

Opinion No. 35

**STATE BOARD OF PARDONS, Powers of—INTERSTATE COMPACTS,
Out of state parolee supervision, power of Board of Pardons to
enter into compact. Section 19-103, R.C.M., 1947; Section 94-
7901, R.C.M., 1947**

Held: The Director of the State Board of Pardons may enter into a compact with the territories of the United States and the District of Columbia for the supervision of parolees and probationers.

October 20, 1959

Mr. William A. May
Director
Board of Pardons
P. O. Box 350
Deer Lodge, Montana

Dear Mr. May:

You have requested my opinion whether the Montana Administrator of the Interstate Compact Agreement may extend this agreement to Puerto Rico, the Virgin Islands and the District of Columbia.

Section 94-7901, Revised Codes of Montana, 1947, provides in part:

"The governor of this state is hereby authorized and directed to enter into a compact on behalf of the state of Montana with any of the **United States** legally joining therein in the form substantially as follows:*** (Emphasis added)

This section further provides in subdivision five:

"That the governor of each state may designate an officer who, acting jointly with like officers of other contracting states, if and when appointed, shall promulgate such rules and regulations as may be deemed necessary to more effectively carry out the terms of this compact."

Therefore, the authority exists to appoint an officer to administer this act and to enter into interstate compacts with other states. The problem then is whether the words **United States**, as used in this section, include United States' territories or possessions. Section 19-103, Revised Codes of Montana, 1947, provides in part:

"The following words when used in the Revised Codes of Montana of 1947, or in any act amendatory of or supplemental to said codes, shall have the following meanings and interpretations unless otherwise apparent from the context.***

(5) The word 'State', when applied to the different parts of the United States, includes the District of Columbia and the territories, and the words 'United States' may include the district and territories."

It is my opinion that the words **United States** as used in Section 94-7901, R.C.M., 1947, include the District of Columbia, Puerto Rico and

the Virgin Islands. Therefore, the Administrator of the Interstate Compact Agreement in Montana may enter into a compact with these parts of the United States under mutually desirable terms.

Very truly yours,
FORREST H. ANDERSON
Attorney General