

Sixtieth  
Legislative Assembly  
of North Dakota

ENGROSSED 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 some of the facilities and property of the State Hospital from the Department of  
3 Human 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**, North Dakota Century Code Section 25-02-03 identifies the State Hospital  
7 as an institution serving specialized populations of the mentally ill, including persons suffering  
8 from drug addiction or alcoholism, and is one component of the North Dakota mental health  
9 delivery system; and

10 **WHEREAS**, the issues of the most appropriate use of the State Hospital in Jamestown,  
11 services for individuals with mental illness, services for individuals addicted to alcohol or other  
12 drugs, and the needs of the Department of Corrections and Rehabilitation have been issues of  
13 ongoing concern for the Legislative Assembly; and

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

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

22 **WHEREAS**, the Department of Human Services' plan for services for individuals with  
23 mental illness and individuals addicted to alcohol or other drugs should reflect the preference  
24 for treating individuals in or near the individuals' home community;

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

3           That the Legislative Council study the feasibility and desirability of transferring some of  
4           the facilities and property of the State Hospital from the Department of Human Services to the  
5           Department of Corrections and Rehabilitation, including consideration of any constitutional,  
6           legal, and financial issues related to a transfer and creation of a comprehensive plan for the  
7           care of individuals with mental illness and care for individuals addicted to alcohol or other drugs  
8           and for the best use of the State Hospital facilities and property, including the continuation of a  
9           state hospital in Jamestown to provide necessary services to individuals with mental illness and  
10          drug addiction and alcoholism; and

11          **BE IT FURTHER RESOLVED,** that the Legislative Council report its findings and  
12          recommendations, together with any legislation required to implement the recommendations, to  
13          the Sixty-first Legislative Assembly.