
SENATE BILL 5180

State of Washington

68th Legislature

2023 Regular Session

By Senators Hunt, Hawkins, and Mullet

Prefiled 01/05/23. Read first time 01/09/23. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to the interstate teacher mobility compact; and
2 adding a new chapter to Title 28A RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **ARTICLE I**

5 **PURPOSE**

6 NEW SECTION. **Sec. 1.** The purpose of this compact is to
7 facilitate the mobility of teachers across the member states, with
8 the goal of supporting teachers through a new pathway to licensure.
9 Through this compact, the member states seek to establish a
10 collective regulatory framework that expedites and enhances the
11 ability of teachers to move across state lines. This compact is
12 intended to achieve the following objectives and should be
13 interpreted accordingly. The member states hereby ratify the same
14 intentions by subscribing hereto:

15 (1) Create a streamlined pathway to licensure mobility for
16 teachers;

17 (2) Support the relocation of eligible military spouses;

18 (3) Facilitate and enhance the exchange of licensure,
19 investigative, and disciplinary information between the member
20 states;

1 (4) Enhance the power of state and district level education
2 officials to hire qualified, competent teachers by removing barriers
3 to the employment of out-of-state teachers;

4 (5) Support the retention of teachers in the profession by
5 removing barriers to relicensure in a new state; and

6 (6) Maintain state sovereignty in the regulation of the teaching
7 profession.

8 **ARTICLE II**
9 **DEFINITIONS**

10 NEW SECTION. **Sec. 2.** As used in this compact, and except as
11 otherwise provided, the following definitions shall govern the terms
12 herein:

13 (1) "Active military member" means any person with full-time duty
14 status in the uniformed services of the United States, including
15 members of the national guard and reserve.

16 (2) "Adverse action" means any limitation or restriction imposed
17 by a member state's licensing authority, such as revocation,
18 suspension, reprimand, probation, or limitation on the licensee's
19 ability to work as a teacher.

20 (3) "Bylaws" means those bylaws established by the commission.

21 (4) "Career and technical education license" means a current,
22 valid authorization issued by a member state's licensing authority
23 allowing an individual to serve as a teacher in prekindergarten
24 through grade 12 public educational settings in a specific career and
25 technical education area.

26 (5) "Charter member states" means a member state that has enacted
27 legislation to adopt this compact where such legislation predates the
28 initial meeting of the commission after the effective date of the
29 compact.

30 (6) "Commission" means the interstate administrative body which
31 membership consists of delegates of all states that have enacted this
32 compact, and which is known as the interstate teacher mobility
33 compact commission.

34 (7) "Commissioner" means the delegate of a member state.

35 (8) "Eligible license" means a license to engage in the teaching
36 profession which requires at least a bachelor's degree and the
37 completion of a state approved program for teacher licensure.

1 (9) "Eligible military spouse" means the spouse of any individual
2 in full-time duty status in the active uniformed services of the
3 United States, including members of the national guard and reserve on
4 active duty moving as a result of a military mission or military
5 career progression requirements or are on their terminal move as a
6 result of separation or retirement (to include surviving spouses of
7 deceased military members).

8 (10) "Executive committee" means a group of commissioners elected
9 or appointed to act on behalf of, and within the powers granted to
10 them by, the commission as provided for herein.

11 (11) "Licensing authority" means an official, agency, board, or
12 other entity of a state that is responsible for the licensing and
13 regulation of teachers authorized to teach in prekindergarten through
14 grade 12 public educational settings.

15 (12) "Member state" means any state that has adopted this
16 compact, including all agencies and officials of such a state.

17 (13) "Receiving state" means any state where a teacher has
18 applied for licensure under this compact.

19 (14) "Rule" means any regulation promulgated by the commission
20 under this compact, which shall have the force of law in each member
21 state.

22 (15) "State" means a state, territory, or possession of the
23 United States, and the District of Columbia.

24 (16) "State practice laws" means a member state's laws, rules,
25 and regulations that govern the teaching profession, define the scope
26 of such profession, and create the methods and grounds for imposing
27 discipline.

28 (17) "State specific requirements" means a requirement for
29 licensure covered in coursework or examination that includes content
30 of unique interest to the state.

31 (18) "Teacher" means an individual who currently holds an
32 authorization from a member state that forms the basis for employment
33 in the prekindergarten through grade 12 public schools of the state
34 to provide instruction in a specific subject area, grade level, or
35 student population.

36 (19) "Unencumbered license" means a current, valid authorization
37 issued by a member state's licensing authority allowing an individual
38 to serve as a teacher in prekindergarten through grade 12 public
39 educational settings. An unencumbered license is not a restricted,
40 probationary, provisional, substitute, or temporary credential.

1 degree for licenses to teach career and technical education. A
2 receiving state may require career and technical education teachers
3 to meet state industry recognized requirements, if required by law in
4 the receiving state.

5 **ARTICLE IV**

6 **LICENSURE NOT UNDER THE COMPACT**

7 NEW SECTION. **Sec. 4.** (1) Except as provided in section 3 of
8 this act, nothing in this compact shall be construed to limit or
9 inhibit the power of a member state to regulate licensure or
10 endorsements overseen by the member state's licensing authority.

11 (2) When a teacher is required to renew a license received
12 pursuant to this compact, the state granting such a license may
13 require the teacher to complete state specific requirements as a
14 condition of licensure renewal or advancement in that state.

15 (3) For the purposes of determining compensation, a receiving
16 state may require additional information from teachers receiving a
17 license under the provisions of this compact.

18 (4) Nothing in this compact shall be construed to limit the power
19 of a member state to control and maintain ownership of its
20 information pertaining to teachers, or limit the application of a
21 member state's laws or regulations governing the ownership, use, or
22 dissemination of information pertaining to teachers.

23 (5) Nothing in this compact shall be construed to invalidate or
24 alter any existing agreement or other cooperative arrangement which a
25 member state may already be a party to, or limit the ability of a
26 member state to participate in any future agreement or other
27 cooperative arrangement to:

28 (a) Award teaching licenses or other benefits based on additional
29 professional credentials including, but not limited to, national
30 board certification;

31 (b) Participate in the exchange of names of teachers whose
32 license has been subject to an adverse action by a member state; or

33 (c) Participate in any agreement or cooperative arrangement with
34 a nonmember state.

35 **ARTICLE V**

36 **TEACHER QUALIFICATIONS AND REQUIREMENTS FOR LICENSURE**
37 **UNDER THE COMPACT**

1 (a) The commission is a joint interstate governmental agency
2 comprised of states that have enacted the interstate teacher mobility
3 compact.

4 (b) Nothing in this interstate compact shall be construed to be a
5 waiver of sovereign immunity.

6 (2) Membership, voting, and meetings.

7 (a) Each member state shall have and be limited to one delegate
8 to the commission, who shall be given the title of commissioner.

9 (b) The commissioner shall be the primary administrative officer
10 of the state licensing authority or their designee.

11 (c) Any commissioner may be removed or suspended from office as
12 provided by the law of the state from which the commissioner is
13 appointed.

14 (d) The member state shall fill any vacancy occurring in the
15 commission within 90 days.

16 (e) Each commissioner shall be entitled to one vote about the
17 promulgation of rules and creation of bylaws and shall otherwise have
18 an opportunity to participate in the business and affairs of the
19 commission. A commissioner shall vote in person or by such other
20 means as provided in the bylaws. The bylaws may provide for
21 commissioners' participation in meetings by telephone or other means
22 of communication.

23 (f) The commission shall meet at least once during each calendar
24 year. Additional meetings shall be held as set forth in the bylaws.

25 (g) The commission shall establish by rule a term of office for
26 commissioners.

27 (3) The commission shall have the following powers and duties:

28 (a) Establish a code of ethics for the commission;

29 (b) Establish the fiscal year of the commission;

30 (c) Establish bylaws for the commission;

31 (d) Maintain its financial records in accordance with the bylaws
32 of the commission;

33 (e) Meet and take such actions as are consistent with the
34 provisions of this interstate compact, the bylaws, and rules of the
35 commission;

36 (f) Promulgate uniform rules to implement and administer this
37 interstate compact. The rules shall have the force and effect of law
38 and shall be binding in all member states. In the event the
39 commission exercises its rule-making authority in a manner that is
40 beyond the scope of the purposes of the compact, or the powers

1 granted hereunder, then such an action by the commission shall be
2 invalid and have no force and effect of law;

3 (g) Bring and prosecute legal proceedings or actions in the name
4 of the commission, provided that the standing of any member state
5 licensing authority to sue or be sued under applicable law shall not
6 be affected;

7 (h) Purchase and maintain insurance and bonds;

8 (i) Borrow, accept, or contract for services of personnel
9 including, but not limited to, employees of a member state, or an
10 associated nongovernmental organization that is open to membership by
11 all states;

12 (j) Hire employees, elect or appoint officers, fix compensation,
13 define duties, grant such individuals appropriate authority to carry
14 out the purposes of the compact, and establish the commission's
15 personnel policies and programs relating to conflicts of interest,
16 qualifications of personnel, and other related personnel matters;

17 (k) Lease, purchase, accept appropriate gifts or donations of, or
18 otherwise own, hold, improve, or use, any property, real, personal,
19 or mixed, provided that at all times the commission shall avoid any
20 appearance of impropriety;

21 (l) Sell, convey, mortgage, pledge, lease, exchange, abandon, or
22 otherwise dispose of any property real, personal, or mixed;

23 (m) Establish a budget and make expenditures;

24 (n) Borrow money;

25 (o) Appoint committees, including standing committees composed of
26 members and such other interested persons as may be designated in
27 this interstate compact, rules, or bylaws;

28 (p) Provide and receive information from, and cooperate with, law
29 enforcement agencies;

30 (q) Establish and elect an executive committee;

31 (r) Establish and develop a charter for an executive information
32 governance committee to advise on facilitating exchange of
33 information, use of information, data privacy, and technical support
34 needs, and provide reports as needed;

35 (s) Perform such other functions as may be necessary or
36 appropriate to achieve the purposes of this interstate compact
37 consistent with the state regulation of teacher licensure; and

38 (t) Determine whether a state's adopted language is materially
39 different from the model compact language such that the state would
40 not qualify for participation in the compact.

1 (4) The executive committee of the interstate teacher mobility
2 compact commission.

3 (a) The executive committee shall have the power to act on behalf
4 of the commission according to the terms of this interstate compact.

5 (b) The executive committee shall be composed of eight voting
6 members: The commission chair, vice chair, and treasurer; and five
7 members who are elected by the commission from the current
8 membership:

9 (i) Four voting members representing geographic regions in
10 accordance with commission rules; and

11 (ii) One at large voting member in accordance with commission
12 rules.

13 (c) The commission may add or remove members of the executive
14 committee as provided in commission rules.

15 (d) The executive committee shall meet at least once annually.

16 (e) The executive committee shall have the following duties and
17 responsibilities:

18 (i) Recommend to the entire commission changes to the rules or
19 bylaws, changes to the compact legislation, fees paid by interstate
20 compact member states such as annual dues, and any compact fee
21 charged by the member states on behalf of the commission;

22 (ii) Ensure commission administration services are appropriately
23 provided, contractual or otherwise;

24 (iii) Prepare and recommend the budget;

25 (iv) Maintain financial records on behalf of the commission;

26 (v) Monitor compliance of member states and provide reports to
27 the commission; and

28 (vi) Perform other duties as provided in rules or bylaws.

29 (f) Meetings of the commission.

30 (i) All meetings shall be open to the public, and public notice
31 of meetings shall be given in accordance with commission bylaws.

32 (ii) The commission or the executive committee or other
33 committees of the commission may convene in a closed, nonpublic
34 meeting if the commission or executive committee or other committees
35 of the commission must discuss:

36 (A) Noncompliance of a member state with its obligations under
37 the compact;

38 (B) The employment, compensation, discipline, or other matters,
39 practices, or procedures related to specific employees or other

1 matters related to the commission's internal personnel practices and
2 procedures;

3 (C) Current, threatened, or reasonably anticipated litigation;

4 (D) Negotiation of contracts for the purchase, lease, or sale of
5 goods, services, or real estate;

6 (E) Accusing any person of a crime or formally censuring any
7 person;

8 (F) Disclosure of trade secrets or commercial or financial
9 information that is privileged or confidential;

10 (G) Disclosure of information of a personal nature where
11 disclosure would constitute a clearly unwarranted invasion of
12 personal privacy;

13 (H) Disclosure of investigative records compiled for law
14 enforcement purposes;

15 (I) Disclosure of information related to any investigative
16 reports prepared by or on behalf of or for use of the commission or
17 other committee charged with responsibility of investigation or
18 determination of compliance issues pursuant to the compact;

19 (J) Matters specifically exempted from disclosure by federal or
20 member state statutes; and

21 (K) Other matters as set forth by commission bylaws and rules.

22 (iii) If a meeting, or portion of a meeting, is closed pursuant
23 to this provision, the commission's legal counsel or designee shall
24 certify that the meeting may be closed and shall reference each
25 relevant exempting provision.

26 (iv) The commission shall keep minutes of commission meetings and
27 shall provide a full and accurate summary of actions taken, and the
28 reasons therefore, including a description of the views expressed.
29 All documents considered in connection with an action shall be
30 identified in such minutes. All minutes and documents of a closed
31 meeting shall remain under seal, subject to release by a majority
32 vote of the commission or order of a court of competent jurisdiction.

33 (g) Financing of the commission.

34 (i) The commission shall pay, or provide for the payment of, the
35 reasonable expenses of its establishment, organization, and ongoing
36 activities.

37 (ii) The commission may accept all appropriate donations and
38 grants of money, equipment, supplies, materials, and services, and
39 receive, utilize, and dispose of the same, provided that at all times

1 the commission shall avoid any appearance of impropriety or conflict
2 of interest.

3 (iii) The commission may levy on and collect an annual assessment
4 from each member state or impose fees on other parties to cover the
5 cost of the operations and activities of the commission, in
6 accordance with the commission rules.

7 (iv) The commission shall not incur obligations of any kind prior
8 to securing the funds adequate to meet the same; nor shall the
9 commission pledge the credit of any of the member states, except by
10 and with the authority of the member state.

11 (v) The commission shall keep accurate accounts of all receipts
12 and disbursements. The receipts and disbursements of the commission
13 shall be subject to accounting procedures established under
14 commission bylaws. All receipts and disbursements of funds of the
15 commission shall be reviewed annually in accordance with commission
16 bylaws, and a report of the review shall be included in and become
17 part of the annual report of the commission.

18 (h) Qualified immunity, defense, and indemnification.

19 (i) The members, officers, executive director, employees, and
20 representatives of the commission shall be immune from suit and
21 liability, either personally or in their official capacity, for any
22 claim for damage to or loss of property or personal injury or other
23 civil liability caused by or arising out of any actual or alleged
24 act, error or omission that occurred, or that the person against whom
25 the claim is made had a reasonable basis for believing occurred
26 within the scope of commission employment, duties, or
27 responsibilities; provided, that nothing in this subsection (4)(h)(i)
28 shall be construed to protect any such person from suit or liability
29 for any damage, loss, injury, or liability caused by the intentional
30 or willful or wanton misconduct of that person.

31 (ii) The commission shall defend any member, officer, executive
32 director, employee, or representative of the commission in any civil
33 action seeking to impose liability arising out of any actual or
34 alleged act, error, or omission that occurred within the scope of
35 commission employment, duties, or responsibilities, or that the
36 person against whom the claim is made had a reasonable basis for
37 believing occurred within the scope of commission employment, duties,
38 or responsibilities; provided, that nothing herein shall be construed
39 to prohibit that person from retaining his or her own counsel; and
40 provided further, that the actual or alleged act, error, or omission

1 did not result from that person's intentional or willful or wanton
2 misconduct.

3 (iii) The commission shall indemnify and hold harmless any
4 member, officer, executive director, employee, or representative of
5 the commission for the amount of any settlement or judgment obtained
6 against that person arising out of any actual or alleged act, error,
7 or omission that occurred within the scope of commission employment,
8 duties, or responsibilities, or that such person had a reasonable
9 basis for believing occurred within the scope of commission
10 employment, duties, or responsibilities, provided that the actual or
11 alleged act, error, or omission did not result from the intentional
12 or willful or wanton misconduct of that person.

13 **ARTICLE VIII**
14 **RULE-MAKING**

15 NEW SECTION. **Sec. 8.** (1) The commission shall exercise its
16 rule-making powers pursuant to the criteria set forth in this
17 interstate compact and the rules adopted thereunder. Rules and
18 amendments shall become binding as of the date specified in each rule
19 or amendment.

20 (2) The commission shall promulgate reasonable rules to achieve
21 the intent and purpose of this interstate compact. In the event the
22 commission exercises its rule-making authority in a manner that is
23 beyond purpose and intent of this interstate compact, or the powers
24 granted hereunder, then such an action by the commission shall be
25 invalid and have no force and effect of law in the member states.

26 (3) If a majority of the legislatures of the member states
27 rejects a rule, by enactment of a statute or resolution in the same
28 manner used to adopt the compact within four years of the date of
29 adoption of the rule, then such rule shall have no further force and
30 effect in any member state.

31 (4) Rules or amendments to the rules shall be adopted or ratified
32 at a regular or special meeting of the commission in accordance with
33 commission rules and bylaws.

34 (5) Upon determination that an emergency exists, the commission
35 may consider and adopt an emergency rule with 48 hours' notice, with
36 opportunity to comment, provided that the usual rule-making
37 procedures shall be retroactively applied to the rule as soon as
38 reasonably possible, in no event later than 90 days after the

1 effective date of the rule. For the purposes of this provision, an
2 emergency rule is one that must be adopted immediately in order to:

- 3 (a) Meet an imminent threat to public health, safety, or welfare;
- 4 (b) Prevent a loss of commission or member state funds;
- 5 (c) Meet a deadline for the promulgation of an administrative
6 rule that is established by federal law or rule; or
- 7 (d) Protect public health and safety.

8 **ARTICLE IX**

9 **FACILITATING INFORMATION EXCHANGE**

10 NEW SECTION. **Sec. 9.** (1) The commission shall provide for
11 facilitating the exchange of information to administer and implement
12 the provisions of this compact in accordance with the rules of the
13 commission, consistent with generally accepted data protection
14 principles.

15 (2) Nothing in this compact shall be deemed or construed to
16 alter, limit, or inhibit the power of a member state to control and
17 maintain ownership of its licensee information or alter, limit, or
18 inhibit the laws or regulations governing licensee information in the
19 member state.

20 **ARTICLE X**

21 **OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT**

22 NEW SECTION. **Sec. 10.** (1) Oversight.

23 (a) The executive and judicial branches of state government in
24 each member state shall enforce this compact and take all actions
25 necessary and appropriate to effectuate the compact's purposes and
26 intent. The provisions of this compact shall have standing as
27 statutory law.

28 (b) Venue is proper and judicial proceedings by or against the
29 commission shall be brought solely and exclusively in a court of
30 competent jurisdiction where the principal office of the commission
31 is located. The commission may waive venue and jurisdictional
32 defenses to the extent it adopts or consents to participate in
33 alternative dispute resolution proceedings. Nothing herein shall
34 affect or limit the selection or propriety of venue in any action
35 against a licensee for professional malpractice, misconduct, or any
36 such similar matter.

1 (c) All courts and all administrative agencies shall take
2 judicial notice of the compact, the rules of the commission, and any
3 information provided to a member state pursuant thereto in any
4 judicial or quasi-judicial proceeding in a member state pertaining to
5 the subject matter of this compact, or which may affect the powers,
6 responsibilities, or actions of the commission.

7 (d) The commission shall be entitled to receive service of
8 process in any proceeding regarding the enforcement or interpretation
9 of the compact and shall have standing to intervene in such a
10 proceeding for all purposes. Failure to provide the commission
11 service of process shall render a judgment or order void as to the
12 commission, this compact, or promulgated rules.

13 (2) Default, technical assistance, and termination. If the
14 commission determines that a member state has defaulted in the
15 performance of its obligations or responsibilities under this compact
16 or the promulgated rules, the commission shall:

17 (a) Provide written notice to the defaulting state and other
18 member states of the nature of the default, the proposed means of
19 curing the default or any other action to be taken by the commission;
20 and

21 (b) Provide remedial training and specific technical assistance
22 regarding the default.

23 (3) If a state in default fails to cure the default, the
24 defaulting state may be terminated from the compact upon an
25 affirmative vote of a majority of the commissioners of the member
26 states, and all rights, privileges, and benefits conferred on that
27 state by this compact may be terminated on the effective date of
28 termination. A cure of the default does not relieve the offending
29 state of obligations or liabilities incurred during the period of
30 default.

31 (4) Termination of membership in the compact shall be imposed
32 only after all other means of securing compliance have been
33 exhausted. Notice of intent to suspend or terminate shall be given by
34 the commission to the governor, the majority and minority leaders of
35 the defaulting state's legislature, the state licensing authority,
36 and each of the member states.

37 (5) A state that has been terminated is responsible for all
38 assessments, obligations, and liabilities incurred through the
39 effective date of termination, including obligations that extend
40 beyond the effective date of termination.

1 (6) The commission shall not bear any costs related to a state
2 that is found to be in default or that has been terminated from the
3 compact, unless agreed upon in writing between the commission and the
4 defaulting state.

5 (7) The defaulting state may appeal the action of the commission
6 by petitioning the United States district court for the District of
7 Columbia or the federal district where the commission has its
8 principal offices. The prevailing party shall be awarded all costs of
9 such litigation, including reasonable attorneys' fees.

10 (8) Dispute resolution.

11 (a) Upon request by a member state, the commission shall attempt
12 to resolve disputes related to the compact that arise among member
13 states and between member and nonmember states.

14 (b) The commission shall promulgate a rule providing for both
15 binding and nonbinding alternative dispute resolution for disputes as
16 appropriate.

17 (9) Enforcement.

18 (a) The commission, in the reasonable exercise of its discretion,
19 shall enforce the provisions and rules of this compact.

20 (b) By majority vote, the commission may initiate legal action in
21 the United States district court for the District of Columbia or the
22 federal district where the commission has its principal offices
23 against a member state in default to enforce compliance with the
24 provisions of the compact and its promulgated rules and bylaws. The
25 relief sought may include both injunctive relief and damages. In the
26 event judicial enforcement is necessary, the prevailing party shall
27 be awarded all costs of such litigation, including reasonable
28 attorneys' fees. The remedies herein shall not be the exclusive
29 remedies of the commission. The commission may pursue any other
30 remedies available under federal or state law.

31 **ARTICLE XI**

32 **EFFECTUATION, WITHDRAWAL, AND AMENDMENT**

33 NEW SECTION. **Sec. 11.** (1) The compact shall come into effect on
34 the date on which the compact statute is enacted into law in the 10th
35 member state.

36 (a) On or after the effective date of the compact, the commission
37 shall convene and review the enactment of each of the charter member

1 states to determine if the statute enacted by each such charter
2 member state is materially different from the model compact statute.

3 (b) A charter member state whose enactment is found to be
4 materially different from the model compact statute shall be entitled
5 to the default process set forth in section 10 of this act.

6 (c) Member states enacting the compact subsequent to the charter
7 member states shall be subject to the process set forth in section
8 7(3)(t) of this act to determine if their enactments are materially
9 different from the model compact statute and whether they qualify for
10 participation in the compact.

11 (2) If any member state is later found to be in default, or is
12 terminated or withdraws from the compact, the commission shall remain
13 in existence and the compact shall remain in effect even if the
14 number of member states should be less than 10.

15 (3) Any state that joins the compact after the commission's
16 initial adoption of the rules and bylaws shall be subject to the
17 rules and bylaws as they exist on the date on which the compact
18 becomes law in that state. Any rule that has been previously adopted
19 by the commission shall have the full force and effect of law on the
20 day the compact becomes law in that state, as the rules and bylaws
21 may be amended as provided in this compact.

22 (4) Any member state may withdraw from this compact by enacting a
23 statute repealing the same.

24 (a) A member state's withdrawal shall not take effect until six
25 months after enactment of the repealing statute.

26 (b) Withdrawal shall not affect the continuing requirement of the
27 withdrawing state's licensing authority to comply with the
28 investigative and adverse action reporting requirements of this act
29 prior to the effective date of withdrawal.

30 (5) This compact may be amended by the member states. No
31 amendment to this compact shall become effective and binding upon any
32 member state until it is enacted into the laws of all member states.

33 **ARTICLE XII**

34 **CONSTRUCTION AND SEVERABILITY**

35 NEW SECTION. **Sec. 12.** This compact shall be liberally construed
36 to effectuate the purposes thereof. The provisions of this compact
37 shall be severable and if any phrase, clause, sentence, or provision
38 of this compact is declared to be contrary to the Constitution of any

1 member state or a state seeking membership in the compact, or of the
2 United States or the applicability thereof to any other government,
3 agency, person, or circumstance is held invalid, the validity of the
4 remainder of this compact and the applicability thereof to any
5 government, agency, person, or circumstance shall not be affected
6 thereby. If this compact shall be held contrary to the Constitution
7 of any member state, the compact shall remain in full force and
8 effect as to the remaining member states and in full force and effect
9 as to the member state affected as to all severable matters.

10 **ARTICLE XIII**

11 **CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS**

12 NEW SECTION. **Sec. 13.** (1) Nothing herein shall prevent or
13 inhibit the enforcement of any other law of a member state that is
14 not inconsistent with the compact.

15 (2) Any laws, statutes, regulations, or other legal requirements
16 in a member state in conflict with the compact are superseded to the
17 extent of the conflict.

18 (3) All permissible agreements between the commission and the
19 member states are binding in accordance with their terms.

20 NEW SECTION. **Sec. 14.** Sections 1 through 13 of this act
21 constitute a new chapter in Title 28A RCW.

--- END ---