SECTION 13. Process for Review of New State Laws or Amendments to Compacts.

(a) Upon enactment by a state of a law intended as that state's adoption of the Compact, the Executive Committee shall review the enacted law to determine whether it contains any provisions which materially conflict with the Compact model legislation.

1. To the extent possible and practicable, this determination shall be made by the Executive Committee, with the advice of the Commission counsel, after the date of enactment but before the effective date of such law. If the timeframe between enactment and effective date is insufficient to allow for this determination to be made by the Executive Committee prior to the law's effective date, the Executive Committee shall make the determination required by this paragraph as soon as practicable after the law's effective date. The fact that such a review may occur subsequent to the law's effective date shall not impair or prevent the application of the process set forth in this Section.

2. If the Executive Committee determines that the enacted law contains no provision which materially conflicts with the Compact model legislation, the state shall be admitted as a party to the Compact and to membership in the Commission upon the effective date of the state's law and thereafter be subject to all rights, privileges, benefits and obligations of the Compact, these Rules and the bylaws.

3. In the event the enacted law contains one or more provisions which the Executive Committee determines materially conflicts with the Compact model legislation, the state shall be ineligible for membership in the Commission or to become a party to the Compact, and the state shall be so notified, in writing, within fifteen (15) days of the Executive Committee's decision.

4. A state deemed ineligible for Compact membership and Commission participation pursuant to this Section shall not be entitled to any of the rights, privileges or benefits of a Compact State as set forth in the Compact, these Rules and/or the bylaws. Without limiting the foregoing, a state deemed ineligible for membership and participation shall not be entitled to appoint a Commissioner, to submit to and/or receive data from the National EMS Coordinated Database.

(b) A state determined to be ineligible for Commission membership and Compact participation pursuant to this Section may, within thirty (30) days of the date of the decision, appeal in writing the Executive Committee's decision to the Commission. An appeal received by the Commission shall be deemed filed on the date it is sent to the Commission. If there is an appeal to the Commission, the Commission shall review de novo whether the state's enacted law materially conflicts with the model

Compact legislation. The provisions of these Rules shall apply during the pendency of any such appeal. The decision of the Commission may be appealed within thirty (30) days of the date of its decision to a court of competent jurisdiction subject to the venue provisions of the Compact.

Subsequent to the determination that a state's enacted law contains provision(s) which materially conflict(s) with the Compact model legislation, the state may enact new legislation to remove the conflict. The new legislation shall be reviewed as set forth in the Section above.

(c) In the event a Compact State, subsequent to its enactment of the Compact, enacts amendment(s) to its Compact law, or enacts another law or laws which may in any way alter or impact any provision or application of the state's enacted Compact law, the Compact State shall so inform the Commission within fifteen (15) days of the enactment of such amendment(s) or law(s). After being so informed by the Compact State or learning of such amendment(s) or law(s) from any other source, the Commission shall review the amendment(s) or law(s) to determine if such amendment(s) or law(s) materially conflict with the state's enacted Compact law. In the event the Commission determines such amendment(s) or law(s) materially conflict(s) with the Compact, the Commission shall determine if the amendment(s) or law(s) constitute a condition of default pursuant to the Compact provisions dealing with Oversight, Dispute Resolution, and Enforcement of the Compact and, if so, proceed according to the process established therein.

(d) For the purpose of determining whether a provision of any enacted law or amendment materially conflicts with the Compact, the Executive Committee and the Commission shall consider the following, among other factors:

1. Whether the provision constitutes a material alteration of the rights and obligations of the enacting state or of member states.

2. Whether the provision enlarges the liability or compromises the immunity of the Commission or any authorized agent of the Commission.

3. Whether the provision modifies venue in proceedings involving the Commission.

4. Whether the provision restricts the privilege to practice as set forth in the Compact model legislation.

5. Whether the provision would allow the state to negate or delay the applicability of a duly promulgated Commission rule in the state.

6. Whether the provision would result in the reduction or elimination of fees, levies or assessments payable under the Compact or Rules.

7. Whether the provision fundamentally alters the nature of the agreement entered into by member states that have adopted the Compact.

8. Whether there is a remedial mechanism, satisfactory to the Executive Committee and/or Commission, whereby the effect of such law or amendment can be mitigated so as to minimize or eliminate the practical effect of any material conflict.

9. Whether the provision strikes or amends Compact model legislation language based upon a provision of the Compact model legislation being contrary to the Constitution of that state, and the Executive Committee and/or Commission determines that the remainder of the Compact can be implemented effectively, and without compromising the rights of the Commission and the member states, without such unconstitutional provision.