

§18542. Construction and severability

1. Construction. This compact and the commission's rule-making authority must be liberally construed so as to effectuate the purposes of the compact. Provisions of the compact expressly authorizing or requiring the promulgation of rules may not be construed to limit the commission's rule-making authority solely for those purposes.

[PL 2023, c. 670, §1 (NEW).]

2. Severability. The provisions of this compact are severable and if any phrase, clause, sentence or provision of this compact is held by a court of competent jurisdiction to be contrary to the constitution of any participating state, a state seeking participation in the compact or the United States, or the applicability of a phrase, clause, sentence or provision of this compact to any government, agency, person or circumstance is held to be unconstitutional by a court of competent jurisdiction, the validity of the remainder of this compact and the applicability of the compact to any other government, agency, person or circumstance may not be affected.

[PL 2023, c. 670, §1 (NEW).]

3. Denial of participation. Notwithstanding subsections 1 and 2, the commission may deny a state's participation in the compact or, in accordance with the requirements of section 18540, terminate a participating state's participation in the compact if it determines that a constitutional requirement of a participating state is, or would be with respect to a state seeking to participate in the compact, a material departure from the compact. Otherwise, if this compact is held to be contrary to the constitution of any participating state, the compact remains in full force and effect as to the remaining participating states and in full force and effect as to the participating state affected as to all severable matters.

[PL 2023, c. 670, §1 (NEW).]

SECTION HISTORY

PL 2023, c. 670, §1 (NEW).

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