

95-134, title III, §301(b), Oct. 15, 1977, 91 Stat. 1163; Pub. L. 95-348, §4(c)(1), Aug. 18, 1978, 92 Stat. 490; Pub. L. 96-470, title II, §206(d), Oct. 19, 1980, 94 Stat. 2244; Pub. L. 106-364, §2, Oct. 27, 2000, 114 Stat. 1408.)

#### AMENDMENTS

2000—Subsec. (a). Pub. L. 106-364 amended first sentence generally. Prior to amendment, first sentence read as follows: "The quorum of the legislature shall consist of eight of its members."

1980—Subsec. (g). Pub. L. 96-470 substituted provision requiring a listing of all laws enacted by the legislature each year be transmitted with the annual report to Congress required by section 1591 of this title for provision requiring copies of all laws enacted by the legislature be transmitted within 15 days of their enactment by the Governor to the Secretary of the Interior and by the Secretary annually to Congress.

1978—Subsec. (c). Pub. L. 95-348 inserted provision authorizing the Virgin Islands Legislature to determine other dates on which the fiscal year shall commence.

1977—Subsec. (d). Pub. L. 95-134 inserted " , unless the legislature, after reconsideration upon motion of a member thereof, passes such items, parts, or portions so objected to by a vote of two-thirds of all the members of the legislature" after "shall not take effect".

1968—Subsec. (a). Pub. L. 90-496, §2, increased the quorum requirement from seven to eight members.

Subsec. (d). Pub. L. 90-496, §3, inserted requirement that when a bill is returned by the Governor to the legislature, a motion of a member of the legislature is necessary for the legislature to reconsider the bill, and substituted provisions that if, after reconsideration by the legislature, two-thirds of all the members of the legislature pass a bill returned by the Governor, it shall be a law for provisions that if, after reconsideration by the legislature, two-thirds of all the members of the legislature agree to pass the bill, it shall be presented anew to the Governor for his approval, provisions that if the Governor does not approve the bill, the bill shall be sent to the President of the United States for his approval, provisions that if the President disapproves the bill, the bill shall be returned to the Governor, stating the President's disapproval, and it shall not be a law, and provisions that if the President neither approves nor disapproves the bill within 90 days after it was sent to him by the Governor, the bill shall be a law as if the President had signed it.

#### EFFECTIVE DATE OF 1968 AMENDMENT

Pub. L. 90-496, §2, Aug. 23, 1968, 82 Stat. 837, provided that the amendment made by section 2 is effective on the date of enactment of Pub. L. 90-496, which was approved Aug. 23, 1968.

Amendment of provisions of section necessary to authorize the holding of an election for Governor and Lieutenant Governor on Nov. 3, 1970, effective Jan. 1, 1970, and all other amendments of provisions of section, unless otherwise expressly provided by Pub. L. 90-496, effective Jan. 4, 1971, see section 16 of Pub. L. 90-496, set out as a note under section 1591 of this title.

#### § 1576. General elections; time; transfer of Council functions, property, etc.

The next general election in the Virgin Islands shall be held on November 2, 1954. At such time there shall be chosen the entire membership of the legislature as herein provided. Thereafter the general elections shall be held on the first Tuesday after the first Monday in November, beginning with the year 1956, and every two years thereafter. The Municipal Council of Saint Thomas and Saint John, and the Municipal Council of Saint Croix, existing on July 22, 1954, shall continue to function until January 10, 1955, at which time all of the functions, property, per-

sonnel, records, and unexpended balances of appropriations and funds of the governments of the municipality of Saint Thomas and Saint John and the municipality of Saint Croix shall be transferred to the government of the Virgin Islands.

(July 22, 1954, ch. 558, §10, 68 Stat. 502.)

#### SUBCHAPTER IV—EXECUTIVE BRANCH

##### § 1591. Governor and Lieutenant Governor; election; eligibility; official residence; powers and duties; report

The executive power of the Virgin Islands shall be vested in an executive officer whose official title shall be the "Governor of the Virgin Islands". The Governor of the Virgin Islands, together with the Lieutenant Governor, shall be elected by a majority of the votes cast by the people who are qualified to vote for the members of the legislature of the Virgin Islands. The Governor and Lieutenant Governor shall be chosen jointly, by the casting by each voter of a single vote applicable to both officers. If no candidates receive a majority of the votes cast in any election, on the fourteenth day thereafter a run-off election shall be held between the candidates for Governor and Lieutenant Governor receiving the highest and second highest number of votes cast. The first election for Governor and Lieutenant Governor shall be held on November 3, 1970. Thereafter, beginning with the year 1974, the Governor and Lieutenant Governor shall be elected every four years at the general election. The Governor and Lieutenant Governor shall hold office for a term of four years and until their successors are elected and qualified. No person who has been elected Governor for two full successive terms shall be again eligible to hold that office until one full term has intervened. The term of the elected Governor and Lieutenant Governor shall commence on the first Monday of January following the date of election.

No person shall be eligible for election to the office of Governor or Lieutenant Governor unless he is an eligible voter and has been for five consecutive years immediately preceding the election a citizen of the United States and a bona fide resident of the Virgin Islands and will be, at the time of taking office, at least thirty years of age. The Governor shall maintain his official residence in the Government House on Saint Thomas during his incumbency, which house, together with land appurtenant thereto, is hereby transferred to the government of the Virgin Islands. While in Saint Croix the Governor may reside in Government House on Saint Croix, which house, together with land appurtenant thereto is also transferred to the government of the Virgin Islands.

The Governor shall have general supervision and control of all the departments, bureaus, agencies, and other instrumentalities of the executive branch of the government of the Virgin Islands. He may grant pardons and reprieves and remit fines and forfeitures for offenses against local laws. He may veto any legislation as provided in this chapter. He shall appoint, and may remove, all officers and employees of the execu-

tive branch of the government of the Virgin Islands, except as otherwise provided in this or any other Act of Congress, or under the laws of the Virgin Islands, and shall commission all officers that he may be authorized to appoint. He shall be responsible for the faithful execution of the laws of the Virgin Islands and the laws of the United States applicable in the Virgin Islands. Whenever it becomes necessary, in case of disaster, invasion, insurrection, or rebellion or imminent danger thereof, or to prevent or suppress lawless violence, he may summon the posse comitatus or call out the militia or request assistance of the senior military or naval commander of the Armed Forces of the United States in the Virgin Islands or Puerto Rico, which may be given at the discretion of such commander if not disruptive of, or inconsistent with, his Federal responsibilities. He may, in case of rebellion or invasion or imminent danger thereof, when the public safety requires it, proclaim the islands, insofar as they are under the jurisdiction of the government of the Virgin Islands, to be under martial law. The members of the legislature shall meet forthwith on their own initiative and may, by a two-thirds vote, revoke such proclamation.

The Governor shall prepare, publish, and submit to the Congress and the Secretary of the Interior a comprehensive annual financial report in conformance with the standards of the National Council on Governmental Accounting within one hundred and twenty days after the close of the fiscal year. The comprehensive annual financial report shall include statistical data as set forth in the standards of the National Council on Governmental Accounting relating to the physical, economic, social, and political characteristics of the government, and any other information required by the Congress. The Governor shall also make such other reports at such other times as may be required by the Congress or under applicable Federal law. He shall have the power to issue executive orders and regulations not in conflict with any applicable law. He may recommend bills to the legislature and give expression to his views on any matter before that body.

There is hereby established the office of Lieutenant Governor of the Virgin Islands. The Lieutenant Governor shall have such executive powers and perform such duties as may be assigned to him by the Governor or prescribed by this chapter or under the laws of the Virgin Islands.

(July 22, 1954, ch. 558, §11, 68 Stat. 503; Pub. L. 90-496, §4, Aug. 23, 1968, 82 Stat. 837; Pub. L. 97-357, title III, §309(a), Oct. 19, 1982, 96 Stat. 1710; Pub. L. 98-454, title V, §502, Oct. 5, 1984, 98 Stat. 1735; Pub. L. 105-362, title IX, §901(n), Nov. 10, 1998, 112 Stat. 3290.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning act July 22, 1954, ch. 558, 68 Stat. 497, as amended, known as the Revised Organic Act of the Virgin Islands, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1541 of this title and Tables.

#### AMENDMENTS

1998—Pub. L. 105-362, in fourth paragraph, struck out "The Governor shall transmit the comprehensive an-

nual financial report to the Inspector General of the Department of the Interior who shall audit it and report his findings to the Congress." after "other information required by the Congress." and "He shall also submit to the Congress, the Secretary of the Interior, and the cognizant Federal auditors a written statement of actions taken or contemplated on Federal audit recommendations within sixty days after the issuance date of the audit report." after "under applicable Federal law."

1984—Pub. L. 98-454 substituted "Saint Croix, which house, together with land appurtenant thereto is also transferred to the government of the Virgin Islands" for "Saint Croix free of rent" in second paragraph.

1982—Pub. L. 97-357, in fourth paragraph, substituted provisions relating to the preparation, etc., of a comprehensive annual financial report to be submitted to the Congress, the Secretary of the Interior, and the Inspector General of the Department of the Interior, preparation of other reports as required by Congress or applicable Federal law, and submittal of a written statement of actions taken or contemplated on Federal audit recommendations for provisions relating to an annual report of transactions of the Virgin Islands government to the Secretary of the Interior for transmittal to Congress and such other reports as required by Congress or applicable Federal law.

1968—Pub. L. 90-496 amended section generally, providing for the popular election of the Governor and Lieutenant Governor, setting the date of the first election, defining the scope of their authority, setting out the duties of their offices, specifying the qualifications for the offices of Governor and Lieutenant Governor, and providing that an elected Governor may serve two full successive terms but shall not be again eligible to hold that office until one full term has intervened.

#### EFFECTIVE DATE OF 1968 AMENDMENT

Pub. L. 90-496, §16, Aug. 23, 1968, 82 Stat. 842, provided that: "Those provisions of this Act [see Short Title note set out under section 1541 of this title] necessary to authorize the holding of an election for Governor and Lieutenant Governor on November 3, 1970, shall be effective January 1, 1970. All other provisions of this Act, unless otherwise expressly provided herein, shall be effective January 4, 1971."

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in the 1st sentence of the 4th par. of this section relating to the requirement that the Governor submit a comprehensive annual financial report to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and the 11th item on page 115 of House Document No. 103-7.

#### SUBMERGED LANDS, CONVEYANCE TO TERRITORY

Conveyance of submerged lands to the government of the Virgin Islands, see section 1701 et seq. of this title.

#### § 1592. Repealed. Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 657

Section, act July 22, 1954, ch. 558, §20(a), 68 Stat. 505, prescribed compensation of Governor.

#### CODIFICATION

Section 20 of act July 22, 1954, was amended in its entirety by section 10 of Pub. L. 90-496, Aug. 23, 1968, 82 Stat. 841, which consolidated the text of said section 20 into a single unlettered paragraph, classified to section 1641 of this title. Prior to the 1968 amendment said section 20 was comprised of subsecs. (a) to (c). Subsec. (a) was classified to this section, and subsecs. (b) and (c) were classified to sections 1598 and 1641, respectively, of this title.