

SENATE CONCURRENT RESOLUTION NO. 4010

Introduced by

Senators Krebsbach, Heckaman, J. Lee, Warner

Representatives N. Johnson, Maragos

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

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

10 **WHEREAS**, legislation recommended by the interim Criminal Justice Committee to address
11 the deficiencies was not enacted and methods for the effective delivery of guardianship services
12 generally, and public guardianship services in particular, remain uncertain, inconsistent, and
13 lacking in sufficient funding and the unsupervised use of representative payees and powers of
14 attorney agreements have raised important new concerns; and

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

20 **WHEREAS**, there is also a need to study issues of public administrator services and
21 methods for the timely and effective delivery of guardianship services as they relate to the aging
22 veteran population in this state; and

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

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

3 That the Legislative Management study the adequacy of governmental services, including
4 judicial services, to respond to issues relating to an aging population, including veterans, and to
5 study the efficacy of statutes governing public administrator services and methods for the timely
6 and effective delivery of guardianship and public administrator responsibilities and services; and

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