

Introduced by

Senators Larsen, Berry

Representatives Ruby, Thoreson

1 A BILL for an Act to establish an infrastructure audit task force.

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

3 **SECTION 1.**

4 **Infrastructure audit task force.**

5 1. The governor shall appoint an infrastructure audit task force to oversee the
6 performance of audits of the infrastructure in the state. The task force shall review the
7 audits performed by state agencies and political subdivisions and make findings and
8 recommendations to the governor and legislative assembly.

9 2. The task force must be composed of professionals in the fields of infrastructure
10 construction, maintenance, repair, and operation. The task force may consist of no
11 fewer than nine nor more than fifteen members. The governor shall provide adequate
12 funding to the task force to allow the task force to employ accounting and financial
13 expertise necessary to properly perform the tasks required by this Act.

14 **SECTION 2.**

15 **Task force duties and responsibilities.**

16 1. The task force shall report to the governor and the legislative assembly within twelve
17 months of the date of its appointment with its findings and any recommendations and
18 shall biennially provide to the governor information sufficient for the governor to
19 prepare the governor's budget recommendations.

20 2. The task force may direct all state agencies that have responsibility for construction,
21 operation, or maintenance of physical infrastructure assets to conduct an audit of
22 those assets.

1 3. The task force may direct each county, city, and township to undertake an audit of the
2 infrastructure the county, city, or township has the responsibility to provide and
3 maintain.

4 4. The task force may direct all public utilities in the state to undertake an audit of the
5 infrastructure the utilities have the responsibility to provide and maintain.

6 **SECTION 3.**

7 **Audit requirements.**

8 1. Audits performed under this Act must reference each of these items:

9 a. Street, road, and highway.

10 b. Curb.

11 c. Gutter.

12 d. Sidewalk.

13 e. Water supply line.

14 f. Power service line.

15 g. Water storage facility.

16 h. Power generating facility.

17 i. Signs including traffic signals.

18 j. Building and structure owned.

19 k. Park and park facility.

20 l. Swimming pool and pool facilities.

21 m. Fresh water facility, including dams, dikes, and causeways.

22 n. Waste treatment facility.

23 o. Primary, secondary, and higher education facility.

24 p. Landfill.

25 2. The audit must identify:

26 a. The value of each item.

27 b. The replacement cost of each item.

28 c. The current useful life of each item.

29 d. The state of repair of each item.

30 e. The current needed repair or maintenance of each item.

31 f. The present cost of the identified needed repair or maintenance of each item.

1 3. The audit must list all infrastructure items by category type and, within each category,
2 the identified item must be prioritized on the basis of safety impacts on the community,
3 the level of physical condition, and the cost to bring the item into average, good, and
4 excellent condition.

5 **SECTION 4.**

6 **Political subdivision infrastructure plan.**

7 Upon completion of an audit, the governing body of each county, city, and township
8 preparing an audit shall present the audit to the residents of the county, city, or township. The
9 governing body shall include in the audit a plan for funding a reserve and identify the source of
10 the funds necessary for replacement of each infrastructure item or its components when the
11 useful life has ended, needed repairs and ordinary maintenance, and upgrading and expansion
12 of each infrastructure item to properly provide services for growth in the service area.

13 **SECTION 5.**

14 **Report of state entities.**

15 The governor shall review the findings and recommendations of the task force relating to
16 infrastructure provided and maintained by the state. The governor shall provide
17 recommendations to the legislative assembly for approval of funding for improvements,
18 maintenance, and operation of the infrastructure and for establishment of a reserve fund for
19 replacement of infrastructure items when the useful life has ended.

20 **SECTION 6.**

21 **Audit and plan updates.**

22 An entity conducting an audit at the request of the task force shall update the audit at least
23 every twenty-four months, update the prioritization and funding plans annually, and deliver the
24 update to the task force. The governing body of each entity and public utility which conducts an
25 audit shall use the audit report as a baseline in budgeting and ratesetting decisionmaking.