Adopted

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 19__
ROLL CALL

Bill No. 23-0108 **Date:** 11/4/99

Short Title: To clarify the status of certain employees of the Government Development Bank, and for other purposes related thereto.

LEGISLATIVE HISTORY

(a) Introduced and sent to Committee on.................................Date...
(b) Reported from Committee and sent to Rules on..
(c) Reported from Committee on Rules...
(d) Recalled from Committee by Special Order...
(e) Adopted on..
(f) Rejected on..
(g) Vetoed by Governor on...
(h) Reconsidered by Legislature and passed or rejected over Governor's Veto on...

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	1			
BERRY, Lorraine L.	2			
BRYAN, Adelbert M.		1		
COLE, Donald "Ducks"	3			
DAVID, Roosevelt St. C.	4			
DONASTORG, Adlah "Foncie"	5			
GOLDEN, Violet Anne	6			
GOMEZ, Judy M.	7			
GOODWIN, George E.	8			
HANSEN, Alicia "Chucky"				1
JN. BAPTISTE, Norman	9			
JONES, David S.	10			
LIBURD, Almando "Rocky"	11			
PETRUS, Allie-Allison	12			
RICHARDS Vargrave A.	13			
	13	1		1

Certified true and correct

Corrine B. K. Hodge

CLERK

COMMITTEE ON FINANCE

11/3/99 - REPORTED OUT TO THE FLOOR UNDER THE CLOSED RULE /W 5 MINUTE DEBATE TIME
10/27/99 - REPORTED OUT TO THE COMMITTEE ON RULES

BILL NO. 23-0108

Twenty-Third Legislature of the Virgin Islands of the United States

JULY 07, 1999

To clarify the status of certain employees of the Government Development Bank, and for other purposes related thereto

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PROPOSED BY: SENATORS LORRAINE L. BERRY, GREGORY A. BENNERSON, DONALD "DUCKS" COLE, ROOSEVELT ST. C. DAVID, VIOLET ANNE GOLDEN, JUDY M. GOMEZ, GEORGE E. GOODWIN, DAVID S. JONES, ALMANDO "ROCKY" LIBURD, ALLIE-ALLISON PERTUS AND VARGRAVE A. RICHARDS

BE IT ENACTED by the Legislature of the Virgin Islands:

SECTION 1. Title 3, section 530(a), Virgin Islands Code, is amended by adding the phrase "The Government Development Bank" after "including the Executive Director of" and before "the Virgin Islands Water and Power Authority", and again after "suspend a regular employee, or employee of" and before "the Virgin Islands Water and Power Authority".

SECTION 2. Title 24, section 362, subsection (i), Virgin Islands Code, is amended by adding the phrase "the Government Development Bank" after "the University of the Virgin Islands" and before "and the Virgin Islands Public Television System;".

SECTION 3. Title 24, section 377, subsection (c), Virgin Islands Code, is amended by adding the phrase "the Government Development Bank" after "the Virgin Islands Water and Power Authority" and before "or the Virgin Islands Housing Authority".

SECTION 4. Title 31, section 153, subsection (a), Virgin Islands Code, is amended by adding the phrase "the Government Development Bank" after "the University of the Virgin Islands" and before "and the Virgin Islands Housing Authority".

SECTION 5. Title 29, section 902, the fourth paragraph, subsection (g), Virgin Islands Code, is amended to read:

> (G) To appoint, employ and contract for the services of officers and agents and to pay such compensation for their services as the bank may determine; to hire employees and professional assistants; and to fix and pay Director's fees;

SECTION 6. Title 29, chapter 14, Virgin Islands Code, is amended by adding the following new section 916:

"Section 916. Benefits of employees of the Bank

(a) All personnel of the Government of the Virgin Islands who are being utilized solely in the exercise of any of the powers, duties and functions vested in the Government

Development Bank upon the effective date of this Act shall be transferred to the Government Development Bank.

(b) Any employee of the Government of the Virgin Islands transferred to the Government Development Bank pursuant to subsection (a) of this Section shall be credited by the Bank with the amount of accumulated and current accrued annual leave to which he is entitled under law and for which leave such employee has not received lump-sum payment.

(c) In the establishment of sick leave and other benefits for officers and employees of the Bank, the Bank shall credit employees transferred pursuant to the provisions of subsection (a) of this Section with all accumulated sick leave, and shall provide such other benefits equivalent, insofar as practicable and consistent with sound fiscal management, to the Virgin Islands Government are now or may hereafter be entitled.

(d) No employee transferred pursuant to subsection (A) of this Section shall be reduced in pay.

(e) All officials and employees of the Bank shall be covered by and subject to the Employees' Retirement System of the Virgin Islands and the Workers' Compensation Administration Act. The Bank shall contribute to the retirement system of the Government of the United States Virgin Islands its share of the cost of the retirement of the officials and employees on the basis of semi-annual billings as determined by the Division of Personnel, Government of the United States Virgin Islands, and the contribution of officials and employees for retirement shall be deducted from their salaries in the same manner as in the case of regular employees of the Government of the United States Virgin Islands. The Bank shall also contribute to the Government Insurance Fund, on the basis of annual billings as determined by the Commissioner of Finance for the benefit payments made from such fund on account of the Bank's employers. The annual billings shall also include a statement of the fair portion of the cost of the Government Insurance Fund, which shall be paid by the Bank into the Treasury of the Virgin Islands as miscellaneous receipts.

(f) For purposes of unemployment compensation, the Bank shall be deemed an employing unit as defined in Title 24, Section 302(J)(I), Virgin Islands Code, and the Bank shall make payments to the Unemployment Insurance Sub-Fund and the Unemployment Insurance Administration Sub-Fund in lieu of contributions in the same manner provided for the Government of the United States Virgin Islands by Title 24, Section 308(D), Virgin Islands Code.

(g) For purposes of social security coverage, the Bank shall be deemed as an employing unit following signature of an agreement between the Government of the United States Virgin Islands of the United States and the Social Security Administration; and the Bank shall make appropriate payroll deductions on the part of employees as well as on its own behalf as employer, and such deductions shall be paid to the Social Security Administration in accordance with existing procedures and in a manner identical with other covered agencies of the Government of the United States Virgin Islands.

(h) All officials and employees of the Bank shall be eligible to participate in the Government Health Insurance Plan. The Bank shall contribute to the Health

Insurance Board of the Government of the United States Virgin Islands its share of the cost of the health and life insurance premiums of its officials and employees on the basis of semi-annual billings as determined by the Health Insurance Board, and the contribution of officials and employees shall be deducted from the salaries in the same manner as in the case of regular employees of the Government of the United States Virgin Islands and shall be paid semi-annually to the Health Insurance Board."

BR99-0838/ June 7, 1999/ :cdj