

FLOOR

07/13/17-AMENDED AND REPORTED OUT TO THE FLOOR
06/15/2017-REPORTED OUT TO THE COMMITTEE ON RULES AND THE JUDICIARY
05/10/2017-REASSIGNED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT
AND AGRICULTURE

BILL NO. 32-0092

Thirty-Second Legislature of the Virgin Islands

May 9, 2017

An Act amending title 32 Virgin Islands Code, chapter 11, relating to the establishment of a single Horse Racing Commission

PROPOSED BY Senator Myron D. Jackson by Request of the Governor

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 32 Virgin Islands Code, chapter 11 is amended in the following instances:

(a) Section 201 is stricken and a new section 201 is inserted to read as follows:

“§ 201. Horse Racing Commission

(a) There is established within the Department of Sports, Parks and Recreation a commission for the regulation of horse racing known as the Virgin Islands Horse Racing Commission. The Commission is composed of nine voting members. Four members must reside in the district of St. Croix, and four members must reside in the district of St. Thomas and

1 St. John, with one member residing in St. John. The Governor shall appoint the eight members
2 with the advice and consent of the Legislature. The Commissioner of Sports, Parks and
3 Recreation shall serve ex officio as the ninth voting member of the Commission. A quorum
4 consists of not fewer than two members from the district of St. Croix and two members from St.
5 Thomas-St. John district.

6 **(b)** In the initial appointments, under subsection (a), two members must be appointed
7 for two years and two members for three years. Thereafter, all appointments are for six years;
8 but the appointment of a member to fill a vacancy occurring before the expiration of the term for
9 which the member's predecessor was appointed is only for the remainder of such term. Each
10 member shall serve until the appointment and qualification of the member's successor.

11 **(c)** The members of the Commission shall annually elect one of their members to
12 serve as chair of the Commission; but the Commissioner of Sports, Parks and Recreation shall
13 call the initial meeting of the Commission for the purpose organizing the Commission.

14 **(d)** Any member may be removed by the Governor for cause.

15 **(e)** In addition to actual travelling expense, each member of the Commission shall
16 receive \$500 for each race day spent in performing the duties of the Commission.

17 **(f)** The Commission has such powers, duties and authority as are prescribed by law.
18 No member of the Commission, who has a pecuniary interest, directly or indirectly, in any horse
19 registered for participation in horse races in the Virgin Islands, may participate in any meeting,
20 hearing, decision, or determination in relation to-

21 (1) the order of finish of any race;

22 (2) the disqualification of any horse participating in a race;

23 (3) the granting, denial, suspension, or revocation of any license; and

24 (4) the imposition of any administrative penalties or sanctions.”

(b) Section 202 is amended as follows:

(1) Subsection (a) is amended by striking “St. Croix Racing Commission and the St. Thomas-St. John Racing Commission, as appropriate” and inserting “the Virgin Islands Horse Racing Commission.”

(2) Subsection (b) is amended by:

(A) striking the first two sentences of subsection (b);

(B) striking paragraph (8) in its entirety; and

(C) striking in paragraph (9) “authorize the St. Croix Racing Commission and the St. Thomas-St. John Commission to” and “in the respective districts.”

(3) Subsection (c) is amended by:

(A) striking “St. Croix Racing Commission and the St. Thomas-St. John Racing Commission shall each” and inserting “Virgin Islands Horse Racing Commission shall”; and

(B) striking “each” and inserting “the” in the second sentence, and

(C) striking the two occurrences of “pertinent”.

(4) Subsection (e) is amended by striking the phrase “a Commission” and inserting “the Commission.”

(5) Subsection (g) is amended by striking “or the St. Croix or St. Thomas-St. John Racing Commission”;

(6) Subsection (h) is amended by striking “and/or its district commissions.”

(7) Subsection (i) is amended as follows:

(A) in the first sentence by striking “St. Croix Racing Commission and the St. Thomas-St. John Racing Commission” and inserting “Virgin Islands Horse Racing Commission;” and

(B) in the second sentence by striking “Commissions” and inserting “Commission’s”.

(c) Section 204, subsection (a) is amended by striking, “and/or its district commissions,” “or commissions,” and “or its district commissions.”

SECTION 2. Until the new Virgin Islands Horse Racing Commission is established pursuant to section 1 of this act, the members of the Commissions serving on the effective date of this act shall serve as a temporary Commission until they are replaced.”

BILL SUMMARY

Section 1 amends 32 V.I.C. §201 to establish the nine-member Virgin Islands Horse Racing Commission-four the St. Croix district; four from the St. Thomas/St. John district, with one these four members residing on St. John; and the Commissioner of Sports, Parks and Recreation. Under existing law there are two district commissions and a joint commission of 17 members, including the Commissioner.

Section 1, also, specifies the terms of office for the initial appointmees; mandates that the commission shall annually elect one of its members as the chair of the commission; species what constitutes a quorum; allows removal for cause by the Governor; allows an allotment of \$100.00 for each member for each meeting of the Commission that a member attends; creates a full-time position in each district to implement the duties and policies of the Commission; and restricts a member from participating in a hearing regarding a horse in which that member has a pecuniary interest.

Section 2 provides for the transition from district commissions to a single commission - the commissioners serving on the effective date of this act shall serve as temporary commissioners until replaced.

BR17-0129-1/May 9, 2017/YLT; AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 32-406/June 14, 2017/ALM

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