

Senators Shelve Bryan's Double Dipping and Leave of Absence Bills, Citing Preemption Rule

Two bills promoted by Governor Bryan—targeting double dipping and leave of absence rules—were shot down by the Legislature after lawmakers cited pre-filed measures from Senators Marise James and Alma Francis Heyliger as taking precedence.

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Governor Albert Bryan Jr.

On Friday, the 36th Legislature found a loophole that allowed them to remove Bills 36-0124 and 36-0125 from the day's agenda.

Bill 36-0125, the [Double Dipping Repeal Act](#), has been the focus of much public discourse and promotion by the Bryan administration ahead of the session. Bill 36-0124 seeks to repeal

stipulations requiring government employees to [take a leave of absence](#) upon running for public elective office. Neither bill was heard during Friday's special legislative session, after Senator Kurt Vialet rose on a point of personal privilege to state that Governor Albert Bryan Jr.'s request to place the aforementioned bill on the agenda was a violation of rule 402.

According to Vialet, rule 402 “clearly states that authorship or ownership of a bill request is on a first-to-file basis.” He explained that Bill 36-0124 was preempted by BR 25-0326, sponsored by Senator Marise James. Meanwhile Bill 36-0125 is preempted by BR 25-0496, whose author is Senator Alma Francis Heyliger. “These two measures, one completed, will be vetted in the committee of jurisdiction,” asserted Mr. Vialet. There was no indication as to a timeline for when this would happen, however. He subsequently moved a motion to remove the two bills from Friday’s agenda.

The vote to remove Bill 36-0124 relating to government employees who fill for elective office received 12 assenting votes. Senator Avery Lewis voted “no” and Senators Dwayne DeGraff and Hubert Frederick were absent. Sen. Lewis also voted against removing Bill 36-0125 from the agenda. The overwhelming majority voted in favor, though, meaning that the measures were duly abandoned – at least for now.

Senate President Milton Potter reiterated that the bills were voted down “because of the preemption rule...Two of my colleagues has authorship of the bills.” He assured listeners that both bills will be “vetted through the committee process and voted on at that time.”

In a letter submitted to the Legislature, Governor Bryan wrote: “The people of the Virgin Islands expect and deserve a government that operates efficiently, transparently and with fiscal integrity. We cannot continue to permit unsustainable spending, inequitable compensation practices or administrative inefficiencies to persist at the expense of our constituents.”

With the two bills removed from the agenda, lawmakers will only have to consider Bill 36-0126 during Friday's session. The measure would [establish a special committee](#) to issue a Request for Proposal for the provision of a self funded group health and dental insurance for government employees and retirees of the Government of the Virgin Islands.