Call to Order

Chair M. McAlister (NH) called the meeting to order at 10:05 a.m. EST.

Roll Call

H. Hageman called the roll. Five out of seven voting members were present. Quorum was established.
Agenda

The agenda was approved by acclamation.

New Business

Puerto Rico – Follow up to letter regarding the appointment of a Commissioner

- Chair M. McAlister (NH) opened the floor to discussions and requested H. Hageman to update the Committee on Puerto Rico’s response.
- H. Hageman stated there has been no response to phone calls, emails, informal letters, and most recently the certified letter from legal counsel.
- R. Masters, Legal Counsel, presented the Commission’s options relative to a state being in default as cited in Article XII, Section B and C. The Commission may impose any or all of the following penalties:
  - Fines, fees, and costs.
  - Remedial training and technical assistance.
  - Suspend and terminate membership.
  - Authorize judicial enforcement.
- Commissioner J. Seigel (IN) questioned the length of time Puerto Rico has been without a Commissioner, the operations of the compact office, and payment of dues.
- H. Hageman clarified that Puerto Rico has been without a Commissioner since October 2009, several compact offices have indicated problems or no response, and dues were paid only after litigation proceedings were initiated. In October 2009 Puerto Rico government terminated a substantial number of employees including the ICAOS Commissioner.
- Commissioner J. Seigel (IN) made the motion that the Compliance Committee find Puerto Rico in default by failing to comply with Interstate Compact. Commissioner J. Rubitschun (MI) seconded. The motion passed unanimously.
- Commissioner G. Powers (LA) questioned the reimbursement of court costs and fees.
- R. Masters, Legal Counsel, affirmed associated litigation fees and court costs are subject to reimbursement.
- The Committee discussed and agreed to exercise the option in Article XII, Section C of the Compact.
- Commissioner J. Rubitschun (MI) made the motion to recommend to the Executive Committee that the Commission take legal action against Puerto Rico to bring them into compliance and recoup all associated costs and fees. Commissioner G. Powers (LA) seconded. The motion passed unanimously.

Old Business

There was no old business.

Adjourn

Commissioner E. Brokofsky (NE) made a motion to adjourn. Commissioner J. Seigel (IN) seconded. The motion passed. The meeting adjourned at 10:27 am EST.

Approved on 12/13/2010. B.S.