

§1711. Adjudication of disputes**1. Dispute resolution.** The council:

A. Has initial authority to make determinations with respect to any dispute regarding:

- (1) Interpretation of this compact;
- (2) Any rule or standard established by the council pursuant to section 1707; and
- (3) Any dispute or controversy between any parties to this compact; and [PL 2001, c. 372, §3 (NEW).]

B. Shall hold a hearing concerning any dispute described in paragraph A at a regularly scheduled meeting of the council and only render a decision based upon a majority vote of the members of the council. The decision must be published pursuant to the requirements of section 1707, subsection 5. [PL 2001, c. 372, §3 (NEW).]

[PL 2001, c. 372, §3 (NEW).]

2. III system. The FBI shall exercise immediate and necessary action to preserve the integrity of the III system, maintain system policy and standards, protect the accuracy and privacy of criminal history records and prevent abuses until the council holds a hearing on the disputes pursuant to subsection 1.

[PL 2001, c. 372, §3 (NEW).]

3. Appeal process. The FBI or a party state may appeal any decision of the council to the Attorney General and after that appeal may file suit in the appropriate district court of the United States that has original jurisdiction of all cases or controversies arising under this compact. Any suit arising under this compact and initiated in a state court must be removed to the appropriate district court of the United States in the manner provided in 28 United States Code, Section 1446 or other statutory authority.

[PL 2001, c. 372, §3 (NEW).]

SECTION HISTORY

PL 2001, c. 372, §3 (NEW).

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