

Sixty-fifth  
Legislative Assembly  
of North Dakota

**ENGROSSED 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 five, but no more than nine, members to serve on  
9 the brain injury advisory council as follows:
- 10 a. One brain injury survivor, nominated by the council;  
11 b. One family member of a brain injury survivor, 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 speaker of the house of representatives shall appoint one member of the house of  
19 representatives and the president pro tempore of the senate shall appoint one  
20 member of the senate to serve as members of the council. The legislative members  
21 serve at the pleasure of the chairman of the legislative management. Each legislative  
22 member of the council is entitled to receive compensation from the legislative council  
23 for each day spent in meetings of the council and for reimbursement for related travel  
24 and other necessary 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 subdivision a or b of subsection 1 is entitled to
- 15       receive from the department reimbursement for expenses as provided by law for state
- 16       officers and per diem compensation as determined by the department if the member is
- 17       attending meetings or performing duties directed by the council.
- 18       7. The council shall elect a chairman and vice chairman from the voting membership of
- 19       the council and shall elect a secretary from the voting or nonvoting membership of the
- 20       council. The council shall meet quarterly. A majority of the voting members of the
- 21       council constitutes a quorum. The council shall adopt bylaws.
- 22       8. The council shall advise the department and shall participate in activities to improve
- 23       the quality of life for an individual with brain injury and the individual's family through
- 24       brain injury awareness, prevention, research, education, collaboration, support
- 25       services, and advocacy.
- 26       9. The department shall provide the council with administrative support services.

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