

OF SAID ATTORNEYS GENERAL TO AGREE ON SUCH FIFTH PERSON, THEN A PERSON CHOSEN BY LOT FROM AMONG NOT MORE THAN THREE NOMINEES OF EACH SUCH ATTORNEY GENERAL SHALL SERVE. THE PANEL SHALL SELECT ITS PLACE OR PLACES OF MEETING AND THE TIMES THEREOF, TO CONDUCT ITS PROCEEDINGS IN ACCORDANCE WITH THE RULES OF THE AMERICAN ARBITRATION ASSOCIATION AND HAVE POWER OF SUBPOENA. THE COST AND EXPENSES OF CONDUCTING SUCH ARBITRATION AND THE FEE, IF ANY, OF THE ARBITRATORS SHALL BE PROVIDED INITIALLY BY THE SAID STATES IN EQUAL SHARES SUBJECT TO THE FINAL AWARD OF THE PANEL. THE DETERMINATION OF THE PANEL SHALL BE FINAL AND THE AMOUNT OF THE AWARD SHALL BE PAYABLE WITHIN 30 DAYS THEREAFTER.

93.

*Article IV. Delegation*

*Nothing in this Compact shall be construed to prevent the Governor of a party state from delegating any of his responsibilities or authority respecting the National Guard, provided that such delegation is otherwise in accordance with law. For purposes of this Compact, however, the Governor shall not delegate the power to request assistance from another state.*

94.

*Article V. Limitations*

*Nothing in this Compact shall:*

*(a) Expand or add to the functions of the National Guard, except with respect to the jurisdictions within which such functions may be performed.*

*(b) Authorize or permit National Guard units to be placed under the field command of any person not having the military or National Guard rank or status required by law for the field command position in question.*

95.

*Article VI. Construction and Severability*

*This Compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this Compact shall be severable and if any phrase, clause, sentence, or provision of this Compact is declared to be contrary to the constitution of any state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any state participating herein, the Compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.*