

Testimony Prepared for the
House Human Services Committee
January 11, 2023. By Terry Traynor
North Dakota Association of Counties



RE: House Bill 1046

Thank you for the opportunity to communicate our Association's support for House Bill 1046, and to suggest what counties feel would be enhancements to the legislation. As you have heard, the redesign of the local delivery of human services has been positive, but challenging, as the legislature, the department, and the counties have worked to improve a complex system that has really been evolving since statehood.

Because of this complexity, there has been a need for the minor corrections and clarifications of HB1046, which counties support. However, we ask that you consider the attached amendments before passage.

The amendments proposed to pages 3, 5, and 8 of the bill address the authority of the Department to establish or modify a human service zone. The bill itself adds that this is permitted if a zone is "rescinded or terminated" but doesn't clearly state how that might happen. Our amendments are to clarify that such action could be taken by the constituent counties, or by the Department; but that the Department would be doing it only if a zone was found delinquent in its administration pursuant to section 50-01.1-08. While unlikely, it gives comfort to counties to know that arbitrary dissolution is not the intention, and that, with these amendments, the Department will also develop an internal grievance process for the review of such action.

The proposed amendments for pages 11 and 12 are to clarify that while the indirect cost information in odd-numbered years will be used for biennial budgeting, the county will continue (as they have since 1988) to provide this data annually. The bill, as introduced, strengthens the requirement for counties to provide this data, sets a deadline, and creates a notice requirement for the Department. The amendments also change this notice from 30 days prior to the deadline to 60 days.

Thank you for your consideration of these amendments.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1046

Page 3, line 29, after "terminated" insert "by the constituent counties or by the department pursuant to 50-01.1-02, 50-01.1-04, or 50-01.1-08"

Page 5, line 4, after "rescinded" insert "or"

Page 5, line 4, after "terminated" insert "pursuant to 50-01.1-02, 50-01.1-04, or 50-01.1-08"

Page 8, line 2, after "zone" insert ", including a grievance process"

Page 11, line 18, remove "odd-numbered"

Page 11, line 27, remove "odd-numbered"

Page 11, line 28, replace "thirty" with "sixty"

Page 12, line 1, remove "odd-numbered"

Renumber accordingly