

HOUSE BILL NO. 1085

Introduced by

Representative D. Anderson

Senator Mathern

1 A BILL for an Act to create and enact a new section to chapter 50-06.4 of the North Dakota
2 Century Code, relating to the creation of a brain injury advisory council; and to provide for
3 application.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 50-06.4 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Brain injury advisory council.**

- 8 1. The governor shall appoint at least seven, but no more than eleven, members to serve
9 on the brain injury advisory council as follows:
- 10 a. At least two brain injury survivors, nominated by the council;
 - 11 b. At least two family members of brain injury survivors, nominated by the council;
 - 12 c. At least one service provider who provides services to brain injury survivors,
13 nominated by the council;
 - 14 d. An individual representing the Indian affairs commission, nominated by the Indian
15 affairs commission; and
 - 16 e. At least one individual representing a religious, charitable, fraternal, civic,
17 educational, legal, veteran, welfare, or professional group or organization.
- 18 2. The chairman of the legislative management shall appoint two legislators to serve as
19 members of the council. The legislative members serve at the pleasure of the
20 chairman of the legislative management. Each legislative member of the council is
21 entitled to receive compensation from the legislative council for each day spent in
22 meetings of the council and for reimbursement for related travel and other necessary
23 expenses in the amounts provided by law for other state officers.

- 1 3. Each of the following entities shall appoint a representative to serve as a nonvoting
2 member of the council who serves at the pleasure of the appointing entity:
3 a. Protection and advocacy project, one representative:
4 b. State department of health, one individual representing injury prevention and one
5 representative representing emergency medical services and trauma:
6 c. Department of human services, one individual representing behavioral health,
7 one individual representing medicaid, one individual representing vocational
8 rehabilitation, and one individual representing brain injuries; and
9 d. Department of public instruction, one representative.
10 4. The governor may appoint an individual representing stroke health to serve as a
11 nonvoting member of the council who serves at the pleasure of the governor.
12 5. A voting advisory council member appointed by the governor may not serve more than
13 two consecutive four-year terms on the council.
14 6. A council member appointed under subsection 1, 3, or 4 is entitled to receive from the
15 department reimbursement for expenses as provided by law for state officers and per
16 diem compensation as determined by the department if the member is attending
17 meetings or performing duties directed by the council. However, per diem
18 compensation under this subsection may not be paid to a council member who
19 receives compensation or salary as a state employee or official if that member is
20 serving on the council in that official capacity.
21 7. The council shall elect a chairman and vice chairman from the voting membership of
22 the council and shall elect a secretary from the voting or nonvoting membership of the
23 council. The council shall meet at least quarterly. Additional meetings may be held at
24 the discretion of the chairman. A majority of the voting members of the council
25 constitutes a quorum. The council shall adopt bylaws.
26 8. The council shall advise the department and shall participate in activities to improve
27 the quality of life for an individual with brain injury and the individual's family through
28 brain injury awareness, prevention, research, education, collaboration, support
29 services, and advocacy.
30 9. The department shall provide the council with administrative support services.

1 **SECTION 2. APPLICATION.** The governor shall stagger the initial terms of the brain injury
2 advisory council so approximately half of the initial appointments made by the governor serve
3 two-year terms and the remainder of the initial appointments serve four-year terms. For the
4 initial appointments to the advisory council, the department of human services shall submit
5 nominees in place of the council.