

Introduced: 2/22/66  
Referred: Health, Welfare  
and Education

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IN THE HOUSE

BY THE RULES COMMITTEE  
BY REQUEST OF THE GOVERNOR

HOUSE BILL NO. 429  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
FOURTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the Out-of-State Con-  
finement Amendment to the Interstate Compact  
on Juveniles."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

\* Section 1. The Out-of-State Confinement Amendment to the  
Interstate Compact on Juveniles is hereby enacted into law and  
entered into by this state with all other states legally joining  
therein in the form substantially as follows in this Act.

\* Sec. 2. AS 47.15.010 is amended by adding a new article to  
read:

ARTICLE XVI. OUT-OF-STATE CONFINEMENT

(a) Whenever the duly constituted judicial or adminis-  
trative authorities in a sending state shall determine that  
confinement of a probationer or reconfinement of a parolee  
is necessary or desirable, said officials may direct that  
the confinement or reconfinement be in an appropriate insti-  
tution for delinquent juveniles within the territory of the  
receiving state, such receiving state to act in that regard  
solely as agent for the sending state.

(b) Escapees and absconders who would otherwise be  
returned pursuant to article V of the Compact may be con-  
fined or reconfined in the receiving state pursuant to this  
amendment. In any such case the information and allegations

1 required to be made and furnished in a requisition pursuant  
2 to such article shall be made and furnished, but in place  
3 of the demand pursuant to article V, the sending state  
4 shall request confinement or reconfinement in the receiving  
5 state. Whenever applicable, detention orders as provided  
6 in article V may be employed pursuant to this paragraph  
7 preliminary to disposition of the escapee or absconder.

8 (c) The confinement or reconfinement of a parolee,  
9 probationer, escapee, or absconder pursuant to this amend-  
10 ment shall require the concurrence of the appropriate  
11 judicial or administrative authorities of the receiving  
12 state.

13 (d) As used in this amendment:

14 (1) "sending state" means sending state as that  
15 term is used in article VII of the Compact or the state from  
16 which a delinquent juvenile has escaped or absconded within  
17 the meaning of article V of the Compact;

18 (2) "receiving state" means any state, other than  
19 the sending state, in which a parolee, probationer, escapee,  
20 or absconder may be found, provided that said state is a  
21 party to this amendment.

22 (e) Every state which adopts this amendment shall  
23 designate at least one of its institutions for delinquent  
24 juveniles as a "Compact Institution" and shall confine per-  
25 sons therein as provided in paragraph (a) hereof unless the  
26 sending and receiving state in question shall make specific  
27 contractual arrangements to the contrary. All states party  
28 to this amendment shall have access to "Compact Institutions"  
29 at all reasonable hours for the purpose of inspecting the

1 facilities thereof and for the purpose of visiting such of  
2 said state's delinquents as may be confined in the institu-  
3 tion.

4 (f) Persons confined in "Compact Institutions" pur-  
5 suant to the terms of this compact shall at all times be  
6 subject to the jurisdiction of the sending state and may  
7 at any time be removed from said "Compact Institution" for  
8 transfer to an appropriate institution within the sending  
9 state, for return to probation or parole, for discharge, or  
10 for any purpose permitted by the laws of the sending state..

11 (g) All persons who may be confined in a "Compact  
12 Institution" pursuant to the provisions of this amendment  
13 shall be treated in a reasonable and humane manner. The  
14 fact of confinement or reconfinement in a receiving state  
15 shall not deprive any person so confined or reconfined of  
16 any rights which said person would have had if confined or  
17 reconfined in an appropriate institution of the sending  
18 state; nor shall any agreement to submit to confinement or  
19 reconfinement pursuant to the terms of this amendment be  
20 construed as a waiver of any rights which the delinquent  
21 would have had if he had been confined or reconfined in any  
22 appropriate institution of the sending state except that  
23 the hearing or hearings, if any, to which a parolee, proba-  
24 tioner, escapee, or absconder may be entitled (prior to  
25 confinement or reconfinement) by the laws of the sending  
26 state may be had before the appropriate judicial or adminis-  
27 trative officers of the receiving state. In this event,  
28 said judicial and administrative officers shall act as agents  
29 of the sending state after consultation with appropriate

1 officers of the sending state.

2 (h) Any receiving state incurring costs or other  
3 expenses under this amendment shall be reimbursed in the  
4 amount of such costs or other expenses by the sending state  
5 unless the states concerned shall specifically otherwise  
6 agree. Any two or more states party to this amendment may  
7 enter into supplementary agreements determining a different  
8 allocation of costs as among themselves.

9 (i) This amendment shall take initial effect when  
10 entered into by any two or more states party to the compact  
11 and shall be effective as to those states which have speci-  
12 fically enacted this amendment. Rules and regulations  
13 necessary to effectuate the terms of this amendment may be  
14 promulgated by the appropriate officers of those states  
15 which have enacted this amendment.