

SIZE AND QUORUM OF LEGISLATURE DETERMINED BY
LAWS OF THE VIRGIN ISLANDS

SEPTEMBER 6, 2000.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 2296]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2296) to amend the Revised Organic Act of the Virgin Islands to provide that the number of members on the legislature of the Virgin Islands and the number of such members constituting a quorum shall be determined by the laws of the Virgin Islands, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 2296 is to amend the Revised Organic Act of the Virgin Islands to provide that the number of members on the legislature of the Virgin Islands and the number of such members constituting a quorum shall be determined by the laws of the Virgin Islands, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The U.S. Virgin Islands is an unincorporated organized territory of the United States acquired by purchase from Denmark in 1917. In 1927, Congress extended U.S. citizenship to the residents of the islands and enacted extensive organic legislation in 1936. In 1954, Congress replaced the 1936 act with a Revised Organic Act. While the Virgin Islands organic legislation provided for a civil government, which was during the period when the governor was still appointed by the U.S. president, Congress subsequently enacted additional measures to increase self-governance for the Virgin Islands, including authorization for the direct election of governor, a dele-

gate to Congress, and a local constitution. However, as the Virgin Islands has yet to implement local constitutional government as authorized by Congress in 1976 with the enactment of Public Law 94-584, any changes to executive, legislative, and judicial branches of the Virgin Islands or other provisions of the Organic Act of the Virgin Islands must occur by an act of Congress.

The Revised Organic Act of 1954 provided for a unicameral legislative body comprised of 11 members elected at-large. Congress amended the Act in 1966, increasing the legislature's membership to 15.

The instability of government revenues and volatile economies of the U.S. territories have caused their respective governments to seek ways to reduce government spending. The Virgin Islands, through enactment of Resolution No. 1590 in 1998, petitioned Congress to amend the Revised Organic Act of 1954 to reduce the number of members from 15 to 9. This reflects the importance of this issue to the people of the Virgin Islands.

COMMITTEE ACTION

H.R. 2296 was introduced on June 22, 1999, by Donna M.C. Christensen (D-VI). The bill was referred to the Committee on Resources. On May 17, 2000, the Committee conducted a hearing on Virgin Islands self-government and the need for constitutional self-government. On June 28, 2000, the Full Resources Committee met to consider the bill. No amendments were offered and the bill was favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 5, 2000.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2296, a bill to amend the Revised Organic Act of the Virgin Islands to provide that the number of members of the legislature of the Virgin Islands and the number of such members constituting a quorum shall be determined by the laws of the Virgin Islands, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is John R. Righter.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 2296—A bill to amend the Revised Organic Act of the Virgin Islands to provide that the number of members on the legislature of the Virgin Islands and the number of such members constituting a quorum shall be determined by the laws of the Virgin Islands, and for other purposes

H.R. 2296 would amend the Revised Organic Act of the Virgin Islands to allow the Virgin Islands to determine the size of its legislature and the number of members needed to constitute a quorum. CBO estimates that enacting H.R. 2296 would have no impact on the federal budget. Because the bill would not affect direct spending or receipts, pay-as-you-go procedures would not apply. H.R. 2296 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact is John R. Righter. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

REVISED ORGANIC ACT OF THE VIRGIN ISLANDS

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LEGISLATIVE BRANCH

SEC. 5. (a) * * *

(b) The legislature shall be composed of **[fifteen]** members to be known as senators. *The number of such senators shall be determined by the laws of the Virgin Islands.* The apportionment of the legislature shall be as provided by laws of the Virgin Islands: *Provided*, That such apportionment shall not deny to any person in the Virgin Islands the equal protection of the law: *And provided further*, That every voter in any district election or at large election shall be permitted to vote for the whole number of persons to be elected in that district election or at large election as the case may be. Until the legislature shall provide otherwise, four members shall be elected at large, five shall be elected from the District of Saint Thomas, five from the District of Saint Croix, and one from the District of Saint John, as those Districts were constituted on July 22, 1954.

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SEC. 9. (a) **[The quorum of the legislature shall consist of eight of its members.]** *The number of members of the legislature needed to constitute a quorum shall be determined by the laws of the Virgin Islands.* No bill shall become a law unless it shall have been passed at a meeting, at which a quorum was present, by the affirmative vote of a majority of the members present and voting, which vote shall be by yeas and nays.

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