

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~~five, but no more than ~~eleven~~nine, members
9 to serve on the brain injury advisory council as follows:
- 10 a. ~~At least two~~One brain injury ~~survivors~~survivor, nominated by the council;
- 11 b. ~~At least two~~One family ~~members~~member of a brain injury ~~survivors~~survivor,
12 nominated by the council;
- 13 c. At least one service provider who provides services to brain injury survivors,
14 nominated by the council;
- 15 d. An individual representing the Indian affairs commission, nominated by the Indian
16 affairs commission; and
- 17 e. At least one individual representing a religious, charitable, fraternal, civic,
18 educational, legal, veteran, welfare, or professional group or organization.
- 19 2. ~~The chairman of the legislative management shall appoint two legislators~~The speaker
20 of the house of representatives shall appoint one member of the house of
21 representatives and the president pro tempore of the senate shall appoint one
22 member of the senate to serve as members of the council. The legislative members
23 serve at the pleasure of the chairman of the legislative management. Each legislative
24 member of the council is entitled to receive compensation from the legislative council.

1 for each day spent in meetings of the council and for reimbursement for related travel
2 and other necessary expenses in the amounts provided by law for other state officers.

3 3. Each of the following entities shall appoint a representative to serve as a nonvoting
4 member of the council who serves at the pleasure of the appointing entity:

5 a. Protection and advocacy project, one representative:

6 b. State department of health, one individual representing injury prevention and one
7 representative representing emergency medical services and trauma:

8 c. Department of human services, one individual representing behavioral health,
9 one individual representing medicaid, one individual representing vocational
10 rehabilitation, and one individual representing brain injuries; and

11 d. Department of public instruction, one representative.

12 4. The governor may appoint an individual representing stroke health to serve as a
13 nonvoting member of the council who serves at the pleasure of the governor.

14 5. A voting advisory council member appointed by the governor may not serve more than
15 two consecutive four-year terms on the council.

16 6. A council member appointed under ~~subdivision a or b of subsection 1, 3, or 4~~ is
17 entitled to receive from the department reimbursement for expenses as provided by
18 law for state officers and per diem compensation as determined by the department if
19 the member is attending meetings or performing duties directed by the council.

20 ~~However, per diem compensation under this subsection may not be paid to a council~~
21 ~~member who receives compensation or salary as a state employee or official if that~~
22 ~~member is serving on the council in that official capacity.~~

23 7. The council shall elect a chairman and vice chairman from the voting membership of
24 the council and shall elect a secretary from the voting or nonvoting membership of the
25 council. The council shall meet ~~at least~~ quarterly. ~~Additional meetings may be held at~~
26 ~~the discretion of the chairman.~~ A majority of the voting members of the council
27 constitutes a quorum. The council shall adopt bylaws.

28 8. The council shall advise the department and shall participate in activities to improve
29 the quality of life for an individual with brain injury and the individual's family through
30 brain injury awareness, prevention, research, education, collaboration, support
31 services, and advocacy.

1 9. The department shall provide the council with administrative support services.

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