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Bryan Vetoes 4 Bills Including Measure Calling for Taxi Commission to Establish Electronic Payments System. He Approved 26.

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Governor Albert Bryan has approved 26 bills, vetoed four and line-item vetoed one, according to Government House.

Among the bills Mr. Bryan approved is Bill No. 33-0143, which updates the Tax Incremental Financing (TIF) program to encourage capital investment in the USVI; Bill No. 33-0107, which allows for advertising on the sides of VITRAN buses; Bill No. 33-119, which mandates that business licenses must be issued within three days and authorizes the Department of Licensing and Consumer Affairs to refuse to issue, revoke or suspend licenses that do not meet regulatory requirements; Bills No. 33-0200 and 33-0201, which strengthen penalties for driving under the influence; and Bill No. 33-219, which creates a 180-day amnesty period to waive penalties

regarding income tax and Gross Receipts taxes and a 90-day amnesty period to waive penalties relating to property taxes for 2017 and 2018 to assist residents recovering from Hurricanes Irma and Maria.

The governor also approved Bill No. 33-0117, which designates May 17 as “Virgin Islands Flag Day”; Bill No. 33-0134, which established a Psychiatric Medical Doctoral Program Scholarship; Bill No. 33-0087, which requires monthly filing of Gross Receipts for businesses established less than five years and businesses whose Gross Receipts exceed \$225,000 per year; Bill No. 33-0091, which mandates that businesses post required labor law posters in a conspicuous place inside their businesses; and Bill No. 33-0109, which prohibits the issuance of marriage licenses to persons younger than 18.

Bill No. 33-0151, which increases the threshold for summary administration of estates in the Virgin Islands from \$300 to \$100,000, also was approved.

“This Bill will be extremely helpful to the community, which will benefit from a shortened probate process and now allows for expedited passage of a larger value of assets on a summary basis,” Mr. Bryan wrote in his transmittal letter to Senate President Novelle Francis Jr.

Although he signed Bill No. 33-0019, which addresses the maximum number of instructional hours available to students in the public schools, the governor said he has “grave reservations” about the bill.

“Although I support any law which ensures that students receive the maximum instructional hours available to assist in their achievement of higher learning and intellectual development, this law as written does not accomplish this goal,” Governor Bryan wrote. “It will reduce the 2019-2020 academic school year, providing up to approximately ten less days of instructional hours for students this year.”

“I am, further, concerned that ‘instructional hours’ is an undefined term with unknown implications on teachers’ pay and collective bargaining agreement mandates, and that ending the school year in May during 2020 will negatively affect current costs, staff and contracts (including business contracts) with the Department of Education,” the he wrote, requesting that the 33rd Legislature amend the bill to address those concerns and go into effect on a later date to avoid disrupting the current school year.

Vetoed

Mr. Bryan said he vetoed Bill No. 33-0036, which amends Title 32, Chapter 11 Section 203 of the Virgin Islands Code and that regulates horse racing to create a definition of the word “horse.” The governor said while the intent of the bill is clear, the language used has a detrimental effect on horse racing regulations.

“At first glance, the use of the word ‘thoroughbred’ as a definition for ‘horse’ seems to limit horse racing to the racing of thoroughbreds,” he wrote in the transmittal letter. “In actuality, by placing this language in Title 32, Chapter 11 of the V.I. Code controlling horse racing, the Legislature will now limit the authority of the Horse Racing Commission to only thoroughbreds.”

The territory's leader also vetoed Bill No. 33-0236, which appropriates \$500,000 from the St. Croix Capital Improvement Fund to the St. Croix Drag Racing Association for the development of the St. Croix Motor Sports Complex, because the funding source in the measure is incorrect.

“As much as the administration is fully supportive of the development of the drag racing track, I unfortunately must veto Bill No. 33-0236,” Mr. Bryan wrote in his transmittal letter. “Please note that Bill No. 33-0236 needs to be amended to reflect the correct funding source, which is the Internal Revenue Matching Fund.”

The governor vetoed Bill No. 33-0044, which would require the Virgin Islands Taxicab Commission to establish an electronic monetary payment system and said the wording of the bill would unfairly and impractically require the Commission to operate such a system and creates new layers of “red tape.”

“In our attempt to push an industry forward into technology, we must not place undue burdens on a commission that cannot regulate electronic monetary systems,” Governor Bryan wrote. “The Taxicab Commission may pass and enforce rules requiring the taxis to provide an electronic form of payment, but the Commission itself, as worded in the bill, cannot establish and operate an electronic monetary system, which requires direct interaction with banking or merchant services systems.”

Bill No. 33-0095, which would enact the Virgin Islands Medicaid Program Integrity Act, was vetoed because it does not contain critical amendments requested by Attorney General Denise George to ensure territorial compliance with federal requirements, Mr. Bryan said.

“At the risk of losing funding for such a critical matter, this bill cannot be signed into law until it complies with federal guidelines,” he wrote. “It is essential that the bill follow the federal guidelines and not compromise the Territory’s compliance with federal regulations and funding.”

Mr. Bryan also used his line-item veto on Bill No. 33-0123, which earmarks a percentage of the Government of the Virgin Islands budget to support local agriculture, based on his concerns of setting a flat recurring percentage of funding at 1 percent.

“I believe the Department of Agriculture should be funded to promote the growth of the farming industry in the Virgin Islands, and I support it receiving additional funds,” Governor Bryan wrote. “However, I note that in the future it may need more than 1 percent, and this should be determined on an annual basis based upon prioritized agricultural initiatives.”

Other Approved Legislation

Other bills the Governor signed into law include:

- Bill No. 33-0033, which establishes a Tax Study Commission to review current tax laws in the Territory.
- Bill No. 33-0068, regarding transfer of a vehicle upon an individual’s death without going through the probate process.
- Bill No. 33-0094, which will include persons with cancer or degenerative diseases in the Department of Human Services’ Pharmaceutical Program.
- Bill No. 33-0116, which sets forth administrative guidelines and requirements for the Virgin Islands Horse Racing Commission.
- Bill No. 33-0129, which extends the time within which the Enterprise Zone Commission may confer benefits.
- Bill No. 33-0130, which protects members of the Virgin Islands National Guard from civil action court proceedings while they are on Territorial active military service or deployment.

- Bill No. 33-0152, which exempts government-owned property and property of homeowners under government administered home repair and construction programs from construction liens.
- Bill No. 33-0153, which instructs the Department of Public Works to erect “Keep Left” signage and establish a “Keep Left” education program and mandates rental car agencies provide “Keep Left” signage and public information material in all rental cars.
- Bill No. 33-0199, which appropriates funds from the Communities Facilities Trust Account to be used as matching funds to acquire federal Transportation funds for the St. Croix Molasses Pier Enhancement Project.
- Bill No. 33-0203, which approves the lease agreement between the Government of the Virgin Islands and Total Auto LLC for parcel 128A in Sub Base, St. Thomas.
- Bill No. 33-0204, which approves the lease agreement between the Government of the Virgin Islands and Commercial Property Management LLC for parcel 40 in Sub Base, St. Thomas.
- Bill No. 33-0205, which approves the lease agreement between the Government of the Virgin Islands and Fibernet Inc. for parcels 95 and 95A in Sub Base, St. Thomas.
- Bill No. 33-0207, which requires persons teaching children in grades Kindergarten-4 through third grade to meet specific early childhood education requirements outlined by the Department of Education.

Additionally, the governor acknowledged receipt of Resolution No. 1863 commending the Rising Stars Steel Pan Orchestra and Resolution No. 1864, honoring Lee “Lee Vee” Vanterpool for his contributions to the Virgin Islands community.

He also acknowledged the overridden veto of Bill No. 33-0061, relating to tax reduction of benefits to Economic Development Commission and relating to the Hotel Development Trust Fund, and the overridden veto of Bill No. 33-0188, which increased the Department of Education’s procurement threshold.