

**Sixty-second Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 4, 2011**

SENATE CONCURRENT RESOLUTION NO. 4010  
(Senators Krebsbach, Heckaman, J. Lee, Warner)  
(Representatives N. Johnson, Maragos)

A concurrent resolution directing the Legislative Management to study the adequacy of governmental services, including judicial services, to respond to issues relating 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 and public administrator responsibilities and 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 during subsequent years new issues may have arisen; 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 the unsupervised use of representative payees and powers of attorney agreements have raised important new concerns; 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**, there is also a need to study issues of public administrator services and methods for the timely and effective delivery of guardianship services as they relate to the aging veteran population in 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 Management study the adequacy of governmental services, including judicial services, to respond to issues relating 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 and public administrator responsibilities and services; and

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

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President of the Senate

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Speaker of the House

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Secretary of the Senate

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Chief Clerk of the House

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2011,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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Secretary of State