An Act amending the Virgin Islands Code, title 3, chapter 18, section 302 relating the duties of the Department of Sports, Parks and Recreation to include the duty to develop neighborhood parks or recreation areas primarily designed to provide facilities for team, recreational or individual sports; amending title 3, chapter 22 section 401 to direct the Department to identify, supervise, administer, manage, regulate and control all sites within the Territorial Parks System; amending title 32, chapter 2 to establish the Division of Territorial Parks and Protected Areas within the Department of Planning and Natural Resources to establish and maintain a Territorial Parks System; amending title 33, chapter 111 to establish in the Treasury of the Virgin Islands The Territorial Parks System Revolving Fund and the Recreational Parks Revolving Fund; to establish a seven-member committee to develop the comprehensive conservation plan and program repealing title 3, section 308, title 32, chapter 4; and for other related purposes

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Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 3 Virgin Islands Code, chapter 18, subchapter I, section 302, paragraph (7) is amended at the end of the paragraph by inserting “and be responsible for the development of neighborhood parks or recreation areas that are primarily designed to provide facilities for team, recreational or individual sports”.

SECTION 2. Title 3 Virgin Islands Code, chapter 22, section 401, subsection (b) is amended by striking paragraph (9) and inserting new paragraph (9) that reads as follows:

“(9) identify, supervise, administer, manage, regulate and control the use and operation of all public campgrounds, natural areas, scenic waysides, historic sites, recreational trails, monuments, marine parks, and such other sites within the Territorial Parks System pursuant to 32 V.I.C., chapter 2;”.

SECTION 3. Title 32 Virgin Islands Code, chapter 2 is amended in the following instances:

(a) The words, “Division of Parks”, wherever they appear throughout the chapter are stricken are replaced with “Division of Territorial Parks and Protected Areas”, and the words, “Director of Territorial Parks”, wherever they appear throughout the chapter are stricken and
replaced with “Director of Territorial Parks and Protected Areas”.

(b) Section 21 is amended as follows:

(1) In subsection (a) by striking “Department of Sports and Recreation" and inserting “Department of Planning and Natural Resources" in its place and by striking “Commissioner of Sports, Parks and Recreation" and inserting “Commissioner of Planning and Natural Resources" in its place;

(2) At the end of subsection (b) by adding the following exception clause to read: “with the exception of those lands managed by another entity, authority, foundation, organization, or government instrumentally under applicable law and the neighborhood parks or recreation areas that are primarily designed to provide facilities for team, recreational or individual sports which are managed by the Department of Sports, Parks and Recreation”.

(3) By re-designating the existing subsections (a) and (b) as (b) and (c), respectively, inserting a new subsection (a) and adding subsections (d), (e), (f) and (g) to read as follows:

“(a) The Government of the Virgin Islands declares its intent to ensure that the unique habitats and ecosystems and cultural and historical resources including, underwater archeological resources of the Virgin Islands are not entirely destroyed by development pressures and are preserved, protected, maintained and used for the long-term benefit and enjoyment of present and future generations. To fulfill this mandate, the Department of Planning and Natural Resources shall formulate and execute a long-range, comprehensive conservation plan and program to acquire, maintain, preserve and protect, where appropriate, privately and publicly-owned properties that are suitable for development as parks or protected areas; and by operating a territory-wide system of terrestrial and marine parks and recreation programs for the cultural, educational, recreational, environmental, and economic benefit of the people of the Virgin Islands known as “The Territorial Parks System”. The park areas developed in furtherance of these activities must be marketed and be suitable for such outdoor leisure activities as camping, picnicking, hiking, biking, environmental education, sightseeing, boating, fishing, swimming, or other similar outdoor recreational activities for both residents of the Territory and visitors alike.”

“(d) The Division of Territorial Parks and Protected Areas shall identify, supervise, administer, manage, regulate and control the use and operation of all public campgrounds, natural areas, scenic waysides, historic sites, recreational trails, monuments, marine parks, and such other sites classified as “Protected Areas” that constitute the Territorial Parks System, as may be designated as such through regulations promulgated by the Commissioner.

(e) The Division of Territorial Parks and Protected Areas shall work in partnership and collaboration with community-based organizations, private philanthropic organizations, and other organizations, entities and individuals to invest in, maintain, preserve and protect areas identified as constituting the Territorial Parks System.

(f) The Division of Territorial Parks and Protected Areas shall work in cooperation and collaboration with the Department of Sports, Parks and Recreation and the Department of Tourism to market, promote, maintain, preserve, and protect the Territorial Parks System.”
(g) (1) A seven-member committee is established to develop the comprehensive conservation plan and program authorized in subsection (a) of this section. The Committee is composed of Committee chairperson, the Commissioner of Planning and Natural Resources, and the following members:

(A) The Commissioner of the Department of Sports, Parks and Recreation or a designee;

(B) The Commissioner of the Department of Agriculture or a designee;

(C) The Commissioner of the Department of Tourism or a designee;

(D) The President of the University of the Virgin Islands or a designee; and

(E) Two members from non-profit organizations appointed by the Governor, one member of from the district of St. Croix and one member from the district of St. Thomas and St. John.

(2) The Committee shall meet at the call of the chairperson and work to develop the comprehensive conservation plan in conjunction with Virgin Islands-based, non-profit organizations with an existence and experience of not less than ten years working in their respective fields. The plan must be made available to the public for 30 days for review and comment “before it is adopted.”

SECTION 4. Title 32 Virgin Islands Code, Chapter 2, section 24 is amended
(1) In subsection (a) by:

(A) striking “Division of Parks” and inserting “Division of Territorial Parks and Protected Areas;”

(B) striking “Territorial Park Fund”, which is hereby created” and inserting “Territorial Parks System Revolving Fund created under 33 V.I.C. § 3100ee”;

(C) striking “subsection (b) of this section” and inserting “section 31 of this chapter”; and

(2) In subsection (b) by striking all the language after “Territorial Park Trust Fund” and inserting “established in section 31 of this chapter”.

SECTION 5. Title 32 Virgin Islands Code, chapter 2A is amended in the following instances:

(a) Section 30 is amended by striking subsection (a).

(b) Section 31, subsection (d) is amended by inserting “, gifts, donations,” after “Legislature”.

(c) Section 33 is amended by striking “Director of Territorial Parks” in the two places
it appears in subsection (a) and inserting “Director of Territorial Parks and Protected Areas” and striking “Director of Parks” is subsections (c) and (g) and inserting “Director of Territorial Parks and Protected Areas” instead.

SECTION 6. Title 33 Virgin Islands Code, chapter 111 is amended by adding sections 3100ee and 3100ff to read as follows:

“§ 3100ee. Territorial Parks System Revolving Fund

(a) There is established in the Treasury of the Virgin Islands a special, non-lapsing fund designated the Territorial Parks System Revolving Fund.

(b) The Commissioner of Finance shall maintain and provide for the administration of the Territorial Parks System Revolving Fund as a separate and distinct fund in the Treasury of the Virgin Islands, and no funds therein may be made available for expenditure except as provided in this section.

(c) The Territorial Parks System Revolving Fund consists of all funds collected from the granting of concessions, the charging of rents, fees, or other amounts donated, transferred, or appropriated from whatever source to the Division of Territorial Parks and Protected Areas or to the Fund.

(d) The Commissioner of Finance shall disburse all monies pertaining to the Territorial Parks System Revolving Fund exclusively for expenditure by the Department of Planning and Natural Resources for administering, preserving, protecting, maintaining, managing, and supervising the Territorial Parks System.

§ 3100ff. Recreational Parks Revolving Fund

(a) There is established in the Treasury of the Virgin Islands a special, non-lapsing fund designated the Recreational Parks Revolving Fund.

(b) The Commissioner of Finance shall maintain and provide for the administration of the Recreational Parks Revolving Fund as a separate and distinct fund in the Treasury of the Virgin Islands, and no funds therein may be made available for expenditure except as provided in this section.

(c) The Recreational Parks Revolving Fund consists of all funds received from the granting of concessions, the charging of rents, fees, or other amounts donated, transferred, or appropriated from whatever source to the Department of Sports, Parks and Recreation or to the Fund.

(d) The Commissioner of Finance shall disburse all monies pertaining to the Recreational Parks Revolving Fund exclusively for expenditure by the Department of Sports, Parks and Recreation for administering, managing, and supervising neighborhood parks or recreation areas that are primarily designed to provide facilities for team, recreational or individual sports.”
SECTION 7. Title 3 Virgin Islands Code, chapter 18, section 308, establishing The St. Croix Park Authority, is repealed.

SECTION 8. Title 32 Virgin Islands Code, chapter 4, The St. Croix Park Authority, is repealed.

SECTION 9. The Department of Planning and Natural Resources shall develop and submit the comprehensive conservation plan authorized in 32 V.I.C. § 21(a) to the Governor and the Legislature not later than 180 days after the enactment of this act.”

Thus passed by the Legislature of the Virgin Islands on July 20, 2022.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 27th Day of July, A.D., 2022.

Donna A. Frett-Gregory
President

Genevieve R. Whitaker
Secretary

Bill No. 34-0267 is hereby approved.

Witness my hand and the Seal of the Government of the United States Virgin Islands at Charlotte Amalie, St. Thomas, This 8th day of August, 2022 A.D.

Albert Bryan Jr.
Governor