

Introduced by

Representatives Tollefson, Brown

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. Infrastructure audit task force.**

- 4 1. The governor shall appoint an infrastructure audit task force to oversee the
5 performance of audits of the infrastructure in the state. The task force shall review
6 the audits performed by state agencies and political subdivisions and make
7 findings and recommendations to the governor and the legislative assembly.
- 8 2. The task force must be composed of professionals in the fields of infrastructure
9 construction, maintenance, repair, and operation. The task force may consist of no
10 fewer than nine nor more than fifteen members. The governor shall provide
11 adequate funding to the task force to allow the task force to employ accounting and
12 financial expertise necessary to properly perform the tasks required by this Act.

13 **SECTION 2. Task force duties and responsibilities.**

- 14 1. The task force shall report to the governor and the legislative assembly within
15 twelve months of the date of its appointment with its findings and any
16 recommendations and shall biennially provide to the governor information sufficient
17 for the governor to prepare the governor's budget recommendations.
- 18 2. The task force shall direct all state agencies that have responsibility for
19 construction, operation, or maintenance of physical infrastructure assets to conduct
20 an audit of those assets.
- 21 3. The task force shall direct each county, city, and township to undertake an audit of
22 the infrastructure the county, city, or township has the responsibility to provide and
23 maintain.

- 1 4. The task force shall direct all public utilities in the state to undertake an audit of the
2 infrastructure the utilities have the responsibility to provide and maintain.

3 **SECTION 3. Audit requirements.**

- 4 1. Audits performed under this Act must reference each of these items:
- 5 a. Street, road, and highway.
- 6 b. Curb.
- 7 c. Gutter.
- 8 d. Sidewalk.
- 9 e. Water supply line.
- 10 f. Power service line.
- 11 g. Water storage facility.
- 12 h. Power generating facility.
- 13 i. Signs including traffic signals.
- 14 j. Building and structure owned.
- 15 k. Park and park facility.
- 16 l. Swimming pool and pool facilities.
- 17 m. Fresh water facility, including dams, dikes, and causeways.
- 18 n. Waste treatment facility.
- 19 o. Primary, secondary, and higher education facility.
- 20 2. The audit must identify:
- 21 a. The value of each item.
- 22 b. The replacement cost of each item.
- 23 c. The current useful life of each item.
- 24 d. The state of repair of each item.
- 25 e. The current needed repair or maintenance of each item.
- 26 f. The present cost of the identified needed repair or maintenance of each item.
- 27 3. The audit must list all infrastructure items by category type and, within each
28 category, the identified item must be prioritized on the basis of safety impacts on
29 the community, the level of physical condition, and the cost to bring the item into
30 average, good, and excellent condition.

1 **SECTION 4. Political subdivision infrastructure plan.** Upon completion of an audit,
2 the governing body of each county, city, and township preparing an audit shall present the audit
3 to the residents of the county, city, or township. The governing body shall include in the audit a
4 plan for funding a reserve for replacement of each infrastructure item or its components when
5 the useful life has ended, needed repairs and ordinary maintenance, and upgrading and
6 expansion of each infrastructure item to properly provide services for growth in the service area
7 and shall be responsible for providing adequate funding for replacement, repair, maintenance,
8 upgrading, and expansion of the items.

9 **SECTION 5. Report of state entities.** The governor shall review the findings and
10 recommendations of the task force relating to infrastructure provided and maintained by the
11 state. The governor shall provide recommendations to the legislative assembly for approval of
12 funding for improvements, maintenance, and operation of the infrastructure and for
13 establishment of a reserve fund for replacement of infrastructure items when the useful life has
14 ended.

15 **SECTION 6. Audit and plan updates.** Entities conducting audits shall update the
16 audit at least every twenty-four months, update the prioritization and funding plans annually,
17 and deliver the updates to the task force. The governing body of each entity and public utility
18 which conducts an audit shall use the audit report as a base line in budgeting and ratesetting
19 decisionmaking.