COMMITTEE ON BUDGET, APPROPRIATIONS AND FINANCE

BILL NO. 35-0113

Thirty-Fifth Legislature of the Virgin Islands

July 18, 2023

An Act amending title 2, chapter 2, section 28(b) relating to the Executive Appropriation Act to repeal the authority of the Legislature's Standing Committee on Finance and any successor committee to approve appropriation transfers within the operating budgets of Government, departments, and agencies

PROPOSED BY: Senator Alma Francis Heyliger

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 2 Virgin Islands Code, chapter 2, section 28, subsection (b) is amended by striking the comma (,) after "specified" and inserting period (.) in its place and striking all of the text after "specified".

BILL SUMMARY

The bill repeals the provisions in 2 V.I.C. § 28(b), which authorize the Committee on Finance to approve a transfer between items of appropriations in an executive appropriation act or other appropriation act. Under existing law, a department may come before the Committee on Finance at a formal meeting of the Committee for a transfer of funds from one item of appropriation to the department to another item of appropriation in the department's annual budget. Upon the passage of this bill, no transfer of funds between items of appropriation in an executive budget act or other appropriation act may be made by a vote of a committee of the Legislature. Instead, all transfers of funds within a department or agency will have to be made only by an act passed by the Legislature reappropriating or reprograming the funds for other purposes.

The intent of this bill is to make section 28(b) consistent with section 3 of the Revised Organic Act of the Virgin Islands, 48 U.S.C. § 1561, which reads in pertinent part: “No money shall be paid out of the Virgin Islands treasury except in accordance with an Act of Congress or money bill of the legislature”.

BR23-0605/June 28, 2023/YLT