

Sixtieth
Legislative Assembly
of North Dakota

SENATE CONCURRENT RESOLUTION NO. 4029

Introduced by

Senators Mathern, Nething

1 A concurrent resolution directing the Legislative Council to study the feasibility and desirability
2 of transferring the facilities and property of the State Hospital from the Department of Human
3 Services to the Department of Corrections and Rehabilitation.

4 **WHEREAS**, the State Hospital in Jamestown is provided for under Sections 12 and 13
5 of Article IX of the Constitution of North Dakota; and

6 **WHEREAS**, the issues of the most appropriate use of the State Hospital in Jamestown,
7 services for individuals with mental illness, and the needs of the Department of Corrections and
8 Rehabilitation have been issues of ongoing concern for the Legislative Assembly; and

9 **WHEREAS**, historically the average daily population of the State Hospital has been
10 decreasing but the State Hospital has been experiencing an increase in the sex offender
11 population and the state's inmate population has been increasing; and

12 **WHEREAS**, North Dakota Century Code Section 50-06-06.5 directs the Department of
13 Human Services to develop a plan for an integrated, multidisciplinary continuum of services for
14 individuals with chronic mental illness which must provide that an individual requiring treatment
15 be submitted to the least restrictive available conditions necessary to achieve the purposes of
16 treatment; and

17 **WHEREAS**, the Department of Human Services' plan for services for individuals with
18 mental illness should reflect the preference for treating individuals in or near the individuals'
19 home community;

20 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**
21 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

22 That the Legislative Council study the feasibility and desirability of transferring the
23 facilities and property of the State Hospital from the Department of Human Services to the
24 Department of Corrections and Rehabilitation, including consideration of any constitutional,
25 legal, and financial issues related to a transfer and creation of a comprehensive plan for the

- 1 care of individuals with mental illness and for the best use of the State Hospital facilities and
- 2 property; and
- 3 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
- 4 recommendations, together with any legislation required to implement the recommendations, to
- 5 the Sixty-first Legislative Assembly.