

BILL NO. 35-0069

Thirty-Fifth Legislature of the Virgin Islands

April 4, 2023

An Act amending title 3 Virgin Islands Code, chapter 5, section 65a relating to filling vacancies on boards and commissions to clarify the requirements relating the appointment of members residing outside of the Territory

PROPOSED BY: Senator Novelle E. Francis, Jr. by Request of the Governor

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 3 Virgin Islands Code, chapter 5, section 65a, subsection (f) is amended by striking all the language in the subsection and replacing it with new language that reads as follows:

“The Governor may appoint up to two persons who reside outside of the Territory to fill vacancies on a board or commission in any district or island, as the case may be, notwithstanding any residency requirements prescribed by law. When making the nomination, the Governor must specify which residency-restricted seat the nominee will fill. To be eligible to serve on a board or commission, in addition to meeting any professional qualifications prescribed by the law governing the board or commission’s membership, a nominee residing outside the Territory must retain familial or business connections to any island of the Territory and must have expertise in the subject matter under the board or commission’s jurisdiction.”

BILL SUMMARY

The bill amends 3 V.I.C. § 65a by clarifying that nonresidents may be appointed to boards and commissions with residency requirements if they have connections to any island of the Territory and have proper expertise for the position. The intent is to allow non-resident appointees to fill vacancies in either district regardless of where their familial or business connections exist within the Territory.

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