstrom

Senators Horne, Wardner

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 of the North Dakota Century Code is  
7 created and enacted as follows:

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

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

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  
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- 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.    Adopt rules implementing energy efficiency construction standards for public  
19                    buildings as otherwise provided by law.