



## **PUBLIC NOTICE**

### **NOTICE OF PUBLIC MEETING**

In accordance with Article VI, Section 1 of the Bylaws for the Military Interstate Children's Compact Commission (MIC3), and the Government in Sunshine Act, 5 U.S.C. § 552b, the organization hereby gives notice of the Annual Meeting of the Commission:

**Title:** MIC3 Annual Business Meeting  
**Date:** Wednesday, October 17, 2018, 7 a.m. to Thursday, October 18, 2018 at 4 p.m.  
**Place:** The Westin Cleveland Hotel  
777 St. Clair Avenue NE, Cleveland, OH 44114

The meeting agenda may be found at: [www.mic3.net](http://www.mic3.net), or requested by email to [mic3info@csg.org](mailto:mic3info@csg.org)

An individual or representative wishing to testify should register\* prior to the meeting. Testimony must be related to an item that is on the agenda and such person shall be required to identify the agenda item to be addressed by the testimony. Each individual or representative of an organization is allotted three (3) minutes, or an amount of time otherwise designated by the Chairperson, to provide testimony to the Commission.

Persons requiring special assistance or services, such as a sign language interpreter, should call (859) 244-8067 at least ten (10) business days before the meeting.

**\*Interested persons may submit notice to the Commission of their intent to attend and submit written comments to:**

Cherise Imai  
Executive Director  
Military Interstate Children's Compact Commission  
1776 Avenue of the States  
Lexington, KY 40511  
Email: [cimai@csg.org](mailto:cimai@csg.org)  
Phone (859) 244-8069  
Fax (859) 244-8001

## **NOTICE OF PROPOSED RULES CHANGE – DUES FORMULA**

A change to **Chapter 200 – GENERAL PROVISIONS - SEC. 2.104 Dues formula** is scheduled for vote at the 2018 Annual Business Meeting on October 17-18, 2018.

*Prior to promulgation and adoption of a final rule by the Interstate Commission, the text of the proposed rule or amendment shall be published by the Rules Committee no later than thirty (30) days prior to the meeting at which the vote is scheduled, on the official web site of the Interstate Commission and in any other official publication that may be designated by the Interstate Commission for the publication of its rules. In addition to the text of the proposed rule or amendment, the reason for the proposed rule shall be provided.*

Members will be asked to vote on the proposed rules change to the dues formula during the Commission's Annual Business Meeting, scheduled for:

**Date:** Thursday, October 18, 2017  
**Time:** 8:30 AM EDT  
**Location:** The Westin Cleveland Hotel  
**Address:** 777 St. Clair Avenue NE, Cleveland, OH 44114  
**Room:** Orchid East

The full text of the proposed amendment is shown below.

Questions may be submitted to:

Cherise Imai, Executive Director  
Military Interstate Children's Compact Commission  
1776 Avenue of the States  
Lexington, KY 40511  
Email: [cimai@csg.org](mailto:cimai@csg.org)  
Phone (859) 244-8069

### **PROPOSED AMENDMENT**

#### **MIC 3 Rules: Chapter 200- General Provisions SEC. 2.104 Dues formula**

- (a) The commission shall determine the formula to be used in calculating the annual assessments to be paid by states. Public notice of any proposed revision to the approved dues formula shall be given at least 30 days prior to the Commission meeting at which the proposed revision will be considered.
- (b) The Commission may consider the population of the states, the number of students subject to the compact within each state, and the volume of student transfers between states in determining and adjusting the assessment formula.
- (c) The approved formula and resulting assessments for all member states shall be distributed by the commission to each member state annually.
- (d) ~~Beginning with FY 2020, the~~ dues formula shall be based on the figure of one dollar and fifteen cents per child of military families eligible for transfer under this compact, and ~~beginning in FY 2014~~ this calculation shall be based upon the State in which each military family resides, ~~except that effective FY 2013, and each year thereafter, except that~~ no state dues assessment shall exceed the sum of sixty ~~nine~~ thousand dollars (~~\$69,000.00 60,000.00~~) per year ~~and effective FY 2014, and each year thereafter, no state dues assessment or~~ shall be less than two thousand three hundred dollars (~~\$2,300.00 2,000.00~~).

## **LEGAL RATIONALE**

Pursuant to MIC3 Rules, Section 2.104(a), the dues formula may be revised by the Commission upon public notice given at least thirty (30) days prior to the Commission meeting at which the proposed revision will be considered. Under Section 2.104(b), variables that may be considered when revising the dues formula include:

- (1) The population of the states;
- (2) The number of student's subject to the compact within each state; and
- (3) The volume of student transfers between states.

Based on the most recent information available to staff, the number of student's subject to the compact within each state is steadily decreasing. An analysis of MIC3 dues from fiscal years 2017, 2018 and 2019 indicate that the number of dependents has decreased 2-3% annually. This results in a 2-3% decrease in the Commission's overall revenue during those years.

While revenue has decreased, the Commission membership has more than doubled and the requests for support have increased. In 2009, the Commission had twenty-four (24) member states. By 2014, the Commission membership increased to all 50 states plus the District of Columbia. The Commission also now includes five Ex-Officio (non-voting) members. Travel expenses for Commissioners to the Annual Business Meetings are paid by the Commission. Requests for resources, marketing collaterals, and training costs have also increased. At the same time, the Consumer Price Index indicates an increase of 14.5% from 2008 to 2018, reducing the purchasing power of Commission funds during the same period.

## **REQUEST FOR PUBLIC COMMENT ON PROPOSED RULE CHANGE**

In accordance with MIC3 Rules, Chapter 200 – General Provisions, Sec. 2.102 Adoption of Rules; Amendments, (c):

*Prior to promulgation and adoption of a final rule by the Interstate Commission, the text of the proposed rule or amendment shall be published by the Rules Committee no later than thirty (30) days prior to the meeting at which the vote is scheduled, on the official web site of the Interstate Commission and in any other official publication that may be designated by the Interstate Commission for the publication of its rules. In addition to the text of the proposed rule or amendment, the reason for the proposed rule shall be provided.*

The agenda for this meeting is available at the Commission web site, [www.mic3.net](http://www.mic3.net), or by email at [mic3info@csg.org](mailto:mic3info@csg.org)

A new rule in **Chapter 100- Definitions SEC. 1.101 Definitions and Chapter 200 – GENERAL PROVISIONS - SEC. 2.106 State Councils** is scheduled for vote at the 2018 Annual Business Meeting on October 17-18, 2018.

A public hearing is scheduled for:

**Date:** Thursday, October 18, 2017  
**Time:** 8:30 AM EDT  
**Location:** The Westin Cleveland Hotel  
**Address:** 777 St. Clair Avenue NE, Cleveland, OH 44114  
**Room:** Orchid East

The full text of the proposed amendment is shown below.

Notice of attendance and written comments may be submitted to:

Cherise Imai, Executive Director  
Military Interstate Children's Compact Commission  
1776 Avenue of the States  
Lexington, KY 40511  
Email: [cimai@csg.org](mailto:cimai@csg.org)  
Phone (859) 244-8069  
Fax (859) 244-8001

### **PROPOSED RULES CHANGE**

#### **MIC3 Rules: Chapter 100- Definitions SEC. 1.101 Definitions**

V. "State Council" means: the council in each member state established under Article VIII of this compact or the existing body or board designated by the member state to provide for multi-agency coordination of the Compact activities.

#### **MIC3 Rules: Chapter 200- General Provisions SEC. 2.106 State Councils**

- a) Each State Council shall meet at least once per fiscal year. The state compact commissioner shall provide the state council meeting dates, agendas, and minutes to the Interstate Commission office within 60 days following each state council meeting. State council meetings may be conducted electronically or by telephone.
- b) If a state's statute delegates the duties of the State Council to another entity, the state compact commissioner shall annually by July 1 submit appropriate documentation to the Interstate Commission office demonstrating that the delegated entity is fulfilling the duties of the State Council required under Article VIII of this Compact. The Interstate Commission office may request additional documentation if

the Compliance Committee determines the submitted documentation is insufficient to demonstrate compliance with Article VIII of this compact.

## **LEGAL RATIONALE**

Article VIII, Paragraph A of the model compact language requires each state to establish a State Counsel to, “provide for the coordination among its agencies of government, local education agencies, and military installations concerning the state’s participation in, and compliance with, this compact and Interstate Commission activities.”

Article IX, Paragraph E states, “The executive committee shall oversee the day-to-day activities of the administration of the compact, including enforcement and compliance with the provision of the compact, its bylaws and rules, and other such duties as deemed necessary.”

The Executive Committee concludes a state cannot be in compliance with its coordination obligations under Article VIII, Paragraph A without its State Council meeting at least once annually. At the request of the Compliance Committee, the majority of the Rules Committee voted to send the proposed rule to the full Commission for a more thorough discussion and consideration. Based on the best and latest data gathered by the Commission, a total of ten states (three of which had vacancies in their commissioner roles) have not held a meeting of their state council in the last two fiscal years.