

**Sixtieth Legislative Assembly of North Dakota
In Regular Session Commencing Wednesday, January 3, 2007**

SENATE CONCURRENT RESOLUTION NO. 4029
(Senators Mathern, Nething)

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of transferring some of the facilities and property of the State Hospital from the Department of Human Services to the Department of Corrections and Rehabilitation.

WHEREAS, the State Hospital in Jamestown is provided for under Sections 12 and 13 of Article IX of the Constitution of North Dakota; and

WHEREAS, North Dakota Century Code Section 25-02-03 identifies the State Hospital as an institution serving specialized populations of the mentally ill, including persons suffering from drug addiction or alcoholism, and is one component of the North Dakota mental health delivery system; and

WHEREAS, the issues of the most appropriate use of the State Hospital in Jamestown, services for individuals with mental illness, services for individuals addicted to alcohol or other drugs, and the needs of the Department of Corrections and Rehabilitation have been issues of ongoing concern for the Legislative Assembly; and

WHEREAS, historically the average daily population of the State Hospital has been decreasing but the State Hospital has been experiencing an increase in the sex offender population and the state's inmate population has been increasing; and

WHEREAS, North Dakota Century Code Section 50-06-06.5 directs the Department of Human Services to develop a plan for an integrated, multidisciplinary continuum of services for individuals with chronic mental illness which must provide that an individual requiring treatment be submitted to the least restrictive available conditions necessary to achieve the purposes of treatment; and

WHEREAS, the Department of Human Services' plan for services for individuals with mental illness and individuals addicted to alcohol or other drugs should reflect the preference for treating individuals in or near the individuals' home community;

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

That the Legislative Council study the feasibility and desirability of transferring some of the facilities and property of the State Hospital from the Department of Human Services to the Department of Corrections and Rehabilitation, including consideration of any constitutional, legal, and financial issues related to a transfer and creation of a comprehensive plan for the care of individuals with mental illness and care for individuals addicted to alcohol or other drugs and for the best use of the State Hospital facilities and property, including the continuation of a state hospital in Jamestown to provide necessary services to individuals with mental illness and drug addiction and alcoholism; 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-first 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 _____, 2007,
at _____ o'clock _____ M.

Secretary of State