

February 3, 2025

TO: Commissioners, Designees, and Ex-officio Representatives

FR: Cherise Imai, Executive Director

RE: #1-2025 Legal Advisory: Ex-officio Conflict of Interest on the Finance Committee

Def. An advisory opinion is an opinion issued by a court or a commission (like an election commission) that does not have the effect of adjudicating a specific legal case but merely advises on the constitutionality or interpretation of a law.

While most cases require consultation or clarification, an advisory may be requested by member states for a formal legal review regarding the compact statute or regulations. Since January 2011, the Commission has issued twenty-three opinions.

Member states may submit a request with the case details and rule(s) in question to the Executive Director (ED) for consideration. If approved, the ED and General Counsel will craft and submit the advisory to the Executive Committee (EXCOM) for approval at their monthly meeting prior to dissemination to the Commission and posting on the MIC3 website.

The Commission recently received a request from the State of Tennessee on “if a conflict of interest arises when an ex-officio member serves on the Finance Committee”. The EXCOM approved the advisory at their January 16th meeting. Additionally, the Committee reviewed the six ex-officio organizations of the Commission and did not find any evidential conflict of interest.

The new advisory can be found here: <https://mic3.net/wp-content/uploads/2025/01/2025.01.10-Legal-Advisory-1-2025-ex-officio-conflict-of-interest.pdf>

To view the advisory library, visit: <https://mic3.net/advisory-opinions/>

Should you have clarification or questions, please contact me at cimai@csg.org.