

RESOLUTION NO. 1915

BILL NO. 36-0002

THIRTY-SIXTH LEGISLATURE OF THE VIRGIN ISLANDS

Regular Session

2025

A Resolution adopting the Rules of the 36th Legislature of the Virgin Islands

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WHEREAS, on January 13, 2025, the Thirty-Sixth Legislature of the Virgin Islands was organized through the adoption of Bill No. 36-0001;

WHEREAS, it is axiomatic that every legislative body has an inherent right regulate its own procedure for the conduct of the business before it;

WHEREAS, pursuant to section 6 of the Revised Organic Act of the Virgin Islands, 48 U.S.C. § 1572(b), the Thirty-Sixth Legislature of the Virgin Islands has and may exercise all the authority and attributes, inherent in legislative assemblies and has the power to adopt, alter, amend, or repeal rules of procedure; and

WHEREAS, to promote and maintain the orderly and proper consideration of the people's business that comes before it, the Thirty-Sixth Legislature intends to adopt the rules set forth in the document entitled Rules of the 36th Legislature of the Virgin Islands; Now Therefore,

Be it resolved by the Legislature of the Virgin Islands:

SECTION 1. Pursuant to section 6(g) of the Revised Organic Act of the Virgin Islands, 48 U.S. § 1572(g), the Thirty-Sixth Legislature of the Virgin Islands adopts the rules governing the organization, procedure, and operation of the Thirty-Sixth Legislature of the Virgin Islands, as set forth in the document entitled "Rules of the 36th Legislature of the Virgin Islands", dated January 13, 2025, which is attached as Appendix A to this resolution and by this reference is made a part of this resolution.

Thus passed by the Legislature of the Virgin Islands on January 13, 2025.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 13th day of January, A.D., 2025.



A handwritten signature in blue ink, appearing to read "Milton E. Potter", with a long horizontal flourish extending to the right.

Milton E. Potter
President

A handwritten signature in blue ink, appearing to read "Avery L. Lewis", with a long diagonal flourish extending from the bottom left.

Avery L. Lewis
Secretary

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PREAMBLE

In all cases not provided for by the Revised Organic Act of the Virgin Islands, a statute of the Virgin Islands or a statute of the United States applicable to the Virgin Islands, the Rules of the 36th Legislature of the Virgin Islands, or established customs and usage of the Legislature of the Virgin Islands, govern the organizational meeting, all regular and special sessions, and all committee meetings of the Legislature of the Virgin Islands. If the Rules of the 36th Legislature does not address the issue, then Mason's Manual of Legislative Procedure (2020 ed.) "Mason's Manual" or Robert's Rules of Order (2020 ed.) "Robert's Rules" shall be consulted, with the former taking precedence over the latter. . When there is a conflict between Mason's Manual, Roberts Rules and these Rules, these Rules controls. These Rules are intended to supplement rather than supersede other actions previously or subsequently taken by the Legislature with respect to its organization and procedure.

CHAPTER 1. ORGANIZATION

Numerical Designation of New Sections

RULE 101. Each newly sitting Legislature is designated numerically by adding one to the number of the preceding Legislature, beginning with the Legislature that convened on the second Monday in January 1955, as the "First Legislature of the Virgin Islands."

RULE 102. (a) Pursuant to section 7 (a) of the Revised Organic Act of the Virgin Islands, at 10 a.m. on the second Monday in January of odd-numbered years, all senators-elect shall meet to take the oath of office at a place in St. Thomas designated by the Oath of Office Ceremonies Committee, which is established under Rule 324a(a).

(b) The Chief Justice of the Supreme Court, the Presiding Judge of the Superior Court of the Virgin Islands, or the Chief Judge of the District Court of the Virgin Islands,

or a respective Justice or Judge's designee, shall administer the Oath of Office to each senator-elect.

(c) The Oath of Office is as follows:

“I, (name of senator-elect) DO SOLEMNLY SWEAR (OR AFFIRM) THAT I WILL SUPPORT, OBEY AND DEFEND THE CONSTITUTION AND LAWS OF THE UNITED STATES APPLICABLE TO THE VIRGIN ISLANDS AND THE LAWS OF THE VIRGIN ISLANDS; THAT I TAKE THIS OBLIGATION FREELY, WITHOUT ANY MENTAL RESERVATION OR PURPOSE OF EVASION; AND THAT I WILL FAITHFULLY AND IMPARTIALLY DISCHARGE THE DUTIES OF SENATOR WITH FIDELITY.”

(d) After taking the oath, each senator shall sign a copy of the Oath of Office.

Organization of the Legislature

RULE 103. On the second Monday in January of odd-numbered years, after the Oath of Office Ceremony and the taking of and subscribing to the oath, all senators shall meet at the Capitol Building in Charlotte Amalie, St. Thomas, and convene in regular session to organize the Legislature of the Virgin Islands and a new term of the Legislature.

Temporary Presiding Officer

RULE 104. (a) Until the election of a President of the Legislature, as provided in Rule 106, the Temporary Presiding Officer shall preside over the organizational meeting of the Legislature. The Temporary Presiding Officer is the immediate past President of the Legislature, if the immediate past President is among the senators-elect. Otherwise, the Temporary Presiding Officer is a senator-elect so designated by a majority of the senators-elect forming the majority caucus.

(b) For the purpose of subsection (a), reference to the “immediate past President” refers to a senator-elect who, during the previous Legislature, was elected to that office by a resolution approved by that Legislature in a regular session.

RULE 105. The Temporary Presiding Officer shall call the senators to order to conduct the election for the Office of President. The Temporary Presiding Officer shall conduct no other business nor perform any function other than that specifically prescribed in this chapter.

RULE 106. (a) Although the Temporary Presiding Officer shall conduct the election for the Office of President, any senator may offer by resolution or motion, a slate of candidates for the offices established in these Rules. If a slate is offered, the Temporary Presiding Officer shall call for a yea or nay vote on the slate, without entertaining amendments to the slate or dividing the slate for separate votes on each of the offices. If a slate fails to receive a majority of votes, another slate may be offered. If no slate receives a majority of votes, the Temporary Presiding Officer shall proceed with the election for the Office of President. Nothing in this subsection prohibits the dividing for separate vote or amendment on any matter not directly naming senators to specific offices or positions.

(b) Unless otherwise decided, the officers, committee chairpersons, and members on committees of the Thirty-Sixth Legislature are as provided in the document entitled “A Resolution Establishing the Majority Caucus, Electing the Officers, Appointing Chairpersons, Vice-chairpersons, and Members to the Standing Committees of the Thirty- Sixth Legislature of the Virgin Islands, and Adopting the Rules of the Thirty-Sixth Legislature of the Virgin Islands.”

RULE 107. The proceedings under Rule 106 are governed by Mason’s Manual of Legislative Procedure or Robert’s Rules of Order; but any ruling or decision by the Temporary

Presiding Officer may be nullified or reversed by a majority vote of the senators present, a quorum being present. The Temporary Presiding Officer shall recognize, as a matter of right, any senator who seeks to move that the body nullify or reverse a decision or ruling of the Temporary Presiding Officer.

RULE 108. Immediately upon election of a President of the Legislature, whether by slate or otherwise, the Temporary Presiding Officer shall relinquish the chair to the senator elected as President and has no further powers or authority as Temporary Presiding Officer.

Election of Officers

RULE 109. Immediately upon assuming the chair, the President shall conduct separate elections for Vice-President of the Legislature, Legislative Secretary, Secretary for Inter-Governmental and Territorial Affairs, Liaison to United States Congress, Liaison to the United States Department of Interior, Liaison to the White House, and other appropriate positions, unless these positions have already been filled by the adoption of a slate under the proceedings of Rule 106.

CHAPTER 2. OFFICERS OF THE LEGISLATURE

President

RULE 201. (a) In addition to the rights, privileges, and responsibilities as a senator, the President of the Legislature shall:

- (1) convene the Legislature each legislative day at the hour prescribed by these Rules, a quorum having been established;
- (2) prepare the session and Committee of the Whole agendas;
- (3) preside over each session, preserving order and decorum throughout;

(4) decide questions of parliamentary procedure and, if the President chooses, state the reason for the decision, but any decision may be overturned by majority vote of the entire Legislature;

(5) chair the Committee of the Whole, or designate any other senator to serve as the chair of the Committee of the Whole, if the Vice President, Secretary and Majority Leader are not present;

(6) certify, by signature thereon, that all bills and resolutions passed by the Legislature were considered and passed during a valid session of the Legislature;

(7) certify, by signature thereon, that all writs, warrants, and subpoenas issued by order of the Legislature, or a committee of the Legislature were duly issued in accordance with the law and these Rules;

(8) ensure that the Oath of Office set forth in Rule 102 (c) is administered to each senator-elect who has been certified by the Board of Election as entitled to a seat in the Legislature on the second Monday of January following the senator's election;

(9) subject to Rule 106, appoint senators, including himself or herself, to standing, select, special committees, or any other form of legislative committees; designate a chair of each committee; and ensure that senators of the minority are appointed to committees in a reasonable manner as determined by the Majority;

(10) enter into contracts and authorize for payment and cause to be paid any necessary expenditure of the Legislature, including, but not limited to, expenditures for, professional services, telephone and other utilities, computer services, stationery and other clerical supplies, electronic equipment of all kinds, traveling expenses, including travel by senators and staff to attend meetings of legislative committees of which they

are members, and other necessary expenses to conduct the business of the Legislature, except that:

(A) a contract may not be executed for any senator for professional services' telephone services, utilities, internet, or other services that are provided by the staff of the Legislature or the Legislature's contractors;

(B) all contracts for employment, whether for central staff or for senatorial staff, must comply with the prohibition in title 31 V.I.C. § 248(b) against government contracts for personal services unless the following requirements of section 248(b) are met:

(i) — the services cannot otherwise be obtained through the direct hire of employees, in the same manner as by appointment of central staff employees, as certified by the Director of the Division of Human Resources of the Legislature of the Virgin Islands;

(ii) employment contracts may include a provision of benefits normally afforded exempt civil service employees of the executive branch and the central staff of legislative branch;

(C) all contracts for professional or construction services must comply with the Legislature's established procurement policies and procedures and applicable laws;

(D) all contracts for professional services must be for legislative activities only; and

(E) all contracts must be either drafted or reviewed and approved for legal sufficiency by the Legislative Legal Counsel's Office;

(11) except for those administrative duties the President may delegate to the Executive Director, the President supervises and administers the internal affairs of all legislative offices, including hiring and firing all “central staff” employees, assigning central staff employees their duties, determining their rate of compensation, issuing employee manuals and employee policies, taking commendatory and disciplinary actions towards employees as appropriate, such as: demotions, suspension without pay, and terminations, subject to the provisions of Rule 1016; except that:

(A) No member of a senator’s staff may be terminated without the specific written consent of the senator;

(B) Any senator may terminate a member of the senator’s staff, and the President may not unreasonably withhold approval of the termination; and

(C) Notwithstanding Rule 202, paragraph (2), the President has the sole authority to terminate any employee of the Legislature, including persons hired and working by a senator and working as senatorial staff.

(D) A senator who is the President in an acting capacity may not terminate employees; and

(E) Not less than five working days before the effective day of a termination, the President shall notify the Executive Director, the Director of Business and Financial Management and the Director of Human Resources in writing of the termination;

(12) hire employees of the Legislature in consultation with the Majority Caucus and the respective division head, where applicable;

(13) serve as liaison between the Governor and Legislature on legislative matters;

(14) not more than five working days after receipt, assign all nominations that require the advice and consent of the Legislature to the Committee on Rules and Judiciary; and

(15) designate any senator to act as an officer in the absence of the other officers specified in the legislative line of succession.

(b) In addition to the President's authority to hire positions within the Legislature, all senatorial staffing requests shall be submitted to the President through the Business & Financial Management Director and the Executive Director. These individuals will ensure that the necessary certification is made confirming that sufficient funding is available for the proposed hire. Once the request is approved, final approval documents must be provided to the Human Resources Director for proper processing and record-keeping.

(c) No senatorial personal staff hiring may be deemed approved by the President, if the Executive Director and the Director of Business and Financial Management certify in writing to the President and the hiring senator that the hiring would exceed the amount remaining in any account specifically set aside for the hiring of a senator's personal staff.

(d) Any savings deriving from the termination or resignation of a senator's staff must be automatically credited to that senator's account or allotment.

Vice President

RULE 202. In addition to the rights, privileges, and responsibilities as a senator, the Vice-President of the Legislature shall:

(1) in the absence of the President preside over legislative sessions, ensuring the orderly conduct of business and adherence to legislative procedures;

(2) pursuant to 2 V.I.C., 74, serve as certifying officer.

(3) oversee working groups and shall ensure that all committee operations are conducted in accordance with Legislature Rules and Policies, as assigned by the President;

(4) represent the Legislature at public events, meetings, or functions when directed by the President;

(5) serve as Acting President should the office of the President become vacant, or the President is temporarily incapacitated, and assume all duties and responsibilities of the President until a new President is elected or the President returns to office;

(6) assist the President in various administrative, legislative, and procedural matters as requested by the President, and shall collaborate with legislative leadership to ensure the effective functioning of the Legislature;

(7) be assigned other specific duties by the President, which may include participation in working groups, task forces, or representing the legislature in matters outside of regular sessions; and

(8) perform other duties or responsibilities as deemed necessary by the President.

These duties and responsibilities are in addition to those performed as Acting President under section 201 of this chapter.

Legislative Secretary

RULE 203. In addition to the rights, privileges, and responsibilities as a senator, the Legislative Secretary shall:

(1) call the roll of senators at the commencement of each session and record the presence or absence of each; keep an accurate record of the presence or absence of each senator at each session of the Legislature, including the reason for each absence, if

available, and cause this record to be printed in the Journal; except that the Legislative Secretary may direct the Clerk to call the roll and record the attendance;

(2) read into the record or direct the Clerk to read into the record all correspondence;

(3) serve as a certifying officer and attest by signature when necessary, or required by law, to the accuracy of all bills, amendments, resolutions, orders, writs, warrants, subpoenas, or other official documents issued, passed, or ordered to be issued by the Legislature;

(4) perform the duties of the Vice President during the Vice President's absence; and

(5) perform other duties that the President designates.

Majority Leader

RULE 204. (a) The Majority Caucus may elect one member to serve as Majority Leader.

(b) In addition to the rights, privileges, and responsibilities as a senator, the Majority Leader shall present the position of the Majority and shall:

(1) in coordination with the President, call together the senators who are members of the majority in meetings at times and for reasons considered necessary;

(2) preside over majority meetings and ensure order throughout;

(3) assist the President in defining, developing and promoting a legislative program for presentation to senators and the community and work for the implementation of the program through every lawful means;

(4) manage legislation during Floor debate, and work with the senators in the Majority Caucus to advance Majority Caucus legislation;

(5) assign offices;

- (6) assign desks on the Legislature Floor;
- (7) provide space in the Chambers to properly accredited news media representatives; and
- (8) perform duties that the Majority Caucus may assign.

Minority Leader

RULE 205. (a) A Minority Caucus shall consist of senators who are not members of the Majority Caucus. Only one Minority Leader may be recognized. The Minority Leader must be a senator chosen by the Minority Caucus. The President must be notified in writing which senator has been chosen as the Minority Leader.

(b) In addition to the rights, privileges, and responsibilities as a senator, the Minority Leader shall present the minority position and shall:

- (1) call together the senators of the minority in meetings at times and for reasons considered necessary;
- (2) preside over Minority Caucus meetings and ensure order throughout;
- and
- (3) perform duties for the minority as the Minority Caucus assigns.

Secretary for Intergovernmental Relations and Territorial Affairs

RULE 206. In addition to the rights, privileges, and responsibilities as a senator, the Secretary for Inter-Governmental Relations and Territorial Affairs shall:

- (1) perform the duties of Legislative Secretary during the Legislative Secretary's absence;
- (2) act as the official liaison between states and other territorial legislatures and the governments of the nations and territories in the Caribbean and Caribbean Basin;

(3) coordinate all activities among senators and officials of the state and territorial governments;

(4) arrange for conferences between senators and officials of the state and territorial governments and the nations and territories of the Caribbean and the Caribbean Basin;

(5) represent the President at inter-governmental conferences and other meetings within and outside the Virgin Islands; and

(6) perform any or all other duties assigned by the President or Majority Caucus.

Liaison to the White House

RULE 207. In addition to the rights, privileges, and responsibilities as a senator, the Liaison to the White House shall:

(1) serve as the official point of contact between the Legislature and the White House, facilitating effective communication and cooperation between the Legislature and the White House;

(2) serve as the primary representative of the Legislature in all communications with the White House, which includes ensuring that key legislative updates, proposals, and concerns are conveyed to the White House and facilitating timely responses to inquiries or requests;

(3) work with the White House to advocate for legislative priorities and foster collaborative efforts on issues of mutual concern and provide information to the White House regarding the Legislature's position on various policy matters and initiatives;

(4) regularly report to the Legislature on relevant discussions, actions, or decisions taken by the White House that may impact the territory including briefing the

Legislature on important developments and providing strategic advice on ongoing engagements with the White House;

(5) schedule, organize, and coordinate meetings between members of the Legislature and White House officials and ensure that meetings are productive, properly documented, and aligned with legislative priorities;

(6) monitor legislative initiatives, executive orders, and other federal actions that may affect the Virgin Islands and keep both the Legislature and the White House informed about the progress of key legislative items and federal policies;

(7) attend White House functions and events on behalf of the Legislature, ensuring that the interests of the territory are represented and that the Legislature's role in national conversations are maintained;

(8) provide guidance to the President and other legislative leaders on matters relating to White House policies, priorities, and communications to help shape the Legislature's engagement strategy with the White House;

(9) act as a mediator to address and resolve any issues or disputes that may arise between the Legislature and the White House, including facilitating constructive dialogue and ensuring that the interests of the Legislature are represented in discussions;

(10) maintain accurate records of all correspondence, meetings, and interactions with the White House and report on outcomes or action items to the appropriate legislative authorities;

(11) be assigned other duties as determined by the Legislature, legislative leadership, or the White House, in accordance with the needs of the Legislature's engagement with the White House; and

(12) perform all other duties assigned by the President or Majority Caucus.

These duties are designed to ensure that the interests of the Legislature are well-represented in dealings with the White House and that communication between the two entities remains transparent, efficient, and productive.

Liaison to the United States Congress

RULE 208. In addition to rights, privileges, and responsibilities as a senator, the Liaison to the United States Congress shall:

- (1) communicate with members of the United States Senate and the United States House of Representatives (“the U.S. Congress”) on issues affecting the Virgin Islands;
- (2) act as a liaison between the Legislature of the Virgin Islands, and the U.S. Congress;
- (3) collaborate with the Legislature of the U.S. Congress;
- (4) work jointly with the Delegate to Congress on behalf of the people of the Virgin Islands;
- (5) further develop programs that would:
 - (A) enhance the positive working relationship between members of the U.S. Congress, the Virgin Islands Delegate to Congress and members of the Legislature;
 - (B) seek opportunities for senators to testify before the U.S. Congress on issues affecting the territory; and
 - (C) allow senators to forward recommended legislation that affects the Virgin Islands and is pertinent to their committees’ jurisdiction to members of the U.S. Congress;
- (6) coordinate the efforts of any senator interacting with the U.S. Senate or the U.S. House of Representatives; and

(7) perform other duties as may be designated by the President and the Majority Caucus that pertains to congressional interaction.

Liaison to the U.S. Department of Interior, Office of Insular Affairs

RULE 209. In addition to rights, privileges, and responsibilities as a senator, the Liaison to the United States Department of Interior, Office of Insular Affairs shall:

- (1) maintain communications with the key officials in the U.S. Department of Interior and keep abreast of and convey information to the Legislature concerning new developments and plans that affect the Virgin Islands;
- (2) enhance the relationship between the Legislature and the officials of the Department of Interior;
- (3) lobby Department of Interior officials to favorably influence federal policies towards the Virgin Islands; and
- (4) perform all duties designated and assigned by the President and the Majority Caucus.

CHAPTER 3. COMMITTEES

General Provisions

RULE 301. (a) Unless otherwise provided in these Rules, each standing committee of the Legislature has the power to:

- (1) investigate, study, and evaluate all matters within its jurisdiction;
- (2) evaluate and recommend the revision of any law affecting matters within its jurisdiction;
- (3) hold hearings and call before it witnesses to testify on matters within its jurisdiction;

(4) analyze and amend, or substitute an original text of any bill that the President refers to the committee, except that any additions or substitutions must be germane to the referred bill;

(5) report to the Legislature the committee's findings and conclusions on any matter within its jurisdiction, except that no bill or other matter may be reported directly to the Legislature's Floor unless first considered by the Committee on Rules and Judiciary; and

(6) authorize and cause to be expended, from the funds allotted to the committee by the President and the Majority Caucus, sums needed for:

(A) salaries and contractual payments for clerical and professional staff the Committee may require;

(B) travel and per diem allowances for committee members and the staff of the committee chair traveling on committee business;

(C) equipment supplies and other materials necessary to conduct committee business; and

(D) any other purpose necessary for fulfilling the responsibilities of the committee; except that, no committee may obligate monies of the Legislature in any way, unless funds have been first made available.

(b) No committee, committee chair or senator may conduct committee meetings or public hearings outside the scope of the committee's jurisdiction. The President may overrule or deny the scheduling of a committee meeting that the President determines is outside the scope of the committee's jurisdiction.

(c) Administration of Oath

Each member of a committee may administer oaths.

(1) The oath giver shall require the witness to raise their right hand and respond to the following oath:

“Do you solemnly affirm under penalty of perjury that the testimony you will give to this committee, will be the truth, the whole truth, and nothing but the truth to the best of your knowledge and belief?”

RULE 302. (a) Each committee shall conduct its business pursuant to the Rules of the Legislature insofar as they are applicable. However, Rules 508 and 511(c)(2) and (3) do not apply to committee meetings.

(b) Except as provided by subsection (c), a committee chairperson may make motions, second motions and participate in the general debate.

(c) The committee chairperson shall vacate the chair when a motion is made that the chairperson has a direct personal interest and may not return until the matter is disposed of by the committee.

RULE 303. (a) Except for holding a hearing as provided in subsection (c), no committee may report out a bill or resolution or take any action, except by a majority vote, a quorum being present.

(b) A committee quorum consists of a majority of the total membership of that committee.

(c) A committee comprised of seven members may convene a meeting with three members to receive testimony, but no action can be taken.

(d) At the close of each standing committee meeting, including the meetings of the Committee on Rules and Judiciary, the chairperson shall summarize, in writing, the actions of

the committee, including all actions taken on every bill and present the summary to the Executive Director not later than five working days of the close of the meeting. The Chairperson of the Committee shall promptly deliver to the office of each senator and to the Chief Legal Counsel a copy of the summary.

RULE 304. No committee may act in violation of the United States Constitution, the Revised Organic Act of the Virgin Islands, laws the Virgin Islands, laws of the United States made applicable to the Virgin Islands, or any resolution passed by the Legislature.

RULE 305. To the maximum extent practicable, each committee shall hold an equal number of meetings in the district of St. Croix and the district of St. Thomas-St. John; but all meeting and hearings concerning coastal zone permit applications, zoning amendment applications, leases of government real estate and other the conveyances of government real estate under 31 V.I.C. §205 must be held on the island on which the coastal zone project, zoning amendment, or lease agreement or other conveyance will take effect.

RULE 306. Committee Hearing and Committee Meeting

(a) **Committee Hearing:** A committee hearing is a formal gathering of a committee where legislative action is taken through a vote. During a hearing, committee members discuss, deliberate, and vote on proposed legislation, resolutions, or other matters requiring committee approval. The outcome of the hearing is determined by the results of the vote, which may be on bills, amendments, or other legislative action.

(b) **Committee Meeting:** A legislative committee meeting is a less formal gathering where no legislative action is taken by vote. Committee meetings primarily serve as a forum for dialogue, discussion, and the exchange of information. It may include testimony from witnesses, presentations, and updates on legislative matters, but it does not involve voting on

bills or resolutions. The purpose of committee meetings is to inform committee members and facilitate decision-making for future actions.

Committee Action after Adjournment Sine Die

RULE 307. Unless otherwise provided by these Rules, the power of a standing committee to hold hearings, to issue subpoenas, and to investigate matters within its jurisdiction continues notwithstanding the fact that the Legislature may be in recess or has adjourned sine die. No committee may report out any bill, resolution, or other form of legislation or any lease, permit, personnel action, appropriation transfer or other matter after adjournment sine die. Any committee findings and conclusions made pursuant to the power to investigate and hold hearings as provided in this Rule, may be filed for publication not later than the seventh calendar day of the next Legislature, notwithstanding the committee's nonexistence after the commencement of that Legislature.

Subpoenas

RULE 308. (a) Although section 6 (g) of the Revised Organic Act confers broad authority on the Legislature and its standing committees to investigate and gather information pursuant to the Legislature's or the committees' regular functions, a committee may exercise its subpoena powers only for matters within its jurisdiction, where a proper legislative purpose exists, and the committee has reasonably determined that the subpoenaed information or documents are relevant and material to the accomplishment of its legislative purpose, that the information sought is not otherwise practically available, that no other method of securing the desired information would be successful or practicable, and that the matter is of primary importance to the welfare of the people of the Virgin Islands. A committee, in addition to regular committee procedures, shall observe the procedures in this Rule and those in title 2 Virgin Islands Code, chapter 1 when investigating and gathering information, whether pursuant

to a resolution of the Legislature or pursuant to its regular functions of oversight and bill preparation.,. Unless otherwise provided by law, each standing committee may summon witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, issue subpoenas, and take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary, not inconsistent with this Rule. If any witness willfully refuses to obey a subpoena, or produce books, papers or documents as required by a subpoena, or refuses to testify on matters of which the witness has knowledge and are the subject of a subpoena, or perjures himself or herself, then the witness is in contempt of the committee and the committee may refer the matter to the Legislature for such action as the Legislature may elect to take consistent with law, including referral to the Department of Justice for possible prosecution.

(b) A subpoena is sufficient if it:

- (1) states whether the proceeding is before a committee or the Legislature's Committee of the Whole;
- (2) is addressed to the witness;
- (3) requires the attendance of the witness at a time, date and place certain;
- (4) is signed by the President or the Acting President of the Legislature or the chairperson of the committee before which attendance of the witness is desired;
- (5) contains the subject of the testimony or a description of all documents required;
- (6) furnishes the witness at least 72 hours' notice;
- (7) meets all other requirement of 2 V.I.C. § 3, including the requirement that the witness be paid a fee and be paid for traveling expenses, in the same amount that would

be paid according to law to a witness under similar circumstances if summoned to attend a session of the Superior Court of the Virgin Islands; and

(8) states that the subpoena was approved by a majority of the committee, a quorum being present.

(c) A subpoena may not be issued unless it is approved at a convened hearing of a committee and may not be approved by petition of the committee members outside of a hearing.

(d) A committee shall submit a copy of each subpoena it has issued to the Director of the Journal Division for recording in the Journal of the Legislature indicating:

- (1) to whom the subpoena was issued;
- (2) the date the subpoena was issued;
- (3) the purpose for which the subpoena was issued; and
- (4) the date on which testimony or production of documents is to take place.

(e) A committee that has issued a subpoena directing a witness to appear at a hearing may not question the witness unless a quorum is present throughout the questioning.

(f) A committee may not subpoena the Governor or any officer or employee of the United States about the affairs of the federal government.

(g) The Legislature may charge a witness, or attorney representing a witness with contempt in either of the following circumstances:

(1) During a committee investigation or hearing and pursuant to a committee subpoena, if the witness:

- (A) refuses to be sworn or testify;
- (B) fails on demand to produce any papers, books, or documents regarding any matter under investigation; or

(C) refuses to answer any question pertinent to the subject under inquiry or investigation.

(2) When the committee decides to pursue a contempt proceeding, the committee shall report the conduct of the witness to the Legislature for such action as may be necessary or may seek injunctive relief pursuant to 2 V.I.C. § 8 (b). The witness is guilty of contempt if the Legislature finds that the witness deliberately interfered with the duties and powers of the Legislature while in attendance at a committee hearing.

(h) Nothing contained in this Rule may be construed to limit or prohibit the acquisition of evidence or information by any committee by any lawful means not provided for in this Rule.

Open Meetings

RULE 309. (a) Each committee meeting is open to the public, except:

(1) when the committee, during the meeting and with a quorum present, determines by rollcall vote that all or part of the remainder of the meeting on that day or another day certain must be closed to the public pursuant to 1 V.I.C § 254; or

(2) when the meeting constitutes a caucus pursuant to 1 V.I.C. § 254(g).

(b) Title 1 Virgin Islands Code. section 254 prohibits the Legislature from calling a caucus for the purpose of circumventing the requirements of the open meetings statute.

(c) For purposes of this rule, a caucus means a private meeting of senators without regard to:

(1) the subject matter under discussion, including discussions of public business;

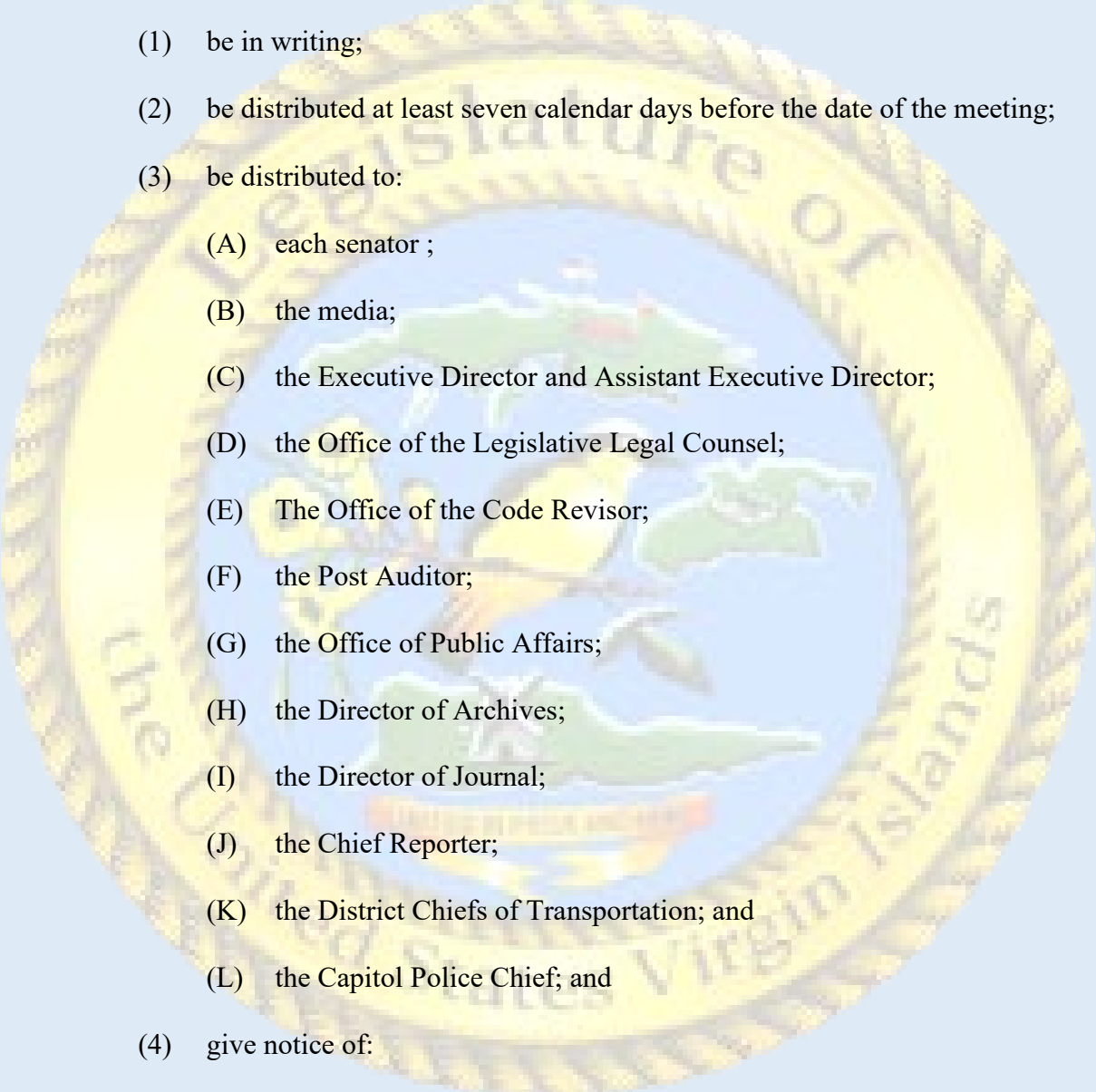
(2) the majority or minority status of s the political conference or caucus; or

(3) whether s the political conferences and caucuses invite staff or guests to participate in its deliberations.

Public Announcement of Hearings and Meetings; Amendments to Announcements;

Voidable Actions of a Committee

RULE 310. (a) A committee chairperson shall make an announcement of all committee meetings. The announcement must:

- 
- The seal of the Legislature of the Virgin Islands is a large, circular emblem in the background. It features a map of the Virgin Islands in the center, surrounded by a wreath. The words "The Legislature of the Virgin Islands" are inscribed around the perimeter of the seal.
- (1) be in writing;
 - (2) be distributed at least seven calendar days before the date of the meeting;
 - (3) be distributed to:
 - (A) each senator ;
 - (B) the media;
 - (C) the Executive Director and Assistant Executive Director;
 - (D) the Office of the Legislative Legal Counsel;
 - (E) The Office of the Code Revisor;
 - (F) the Post Auditor;
 - (G) the Office of Public Affairs;
 - (H) the Director of Archives;
 - (I) the Director of Journal;
 - (J) the Chief Reporter;
 - (K) the District Chiefs of Transportation; and
 - (L) the Capitol Police Chief; and
 - (4) give notice of:
 - (A) each bill, resolution, lease, permit, contract, appropriation transfer, grant application, or other matter that will be formally considered by the committee; and
 - (B) the date, time, and place of the meeting.

(b) An announcement made pursuant to subsection (a) may be amended; however, the amendment must be distributed not less than forty-eight hours before the committee meeting, in accordance with subsection (a) (3).

(c) A majority of the members of a committee may convene a meeting by a petition if the following conditions are met:

(1) The petition must be signed by a majority of the committee members and must include the date and time and the agenda for the meeting and must be delivered to the office of the chairperson of the committee not less than eight calendar days before the proposed date and time of meeting.

(2) Notwithstanding subsection (a), a committee meeting may be held in less than seven calendar days after the seven calendar-day announcement if a majority of the committee members so requests in writing to the chairperson. Public announcement and notice to all persons listed in subsection (a) (3) must be made at the earliest possible date, but not later than 48 hours before the hour of the committee meeting.

(3) If the agenda is not completed on the day originally scheduled, the chairperson may recess the meeting and complete the agenda on a subsequent date. The subsequent meeting does not have to comply with the announcement and provisions of this Rule.

(d) Any action taken by a committee is void if the action:

(1) was not taken in compliance with this Rule;

(2) is objected to by a senator in formal session; and

(3) is not ratified by an affirmative vote of a majority of the senators meeting in formal session.

Reservation Calendar

RULE 311. Each committee chairperson shall reserve the time and date for a committee hearing or meeting on a calendar kept by the Journal Division, except for the Committee on Rules and Judiciary and the Committee on Finance whose meetings must be reserved on the calendar in accordance with Rules 314(c) and 315(a). The reservation may be changed only in writing by the chairperson or the chairperson's designee. No committee chairperson may schedule a committee hearing or meeting during a time previously reserved for another committee hearing or meeting.

Creation and Size of Each Committee

RULE 312. The standing committees of the Legislature, comprising of seven senators each, are as follows: are:

- (1) Committee on Rules and Judiciary;
- (2) Committee on Budget, Appropriations and Finance;
- (3) Committee on Health, Hospitals and Human Services;
- (4) Committee on Education and Workforce Development;
- (5) Committee on Disaster Recovery and Infrastructure;
- (6) Committee on Housing, Transportation and Telecommunications;
- (7) Committee on Homeland Security, Justice and Public Safety;
- (8) Committee on Economic Development and Agriculture;
- (9) Committee on Government Operations, Veterans Affairs, and Consumer Protection; and
- (10) Committee on Culture, Youth, Aging, Sports, and; and
- (11) The Committee of the Whole is composed of all 15 senators.

Committee Appointments

RULE 313. Senators must be appointed to committees in accordance with Rule 106 or Rule 201 (a)(9).

Jurisdiction of Each Committee

RULE 314. (a) The jurisdiction of the **Committee on Rules and Judiciary** encompasses, and the Committee shall receive, consider, and make recommendations:

- (1) on all appropriation bills for the annual budget or expenses of the Legislature;
- (2) from the Code Revisor for bills to correct obvious errors, eliminate inconsistencies, duplicitous laws, laws repealed directly or by implication, laws adjudged unconstitutional or otherwise invalid, and bills for modernizing the Virgin Islands Code;
- (3) on all bills or resolutions amending the Rules of the Legislature;
- (4) on nominations for offices that are made by the Governor and require confirmation by the Legislature;
- (5) on bills related to family law, estate law, probate, business and corporation law, administration of the territorial court system and administration of the election system; and
- (6) on bills relating to any board, commission, or agency whose operation or nature of business is relevant to the operation of the Committee on Rules and Judiciary.

(b) Additionally, the Committee:

- (1) has jurisdiction over all boards and commissions not specifically delegated to another committee by these Rules;

(2) may receive complaints against senators and make recommendations on disciplinary action;

(3) make a continuing study of the organization and operation of the Legislature and recommend improvements in the organization and operation, with a view toward strengthening the Legislature, simplifying its operations, improving its relationships with other branches of the Government, and enabling it better to meet its responsibilities under the Revised Organic Act and laws of the Virgin Islands; receive, consider, and make recommendations before reporting out for placement on the Floor agenda all bills favorably considered and reported out by other committees, including those bills reported to the Floor agenda under closed rule; and

(4) by motion made in the Committee, subject bills to a closed rule, which prohibits any substantive amendments to the bill during Floor consideration.

(c) The Committee on Rules and Judiciary shall meet on every 2nd and 4th Thursday of each month or at the discretion of the chairperson.

RULE 315. (a) The **Committee on Budget, Appropriations and Finance** shall meet every 1st and 3rd Tuesday of each month or at the discretion of the chairperson. Budget hearings preempt any other committee meetings when notice is given in accordance with Rule 310. The jurisdiction of the Committee on Budget, Appropriations and Finance encompasses, and the Committee shall receive, consider, and make recommendations:

(1) on all appropriation bills, including the annual budget of the Government of the Virgin Islands and bills of claim, but this jurisdiction does not include the annual budget or expenses of the Legislature which is solely within the jurisdiction of the Committee on Rules and Judiciary;

(2) on all bills relating to banks and banking, insurance and insurance companies, savings and loan companies, financial institutions of all kinds, and money service businesses;

(3) on all bills affecting the raising of revenues for or expenditure of funds from the Treasury of the Government of the Virgin Islands, including public investments and bonds;

(4) on all bills relating to casino gaming, racinos, internet gaming video lottery terminals and sports gaming;

(5) on bills relating to any board, commission, or agency whose operation or nature of business is relevant to the operation of the Committee on Budget, Appropriations and Finance; and

(6) receive, consider, and make recommendations on all lease, franchise, public or private, concession, tax incentive, and other agreements requiring legislative ratification or approval.

(b) The Committee shall also:

(1) review and investigate as it considers necessary the operations of the Department of Finance, Department of Property and Procurement, the Bureau of Internal Revenue, the Office of the Virgin Islands Inspector General, the Virgin Islands Lottery, the Office of Management and Budget, the Government Employees Retirement System and the financial affairs of all other departments and instrumentalities of the Government of the Virgin Islands not inconsistent with the applicable law;

(2) ascertain and report, from time to time, on the financial condition of the Government of the Virgin Islands; and

(3) study, investigate and recommend, as it finds necessary, ways to meet the financial obligations, both existing and proposed, of the Government of the Virgin Islands.

(c) The general appropriation bills for the succeeding fiscal year covering items set forth in the budget must be passed or defeated in the Legislature before the Legislature passes any appropriation bill for items not in the budget, except bills supplementing appropriations for the current fiscal year's operation.

(d) Any bill containing an appropriation to carry out its purpose is considered an appropriation bill. Appropriation bills, when favorably considered by a committee other than the Committee on Budget, Appropriations and Finance must, together with amendments proposed by that committee, be referred to the Committee on Budget, Appropriations and Finance for consideration.

RULE 316. The jurisdiction of the **Committee on Health, Hospitals, and Human Services** encompasses, and the Committee shall receive, consider, and make recommendations on all bills relating to:

(1) public health, mental health, programs for substance abuse, sanitation, pest control, hospitals, medical services, pharmacies medical schools, nursing schools and nursing programs, human services, and all matters pertaining to them;

(2) the Hospital Board, Board of Nurse Licensure, Board of Medical Examiners, Board of Medicine, Board of Surgery, Board of Naturopathic Physicians, Board of Dental Examiners, Board of Pharmacy, Board of Optometry, Board of Physical Therapy, Board of Chiropractic Examiners, Board of Podiatry, Board of Examiners for the Practice of Veterinary Medicine, Board of Psychology Examiners, and the Board of Licensed Counselors and Examiners, and the Board of Social Work Licensure;

- (3) ambulatory care urgent care, and vocational rehabilitation programs;
- (4) day care programs, foster care and placement of children, adult social services, public assistance and other social welfare programs;
- (5) aging, gerontology, senior citizens and programs and protective services for senior citizens and persons with disabilities;
- (6) any board, commission, or agency whose operation or nature of business is relevant to the operation of the Committee on Health, Hospitals, and Human Services.

RULE 317. The jurisdiction of the **Committee on Education and Workforce Development** encompasses, and the Committee shall receive, consider, and make recommendations on all bills relating to:

- (1) education, prekindergarten programs, elementary, middle school, and secondary educational institutions, adult education, charter schools, alternative education, and all matters pertaining thereto;
- (2) the University of the Virgin Islands, the Department of Education, the Board of Education, the Board of Career and Technical Education and the Scholarship Board;
- (3) teachers and education personnel;
- (4) scholarship programs;
- (5) all cultural affairs, including cultural heritage, intellectual property rights and artistic activities, and other products of human works and thoughts; and
- (6) labor, collective bargaining, civil service, retirement, workers' compensation, unemployment insurance, occupational, safety and health, training and retraining programs, and all matters pertaining them; and

(7) the Division of Personnel, employment agencies, the Virgin Islands Wage Board, the Virgin Islands Public Employees Relations Board, and any other board, commission, or agency whose operation or nature of business is relevant to education, youth, or the operation of the Workforce Development.

RULE 318. (a) The jurisdiction of the **Committee on Disaster Recovery, Infrastructure and Planning** encompasses, and the Committee shall receive, consider, and make recommendations on:

(1) all bills and matters relating to mitigation, planning, response, and recovery actions in connection with natural disasters;

(2) all government contracts for coordinating recovery efforts for recent hurricanes projects, including all contracts between the Public Finance Authority and consultants that are in the business of providing FEMA consulting services to assist the Public Finance Authority in coordinating its recovery efforts with FEMA and other federal agencies, and contracts for management of federal funds, construction of housing, house repair transportation, utilities, public building, and projects coordinated by the office of Disaster Recovery, and all contracts of other departments, agencies or instrumentalities of the Government;

(3) public works, water supply systems, sewage disposal systems, government-owned properties, roads and highways, and all other matters submitted to the Legislature under 31 V.I.C. § 3;

(4) all bills relating to the Virgin Islands Energy Office and the Water and Power Authority as it relates to energy matters and electrical power systems; and

(5) bills relating to land use, and development, building codes, planned area development permits, subdivisions, shorelines, and natural resources and historic preservation.

(b) The Committee on Disaster Recovery, Infrastructure and Planning has oversight and investigatory authority over all government agency operations involved in disaster recovery and rebuilding the Territory's infrastructure, including the operations the Office of Disaster Recovery, Virgin Islands Territorial Emergency Management, the Public Finance Authority, the Department of Public Works, and the Department of Planning and Natural Resources, and shall make specific findings and recommendations concerning their operations to the appropriate authority.

RULE 319. The jurisdiction of the **Committee on Housing, Transportation, and Telecommunications** encompasses, and the Committee shall receive, consider, make recommendations on all bills:

- (1) relative to and have investigatory authority over all government agency operations, including, but not limited to the Housing Finance Authority, Housing Authority, Department of Public Works, Waste Management Authority, and make specific findings and recommendations to the appropriate authority for final action;
- (2) relating landfill, Waste Management, and solid waste disposal systems and their impact on the environment and all matters pertaining to the environment;
- (3) relating to recycling and redemption centers, resource recovery, and disposal sites;
- (4) relating to housing, housing projects, urban renewal programs, housing rehabilitation programs, housing financing, home mortgage rates, self-help housing,

low-and moderate-income housing developments, rent control and all matters pertaining thereto;

(5) and other matters relating to, building codes, housing codes, community planning and development, relevant to the operation of the Committee on Housing, Transportation and Telecommunications;

(6) and other matters relating to, transportation, including VITRAN, ferry boat services, car ferry services, and matters pertaining to roads and highways; and

(7) relating to any board, commission, or agency whose operation or nature of business is housing, planned area affordable housing, transportation, and or telecommunications.

RULE 320. The jurisdiction of the **Committee on Homeland Security, Justice and Public Safety** encompasses, and the Committee shall receive, consider, and make recommendations on:

(1) all bills relating to the Virgin Islands Territorial Emergency Management Agency (VITEMA), the Virgin Islands Air National Guard, the Virgin Islands Fire Services, the Virgin Islands Police Department, the Bureau of Corrections, Department of Justice, Emergency Medical Services, the Virgin Islands Parole Board, the Criminal Victims Compensation Commission, the Virgin Islands Witness Protection Board, and all other agencies, boards and commissions that provide related services;

(2) all matters pertaining to all law enforcement-related departments, agencies and divisions, involved in public safety, civil defense, fire protection, first responders, crime, penal and correctional institutions and statutes of a penal nature unless closely related to a subject delegated to another committee;

(3) and coordinate policy recommendations and bills concerning homeland security, statutes on counterterrorism, national and territorial defense and any other emerging external threats that relate to the United States security and Virgin Islands territorial security; and

(4) bills relating to any other board, commission, or agency whose operation or nature of business is relevant to the operation of the Committee on Homeland Security, Justice and Public Safety.

RULE 321. The jurisdiction of the **Committee on Economic Development, and Agriculture** encompasses, and the Committee shall receive, consider, and make recommendations on all bills:

(1) relating to the Virgin Islands Port Authority, Economic Development Authority, Casino Control Commission, Department of Tourism, West Indian Company, Department of Agriculture, Department of Planning and Natural Resources, Division of Fish and Wildlife, Fisheries Council, and the Division of Environmental Protection;

(2) and matters relating to Economic Park Development, Enterprise Zone Program, and the Hotel Development Program;

(3) relating to economic development, commerce, business institutions, industry, incentive programs, travel, tourism, real estate;

(4) relating to agriculture, mariculture and aquaculture, animal husbandry, farming, forestry management, fishing veterinary medicine, and all matters pertaining them;

(5) and matters relating to the Virgin Islands Agriculture Business Incubator Center, the fisheries committees, the Endangered Species Preservation Commission; and

(6) relating to the any other board, commission, or agency whose operation or nature of business is relevant to the operation of the Committee on Economic Development, Regulation, and Agriculture.

RULE 322. The **Committee on Government Operations, Veterans Affairs and Consumer Protection** encompasses, and the Committee shall receive, consider, and make recommendations on bills:

(1) and all matters pertaining to and have investigatory authority over the Bureau of Motor Vehicles, and all government agency operations, and all other agencies not specifically provided by these Rules to be delegated to another committee and make specific findings and recommendations to the appropriate authority for final action;

(2) and executive orders relating to the reorganization of the executive branch of the Government or any department or agency of the executive branch;

(3) and matters relating to Home Rule and the Territory's relationship with the federal government;

(4) related to the management of public records retained by government agencies, including land and genealogical- related collections and related notaries public;

(6) relating to corporations other than financial institutions, utilities and their regulation, not specifically delegated to some other committee;

(7) relating to cemeteries, memorials, and monuments;

(8) relating to the naming of government property after persons pursuant to 31 V.I.C. § 4;

(9) relating to consumer protections, and licensing of businesses and professions; weights and measures, price controls, debt services businesses, consumer; contracts, and

protection from fraud and deceptive practices; and the operation of Department of Licensing and Consumer Affairs.

(10) relating to veterans' services, benefits, and other veterans' affairs and the operation of the Office of Veterans Affairs;

(11) relating to all matters concerning the government's operations and functions that have not been assigned to another committee; and

(12) relating to any other board, commission, or agency whose operation or nature of business is relevant to the operation of the Committee on Government Operations.

(b) Unless otherwise specifically assigned to another committee, the Committee shall study and investigate the operation of government at all levels, to determine efficiency and economy, the implementation of legislation and the effectuation of legislative purposes and objectives and evaluate the effect of laws and executive orders reorganizing the executive branch of the Government.

(c) The Committee shall also serve as part of the Virgin Islands Commission on Interstate Cooperation established under 1 V.I.C. §133 and perform all the functions and duties, consider and make recommendations on all bills relating to the participation of the Virgin Islands as a member of the Council of State Governments, the National Conference of State Legislatures, and the Uniform Law Commission, including the adoption of compacts, the enactment of uniform and reciprocal statutes and the interchange and clearance of research and information.

RULE 323. The Committee on Culture, Youth, Aging, Sports and Parks encompasses, and the Committee shall receive, consider, and make recommendations on all bills relating to:

(1) youth training schools, the Legislative Youth Advisory Council, youth apprenticeship programs, youth protective services, the Virgin Islands Commission on Youth, and other youth programs; and matters related to youth;

(2) aging programs, aging services, the Virgin Islands Commission on Aging, and other aging matters related to aging.

(3) sports, facilities and complexes, recreation centers, and physical fitness;

(4) public recreation, sports facilities and complexes, horse racing, parks, sports facilities and complexes, recreation centers, parks, horse racing, parks, game rooms, and other sports and recreational facilities;

(5) other sports and activities;

(6) any matter that is relevant to the operation of the Committee on Culture, Youth, Aging, Sports and Parks;

(7) youth programs; and

(8) antiquities and historic preservation, including bills relating to museums, cultural centers, government collections and depositories housed in the Territory and other depositories outside of the Territory.

Special or Select Committee

RULE 324. (a) In addition to the standing committees, the Legislature may, at any time and by resolution, provide for a special or select committee to investigate any matter or subject. The text of the resolution must provide for the size of the special or select committee, the way members are appointed, the way the chairperson is chosen, the duration of the committee f, and sufficient description of the matter or subject to be investigated, clearly identifying the

committee's jurisdiction. No select or special committee may extend its jurisdiction or its investigation beyond the scope of the resolution.

(b) The jurisdiction of a special or select committee supersedes the jurisdiction of a standing committee for the duration of the special or select committee.

Committee of the Whole

RULE 325. (a) The Legislature, at any time during any of its legislative sessions, upon motion by a senator, or by order of the President, may dissolve into a Committee of the Whole for the taking of testimony and discussing a subject it considers proper, whether previously formally introduced or not. The President may call a Committee of the Whole at times other than during a legislative session to permit free and informal discussion of a matter pending before the Legislature, including zoning applications, coastal zone permit applications, certain government contracts, and Governor's proposals.

(b) A motion to constitute the Legislature into a Committee of the Whole must, if an objection is raised, be voted on without debate.

(c) A Committee of the Whole has all the powers granted a standing committee regarding the issuance of subpoenas and investigations connected therewith and other powers consistent with laws of the Virgin Islands and the provisions of these Rules. However, the Committee of the Whole may not amend, lay on the table, or otherwise alter or affect the disposition of any bill, resolution, permit, lease, rezoning application, contract, or other matter that it considers. A Committee of the Whole may restrict the subject matter to be considered to a specific and limited purpose.

(d) In addition to the limitations in subsection (c), a Committee of the Whole may not:

(1) entertain a question of priority;

(2) entertain a question of legislative or personal privilege;

(3) postpone the consideration of any question;

(4) reconsider a vote on a proposal no longer in possession of the Committee of the Whole; and

(5) punish senators for disorderly conduct but must report any misconduct to the full body for its action.

(e) A Committee of the Whole shall rise:

(1) on the order of the President; or

(2) on motion of a senator, duly seconded and, if objection is raised, carried by majority vote.

(f) The Committee of the Whole may not appoint a subcommittee and is dissolved by the absence of a quorum, and may not proceed with a matter, including taking testimony, until a quorum is obtained.

(g) The provisions of Rules 310 requiring public announcements of meetings and Rule 311 regarding reservation of meeting times do not apply to meetings of the Committee of the Whole, except Rule 310 applies to a Committee of the Whole meeting held outside of a session.

Oath of Office Ceremony Committee

RULE 326a. (a) Not later than November 20 of each even-numbered year, the President shall appoint an Oath of Office Ceremonies Committee for the planning and coordinating of ceremonies for the senators-elect for the succeeding Legislature.

(b) The Committee must consist of the Executive Director, Director of Business and Financial Management, the Director of Facilities Management, the Chief of Transportation, or their respective designees; senators; senators-elect; and designated employees of the Legislature.

- (c) The Committee shall hold its first meeting not later than December 1.

Authorization for Standing Committees

RULE 327. Pursuant to section 6 (g) of the Revised Organic Act, permanent standing committees, when created pursuant to these Rules, exist and function both during and between sessions.

RULE 328. Subcommittees; Appointment; Final Report (a) Not later than 15 working days after the convening of the Thirty-Sixth Legislature, the officers of the Legislature may appoint three subcommittees: (1) the subcommittee on GERS Restructuring, Solvency, and Economic Development, (2) the subcommittee on Energy and Infrastructure Development, and (3) the subcommittee on Public Safety and Health, which are composed of five senators each.

(b) Each subcommittee shall prepare and submit a report and recommendations for a course of action and legislation to address the subcommittee's findings and conclusions to the Legislature at the time that the subcommittee's appointing documents provides.

(c) The President shall discharge the subcommittees once the respective subcommittee has submitted its final report.

Committee Televising, Conduct and Email Communication Protocols for Senators and Staff

RULE 329. (a) Legislature committee hearings or meetings may be taped or televised live through the equipment operated by legislative staff or contracted media entities.

(b) The use of all mobile, portable, or wireless communication devices that emit an audible signal, other than those authorized by the President or used by licensed medical persons on duty are prohibited and must be turned off or left on non-audible alert while in the Chambers during a committee is meeting, and during legislative sessions. Failure to adhere to a warning issued by the chairperson, Sergeant at-Arms, or the President may result in the device being

confiscated upon direction of the committee chairperson or the President for the remainder of the meeting or session.

RULE 330. To ensure professionalism, respect, and effective communication across all electronic correspondence in the Legislature, all persons must adhere to the following policies:

(a) All senators, senatorial staff, and central staff employees must adhere to the highest standards of professionalism when communicating via email. Emails should be clear, concise, and constructive, reflecting the values of the Legislature and the respect due to all individuals.

(b) No senator, staff, or central staff employee may use email communication to chastise, criticize, or disrespect another senator, senatorial staff. Any communication that contains inappropriate language, personal attacks, or disparaging remarks is strictly prohibited.

(c) Senators, senatorial staff, and central staff employees are prohibited from sharing internal communications, particularly those of a sensitive or contentious nature, with persons who are not authorized to receive that information or with external persons, unless authorized. This prohibition includes the forwarding of emails that could be construed as offensive, disrespectful, or aimed at undermining the professional reputation of colleagues.

(d) While emails are an effective tool for legislative communication, they are not to be used as a forum for public disputes or to air grievances about fellow colleagues and co-workers. All disagreements or issues with colleagues should be addressed privately and professionally through appropriate channels, such as in-person meetings or through formal written correspondence, as necessary.

(e) Violations of this email protocol may result in disciplinary action, including but not limited to, formal reprimands, suspension of email privileges, or further institutional consequences, depending on the severity of the infraction.

CHAPTER 4. BILLS AND RESOLUTIONS

General Provisions

RULE 401. (a) Any senator may initiate a bill by presenting a bill request form including detailed information on the purpose and intent of the bill to the Chief Legal Counsel. No bill that has not been pro formaed, and therefore does not have a bill number, may be placed on a session agenda, or considered or discussed during a session. All bills and resolutions must have printed on their face:

- (1) the bill number;
- (2) the committee to which the bill is assigned or to the Floor;
- (3) the words “Proposed by” followed by the name or names of those senators who caused it to be introduced or signed on as primary sponsors or cosponsors;
- (4) an enacting clause, or a resolving clause;
- (5) a bill summary, clearly explaining the intent and meaning of the bill; and
- (6) a bill request number and the date the bill was pro formaed.

(b) No person other than a senator may introduce a bill.

(c) Legislative proposals recommended by the Governor may be introduced by any senator in the same manner as provided in subsection (a); but any senator who introduces a bill for, and at the request of the Governor may, if the senator so chooses, may have printed on the proposal immediately after the senator’s name in the parenthetical phase, “by request of the Governor”. A legislative proposal introduced “by request” may or may not carry the endorsement of the senator whose name appears on the bill.

(d) When a majority of senators on a standing committee cause a bill to be introduced and affix their names to it in the manner provided in subsection (a), that proposal is known as a committee bill or a committee resolution, if the committee in formal committee meeting so orders by majority vote, and the substance of the committee proposal is germane to the jurisdiction of the committee as set forth in chapter 3. A committee bill or resolution must include the committee's name as the sponsor printed on it.

(e) A senator may at any time have, as a matter of right, the senator's name removed as the sponsor or co-sponsor of a bill or resolution upon the submission of a request in writing to the Chief Legal Counsel. If no senator's name remains on the bill or resolution, the name of the committee that last considered the bill must be inserted as the sponsor of the bill.

(f) Notwithstanding any other Rule, a sponsor or co-sponsor's name may be removed from a bill only in accordance with subsection (e).

Authorship of bills

RULE 402. (a) Authorship or ownership of a bill request is on a first-to-file basis; except that a senator retains authorship from the previous term for three months into the next term of the Legislature without the need to resubmit the request with the Office of the Legislative Legal Counsel. If a proposed bill has not been presented for pro forma within three months after the submittal of bill drafting request, the senator must file a request for extension of time to produce the bill with the Office of Legislative Legal Counsel and must provide a written justification for the extension. If granted, the extension may be for a period not to exceed three months. When a proposed bill has not been presented for pro forma within six months after filing a bill drafting request, the Legislative Legal Counsel shall reveal the name of the sponsor to any senator upon the senator's written request. If a bill proposal has not been presented for pro

forma after a period of six months and the senator has not been actively working on presenting a bill proposal, the senator is subject to lose authorship or ownership of the bill.

(b) The Legislative Legal Counsel's Office determines if a bill or amendment request has been preempted by an earlier request based on whether there is duplicity of subject matter of the earlier request, or whether the earlier request occupies the entire field of the subject matter of a later request. Upon determining a bill or amendment requested has been preempted, the Legislative Legal Counsel's Office shall notify both the preempted senator and the preempting senator of the preemption as soon as practicable.

(c) When a senator files a drafting request for the drafting of a bill or an amendment, the senator is deemed to have consented to the disclosure of the proposal to the public after the bill has been introduced during a pro forma session or reading during session, or in the case of an amendment, after an amendment has been circulated to the senators.

(d) A document prepared by the Legislative Legal Counsel staff for a senator becomes available to the public when the document is a:

- (1) bill or resolution that has been introduced;
- (2) proposed amendment or committee substitute for a bill or resolution that has been offered or distributed at a committee meeting or at session; or
- (3) memorandum, written analysis, letter, or other document resulting from a drafting or information request which was distributed at a standing committee or subcommittee meeting, or on the Floor of the Legislature, or made available to a member of the public by or at the request a senator.

(e) A document prepared by the Legislative Legal Counsel staff for a senator, the drafting request form and any supporting documentation that are not available to the public, are not “public records,” as defined by 3 V.I.C. § 881.

(f) No bill, except a general appropriation bill or a fiscal year omnibus bill, may be passed containing more than one subject, which must be clearly expressed in its title, nor may any bill dealing with the chairmanship, membership, or chairmanship and membership of any board, authority, or commission, and requiring an appointment or appointments to be made with the advice and consent of the legislature, relate to more than one such board, authority, or commission, nor may it relate to any other legislative matter, as mandated by section 16 (c) of the Revised Organic Act of the Virgin Islands.

(g) Bills that provide an appropriation must contain:

- (1) the phrase, “the sum of \$ _____ is appropriated”,
- (2) identification of a specific fund from which the sum is appropriated;
- (3) the amount to be appropriated; and
- (4) a statement reflecting the purpose for expending the fund, the period during which the funds must be expended.

Pro forma of Bills

RULE 403 . (a) The President may, either during the order of business at a session, or in a meeting with at least one other senator conduct the first reading of each bill and resolution. During the pro forma session, the President shall read the bill request number, the sponsor’s name, and the title of the bill or resolution and state the name of the committee to which the bill or resolution is assigned, or state that the measure is assigned to the Floor. The President shall assign each bill to the standing committee of jurisdiction.

(b) All pro formaed bills and resolutions must be distributed promptly to all senators.

Reading of the Bills

RULE 404 . Except for bills introduced at the first session of a new term in odd-numbered years, a bill that has not been read twice may not be passed. The second reading of a bill must occur immediately preceding the debate on it and consists of the reading of its title, unless a majority of the senators present vote to have the bill read in its entirety. However, no bill may be passed on the day that it is introduced, except in the case of an emergency, as declared by a majority of senators present and voting, a quorum being present.

Method of Consideration

RULE 405. (a) All bills assigned to a standing committee must be considered by the committee as soon as practicable, subject to the procedures set forth in chapter 3.

(b) A committee may, by majority vote, a quorum being present, amend a bill, recommend amendments to a bill, combine two or more bills, substitute the original text of a bill, and report out or postpone a bill indefinitely, except that no committee may combine into one bill subjects that are not germane to one another.

(c) Drafting requests for amendments must be filed with the Legislative Legal Counsel's Office not less than 24 hours before the meeting.

(d) If a committee substitutes the text of an original bill with a committee text, that fact must be indicated in the manner prescribed in Rule 401 (d) and contain the phrase "Substitute by the Committee on _____".

Reporting Bills to the Committee on Rules and Judiciary

RULE 406. Each standing committee, other than the Committee on Rules and Judiciary, favorably reporting out a bill or resolution, shall transmit the perfected copy of that bill to the Committee on Rules and Judiciary. Drafting requests for amendments for bills being heard in

the Committee on Rules and Judiciary must be filed with the Legislative Legal Counsel's Office not less than 48 hours before the meeting. At the close of each standing committee meeting, including the meetings of the Committee on Rules and Judiciary, the chairperson shall summarize, in writing, the actions of the committee, including all actions taken on every bill and present the summary to the Executive Director not later than five working days of the close of the meeting. The chairperson of the committee shall promptly deliver to the office of each senator and to the Chief Legal Counsel a copy of the summary.

Legal Opinions

RULE 407. (a) All requests for legal opinions and other information made to the Legislative Legal Counsel's Office and documents prepared by any employee of the Legislative Legal Counsel's Office for a senator are confidential. Neither the sponsor nor the existence of the document may be revealed, nor may a copy of the document be provided to any person who is not staff of the Legislative Legal Counsel's Office, or the senator's staff member, without the consent of the senator, subject to subsection (m) of this Rule. A request for a legal opinion is not subject to preemption. Every senator upon request is entitled to receive a legal opinion on any matter pending before the Legislature or relating to the legislative process or legislative matters.

(b) Opinions of the Legislative Legal Counsel are confidential and privileged and are for the exclusive purpose of advising senators to assist them in their deliberations and informed decision making. No senator, employee, or other person may give a copy or disclose the content of any legal opinion of the Legislative Legal Counsel to any person not a senator or senator's staff, or employee of the Legislature, before the meeting, hearing, session, or other event at which the subject matter or the opinion is to be heard or considered.

Time Allotments

RULE 408. The Committee on Rules and Judiciary shall consider each bill assigned to it by the President or reported to it by another standing committee. The time allocated for general debate on a measure is the maximum time allowed each senator , or such additional time as provided by the President during session.

CHAPTER 5. SESSIONS OF THE LEGISLATURE

Regular Sessions

RULE 501. (a) A session is a meeting, or a series of meetings identified by a specific agenda.

(b) The first session of the Legislature convenes annually on the second Monday in January. On even numbered years, the Legislature may, by enactment, fix a different date for the commencement of the annual session.

(c) The Legislature shall subsequently convene for regular sessions on the third Wednesday in March, June, and September of each year.

(d) The President may convene regular sessions at the President's discretion, but not after adjournment sine die.

(e) The Legislature shall also convene on a date designated in a petition signed by a majority of senators that must include an agenda, the time and date of the session, and providing for not less than seven calendar days' notice. No session of the Legislature convened by petition may extend beyond two calendar days, unless the Legislature by majority vote extends the duration the session. No matters other than those listed in the petition's agenda may be considered during a session convened under this subsection.

(f) The Legislature is in session on any day when it is convened in accordance with subsections (b), (c), (d), or (e) of this Rule, or section 7(a) of the Revised Organic Act, 48

U.S.C. § 1573 (a), and when so convened, there may be no other simultaneous meeting of a standing or special committee.

Special Sessions

RULE 502. (a) Pursuant to section 7 (a) of the Revised Organic Act, the Governor may call special sessions of the Legislature at any time when in the Governor's opinion the public interest may require it.

(b) Any matter specified in the Governor's call for a special session must be numbered, introduced, and assigned by the President to the committee with appropriate jurisdiction, if time permits, or to the Floor for immediate consideration, as appropriate.

(c) No legislation may be considered at any special session other than that specified in the Governor's call or in any special message by the Governor to the Legislature while the Legislature is in special session.

(d) Any legislation proposed by the Governor is only a proposal pursuant to section 11 of the Revised Organic Act of the Virgin Islands, which provides that the Governor "may recommend bills to the Legislature".

Time and Place of Hearing/Meeting and Attendance

RULE 503. The Legislature shall meet promptly on each legislative day at the time designated by the President's call. A legislative day for the purpose of this Rule is a day when the Legislature meets in regular or special session.

RULE 504. (a) The Legislature shall meet in the Earle B. Ottley Legislative Hall of the Capitol Building in Charlotte Amalie, St. Thomas, "the Chambers".

(b) The Chambers of the Legislature is for the expressed purpose of regular sessions, special sessions, or meetings of the Committee of the Whole. All other hearings or meetings of standing committees, sub-committees, special committees, or other meetings may be held in

the Chambers after the chairperson has received written confirmation for its use from the Journal Division. The committee chairpersons may hold meetings of standing committees, subcommittees, special committees, or other meetings in other places that are open to the public.

(c) Committee meetings may be conducted by video conference or other visual remote communications technology to alleviate travel expenses. However, this provision may not be construed to allow a committee to violate 1 V.I.C. § 254 or these Rules governing open meetings. All members participating in a committee meeting conducted by video conference or other visual remote communications technology, wherever their location, must be able to see and hear one another and see and hear the discussion presented, dressed appropriately as if physically present, at any location at which at least two members of the committee are present at the host location.

(d) Senators participating in a committee meeting via video conference or other visual remote communications technology that meets the requirements of subsection (c) are considered present and may vote.

(e) Senators may not participate in a regular or special sessions via video conference, or other visual remote communications technology.

Establishing a Quorum

RULE 505. (a) The President, or in the President's absence, the Vice-President, or in the Vice-President's absence, the Legislative Secretary, or in the Legislative Secretary's absence, the Majority Leader, or other senators so designated shall, at the beginning of each session, ascertain the number of senators present.

(b) A majority of the total number of senators present at the session or special session constitutes a quorum. No session of the Legislature or Committee of the Whole may be convened unless a quorum is present.

(c) A committee meeting may be held for the purpose of receiving testimony only if not less than three of the seven committee members are present.

Order of Business

RULE 506. (a) The Order of Business for each session is as follows:

- (1) Call to order invocation and anthems
- (2) Roll call
- (3) Messages from the Governor
- (4) Communications and petitions
- (5) Reports of standing and select committees
- (6) Introduction, first reading by title, and reference to committees of bill and other matters
- (7) Requests for special orders and motions to override
- (8) Consideration of Floor agenda
- (9) Announcements
- (10) Privileges of the Floor
- (11) Recess or adjournment

(b) The President may make a Call of the Senate to notify senators that session is about to begin. A roll call is subsequently taken to ensure a quorum.

(c) The Legislative Secretary, or if the Secretary so directs, the Clerk, shall read all correspondence into the record. Messages from the Governor and other correspondence become a part of the record if copies of the messages or other correspondence have been

provided to each senator. Any senator may move to waive the reading and require that messages from the Governor or other correspondence become a part of the record as if read in its entirety.

Sessions, Meetings, Hearings, Open to Public

RULE 507. (a) All sessions of the Legislature are open to the public pursuant to Section 7(a) of the Revised Organic Act of the Virgin Islands and 1 V.I.C. § 254. a The President, or the President's designee, shall notify the news media on each island of the scheduling of a session not later than noon on the Thursday of the week preceding the day or days upon which the Legislature will meet.

(b) Persons in attendance at sessions, committee hearings or committee meetings must be appropriately attired. No swimwear, tank tops, flip flops, shorts or revealing clothing are permissible attire at these events. No eating, smoking, alcoholic beverages, or soft drinks are allowed in the Chambers. No controlled substances or related paraphernalia are allowed on the Legislature's grounds.

(c) Persons testifying before the Legislature must adhere to professional standards of dress. Attire must be neat, clean, and appropriate for a formal public setting. Disruptive, offensive, or excessively casual clothing, such as t-shirts, shorts, or athletic wear, is prohibited. The presiding officer may request any individual not in compliance with this standard to modify their attire or may deny them the opportunity to testify. The President or committee chairperson shall be assisted by the Sergeant-at-Arms, if necessary.

(d) Except for the Legislature's law enforcement personnel, no senator, central staff employee, senatorial staff employee, civilian or non-law enforcement person, officer, agent, or other persons may bring or carry a firearm, other weapon, or explosive, including gas irritants,

into the Chambers or legislative conference rooms, whether on one's person, concealed, or by any other method.

Floor Agenda

RULE 508. (a) Not later than Tuesday preceding a week in which the Legislature meets in session, the President, and other senators as the President chooses, shall meet and fix the session agenda. The agenda must be p in writing and include the number and title of each bill or resolution to be called for consideration, the time allotted by the Committee on Rules and Judiciary for general debate, and the date the bill or resolution will be considered . The agenda must include any other matters, such as nominations, lease agreements, and coastal zone permits that require a vote of the Legislature. No bill may be on the agenda that has not previously been favorably reported out by the Committee on Rules and Judiciary or formally introduced and assigned to the Floor.

(b) Not later than noon on the Wednesday preceding the week in which the Legislature meets in session, the President shall cause to be delivered to each senator a copy of the agenda, together with a copy of bills and resolutions listed on the agenda, and the biography of each nominee to be considered for approval by the Legislature.

(c) Not later than noon on the Thursday preceding the week in which the Legislature will meet, notice of the session along with the agenda, must be circulated to all persons listed in Rule 310 (a) (3).

(d) The order of consideration of matters on the agenda may not be rearranged or reordered, nor may a bill be called up on a day other than the day it has been scheduled, except by the consent of a majority of the senators, which must be given during session. But the President, in the President's discretion, may reschedule any matter on the agenda. If a session

is recessed before the completion of each of the items on the agenda, the President may announce that the session will convene on a subsequent date for the purpose of completing the agenda. However, the advance notice requirement under these Rules do not apply to a reconvened session. As directed by the President, the Journal Division shall distribute a revised agenda for the reconvened session.

Discharging a Committee

RULE 509. (a) Notwithstanding Rules 403, 404, 405 and 509(b), during a session when the order of business has proceeded to the item “Special Orders”, any senator may move to discharge a committee from further consideration of a matter properly assigned to it, and if a majority of the entire Legislature votes in the affirmative, the matters so moved must be ordered to the Floor. Any matter successfully discharged must be scheduled for consideration in the next scheduled session for the Floor, and the President shall determine the time allotted for debate. However, a time certain may be fixed for the consideration of a matter specially ordered under this subsection which is sooner than the next scheduled session, upon an affirmative vote of a majority of the senators. The time certain must be given during session.

(b) A matter may not be special ordered, unless the committee of jurisdiction has held at least one full committee hearing on the matter.

Matters Reduced to Writing

RULE 510. Except for motions, a senator may demand, as a matter of right, that any matter upon which the senator is called upon to vote be reduced to writing.

Amendments

RULE 511. (a) At the conclusion of general debate, the President shall call for amendments to a bill or resolution.

(b) Unless the provisions of this section are waived by the affirmative vote of a majority of the senators, only amendments meeting requirements of this section may be offered.

(c) All amendments must:

(1) be in writing, prepared by the Office of the Legislative Legal Counsel; and

(2) bear a stamp showing that the amendment was requested at the Office of Legislative Legal Counsel not less than 48 hours before the time the amendment is offered; and

(3) be distributed to each senator not less than 24 hours before the time the amendment is offered. If, however, the Legislative Legal Counsel's Office distributes the amendment to the senator less than 24 hours before session commences, the third requirement of Rule 511(c)(2) is not applicable.

(d) The President may allow for technical amendments on the Floor that do not alter the meaning or intent of a bill. Except for technical amendments, all amendment requests including those requested on the Floor, must be made in writing, and checked for pre-emption before introduction.

(e) Any technical amendment offered on the Floor that contains more than five words must be reduced to writing.

(f) An amendment must be germane to the subject matter of the bill or resolution to which it is offered.

(g) If more than one amendment to a bill or resolution prepared in accordance with the requirements of subsection (c) has been distributed, the President shall determine the order in which they may be considered.

(h) All amendments offered during sessions must be read and seconded by another senator after the reading. However, the reading of an amendment may be waived upon the majority vote of the senators present and voting.

(i) During a legislative session, by a majority vote of senators, one bill may be designated for non-germane amendments.

(j) For purposes of this subsection, in addition to the determination of “germaneness” as prescribed in Mason’s Manual and Roberts Rules of Order, the following queries may be used to determine germaneness:

- (1) Does the amendment deal with a different topic or subject?
- (2) Does the amendment unreasonably or unduly expand the subject of the bill?
- (3) Would the amendment introduce an independent question?
- (4) Is the amendment relevant, appropriate, and in a natural and logical sequence to the subject matter of the original proposal?
- (5) Would the amendment change the purpose, scope, or object of the original bill?
- (6) Would the amendment change a private bill into a general bill?
- (7) Would the amendment require a substantial change in the bill title?
- (8) In the case of a committee meeting, would the amendment be within the scope of the jurisdiction of the committee?

Consideration of Executive Nominations

RULE 512. (a) Subject to 3 V.I.C. § 64, nominations that require the advice and consent of the Legislature may not be considered on the Floor of the Legislature, unless the Committee

on Rules and Judiciary has considered the nomination and reported to the Legislature for final action, or unless during a session, a majority of the senators vote otherwise.

(b) Pursuant to 3 V.I.C. § 64, once a nomination has been received by the Legislature, if the Legislature fails to either approve or disapprove the nomination by the ninetieth day following the first day the Legislature next meets in either regular session or in a special session, the agenda of which includes consideration of the nomination, whichever meeting occurs first, then the advice and consent of the Legislature is deemed to have been given on the nomination at the end of that ninetieth day.

Legislative Pages

RULE 513. (a) The President may appoint two legislative pages to serve during session. The appointment must be made from among Virgin Islands high school students who have distinguished themselves in their studies.

(b) The President shall take care to alternate the appointments between island districts so that the Legislature enjoys an approximately equal number of pages from each district. Senator's recommendations must be given serious consideration in the appointment of legislative pages.

(c) The President may expend funds for travel and food expenses of a legislative pages from the appropriations to the Legislature. Additionally, legislative pages must be compensated \$50 for each day in which they perform duties.

(d) Legislative pages shall serve the Legislature by being present on the Floor of the Chambers to retrieve documents from the files, distribute bills and other documents, deliver messages of the senators, answer telephones on the Floor, and perform other duties required by the senators, as approved by the President.

CHAPTER 6. PROCEDURES OF THE FLOOR

Journal of Proceedings

RULE 601. (a) The President shall cause to be kept a Journal of the Proceedings of the Legislature, including the proceedings of the Committee of the Whole. The Journal must include:

- (1) the title of each bill or resolution introduced and the names of the senators who introduced it;
- (2) each recorded the vote of the Legislature and how each senator was recorded;
- (3) resolution reported to the Legislature and how each committee member was recorded;
- (4) each roll call kept by the Journal Director and how each senator was recorded;
- (5) messages from the Governor, unless otherwise ordered by a majority vote, a quorum being present;
- (6) the Governor's objections to vetoed bills or portions of the Governor's objections to bills, sections of bills or items within bills;
- (7) letters of transmittal presenting reports of standing, select or special committees and reports of governmental departments and agencies that are made pursuant to laws or resolutions adopted by the Legislature; but the reports must be printed in the appendices to the Journal, unless otherwise directed by the Legislature; and
- (8) copies of all subpoenas issued.

(b) Care must be taken that the Journal is a true and accurate account of the proceedings of the Legislature.

(c) The Journal of the Legislature's proceeding must be published at the end of each legislative term.

Access to Floor, Floor Privilege and Conduct

RULE 602. (a) During a session of the Legislature, no persons other than senators, legislative pages, and legislative employees are permitted on the Legislature Floor, except:

- (1) senatorial staff;
- (2) the Governor and Lieutenant Governor of the Virgin Islands;
- (3) Delegate to Congress; and
- (4) other persons as determined by the President.

(b) No lobbyist or lobbyist's agent, including a former senator, is allowed on the Legislature Floor. A lobbyist is not allowed in the hallway behind the Legislature rostrum, unless enroute to the President's office under escort from the Sergeant-At-Arms or other security personnel. No lobbyist is allowed anywhere in the well of the Chambers when a measure is being considered for which the lobbyist has been hired to promote.

(c) No person other than a senator, the President of the Legislature, or the Governor, may address the Legislature while it is in session, but the Legislature may resolve itself into the Committee of the Whole, and while sitting as such, may be addressed by persons recognized for that purpose.

(d) The Legislature Floor is the Well.

(e) No person may engage in any conduct on the Legislature Floor during a session that undermines the decorum of the Legislature. All persons who are admitted to the Legislature Floor shall:

- (1) dress in accordance with the dress code as per Rule 507 and Rule 815;
- (2) refrain from standing, and movement is restricted to specific instructions of the Sergeant-at-Arms; and
- (3) refrain from using obscene or insulting language.

Debate

RULE 603. No motion or other matter may be debated until distinctly announced by the President, and debate must be germane to the matter being debated. No senator may speak or debate except as provided in these Rules.

RULE 604. Except as may be otherwise provided in these Rules, no senator may speak during a session or Committee of the Whole, unless recognized by the President. Senators who wish to be recognized during a session shall rise and address the President as “Mister President or Madam President”, and during a Committee of the Whole, raise their hands and address the chair as “Mister Chair or Madam Chair”. No senator may interrupt the remarks of another senator with repeated attempts to be recognized. When two or more senators seek recognition at the same time, the President shall designate the senator who is entitled to the Floor.

Assignment of Time and General Debate

RULE 605. (a) When an agenda item is called, the President or the President’s designee shall notify each member of time allotted for general debate on the bill, resolution, nomination, or other matter. The President may establish a limited-time debate format in which senators on each side of an issue being debated are allotted an equal amount of debate time, shared among debaters on each side under the direction of a designated manager.

(b) During the remarks of a senator, the senator may yield to any other senator for a question. The time used for the question and the answer may be deducted by the President from the time allotted for general debate against the time of the senator who asks the question.

(c) The President shall record the time used by each senator and advise the senator of the time remaining.

Amendments: Three-minute Rule

RULE 606. (a) At the conclusion of general debate, the bill is open for amendments. The reading of the amendment may be waived by a majority of senators, a quorum being present. A senator in opposition to an amendment is allowed three minutes, or additional time as allotted by the President, and there may be no further debate thereon; except that the proponent, the objector, or senator speaking in opposition to any amendment may yield any unused time to any other senator to explain or discuss the amendment; and the same privilege of debate is allowed in favor of and against any amendment that may be offered to an amendment. The Legislature may, by the vote of a majority of the senators present, at any time after all debate permitted under this rule has been exhausted, close all debate on further amendments to any section or paragraph of a bill or to the entire bill.

Questions and Motions, Generally

RULE 607. The order and precedence of motions as contained in Mason's Manual of Legislative Procedure or Roberts Rules of Order, to the extent they are consistent with these Rules, apply to the Legislature's sessions and committee meetings.

Motion to Strike

RULE 608. A motion to strike the enacting clause of a bill, if carried, is equivalent to rejection of the bill. A motion to strike the enactment clause must be seconded, is not debatable, and requires a majority vote for approval. If the motion is approved, the bill is no longer eligible for consideration.

Motion to Adjourn

RULE 609. A motion to adjourn or a motion to fix the day to which the Legislature shall adjourn is always in order, except:

- (1) while a senator is speaking;
- (2) when a senator has the Floor;
- (3) when a motion to adjourn has been defeated, until after some other business has intervened;
- (4) during a Committee of the Whole; or
- (5) after the final reading of a bill and during a roll call on the bill, or verification of the vote; except that a motion to adjourn to a time certain has precedence over a motion to adjourn; and a motion to recess takes precedence over either of these motions.

Reconsideration

RULE 610. (a) By a majority vote of the senators on any given day or subsequent day on which a vote has been taken on any question or motion, and before the adjournment, a motion to reconsider the vote may be offered by a senator voting on the prevailing or affirmative side; except that the President has sole authority to grant approval for any additional motions for reconsideration.

(b) A vote on a motion to reconsider may be taken on the legislative day immediately following the day on which the motion to reconsider was made.

(c) A motion to special order that has failed on the Floor that day may not be brought back to the Floor again for the remainder of that legislative session, except that the President has sole authority to grant approval for an additional motion to special order that item.

(d) No bill or resolution may be forwarded to the Governor if a motion to reconsider the vote on which the bill or resolution passed is pending, or the time in which the motion to reconsider may be properly made has not yet run out.

Point of Order, Information, Parliamentary Inquiry, and Personal Privilege

RULE 611. (a) **A POINT OF ORDER** may be raised only when a senator thinks that a rule of the Legislature is being violated. The senator must immediately identify the rule and the President may make a ruling, which be challenged by a senator.

(b) **A POINT OF INFORMATION** is a question directed to the chair or through the chair to another senator or employee of the Legislature, for information relevant to the business at hand, but not about parliamentary procedure. A point of information is not allowed when another senator has the Floor.

1. Granting Points of Information

(a) The President or Chair has the discretion to grant a senator multiple points of information during a debate or discussion.

(b) A senator may request a point of information at any appropriate moment during a speech, subject to the President or Chairperson's approval.

2. Limitations and Proper Use of Points of Information

(a) The President or Chair may limit the number of points of information granted to a senator during a single speaking turn if it is deemed excessive or disruptive to the flow of the proceeding.

(b) Senators are expected to use the opportunity for points of information responsibly and in accordance with the purpose of facilitating dialogue and clarification, not for delaying or dominating the debate.

(c) Senators should not request multiple points of information in quick succession solely to extend their speaking time, manipulate the timing of the debate, or disrupt the orderly conduct of the session.

3. **Abuse of Points of Information**

(a) A senator who repeatedly requests multiple points of information in a manner that appears to be an abuse of the procedure, including as a tactic to gain additional speaking time, may be subject to a warning by the President or Chair.

(b) In the event of continued abuse, the President or Chair may restrict the senator's ability to request further points of information during the session.

4. **Discretion of the President or Chair**

(a) The President or Chair has the authority to determine the appropriateness and number of points of information based on the circumstances, taking into consideration the need for fairness, order, and efficiency in the legislative proceedings.

(b) The President or Chair's decision regarding the granting of points of information is final and not subject to appeal – unless overruled by a majority of the Legislature or committee members.

(c) **A PARLIAMENTARY INQUIRY** is a question directed to the President to obtain information about parliamentary procedure or the rules bearing on the business at hand. A parliamentary inquiry is not allowed when another senator has the Floor.

(d) **A POINT OF PERSONAL PRIVILEGE** may be made only by a senator to reveal some matter that concerns the rights and privileges of senators collectively or individually. These matters do not include business matters that are already before the Legislature.

Voting

RULE 612. Unless otherwise required by these Rules, all measures, or questions before the Legislature, or any of its committees, require an affirmative vote of a majority of the members present and voting, a quorum being present, for passage.

RULE 613. (a) A roll-call vote is required on any measure or question when demanded by three or more senators or ordered by the presiding officer.

(b) When a roll-call vote is demanded, or required by these Rules, or ordered by the President, each senator present on the Floor shall, without debate or other comment, answer “yea”, “nay” or “not voting” at the call of the senator’s name. No senator or other person may cast a vote for another senator. The Legislature shall punish, as it considers proper, any senator who casts a vote or attempts to cast a vote for another senator. The names of senators must be called in alphabetical order and recorded by the clerk, and no senator may be permitted to vote or to change a vote after the vote has been announced by the presiding officer.

RULE 614. (a) The vote on final passage of all bills, resolutions, and amendments must be taken by roll call. However, the vote on any other motion may be waived, at the discretion of the President, if there is no objection.

(b) During a roll call vote, senators must refrain from loud conversations, congregating in front of the journal clerk’s desk, or other conduct that may hinder the accurate recording of the vote.

(c) A senator may not attempt to influence another senator’s vote by using financial pressure, threats, intimidation, derision, or other wrongful conduct.

RULE 615. (a) A senator may move only during the Order of Business concerning “Motions to Override” to take up a bill vetoed by the Governor. If the motion passes, the President shall pose the question: “Shall the bill pass, notwithstanding the veto of the Governor?”

(b) A bill becomes law, the Governor’s veto notwithstanding, upon a two-thirds affirmative vote of the total membership of the Legislature.

(c) An appropriation is eligible for a vote by the body only if the Post Auditor reports the verified funding source.

CHAPTER 7. MEDIA AND LOBBYIST CHAMBER PROTOCOLS

RULE 701. (a) The Sergeant-at-Arms may, for cause, revoke the registration of any member of the media. Cause includes, but is not to be limited to, a change in employment status, lobbying or acting as a lobbyist agent, disrupting Legislature proceedings, or refusing to comply with Legislature rules, or the directives of the presiding officer, the Majority Leader, or the Executive Director. A decision to revoke a registration may be appealed to the President or the Committee on Rules and Judiciary.

(b) Immediately following adjournment, members of the media may talk with a senator in the front of the Well or in the gallery area of the Chambers.

(c) Members of the media shall enter through the main entrance and clear media member's equipment with security before entering the Chambers or a legislative office. Members of the media may not enter the cloak room or the Chamber's restrooms.

(d) Members of the media may film, videotape, or photograph the legislative session from the media's designated area.

(e) A member of the media, including a broadcast technician, may record a legislative session so long as the recording activities do not disrupt the proceedings. "Record" under this Rule means videotaping, photographing, filming, taping, or electronically transmitting legislative proceedings or activities from the Floor when the Legislature is in session.

(f) No person engaging in lobbying at the Legislature may:

(1) attempt to influence a senator or legislative employee by means of deceit or by threat of violence, or legal action, or economic or political reprisal against any person

or property, with the intent to alter or affect that person's decision, vote, opinion, or action concerning a matter that is to be considered or performed by a senator, committee, the full body, or a legislative employee;

(2) knowingly provide false information to a senator or legislative employee about a material fact pertaining to legislation or other matters;

(3) knowingly provide frivolous legal briefs or arguments;

(4) knowingly omit, conceal, or falsify in any manner information required by the registration application; or

(5) cause or influence the introduction of any bill or amendment for the purpose of being employed.

(g) The registration of any lobbyist who violates subsection (a) may be revoked, and the lobbyist's permission to testify before committees denied for violation of subsection (f).

(h) A senator may not request a lobbyist to make donations to any charitable organization and is subject to disciplinary action under Rule 813 for violation of this subsection.

CHAPTER 8. CODE OF ETHICAL CONDUCT

RULE 801. A senator or employee of the Legislature shall always conduct himself or herself in a manner that reflects respectfully on the Legislature.

RULE 802. A senator or employee of the Legislature shall adhere to the spirit and letter of the Rules of the Legislature of the Virgin Islands.

RULE 803. Senators, principal employees of the Legislature, principal assistants to senators, and professional staff members on contract to the Legislature shall comply with the provisions of title 3 Virgin Islands Code, chapter 37, Conflicts of Interest, and the dress code set forth in Rule 815.

RULE 804. Senators, their staff, and employees of the Legislature may not accept gifts of substantial value, directly or indirectly, from any individual, corporation or organization having a direct interest in legislation before the Legislature.

RULE 805. Senators, their staff, and employees of the Legislature may not accept an honorarium for a speech, writing for publication, or other similar activity, from any individual, corporation, or organization, more than the usual and customary value for the services.

RULE 806. (a) A senator shall maintain campaign funds separate from personal funds. Unless, specifically provided by law, a senator may not convert campaign contributions for personal use in excess of reimbursement for legitimate and verifiable prior campaign expenditures, nor may a senator expend funds from the senator's campaign account not attributable to bona fide campaign purposes.

(b) An employee of the Legislature, including a member of a senator's personal staff, may not participate in any campaign activity during working hours. The Legislature's resources, vehicles, and facilities may not be used for campaign activities. For purposes of this Rule, the term, "resources", includes motor vehicles, office equipment and supplies, including computers, copiers, telephones, paper, pens, pencils, envelopes, stamps, any building, the grounds, and personnel services, to include the services of the personnel of the Office of Public Affairs, and the Division of Transportation.

(c) A senator may not request an employee of the Legislature, including an employee of the senator's staff, to donate to the senator's campaign or to any campaign activity.

(d) It is a violation of these Rules for a senator or employee to direct an employee of the Division of Transportation to transport the senator or employee for personal errands or personal non-work-related business, such as shopping or transporting relatives and friends.

RULE 807. A senator shall treat as campaign contributions all proceeds from testimonial dinners or other fund-raising events if the event sponsors do not give advance notice to the donors or participants that the proceeds are intended for other purposes.

RULE 808. (a) A senator may not discharge or refuse to hire an individual or otherwise discriminate against an individual regarding compensation, terms, conditions, or privileges of employment, because of the individual's race, color, religion, sex, or origin.

(b) A senator may not violate the Legislature's zero-tolerance policy against sexual harassment. Sexual harassment is a violation of section 703 of title VII of the Civil Rights Act of 1964, and the Legislature's Policy and Guidance for Prevention of Sexual Harassment in the Workplace of the Legislature of the Virgin Islands, issued February 9, 2005, by the Honorable Lorraine L. Berry, President of the Twenty-sixth Legislature. Any updates or revisions to the Legislature's policy are incorporated into these Rules by reference. Unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of the conduct is used as the basis for employment decisions affecting the individual, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

(c) Every senator and every employee shall take all steps necessary to prevent sexual harassment from occurring, as provided in the Legislature's Policy and Guidelines.

(d) It is a violation of these Rules for a senator, division head or supervisor, a central staff employee, or senatorial staff employee, or member of the public to create a hostile work environment through abusive conduct toward an employee, including slapping, hitting,

pushing, and other forms of assault and battery as defined in 14 V.I.C. § 292, cussing, or abusive language, threatening behavior, making unlawful or unreasonable demands, arbitrarily reducing compensation, or other adverse job actions based on non-merit factors.

(e) The Committee on Ethical Conduct established in Rule 810, in addition to other duties prescribed in these Rules, shall receive, review, adjudicate and make recommendations for sanctions against senators found in violation of the Legislature's policy on sexual harassment.

(f) Notwithstanding the timelines for proceeding set forth in Rule 810, the Committee on Ethical Conduct shall conduct its investigation of and proceedings on sexual harassment complaints pursuant to the time limits established in the Policy and Guidance for Prevention of Sexual Harassment in the Workplace of the Legislature of the Virgin Islands.

RULE 809. RESERVED.

Committee on Ethical Conduct

RULE 810. (a) A Committee on Ethical Conduct may be established in the Legislature, consisting of not less than five senators appointed by the President.

(b) The Committee shall, at the request of a senator, officer, or employee of the Legislature, provide an advisory opinion regarding an alleged violation of the standards of conduct of the Legislature on the general propriety of past, current, or anticipated conduct of a senator, officer, or employee. The opinion must be rendered not more than 30 days after the request, unless the Chair or Vice Chair agrees otherwise. The Committee may, with appropriate deletions, to ensure the privacy of the individuals concerned, publish the advisory opinion for the guidance of other senators, officers, or employees.

(c) The Committee shall receive and review complaints alleging violations of the standards of conduct by senators, officers, and employees of the Legislature, including but not limited to violations of the Legislature's Policy and Guidance for Prevention of Sexual Harassment in the Workplace.

(d) In performing its duties, the Committee shall give persons under investigation reasonable notice and an opportunity to be heard and advise that they are entitled to be advised and assisted by legal counsel, to produce witnesses and to offer evidence, and to cross-examine witnesses.

(e) A person may file a complaint that alleges a violation of the standards of conduct ("the Petitioner"), including sexual harassment with the Committee. Except as provided in subsection (f), a complaint may not be filed more than 60 days after the date of the alleged violation.

(f) If the Committee determines that the Petitioner did not know, or through the exercise of reasonable diligence could not have known of the alleged violation within 60 days after the date that the alleged violation occurred, the complaint may be filed not later than 18 months after the date that the alleged violation occurred. If a complaint is filed 30 days or less before an election and the accused is a senator seeking reelection, the complaint must be returned to the Petitioner, and the Petitioner must be advised that the complaint may be filed with an appropriate enforcement agency and may be re-filed with the Committee after the election. In this instance, the period for filing the complaint must be extended for 30 days.

(g) The Chief Legal Counsel, or the Chief Legal Counsel's designee, shall assist the Committee in carrying out its functions. The Committee may retain independent counsel when necessary.

(h) A complaint must:

- (1) be in writing;
- (2) state the name of the person filing the complaint;
- (3) state the name of the alleged perpetrator;
- (4) set forth allegations that, if true, would constitute a violation of the ethical standards of conduct and must be stated with sufficient clarity and detail to enable the Committee to make a finding pursuant to subsection (j);
- (5) state the date of the alleged violation; and
- (6) include a statement that the allegations are true of the person's own knowledge or that the person believes them to be true and must be signed by the person under penalty of perjury.

All six conditions must be met for the complaint to be accepted by the Committee. The Chair and Vice Chair of the Committee shall examine the complaint to determine whether it is filed in accordance with the Rules and have met the requirements of this subsection.

(i) The Committee, on its own motion, may initiate a proceeding by filing a complaint that complies with subsection (h).

(j) The Committee shall promptly send a copy of the complaint to the accused, who shall be designated as the Respondent. Complaints filed with the Committee shall proceed in three stages as follows: the Chair and the Vice-Chair will make an initial assessment. If they determine the complaint should be investigated further, it is forwarded to the full Committee for a preliminary inquiry. If the Committee finds by a preponderance of the evidence that the allegations may be true, the Committee will then schedule the matter for a hearing.

(k) Not later than 15 days after the complaint is filed, and the Chair or Vice Chair shall provide the Committee a copy of the complaint and a preliminary finding whether the

allegations in the complaint, if true, constitute a violation of the standards of conduct. Not later than 30 days of its preliminary finding, the Committee shall conduct a preliminary inquiry. If the Committee finds that the allegations, if true, does not constitute a violation of the standards of conduct, it shall dismiss the complaint and so notify Petitioner and the Respondent of its finding, and the complaint may not be made public. If, however, the Committee finds by a preponderance of evidence that the Respondent committed a violation of the standards of conduct, the Committee shall issue a statement listing the alleged violations. The Committee shall immediately notify the Respondent and Petitioner of its decision, and not later than seven days after the Committee has issued its findings, the statement of alleged violations must be made public and the matter be scheduled for a hearing.

(l) Not later than 20 days after the issuance of the statement of alleged violations, the Respondent may file an answer that admits or denies each count. Upon request of the Respondent, the Committee may grant the Respondent additional time to respond. Not later than 60 days after the issuance of the statement of alleged violations, the Committee shall hold the hearing.

(m) At the hearing, upon request of the Respondent, the Committee may permit the Respondent to inspect, copy, or photograph books, papers, documents, photographs, or other tangible objects related to the allegations in the complaint. If at any time during the hearing, the Respondent admits to some, but not all of the violations or the counts set forth in the statement of alleged violations, and the Committee finds that the admitted violations constitute a violation of the standards of conduct, the Committee shall continue the hearing to determine whether the other alleged violations constituted violations of the standards of conduct. If the Respondent admits to all alleged violations, and the Committee finds that the admitted

violations constitute a violation of the standards of conduct, the Committee shall terminate the hearing, and take the action required under subsection (l) of this Rule.

(n) If a majority of the members of the Committee finds that the Respondent has not committed a violation of the standard of conduct, the Committee shall dismiss the complaint. If a majority of the members of the Committee finds by a preponderance of the evidence that the Respondent committed a violation of the standards of conduct, the Committee shall determine an appropriate sanction.

A majority of the membership of the Committee shall recommend that the Legislature take one or more of the following actions and shall transmit its findings and recommendation to the Legislature:

- (1) the denial or limitation of any right or privilege, if the violation bears upon the exercise of that right or privilege;
- (2) a reprimand for a serious violation;
- (3) a suspension for a more serious violation;
- (4) a censure for a more serious violation; or
- (5) an expulsion for a more serious violation pursuant to Rule 814 of these Rules.

(o) Not later than 15 business days after receiving the findings and recommendation, the Legislature shall vote on the recommendation of the Committee and may take action as set forth in Rules 813 and 814. Where appropriate, the Committee or Legislature may defer any action required by this Rule, if other proceedings have been commenced on the same matter.

(p) At the hearings, the Committee's chairperson shall present the case. All relevant and probative evidence is admissible unless it is privileged. The Committee may called and

cross examined witnesses and the Respondent and exhibits, and other documents may be admitted. The Respondent may be represented by legal counsel or any other person of the Respondent's choosing. Although formal, committee hearings are not judicial proceedings and the Committee is not bound by the Rules of the Evidence, or the Rules of Civil Procedure, or any other rules of any court.

(q) If the Committee receives, at any time, any exculpatory information relating to the alleged violation, the Committee shall make the information available to the Respondent and the Petitioner. If the Committee determines that the complaint was filed with malicious intent, the Committee or the Respondent may request that the President reimburse the expenses incurred by the Respondent and the request may not be unreasonably denied. Expenses may be reimbursed in whole or in part.

(r) The Committee meetings are not open to the public. However, a session of the Legislature to impose sanctions under Rule 813 is open to the public; except that the Legislature may not take testimony or evidence or review de novo the Committee's deliberations but may only debate the sanctions proposed in the resolution. In the case of alleged sexual harassment, the names of all victims, complainants, and witnesses may not be disclosed, and all findings and conclusions, reports and other documents presented before the Legislature must be redacted, including the names or other identifying information of all complainants, victims and witnesses in a sexual harassment complaint or investigation.

(s) A senator, officer, or employee of the Legislature may not directly or indirectly attempt to influence or intimidate, threaten, coerce, command, or attempt to intimidate, threaten, coerce, or command a person for the purpose of interfering with that person's right to

file a complaint with the Committee, testify before, or in any way cooperate with the Committee.

(t) Nothing in this Rule may be construed to authorize a person to disclose information, the disclosure of which is otherwise prohibited by law.

(u) Except otherwise specifically provided for in these Rules, the Division of Human Resources shall maintain a record of investigations, hearings, and other proceedings. All records, complaints, documents, and reports filed with, submitted to, or made by the Committee, and all records and transcript of any investigations or hearings of the Committee are confidential and are not open to inspection by a person, other than a Committee member or the staff of the Committee. Verbatim transcripts and notes must be held in the custody of the Chief Legislative Reporter or the Executive Director, as determined by the President. Any member of the Committee or any person on the staff of the Legislature who discloses any record, complaint, document, report, transcript, or other information that is confidential is subject to discipline. The Committee may, by a majority vote, authorize the release of any records, complaints, documents, reports, and transcript in its possession to the appropriate enforcement agency, if the Committee determines by a preponderance of evidence that the violation or violations alleged in the complaint constitute a felony or if the Committee determines that the information is material to any matter pending before the enforcement agency.

810a. Hearings by the Committee on Rules and Judiciary on Rule Violation by Senators.

(a) If a senator is alleged to have violated a provision of these Rules, the Committee on Rules and Judiciary shall determine if the facts underlying the allegation are sufficient to merit a hearing. If a hearing is held, the accused senator must be given prior notice and a

hearing and maybe represented by counsel, if the senator so chooses. The determination and any disciplinary action must be made and taken by a two-thirds vote of the senators serving on the Committee on Rules and Judiciary.

(b) Any person may file a sworn complaint with the chairperson of the Committee on Rules and Judiciary, or the President alleging that a senator has violated the Rules regulating legislative conduct and ethics. The complaint must:

- (1) be based on personal knowledge;
- (2) must state detailed facts;
- (3) specify the actions of the named senator, which form the basis for the complaint;
- (4) have attached all documentation upon which the complaint is based; and
- (5) identify the specific Rule the senator is alleged to have violated.

(c) The President, in his discretion, may refer the complaint to a special master instead of to the Committee of Rules and Judiciary. However, when the complaint is against the chairperson of the Committee on Rules and Judiciary, the President must refer the complaint to a special master. The President must dismiss a complaint upon a determination that the complaint fails to state facts supporting probable cause. The President must refer the complaint to a special master upon a determination, that the complaint states facts supporting a finding of probable cause. The special master shall conduct an investigation, give reasonable notice to the accused senator and shall grant the senator an opportunity to be heard. A special master's report and recommendation is advisory only and must be presented to the President as soon as practicable after the close of the investigation. If the special master's report and recommendation conclude that the facts do not support a finding of probable cause, the President must dismiss the complaint.

(d) If the complaint is not dismissed, the Committee on Rules and Judiciary shall consider the special master's report and recommendation, grant the accused senator an opportunity to be heard, and shall develop its own recommendation. If the complaint is against the chairperson of the Committee on Rules and Judiciary, the chair is excused, and the vice chair shall conduct the deliberation. If the Committee on Rules and Judiciary votes to dismiss the complaint, the chairperson of the Committee on Rules and Judiciary or the vice chair shall dismiss the complaint. Otherwise, the special master's report and recommendation and the recommendation of the Committee on Rules and Judiciary must be presented to the President. The President shall present the Committee's and the special master's report and recommendation to the Legislature for final action.

(e) Separately from any prosecutions or penalties otherwise provided by law, a senator determined to have violated the requirements of the Rules regulating legislative conduct and ethics may be censured, reprimanded, or expelled. The determination and disciplinary action must be taken by a two-thirds vote of the 15 senators in the Legislature, on recommendation of the Committee on Rules and Judiciary.

Decorum

RULE 811. (a) A senator shall always conduct himself or herself, including during sessions of the Legislature and meetings of its committees, in a manner complimentary to the Legislature and with dignity and respect for the high office which the senator holds. The Chair shall call to order any senator who, in the Chair's opinion, fails to conduct himself or herself with decorum and to abide by the procedures of the Floor, and the senator shall remain silent, except to respond to a roll call, until recognized again by the Chair. However, the opinion of the Chair's opinion regarding the conduct of any senator may be overruled by a majority vote, a quorum being present.

(b) Matters of decorum include:

(1) Confining remarks to the merits of the pending question. In a debate, a senator's remarks must be germane to the question before the Legislature. The statements must have bearing on the adoption of a pending motion.

(2) Refraining from attacking a member's motives. A senator must avoid personal, verbal and physical attacks on another senator or employee of the Legislature, testifier, or member of the public, and under no circumstances may a senator attack or question the motives or character of another senator.

(3) Addressing all remarks through the Chair. Senators may not address one another directly during a debate, but must address all remarks through the Chair;

(4) Avoiding the use of members' names, and refraining from using indecent or abusive language or referring to another senator in a disparaging way;

(5) Refraining from speaking adversely on a prior bill, resolution, or amendment, unless a motion to reconsider, rescind, or amend such bill is pending;

(6) Refraining from speaking against one's own motion;

(7) Reading from reports, quotations, etc., only without objection or with permission. If a senator objects, another senator has the right to read from any paper or book as part of the senator's speech, without the permission of a majority of the Legislature;

(8) Being seated during an interruption by the Chair;

(9) Refraining from disturbing the assembly; and

(10) Not physically attacking a senator, legislative employee, or member of the public during a session or other meetings of the Legislature.

Penalties

RULE 812. A senator who violates the provisions of this chapter is in contempt of the Legislature and is subject to punishment under Rule 813 (c) as provided in the resolution adopted by the Legislature.

Censure

RULE 813. (a) Grounds for censure include, but are not limited to, repeated breaches of decorum, any conduct that prevents the Legislature from conducting its lawful business, conduct that brings disgrace upon the Legislature, seditious statements that portray a failure to uphold the oath of office, physical attacks or threats to a senator, legislative employee, or member of the public in the Chambers or other places within the Legislature and its complexes, purposeful destruction of legislative or personal property, or refusal to obey the rules of the Legislature.

(b) A motion to censure in the form of a resolution is in order at any time, takes precedence over all other motions, and requires a second. The resolution must contain a statement of the charges against the senator and the penalty, or penalties prescribed. If seconded, the motion is subject to debate and amendments must be voted on in a roll-call vote.

(c) The penalties prescribed by the resolution of censure may take the form of:

(1) A reprimand by the body, in which case an affirmative vote of a majority of all 15 senators.

(2) Suspension from the body for a specified time. If the motion is successful, the senator must be removed from the Chambers and may not return for the period of time specified in the resolution of censure, may not participate in legislative affairs for the period of time specified in the resolution of censure, shall have a notation of “absent” recorded next to the member’s name during both the call of attendance and roll call votes

during the period of suspension, loses the right to participate in the deliberations of all sessions of the Legislature and committees of the Legislature during the period of suspension, and will not be paid his or her salary during the period of suspension.

Expulsion of Members

RULE 814. A senator may be expelled from the Legislature for cause by the following procedure:

(a) Formal charges must be drawn in writing and filed with the Legislature by the complaining senator or senators.

(b) If approved by a majority vote, a quorum being present, the charges must be submitted to a committee selected by the President specifically for the purpose of:

- (1) reviewing the charges against the accused senator;
- (2) holding a hearing to allow witnesses to give evidence and be cross-examined by the accused senator or their counsel;
- (3) hearing testimony from witnesses favorable to the accused and hearing testimony by the accused; and
- (4) receiving evidence of all kinds in support of or which refutes the charges against the accused.

(c) If the committee, by a majority vote, finds that the charges substantiated by the testimony and evidence it receives, it shall, by motion, recommend to the Legislature that the accused senator be expelled.

(d) The Legislature shall expel the accused senator by an affirmative vote of two-thirds of the entire membership of the Legislature.

Dress Code

RULE 815. (a) Senators and employees of the Legislature, including employees on senators' staffs must be neatly groomed and clean, and except as provided in subsection (g), must wear business attire during working hours as prescribed in subsections (b) through (f).

(b) Female employees may wear dresses, skirts and blouses/shirts, pants and blouses/shirt, skirt suits and pants suits. Clothes that reveal excess skin, tank tops, spaghetti strap tops worn without a sweater or jacket, low-cut, revealing tops clothing revealing tattoos, tight fitting clothes, miniskirts or minidresses, shorts and capris are prohibited.

(c) Male employees may wear slacks, dress shirts, jacket, tie, dress shoes and must be neatly shaven. Clothes that reveal excess skin, tank tops, open shirts clothing revealing tattoos, tight fitting clothes are prohibited.

(d) Employees may wear appropriate nationally or internationally recognized formal or informal wear.

(e) Bib tops, shredded or ripped clothing, sneakers, flip flops, shorts, and ball caps are prohibited.

(f) When appearing on the Floor of the Legislature during sessions, male employees must always wear a coat and a tie, except when wearing appropriate nationally or internationally recognized formal wear. Female employees must wear business dresses, pants suits, or skirt suits, except when wearing appropriate nationally or internationally recognized formal wear. Male and female employees must wear appropriate business footwear. The Sergeant-at-Arms shall enforce this dress code for m senators and employees appearing on the Floor during sessions.

(g) On Fridays only when there are no sessions, or other business events scheduled, senators, central staff employees, and employees of senator's staff, when authorized by the senator, may wear appropriate casual attire, including jeans, subject to the following conditions:

(1) The attire worn, while casual, must be clean, neat and promote a professional, business image; and

(2) Shirts or tops with an advertising or other messages, shirts for election campaigns, shirts with foul language, tank tops, sweatshirts, strapless tops, midriff shirts or tops, tops with spaghetti straps, low cut tops or tops with a low neckline, flip flops, sneakers, sweatpants, sweat suits, wind suits, shorts, miniskirts, minidresses, torn or frayed clothing, see-through clothing, visible undergarments, and any other attire inappropriate for work at the Legislature are prohibited and not allowed to be worn at any legislative complex, grounds, or office of the Legislature.

(h) Central staff division heads and chiefs-of-staff of senators' offices are responsible for monitoring the appearance of their respective employees. The division head or chief-of-staff shall make the determination what is acceptable appearance. If a division head or chief-of-staff determines that an employee is not in compliance with the Legislature's standards for appropriate workplace appearance, the employee may be sent home to change. Progressive disciplinary action may be taken for repeated violations of the dress code policy.

CHAPTER 9. FINANCIAL DISCLOSURE

RULE 901. Senators, principal employees of the Legislature, principal assistants to senators, and professional staff shall file with the Commission on Ethics and Conflicts of Interest, established by title 3 Virgin Islands Code, chapter 37 a report disclosing financial interests required by that chapter.

RULE 902. Financial management of the legislature's budget, including expenditures and reimbursements, if applicable, must comply with Generally Accepted Accounting Principles.

RULE 903. The President of the Legislature and the Director of Business and Financial Management shall develop and implement standard operating procedures for travel advances, inter island travel, per diem, transportation, preapproved and legislative expenditures.

CHAPTER 10. EMPLOYEES OF THE LEGISLATURE

Offices Held By Non-Senators

Duties of Offices

RULE 1001. (a) Central staff employees, other than directors and administrators, expressly named in 2 V.I.C., § 47 (c), are appointed and serve under a nonpartisan personnel system based on merit principles and professional methods governing the appointment, promotion, transfer, layoff, removal and discipline of the employees pursuant to title 2, chapter 3, and other applicable provisions of the Virgin Islands Code and an Employee Manual consistent with applicable law and these Rules. The Legislature may not hire a person to serve on both the central staff and a senator's staff.

(b) The Legislature's staff includes the following officers and employees who are appointed by the President, pursuant to the established policies and procedures and powers under Rule 201 (a) (12) and serve pursuant to 2 V.I.C. § 47.

(1) An **Executive Director** who is qualified by training and experience in personnel administration and office management;

(2) A **Chief Legal Counsel** who is an attorney, in good standing with the Virgin Islands Bar Association, barred in the Virgin Islands and qualified by education, training and experience in the legislative process and legislative legal services;

(3) A **Chief Legislative Reporter** who is qualified by training and experience in the recording and transcribing of proceedings verbatim;

(4) A **Capitol Police Chief** who is qualified by training and experience in law enforcement;

(A) has peace officer status or will meet the certification or recertification requirements set forth by the Peace Officer Standards and Training Council codified at 23 V.I.C., chapter 16, not later than 180 days after employment;

(B) is licensed to carry a firearm; and

(C) shall manage all security matters and procedures for the legislative complexes.

(5) A **Sergeant-At-Arms** who is qualified to manage all security matters and procedures for the senators and staff of the Legislature;

(A) trained and experienced in law enforcement;

(B) may have peace officer status or will meet the requirements for certification or recertification not later than 180 days after employment as set forth by the Peace Officer Standards and Training Council;

(C) is licensed to carry a firearm; and

(D) has other qualifications as may be prescribed by the President;

(6) A **Director of Business and Financial Management** who is qualified by training and experience in business administration and accounting procedures;

(7) A **Director of the Office of Public Affairs** who is qualified by training and experience to provide effective and efficient media services and public relations for the Legislature;

(8) A **Director of Facilities Management** experienced in building repairs, maintenance and construction;

(9) A **Post Auditor** who is qualified by training and experience in business administration, accounting, and auditing procedures and is a person with extensive experience and recognized qualifications in the field of governmental procedures and accounting;

(10) A **Director of Archives** who is qualified by training and experience to maintain a library of legislative history, including but not limited to, verbatim transcripts, historical documents of previous legislative councils and legislatures and reports of all sessions and committee meetings of each legislature;

(11) A **Director of the Journal Division/Clerk** who is qualified by training and experience to maintain the Journal of the Legislature and related activities;

(12) A **Director of Human Resources** who is qualified by training and experience in personnel management;

(13) A **Chief of Transportation** who is qualified by training and experience to conduct transportation services, and has knowledge of road safety and laws pertaining to traffic and transportation;

(14) A **Director of Management Information System** who is qualified by training and experience in computer technology and telecommunications;

(15) A **Code Revisor** who is an attorney, barred and in good standing with the Virgin Islands Bar Association, appointed based on education, training and extensive knowledge and experience in the legislative process and statutory drafting, construction and jurisprudence; and

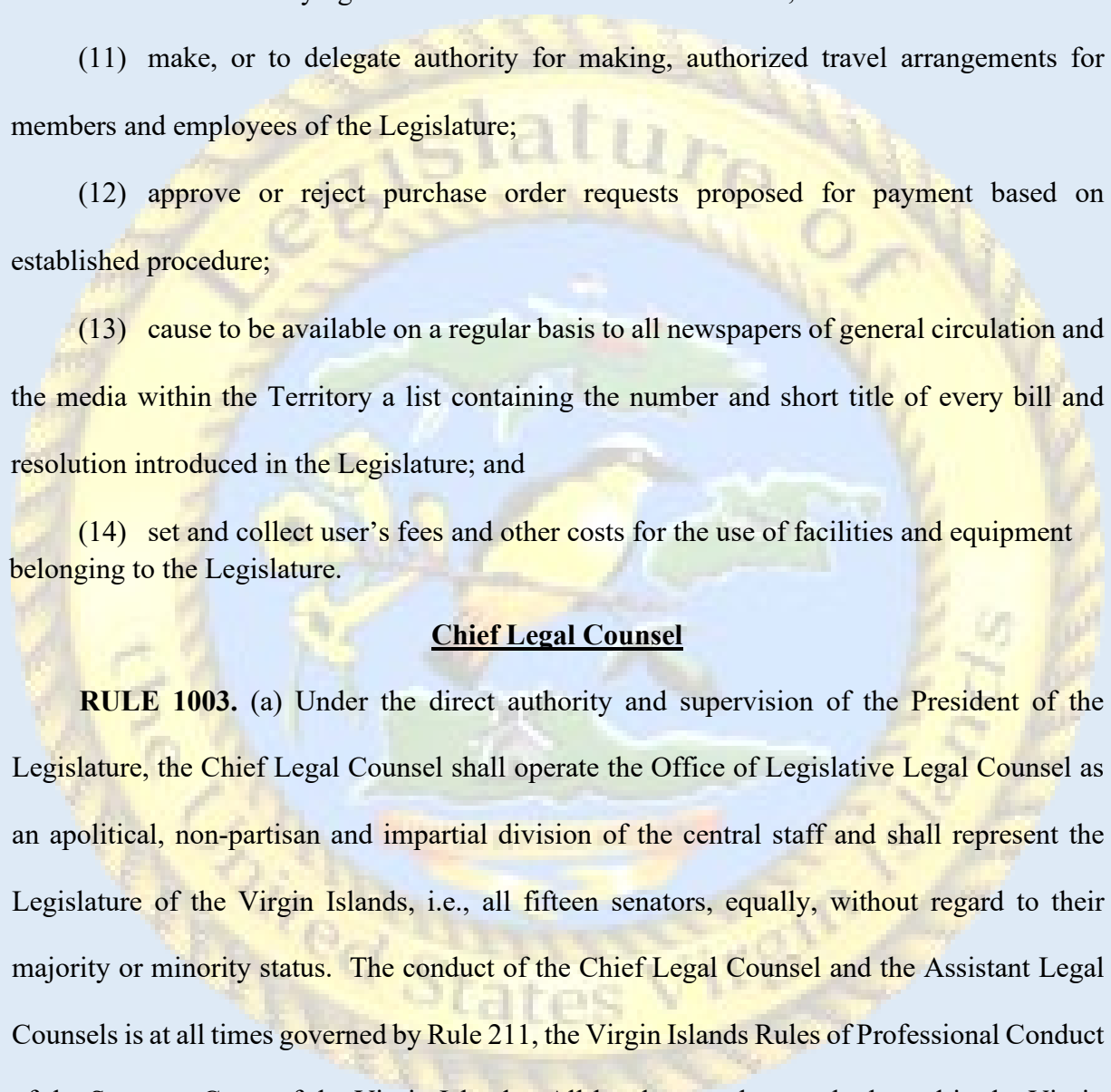
(16) such consultants, clerks, assistants, and other employees as may be required to properly staff legislative offices in St. Thomas, St. Croix, and St. John.

(17) The personnel enumerated in subsection (b) of this Rule may not be senators.

Executive Director

RULE 1002. The Executive Director serves as the Chief Administrative Officer of the Legislature. The Executive Director shall:

- (1) administer the day-to-day operation of the administrative offices of the Legislature;
- (2) coordinate the administration of all divisions, offices and services;
- (3) establish in consultation with division heads and the President and implement standard operating procedures for the administrative offices of the Legislature;
- (4) establish written procedures and protocol for inaugural activities;
- (5) receive, record, and respond, as directed by the President, to all correspondence that may be addressed to the Legislature, including messages and proposed legislation from the Governor, and maintain accurate and detailed records regarding the correspondence;
- (6) receive visitors, telephone messages, provide for printing of documents, duplicating, custodial care, transportation and messenger delivery and receiving, grounds maintenance, and building security;
- (7) regularly meet with division heads to evaluate the effectiveness of each division's programs and services, resolve problems and develop strategies for carrying out the administrative operations of the Legislature;
- (8) regularly hold general staff meetings to facilitate administration, keep employees informed and abreast of new policies, procedures and current events; foster effective communication between management and employees for suggestions and problem solving and for other related purposes;

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- The seal of the Legislature of the Virgin Islands is a circular emblem. It features a central shield with a landscape scene, including a palm tree and a body of water. The shield is surrounded by a wreath. The words "LEGISLATURE OF THE VIRGIN ISLANDS" are inscribed around the perimeter of the seal.
- (9) work on annual proposals for the Legislature's budget;
- (10) serve as administrative supervisor to division heads, except the Chief Legal Counsel and the Police Chief, and supervise other employees that may be assigned by the President to assist in carrying out the duties set forth in this section;
- (11) make, or to delegate authority for making, authorized travel arrangements for members and employees of the Legislature;
- (12) approve or reject purchase order requests proposed for payment based on established procedure;
- (13) cause to be available on a regular basis to all newspapers of general circulation and the media within the Territory a list containing the number and short title of every bill and resolution introduced in the Legislature; and
- (14) set and collect user's fees and other costs for the use of facilities and equipment belonging to the Legislature.

Chief Legal Counsel

RULE 1003. (a) Under the direct authority and supervision of the President of the Legislature, the Chief Legal Counsel shall operate the Office of Legislative Legal Counsel as an apolitical, non-partisan and impartial division of the central staff and shall represent the Legislature of the Virgin Islands, i.e., all fifteen senators, equally, without regard to their majority or minority status. The conduct of the Chief Legal Counsel and the Assistant Legal Counsels is at all times governed by Rule 211, the Virgin Islands Rules of Professional Conduct of the Supreme Court of the Virgin Islands. All legal counsels must be barred in the Virgin Islands and at all times employed at the Legislature of the Virgin Islands, must be a member in good standing with the Virgin Islands Bar Association and registered with the Supreme Court of the Virgin Islands as provided by Supreme Court Rule 203 (e). No legal counsel of the

Legislature may be required or requested to adopt or subscribe to or represent any position in contravention of section 8(a) of the Revised Organic Act of the Virgin Islands, draft any legislation that is patently unconstitutional, inconsistent with United States Constitution, the Revised Organic Act, or the laws of the United States made applicable to the Virgin Islands.

(b) The duties of the Chief Legal Counsel are as follows, and the Chief Legal Counsel shall:

- (1) conduct the legal business of the Legislature;
- (2) provide candid, independent, advisory legal opinions;
- (3) draft legislative proposals as requested by senators;
- (4) provide legal services during sessions of the Legislature and during committee meetings and at other times as necessary;
- (5) examine, analyze, and research legislative proposals and issues before the Legislature;
- (6) prepare or review all contracts, leases, permits, and other legal documents necessary to the operation of the Legislature; and provide advice as to the legal sufficiency of all contracts and ensure that such contracts are in the best interest of the Government of the Virgin Islands;
- (7) coordinate activities of the Legislative Legal Counsel, Journal, and Archives Divisions as they relate to the services provided by the Legislative Legal Counsel's Office, and supervise the employees of the Legislative Legal Counsel Division and other employees that may be assigned by the President to assist in carrying out the duties set forth in this section;
- (8) verify the accuracy of enrolled bills passed by the Legislature and affix the Legislature's seal thereto;

(9) transmit to the Governor as soon after passage as is practicable, all bills, resolutions, or other documents required to be transmitted to the Governor;

(10) maintain through the Journal Division and the Archives Division, an accurate and current record of the legislative history of all bills and resolutions, including their number, date of introduction, committee to which a bill is assigned, actions taken by committee, amendments passed, date considered on the Floor, date sent to the Governor, whether it was signed, vetoed, or became law without the Governor's signature, the act number, date it became law, and whether a veto was overridden;

(11) maintain an up-to-date subject and bill tracking index of adopted legislation and resolutions;

(12) represent the Legislature in litigation in matters properly within the sphere of legislative activities and coordinate litigation of legislative matters with the Legislature's outside counsel, except that the Office of Legislative Legal Counsel may not represent the Legislature in labor disputes, personnel matters, including disciplinary matters, wrongful discharge suits, or in suits between or among senators, or taxpayers' suits;

(13) develop and publish, subject to the final approval of the President, "The Official Drafting Manual of the Legislature of the Virgin Islands" to which all bills, resolutions, amendments, and other legislation must conform; and

(14) provide other legislative legal services requested by the President.

(c) Unless authorized for release by their sponsor, the Office of Legislative Legal Counsel shall maintain as confidential records of:

(1) drafting requests for bills and amendments;

(2) drafts of bill analyses and fiscal notes until the bill analysis or fiscal note is provided as part of a bill that has been introduced after pro forma;

(3) requests for drafts of a reapportionment plan or redistricting plan or an amendment thereto;

(4) any supporting documents associated with the plan or amendment until a bill implementing the plan, or the amendment, is introduced; and

(5) requests by senators for an advisory opinion concerning the application of the Rules of the Legislature pertaining to ethics, or any substantive legislative matter, including a bill, government contract, permit, government lease, or other measure pending before the Legislature, unless the senator requesting the opinion authorizes in writing the release of the information.

Chief Legislative Reporter

RULE 1004. The Chief Legislative Reporter is the official recording officer of the Legislature. The Chief Legislative Reporters shall:

(1) record and transcribe verbatim each session of the Legislature and its committee meetings, and, upon request provide a copy of the verbatim transcript to each senator, the Executive Director, Archives, and the Chief Legal Counsel and also to convert the transcripts into the portable document format (PDF) so that it may be made available to the public;

(2) transcribe verbatim every meeting of a committee or session of the Legislature not later than two weeks after the meeting, or sooner if directed by the President, the President's designee, a senator or the Chief Legal Counsel;

(3) cooperate with the Executive Director in providing senators and their staff with documents transcribed by the Chief Legislative Reporter or the Chief's assigns;

(4) supervise employees assigned by the President to assist in carrying out the duties set forth in this section together; and

(5) perform other duties prescribed by the President.

The Office of the Chief of Security

RULE 1005. (a) The Office of the Chief of Security is headed by a Police Chief. Under the direct authority and supervision of the President of the Legislature, the Police Chief is required to have full law enforcement authority certified through the Peace Officer Standard Training Council and therefore, must meet all the certification requirements of this Territory as a peace officer pursuant to 5 V.I.C. § 3561(b), or must be able to obtain the certification not later than 180 days after hire. The Police Chief is responsible for the overall security of the Legislature, its senators and employees and the public. The Police Chief shall establish and implement procedures to protect life and property at the legislative complexes and shall manage and supervise the security personnel.

(b) The specific duties of the Police Chief are to:

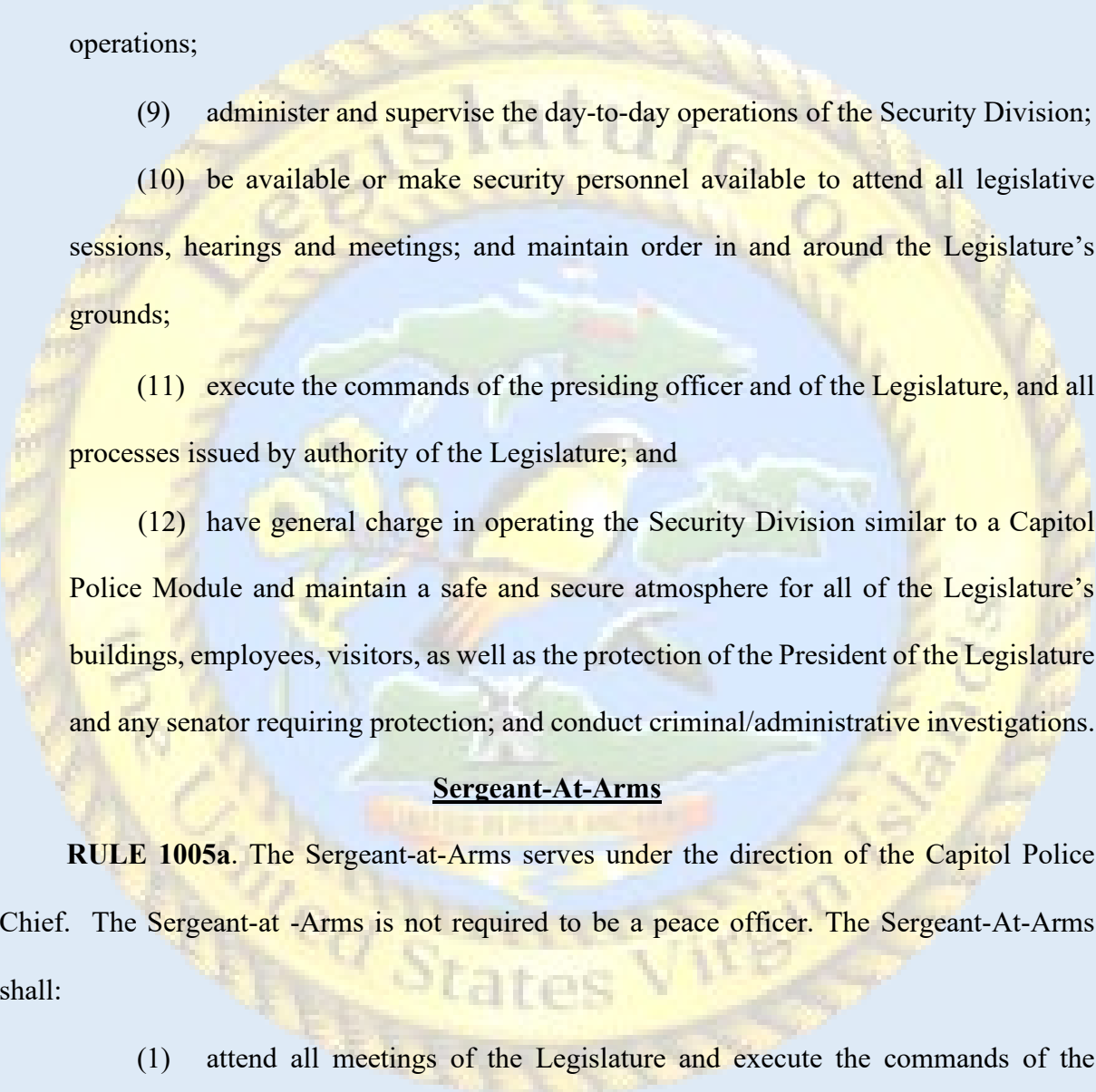
(1) ensure the security of all personnel, premises, facilities, and infrastructure of the Legislature; secure copies of all keys for all offices within the Legislature building and facilities, including senators' offices;

(2) develop and implement sound security measures;

(3) advise, the President of the Legislature, the Executive Director and other appropriate officials on security needs and matters that could threaten or affect the Legislature;

(4) serve as the liaison between law enforcement agencies, homeland security agencies and the Legislature;

(5) enforce all rules and policies of the Legislature;

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- The seal of the House of Representatives of the Commonwealth of Puerto Rico is a large, circular emblem in the background. It features a central shield with a landscape scene, surrounded by a wreath. The words "HOUSE OF REPRESENTATIVES" and "COMMONWEALTH OF PUERTO RICO" are inscribed around the perimeter of the seal.
- (6) direct the implementation of homeland security measures as appropriate;
 - (7) provide security services and supervise the Sergeant-at-Arms at legislative sessions and committee meetings as needed;
 - (8) serve as the chief security officer of the Legislature in charge of security operations;
 - (9) administer and supervise the day-to-day operations of the Security Division;
 - (10) be available or make security personnel available to attend all legislative sessions, hearings and meetings; and maintain order in and around the Legislature's grounds;
 - (11) execute the commands of the presiding officer and of the Legislature, and all processes issued by authority of the Legislature; and
 - (12) have general charge in operating the Security Division similar to a Capitol Police Module and maintain a safe and secure atmosphere for all of the Legislature's buildings, employees, visitors, as well as the protection of the President of the Legislature and any senator requiring protection; and conduct criminal/administrative investigations.

Sergeant-At-Arms

RULE 1005a. The Sergeant-at-Arms serves under the direction of the Capitol Police Chief. The Sergeant-at -Arms is not required to be a peace officer. The Sergeant-At-Arms shall:

- (1) attend all meetings of the Legislature and execute the commands of the Legislature, with processes issued under the authority of the Legislature as is directed by the Capitol Police Chief or the President;
- (2) enforce s these Rules as they relate to order and decorum in the Chambers;

(3) if so directed, assist the President or other designated senators in establishing a quorum at each session of the Legislature, as provided in Rule 505;

(4) if the Sergeant-At-Arms has peace officer status, he or she may arrest, for contempt, all persons in the gallery found in loud conversation or otherwise disturbing the proceedings of the Legislature and remove, if directed by Capitol Police Chief or the President, any person in the gallery of the Chambers failing to maintain decorum or otherwise in violation of these Rules;

(5) if necessary, enlist the assistance of the appropriate law enforcement officials if there is a violation of law by a senator or other person;

(6) escort into the well and seat all testifiers;

(7) attend all legislative sessions and maintain order on the Floor, under the direction of the Capitol Police Chief or the presiding officer;

(8) execute the commands of the presiding officer and of the Legislature and processes issued by authority Legislature and serve subpoenas issued by the Legislature or committees of the Legislature;

(9) have general charge, and maintain order, in the gallery, Chambers, and committee rooms;

(10) see that all staff and visitors are seated;

(11) perform other duties prescribed by the Capitol Police Chief and supervise employees assigned by the Capitol Police Chief to assist with these duties; and

(12) if the Sergeant-at-Arms does not have peace officer status, he is limited to enforcing the Rules of the Legislature on the grounds of the Legislature.

Director of Business and Financial Management

RULE 1006. The Director of Business and Financial Management shall:

- (1) in cooperation with the Department of Finance, accurately compute payroll, per diem, if applicable, and expense reimbursements for senators and employees of the Legislature;
- (2) order and cause to be delivered all purchase requests for equipment, books, supplies, furnishing, and other items approved by the Executive Director or the President;
- (3) perform all bookkeeping and accounting functions necessary to the operation of the Legislature;
- (4) compile, preserve, and safely maintain the fiscal records of the Legislature;
- (5) make available all information pertaining to personnel matters, as authorized by law, and financial records, including statements of operations of the Legislature on a monthly basis to the officers;
- (6) supervise employees assigned to the division by the President to assist in carrying out the duties set forth in this section; and
- (7) perform other duties prescribed by the President or the Executive Director.

Code Revisor

RULE 1007. (a) The Code Revisor shall maintain a system of continuous statute research and correction. To that end, the Code Revisor shall:

- (1) make a systematic study of the statutes of the Virgin Islands, as set out in the Virgin Islands Code Annotated, for ascertaining those ambiguities, conflicts, duplications and other imperfections of form and expression that exist in the statutes;
- (2) receive, consider, and prepare comments and recommendations on proposed changes in the law, as recommended by the American Law Institute, the Uniform Law

Commission, the Virgin Islands Uniform Law Commission, the Virgin Islands Bar Association, judges, lawyers, public officials, or other learned bodies or qualified individuals, including the Office of Legislative Legal Counsel;

(3) draft and prepare for submission to the Committee on Rules and Judiciary, the President, and the Office of Legislative Legal Counsel, bills to correct obvious errors, eliminate inconsistencies, duplications and laws repealed directly or by implication, or laws adjudged unconstitutional or otherwise invalid;

(4) modernize language to correspond to Legislature of the Virgin Islands Office of the Legislative Legal Counsel Drafting Manual, correct defective section structure in the arrangement of the subject matter of existing statutes, correct faulty internal references and clarify existing laws;

(5) draft revisions to the statutes in a manner that preserves the intent, effect and the meaning of the statutes revised and makes no substantive changes;

(6) prepare revisions that ensure that the statutory language does not discriminate on the basis of sex, and to the maximum extent feasible, prepare revisions that use gender neutral nouns and pronouns;

(7) identify for repeal by the Legislature provisions that have no legal effect and language that the courts have held to be unconstitutional;

(8) at the close of each regular session of the Legislature, cause to be prepared and published, under contract with a qualified law book publisher, cumulative pocket supplements to each volume of the Virgin Islands Code;

(9) cause to be prepared and published periodically, under contract with a qualified law book publisher, substitute volumes of the Virgin Islands Code, whenever,

in the Revisor's judgment, the increase in the size of any pocket supplement due to the accumulation and mass of the laws and annotations makes further publication of the pocket supplement impracticable;

(10) negotiate for and purchase, from time to time, various reprint pamphlets from the Virgin Islands Code, arranged, edited, indexed and printed in a manner and in quantities as it directs, whenever the Revisor receives requests for them from the Governor of the Virgin Islands, or from any department head or other official of the Government of the Virgin Islands, which have been approved by the Governor and submitted according to law and regulations;

(11) annually cause to be printed and published, under contract with a qualified law publisher, all current session laws of the Legislature of the Virgin Islands. The laws must be printed in slip form as soon as a possible after approval by the Governor, or after they become law without his approval, and published in annual Session Laws volumes, with suitable tables and indices, as soon as possible after the close of each Regular Session of the Legislature; and

(12) determine within the limits of appropriations, the quantities of slip laws and volumes to be printed and published.

(13) enter into arrangements with other jurisdictions for the exchange of government publications on terms most advantageous to the Government of the Virgin Islands, and for this purpose may enter into a contract with any qualified contractor that can provide these exchange services;

(14) supervise employees assigned to the Office of the Code Revisor and manage to the day-to-day operations of the office;

(15) submit reports to the President and to the Committee on Rules and Judiciary quarterly, or upon the request of the President, or the Committee on Rules and Judiciary, on the status of the code revisions; and

(16) do all things necessary to fulfill the purposes of title 2 Virgin Islands Code, chapter 10A and to carry out other related duties assigned by the Chairperson of the Committee on Rules and Judiciary.

(b) In addition to the Code Revisor's revision duties, The Office of the Code Revisor shall work with the Journal Division and the Office of the Legislative Legal Counsel to issue a Subject Index on a quarterly basis and publish a comprehensive Subject Index annually. The Code Revisor shall attend every meeting of the Committee on Rules and Judiciary and present a report monthly on needed code revisions and a progress report of accomplishments and goals, and a final draft of a proposed code revision bill for the Committee's consideration.

Director of the Office of Public Affairs

RULE 1008. The duties of the Director of the Office of Public Affairs are as follows:

(1) supervise a media services and public relations staff of persons qualified and trained in writing, photography, public relations, and media services;

(2) supervise other staff assigned to the division by the President to assist in carrying out the duties set forth in this section;

(3) issue press releases on behalf of the senators regarding committee meetings and other activities of the senators of the Virgin Islands;

(4) coordinate all activities relating to the release of information from the Legislature to the media;

(5) schedule all assignments of staff members as writers, public information officers, media officers, and photographers to committees and individual senators only for purely legislative meetings and activities;

(6) promote the image of the Legislature by the preparation of a newsletter, press releases, press conferences, and other media services; and

(7) perform other duties assigned by the Senate President or the Executive Director.

RULE 1009. The Director of Facilities Management shall:

(1) maintain the premises and facilities of the Legislature in good condition and repair;

(2) supervise a facilities management staff in building repairs, maintenance and construction;

(3) prepare estimates and materials and labor costs for repairs and construction work to be done on offices and buildings of the Legislature;

(4) inspect and approve work performed in the various offices of the Legislature by private contractors in plumbing, painting, repairs, electrical and other work and recommend payment if work is satisfactory;

(5) obtain all required permits and approvals required by law before commencing any development activities;

(6) prepare annual reports, or reports as requested, for the President and Executive Director on the condition of various offices of the Legislature in St. Thomas, St. Croix, and St. John ; and

(7) perform other duties assigned by the President or the Executive Director.

Post Auditor

RULE 1010. The duties of the Post Auditor are as follows:

(a) The Post Auditor shall audit the financial affairs and transactions of every department or agency of the executive and judicial branches of government at least once each year and more often if directed by the Legislature's Standing Committee on Budget, Appropriations and Finance. The annual audits must be conducted according to accepted auditing principles. The Post Auditor shall make a full, complete, and written report of each annual audit and of other directed by the Committee on Budget, Appropriations, and Finance. Books and accounts of the Department of Finance and the Office of Management and Budget may be examined monthly, if the Committee so determines, and the examination may include detailed checking of every transaction or test checking.

(b) The Post Auditor, under the supervision of the Committee on Budget, Appropriations and Finance, shall determine whether all requirements of law regarding the installation and use of accounting systems, books, records, rules, and regulations are being complied with by each governmental department or agency.

(c) The Post Auditor shall furnish a copy of the annual report of each governmental department or agency to the Committee on Budget, Appropriations Finance and any other written reports required by the Committee. All written reports of the Post Auditor must be furnished in accordance with the directions of the Committee on Budget, Appropriations and Finance.

(d) The Post Auditor shall immediately report in writing to the President, the Committee on Budget, Appropriations and Finance, the Governor, and the Attorney General any apparent violation of penal statutes or any instance of misfeasance, a malfeasance or nonfeasance by a governmental officer or employee disclosed by the audit

of any governmental department or agency. The Post Auditor shall furnish the Attorney General all information in the possession of the Post Auditor relative to any report referred to the Attorney General.

(e) The Post Auditor, in the discharge of the duties under this Rule and pursuant to 2 V.I.C. § 207, shall require government departments and agencies to preserve and make available their accounts, records, documents, requisitions, payrolls, canceled checks, vouchers and coupons, and other evidence of financial transactions.

(f) Pursuant to 2 V.I.C. § 202, the Post Auditor shall have direct supervision of the employees and day-to-day operation of the Post Audit Division in accordance with policies adopted by the Committee on Budget Appropriation and Finance.

(g) The Post Auditor shall perform all other duties prescribed in title 2 V.I.C., chapter 10 and other applicable law and other duties that the Committee on Budget, Appropriations and Finance may assign.

Director of Archives

RULE 1011. The Director of Archives has the following duties and shall:

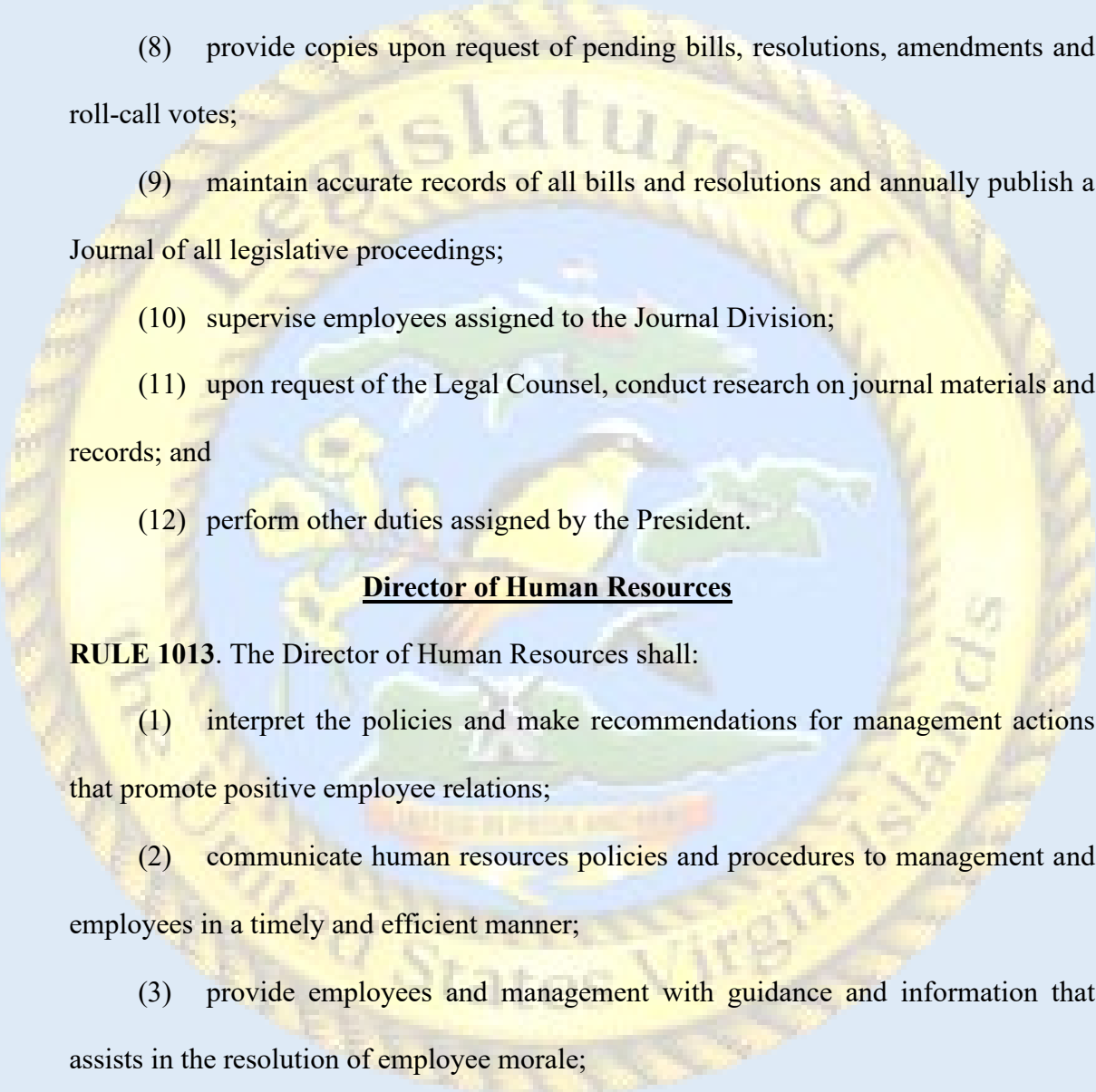
- (1) preserve and maintain a library of legislative history, including but not limited to verbatim transcripts, historical documents of previous legislative councils and legislatures, and reports of all sessions and committee meetings of each legislature;
- (2) provide information relating to legislative history to senators, legislative committees, legislative legal counsel and research staff, and at a cost, to members of the public and other governmental branches;
- (3) serve as the custodian of archival records;

- (4) serve as a legislative clerk during sessions and meetings of the Committee of the Whole;
- (5) supervise employees assigned to the Archives Division; and
- (6) perform any other duties assigned by the President.

Director of the Journal Division/Clerk

RULE 1012. The Journal Division of the Legislature is an administrative arm of the Legislature. The Director of the Journal Division, also referred to as the “Clerk” in performing duties during the legislative sessions, maintains official records of all legislative business. These records include the Legislative Journal, bill tracking, and subject indexes, committee hearing schedules, rosters and bill status information, subpoena issuance, and documents and correspondence transmitted to the Legislature. In addition to the foregoing responsibilities, the Director of the Journal Division shall:

- (1) as directed by the Legislative Secretary, call the roll of senators at the commencement of each session of the Legislature and the Committee of the Whole;; to keep an accurate record of the presence or absence of each senator at each session and Committee of the Whole, including the reason for each absence, if available; and to cause this record to be printed in the Journal;
- (2) conduct all activities in connection with maintaining a journal of the proceedings of the Legislature;
- (3) conduct all roll calls, votes and record votes on legislation, and questions before the Legislature;
- (4) pursuant to section 9 (a) of the Revised Organic Act of the Virgin Islands, 48 U.S.C. § 1575(d), enter in the journal the Governor’s objections to all bills or portions of bills vetoed by the Governor;

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- The seal of the Legislature of the Virgin Islands is a large, circular emblem in the background. It features a yellow border with the words "Legislature of the Virgin Islands" in a circular arrangement. The center of the seal depicts a tropical scene with a blue sky, green hills, a body of water, and a yellow bird perched on a branch.
- (5) act as the official meeting scheduler;
 - (6) act as the reservationists for committees' use of the Chambers;
 - (7) publish and distribute the legislative calendar and committee and session agendas;
 - (8) provide copies upon request of pending bills, resolutions, amendments and roll-call votes;
 - (9) maintain accurate records of all bills and resolutions and annually publish a Journal of all legislative proceedings;
 - (10) supervise employees assigned to the Journal Division;
 - (11) upon request of the Legal Counsel, conduct research on journal materials and records; and
 - (12) perform other duties assigned by the President.

Director of Human Resources

RULE 1013. The Director of Human Resources shall:

- (1) interpret the policies and make recommendations for management actions that promote positive employee relations;
- (2) communicate human resources policies and procedures to management and employees in a timely and efficient manner;
- (3) provide employees and management with guidance and information that assists in the resolution of employee morale;
- (4) manage effective human resources functions, including the timely processing of Notices of Personnel Action (NOPA) and employee contracts;

(5) answer questions and provide resources for answering employee questions regarding compensation, benefits, recruitment, and training;

(6) develop a comprehensive training plan;

(7) assist with the development and revision of employee manuals;

(8) provide all employees with copies and keep them abreast of all advancements in the Legislature's policy document on the prevention of sexual harassment in the workplace;

(9) provide for prospective employees to undergo a criminal background check before they are hired;

(10) maintain personnel files and all other personnel records; and

(11) perform other duties assigned by the President or the Executive Director.

Chief of the Division of Transportation

RULE 1014. (a) The Division of Transportation is headed by a Chief of Transportation who shall:

(1) coordinate and provide all transportation and messenger delivery services for the senators and staff of the Legislature in the District Chief's respective Division;

(2) ensure that all rules and procedures regarding the use of the Legislature's vehicles are complied with;

(3) inspect all vehicles daily and before and after use by non-division staff;

(4) report all transportation abuses to the Police Chief, the Executive Director, and the Office of the President;

(5) maintain a log of the use of vehicles to ensure compliance with these Rules;

(6) cause to be properly maintained and ensure that all vehicles are properly maintained in an operable, safe, and clean condition; and

(7) perform other duties assigned by the President or the Executive Director.

(b) The Division of Transportation personnel are not personal servants, and it is a violation of these Rules for a senator or employee of the Legislature to direct Division personnel to perform non-work-related errands, and an employee of the Division of Transportation may decline to provide non-work-related transportation or perform non-work-related errands.

Director of Management Information Services

RULE 1015. The Director of Management Information Services (MIS) shall:

(1) plan and supervise operations of all information services and telecommunications related services, including landline phone systems, and cellular phone systems, within the Legislature;

(2) plan, budget, and implement all MIS policies through the optimum utilization of computer resources, making critical decisions regarding appropriate hardware and software upgrade paths;

(3) consult with senators and division heads to determine user information management needs to develop, design and implement these systems;

(4) supervise and train information services division staff; central staff and senators and their staffs;

(5) direct the daily operations of the Management Informational Services Division staff and serve as the network administrator;

(6) serve and assist in training users on new hardware/software systems;

(7) provide for the most effective and efficient information and telecommunications systems in support of the Legislature's needs;

- (8) formulate and implement legislature-wide standards for the types and usages of computer related equipment;
- (9) oversee and manage the Legislature's website; and
- (10) perform other duties assigned by the President or the Executive Director.

Rights of Employees; Appeals

RULE 1016. (a) Any employee of the Legislature of the Virgin Islands who is not an employee on the personal staff of a senator, aggrieved by any action taken against the employee by the President or the President's designee, may petition the President, in writing, not later than ten calendar days after the action taken, to convene a Select Committee on Employee Appeals ("the Committee"), comprised of three senators and two division heads from a division other than that of the aggrieved employee, for a hearing on the action taken. Not later than ten calendar days after the petition is filed, the President shall appoint the members of the Committee, and the Committee shall remain in existence until the issues giving rise to the petition have been resolved.

(b) The Committee shall elect a chairperson. The chairperson shall set a time and place for the hearing and, not later than five calendar days before the scheduled date of the hearing, give written notice to the aggrieved employee and other appropriate persons involved.

(c) The petition must set forth the action taken; the objections of the employee to the action, the employee's reasons for objecting, and the relief sought.

(d) Upon receipt of the petition, the chairperson of the Committee shall make a copy available to each member of the Committee and to all other senators. Not later than 20 calendar days after the petition is filed, the Committee shall provide the aggrieved employee with the

opportunity for a hearing that meets the requirements of due process. The requirements of due process are met when the aggrieved employee is afforded:

- (1) timely and adequate notice of all actions and proceedings;
 - (2) a speedy hearing;
 - (3) the right to be accompanied, represented, and advised by counsel or other representative;
 - (4) the right and opportunity to confront adverse witnesses and present oral and other evidence; and
 - (5) a final determination or decision in writing, that identifies the evidence relied on and that specifies the reason for the decision.
- (e) After receiving testimony from the aggrieved employee, the aggrieved employee's witnesses, the President and any other testifiers, the Committee, by majority vote, shall either affirm, modify, or reverse the action of the President taken against the aggrieved employee.
- (f) The Director of Human Services shall post a copy of this Rule in a conspicuous place at each legislative complex.

CHAPTER 11. LOBBYIST AND MEDIA REGISTRATION

RULE 1101. (a) As used in these Rules:

- (1) "Lobbyist" means any individual or entity that acts to promote, advocate, influence or oppose a matter pending before the Legislature or any department, agency, board, commission, or other instrumentality of the Government of the Virgin Islands, by direct communication with the Legislature or with a senator, and who in connection with either:

- (A) has received or is to receive compensation;

(B) is authorized to act as a representative of a person who has as a substantial purpose, the influencing of legislative or administrative action; or

(C) expends funds during the calendar year for the type of expenditures listed in this Rule.

(2) “Matter” includes any legislation, rule, coastal zone permit application, zoning amendment application group dwelling permit application, petition, lease, franchise, concession agreement, business dealing, transaction, or decision of any sort.

(3) “Person” means any individual, corporation, partnership, limited liability company, firm, association, or group however organized.

(b) Every person employed, retained, or authorized as a lobbyist shall, before commencing any lobbying activity at the Legislature, file an application with the Executive Director for registration as a lobbyist, and if the Executive Director is satisfied that the application has been properly prepared, the registration is complete. The application must be on a form prescribed by the Executive Director and approved by the Committee on Rules and Judiciary, and must include as a minimum the following:

- (1) the name, permanent residence address, and office address of the lobbyist;
- (2) the name and address of the principal of the lobbyist;
- (3) the nature of the business of the principal and the amount of the compensation of the lobbyist, to include reimbursements. A lobbyist who is salaried or retained by a principal need only report that portion of compensation or reimbursement reasonably attributable to lobbying before the Legislature;
- (4) a description of the business activity of the lobbyist and a copy of the lobbyist’s business license;

(5) an identification of the matters on which the principal or lobbyist expects to lobby;

(6) if the principal is an industry, trade, or professional association, a specific description of the industry, trade, or profession represented by the principal and the names and addresses of its officers;

(7) if the principal is not an industry, trade, or professional association, a specific description of the interests and groups represented by the principal and the names and addresses of its officers; and

(8) the name and address of any official of the legislative or executive branch of the Government of the Virgin Islands, and of members of the official's staff or immediate family, who are employed by the lobbyist, or a person acting on behalf of the lobbyist if the information is known or reasonably should have been known to the lobbyist.

(c) No former senator may register as a lobbyist or act as a lobbyist before the Legislature, as that term is defined in subsection (a), until not less than one year after the expiration of the senator's term.

(d) If after the lobbyist is registered, the lobbyist is hired by another principal, or the registered principle hires the lobbyist to influence action on another measure, the lobbyist shall notify the Executive Director of the new employment and provide all applicable information required in subsection (b).

(e) The registration of a lobbyist is valid from the filing of the application and ends at the end of the calendar year for which the lobbyist registered, and maybe renewed upon filing a new application. The registration may be terminated before the end of the calendar year for cause.

(f) After request to the respective committee chair, the registration allows lobbyist to appear before the committee to be heard on bills of interest to the lobbyist's principal.

(g) The Executive Director shall issue each registered lobbyist a registration card. The registered lobbyist shall present the card to the Sergeant-at-Arms or the Sergeant's designee before attending the committee meeting at which the lobbyist intends to be heard.

(h) This Rule does not apply to:

(1) persons appearing pursuant to their official duties as employees or elected officials of the Government, and not as representatives of any other person;

(2) persons who, in relation to the duties or interests of their employment or at the request or suggestion of their employer, communicate with the Legislature concerning legislation or other matter before the Legislature, if the communication is an isolated, exceptional, or infrequent activity in relation to the usual duties of their employment;

(3) persons communicating with the Legislature, if the communication is undertaken by them as a personal expression and not as an agent of their employers as to matters of interest to the person by whom or by which they are employed and if they receive no additional compensation or reward, in money or otherwise, for or as a result of the communication;

(4) persons testifying at public hearings conducted by the Legislature who do not otherwise act as lobbyists; and

(5) The Virgin Islands Bar Association's Committee on Legislation.

Members of the Media

RULE 1102. Members of the media shall register with the Executive Director and the Security Division. The following provisions govern the registration process:

(a) “Member of the media” means a person employed by or working as:

(1) a newspaper as defined in 1 V.I.C. § 41;

(2) a broadcast station licensed by the Federal Communications Commission, or a network serving one or more licensed broadcast stations;

(3) a cable television system with a franchise granted by an agency or instrumentality of the Government of the Virgin Islands, or a network serving one or more franchised cable systems;

(4) a wire service; or

(5) an independent contractor on assignment to report news about the Government of the Virgin Islands for an organization described in this subsection.

(b) The Executive Director, through the Sergeant-at-Arms, may register representatives of the media not defined above if it is in the public interest.

(c) Technicians for broadcast/cable stations must also be registered when accompanying members of the media and are subject to the same rules.

CHAPTER 12. AMENDMENTS, REPEAL AND SUSPENSION OF RULES

RULE 1201. These Rules may be amended or repealed by resolution, approved by an affirmative vote of ten senators; except that the resolution must be in writing and be distributed to each senator not less than 48 hours in advance of the vote on the resolution.

RULE 1202. A provision of these Rules may be waived by an affirmative vote of a majority of all 15 senators, but a motion to suspend a rule or any part of a rule is not in order, except on 48 hours’ notice in writing, specifying precisely the rule or part proposed to be suspended and the purpose for the suspension. A rule may be suspended without notice by unanimous consent of all the senators.

RULE 1203. The repeal or amendment of any rule may be accomplished by ten votes in the affirmative. All proposed amendments or repeals must be referred to the Committee on Rules and Judiciary for consideration.

RULE 1204. The suspension of any rule or adopted parliamentary authority requires ten votes in the affirmative.

RULE 1205. These Rules and any amendments to these Rules must be published on the public drive of the Legislature's website.

