

## EFFECTIVE DATE OF 1968 AMENDMENT

Section 16 of Pub. L. 90-496 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 Repealed.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.

**§ 1593. Initiative and recall**

**(a) Grant of rights**

The people of the Virgin Islands shall have the rights of initiative and recall to be exercised as provided in subsection (b) and subsection (c) of this section, respectively.

**(b) Initiative**

(1) An initiative may enact, amend, or repeal any law, except that an initiative shall not be used to repeal a law declared by the legislature at the time of passage to be an emergency law necessary for the preservation of the public health, safety, or peace.

(2) An initiative that proposes a reduction of taxes shall also provide for an equivalent reduction of expenditures or an equivalent increase in revenues from other sources.

(3) An initiative shall address one subject only and matters reasonably related to that subject.

(4) The ballot question shall be in such form that a "yes" vote is a vote in favor of the proposal and a "no" vote is a vote against the proposal.

(5) A copy of the proposed initiative petition, including a complete text of the proposed law and containing signatures equal to at least 1 percent of the voters of each legislative district or 4 percent of all voters of the Virgin Islands must be submitted to the Supervisor of Elections prior to circulation for ballot qualification. The Supervisor of Elections must determine within 10 days after the submission wheth-

er the preliminary signatures are sufficient. If so determined, the Supervisor of Elections shall refer the preliminary petition to an initiative titling board consisting of the Attorney General, the Supervisor of Elections, and the legislative counsel of the legislature. The board shall, in an open hearing, prepare the official ballot title, the submission question, and a summary of the initiative proposal, and this preparation shall be completed within 30 days after the referral.

(6) After the ballot title has been written, proponents of the initiative proposal shall have a maximum of 180 days to circulate the petition. Petitions containing signatures equal to at least 10 percent of the voters of each legislative district or 41 percent of all voters of the Virgin Islands must be submitted to the Supervisor of Elections. The Supervisor shall have 15 days to determine that the minimum number of valid signatures are contained in the petition and he shall forward the certified proposal to the legislature which must accept or reject the measure within 30 days. If approved, the initiative shall take effect in accordance with its terms. If the legislature does not approve, the initiative shall be submitted to the voters at the next general election, unless the legislature approves a special election for this purpose. The legislature may submit its own version of the initiative to the voters. Should both measures be approved by the voters, the measure receiving the higher number of votes shall prevail. The voters shall have a clear alternative of rejecting either version or the entire proposition.

(7) An initiative submitted to the voters shall take effect if the initiative is approved by a majority of persons voting and if a majority of the voters of the Virgin Islands vote on the initiative. An initiative may not be vetoed by the Governor, and when approved by the voters, may not be amended or repealed by the legislature during the 3-year period after its approval unless the legislature acts by a two-thirds majority.

(8) The legislature may provide the manner in which petitions shall be circulated, filed, certified, and the ballot question shall be submitted to the voters.

**(c) Recall**

(1) An elected public official of the Virgin Islands may be removed from office by a recall election carried out under this subsection. The grounds for recall are any of the following: lack of fitness, incompetence, neglect of duty, or corruption.

(2) A recall election may be initiated by a two-thirds vote of the members of the legislature or by a petition under this subsection.

(3) Prior to circulation a recall petition which identifies by name and office the official being recalled and which states the grounds for recall shall be submitted to the Supervisor of Elections. The sponsors of the recall petition shall be allowed a period of 60 days after such submission for filing with the Supervisor of Elections a list of signatures equal in number to at least 50 percent of the whole number of votes cast for that office in the last general election at which that office was filled. The Supervisor of Elections shall have 15 days in which to determine