

§18516. Rule-making functions of the interstate commission

1. Rules. The interstate commission shall adopt reasonable rules, which are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A, in order to effectively and efficiently achieve the purposes of the compact; however, if the interstate commission exercises its rule-making authority in a manner that is beyond the scope of the purposes of the compact or the powers granted under the compact, then such an action by the interstate commission is invalid and has no force or effect. [PL 2017, c. 253, §7 (NEW).]

2. Rules conformation. Rules for the operations of the interstate commission must be adopted pursuant to a rule-making process that substantially conforms to the "Revised Model State Administrative Procedure Act" (2010), as amended, of the National Conference of Commissioners on Uniform State Laws. [PL 2017, c. 253, §7 (NEW).]

3. Judicial review. Not later than 30 days after a rule is adopted, a person may file a petition for judicial review of the rule in the United States District Court for the District of Columbia or the federal district where the interstate commission has its principal offices, as long as the filing of such a petition does not stay or otherwise prevent the rule from becoming effective unless the court finds that the petitioner has a substantial likelihood of success. The court shall give deference to the actions of the interstate commission consistent with applicable law and may not find the rule to be unlawful if the rule represents a reasonable exercise of the authority granted to the interstate commission. [PL 2017, c. 253, §7 (NEW).]

SECTION HISTORY

PL 2017, c. 253, §7 (NEW).

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