

North Dakota House Bill 1252
House Human Services Committee
Testimony of Todd Hall, Private Citizen
January 22, 2025

Good morning, Chairman Ruby and members of the House Human Services Committee. My name is Todd Hall, private citizen, a member of the Hidatsa Nuxx Bagga (Tribe), and tax paying citizen of North Dakota. I am here to provide testimony in support of North Dakota House Bill 1252. However, I am here to also suggest at least two more amendments to the current law.

I am in full support of the portion of the bill seeks to amend and reenact subsection 3 of section 50-24.1-40 of the North Dakota Century Code, relating to the tribal health care and coordination fund. The amended version seeks to extend the sunset clause contained within Section 3 from June 30, 2025 to June 30, 2027. I understand that due to the amount of time required to establish and enact administrative rules and tribal care coordination agreements, there was not ample time for capital construction projects to be considered under the current statute.

The amended version will still require participating tribal entities to submit annual reports to the department detailing the use of the money distributed by this section and mandate that an audit report be submitted every two years. The audit reports are to be conducted by an independent licensed certified public accountant, regarding use of the money distributed under this section.

However, one further amendment is needed regarding the audit reporting process of the legislation to ensure that the use of public tax dollars is being used for purposes of which they are intended. The proposed amendment would require that once the audit reports are received by the Department of Health and Human Services, that a copy be sent to the Office of the State Auditor for his or her review, certification, approval or disapproval. The State Auditor will report any findings or discrepancies back to the department, which will be included in the biennial report which is required under current law. The North Dakota Office of the State Auditor exists to make sure taxpayer money (my money) is being spent in the right way and state law is being followed.

A waiver of tribal sovereignty to the state should be included in this law, regarding any state tax dollars received and expended by the tribal corporate bodies enacted under the 1934 Indian Reorganization Act. This will ensure that compliance and accountability of tax dollars are being adhered to without affecting any overall sovereignty of all parties involved. It will provide a safeguard of the public's tax dollars against mismanagement, misuse, or squandering of the funds for unrelated purposes. As we all know, the lack of accountability of tax dollars often means undelivered services to the demographic populations which well-intended legislation is meant to benefit. An amendment of this sort will provide an avenue for public dollars to be recovered if used for unrelated purposes by the receiving party.

This concludes my testimony.

Thank you.

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