

S.F. No. 3364 – Audiology and Speech-Language Pathology Interstate Compact

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Review of SF 3364 by the committee on State Government Finance and Policy and Elections is not required under senate rules or committee jurisdictional statement because the bill relates to an interstate agency and not a state agency, but the expertise of the committee can be applied to two topics raised by the bill: the establishment of a multi-member commission and the authorization for the commission to adopt rules. These topics are addressed in Sections 7 and 9.

Section 7 – Establishment of the Audiology and Speech-Language Pathology Compact Commission

Section 7 creates a multi-member interstate commission. The article includes the following:

Paragraph (B) prescribes membership and delegates selection, conditions for removal of delegates and how to fill vacancies, meetings at least annually;

Paragraph (C) lists the commission's duties;

Paragraph (D) establishes an executive committee with specified powers;

Paragraph (E) details selection and removal of ex-officio members to the executive committee; requires the executive committee to meet annually and specifies the duties of the executive committee; requires meetings to be open to the public except for certain topics; requires the commission to maintain minutes and records as prescribed; provides for the financing of the commission;

Paragraph (f) specifies protections through immunity, indemnity and a commitment to defend the commission, its members, officers, executive director, or representative of the commission.

Section 9 – Rulemaking

The commission is authorized to adopt rules necessary to the implementation and administration of the Compact in Section 11, Paragraph A on lines 19.30 to 19.31. Section 9 specifies how the rulemaking must be conducted.

Paragraph (A) requires the commission to exercise its rulemaking authority under criteria in this article or other rules.

Paragraph (B) provides for a rule to be invalidated if a majority of the legislatures of the member states enact a statute or resolution in the same manner used to adopt the compact, within four years of the date of adoption of the rule.

Paragraph (C) requires rules to be adopted at a meeting of the commission.

Paragraph (D) requires the commission to provide thirty days notice of a meeting at which a rule will be adopted.

Paragraph (E) requires specific content in the notice;

Paragraph (F) requires the commission to allow submissions of data, facts, opinions, and arguments from the public before adoption of a rule.

Paragraph (G) requires the commission to hold a public hearing if a hearing is requested by 25 people, a state or federal governmental subdivision or agency, or an association having at least 25 members.

Paragraph (H) requires notice of a scheduled public hearing.

Paragraph (I) requires the commission to consider all written and oral comments before adopting a rule.

Paragraph (J) authorizes adoption of a rule without a public hearing if a hearing is not requested by interested parties.

Paragraph (K) requires a majority vote to adopt a rule and specify its effective date.

Paragraph (L) authorizes adoption of an emergency rule without prior notice, opportunity for comment or hearing, according to a specified process.

Paragraph (M) authorizes revisions to previously adopted rules, with public notice. Revisions are subject to challenge for 30 days after posting on the grounds the revision is a material change.