

COMMITTEE ON LABOR AND AGRICULTURE

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BLUE COPY

BILL NO. 26-0205

**Twenty-Sixth Legislature of the Virgin Islands
of the United States**

JANUARY 12, 2006

An Act repealing and reenacting 7 V.I.C., chapter 1 to provide for a sustainable farming industry, amending 19 V.I.C., section 2301 to provide for the designation of a territorial veterinarian

PROPOSED BY:

Senators Neville A. James and Terrence "Positive" Nelson
Co-Sponsors: Craig Barshinger, Juan Figueroa-Serville,
Norman Jn. Baptiste and Ronald E. Russell

1 *Be it enacted by the Legislature of the Virgin Islands:*

2 SECTION 1. Title 7 Virgin Islands Code, chapter 1 is repealed and a new
3 Chapter 1 is enacted with amendments in its stead to read as follows:

4 "Chapter 1. Development of Sustainable Agriculture

5 Subchapter I. Sustainable Agriculture

6 §1. This chapter may be cited as the Sustainable Farming Act.

7 §2. Definitions
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1 In this chapter, unless the context clearly indicates otherwise, the following
2 words, terms, and phrases have the following meanings:

3 (a) "Agricultural products" means fruits, vegetables, herbs, honey, forage,
4 ornamentals, aquaculture, (fish), trees, poultry, eggs, meat, and dairy products.

5 (b) "Commissioner" means the Commissioner of the Department of
6 Agriculture or the Commissioner's designee.

7 (c) "Crop" means the cultivated plants or agricultural produce, such as grain,
8 vegetables, or fruit, considered as a group; the total yield of the produce in a particular
9 season or place.

10 (d) "Department" means the Department of Agriculture.

11 (e) "Farm" means any development of land for the commercial production of
12 plants, fruits, vegetables, herbs, honey, forage, ornamentals, aquaculture, trees, poultry,
13 eggs, meat, and dairy products.

14 (f) "Farmer or agriculturist" means any individual, partnership, firm, co-
15 operative or corporation in the Virgin Islands engaged in any business whose income is
16 wholly or partially derived from the production and sale of food.

17 (g) "To farm" means to practice the production of fruits, vegetables, herbs,
18 honey, forage, ornamentals, aquaculture, trees, poultry, eggs, meat, and dairy products,
19 and aquatic life in the Virgin Islands.

20 (h) "Fee" means, but not limited to, any application fee, license fee, permit
21 fee, inspection fee, certification fee, registration fee, analysis fee or certificate fee.

22 (i) "Floriculture" means the cultivation of flowers and foliage as a crop.

23 (j) "Food" means something that nourishes and sustains life and is grown,
24 produced or processed.
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1 (k) "Horticulture" means the art and science of gardening. Commercial
2 horticulture includes fruits, flowers and crop growing including the nursery industry.

3 (l) "Livestock" means sheep, goats, pigs, cows, and any other animals
4 produced for sale and consumption.

5 (m) "Poultry" means domesticated birds reared for eggs and meat.

6 (n) "Prime farmland" means land that has the best combination of chemical
7 and physical characteristics, as determined by the commissioner of agriculture, for
8 producing food, feed, forage, fiber and oilseed crops. It could be cultivated land,
9 pastureland, forest land, other land, but is not urban or built-up land or wetland.

10 (o) "Produce" means fruits, vegetables, herbs, honey, forage, ornamentals,
11 trees, poultry, eggs, meat, dairy products, and aquatic production.

12 (p) "Producer" means any person that is engaged in the business of growing,
13 marketing or producing any farm product, as defined in this section.

14 (q) "Property engaged in agriculture", means any land space used wholly or
15 partially for the production of agricultural products, including but not limited to:

16 (1) The cultivating of any fruits, vegetables, herbs, honey, forage,
17 ornamentals, aquaculture, trees, poultry, eggs, meat, and dairy products, and
18 aquatic; or

19 (2) The production, manufacture or processing of any food products or
20 edible food byproducts mentioned in this chapter.

21 (r) "Seeded, seeding, seed, when used as a verb" means to plant seeds in the
22 soil; to sow; or to remove the seeds from fruit.
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1 (s) "Sell" means to offer agricultural products for possession for profit,
 2 exchange, negotiation or the engagement in any other legal activity of a commercial
 3 nature.

4 (t) "Silviculture" the branch of forestry dealing with the development and
 5 care of forests.

6 (u) "Sustainable Agriculture" means a site-specific system of food production
 7 that is environmentally sound, economically viable, and socially responsive.

8 (v) "Territory" means the land and jurisdictional borders of the Virgin Islands.

9 **§3. Legislative purpose**

10 (a) The purpose of this chapter is to promote and protect the agricultural
 11 industry of the Virgin Islands, to include the protection of prime agricultural farmland
 12 necessary to promote and protect the public health, safety and welfare of the people of the
 13 Virgin Islands.

14 (b) Floriculture and nursery industry

15 It is further declared that the production, processing, manufacture and distribution
 16 of floriculture ornamental horticulture and nursery products constitute a viable industry
 17 of the territory which provides much needed revenues for the territory and employment
 18 opportunities for its residents; that research and development of the floriculture and the
 19 nursery industries, in partnership with the University of the Virgin Islands Agricultural
 20 Experiment Station and Cooperative Extension Service, by means of educating farmers
 21 with the latest technology in food production in the Virgin Islands; could contribute
 22 substantially to economic growth of the territory; and that the Department of Agriculture
 23 shall develop a marketing strategy for the territory's floricultural and nursery products,
 24 reaching new markets through education and promotion.
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(c) Plants growing in native stands or planted for ornamental purposes

The Legislature hereby finds and declares that plants growing in native stands or planted for ornamental purposes contribute to the environmental and public health and welfare needs of the people of the territory and shall be considered as a part of the agricultural industry for the purposes of this chapter.

§4. Horticulture crops, nurseries, seeds/seedlings, livestock banks

(a) Horticulture crops produced by nurseries are considered "growing agricultural crops" for the purposes of this chapter.

(b) For the purposes of this chapter, a nursery where the primary activity is planned production of horticultural crops is a farm. However, a retail nursery is not a farm, unless it is sustained in conjunction with a nursery.

(c) The Department of Agriculture shall establish in each district a nursery for the production, management, and distribution, at cost, of trees, grafted fruit trees and vegetable, fruit herbs, vegetable seedlings and livestock, where possible, to be used as breeding stock for sale and distribution to farmers.

(d) The Commissioner shall maintain and conduct programs for providing grafting slips, livestock and poultry for breeding purposes for distribution to the farmers, especially during times of territorial emergency due to floods, droughts, natural disasters and in situations caused by the destruction of livestock predators.

§5. Purchase of equipment and supplies for farmers

(a) The Commissioner of Agriculture shall purchase and make available to agriculturists throughout the territory, by sale or on a rental basis, such items of equipment and supplies that, in the Commissioner's discretion, will promote the farming industry and assist the farmers in maximizing the revenues of their farms.

1 (b) The Commissioner shall provide for the repairs of farm equipment, at cost,
2 to license farmers, who are up-to-date in their farm production, tax filing and any other
3 reports required by this chapter or by the Department of Agriculture.

4 **§6. Responsibilities and requirements**

5 (a) Every licensed farmer shall file a 1040 tax form, including a schedule F
6 tax form whether or not he earned the income. A certified copy of the form or tax
7 clearance letter must be presented with license renewal application each year. No farming
8 license or certification may be renewed or issued before meeting this requirement.

9 (b) For the twelve months ending on the preceding June 30, every licensed
10 Virgin Islands farmer shall submit a notarized report to the Commissioner stating the
11 poundage and the value of all produce harvested and offered for sale, and the number of
12 persons employed. On or before August 15 of each year, the Commissioner shall provide
13 the licensee, upon his application, forms prepared in such a manner so that the licensee
14 shall record each month's harvest; and in filling out such reports, the licensee shall
15 provide, so far as practicable, each month's harvest.

16 (c) In lieu of the annual report, the Commissioner may require an owner or
17 licensee to submit a report for a period to be specified by the Commissioner, as well as
18 the actual count or poundage and the income for each crop, where the value of the crop
19 exceeds \$100 per year. The report must contain such information as the Commissioner
20 considers necessary.

21 **§7. Land management: organic materials recycling program**

22 (a) The Department of Agriculture, in collaboration with the UVI Cooperative
23 Extension Service, in conjunction with the University of the Virgin Islands, the
24 Department of Planning and Natural Resources and the Waste Management Authority,
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1 must provide training on how to establish a recycling program, initiate, manage and
2 maintain a recycling program of organic matter utilizing vegetation, clippings, mulch,
3 and seaweed, along with other natural waste products that can be introduced into the soil
4 safely and naturally, without affecting the quality of food production and related
5 agribusiness.

6 (b) Once a recycling program is established, the Department of Agriculture
7 shall consult with Department of Planning and Natural Resources, in collaboration with
8 the UVI Cooperative Extension Service and the Waste Management Authority, regarding
9 its recycling program. The Department of Planning and Natural Resources shall
10 thereafter submit copies of all land clearing permits to the Commissioner's Office of the
11 Department of Agriculture, for the purposes of allowing the Department of Agriculture,
12 in conjunction with the Waste Management Authority, the opportunity to collect fallen
13 trees, shrubs or weed to use for the creation of mulch, for the distribution to farmers.

14 (c) The Attorney General's office, in conjunction with the Bureau of
15 Corrections, shall provide prison labor to clear government-owned property pursuant to
16 title 5 Virgin Islands Code, §4509.

17
18 **§8. When agricultural operations do not constitute nuisance**

19 (a) No agricultural operation or any of its appurtenances shall be or become a
20 nuisance, private or public, if such operations are conducted in accordance with existing
21 best management practices and comply with existing laws and regulations of the
22 Territory. The provisions of this section do not apply whenever a nuisance results from
23 the negligent or improper operation of any such agricultural operation or its
24 appurtenances, or where, because of close proximity to residential uses and increased
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1 intensity of use, such operation or appurtenances is shown to have an adverse effect on
2 the health, safety and general welfare of citizens in the area.

3 (b) For the purposes of this chapter, "agricultural operation" means any
4 operation devoted to the bona fide production of crops, or animals, or fowl, including but
5 not limited to the production of fruits and vegetables of all kinds; meat, dairy, and poultry
6 products; nuts, nursery and floral products; and the production and harvest of products
7 from silviculture activity.

8 (c) The provisions of subsection (a) do not affect or defeat the right of any
9 person, firm, or corporation to recover damages for any injuries or damages sustained by
10 any of them on account of any pollution of, or change in condition of, the waters of any
11 stream or on the account of any overflow of lands of any such person, firm, or
12 corporation.

13 (d) Any and all ordinances of any unit of local government now in effect or
14 hereafter adopted that would make the operation of any such agricultural operation or its
15 appurtenances a nuisance or providing for abatement thereof as a nuisance in the
16 circumstance set forth in this section are and shall be null; however, the provisions of
17 this section do not apply whenever a nuisance results from the negligent or improper
18 operation of any such agricultural operation or any of its appurtenances, or where,
19 because of close proximity to residential uses and increased intensity of use, such
20 operation or appurtenances is shown to have an adverse effect on the health, safety and
21 general welfare of citizens in the area.
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23 Subchapter II- Administration, Fiscal Duties and Powers

24 **§9. Administration**

25 The Commissioner shall:
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1 (a) Identify, preserve, advise for the purchase and manage all public
2 agricultural resources and agricultural- zoned lands in the territory for the development of
3 a sustainable agriculture industry.

4 (b) Encourage and assist the people of the Virgin Islands in raising, handling,
5 grading, packing, shipping, processing and marketing of agriculture products.

6 (c) Ensure compliance with regulations as they pertain to the operation of all
7 public farms.

8 (d) Secure and maintain statistical records of the production and harvest of
9 various crops and livestock, and to make the records available annually thirty days after
10 the end of the fiscal year to the President of the Legislature, for dissemination among its
11 members; to the Bureau of Economic Research and to the public via electronic and print
12 media.

13 (e) Advice and assist farmers, in conjunction with the University of the Virgin
14 Island and other relevant vocational entities in the territory, in the development and use
15 of farm equipment and agricultural techniques.

16 (f) Administer, coordinate and enforce the provisions of this chapter, in
17 cooperation with other appropriate departments of the Territorial and Federal
18 Governments.

19 (g) Appoint, subject to the provisions of this chapter, such environmental
20 enforcement officers, research staff, grant writers and other such personnel as are
21 necessary for the proper and effective administration and enforcement of the provisions
22 of this chapter.

23 (h) Work with the University of the Virgin Islands and other government
24 agencies in the marketing, promotion, research, technical services and agricultural
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1 training programs, for the development of new agriculturist and the development of a
 2 labor force.

3 (i) In conjunction with the University of the Virgin Islands and the
 4 Department of Labor, develop a farm certification program in crop farming and livestock
 5 rearing.

6 (j) Assist the farming industry in the establishment of farming cooperatives.

7 (k) Research the feasibility of creating a loan program to assist farmers in
 8 purchasing, maintaining, and expanding farms.

9 §10. The Department of Licensing and Consumer Affairs shall issue, modify,
 10 suspend and revoke licenses, certificates and registrations for the use of agricultural
 11 resources and the Department of Health shall issue, modify, suspend and revoke permits,
 12 certificates and registrations of the processing food in the territory.

13 §11. All VICORP land is prohibited from development and shall be used
 14 exclusively for agricultural purposes.

15
 16 **§12. Fiscal duties- expenditures**

17 With the exception of the Sustainable Agricultural Revolving Fund, no
 18 appropriations may be made from the Department of Agriculture's annual budget.

19 **§13. Interdepartmental expenses**

20 (a) The Commissioner may charge any departments, bureau, division, board,
 21 or other government agency that is supported by the appropriations from the General
 22 Fund its proportionate share of the administrative expense of the Department, or an
 23 amount that reasonably compensates the Department for the administrative services it
 24 rendered.
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1 (b) Subject to the approval of the Commissioner of Finance, the
2 Commissioner shall establish the reasonable administrative fees for services rendered by
3 the Department.

4 (c) The administrative fees may not exceed five percent of the charge for
5 services rendered to the departments, bureau, division, board or other agency.

6 Subchapter III – Fees and Refunds

7 §14. Fees

8 Pursuant to title 3 Virgin Islands Code §935, the Commissioner shall promulgate
9 rules and regulations establishing fees in accordance with this chapter. All fees
10 implemented to the regulations must be published in a newspaper of general circulation
11 twice per week for at least three consecutive weeks prior to their effective date. The
12 rules, regulations, and fees promulgated by the Commissioner to effectuate this chapter
13 take effect sixty days after promulgation. All fees collected under this chapter must be
14 deposited into the Agriculture Revolving Fund as established in title 33, chapter 111,
15 section 3018 of this Code.

16 §15. Refund of fees; collection

17 (a) The Commissioner may, in whole or in part, refund money paid as fees in
18 any of the following instances:
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20 (1) The payer requests a refund of a fee before any examination or
21 inspection has been performed or service rendered by the Department.

22 (2) The payment of the fee, assessment or tax represents an
23 overpayment, payment in duplicate, payment in error of the Payer or the
24 Department.
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1 (b) The fiscal officer of the Department shall make or issue a refund only
2 upon receipt of a voucher from the Commissioner which sets forth the facts warranting
3 the refund and which authorizes the refund.

4 (c) If any money that is to be refunded has been deposited in the territory's
5 treasury, the Commissioner of Finance, upon receipt of a claim that is filed by the
6 Department shall refund the monies from the fund to which the money was credited.

7 (d) At his discretion, the Commissioner may decide not to attempt to collect
8 amounts of \$5 or less, if he determines that the cost associated with collection is
9 prohibitive.

10 Subchapter IV - Promotion and protection of the agricultural industry

11 **§16. Promotion of the agricultural industry**

12 (a) The Department of Agriculture in an effort to promote sustainable
13 agriculture shall collaborate with the Department of Education and the Board of
14 Education to incorporate agricultural science courses in the curriculum at all grade levels,
15 including kindergarten, by:

16 (1) providing agriculture programs, through the school system;

17 (2) providing significant opportunities of vocational education in
18 agriculture; and

19 (3) developing programs to counsel school dropouts and rehabilitation
20 programs for juvenile delinquents, first-time criminal offenders, and those being
21 released from the prison system by providing alternative programs, such as
22 agricultural training camps and employment opportunities in the agricultural
23 industry.
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1 (b) The Commissioner shall collaborate with the Department of Justice to
2 create sustainable prison farms as a means of providing supplemental food to the prison
3 and as an alternative means of rehabilitation in the prison system for the development of
4 prisoners who are released into society.

5 (c) The Commissioner, in conjunction with the University of the Virgin
6 Islands and the Department of Education, shall establish programs that further assists in
7 the development of future agriculturists who will provide for the continued sustainable
8 development of an agriculture industry, and provide adequate training in agricultural
9 sciences to grant agriculturists certification.

10 (d) The Commissioner shall:

- 11 (1) Conduct a program of incentives through a cost-sharing program;
12 (2) Develop a program for assisting in the marketing of local
13 agricultural products;
14 (3) Maintain adequate livestock health services;
15 (4) Develop a program, in conjunction with the University of the
16 Virgin Islands Co-operative Extension Service, the Department of Education, and
17 Department of Labor to encourage the processing of local agricultural produce
18 and products;
19 (5) Develop a program to assure a source of supply of forage and other
20 resources needed for the livestock industry; and
21 (6) Develop a program to make water available to farmers during
22 times of drought.
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§17. Homesteading/housing on public farmland

1 (a) The Commissioner shall allow the lease holder of government property
 2 leased to farmers to construct a wooden structure or to put a trailer upon the leased
 3 premises. The Commissioner may not allow any masonry or similar type structure to be
 4 constructed on Government-leased farmland. All structures must be totally removed
 5 when a lease is expired or terminated, at the discretion of the Commissioner.

6 (b) No leased farmland may consist of more than one-single family, non-
 7 masonry structure and one non-masonry storage/utility building, to every five-acre parcel.
 8 Any additional structure permitted may be at the discretion of the Commissioner.
 9 Farmers must notify and receive approval from the Commissioner, in writing, thirty days
 10 before erecting or establishing any structure on leased farmland.

11 (c) No poured foundations for structures and storage/utilities are allowed on
 12 Government leased farmland.

13 (d) nothing in this section relieves the lease holder from obtaining the
 14 necessary building permits required by the Department of Planning and Natural
 15 Resources.

16
 17 Subchapter V – Restatement of law, Penalties and Prosecution

18 **§18. Restatement of the law**

19 The provisions of this chapter, insofar as they are substantially the same as
 20 existing law, are restatements and continuations of existing law, and not new enactments.
 21 The enactment of this chapter does not impair any privilege granted or right acquired
 22 under any laws of the Virgin Islands prior to the date it takes affect.

23 **§19. Penalties**

24 (a) Any person who willfully fails to make a report, as required in §9 of this
 25 chapter, or willfully makes a false report shall have their license or farm registration
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1 suspended, and a new license or registration may not be issued until the report is made or
2 a true report is filed with the Commissioner.

3 (b) Any person who willfully violates any provision of this chapter shall be
4 punished by a fine of not less than \$100 or more than \$500. Any person who violates any
5 provision of this section twice shall be punished by a fine of \$300, but not more than
6 \$800. Any person who violates the provisions of this section more than twice within a
7 two-year period shall be punished by not more than one year in prison and a fine of not
8 more than \$1,000. All fines collected under this section must be deposited in the
9 Agriculture Revolving Fund.

10 (c) Any person engaged in the selling of produce shall obtain a vendor's
11 license from the Department of Licensing and Consumer Affairs. Anyone found selling
12 produce without a vendor's license shall be fined, not less than \$250, which must be paid
13 within 45 days after it is assessed.

14 (d) A person who fails to pay the fine within forty-five days shall have his
15 farming license suspended for a period of not less than one year.

16 (e) Failure to pay fine within twelve months will result in the forfeiture of
17 farming license and leased government farmland.

18 (f) Any person found guilty of stealing, or vandalizing produce, farm
19 equipment or farm products shall reimburse the owner the value of the stolen or
20 vandalized property and is subject to six-months imprisonment and a fine of not more
21 than \$500.

22 (g) Failure to comply with any provision of this chapter by any farmer
23 disqualifies the farmer from receiving any benefits offered by the Department.
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1 (h) The Department Agriculture shall notify the appropriate agencies of any
 2 violations of this section.

3 **§20. Prosecution of violators; Attorney General**

4 The Attorney General shall prosecute all offenses committed in violation of this
 5 chapter.

6 **SECTION 2.** Title 19 Virgin Islands Code, §2301 is amended by designating the
 7 current language as subsection (a) and by adding a subsection (b) to read:

8 “(b) The Commissioner shall designate a Department of Agriculture employee
 9 as a ‘territorial veterinarian’. The territorial veterinarian must be a graduate of a
 10 recognized college of veterinary medicine, be licensed to practice in this territory, and
 11 have a territorial service classification of veterinary medical officer.”

12 **SECTION 3.** Title 33 Virgin Islands Code, §3018, subsection (c) is amended in
 13 the following instances:

14 (1) In the second unnumbered paragraph, after the phrase “animals and
 15 water,” insert the phrase “all fees and fines collected under 7 V.I.C, chapter 1” ; and

16 (2) Insert a new paragraph at the end of subsection (e) to read as follows:

17 “An annual appropriation of \$500,000 from the General Fund of the Government
 18 of the Virgin Islands.”

19 **SECTION 4.** There is appropriated from the General Fund of the Government of
 20 the Virgin Islands the sum of \$1,200,000 in the fiscal year ending September 30, 2006, to
 21 the Department of Agriculture for the purchase of land-preparation equipment and any
 22 other equipment the Commissioner considers necessary to further the purpose of title 7,
 23 chapter 1 of the Virgin Islands Code”.

24 **SECTION 5.** Title 7 Virgin Islands Code, chapter 13 is amended:
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1 (a) in section 192, subsection (a), by striking “fishing or”;

2 (b) in section 192, subsection (a), by striking paragraph (3) in its entirety and
3 renumbering the existing paragraphs;

4 (c) in section 192, subsection (c), by striking “or fishing”; and

5 (d) in section 192, subsection (d), by striking “fishing or”.

6 **SECTION 6.** Title 11 Virgin Islands Code, chapter 27 is amended:

7 (a) in section 1402, by striking “Commerce” wherever it appears and inserting
8 “Planning and Natural Resources” in lieu thereof;

9 (b) in section 1402, by striking the second sentence in its entirety;

10 (c) in section 1403, subsection (f), by striking “and particularly the
11 Department of Conservation and Cultural Affairs”;

12 (d) in section 1403, subsection (k), by striking “Commerce” and inserting
13 “Planning and Natural Resources” in lieu thereof;

14 (e) in section 1404, by striking “joint action of the Commissioners of
15 Commerce and” and inserting “Commissioner of” in lieu thereof;

16 (f) in section 1404, second sentence, by striking “Departments of
17 Commerce,” and inserting “Department of” in lieu thereof;

18 (g) in section 1404, third sentence, by striking “Departments of Commerce
19 and” and inserting “Department of” in lieu thereof; and

20 (h) by striking section 1406 in its entirety.

21 **SECTION 7.** Title 33 Virgin Islands Code, chapter 111, section 3061 is amended
22 in the following instances:

23 (1) Subsection (d) is amended by striking ‘\$50,000,000’ and inserting
24 ‘\$45,000,000’ in both places where the sum appears; and
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1 Internal section 7 provides for land management and the establishment of a
2 recycling program by the Department of Agriculture.

3 Internal section 8 shield agricultural operations operated pursuant to law from
4 liabilities as a nuisance. The section also operates as a savings clause for damages by
5 pollution or change in condition of waters on account of overflow.

6 Internal section 9 provides for the Department of Agriculture's administration of
7 the agriculture programs.

8 Internal section 10 mandates that the Department of Licensing and Consumer
9 Affairs and the Department of Health administer farming licenses for agricultural
10 resources and food processing respectively.

11 Internal section 11 prohibits VICORP land from development.
12

13 Internal section 12 allows for an appropriation from the Department of
14 Agriculture's budget to the Sustainable Agricultural Revolving Fund only.

15 Internal section 13 provides that the Commissioner may charge administrative
16 fees to other government departments, agencies, or other government agencies, which are
17 supported by appropriations from the general fund, for services provided by the
18 Department of Agriculture.

19 Internal section 14 specifies that the fees must be set forth in regulations to be
20 promulgated by the Department and the regulations must be published in a newspaper of
21 general circulation twice weekly for three consecutive weeks.

22 Internal section 15 sets forth the circumstances where the Commissioner may
23 grant a refund and how the refund should be issued. In addition, it details how the
24 Commissioner should handle refunds for \$5 or less and for monies owed to the
25 Department for \$5 and under.
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1 Internal section 16 provides for the promotion, marketing and expansion of
2 agriculture in the Virgin Islands by the Department of Agriculture in conjunction with
3 other government departments and agencies through programs in the schools, with the
4 prisons, and through vocational and other programs.

5 Internal section 17 sets forth the circumstance whereby homesteading would be
6 allowed on public farmland.

7 Internal section 18 provides that the enactment of this chapter does not impair any
8 privilege or right acquired under any law of the Virgin Islands.

9 Internal section 19 sets forth the penalties for violating any of the provisions of
10 the chapter.

11 Internal section 20 provides that the Attorney General shall prosecute all
12 violations of the chapter.

13 Section 2 of the bill provides for the amendment of title 19 Virgin Islands Code,
14 section 2301 to provide for a territorial veterinarian.

15 Section 3 of the bill amends title 33 Virgin Islands Code, §3018, subsection (c),
16 Agricultural Revolving Fund and establishes an annual contribution of \$500,000 from the
17 General Fund.
18

19 Section 4 appropriates \$1,200,000 to further the purpose of the Department of
20 Agriculture.

21 Section 5 amends title 7 Virgin Islands Code, chapter 13 in section 192 to delete
22 “fishing or” in subsections (a),(c), and (d) and by deleting paragraph (3) of subsection (a).

23 Section 6 amends title 11 Virgin Islands Code, chapter 27 by striking
24 “Commerce” and “Department of Commerce” wherever they appears and by inserting
25 “the Department of Planning and Natural Resources” in their stead.
26

1 Section 7 amend title 33 Virgin Islands Code, section 3061 in subsections
2 (d) and (e) by deleting the \$45,000,000 and by inserting \$50,000,000 in its stead and by
3 adding an exception clause to subsection (e) providing that \$5,000,000 of the excess of
4 \$50,000,000 be deposited in the Agriculture Revolving Fund.

5 Section 8 amends title 33 Virgin Islands Code, section 3018 in subsection
6 (c) by adding at the end of the subsection a provision that provides that \$5,000,000 of the
7 excess of \$50,000,000 from the Insurance Guaranty Fund be deposited into the
8 Agriculture Revolving Fund and in subsection (d) by adding at the end of the subsection
9 a provision allowing for the purchase of real property and the development and
10 promotion of the agriculture industry.
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14 BR05-0393/November 28, 2005/Reviewed by: PFA
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