

AMENDING THE REVISED ORGANIC ACT OF THE VIRGIN ISLANDS TO
PROVIDE THAT THE LEGISLATURE OF THE VIRGIN ISLANDS SHALL
PRESCRIBE THE MINIMUM AGE FOR MEMBERSHIP IN THE LEGISLA-
TURE

APRIL 28, 1972.—Ordered to be printed

Mr. BURDICK, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany H.R. 9545]

The Committee on Interior and Insular Affairs, to which was referred the bill (H.R. 9545) to amend the Revised Organic Act of the Virgin Islands to provide that the Legislature of the Virgin Islands shall prescribe the minimum age for membership in the legislature, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of H.R. 9545 is to permit the legislature of the Virgin Islands to reduce the age limitation for membership in the legislature. At the present time the minimum age is 25 years. The Committee also considered a companion bill, S. 2030, introduced by Mr. Burdick at the request of the Virgin Islands legislature.

BACKGROUND

The Virgin Islands, an unincorporated territory of the United States, were purchased from Denmark in 1917. Congress has provided for self-government in the territory in the Revised Organic Act of the Virgin Islands (48 U.S.C. 1572-1644). The territory elects its own Governor, Lieutenant Governor, and legislators. The unicameral legislature consists of 15 members who are elected for 2-year terms. The permanent population of the Virgin Islands is in excess of 63,000.

NEED

The legislature petitioned the Congress, by Resolution 523, dated January 26, 1971, to reduce the age for membership in the legislature so that younger persons could be eligible to serve in that body. Some 39 States provide a minimum age of 21 for membership in at least one house of their legislatures. By reducing the minimum age for legislators below 25, the Virgin Islands could respond to the interest of younger citizens as candidates for seats in the legislative body.

SECTIONAL ANALYSIS

Amends the Virgin Islands Organic Act (48 U.S.C. 1573(b)):

1. Eliminates the minimum age of 25 for membership in the legislature.
2. Permits the legislature to prescribe by law the minimum age.

COST

No additional cost to the Federal Government is anticipated by the enactment of H.R. 9545.

DEPARTMENTAL REPORTS

The report of the Department of the Interior on S. 2030, a companion measure to H.R. 9545, together with Resolution 523 of the Virgin Islands Legislature are as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., August 2, 1971.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of this Department of S. 2030, a bill "To amend section 6(b) of the Revised Organic Act of the Virgin Islands relating to qualifications necessary for election as a member of the legislature."

We do not oppose the enactment of this bill but prefer enactment of the attached substitute bill.

S. 2030, which would lower the minimum age requirement for membership in the Virgin Islands legislature from 25 years of age to 21, has merit in that it is consistent with the national trend. As the attached table shows, thirty-nine states have an eligibility requirement of 21 years of age. However, we believe that the Virgin Islands legislature should be empowered to establish the minimum age of its own members. Therefore, we would prefer enactment of the attached substitute bill to that effect.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

HARRISON LOESCH,
Assistant Secretary of the Interior.

Enclosure.

A BILL To amend section 6(b) of the Revised Organic Act of the Virgin Islands relating to qualifications necessary for election as a member of the legislature

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 6 of the Revised Organic Act of the Virgin Islands is amended:

(1) by striking out "who has not attained the age of twenty-five years,"; and

(2) by inserting immediately after the first sentence thereof the following new sentence: "The legislature shall prescribe by law the minimum age for membership in the legislature."

States with age limit of 21 in State legislature (varies sometimes between House and Senate):

Alabama, House.....	21
Alaska, House.....	21
Arkansas, House.....	21
California, House and Senate.....	21
Connecticut, House.....	21
Florida, House and Senate.....	21
Georgia, House.....	21
Illinois, House.....	21
Indiana, House.....	21
Iowa, House.....	21
Kansas, House and Senate.....	21
Louisiana, House.....	21
Maine, House.....	21
Maryland, House.....	21
Michigan, House and Senate.....	21
Minnesota, House and Senate.....	21
Mississippi, House.....	21
Montana, House.....	21
Nebraska (one house), House.....	21
Nevada, House and Senate.....	21
New Hampshire, House.....	21
New Jersey, House.....	21
New Mexico, House.....	21
North Carolina, House.....	21
North Dakota, House.....	21
Ohio, House and Senate.....	21
Oklahoma, House.....	21
Oregon, House and Senate.....	21
Pennsylvania, House.....	21
Rhode Island, House and Senate.....	21
South Carolina, House.....	21
Tennessee, House.....	21
Texas, House.....	21
Vermont, House.....	21
Virginia, House and Senate.....	21
Washington, House and Senate.....	21
West Virginia, House.....	21
Wisconsin, House and Senate.....	21
Wyoming, House.....	21

[Resolution No. 523, Bill No. 4776]

NINTH LEGISLATURE OF THE VIRGIN ISLANDS OF THE VIRGIN ISLANDS

(Regular session, 1971)

Resolution to Petition the Ninety-Second Congress of the United States of America to Amend Certain Provisions of the Revised Or-

ganic Act of the Virgin Islands, Pertaining to Qualifications of Candidates for Public Office in the Virgin Islands.

Whereas Subsection (b) of Section 6 of the Revised Organic Act of the Virgin Islands now specifies the qualifications of candidates for membership in the Legislature of the Virgin Islands including the requirement that no person shall be eligible for the Legislature who has not attained the age of twenty-five years; and

Whereas the Ninety-First Congress of the United States of America amended the Revised Organic Act of the Virgin Islands to provide that the Legislature of the Virgin Islands, after a referendum, may lower the voting age in the Virgin Islands; and

Whereas Federal Law now provides that persons 18 years of age and older may vote in all Federal elections; and

Whereas it is the determination of the Legislature of the Virgin Islands that the elected representatives of the people of the Virgin Islands should have the requisite power to determine the qualifications of all candidates for public office in the Virgin Islands; and

Whereas it is the further determination of the Legislature of the Virgin Islands that young men and women of the Virgin Islands are capable of and qualified for public office at an age lower than the arbitrary age of 25 which is now a prerequisite for membership in the Legislature of the Virgin Islands: Now, therefore, be it

Resolved by the Legislature of the Virgin Islands, That the Legislature respectfully petitions the Congress of the United States to adopt an amendment to the Revised Organic Act of the Virgin Islands granting to the Legislature of the Virgin Islands the authority to set qualifications for all candidates for public office in the Virgin Islands or in lieu of such an amendment that an amendment be adopted to lower the age at which persons shall become eligible for public office to 21 years of age, except for the Offices of the Governor and Lieutenant Governor which shall continue at 30; and be it further

Resolved, That copies of this Resolution be transmitted to the President of the United States, to the Secretary of the United States Department of the Interior, to the Presiding Officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to the Chairman of the Committee on Interior and Insular Affairs of the Senate of the United States, to each member of said Committee, to the Chairman of the Committee on Interior and Insular Affairs of the House of Representatives of the United States, and to each member of said Committee.

Thus passed by the Legislature of the Virgin Islands on January 26, 1971.

Witness our Hands and the Seal of the Legislature of the Virgin Islands this 26th Day of January, A. D. 1971.

JOHN L. MADURO,

[SEAL]

President.

PERCIVAL H. REESE,

Legislative Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill (H.R. 9545), as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets; new matter is printed in italic; existing law in which no change is proposed is shown in roman).

48 U.S.C. 1572(b)

* * * * *

(b) No person shall be eligible to be a member of the legislature who is not a citizen of the United States [who has not attained the age of twenty-five years,] who is not a qualified voter in the Virgin Islands, who has not been a bona fide resident of the Virgin Islands for at least three years next preceding the date of his election, or who has been convicted of a felony or of a crime involving moral turpitude and has not received a pardon restoring his civil rights. *The legislature shall prescribe by law the minimum age for membership in the legislature.* Federal employees and persons employed in the legislative, executive or judicial branches of the government of the Virgin Islands shall not be eligible for membership in the legislature.

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