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Election Roles Clarification Bill Stalls as Senators Decline to Advance Measure Citing Conflict and Redundancy

A bill by Sen. Alma Francis Heyliger to codify Board and Supervisor roles, address quorum contradictions, and give the Board final decision-making power failed to advance, with critics calling it redundant and a recipe for conflict.

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Senator Alma Francis Heyliger. By. V.I. LEGISLATURE.

An attempt by Senator Alma Francis Heyliger to codify language specifying the roles and responsibilities of both the Board of Elections and the Supervisor of Elections failed on Friday, after members of the Committee on Government Operations, Veterans Affairs, and Consumer

Protection declined to second her motion to move the bill forward. It was the second of Francis Heyliger's bills to meet that fate on Friday.

[Bill 36-0073](#) amends various sections of Title 18. In section 4, it clarified that "the Supervisor of Elections and the Deputy Supervisors of Elections may appeal their removal to the Superior Court of the Virgin Islands." It also made it clear that there is a "singular Board of Elections" and not two distinct boards as previously existed. The bill further grants the Board of Elections "explicit authority to overrule decisions of the Supervisor of Elections." Then, in section 41, it reiterates that there is a singular Board of Elections.

Previous changes to the law that merged the individual boards failed to clean up the relevant language. As Senator Carla Joseph noted, there are "contradictions in the code regarding the quorum." Whereas a quorum was achieved with a predetermined number of members from each district board, the merged board only needs a majority of members. Board chair Raymond Williams was present, but offered no testimony as the Board of Elections had failed to hold a successful meeting to confirm their joint position on the bill. He did, however, remark that there were instances where "a single district would show up to a joint board meeting with one additional member from the other district." This, he said, did not constitute "fair representation."

For the bill's sponsor, the codification of clarifying language was critical. She recalled that the public "witnessed some serious going back and forth between the Board of Elections and the supervisor of elections, in regards to who had authority for certain actions." She expressed concerns over the optics of it all. Francis Heyliger noted that some sections are "ambiguous in the code, it's kind of interesting how people choose to interpret them." It's why she says she found it imperative to delineate roles and emphasize the Board's function. "At the end of the day, it is ultimately the board. If something happens, the Board's decision is final, once it's done by a majority."

"I will continue to submit that I believe that this legislation needs to be clear and specific in terms of the duties, functionalities and responsibilities," remarked Senator Novelle Francis. He, too, commented on the conflicts surrounding the 2024 general election and the [ensuing legal disputes](#). However, despite not expressing any particular critique to the measure, Francis would join his colleagues in offering no second to Senator Alma Francis's motion to advance the bill to the next committee stage.

Senator Kenneth Gittens, however, vehemently opposed Bill 36-0073. He called it a "recipe for discontent between the Board and the Supervisor," and said that it was "bad policy." Gittens insisted that Section 11 of [Act 8690](#) already outlines the relevant roles, and that the bill as written "attempts to blur that line, and it's doing so by inviting confusion and conflict where clarity already exist." "There's no need for redundant or overreaching language that creates more tension than solutions," he stated. He added that the bill potentially "opens the door for micromanagement."

Francis Hyliger disagreed, stating that "if individuals understood their roles, we would not have seen the drama, the fighting, the back and forth, the [lawsuits between the Supervisor of Elections and the Board](#)." Enacting Bill 36-0073 into law would "avoid things like that happening in the future," she insisted. Sen. Francis Heyliger noted that the measure had the backing of the Legislature's legal counsel, who "said it's a good idea."

With the bill failing to receive support from the Committee, Senator Alma Francis Heyliger is once again left to assess her options and decide how to proceed with Bill 36-0073.

