

AN ACT

RELATING TO EXECUTIVE REORGANIZATION; AMENDING A SECTION OF THE NMSA 1978 TO MOVE BRAIN INJURY ADVISORY COUNCIL FUNCTIONS FROM THE DEVELOPMENTAL DISABILITIES PLANNING COUNCIL TO THE GOVERNOR'S COMMISSION ON DISABILITY; ENACTING A TEMPORARY SECTION TO PROVIDE FOR THE TRANSFER OF BRAIN INJURY ADVISORY COUNCIL PERSONNEL, PROPERTY, CONTRACTS, PROGRAMS AND REFERENCES IN LAW TO THE GOVERNOR'S COMMISSION ON DISABILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

**SECTION 1.** Section 24-20-3 NMSA 1978 (being Laws 1995, Chapter 189, Section 1) is amended to read:

"24-20-3. BRAIN INJURY ADVISORY COUNCIL--CREATED--  
POWERS AND DUTIES.--

A. The "brain injury advisory council" is created to advise the governor's commission on disability, the governor, the legislature and other state agencies.

B. The brain injury advisory council shall consist of no fewer than eighteen and no more than twenty-four members appointed by the governor and shall include survivors of brain injuries; family members of persons with brain injuries; and health care professionals and other representatives of private sector organizations and state agencies that provide services and support to persons with brain injuries.

C. Members shall be appointed for staggered terms

of three years, so that the terms of one-third of the members shall expire in a given year.

D. Members shall elect annually a chair and vice chair. Staff and other administrative support shall be provided by the governor's commission on disability or other state agency as assigned by the governor. Members shall meet at the call of the chair.

E. Members who are not state employees may receive per diem and travel expenses as provided in the Per Diem and Mileage Act for state employees. Reasonable accommodations shall be made available to permit full participation in council activities by its members, including personal assistance to members who are survivors of brain injuries and respite care for members who are family members of persons with brain injuries.

F. The brain injury advisory council shall:

(1) study and make recommendations to the Governor's commission on disability, the governor, the legislature and other state agencies concerning case management, community support systems, long-term care, employment, emergency medical services, rehabilitation and prevention and the improvement and coordination of state activities relative to the concerns of persons with brain injuries and their families or other caregivers; and

(2) advise appropriate state agencies and

private organizations on the development of services and supports that meet the needs of persons with brain injuries."

**SECTION 2. TEMPORARY PROVISION--BRAIN INJURY ADVISORY COUNCIL--GOVERNOR'S COMMISSION ON DISABILITY--TRANSFER OF PERSONNEL, PROPERTY AND CONTRACTS--PROGRAMS--REFERENCES IN LAW.--On July 1, 2013:**

A. all personnel, appropriations, money, records, equipment, supplies and other personal property of the brain injury advisory council shall be transferred to the governor's commission on disability;

B. all contracts currently binding and effective upon the brain injury advisory council at the developmental disabilities planning council shall be binding and effective upon the brain injury advisory council at the governor's commission on disability; and

C. all programs and all references in law to the brain injury advisory council shall be construed as referring to the governor's commission on disability.

**SECTION 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2013.**\_\_\_\_\_