

1 REFERENCE TITLE: _____
2 State of _____
3 (Introducing _____)
4 _____ Legislature
5 _____ Session
6 20____
7 ____ B. ____

6 Be it enacted by the Legislature of the State of _____:

7 Section 1. Title ____, _____, is amended by adding chapter ____, to read:

8 CHAPTER ____
9 Compact for America
10 _____ Adoption of compact; text of compact

11 THE STATE OF _____ ENACTS, ADOPTS AND AGREES
12 TO BE BOUND BY THE FOLLOWING COMPACT:

13 ARTICLE I

14 DECLARATION OF POLICY, PURPOSE AND INTENT

15
16 Whereas, every State enacting, adopting and agreeing to be bound by this Compact
17 intends to ensure that their respective Legislature’s use of the power to originate a Balanced
18 Budget Amendment under Article V of the United States Constitution will be exercised
19 conveniently and with reasonable certainty as to the consequences thereof.

20 Now, therefore, in consideration of their expressed mutual promises and obligations, be
21 it enacted by every State enacting, adopting and agreeing to be bound by this Compact, and
22 resolved by each of their respective Legislatures, as the case may be, to exercise herewith all of
23 their respective powers as set forth herein notwithstanding any law to the contrary.

22 ARTICLE II

23 DEFINITIONS

24 Section 1. “Compact” means this “Compact for America.”

25 Section 2. “Convention” means the convention for proposing amendments organized by this
26 Compact under Article V of the United States Constitution and, where contextually appropriate
27 to ensure the terms of this Compact are not evaded, any other similar gathering or body, which
28 might be organized as a consequence of Congress receiving the application set out in this
Compact and claim authority to propose or effectuate any amendment, alteration or revision to

1 the United States Constitution.

2 Section 3. "State" means a state of the United States. Where contextually appropriate, the term
3 "State" shall be construed to include all of its branches, departments, agencies, political
4 subdivisions, and officers and representatives acting in their official capacity.

5 Section 4. "Member State" means a State that has enacted, adopted and agreed to be bound to
6 this Compact. For any State to qualify as a Member State with respect to any other State under
7 this Compact, each such State must have enacted, adopted and agreed to be bound by
8 substantively identical compact legislation.

9 Section 5. "Compact Notice Recipients" means the Archivist of the United States, the President
10 of the United States, the President of the United States Senate, the Office of the Secretary of the
11 United States Senate, the Speaker of the United States House of Representatives, the Office of
12 the Clerk of the United States House of Representatives, the chief executive officer of each
13 State, and the presiding officer(s) of each house of the Legislatures of the several States.

14 Section 6. Notice. All notices required by this Compact shall be by U.S. Certified Mail, return
15 receipt requested, or an equivalent or superior form of notice, such as personal delivery
16 documented by evidence of actual receipt.

17 Section 7. "Balanced Budget Amendment" means the following model legislation:

18 "Article __

19 Section 1. Total outlays of the government of the United States shall not exceed total receipts of
20 the government of the United States at any point in time unless the excess of outlays over
21 receipts is financed exclusively by debt issued in strict conformity with this article.

22 Section 2. Outstanding debt shall not exceed authorized debt, which initially shall be an amount
23 equal to 105 percent of the outstanding debt on the effective date of this article. Authorized debt
24 shall not be increased above its aforesaid initial amount unless such increase is first approved by
25 the legislatures of the several states as provided in Section 3.

26 Section 3. From time to time, Congress may increase authorized debt to an amount in excess of
27 its initial amount set by Section 2 only if it first publicly refers to the legislatures of the several
28 states an unconditional, single subject measure proposing the amount of such increase, in such
form as provided by law, and the measure is thereafter publicly and unconditionally approved
by a simple majority of the legislatures of the several states, in such form as provided
respectively by state law; provided that no inducement requiring an expenditure or tax levy shall
be demanded, offered or accepted as a quid pro quo for such approval. If such approval is not
obtained within sixty (60) calendar days after referral then the measure shall be deemed
disapproved and the authorized debt shall thereby remain unchanged.

Section 4. Whenever the outstanding debt exceeds 98 percent of the debt limit set by Section 2,
the President shall enforce said limit by publicly designating specific expenditures for

1 impoundment in an amount sufficient to ensure outstanding debt shall not exceed the authorized
2 debt. Said impoundment shall become effective thirty (30) days thereafter, unless Congress first
3 designates an alternate impoundment of the same or greater amount by concurrent resolution,
4 which shall become immediately effective. The failure of the President to designate or enforce
the required impoundment is an impeachable misdemeanor. Any purported issuance or
incurrence of any debt in excess of the debt limit set by Section 2 is void.

5 Section 5. No bill that provides for a new or increased general revenue tax shall become law
6 unless approved by a two-thirds roll call vote of the whole number of each House of Congress.
7 However, this requirement shall not apply to any bill that provides for a new end user sales tax
8 which would completely replace every existing income tax levied by the government of the
United States; or for the reduction or elimination of an exemption, deduction, or credit allowed
under an existing general revenue tax.

9 Section 6. For purposes of this article, “debt” means any obligation backed by the full faith and
10 credit of the government of the United States; “outstanding debt” means all debt held in any
11 account and by any entity at a given point in time; “authorized debt” means the maximum total
12 amount of debt that may be lawfully issued and outstanding at any single point in time under
13 this article; “total outlays of the government of the United States” means all expenditures of the
14 government of the United States from any source; “total receipts of the government of the
15 United States” means all tax receipts and other income of the government of the United States,
excluding proceeds from its issuance or incurrence of debt or any type of liability; and “general
revenue tax” means any income tax, sales tax, or value-added tax levied by the government of
the United States excluding imposts and duties.

16 Section 7. This article is immediately operative upon ratification, self-enforcing, and Congress
17 may enact conforming legislation to facilitate enforcement.”

18 ARTICLE III

19 COMPACT MEMBERSHIP AND WITHDRAWAL

20 Section 1. This Compact governs each Member State to the fullest extent permitted by their
21 respective constitutions, superseding and repealing any conflicting or contrary law.

22 Section 2. By becoming a Member State, each such State offers, promises and agrees to perform
23 and comply strictly in accordance with the terms and conditions of this Compact, and has made
24 such offer, promise and agreement in anticipation and consideration of, and in substantial
25 reliance upon, such mutual and reciprocal performance and compliance by each other current
26 and future Member State, if any. Accordingly, in addition to having the force of law in each
27 Member State upon its respective effective date, this Compact and each of its Articles shall also
28 be construed as contractually binding each Member State when: (a) at least one other State has
likewise become a Member State by enacting substantively identical legislation adopting and
agreeing to be bound by this Compact; and (b) notice of such State’s Member State status is or
has been seasonably received by the Compact Administrator, if any, or otherwise by the chief
executive officer of each other Member State.

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2 Section 3. When fewer than three-fourths of the States are Member States, any Member State
3 may withdraw from this Compact by enacting appropriate legislation, as determined by state
4 law, and giving notice of such withdrawal to the Compact Administrator, if any, or otherwise to
5 the chief executive officer of each other Member State. A withdrawal shall not affect the
6 validity or applicability of the compact with respect to remaining Member States, provided that
7 there remain at least two such States. However, once at least three-fourths of the States are
8 Member States, then no Member State may withdraw from the Compact absent unanimous
9 consent of all Member States.

10 ARTICLE IV

11 COMPACT COMMISSION AND COMPACT ADMINISTRATOR

12 Section 1. Nature of the Compact Commission. The Compact Commission (“Commission”) is
13 hereby established. It has the power and duty: (a) to appoint and oversee a Compact
14 Administrator; (b) to encourage States to join the Compact and Congress to consent to the
15 Compact through educational efforts; (c) to coordinate the performance of obligations under the
16 Compact; (d) to determine the date, time and location of the Convention and oversee its
17 logistical operations, as appropriate to ensure this Compact governs its proceedings; (e) to
18 oversee the defense and enforcement of the Compact in appropriate legal venues; (f) to request
19 funds and to disburse those funds to support the operations of the Commission, Compact
20 Administrator, and Convention; and (g) to cooperate with any entity that shares a common
21 interest with the Commission and engages in policy research, public interest litigation or
22 lobbying in support of the purposes of the Compact. The Commission shall only have such
23 implied powers as are essential to carrying out these express powers and duties. It shall take no
24 action that contravenes or is inconsistent with this Compact or any law of any State that is not
25 superseded by this Compact. It may adopt and publish corresponding bylaws and policies.

26 Section 2. Commission Membership. The Commission initially consists of three unpaid
27 members. Each Member State may appoint one member to the Commission through an
28 appointment process to be determined by their respective chief executive officer until all
positions on the Commission are filled. Positions shall be assigned to appointees in the order in
which their respective appointing States became Member States. The bylaws of the Commission
may expand its membership to include representatives of additional Member States and to allow
for modest salaries and reimbursement of expenses if adequate funding exists.

Section 3. Commission Action. Each Commission member is entitled to one vote. The
Commission shall not act unless a majority of its appointed membership is present, and no
action shall be binding unless approved by a majority of the Commission’s appointed
membership. The Commission shall meet at least once a year, and may meet more frequently.

Section 4. First Order of Business. The Commission shall at the earliest possible time elect from
among its membership a Chairperson, determine a primary place of doing business, and appoint
a Compact Administrator.

1 Section 5. Funding. The Commission and the Compact Administrator's activities shall be
2 funded exclusively by each Member State, as determined by their respective state law, or by
3 voluntary donations.

4 Section 6. Compact Administrator. The Compact Administrator has the power and duty: (a) to
5 timely notify the States of the date, time and location of the Convention; (b) to organize and
6 direct the logistical operations of the Convention; (c) to maintain an accurate list of all Member
7 States, their appointed delegates, including contact information; and (d) to formulate, transmit,
8 and maintain all official notices, records, and communications relating to this Compact. The
9 Compact Administrator shall only have such implied powers as are essential to carrying out
10 these express powers and duties; and shall take no action that contravenes or is inconsistent with
11 this Compact or any law of any State that is not superseded by this Compact. The Compact
12 Administrator serves at the pleasure of the Commission and must keep the Commission
13 seasonably apprised of the performance or nonperformance of the terms and conditions of this
14 Compact. Any notice sent by a Member State to the Compact Administrator concerning this
15 Compact shall be adequate notice to each other Member State provided that a copy of said
16 notice is seasonably delivered by the Compact Administrator to each other Member State's
17 respective chief executive officer.

18 Section 7. Notice of Key Events. Upon the occurrence of each of the following described
19 events, or otherwise as soon as possible, the Compact Administrator shall immediately send the
20 following notices to all Compact Notice Recipients, together with certified conforming copies
21 of the chaptered version of this Compact as maintained in the statutes of each Member State: (a)
22 whenever any State becomes a Member State, notice of that fact shall be given; (b) once at least
23 three-fourths of the States are Member States, notice of that fact shall be given together with a
24 statement declaring that the Legislatures of at least two-thirds of the several States have applied
25 for a convention for proposing amendments under Article V of the United States Constitution,
26 petitioning Congress to call the Convention contemplated by this Compact, and further
27 requesting cooperation in organizing the same in accordance with this Compact; (c) once
28 Congress has called the Convention contemplated by this Compact, and whenever the date, time
and location of the Convention has been determined, notice of that fact shall be given together
with the date, time and location of the Convention and other essential logistical matters; (d)
upon approval of the Balanced Budget Amendment by the Convention, notice of that fact shall
be given together with the transmission of certified copies of such approved proposed
amendment and a statement requesting Congress to refer the same for ratification by three-
fourths of the Legislatures of the several States under Article V of the United States
Constitution (however, in no event shall any proposed amendment other than the Balanced
Budget Amendment be transmitted); and (e) when any Article of this Compact prospectively
ratifying the Balanced Budget Amendment is effective in any Member State, notice of the same
shall be given together with a statement declaring such ratification and further requesting
cooperation in ensuring that the official record confirms and reflects the effective corresponding
amendment to the United States Constitution. However, whenever any Member State enacts
appropriate legislation, as determined by the laws of the respective state, withdrawing from this
Compact, the Compact Administrator shall immediately send certified conforming copies of the
chaptered version of such withdrawal legislation as maintained in the statutes of each such
withdrawing Member State, solely to each chief executive officer of each remaining Member

1 State, giving notice of such withdrawal.

2 Section 8. Cooperation. The Commission, Member States and Compact Administrator shall
3 cooperate with each other and give each other mutual assistance in enforcing this Compact and
4 shall give the chief law enforcement officer of each other Member State any information or
documents that are reasonably necessary to facilitate the enforcement of this Compact.

5 Section 9. Dissolution. The Commission shall be deemed dissolved, all of its members and the
6 Compact Administrator shall be discharged, and all rights and obligations of Member States
7 under this Article shall be deemed null and void, when the United States Constitution is
amended by the Balanced Budget Amendment.

8 Section 10. This Article does not take effect until there are at least two Member States.

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10 ARTICLE V

11 RESOLUTION APPLYING FOR CONVENTION

12 Section 1. Be it resolved, as provided for in Article V of the Constitution of the United States,
13 the Legislature of each Member State herewith applies to Congress for a convention for
proposing amendments.

14 Section 2. To the furthest extent permitted by law, the Convention shall be entirely focused
15 upon and exclusively limited to the subject matter of introducing, debating, voting upon, and
rejecting or proposing for ratification the Balanced Budget Amendment.

16 Section 3. Congress is further petitioned to refer the Balanced Budget Amendment to the States
17 for ratification by three-fourths of their respective Legislatures.

18 Section 4. This Article does not take effect until at least three-fourths of the several States are
19 Member States.

20 ARTICLE VI

21 DELEGATE APPOINTMENT, LIMITATIONS AND INSTRUCTIONS

22 Section 1. Number of Delegates. Each Member State shall be entitled to one delegate as its sole
23 and exclusive representative at the Convention as set forth in this Article.

24 Section 2. Identity of Delegates. Each Member State's chief executive officer, who is serving on
25 the enactment date of this Compact, is appointed in an individual capacity to represent his or her
respective State at the Convention as its sole and exclusive delegate.

26 Section 3. Replacement or Recall of Delegates. A delegate appointed hereunder may be
27 replaced or recalled by the Legislature of his or her respective State at any time for good cause,
28 such as criminal misconduct or the violation of this Compact. If replaced or recalled, any

1 delegate previously appointed hereunder must immediately vacate the Convention and return to
2 their respective State's capitol.

3 Section 4. Oath. The power and authority of a delegate under this Article may only be exercised
4 after appointment is duly accepted by such appointee publicly taking the following oath or
5 affirmation: "I do solemnly swear (or affirm) that I accept this appointment and will act strictly
6 in accordance with the terms and conditions of the Compact for America, the Constitution of the
State I represent, and the United States Constitution. I understand that violating this oath (or
affirmation) forfeits my appointment and may subject me to other penalties as provided by law."

7 Section 5. Term. The term of a delegate hereunder terminates upon the earlier of either one (1)
8 calendar year from the date of accepting the appointment or the adjournment of the Convention,
9 unless shortened by recall, replacement or forfeiture under this Article. Upon expiration of such
10 term, any person formerly serving as a delegate must immediately withdraw from and cease
11 participation at the Convention, if any is proceeding.

12 Section 6. Delegate Authority. The power and authority of any delegate appointed hereunder is
13 strictly limited: (a) to introducing, debating, voting upon, proposing and enforcing the
14 Convention Rules specified in this Compact, as needed to ensure those rules govern the
15 Convention; and (b) to introducing, debating, voting upon, and rejecting or proposing for
16 ratification the Balanced Budget Amendment. No delegate of any Member State may introduce,
17 debate, vote upon, reject or propose for ratification any constitutional amendment at the
18 Convention unless: (a) the Convention Rules specified in this Compact govern the Convention
19 and their actions; and (b) the constitutional amendment is the Balanced Budget Amendment.
20 Furthermore, the power and authority of any delegate at the Convention does not include any
21 power or authority associated with any other public office held by the delegate. Any person
22 appointed to serve as a delegate shall take a temporary leave of absence from any other public
23 office held by the delegate while attending the Convention, and may not exercise any power or
24 authority associated with any other public office held by the delegate while attending the
25 Convention. All actions taken by any delegate in violation of this section are void ab initio.

26 Section 7. Order of Business. Before introducing, debating, voting upon, rejecting or proposing
27 for ratification any constitutional amendment at the Convention, each delegate of every Member
28 State must first ensure the Convention Rules in this Compact govern the Convention and their
actions. Every delegate and each Member State must immediately vacate the Convention and
notify the Compact Administrator by the most effective and expeditious means if the
Convention Rules in this Compact are not adopted to govern the Convention and their actions.

Section 8. Forfeiture of Appointment. If any Member State or delegate violates any provision of
this Compact, then every delegate of that Member State immediately forfeits his or her
appointment, and shall immediately cease participation at the Convention, vacate the
Convention, and return to his or her respective State's capitol.

Section 9. Expenses. A delegate appointed hereunder is entitled to reimbursement of reasonable
expenses for attending the Convention from his or her respective Member State. No delegate
may accept any other form of remuneration or compensation for service under this Compact.

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ARTICLE VII

CONVENTION RULES

Section 1. Nature of the Convention. The Convention shall be organized, construed and conducted as a body exclusively representing and constituted by the several States.

Section 2. Date and Location of the Convention. The Convention shall be held in Dallas, Texas and commence proceedings within 60 days of the effective date of the Congressional resolution calling the Convention, on a specific date and a time to be determined by the Commission. With prior notice given to all Compact Notice Recipients, the Commission may subsequently relocate and reschedule the Convention to ensure it proceeds in an orderly manner in accordance with the terms and conditions of this Compact.

Section 3. Agenda of the Convention. The agenda of the Convention shall be entirely focused upon and exclusively limited to introducing, debating, voting upon, and rejecting or proposing for ratification the Balanced Budget Amendment under the Convention Rules specified in this Article and in accordance with the Compact. It shall not be in order for the Convention to consider any matter that is outside the scope of this agenda.

Section 4. Delegate Identity and Procedure. States shall be represented at the Convention through duly appointed delegates. The number, identity and authority of delegates assigned to each State shall be determined by this Compact in the case of Member States or, in the case of States that are not Member States, by their respective state laws. However, to prevent disruption of proceedings, no more than three delegates may attend and participate in the Convention on behalf of any State that is not a Member State. A certified chaptered conforming copy of this Compact, together with government-issued photographic proof of identification, shall suffice as credentials for delegates of Member States. Any commission for delegates of States that are not Member States shall be based on their respective state laws, but it shall furnish credentials that are at least as reliable as those required of Member States.

Section 5. Voting. Each State represented at the Convention shall have one vote, exercised by the vote of that State's delegate in the case of States represented by one delegate, or, in the case of any State that is not a Member State and that is represented by more than one delegate, by the majority vote of that State's respective delegates.

Section 6. Quorum. A majority of the several States of the United States, each present through their respective delegate in the case of States represented by one delegate, or through a majority of their respective delegates, in the case of any State that is not a Member State and that is represented by more than one delegate, shall constitute a quorum for the transaction of any business on behalf of the Convention.

Section 7. Action by the Convention. The Convention shall only act as a committee of the whole chaired by the delegate representing the first State to have become a Member State. The transaction of any business on behalf of the Convention, including the designation of a

1 Secretary, the adoption of parliamentary procedures and the rejection or proposal of
2 constitutional amendments, requires a quorum to be present and a majority affirmative vote of
3 those States constituting the quorum.

4 Section 8. Parliamentary Procedure. In adopting, applying and formulating parliamentary
5 procedure, the Convention shall exclusively adopt, apply or appropriately adapt provisions of
6 the most recent editions of Robert's Rules of Order and the American Institute of
7 Parliamentarians Standard Code of Parliamentary Procedure. In adopting, applying or adapting
8 parliamentary procedure, the Convention shall exclusively consider analogous precedent arising
9 within the jurisdiction of the United States. Parliamentary procedures adopted, applied or
10 adapted pursuant to this section shall not override or otherwise conflict with this Compact.

11 Section 9. Transmittal. Upon approval of the Balanced Budget Amendment by the Convention
12 to propose for ratification, the Chair of the Convention shall immediately transmit certified
13 copies of such approved proposed amendment to the Compact Administrator and all Compact
14 Notice Recipients, notifying them respectively of such approval and requesting Congress to
15 refer the same for ratification by the States under Article V of the United States Constitution.
16 However, in no event shall any proposed amendment other than the Balanced Budget
17 Amendment be transmitted as aforesaid.

18 Section 10. Transparency. Records of the Convention, including the identities of all attendees
19 and detailed minutes of all proceedings, shall be kept by the Chair of the Convention or
20 Secretary designated by the Convention. All proceedings and records of the Convention shall be
21 open to the public upon request subject to reasonable regulations adopted by the Convention
22 that are closely tailored to preventing disruption of proceedings under this Article.

23 Section 11. Adjournment of the Convention. The Convention shall permanently adjourn upon
24 the earlier of twenty-four (24) hours after commencing proceedings under this Article or the
25 completion of the business on its Agenda.

26 ARTICLE VIII

27 PROHIBITION ON ULTRA VIRES CONVENTION

28 Section 1. Any proposal or action of the Convention is void ab initio and issued by a body that
is conducting itself in an unlawful and ultra vires fashion if that proposal or action: (a) violates
or was approved in violation of the Convention Rules or the limitations on delegate authority
specified in this Compact; (b) purports to propose or effectuate a mode of ratification that is not
specified in Article V of the United States Constitution; or (c) purports to propose or effectuate
the formation of a new government. All Member States and their residents are prohibited from
advancing or materially assisting in the advancement of any such proposal or action.

Section 2. Member States shall not attend or participate in the Convention unless: (a) its agenda
is governed by the Convention Rules of this Compact; and (b) Congress first calls the
Convention in accordance with this Compact and prospectively designates the method of
ratification for the Balanced Budget Amendment as being by three-fourths of the Legislatures of

1 the several States.

2 Section 3. Member States shall not ratify or otherwise approve any proposed amendment,
3 alteration or revision to the United States Constitution, which originates from the Convention,
4 other than the Balanced Budget Amendment.

5 **ARTICLE IX**

6 **RESOLUTION PROSPECTIVELY RATIFYING THE**
7 **BALANCED BUDGET AMENDMENT**

8 Section 1. Each Member State, by and through its respective Legislature, hereby adopts and
9 ratifies the Balanced Budget Amendment.

10 Section 2. This Article does not take effect until Congress effectively refers the Balanced
11 Budget Amendment to the States for ratification by three-fourths of the Legislatures of the
12 several States under Article V of the Constitution of the United States.

13 **ARTICLE X**

14 **CONSTRUCTION, ENFORCEMENT, VENUE, AND SEVERABILITY**

15 Section 1. To the extent that the effectiveness of this Compact or any of its Articles or
16 provisions requires the alteration of local legislative rules, drafting policies, or procedure to be
17 effective, the enactment of legislation enacting, adopting and agreeing to be bound by this
18 Compact shall be deemed to waive, repeal, supersede, or otherwise amend and conform all such
19 rules, policies or procedures to allow for the effectiveness of this Compact to the fullest extent
20 permitted by the constitution of any affected Member State.

21 Section 2. In addition to all other powers and duties conferred by state law which are consistent
22 with the terms and conditions of this Compact, the chief law enforcement officer of each
23 Member State is empowered to defend the Compact from any legal challenge, as well as to seek
24 civil mandatory and prohibitory injunctive relief to enforce this Compact; and shall take such
25 action whenever the Compact is challenged or violated.

26 Section 3. The exclusive venue for all actions in any way arising under this Compact shall be in
27 the United States District Court for the Northern District of Texas or the courts of the State of
28 Texas within the jurisdictional boundaries of the foregoing district court. Each Member State
shall submit to the jurisdiction of said courts with respect to such actions. However, upon
written request by the chief law enforcement officer of any Member State, the Compact
Commission may elect to waive this provision for the purpose of ensuring an action proceeds in
the venue that allows for the most convenient and effective enforcement or defense of this
Compact. Any such waiver shall be limited to the particular action to which it is applied and not
construed or relied upon as a general waiver of this provision. The waiver decisions of the
Compact Commission under this provision shall be final and binding on each Member State.

1 Section 4. The effective date of this Compact and any of its Articles is the latter of: (a) the date
2 of any event rendering the same effective according to its respective terms and conditions; or (b)
3 the earliest date otherwise permitted by law.

4 Section 5. Article VIII of this Compact is hereby deemed non-severable. However, if any other
5 phrase, clause, sentence or provision of this Compact, or the applicability of any other phrase,
6 clause, sentence or provision of this Compact to any government, agency, person or
7 circumstance, is declared in a final judgment to be contrary to the United States Constitution,
8 contrary to the state constitution of any Member State, or is otherwise held invalid by a court of
9 competent jurisdiction, such phrase, clause, sentence or provision shall be severed and held for
10 naught, and the validity of the remainder of this Compact and the applicability of the remainder
11 of this Compact to any government, agency, person or circumstance shall not be affected.
12 Furthermore, if this Compact is declared in a final judgment by a court of competent jurisdiction
13 to be entirely contrary to the state constitution of any Member State or otherwise entirely invalid
14 as to any Member State, such Member State shall be deemed to have withdrawn from the
15 Compact, and the Compact shall remain in full force and effect as to any remaining Member
16 State. Finally, if this Compact is declared in a final judgment by a court of competent
17 jurisdiction to be wholly or substantially in violation of Article I, Section 10, of the United
18 States Constitution, then it shall be construed and enforced solely as reciprocal legislation
19 enacted by the affected Member State(s).
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