

10-03-2005 04:11pm From-CENTRAL STAFF STX +3407122236 T-754 P.001/002 F-594

(BILL NO. 18-0150)

No. 5617

(Approved September 24, 1990)

To Amend Title 31, Section 236a, Virgin Islands Code, to Specifically Include Consulting Services Within the "Preferred Bidders" Category.

Be it enacted by the Legislature of the Virgin Islands:

Section 1. Title 31, Section 236a, Virgin Islands Code, is amended in the following instances:

- (a) In subsection (a), insert immediately after the phrase "materials, supplies, articles, or equipment", the following:
or contractual or consulting services
- (b)(i) In subsection (b), the first paragraph thereof, insert immediately after the word "contractual", the words "or consulting".
- (ii) In subparagraph (1) of subsection (b), insert immediately after the word "contractual", the words "or consulting".
- (iii) In subparagraph (2) of subsection (b), insert immediately after the word "contractual", the words "or consulting".

Approved September 24, 1990.

(BILL NO. 18-0166)

No. 5618

(Approved September 24, 1990)

To Provide for Virgin Islands National Guard Territorial Service.

Be it enacted by the Legislature of the Virgin Islands:

Section 1. Title 23, Section 1502, paragraph (f), Virgin Islands Code, is deleted and a new paragraph (f) is added to read as follows:

- (f) Territorial Military Service means service in or with a force of the Virgin Islands National Guard and shall include:
 - (i) Territorial Active Military Service (TAMS) pursuant to Section 1519(a) of this chapter;
 - (ii) Title 32 U.S.C. Active Guard Reserve (Full-time Training Duty or Full-time National Guard Duty);
 - (iii) Territorial Inactive Military Service periods (TIMS) pursuant to Section 1519(b) of this Chapter;

(iv) Standby Active Militia (SAM)—All officers and members in the active militia not in federal service are, for territorial purposes, on SAM duty when not serving in one of the other three duty statuses.

Section 2. Title 23, Section 1519, Virgin Islands Code, is amended to read as follows:

Section 1519. Calls of the Virgin Islands National Guard into Territorial Service

(a) Whenever it becomes necessary, in case of disaster, invasion, insurrection, or rebellion or imminent danger thereof, or to prevent or suppress lawless violence, or whenever the public safety or welfare shall require, the Commander-in-Chief may issue an order to the Adjutant General to mobilize into Territorial Active Military Service such units and/or individuals of the Virgin Islands National Guard as may be necessary to maintain or restore public order and to guarantee the safety of life and property. However, the order authorized under this subsection, if not in writing, shall be reduced to writing not more than 48 hours after the order is issued.

(b) The Commander-in-Chief or the Adjutant General may order into Territorial Inactive Military Service such units or individuals of the Virgin Islands National Guard, or both, to perform such ceremonial functions as may be required, including but not limited to, funeral and ceremonial details. Such members and officers shall receive a stipend for such service in accordance with Section 1517 of this Chapter.

Section 3. Section 1517, Title 23, Virgin Islands Code, is deleted in its entirety and a new Section 1517 is added to read as follows:

Section 1517. Pay and Allowances and Leave

(a) Each officer and member of the Virgin Islands National Guard ordered into the Territorial Active Military Service pursuant to this Chapter, shall receive for each day of at least eight hours of such duty, pay at the following rates, which is a composite combining average basic pay and all local allowances, but not special duty pay, and which shall be paid according to Territorial pay grade, regardless of dependency status and regardless of years of service:

E-1:	\$56	W-1, 2, 3, 4:	\$152
E-2:	\$64	0-1:	\$112
E-3:	\$72	0-2:	\$128
E-4:	\$80	0-3:	\$160

10-03-2005 04:11pm From-CENTRAL STAFF STX +340712236 T-754 P. 002/002 F-594

Act No. 5618		VIRGIN ISLANDS SESSION LAWS		1990
E-5:	\$38	0-4:	\$184	
E-6:	\$96	0-5:	\$208	
E-7:	\$112	0-6:	\$240	
E-8:	\$120	0-7, 8, 9:	\$288	
E-9:	\$136			

uch pay shall increase by the same percentage and on the same date as each subsequent increase in basic pay to active duty members of the Armed Forces of the United States, provided further, that if any such increase is less than four per centum per annum in any calendar year, territorial pay shall increase not less than four percent that year.

(b) Special duty pay at the additional amount of \$16.00 per day shall be paid to those officers and members of the Virgin Islands National Guard ordered to Territorial Active Military Service who are in the Medical Department and the Judge Advocate General's Corps, and to those officers and members qualified and performing duties as aviators, aviation crew, parachutists, vessel crewmen or explosive ordnance disposal personnel.

(c) Within the amount appropriated therefore, pay for the Territorial Inactive Military Service periods for each hour of such duty shall be one-eighth of the daily pay and special duty pay (as appropriate) prescribed for the officers and members in subsections (a) and (b) above, provided that such pay shall not exceed eight hours per day and such pay may not be earned by an officer or member on the same day said officer or member has earned Territorial pay for Territorial Active Military Service.

(d) Members of the Virgin Islands National Guard shall not receive from the Territory the pay or the pay and allowances provided for by this section when their pay and allowances are paid from federal funds. Members and officers whether paid by territorial or federal funds shall not be charged the cost of any field subsistence or field quarters. Members and officers on Territorial Active Military Service traveling to and serving on an island other than their usual island of unit assignment are entitled to travel allowances as provided in the Joint Federal Travel Regulations, Volume 1 unless all transportation, lodging and subsistence is furnished free in kind.

(e) Notwithstanding any of the provisions of this chapter, members of the Virgin Islands National Guard may, with their consent, perform without pay or allowances any of the types of military duty described in this chapter pursuant to orders issued by competent

military authority, provided that necessary traveling expenses, subsistence and per diem allowances may be furnished such members within the discretion of the Adjutant General and within the amount appropriated therefor.

(f) Officers and members on Territorial Active Military Service shall accrue one day leave off with pay for every six days of Territorial Active Military Service duty performed and paid for. If days of leave off are not able to be taken as earned, the accrued amounts may be paid at the termination of Territorial Active Military Service. Territorial Active Military Service pay shall otherwise only be paid for days of at least eight hours duty actually performed. Duty of less than eight hours shall be paid for at hourly rates at the rate of one-eighth of the daily pay and special pay provided in subsections (a) and (b) above.

(g) The Adjutant General shall receive an annual salary equal in amount to pay of the highest paid commissioner of an Executive Department of the Territory. When and if ordered into Territorial Active Military Service, the Adjutant General shall forfeit his salary during such period and receive pay as set forth for his Territorial military pay in subsection (a) above.

(h) There shall be allowed annually such sum, not exceeding the amount appropriated therefore, as may be necessary for the pay and allowances of the officers and members of the Virgin Islands National Guard on Territorial Military Service Duty.

Approved September 24, 1990.

(BILL NO. 18-0254)

No. 5619

(Approved September 24, 1990)

To Authorize and Direct the Governor to Negotiate for the Acquisition of the West Indies Laboratory on St. Croix.

Be it enacted by the Legislature of the Virgin Islands:

Section 1. (a) Pursuant to the provisions of Title 31, Section 231a, Virgin Islands Code, the Governor of the Virgin Islands, on behalf of the Government of the Virgin Islands, is hereby authorized and di-