

05/07/2020-SPECIAL ORDERED

BILL NO. 33-0292

Thirty-Third Legislature of the Virgin Islands

May 5, 2020

An Act providing for referendum vote on convening a constitutional convention to consider adopting the Revised Organic Act of the Virgin Islands or portions of it as the Constitution of the Virgin Islands

PROPOSED BY: Senator Myron D. Jackson

1 **WHEREAS**, the Revised Organic Act of the Virgin Islands of 1954 has been the
2 governing body of laws by which the residents of the Virgin Islands are governed on a daily
3 basis; and

4 **WHEREAS**, the Revised Organic Act of the Virgin Islands has served the people
5 of the Virgin Islands well and there has been no outcry as to its applicability to the people
6 of the Virgin Islands; and

7 **WHEREAS**, the Revised Organic Act of the Virgin Islands has proved to be a
8 durable document which has had less than ten amendments since its enactment; and

9 **WHEREAS**, the people of the Virgin Islands should have the right to
10 democratically determine whether or not to allow the Revised Organic Act of the Virgin
11 Islands to become Constitution of the Virgin Islands; and

1 **WHEREAS**, the congressional authorization for the Virgin Islands to establish a
2 constitutional convention, the rights, duties and obligations of the convention, once
3 established, and guidelines for the drafting of the proposed constitution, are set forth in
4 Public Law. No. 94-584 approved by Congress on October 12, 1976; and *Now Therefore*,

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

6 **SECTION 1.** The Board of Elections shall conduct a referendum election during the
7 General Elections on November 3, 2020, to determine whether the people of the Virgin
8 Islands wish to convene a constitutional convention to consider adopting the Revised
9 Organic Act of the Virgin Islands or a portion of it as the Constitution of the Virgin Islands.

10 The question on the ballot must be presented as follows:

11 Mark One Square Only

12 Are you in favor of the Legislature enacting legislation to convene a constitutional
13 convention to adopt the Revised Organic Act off the Virgin Islands, 68 Stat. 497 as the
14 Constitution of the Virgin Islands?

15 [] []

16

17 YES NO

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19 **SECTION 2.** The Legislature is not required to take any action toward enacting a
20 statute to convene a constitutional convention to adopt the Revised Organic Act of the Virgin
21 Islands as the Constitution of the Virgin Islands, unless both: (1) a majority, fifty percent
22 plus one, of the persons casting a ballot during the General Election on November 3, 2020,
23 vote on the referendum issue set forth in Section 1 of this Act and (2) a majority, fifty percent
24 plus one, of those persons voting on the referendum cast a vote in the affirmative.

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BILL SUMMARY

This bill seeks to place a referendum on the 2020 General Election ballot posing the question should the Revised Organic Act of 1954, 68 Stat. 497 become the Constitution of the Virgin Islands.

BR19-0042/February 14, 2020/AA.