



11 INTERSTATE COMPACT ON JUVENILES

12 Section 1. The compacting states to this Interstate compact recognize that each state is  
13 responsible for the proper supervision or return of juveniles, delinquents and status offenders  
14 who are on probation or parole and who have absconded, escaped or run away from supervision  
15 and control and, in so doing, have endangered their own safety and the safety of others. The  
16 compacting states also recognize that each state is responsible for the safe return of juveniles  
17 who have run away from home and, in so doing, have left their state of residence. The  
18 compacting states also recognize that Congress, by enacting the Crime Control Act, 4 U.S.C.  
19 Section 112 (1965), has authorized and encouraged compacts for cooperative efforts and mutual  
20 assistance in the prevention of crime.

21 It is the purpose of this compact, through means of joint and cooperative action among  
22 the compacting states to: (A) ensure that adjudicated juveniles and status offenders subject to this  
23 compact are provided adequate supervision and services in the receiving state as ordered by the  
24 adjudicating judge or parole authority in the sending state; (B) ensure that the public safety  
25 interests of citizens, including the victims of juvenile offenders, in both the sending and  
26 receiving states are adequately protected; (C) return juveniles who have run away, absconded or  
27 escaped from supervision or control or have been accused of an offense to the state requesting  
28 their return; (D) make contracts for the cooperative institutionalization in public facilities in  
29 member states for delinquent youth needing special services; (E) provide for the effective  
30 tracking and supervision of juveniles; (F) equitably allocate the costs, benefits and obligations of  
31 the compacting states; (G) establish procedures to manage the movement between states of  
32 juvenile offenders released to the community under the jurisdiction of courts, juvenile  
33 departments or any other criminal or juvenile justice agency which has jurisdiction over juvenile

34 offenders; (H) insure immediate notice to jurisdictions where defined offenders are authorized to  
35 travel or to relocate across state lines; (I) establish procedures to resolve pending charges against  
36 juvenile offenders prior to transfer or release to the community under the terms of this compact;  
37 (J) establish a system of uniform data collection on information pertaining to juveniles subject to  
38 this compact that allows access by authorized juvenile justice and criminal justice officials, and  
39 regular reporting of compact activities to heads of state executive, judicial and legislative  
40 branches and juvenile and criminal justice administrators; (K) monitor compliance with rules  
41 governing interstate movement of juveniles and initiate interventions to address and correct non-  
42 compliance; (L) coordinate training and education regarding the regulation of interstate  
43 movement of juveniles for officials involved in such activity; and (M) coordinate the  
44 implementation and operation of the compact with the interstate compact for the placement of  
45 children, the interstate compact for adult offender supervision and other compacts affecting  
46 juveniles, particularly in those cases in which concurrent or overlapping supervision issues arise.  
47 It is the policy of the compacting states that the activities conducted by the interstate commission  
48 created herein are the formation of public policies and therefore are public business.  
49 Furthermore, the compacting states shall cooperate and observe their individual and collective  
50 duties and responsibilities for the prompt return and acceptance of juveniles subject to this  
51 compact. The provisions of this compact shall be reasonably and liberally construed to  
52 accomplish the purposes and policies of the compact.

53 Section 2. As used in sections 1 to 20, inclusive, unless the context clearly requires  
54 otherwise, the following words shall have the following meanings:-

55 "By –laws", those by-laws established by the interstate commission for its governance, or  
56 for directing or controlling its actions or conduct.

57 “Compact administrator”, the individual in each compacting state responsible for the  
58 administration and management of the state's supervision and transfer of juveniles subject to the  
59 terms of this compact, the rules adopted by the interstate commission and policies adopted by the  
60 state council under this compact.

61 “Compacting state”, any state which has enacted the enabling legislation for this  
62 compact.

63 “Commissioner”, the voting representative of each compacting state appointed pursuant  
64 to section 3.

65 “Court”, any court having jurisdiction over delinquent, neglected or dependent children.

66 “Deputy compact administrator”, the individual, if any, in each compacting state  
67 appointed to act on behalf of a compact administrator, pursuant to the terms of this compact,  
68 responsible for the administration and management of the state's supervision and transfer of  
69 juveniles subject to the terms of this compact, the rules adopted by the interstate commission and  
70 policies adopted by the state council under this compact.

71 “Interstate commission”, the interstate commission for juveniles created by section 3.

72 “Juvenile”, any person defined as a juvenile in any member state or by the rules of the  
73 interstate commission, including:

74 (1) “Accused delinquent”, a person charged with an offense that, if committed by an adult, would  
75 be a criminal offense;

76 (2) “Adjudicated delinquent”, a person found to have committed an offense that, if committed  
77 by an adult, would be a criminal offense;

78 (3) “Accused status offender”, a person charged with an offense that would not be a criminal  
79 offense if committed by an adult;

80 (4)“Adjudicated status offender”, a person found to have committed an offense that would not be  
81 a criminal offense if committed by an adult; and

82 (5)“Non-offender”, a person in need of supervision who has not been  
83 accused or adjudicated a status offender or a delinquent.

84 “Non-compacting state”, any state which has not enacted the enabling legislation for this  
85 compact.

86 “Probation or parole”, any kind of supervision or conditional release of juveniles  
87 authorized under the laws of the compacting states.

88 “Rule”, a written statement by the interstate commission adopted pursuant to section 4  
89 that is of general applicability, implements, interprets or prescribes a policy or provision of the  
90 compact, or an organizational, procedural or practice requirement of the commission, and has the  
91 force and effect of statutory law in a compacting state, and includes the amendment, repeal or  
92 suspension of an existing rule.

93 “State”, a state of the United States, the District of Columbia, or its designee, the  
94 Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa and  
95 the Northern Marianas Islands.

96 Section 3. (a) The compacting states hereby create the interstate commission for  
97 juveniles. The commission shall be a body corporate and joint agency of the compacting states.  
98 The commission shall have all the responsibilities, powers and duties set forth herein, and such  
99 additional powers as may be conferred upon it by subsequent action of the respective legislatures  
100 of the compacting states in accordance with the terms of this compact.

101 (b) The interstate commission shall consist of commissioners appointed by the  
102 appropriate appointing authority in each state pursuant to the rules and requirements of each

103 compacting state and in consultation with the state council for interstate juvenile supervision  
104 created hereunder. The commissioner shall be the compact administrator, deputy compact  
105 administrator or designee from a state who shall serve on the interstate commission in such  
106 capacity pursuant to the applicable law of such compacting state.

107 (c) In addition to the commissioners, who shall be the voting representatives of each  
108 state, the interstate commission shall include individuals who are not commissioners, but who  
109 are members of interested organizations. Such non-commissioner members shall include a  
110 member of the national organizations of governors, legislators, state chief justices, attorneys  
111 general, interstate compact for adult offender supervision, interstate compact for the placement  
112 of children, juvenile justice and juvenile corrections officials and crime victims. All non-  
113 commissioner members of the interstate commission shall be ex-officio members. The interstate  
114 commission may provide in its by-laws for such additional ex-officio members, including  
115 members of other national organizations, in such numbers as shall be determined by the  
116 commission.

117 (d) Each compacting state represented at any meeting of the commission shall be entitled  
118 to 1 vote. A majority of the compacting states shall constitute a quorum for the transaction of  
119 business, unless a larger quorum is required by the by-laws of the interstate commission.

120 (e) The commission shall meet at least once each calendar year. The chairperson may call  
121 additional meetings and, upon the request of a simple majority of the compacting states, shall  
122 call additional meetings. Public notice shall be given of all meetings and meetings shall be open  
123 to the public.

124 (f) The interstate commission shall establish an executive committee, which shall include  
125 commission officers, members and others as determined by the by-laws. The executive

126 committee shall have the power to act on behalf of the interstate commission during periods  
127 when the interstate commission is not in session, with the exception of rulemaking power or  
128 power to amend the compact. The executive committee shall oversee the day-to-day activities of  
129 the administration of the compact managed by an executive director and interstate commission  
130 staff; administer enforcement and compliance with the compact, its by-laws and rules; and  
131 perform such other duties as directed by the interstate commission or set forth in the by-laws.

132 (g) Each member of the interstate commission shall have the right and power to cast a  
133 vote to which that compacting state is entitled and to participate in the business and affairs of the  
134 interstate commission. A member shall vote in person and shall not delegate a vote to another  
135 compacting state. However, a commissioner, in consultation with the state council, shall appoint  
136 another authorized representative, in the absence of such commissioner from that state, to cast a  
137 vote on behalf of such compacting state at a specified meeting. The by-laws may provide for  
138 members' participation in meetings by telephone or other means of telecommunication or  
139 electronic communication.

140 (h) The interstate commission's by-laws shall establish conditions and procedures under  
141 which the interstate commission shall make its information and official records available to the  
142 public for inspection or copying. The interstate commission may exempt from disclosure any  
143 information or official records to the extent that they would adversely affect personal privacy  
144 rights or proprietary interests.

145 (i) Public notice shall be given of all meetings and all meetings shall be open to the  
146 public, except as set forth in the rules or as otherwise provided in the compact. The interstate  
147 commission and any of its committees may close a meeting to the public if it determines, by two-  
148 thirds vote, that an open meeting would be likely to:

- 149 (1) relate solely to the interstate commission's internal personnel practices and  
150 procedures;
- 151 (2) disclose matters specifically exempted from disclosure by statute;
- 152 (3) disclose trade secrets or commercial or financial information which is privileged or  
153 confidential;
- 154 (4) involve accusing any person of a crime or formally censuring any person;
- 155 (5) disclose information of a personal nature if disclosure would constitute a clearly  
156 unwarranted invasion of personal privacy;
- 157 (6) disclose investigative records compiled for law enforcement purposes;
- 158 (7) disclose information contained in, or related to, examination, operating or  
159 condition reports prepared by, or on behalf of or for the use of, the interstate commission  
160 relative to a regulated person or entity for the purpose of regulation or supervision of  
161 such person or entity;
- 162 (8) disclose information, the premature disclosure of which would significantly  
163 endanger the stability of a regulated person or entity; or
- 164 (9) specifically relate to the interstate commission's issuance of a subpoena, or its  
165 participation in a civil action or other legal proceeding.

166 (j) For every meeting closed pursuant to this section, the interstate commission's legal  
167 counsel shall publicly certify that, in the legal counsel's opinion, the meeting may be closed to  
168 the public, and shall reference each relevant exemption. The interstate commission shall keep  
169 minutes which shall fully and clearly describe all matters discussed in any meeting and shall  
170 provide a full and accurate summary of any actions taken, and the reasons therefore, including a

171 description of each of the views expressed on any item and the record of any roll call vote  
172 reflected in the vote of each member on the question. All documents considered in connection  
173 with any action shall be identified in the minutes.

174 (k) The interstate commission shall collect standardized data relative to the interstate  
175 movement of juveniles as directed through its rules which shall specify the data to be collected,  
176 the means of collection and data exchange and reporting requirements. Such methods of data  
177 collection, exchange and reporting shall, insofar as is reasonably possible, conform to up-to-date  
178 technology and coordinate its information functions with the appropriate repository of records.

179 Section 4. The commission shall have the following powers and duties:

- 180 (1) to provide for dispute resolution among compacting states;
- 181 (2) to promulgate rules to effect the purposes and obligations as enumerated in this  
182 compact, which shall have the force and effect of statutory law and shall be binding in the  
183 compacting states to the extent and in the manner provided in this compact;
- 184 (3) to oversee, supervise and coordinate the interstate movement of juveniles subject  
185 to the terms of this compact and any by-laws adopted and rules adopted by the interstate  
186 commission;
- 187 (4) to enforce compliance with the compact provisions, the rules adopted by the  
188 interstate commission and the by-laws, using all necessary and proper means including,  
189 but not limited to, the use of judicial process;
- 190 (5) to establish and maintain offices which shall be located within 1 or more of the  
191 compacting states;
- 192 (6) to purchase and maintain insurance and bonds;
- 193 (7) to borrow, accept, hire or contract for services of personnel;

194 (8) to establish and appoint committees and hire staff which it deems necessary for the  
195 carrying out of its functions including, but not limited to, an executive committee, as  
196 required by section 3, which shall have the power to act on behalf of the interstate  
197 commission in carrying out its powers and duties hereunder;

198 (9) to elect or appoint such officers, attorneys, employees, agents or consultants and to  
199 fix their compensation, define their duties and determine their qualifications and to  
200 establish the interstate commission's personnel policies and programs relating to, inter  
201 alia, conflicts of interest, rates of compensation and qualifications of personnel;

202 (10) to accept any and all donations and grants of money, equipment, supplies, materials  
203 and services and to receive, utilize and dispose of same;

204 (11) to lease, purchase, accept contributions or donations of, or otherwise to own, hold,  
205 improve or use any property, real, personal or mixed;

206 (12) to sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of  
207 any property, real, personal or mixed;

208 (13) to establish a budget and make expenditures and levy dues as provided in section  
209 11;

210 (14) to sue and be sued;

211 (15) to adopt a seal and by-laws governing the management and operation of the  
212 interstate commission;

213 (16) to perform such functions as may be necessary or appropriate to achieve the  
214 purposes of this compact;

215 (17) to report annually to the legislatures, governors, judiciary, and state councils of the  
216 compacting states relative to the activities of the interstate commission during the

217 preceding year, including any recommendations that may have been adopted by the  
218 interstate commission;  
219 (18) to coordinate education, training and public awareness relative to the interstate  
220 movement of juveniles for officials involved in such activity; and  
221 (19) to establish uniform standards of the reporting, collecting and exchanging of data.

222 The interstate commission shall maintain its corporate books and records in accordance  
223 with the by-laws.

224 Section 5. The interstate commission shall, by a majority of the members present and  
225 voting, within 12 months after the first interstate commission meeting, adopt by-laws to govern  
226 its conduct as may be necessary or appropriate to carry out the purposes of the compact  
227 including, but not limited to:

- 228 (1) establishing the fiscal year of the interstate commission;
- 229 (2) establishing an executive committee and such other committees as may be  
230 necessary;
- 231 (3) providing for the establishment of committees governing any general or specific  
232 delegation of any authority or function of the interstate commission;
- 233 (4) providing reasonable procedures for calling and conducting meetings of the  
234 interstate commission and ensuring reasonable notice of each such meeting;
- 235 (5) establishing the titles and responsibilities of the officers of the interstate  
236 commission;
- 237 (6) providing a mechanism for concluding the operations of the interstate commission  
238 and the return of any surplus funds that may exist upon the termination of the compact  
239 after the payment or reserving of all of its debts and obligations.

- 240 (7) providing “start-up” rules for initial administration of the compact; and  
241 (8) establishing standards and procedures for compliance and technical assistance in  
242 carrying out the compact.

243 Section 6. (a) The interstate commission shall, by a majority of the members, elect  
244 annually from among its members a chairperson and a vice chairperson, each of whom shall have  
245 such authority and duties as may be specified in the by-laws. The chairperson or, in the  
246 chairperson’s absence or disability, the vice-chairperson shall preside at all meetings of the  
247 interstate commission. The officers so elected shall serve without compensation or remuneration  
248 from the interstate commission but, subject to the availability of budgeted funds, the officers  
249 shall be reimbursed for any ordinary and necessary costs and expenses incurred by them in the  
250 performance of their duties and responsibilities as officers of the interstate commission.

251 (b) The interstate commission shall, through its executive committee, appoint or retain an  
252 executive director for such period, upon such terms and conditions and for such compensation as  
253 the interstate commission may deem appropriate. The executive director shall serve as secretary  
254 to the interstate commission, but shall not be a member and shall hire and supervise such other  
255 staff as may be authorized by the interstate commission.

256 Section 7. (a) The commission’s executive director and employees shall be immune from  
257 suit and liability, either personally or in their official capacity, for any claim for damage to or  
258 loss of property or personal injury or other civil liability caused or arising out of or relating to  
259 any actual or alleged act, error or omission that occurred, or that such person had a reasonable  
260 basis for believing occurred within the scope of commission employment, duties or  
261 responsibilities except that any such person shall not be protected from suit or liability for any  
262 damage, loss, injury or liability caused by the intentional or willful and wanton misconduct of

263 any such person.

264 (b) The liability of any commissioner, or the employee or agent of a commissioner, acting  
265 within the scope of such person's employment or duties for acts, errors or omissions occurring  
266 within such person's state may not exceed the limits of liability set forth under the Constitution  
267 and laws of that state for state officials, employees and agents. Nothing in this section shall be  
268 construed to protect any such person from suit or liability for any damage, loss, injury or liability  
269 caused by the intentional or willful and wanton misconduct of such person.

270 (c) The interstate commission shall defend the executive director or the employees or  
271 representatives of the interstate commission and, subject to the approval of the attorney general  
272 of the state represented by any commissioner of a compacting state, shall defend such  
273 commissioner or the commissioner's representatives or employees in any civil action seeking to  
274 impose liability arising out of any actual or alleged act, error or omission that occurred within the  
275 scope of interstate commission employment, duties or responsibilities, or that the defendant had  
276 a reasonable basis for believing occurred within the scope of interstate commission employment,  
277 duties or responsibilities, unless the actual or alleged act, error or omission did not result from  
278 intentional or willful and wanton misconduct on the part of such person.

279 (d) The interstate commission shall indemnify and hold the commissioner of a  
280 compacting state or the commissioner's representatives or employees and the interstate  
281 commission's representatives or employees harmless in the amount of any settlement or  
282 judgment obtained against such persons arising out of any actual or alleged act, error or omission  
283 that occurred within the scope of interstate commission employment, duties or responsibilities, or  
284 that such persons had a reasonable basis for believing occurred within the scope of interstate  
285 commission employment, duties or responsibilities, if the actual or alleged act, error or omission

286 did not result from intentional or willful and wanton misconduct on the part of such persons.

287 Section 8. (a) The interstate commission shall promulgate and publish rules in order to  
288 effectively and efficiently achieve the purposes of the compact.

289 (b) Rulemaking shall occur pursuant to the criteria set forth in this section and the by-  
290 laws and rules adopted pursuant thereto. Such rulemaking shall substantially conform to the  
291 principles of the “Model State Administrative Procedures Act,” 1981 Act, Uniform Laws  
292 Annotated, Vol. 15, p.1 (2000), or such other administrative procedures act, as the interstate  
293 commission deems appropriate, consistent with due process requirements under the United States  
294 Constitution as now or hereafter interpreted by the United States Supreme Court. All rules and  
295 amendments shall become binding, as of the date specified, as published with the final version of  
296 the rule as approved by the commission.

297 (c) When promulgating a rule, the interstate commission shall, at a minimum:

298 (1) publish the proposed rule's entire text, stating the reasons for such proposed rule;

299 (2) allow and invite any and all persons to submit written data, facts, opinions and  
300 arguments, which information shall be added to the record and be made publicly  
301 available;

302 (3) provide an opportunity for an informal hearing if petitioned by 10 or more persons;

303 and

304 (4) promulgate a final rule and its effective date, if appropriate, based on input from state  
305 or local officials or interested parties.

306 (d) Allow, not later than 60 days after a rule is promulgated, any interested person to file  
307 a petition in the United States District Court for the District of Columbia or in the Federal  
308 District Court where the interstate commission’s principal office is located for judicial review of

309 such rule. If the court finds that the interstate commission's action is not supported by  
310 substantial evidence in the rulemaking record, the court shall hold the rule unlawful and set it  
311 aside. For purposes of this section, evidence is substantial if it would be considered substantial  
312 evidence under the Model State Administrative Procedures Act.

313 (e) If a majority of the legislatures of the compacting states rejects a rule, those states  
314 may, by enactment of a statute or resolution in the same manner used to adopt the compact,  
315 cause that such rule shall have no further force and effect in any compacting state.

316 (f) The existing rules governing the operation of the interstate compact on juveniles  
317 superseded by this act shall be null and void 12 months after the first meeting of the interstate  
318 commission.

319 (g) Upon determination by the interstate commission that a state-of-emergency exists, it  
320 may promulgate an emergency rule which shall become effective immediately upon adoption,  
321 but the rulemaking procedures provided hereunder shall be retroactively applied to such rule as  
322 soon as reasonably possible, but not later than 90 days after the effective date of the emergency  
323 rule.

324 Section 9. (a) The interstate commission shall oversee the administration and operations  
325 of the interstate movement of juveniles subject to this compact in the compacting states and shall  
326 monitor such activities being administered in non-compacting states which may significantly  
327 affect compacting states.

328 (b) The courts and executive agencies in each compacting state shall enforce this compact  
329 and shall take all actions necessary and appropriate to effectuate the compact's purposes and  
330 intent. This compact, and the rules adopted thereby, shall be received by all the judges, public  
331 officers, commissions and departments of the state government as evidence of the authorized

332 statute and administrative rules. All courts shall take judicial notice of the compact and the  
333 rules. In any judicial or administrative proceeding in a compacting state relative to the subject  
334 matter of this compact which may affect the powers, responsibilities or actions of the interstate  
335 commission, it shall be entitled to receive all service of process in any such proceeding, and shall  
336 have standing to intervene in the proceeding for all purposes.

337 Section 10. (a) The compacting states shall report to the interstate commission on all  
338 issues and activities necessary for the administration of the compact as well as issues and  
339 activities relative to compliance with the compact and its by-laws and rules.

340 (b) The interstate commission shall attempt, upon the request of a compacting state, to  
341 resolve any disputes or other issues which are subject to the compact and which may arise among  
342 compacting states and between compacting and non-compacting states. The commission shall  
343 promulgate a rule providing for both mediation and binding dispute resolution for disputes  
344 among the compacting states.

345 (c) The interstate commission, in the reasonable exercise of its discretion, shall enforce  
346 the provisions and rules of this compact using any or all means set forth in section 16.

347 Section 11. (a) The interstate commission shall pay or provide for the payment of the  
348 reasonable expenses of its establishment, organization and ongoing activities.

349 (b) The interstate commission shall levy on and collect an annual assessment from each  
350 compacting state to cover the cost of the internal operations and activities of the interstate  
351 commission and its staff which must be in a total amount sufficient to cover the interstate  
352 commission's annual budget as approved each year. The aggregate annual assessment amount  
353 shall be allocated based upon a formula to be determined by the interstate commission, taking  
354 into consideration the population of each compacting state and the volume of interstate

355 movement of juveniles in each compacting state and shall promulgate a rule binding upon all  
356 compacting states which governs such assessment.

357 (c) The interstate commission shall not incur any obligations of any kind prior to securing  
358 the funds adequate to meet the same; nor shall the interstate commission pledge the credit of any  
359 of the compacting states, except by and with the authority of the compacting state.

360 (d) The interstate commission shall keep accurate accounts of all receipts and  
361 disbursements. The receipts and disbursements of the interstate commission shall be subject to  
362 the audit and accounting procedures established under its by-laws. However, all receipts and  
363 disbursements of funds handled by the interstate commission shall be audited yearly by a  
364 certified or licensed public accountant and the report of the audit shall be included in and become  
365 part of the annual report of the interstate commission.

366 Section 12. Each member state shall create a state council for interstate juvenile  
367 supervision. While each state may determine the membership of its own state council, its  
368 membership must include at least 1 representative from the legislative, judicial, and executive  
369 branches of government, victims groups, and the compact administrator, deputy compact  
370 administrator or designee. Each compacting state shall retain the right to determine the  
371 qualifications of the compact administrator or deputy compact administrator. Each state council  
372 shall advise and may exercise oversight and advocacy relative to such state's participation in  
373 interstate commission activities and other duties as may be determined by such state including,  
374 but not limited to, development of policy relative to operations and procedures of the compact  
375 within such state.

376 Section 13. (a) Any state, the District of Columbia, or its designee, the Commonwealth  
377 of Puerto Rico, the United States Virgin Islands, Guam, American Samoa and the Northern

378 Marianas Islands as defined in section 2 shall be eligible to become a compacting state.

379 (b) The compact shall become effective and binding upon legislative enactment of the  
380 compact into law by not less than 35 of the states. The initial effective date shall be the later of  
381 July 1, 2004 or upon enactment into law by the thirty-fifth jurisdiction. Thereafter, it shall  
382 become effective and binding as to any other compacting state upon enactment of the compact  
383 into law by such state. The governors of non-member states or their designees shall be invited to  
384 participate in the activities of the interstate commission, on a non-voting basis, prior to adoption  
385 of the compact by all states and territories of the United States.

386 (c) The interstate commission may propose amendments to the compact for enactment by  
387 the compacting states. No amendment shall become effective and binding upon the interstate  
388 commission and the compacting states unless and until it is enacted into law by unanimous  
389 consent of the compacting states.

390 Section 14. (a) Once effective, the compact shall continue in force and remain binding  
391 upon each compacting state but a compacting state may withdraw from the compact by repealing  
392 the statute which enacted the compact into law in such state.

393 (b) The effective date of withdrawal shall be the effective date of the repeal.

394 (c) The withdrawing state shall immediately notify the chairperson of the interstate  
395 commission, in writing, upon the introduction of legislation repealing the compact in the  
396 withdrawing state. The interstate commission shall notify the other compacting states of the  
397 withdrawing state's intent to withdraw within 60 days of its receipt thereof.

398 (1) The withdrawing state shall be responsible for all assessments, obligations and  
399 liabilities incurred through the effective date of withdrawal, including any obligations,  
400 the performance of which extend beyond the effective date of withdrawal.

401 (2) Reinstatement following withdrawal of any compacting state shall occur upon the  
402 withdrawing state reenacting the compact or upon such later date as determined by the  
403 interstate commission.

404 Section 15. (a) If the interstate commission determines that any compacting state has at  
405 any time defaulted in the performance of any of its obligations or responsibilities under this  
406 compact, or the by-laws or duly adopted rules, the interstate commission may impose any or all  
407 of the following penalties:

- 408 (1) remedial training and technical assistance as directed by the interstate commission;
- 409 (2) alternative dispute resolution;
- 410 (3) fines, fees and costs in such amounts as are deemed to be reasonable as fixed by  
411 the interstate commission; and
- 412 (4) suspension or termination of membership in the compact, which shall be imposed  
413 only after all other reasonable means of securing compliance under the by-laws and rules  
414 have been exhausted and the interstate commission has therefore determined that the  
415 offending state is in default. Immediate notice of suspension shall be given by the  
416 interstate commission to the governor, the chief justice or the chief judicial officer of the  
417 state, the majority and minority leaders of the defaulting state's legislature and the state  
418 council. Grounds for default include, but are not limited to, failure of a compacting state  
419 to perform such obligations or responsibilities imposed upon it by this compact, the by-  
420 laws or duly adopted rules and any other grounds designated in interstate commission by-  
421 laws and rules. The interstate commission shall immediately notify the defaulting state,  
422 in writing, of the penalty imposed by the interstate commission and of the default,  
423 pending a cure of the default. The interstate commission shall stipulate the conditions

424 and the time period within which the defaulting state must cure the default. If the  
425 defaulting state fails to cure the default within the time period specified by the interstate  
426 commission, the defaulting state shall be terminated from the compact upon an  
427 affirmative vote of a majority of the compacting states and all rights, privileges and  
428 benefits conferred by this compact shall be terminated from the effective date of  
429 termination of membership.

430 (b) Within 60 days of the effective date of termination of a defaulting state, the  
431 commission shall notify the governor, the chief Justice or chief judicial officer, the majority and  
432 minority leaders of the defaulting state's legislature and the state council of such termination.

433 (c) The defaulting state shall be responsible for all assessments, obligations and liabilities  
434 incurred through the effective date of termination including any obligations, the performance of  
435 which extends beyond the effective date of termination.

436 (d) The interstate commission shall not bear any costs relating to the defaulting state  
437 unless otherwise mutually agreed upon, in writing, between the interstate commission and the  
438 defaulting state.

439 (e) Reinstatement following termination of any compacting state requires both a  
440 reenactment of the compact by the defaulting state and the approval of the interstate commission  
441 pursuant to the rules.

442 Section 16. The interstate commission may, by majority vote of the members, initiate  
443 legal action in the United States District Court for the District of Columbia or, at the discretion of  
444 the interstate commission, in the federal district wherein the interstate commission offices are  
445 located, to enforce compliance with the compact, its duly adopted rules and by-laws, against any  
446 compacting state in default. In the event judicial enforcement is necessary, the prevailing party

447 shall be awarded all costs of such litigation, including reasonable attorneys fees.

448 Section 17. (a) The compact shall dissolve effective on the date of the withdrawal or  
449 default of the compacting state, which reduces membership in the compact to 1 compacting state.

450 (b) Upon the dissolution of this compact, the compact shall become null and void and  
451 shall be of no further force or effect, and the business and affairs of the interstate commission  
452 shall be concluded. Any surplus funds of the interstate commission shall be distributed in  
453 accordance with the by-laws.

454 Section 18. (a) The provisions of this compact shall be severable and, if any phrase,  
455 clause, sentence or provision is deemed unenforceable, the remaining provisions of the compact  
456 shall be enforceable.

457 (b) The provisions of this compact shall be liberally construed to effectuate its purposes.

458 Section 19. (a) Nothing in this compact shall prevent the enforcement of any other law of  
459 a compacting state that is not inconsistent with this compact.

460 (b) All compacting states' laws other than state Constitutions and other interstate  
461 compacts conflicting with this compact are superseded to the extent of the conflict.

462 Section 20. (a) All lawful actions of the interstate commission, including all rules and  
463 by-laws adopted by the interstate commission, are binding upon the compacting states.

464 (b) All agreements between the interstate commission and the compacting states are  
465 binding in accordance with their terms.

466 (c) Upon the request of a party to a conflict over meaning or interpretation of interstate  
467 commission actions, and upon a majority vote of the compacting states, the interstate  
468 commission may issue advisory opinions regarding such meaning or interpretation.

469 (d) In the event any provision of this compact exceeds the constitutional limits imposed

470 on the legislature of any compacting state, the obligations, duties, powers or jurisdiction sought  
471 to be conferred by such provision upon the interstate commission shall be ineffective and such  
472 obligations, duties, powers or jurisdiction shall remain in the compacting state and shall be  
473 exercised by the agency thereof to which such obligations, duties, powers or jurisdiction are  
474 delegated by law in effect at the time this compact becomes effective.