

Sixty-first  
Legislative Assembly  
of North Dakota

**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 impact in this state of a  
2 significant increase in the elderly population and the adequacy of governmental services,  
3 including judicial services, to respond to issues related to an aging population and to study the  
4 efficacy of statutes governing guardianship and public administrator services.

5 **WHEREAS**, population projections indicate a steady and dramatic increase in the  
6 elderly population of this state and it is expected that the elderly population in the state's  
7 39 rural counties will surpass 30 percent within 20 years; and

8 **WHEREAS**, the scope and adequacy of available guardianship services generally, and  
9 public guardianship services in particular, are unclear with respect to being positioned to  
10 respond to the aging of the state's population; and

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

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

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

21 That the Legislative Council study the impact in this state of a significant increase in the  
22 elderly population and the adequacy of governmental services, including judicial services, to  
23 respond to issues related to an aging population and to study the efficacy of statutes governing  
24 guardianship and public administrator services; and

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