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## Bryan Signs Into Law 13 Bills, Vetoes 5

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### Governor Albert Bryan

Government House on Tuesday afternoon made known that Governor Albert Bryan has signed into law 13 bills forwarded to him by the 33rd Legislature, while vetoing five others.

Among the bills Mr. Bryan approved is Bill No. 33-0034, which establishes pay to members of the Virgin Islands National Guard that is comparable to those serving in the U.S. armed forces.

“I support any measure which ensures the safety of our Territorial active duty members by providing insurance to cover illness and injury, and that keeps our Territorial officers paid fairly and equally,” the governor said in his transmittal letter.

The territory's leader also approved Bill No. 33-0037, which directs the Department of Planning and Natural Resources to rehabilitate ponds in the territory as part of efforts to establish a stormwater management plan to benefit Virgin Islands agriculture. However, Mr. Bryan also expressed reservation about the bill and said it does not provide a funding source and created an unfunded mandate, according to Government House.

“If the goal is to truly establish a stormwater management plan, executing such a plan cannot solely be dependent on Federal resources that have not been identified or secured,” he wrote. “It is important that the Legislature address and be cognizant of the issue of funding in every bill.”

Bill No. 33-0065, which benefits farmers by establishing a well-drilling unit within the Department of Agriculture, also was approved by the governor.

Governor Bryan also signed Bill No. 33-0263 and Bill No. 33-0264, which was previously vetoed because of drafting errors. Bill No. 33-0263 (formerly 33-0095) establishes the “Virgin Islands Medicaid Program Integrity Act,” and Bill No. 33-0264 (formerly 33-0236) appropriates \$500,000 from the Internal Revenue Matching Fund to the Caribbean Drag Racing Association for infrastructure improvements at the St. Croix Motor Sports Complex.

Other bills the Governor signed are:

- Bill No. 33-0127, which honors veterans by naming the roundabout road circle in downtown Cruz Bay, St. John, “The Veterans Circle.”
- Bill No. 33-0208, which approves the lease agreement between the Government of the Virgin Islands and Panyard People for property in Sub Base, St. Thomas.
- Bill No. 33-0212, which approves a lease agreement between the Government of the Virgin Island and Universal Concrete LLC for property in Sub Base, St. Thomas.
- Bill No. 33-0258, which approves the rezoning of two parcels in Smith Bay, St. Thomas.
- Bill No. 33-0259, which grants a zoning use variance for two parcels in Estate Bakkerro to allow for a hotel, restaurant and pool bar.
- Bill No. 33-0260, which rezones a parcel in Smith Bay, St. Thomas.
- Bill No. 33-0265, which amends appropriations made for the operation of the Government of the Virgin Islands.
- Bill No. 33-0266, which appropriates \$2,142,199 from the General Fund to pay the Government Employees Retirement System 3% increase to the employer’s contribution.

Among the legislation the governor vetoed is Bill No. 33-0069, relating to the issuance and usage of government credit cards by placing the responsibility and control of the cards within the Department of Finance because he said it was “not well thought out.”

“This Administration has already begun to implement similar policies to achieve this process and supports the codification of these requirements,” the Mr. Bryan wrote in the transmittal letter. “Unfortunately, the Legislature used language which also places the responsibility for the management of credit cards of Independent Instrumentalities on the Department of Finance, which has no authority over such agencies.”

The chief executive also vetoed Bill No. 33-0145, which would require the Director of the Office of Management and Budget to conduct a mid-year review of the budget and report the findings to the Legislature because the law already requires this process and the Government of the Virgin Islands conducts semi-annual Revenue Estimating Conferences, to which the Legislature is a party and receives all of the reports generated, according to Government House.

“To now add an additional obligation on the Director of the OMB one month after the conferences is duplicative, unduly burdensome and unnecessary,” wrote the governor.

Bill No. 33-0189, which proposes to establish the Virgin Islands Virtual Information System (VIVIS), also was vetoed by Mr. Bryan.

“First, VIVIS is a program that already exists and is currently live. Therefore, the Legislature’s attempt to implement an already established system is clearly duplicative,” Mr. Bryan wrote. “Second, like other bills that have been put forward by the Legislature, this measure is also another unfunded mandate.”

The governor also said the penalty provisions stipulated in the bill are more concerning than the lack of funding.

“The penalty provisions impose criminal charges including felony penalties of \$5,000 and unlimited imprisonment time for failure to implement its provisions. If this legislation were to pass, it would expose any individual who violates any provision of this chapter, whether something as simple as a failure to submit a report to the Legislature, to serve any length of imprisonment for a non-violent administrative offense. This is obscenely unjust,” Governor Bryan wrote.

Mr. Bryan also struck down Bill No. 33-0190, which consists of 13 separate requests for separate legislation in one bill government house described as a "Christmas Tree" bill, although he said he would have supported the majority of the bills if they had been presented separately. However, because it was presented with no threshold for a line item veto, the governor said he had to strike the entire bill.

Mr. Bryan cited two sections within the bill that caused him to veto it.

Section 5 attempts to give sellers of sunscreen products more time to keep their inventory on the shelves, even though they have been identified as hazardous and toxic to the marine life of the Virgin Islands.

“I take a strong position against allowing more time for damage to be done to our environment in the Territory,” Mr. Bryan wrote. “The deadline that was set to remove this danger from our islands should remain and be strictly enforced. I feel strongly about the protection of the Virgin Islands reefs, our greatest treasure and natural resource.”

The governor also said he doesn’t support Section 13 of the omnibus bill because the Legislature is seeking to circumvent the role and responsibility of educators to determine the best curriculum for students in the territory, according to Government House.

“It is not the role of the Legislature to determine what a teacher should teach, and this includes whether the teacher feels additional civics classes are needed over other, more fundamental subjects, like reading and math,” he wrote.

The governor said he vetoed Bill No. 33-0251, which would allow doctors of podiatric medicine to supervise physician assistants, because unclear language and insufficient guidance defeats the bill’s intended purpose.

The governor said he is in favor of the changes needed to support the podiatric profession, but he contended that the bill fails to define and identify each medical role.

“I find it unfortunate that I have to use my veto power because technical errors are being made in legislation put before me,” wrote the governor. “I also find that there has been, on multiple occasions, a lack of due diligence and proofreading conducted by the Legislature.”

Mr. Bryan acknowledged receipt of Resolution No. 1865 (Bill No. 33-0136), which commends Valrica Miranda Bryson for her contributions to the Virgin Islands school system, her mentorship of Virgin Islands youth and her many years as a music educator.

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