

ACT NO. 6732

BILL NO. 26-0013

TWENTY-SIXTH LEGISLATURE OF THE VIRGIN ISLANDS OF THE UNITED STATES

Regular Session

2005

To provide for appropriations from the Tourism Advertising Revolving Fund to Department of Tourism to the Virgin Islands Puerto Rico Friendship Day Committee and to the Fredericksted Economic Development Association and for various other purposes

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BE IT ENACTED by the Legislature of the Virgin Islands:

SECTION 1. ~~The sum of \$150,000 is appropriated, for the fiscal year ending September 30, 2005, and annually thereafter from the Tourism Revolving Fund to the Department of Tourism to be disbursed to the Virgin Islands Puerto Rico Friendship Day Committee to be used for Virgin Islands Puerto Rico Friendship Day Activities.~~

SECTION 2. ~~The sum of \$150,000 is appropriated, for the fiscal year ending September 30, 2005, and annually thereafter from the Tourism Revolving Fund to the Department of Tourism to be disbursed to the Fredericksted Economic Development Association, Inc. for the annual Emancipation Day Activities on St. Croix.~~

SECTION 3. Title 3 Virgin Islands Code, chapter 23, section 733, subsection (h) is amended to read: "As used in this section, the term, judiciary means the judges of the Superior Court and the justices of the Supreme Court of the Virgin Islands."

SECTION 4. Title 5 Virgin Islands Code, chapter 43 is amended in the following instances:

(a) Section 480 is amended in the second sentence after "judgment" by inserting "upon entry of the order confirming the sale".

(b) ~~Section 496 is amended by striking "six" and inserting "twelve".~~

SECTION 5. Title 28 Virgin Islands Code, chapter 23, section 535 is amended by striking "three" and inserting in lieu thereof "twelve".

~~SECTION 6. The sum of \$10,000,000 is appropriated from the General Fund for the fiscal year ending September 30, 2005, to the Union Arbitration Fund Award and Government Employees Increment Fund, as established in title 33 Virgin Islands Code, Chapter 111, section 3066, to fund the negotiated union contracts.~~

~~SECTION 7. The sum of \$1,000,000 is appropriated in the fiscal year ending September 30, 2005, from debt service reserves to the Department of Public Works for the construction of a new road on Parcels 35 and 36 Estate Charlotte Amalie, No. 3 New Quarter, St. Thomas.~~

~~SECTION 8. Notwithstanding title 33 Virgin Islands Code, section 3066 (b), the sum of \$900,000 is appropriated in the fiscal year ending September 30, 2005, from the Union Arbitration Award and Government Employees Increment Fund to pay members of the class identified in the lawsuit of Harley et al. v. Government of the Virgin Islands District 2-A AMO & United Industrial Workers of North America, Seafarers International Union, AFL-CIO Civ. No. 559/1998 (Terr. Ct) as "all government retirees who were former members of the Defendant Unions and whose retroactive payments were delayed as a result of Defendant Unions' negotiations on their behalf with the Government of the Virgin Islands," and also to pay costs associated with the disposition of the class action suit.~~

~~SECTION 9. Title 2 Virgin Islands Code, § 20 is amended by designating the existing language as subsection (a) and adding subsection (b) to read:~~

~~"(b) All departments, agencies, boards, commissions, authorities, and instrumentalities shall set aside 3.5% of their budgets specifically for the payment of unionized contracts, and shall allocate a portion of their budget to pay their WAPA utility bills."~~

~~SECTION 10. Title 30 Virgin Islands Code, chapter 5, section 105 (12) is amended by inserting after "water" where it first appears, "except for water obtained by the Fire Services at metered stand pipes that is used to out fires and which shall be provided free of charge."~~

~~SECTION 11. Title 17 Virgin Islands Code, chapter 15, section 172 is amended by adding subsection (e) to read:~~

~~"(e) Members of the Board of Education or any other board that grants or administers scholarship are prohibited from applying for or receiving any scholarship or grant under this chapter."~~

~~SECTION 12. Title 17 Virgin Islands Code, chapter 15, section 176, subsection (b) is amended after the word, "applicants", by inserting the phrase, "with the exception of members of the Board of Education or members of any other board that grants or administers scholarships under this chapter."~~

~~SECTION 13. No person may serve as a member of a board, commission or governing board of any authority within a department, office or other instrumentality of the Government of the Virgin Islands while an employee of the board, commission or governing board. No person who serves or who has served on a board, commission or governing board of any authority within a department, office or other instrumentality of the Government of the Virgin Islands may be hired by such board, commission or governing board within one year after membership thereon.~~

SECTION 14. Title 14 Virgin Islands Code, chapter 7, as amended by Act No. 6731 is amended in the following instance:

At the end of §180, subsection (c), insert "but does not include any pest that might be exterminated"

2. In §181 subsection (f), strike "three (3) years and fined not less than \$1000", and insert "two (2) years and fined not less than \$2,000"

3. In §182, subsection (d), insert "maliciously" before "kills, and after "year", replace "and" with "or".

4. In section 183, subsection (f), strike "felony punishable by imprisonment not exceeding three (3) years and a fine of \$1,000" and insert in lieu thereof "misdemeanor punishable by a fine not exceeding \$3,000 and up to 500 hours of community service."

5. In §184 (b) strike "12" and insert "24".

6. In §185 (a), strike "up to the lifetime of the person convicted" and insert in lieu thereof "up to twenty years".

7. In §185, strike subsection (3) in its entirety.

SECTION 15. Title 20 Virgin Islands Code is amended in section 101, relating to the definition of "motor vehicle" by inserting the following after the word "plows" where it appears:

"and golf carts used solely for recreational purposes on golf courses and not on public roads or highways."

SECTION 16. Title 17 Virgin Islands Code, section 315, subsection (b) is amended by striking the language in subsection (b) in its entirety and by adding new language to read:

"(b) The Board of Governors shall be composed of nine members: one shall be the Chairperson of the Board of Vocational Education, one shall be the Chief Executive Officer of the West Indian Company, Ltd., one shall be the Executive Director of the Virgin Islands Port Authority, one shall be the Vocational Education Administrator and five other persons appointed by the Governor with the advice and consent of the Legislature. Three of the members shall be representatives of the maritime industry, with one member each from St. Croix, St. John and St. Thomas.

Two of the members shall be public lay persons, who are not employees of the Government of the Virgin Islands, one of whom shall be selected by the other members to serve as chairperson of the Board. The Board of Governors may request the Federal Maritime Administration and the United States Coast Guard to appoint a representative of the respective agencies to meet with the Board. Such representative shall not have a vote.

SECTION 17. Title 17 Virgin Islands Code, section 331, subsection (a) is amended by striking "the Commissioner of Education, the Commissioner of Tourism, the President of the University of the Virgin Islands" and by inserting in their stead "the Chairman of the Board of Vocational Education, a member of the Chamber of Commerce, a member of the Hotel and Tourism Association".

SECTION 18. Title 3 Virgin Islands Code, section 584a, subsection (d), paragraph (1) is amended by in the following instances:

1. by inserting after the phrase "civilian employee of the Bureau of Corrections" wherever it appears, the phrase "and the Youth Rehabilitation Center of the Department of Human Services"; and

2. by inserting after the phrase "the Director of the Bureau of Corrections" wherever it appears, the phrase "the Commissioner of Human Services".

~~**SECTION 19.** The sum of \$75,000 is appropriated from the Tourism Advertising Revolving Fund for the fiscal year ending September 30, 2005, to the Eastern Caribbean Friendship Committee for the annual activities held the week of Labor Day to promote multicultural and multi-ethnic interaction and awareness. The fund shall remain available until expended.~~

~~**SECTION 20.** Title 3, Virgin Islands Code subsection 570(a) is amended in the following instances:~~

~~(a) After the words "Bureau of Corrections" insert the following: "corrections officers of the Department of Human Services"; and~~

~~(b) After the words "Virgin Islands Fire Service" insert the following, "and fireman, crew chiefs, and police officers of the Virgin Islands Port Authority."~~

~~**SECTION 21.** Title 2 Virgin Islands Code, chapter 2, section 24, subsection (b) is amended by deleting "May 30" where it appears and inserting in lieu thereof "March 31".~~

SECTION 22.(a) WHEREAS, the United States Department of Housing and Urban Development makes Community Development Block Grants available to the Virgin Islands on an annual basis, and Virgin Islands law, title 3 Virgin Islands Code, section 67, requires the Virgin Islands Legislature to approve the Virgin Islands' participation in federally funded programs.

WHEREAS, a portion of the 1985 grant was awarded as loans to homeowners in Tutu and Nadir to repair the electrical wiring systems in their homes, and these loans having being repaid, it is necessary to reprogram the proceeds in the amount of \$192,049.65 to other projects.

WHEREAS, being the Department responsible for the administration of the CDBG, the Department of Planning and Natural Resources (DPNR), in accordance with federal regulations and with the approval of the Governor, has identified and selected projects to be funded with these monies; Now Therefore,

(b) Pursuant to title 3 Virgin Islands Code, chapter 5, section 67, the Legislature hereby approves those Community Development projects enumerated in APPENDIX "A", which is attached hereto and by this reference made a part of this Act.

SECTION 23. Act No. 6673 is amended in the following instances:

1. By adding the following whereas clauses after the first whereas clause:

"**WHEREAS**, real estate is intrinsically different from personal property, its value dependent not only upon the materials that are present on the property but most importantly on its location; and

WHEREAS, the identified properties represent irreplaceable Virgin Islands assets, and the proposed development would result in minimal access and limited use and enjoyment by the general public".

2. By inserting in the existing second whereas clause after the word "shoreline", the phrase "which is the legal understanding of eminent domain, which is the process that allows a condemning authority to take property that is considered necessary for public use".

SECTION 24. The Governor shall begin eminent domain proceedings for Parcel No. 9 Remainder Estate Nazareth, No. 1 Red Hook Quarter; Parcel No. 9F Nazareth, No. 1 Red Hook Quarter; and Parcel No. 9B Estate Nazareth, which includes 9-B-2, 9-B-3 and Parcel No. 9-B-1 Estate Nazareth, No. 1 Red Hook Quarter, St. Thomas, Virgin Islands as of the date of enactment of this Act.

SECTION 25. ~~Title 29 Virgin Islands Code, section 556, subsections (c) and (d) are repealed.~~

SECTION 26. The sum of \$162,000 is appropriated in the fiscal year ending September 30, 2005, from the General Fund to the Department of Public Works for the purpose of painting traffic regulatory markings on the roads of the territory.

SECTION 27. The sum of \$30,000 is appropriated in the fiscal year ending September 30, 2005, from the General Fund to the Department of Property and Procurement for the purchase of an industrial paper shredder.

SECTION 28. (a) WHEREAS, Act No. 6560 approved the project to be funded with \$1,960,000 in the Community Development Block Grant from the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, it is necessary to amend this Act in order to delete or add some of the projects. Now Therefore,

(b) Delete items 2 and 17 in Appendix A of Act 6560 and replace them with the following:

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| 1. Contant Knolls Playground Construction
Purchase and installation of playground
Equipment at the Contant Knolls Community.
Virgin Islands Housing Authority. | \$25,000 |
| 2. Methodist Outreach Center Facility Acquisition
Acquisition of a building located at #29 Estate Contant
to be used as permanent housing for the homeless individuals single room
Occupancy (SRO) Methodist Training & Outreach CENTER, Inc. | \$200,000 |

SECTION 29. Act No. 6693 is amended in the Miscellaneous section, page 19, by striking "No Tolerance Basketball League - \$25,000" and by inserting in its stead the following items: "Ronald Charles Biddy Basketball League-\$15,000; and St. Thomas Zero Tolerance Basketball League-\$10,000."

SECTION 30. Title 27 Virgin Islands Code, section 307, subsection (e) is amended by deleting "\$200" where it appears and inserting in lieu thereof "\$500" and by deleting "\$500" where it appears and inserting in lieu thereof "\$1,000".

SECTION 31. Title 33 V.I.C. § 3066 is amended by striking the period at the end of subsection (b) and inserting the following language: "and serve as the primary source of funding for the Public Employees Relations Board;" and by adding subsection (d) to read:

"(d) The Commissioner of Finance shall submit annually to the Legislature, a detailed accounting of the disbursements from the Fund and the unencumbered remaining balance."

SECTION 32. There is appropriated from the Union Arbitration Award and Employees Incremental Fund in the fiscal year ending September 30, 2005, the sum of \$100,000 to the Public Employees Relation Board for the purpose of supplementing the Board's fiscal year 2005 Budget."

SECTION 33. Act No. 6034 section 2(b) is amended by striking the existing language in its entirety and inserting in lieu thereof language to read as follows:

"The Department of Human Services shall determine those agencies or organizations that provide direct intervention services and other services considered necessary for the children of the Virgin Islands and is hereby authorized to issue grants to these agencies from the Crisis Intervention Fund annually for the provision of these services. No more than 20% of the amount of these grants shall be utilized for personnel services. All such agencies or organizations must be legally recognized as non-profit and be in compliance with all applicable laws."

SECTION 34. Title 27 Virgin Islands Code, section 165i, paragraph (1) is amended by striking "and surgery" and by inserting after the word "medicine" the phrase "surgery, chiropractic or naturopathy medicine".

SECTION 35. ~~Title 27 is amended in section 50h, by inserting a new subsection (c) to read:~~

~~"(c) Nothing in this subchapter may be construed to allow anyone licensed herein to administer chiropractic care as defined in §167 of this title."~~

SECTION 36. ~~Title 3 Virgin Islands Code, chapter 27, section 717 is amended in the following instances:~~

- ~~1. In subsection (b) after the word, "securities," insert "and investments";~~
- ~~2. Subsection (b), subparagraph (9) is renumbered as subparagraph (10) with the remaining subparagraphs renumbered accordingly, and a new subparagraph (9) inserted in lieu thereof to read:~~

~~"(9) Viatical senior and/or life settlement policy contract investments provided:~~

- ~~(i) When the investment is in a group of life insurance policy, that the minimum number of measured lives is 100;~~
- ~~(ii) All policies purchased as investments must be issued by insurers licensed to do business in at least one of the United States or its territories;~~
- ~~(iii) The face value of any single policy investment by the system shall not exceed the greater of \$5,000,000 or 2% of the aggregate face value of policy investments by the system;~~
- ~~(iv) The aggregate face value of policy investments by the system on any individual life shall not exceed the greater of \$10,000,000 or 1% of the aggregate face value of policies purchased as investments by the system; and~~

~~(v) Policy investments may include policies on the life of members of the system.~~

~~The total purchase price of investments of the system in viaticum life and senior settlement policy contracts shall not exceed 20% of the total investments of the system.~~

~~3. The newly renumbered subparagraph (10) is amended as follows:~~

~~(a) In the first paragraph, after the first occurrence of the word, "securities" insert "and investments" and after the second occurrence of the word, "securities" insert "or investments";~~

~~(b) In the second paragraph, second sentence, after each occurrence of the word "securities" insert "and investments";~~

SECTION 37. There is appropriated from the General Fund of the Government of the Virgin Islands for the fiscal year ending September 30, 2005 the sum of \$20,000 as a grant to the Committee for the Betterment of Carenage to defray the expenses related to the Father's Day Weekend celebration in Frenchtown, St. Thomas on June 17-19, 2005.

SECTION 38. Notwithstanding 33 Virgin Islands Code, section 3072 (c) the sum of \$170,000 is appropriated from the Tourism Advertising Revolving Fund in the fiscal year ending September 30, 2005, for the St. John Fourth of July Celebration.

SECTION 39. ~~Title 32 Virgin Islands Code, section 246, subsection (a), paragraph (11), item (iv) is amended in the following instances:~~

~~1. by striking "25%" and by inserting in its stead "35%";~~

~~2. by inserting after the phrase "title 32 V.I.C. § 246(a)(1)" and before the word "into" "of which 20%"; and~~

~~3. by inserting after "33 V.I.C. § 3093" the phrase "and 10% to the Territorial Scholarship Fund established in title 17 Virgin Islands Code, section 171".~~

SECTION 40. ~~Title 33 Virgin Islands Code, section 3093, subsection (b), is amended by striking "35%" and by inserting in its stead "20%".~~

SECTION 41. ~~Title 17 Virgin Islands Code, section 171, subsection (b) is amended by adding the following language at the end of the subsection after the word "Legislature": "and 10% of the proceeds derived from games under each contract between the Virgin Islands Lottery and any private contracts of lottery games, including the proceeds under contract with the contractor of video lottery games authorized under title 32 Virgin Islands Code, section 246(a) (1). The Board of Education may apportion up to 50% of the proceeds annually to fund the Valedictorian and Salutatorian Awards established in title 17 Virgin Islands Code, section 190u."~~

~~SECTION 42. Sections 39, 40 and 41 shall be retroactively effective as of January 1, 2005."~~

~~SECTION 43. Title 3 Virgin Islands Code, chapter 27, section 706(c) is amended in the first sentence by striking "three years" and inserting in lieu thereof "75 days".~~

~~SECTION 44. Title 33, Virgin Islands Code, chapter 89, section 2494 is amended by re-designating the existing language as subsection (a) and adding subsection (b) to read:~~

~~"(b) The penalties and interest accrued to any property for non payment of taxes may not exceed 25% of the taxes due."~~

Thus passed by the Legislature of the Virgin Islands on May 6, 2005.

13th Witness our Hands and the Seal of the Legislature of the Virgin Islands this Day of May, A.D., 2005.



Lorraine L. Berry
Lorraine L. Berry
President

Liston A. Davis
Liston A. Davis
Legislative Secretary

Appendix A

Projects proposed by the Governor for funding from \$192,049.65 from Program Income from the 1985 Community Development Block Grant.

St. Thomas

French Town Fisherman's Facility Improvement	\$113,639.72
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This facility is presently being improved with other CDBG funds. However, additional funding is required to complete the project in entirety.

St. Croix

Mid-Island Fisherman's Facility Expansion	\$ 40,000.00
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This facility was recently constructed with other CDBG funds. Additional funding is required to expend the facility to include storage and a freezer unit.

Other Projects

CDBG Program Administration	\$ 38,409.93
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Funds for the operation of the division within the Department of Planning and Natural Resources, the Division of Capital and Development Planning, that is responsible for administering the CDBG program.



THE UNITED STATES VIRGIN ISLANDS

OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE

Charlotte Amalie, V.I. 00802
340-774-0001

THE GOVERNOR'S OBJECTIONS

Bill No. 26-0013 is hereby approved with the exception of the following items, part or parts, portion or portions thereof, which are hereby objected to (and deleted and disapproved in full) pursuant to Section 9(d) of the Revised Organic Act of 1954, as amended:

SECTION 1. The sum of \$150,000 is appropriated for the fiscal year ending September 30, 2005, and annually thereafter from the Tourism Revolving Fund to the Department of Tourism to be disbursed to the Virgin Islands Puerto Rico Friendship Day Committee to be used for Virgin Islands Puerto Rico Friendship Day Activities.

SECTION 2. The sum of \$150,000 is appropriated, for the fiscal year ending September 30, 2005, and annually thereafter from the Tourism Revolving Fund to the Department of Tourism to be disbursed to the Fredericksted Economic Development Association, Inc. for the annual Emancipation Day Activities on St. Croix.

SECTION 4(b). Section 496 is amended by striking "six" and inserting "twelve".

SECTION 6. The sum of \$10,000,000 is appropriated from the General Fund for the fiscal year ending September 30, 2005, to the Union Arbitration Fund Award and Government Employees Increment Fund, as established in title 33 Virgin Islands Code, Chapter 111, section 3066, to fund the negotiated union contracts.

SECTION 8. Notwithstanding title 33 Virgin Islands Code, section 3066(b), the sum of \$900,000 is appropriated in the fiscal year ending September 30 2005, from the Union Arbitration Award and Government Employees Increment Fund to pay members of the class identified in the lawsuit of Harley et al. v. Government of the Virgin Islands District 2-A AMO & United Industrial Workers of North America, Seafarers International Union, AFL-CIO Civ. No. 559/1998 (Terr.Ct.) as "all government retirees who were former members of the Defendant Unions and whose retroactive payments were delayed as a result of Defendant Unions' negotiations on their behalf with the Government of the Virgin Islands," and also to pay costs associated with the disposition of the class action suit.

THE GOVERNOR'S OBJECTIONS

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SECTION 9. Title 2 Virgin Islands Code, §20 is amended by designating the existing language as subsection (a) and adding subsection (b) to read:

“(b) All departments, agencies, boards, commissions, authorities, and instrumentalities shall set aside 3.5% of their budgets specifically for the payment of unionized contracts, and shall allocate a portion of their budgets to pay their WAPA utility bills.”

SECTION 12. Title 17 Virgin Islands Code, chapter 15, section 176, subsection (b) is amended after the word “applicants”, by inserting the phrase “with the exception of members of the Board of Education or members of any other board that grants or administers scholarships under this chapter.”

SECTION 13. No person may serve as a member of a board, commission or governing board of any authority within a department, office or other instrumentality of the Government of the Virgin Islands while an employee of the board, commission or governing board. No person who serves or who has served on a board, commission or governing board of any authority within a department, office or other instrumentality of the Government of the Virgin Islands may be hired by such board, commission or governing board within one years after membership thereon.

SECTION 19. The sum of \$75,000 is appropriated from the Tourism Advertising Revolving Fund for the fiscal year ending September 30, 2005, to the Eastern Caribbean Friendship Committee for the annual activities held the week of Labor Day to promote multicultural and multi-ethnic interaction and awareness. The Fund shall remain available until expended.

SECTION 20. Title 3, Virgin Islands Code subsection 570(a) is amended in the following instances:

(a) After the words “Bureau of Corrections” insert the following: “corrections officers of the Department of Human Services”; and

(b) After the words “Virgin Islands Fire Service” insert the following, “and fireman, crew chiefs, and police officers of the Virgin Islands Port Authority.”

SECTION 21. Title 2 Virgin Islands Code, chapter 2, section 24, subsection (b) is amended by deleting “May 30” where it appears and inserting in lieu thereof “March 31”.

SECTION 25. Title 29 Virgin Islands Code, section 556, subsection (c) and (d) are repealed.

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SECTION 35. Title 27 is amended in section 50h, by inserting a new subsection (e) to read:

“(e) Nothing in this subchapter may be construed to allow anyone licensed herein to administer chiropractic care as defined in §167 of this title.”

SECTION 36. Title 3 Virgin Islands Code, chapter 27, section 717 is amended in the following instances:

- 1. In subsection (b) after the word “securities”, insert “and investments”;**
- 2. Subsection (b), subparagraph (9) is renumbered as subparagraph (10) with the remaining subparagraphs renumbered accordingly, and a new subparagraph (9) inserted in lieu thereof to read:**

“(9) Viatical senior and/or life settlement policy contract investments provided:

- (i) When the investments is in a group of life insurance policy, that the minimum number of measured lives is 100;**
- (ii) All policies purchased as investments must be issued by insurers licensed to do business in at least one of the United States or its territories;**
- (iii) The face value of any single policy investment by the system shall not exceed the greater of \$5,000,000 or 2% of the aggregate face value of policy investments by the system;**
- (iv) The aggregate face value of policy investments by the system on any individual life shall not exceed the greater of \$10,000,000 or 1% of the aggregate face value of policies purchased as investments by the system; and**
- (v) Policy investments may include policies on the life of members of the system.**

The total purchase price of investments of the system in viaticum life and senior settlement policy contracts shall not exceed 20% of the total investments of the system”.

- 3. The newly renumbered subparagraph (10) is amended as follows:**

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(a) In the first paragraph, after the first occurrence of the word "securities" insert "and investments" and after the second occurrence of the word, "securities" insert "investments";

(b) In the second paragraph, second sentence, after each occurrence of the word "securities" insert "investments"."

SECTION 39. Title 32 Virgin Islands Code, section 246, subsection (a), paragraph (11), item (iv) is amended in the following instances:

- 1. by striking "25%" and by inserting in its stead "35%";**
- 2. by inserting after the phrase "title 32 V.I.C. §246(a)(1)" and before the word "into" "of which 20%"; and**
- 3. by inserting after "33 V.I.C. §3093" the phrase "and 10% to the Territorial Scholarship Fund established in title 17 Virgin Islands Code, section 171".**

SECTION 40. Title 33 Virgin Islands Code, section 3093, subsection (b), is amended by striking "35%" and by inserting in its stead "20%".

SECTION 41. Title 17 Virgin Islands Code, section 171, subsection (b) is amended by adding the following language at the end of the subsection after the word "Legislature": "and 10% of the proceeds derived from games under each contract between the Virgin Islands Lottery and any private contracts of lottery games, including the proceeds under contract with the contractor of video lottery games authorized under title 32 Virgin Islands Code, section 246(a)(1). The Board of Education may apportion up to 50% of the proceeds annually to fund the Valedictorian and Salutatorian Awards established in title 17 Virgin Islands Code, section 190u."

SECTION 42. Sections 39, 40, and 41 shall be retroactively effective as of January 1, 2005."

SECTION 43. Title 3 Virgin Islands Code, chapter 27, section 706(c) is amended in the first sentence by striking "three years" and inserting in lieu thereof "75 days".

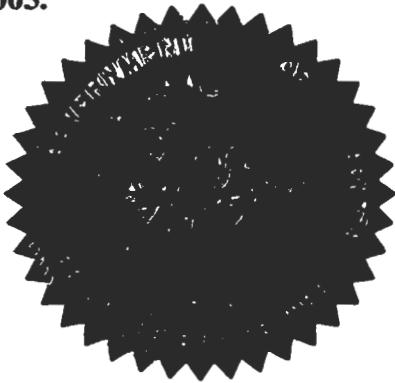
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SECTION 44. Title 33, Virgin Islands Code, chapter 89, section 2494 is amended by re-designating the existing language as subsection (a) and adding subsection (b) to read:

“(b) The penalties and interest accrued to any property for non payment of taxes may not exceed 25% of the taxes due.”

Witness my hand and the Seal of the Government of the United States Virgin Islands at Charlotte Amalie, St. Thomas, Virgin Islands, this 28th day of May, A.D., 2005.



Charles W. Turnbull

**Charles W. Turnbull
Governor**