

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

SENATE CONCURRENT RESOLUTION NO. 4009
(Senators Krebsbach, Nelson, Wardner)
(Representatives DeKrey, Klein, Kretschmar)

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

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

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

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

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

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

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

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

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

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

Filed in this office this _____ day of _____, 2009,
at _____ o'clock _____ M.

Secretary of State