

Sixty-first  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE CONCURRENT  
RESOLUTION NO. 4009

Introduced by

Senators Krebsbach, Nelson, Wardner

Representatives DeKrey, Klein, Kretschmar

1 A concurrent resolution directing the Legislative Council to study the adequacy of governmental  
2 services, including judicial services, to respond to issues related to an aging population,  
3 including veterans, and to study the efficacy of statutes governing public administrator services  
4 and methods for the timely and effective delivery of guardianship services.

5 **WHEREAS**, during the 2003-04 interim, a study of guardianship services by the interim  
6 Criminal Justice Committee, with the assistance of the North Dakota Guardianship Task Force,  
7 identified important deficiencies in the funding and effective delivery of guardianship services;  
8 and

9 **WHEREAS**, legislation recommended by the interim Criminal Justice Committee to  
10 address the deficiencies was not enacted and methods for the effective delivery of  
11 guardianship services generally, and public guardianship services in particular, remain  
12 uncertain, inconsistent, and lacking in sufficient funding; and

13 **WHEREAS**, state law governing public administrators, a critically important form of  
14 public guardianship, is vague and incomplete with respect to services to be provided, levels of  
15 supervision, general accountability, the responsibility to adequately compensate those who are  
16 appointed to serve as public administrators, and the role of the courts in responding to unique  
17 issues associated with an aging population; and

18 **WHEREAS**, the Administrative Committee on Veterans' Affairs sees a need to study  
19 issues of public administrator services and methods for the timely and effective delivery of  
20 guardianship services as it relates to the aging veteran population of this state; and

21 **WHEREAS**, other states have considered or implemented different models for the  
22 provision of public guardianship services to ensure adequate services, oversight, and the  
23 availability of qualified individuals to provide guardianship services;

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

1           That the Legislative Council study the adequacy of governmental services, including  
2 judicial services, to respond to issues related to an aging population, including veterans, and to  
3 study the efficacy of statutes governing public administrator services and methods for the timely  
4 and effective delivery of guardianship services; and

5           **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and  
6 recommendations, together with any legislation required to implement the recommendations, to  
7 the Sixty-second Legislative Assembly.