

Fifty-eighth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2418

Introduced by

Senators Cook, Freborg, Stenehjem

Representatives Berg, R. Kelsch, Monson

(Approved by the Delayed Bills Committee)

1 A BILL for an Act to create an investigating committee regarding implementation of the No
2 Child Left Behind Act of 2001; and to declare an emergency.

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

4 **SECTION 1. NO CHILD LEFT BEHIND INVESTIGATING COMMITTEE -**
5 **APPOINTMENT - POWERS.**

- 6 1. The legislative council shall appoint an investigating committee consisting of six
7 members of the senate and seven members of the house of representatives for the
8 purpose of investigating the adoption of the No Child Left Behind Act of 2001
9 [Pub. L. 107-110; 115 Stat. 1425; 20 U.S.C. 6301 et seq.], its rationale, the
10 promulgation of any federal regulations implementing the No Child Left Behind Act
11 of 2001, the direct and indirect impact of the Act and its regulations on the school
12 districts of this state, and the financial impact of the Act and its regulations on the
13 budget of this state and on the taxpayers of this state.
- 14 2. The legislative council shall designate the chairman and vice chairman of the
15 committee.
- 16 3. The committee has all powers granted to an investigating committee under chapter
17 54-03.2, including the power to issue a subpoena and a subpoena duces tecum to
18 any person the committee believes can assist it in meeting the committee's
19 responsibilities.
- 20 4. The committee shall operate under the rules applicable to other legislative council
21 committees, except the committee has the power to communicate directly with the
22 United States secretary of education, employees of the United States department
23 of education, and any other federal officials, both elected and appointed, regarding
24 implementation of the No Child Left Behind Act of 2001.

- 1 5. No rule or guideline to implement the No Child Left Behind Act of 2001 is
2 applicable to any school district in this state until the committee holds a public
3 hearing regarding the rule or guideline.
- 4 6. The committee shall report to the fifty-ninth legislative assembly if the committee
5 determines the state is not in compliance with any requirement of the No Child Left
6 Behind Act of 2001.
- 7 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.