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Will Senators Participating Remotely in Today's Session Be Able to Vote? Sen. Francis Doubtful

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Senator Novelle Francis By. VI LEGISLATURE

Senators who make up the 33rd Legislature are expected to take up matters of paramount importance today, including a measure granting the Bryan administration authority to pursue \$60 million in loans through revenue anticipation notes to keep the government afloat.

Members will meet at the Earl B. Ottley Legislative Building for the session at 10:00 a.m., but some senators, because of certain immunodeficiency conditions coupled with a Senate building they say is moldy, have opted to participate remotely to limit their chances of contracting the coronavirus, the virulent disease that's wreaking havoc the world over, killing more than 24,000 people as of Friday.

Senators Alicia Barnes, Allison DeGazon and Myron Jackson will be participating remotely. Potentially others, too.

But to the senators' dismay, the leadership of the Legislature, namely Senate President Novelle Francis, does not believe that the Revised Organic Act of 1954 allows senators to vote remotely.

The Revised Organic Act, though it calls for sessions to be held at the Legislature, does not say anything about whether senators can or cannot participate remotely. Even so, Mr. Francis was hesitant to support a decision that would allow the senators to vote, contending that similar deliberations had been ongoing in certain states, and that there was no precedent for such action in the U.S. Virgin Islands. Mr. Francis also said he feared legal setbacks — especially with the important nature of today's actions.

"Of course we're in uncharted and unprecedented times, but there is no case that we find that made a determination that individuals are allowed to vote remotely or outside of a hearing and from a remote location via technology," Mr. Francis said.

Senator Barnes sought a legal opinion on the matter, but the Legislature's legal counsel arm had yet to produce a document, and Mr. Francis expressed doubt that one would be ready before the session — even though senators who are participating remotely will remain in limbo without a decision. Asked why, Mr. Francis said legal counsel had been overwhelmed with preparatory work for today's session, including the preparation of bills.

Ms. Barnes said any move that would prevent duly elected leaders from voting today would be essentially disenfranchising constituents. "We are sent to the body to represent the people that sent us there. And to deny us the right to vote is disenfranchising a large segment of the St. Croix population that sent us there to represent them," she said.

Senator DeGazon shared the same sentiments. She also said the Senate's legal counsel had said — though not in writing — that the Revised Organic Act of 1954 was silent on the matter, and therefore the Senate should be able to waive the rules.

Ms. DeGazon also assailed the Democratic Party leadership in the Senate. "I am eager to see how today really plays out because it would demonstrate that though we speak about the positives of a Democratic majority, I have yet to see the benefit," she said. "We speak of collaboration and unity; we have seen Democrats all across the nation come together under these circumstances to protect life and liberty. Yet still, once again, we local Democrats in the Virgin Islands fall short of demonstrating the same."