
Comments on IMLCC Proposed Rule 8 and 9

1 message

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Tue, Aug 27, 2019 at 12:54 PM

Good Afternoon,

Please find my comments below.

Thank you

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Chapter 8 Comments

8.3a should read, Within 90 days from enactment of a statute withdrawing a member state from the Compact, the withdrawing state shall send notices, pursuant to this rule, to licensees who have been licensed in the withdrawing state through the Compact and licensees who list the withdrawing state as their state of principal of license.

As the sentence currently reads the state would need to notify every single licensee, not just ones licensed through the compact. This would clarify that it is only the licensees directly involved.

8.4 Where does the authority for this section come from? Can IMLC grant immunity?

8.5a should read, Within 90 days from ~~the~~ a majority vote by the Commission to terminate membership in the Compact of a defaulting state, the defaulting state shall send notices, pursuant to this rule, to licensees who have been licensed in the defaulting state through the Compact and licensees who list the defaulting state as their state of principal of license.

Although a majority vote appears to clear in the statute I think the intention should be reinforced. In addition, as the sentence currently reads the state would need to notify every single licensee, not just ones licensed through the compact. This would clarify that it is only the licensees directly involved.

8.5d All references to withdrawal should be replaced with termination.

Chapter 9 comments

9.2 a) 2)

vi) Who decides what constitutes a clearly unwarranted invasion of personal privacy? Should a definition be created and included with this rule?

viii) This should only be during the pendency of the action.

ix) Conversations in executive session have their own protections. I am not sure this is needed.

9.2 b) I am confused as to whether this section refers to the items in 9.2 a or if this is a provision for any records not covered in the previous section. This should be clarified. Following the entry an extra sentence should be added.

If this occurs, the Executive Committee must inform the full Commission, including the reason for the decision, at the next meeting.