

HOUSE BILL NO. 1298

Introduced by

Representative DeKrey

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 - Composition.** The governor shall
4 appoint an infrastructure audit task force to oversee the performance of audits of the
5 infrastructure of the state. The task force must be composed of professionals in the fields of
6 infrastructure construction, maintenance, repair, and operation. The task force may consist of
7 no fewer than nine nor more than fifteen members. The governor shall provide adequate
8 funding to the task force to allow the task force to employ accounting and financial expertise
9 necessary to properly perform the tasks required by this Act.

10 **SECTION 2. Task force duties and responsibilities - Reports.**

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

24 **SECTION 3. Audit requirements.**

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

28 **SECTION 4. Political subdivision infrastructure plan.** Upon completion of an audit,
29 the governing body of each county, city, and township preparing an audit shall present the audit
30 to the residents of the county, city, or township. The governing body shall include in the audit a
31 plan for funding a reserve for replacement of each infrastructure item or its components when

1 the useful life has ended, needed repairs and ordinary maintenance, and upgrading and
2 expansion of each infrastructure item to properly provide services for growth in the service area.
3 The governing body shall provide adequate funding for replacement, repair, maintenance,
4 upgrading, and expansion of the items.

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

11 **SECTION 6. Audit and plan updates.** Each entity conducting an audit shall update
12 the audit at least every twenty-four months, update the prioritization and funding plans annually,
13 and deliver the updates to the task force. The governing body of each entity and public utility
14 which conducts an audit shall use the audit report as a baseline in budgeting and ratesetting
15 decisionmaking.