

**FIRST ENGROSSMENT  
with Conference Committee Amendments**

**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 a select committee regarding implementation of the No Child Left  
2 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 ACT OF 2001 - SELECT COMMITTEE -**  
5 **APPOINTMENT - DUTIES.**

6 1. The legislative council shall appoint a select committee consisting of five members  
7 of the senate and six members of the house of representatives for the purpose of  
8 investigating the adoption of the No Child Left Behind Act of 2001 [Pub. L.  
9 107-110; 115 Stat. 1425; 20 U.S.C. 6301 et seq.], its rationale, the promulgation of  
10 any federal regulations implementing the No Child Left Behind Act of 2001, the  
11 direct and indirect impact of the Act and its regulations on the school districts of  
12 this state, and the financial impact of the Act and its regulations on the budget of  
13 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 shall operate under the rules applicable to other legislative council  
17 committees, except the committee has the power to communicate directly with the  
18 United States secretary of education, employees of the United States department  
19 of education, and any other federal officials, both elected and appointed, regarding  
20 implementation of the No Child Left Behind Act of 2001.

21 4. When an agency files a notice of proposed rulemaking with the office of the  
22 legislative council under subsection 1 of section 28-32-10 on any matter governed  
23 by the No Child Left Behind Act of 2001, the agency shall provide a copy of the  
24 notice to the chairman of the committee. The chairman shall convene the

1                   committee within sixty days of receiving the notice, or as soon thereafter as  
2                   practicable, for the purpose of receiving a presentation by the agency regarding  
3                   the nature and scope of the proposed rules and for the purpose of receiving  
4                   presentations by members of the public regarding the nature and scope of the  
5                   proposed rules.  
6           5.   The committee shall report to the fifty-ninth legislative assembly if the committee  
7                   determines the state is not in compliance with any requirement of the No Child Left  
8                   Behind Act of 2001.

9           **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.