

**Sixty-fifth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2017**

HOUSE BILL NO. 1085
(Representative D. Anderson)
(Senator Mathern)

AN ACT to create and enact a new section to chapter 50-06.4 of the North Dakota Century Code, relating to the creation of a brain injury advisory council; and to provide for application.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

Brain injury advisory council.

1. The governor shall appoint at least five, but no more than nine, members to serve on the brain injury advisory council as follows:
 - a. One brain injury survivor, nominated by the council;
 - b. One family member of a brain injury survivor, nominated by the council;
 - c. At least one service provider who provides services to brain injury survivors, nominated by the council;
 - d. An individual representing the Indian affairs commission, nominated by the Indian affairs commission; and
 - e. At least one individual representing a religious, charitable, fraternal, civic, educational, legal, veteran, welfare, or professional group or organization.
2. The speaker of the house of representatives shall appoint one member of the house of representatives and the president pro tempore of the senate shall appoint one member of the senate to serve as members of the council. Each legislative member of the council is entitled to receive compensation from the legislative council for each day spent in meetings of the council and for reimbursement for related travel and other necessary expenses in the amounts provided by law for other state officers.
3. Each of the following entities shall appoint a representative to serve as a nonvoting member of the council who serves at the pleasure of the appointing entity:
 - a. Protection and advocacy project, one representative;
 - b. State department of health, one individual representing injury prevention and one representative representing emergency medical services and trauma;
 - c. Department of human services, one individual representing behavioral health, one individual representing medicaid, and one individual representing vocational rehabilitation; and
 - d. Department of public instruction, one representative.
4. The governor may appoint an individual representing stroke health to serve as a nonvoting member of the council who serves at the pleasure of the governor.

5. A voting advisory council member appointed by the governor may not serve more than two consecutive four-year terms on the council.
6. A council member appointed under subdivision a or b of subsection 1 is entitled to receive from the department reimbursement for expenses as provided by law for state officers and per diem compensation as determined by the department if the member is attending meetings or performing duties directed by the council.
7. The council shall elect a chairman and vice chairman from the voting membership of the council and shall elect a secretary from the voting or nonvoting membership of the council. The council shall meet quarterly. A majority of the voting members of the council constitutes a quorum. The council shall adopt bylaws.
8. The council shall advise the department and shall participate in activities to improve the quality of life for an individual with brain injury and the individual's family through brain injury awareness, prevention, research, education, collaboration, support services, and advocacy.
9. The department shall provide the council with administrative support services.

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

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-fifth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1085.

House Vote: Yeas 88 Nays 4 Absent 2

Senate Vote: Yeas 45 Nays 0 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2017.

Approved at _____ M. on _____, 2017.

Governor

Filed in this office this _____ day of _____, 2017,

at _____ o'clock _____ M.

Secretary of State