

distribution equipment for all public schools in the Virgin Islands; television receivers for use in the classrooms; mobile or fixed remote television origination facilities, radio studios, transmitters, towers, and all necessary associated equipment for radio broadcasting.

(e) The term "Federal Agency" shall mean the United States of America, the President or any department thereof, or any corporation, agency or instrumentality heretofore or hereafter created, designated, or established by the United States of America.

(f) Words importing the singular number shall include the plural number and vice versa and words importing persons shall include firms, partnerships of all kinds, corporations or philanthropic foundations.—Added Nov. 15, 1968, No. 2364, § 1, Sess. L. 1968, Pt. II, p. 362; amended Oct. 5, 2012, No. 7444, § 1(b)(1)–(3), Sess. L. 2012, p. 342; amended Dec. 16, 2015, No. 7748, § 1, Sess. L. 2015, p. 43.

#### HISTORY

Codification. Section renumbered, see note set out under section 151 of this title.

Amendments — 2015. Act 7748, § 1, substituted "Virgin Islands Public Broadcasting System" for "Virgin Islands Public Television System" in subsection (a).

—2012.

Act 7444, § 1(b)(1), substituted "broadcasting" for "television" in the second sentence of subsection (a).

Act 7444, § 1(b)(2), in subsection (c), substituted "Chief Executive Officer" for "Manager" and substituted "person appointed by the Board under section 202(e) to be in charge of the operations of the System and to administer and implement policies and procedures" for "general manager".

Act 7444, § 1(b)(3), in subsection (d), inserted "or radio" following the first two occurrences of "television" and added "radio studios, transmitters, towers, and all necessary associated equipment for radio broadcasting" at the end.

#### EFFECTIVE DATE.

See note set out under section 151 of this title.

#### *Subchapter II. Virgin Islands Public Broadcasting System*

Amendments—2015. Act 7748, § 1, substituted "Virgin Islands Public Broadcasting System" for "Virgin Islands Public Television System" in the subchapter heading.

#### § 201. Establishment

(a) The Commissioner of Education, the Chairman of the Board of Education, Director of the Office of Management and Budget, President of the University of the Virgin Islands or his designee, three members to be

appointed by the President of the more than two of whom shall be en Islands or by the Government of tl a body corporate and politic const mous governmental instrumenta. Islands, by the name of the "Virgi In addition, the Chief Executive O Board, but shall not be entitled to

(b) Three of the members shal Legislature. Not more than two s same District. The term of office c and each shall be eligible for reap vacancy occurring prior to the exj cessor was appointed shall be app term. Upon the expiration of a mem the appointment and confirmation the President of the Legislature President of the Legislature.

(c) The four persons, at least tw Government of the Virgin Islands States, shall be appointed by the C the Legislature, and two shall be re John, and two shall be residents o members shall be from the telev appointment of such persons, one s one for a term of two years, one fo term of four years. Thereafter, suc of four years, except that any pers prior to the expiration of the term shall be appointed only for the rema of a member's term, the member confirmation of a successor. Such r the Governor.

(d) The System hereby establis instrumentality, subject, as provide it is a corporation having legal existi from the Government. The debts, ol receipts, expenditures, accounts, System shall be deemed to be those the Government of the Virgin Islar agency, commission, municipality, thereof.

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ms; mobile or fixed remote television  
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thereof, or any corporation, agency or  
after created, designated, or established

number shall include the plural number  
g persons shall include firms, partner-  
philanthropic foundations.—Added Nov.  
8, Pt. II, p. 362; amended Oct. 5, 2012,  
12, p. 342; amended Dec. 16, 2015, No.

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System" in subsection (a).

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and implement policies and procedures" for

d "or radio" following the first two occurrences  
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*Public Broadcasting System*

stituted "Virgin Islands Public Broadcasting  
System" in the subchapter heading.

on, the Chairman of the Board of  
agement and Budget, President of  
his designee, three members to be

appointed by the President of the Legislature, and four other persons, not  
more than two of whom shall be employed by the Government of the Virgin  
Islands or by the Government of the United States, are hereby established  
a body corporate and politic constituting a public corporation and auton-  
omous governmental instrumentality of the Government of the Virgin  
Islands, by the name of the "Virgin Islands Public Broadcasting System."  
In addition, the Chief Executive Officer shall be a member ex officio of the  
Board, but shall not be entitled to a vote thereon.

(b) Three of the members shall be appointed by the President of the  
Legislature. Not more than two such members shall be a resident of the  
same District. The term of office of each such member shall be two years  
and each shall be eligible for reappointment. Any person appointed to fill a  
vacancy occurring prior to the expiration of the term for which a prede-  
cessor was appointed shall be appointed only for the remainder of such  
term. Upon the expiration of a member's term, the member shall serve until  
the appointment and confirmation of a successor. Members appointed by  
the President of the Legislature may be removed for cause by the  
President of the Legislature.

(c) The four persons, at least two of whom shall not be employed by the  
Government of the Virgin Islands or by the Government of the United  
States, shall be appointed by the Governor with the advice and consent of  
the Legislature, and two shall be residents of the District of St. Thomas-St.  
John, and two shall be residents of the District of St. Croix. One of such  
members shall be from the television or radio industry. In the initial  
appointment of such persons, one shall be appointed for a term of one year,  
one for a term of two years, one for a term of three years, and one for a  
term of four years. Thereafter, such persons shall be appointed for a term  
of four years, except that any person appointed to fill a vacancy occurring  
prior to the expiration of the term for which a predecessor was appointed  
shall be appointed only for the remainder of such term. Upon the expiration  
of a member's term, the member shall serve until the appointment and  
confirmation of a successor. Such members may be removed for cause by  
the Governor.

(d) The System hereby established is, and shall be, a governmental  
instrumentality, subject, as provided herein, to the control of the Board, but  
it is a corporation having legal existence and personality separate and apart  
from the Government. The debts, obligations, contracts, notes, debentures,  
receipts, expenditures, accounts, funds, facilities and property of the  
System shall be deemed to be those of such System and not to be those of  
the Government of the Virgin Islands, or any office, bureau, department,  
agency, commission, municipality, branch, agent, officer or employee  
thereof.

(e) The System shall be, on the effective date of this chapter, the successor to the Government of the Virgin Islands on all contracts, leases, applications and other instruments entered into by the Government of the Virgin Islands on behalf of the Virgin Islands Public Broadcasting System.—Added Nov. 15, 1968, No. 2364, § 1, Sess. L. 1968, Pt. II, p. 362; amended June 1, 1984, No. 4951, § 3(a) and (b), Sess. L. 1984, p. 153; Oct. 14, 1986, No. 5207, § 9, Sess. L. 1986, p. 249; July 18, 2012, No. 7378, § 3, Sess. L. 2012, p. 172; amended Oct. 5, 2012, No. 7444, § 2(a)(1), (2), Sess. L. 2012, p. 342-343; amended Dec. 16, 2015, No. 7748, § 1, Sess. L. 2015, p. 43; amended Dec. 31, 2020, No. 8413, § 3(a), Sess. L. 2020, p. 285.

#### HISTORY

Revision note—1987. Substituted “Director of the Office of Management and Budget” for “Director of the Budget” in subsection (a) in light of Act June 24, 1987, No. 5265, § 1202(a), Sess. L. 1987, p. 90, and section 4a of Title 3, pursuant to section 14 of Title 1.

Amendments—2020. Act 8413, § 3(a), inserted “Upon the expiration of a member’s term, the member shall serve until the appointment and confirmation of a successor.” following the sentence that ends with “remainder of such term” in subsections (b) and (c).

—2015. Act 7748, § 1, substituted “Virgin Islands Public Broadcasting System” for “Virgin Islands Public Television System” in subsections (a) and (e).

—2012. Act 7378, § 3, inserted “or his designee” following “Chairman of the Board of Education” in subsection (a).

Act 7444, § 2(a)(1), in subsection (a), inserted “, Director of the Office of Management and Budget, President of the university of the Virgin Islands” following “Board of Education” in the first sentence; and in the second sentence, substituted “Chief Executive Officer” for “Director of the Office of Management and Budget, Present of the University of the Virgin Islands, and the Manager”; inserted “a” following “be” and substituted “member” for “members”.

Act 7444, § 2(a)(2), inserted “or radio” following “television” in the second sentence of subsection (c).

—1986. Subsection (a): Substituted “University of the Virgin Islands” for “College of the Virgin Islands” in the second sentence.

—1984. Subsection (b): Added the fifth sentence.

Subsection (c): Added the fifth sentence.

Effective date. See note set out under section 151 of this title.

### § 202. Board of Directors; General Manager

(a) The powers of the System shall be exercised by a Board of Directors consisting of the members of the System designated under section 201 of this chapter.

(b) Within thirty days after this chapter becomes effective, the Board shall meet, and organize. The Board shall elect a Chairman and Vice

Chairman from among its members for a term of one year and shall be eligible for re-election.

(c) The Board shall hold regular meetings. The Chairman and Chief Executive Officer shall report to the Board in the direction to the System. Board members shall be reimbursed for the payment of travel and other expenses as may be provided by law for members of boards and commissions. Board members shall receive no salary or payments.

(d) Five members of the Board shall be appointed for the purpose of organizing the System and coordinating the System for other purposes, and all action shall be taken by a majority of those present.

(e) The Board shall appoint a General Manager of the System, and board members may appoint consultants, consulting engineer and other technical experts as it may deem necessary. The Board shall determine the qualifications, duties, tenure and compensation of the General Manager. Section 25 of Title 3, Virgin Islands Code, shall apply to the Chief Executive Officer and other agents or employees of the System. The Board may deem necessary to appoint other persons.

(f) The Chief Executive Officer shall be appointed by the Board exclusive of the Government of the Virgin Islands by training, skill, experience, and ability to carry out the purposes of the System.

(g) The System shall, where practicable, employ residents of the Virgin Islands. The Board shall set standards consistent with the maintenance of high standards, the System will be fully employed.

(h) The Board may establish a fund for the development, support and utilization of the System in the Virgin Islands. Members of the Community shall contribute to the Virgin Islands community.—Added Nov. 15, 1968, No. 2364, Pt. II, p. 362; amended Oct. 5, 2012, No. 7444, p. 343; amended Dec. 31, 2020, No. 8413, p. 285.