

The Virgin Islands Consortium

These Are The Bills Governor Mapp Approved And Vetoed This Month

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ST. THOMAS -- Governor Kenneth Mapp earlier this month took action on over 50 bills, most included as part of the fiscal year 2016 budget -- approving most while vetoing a few. We've included all the measures in this post.

Mr. Mapp approved the following measures:

Bill No. 31-0190, now Act 7758, "making appropriations for the operations of the Government of the Virgin Islands.

Bill No. 31-0097—an act amending 20 V.I.C., chapter 37, subchapter II, section 407, subsection (c) to provide that the three-year prohibition against leasing medallions is not applicable to Veterans.

Bill No. 31-0191—an act appropriating from the Anti-Litter and Beautification Fund to the Waste Management Authority for the Fiscal Year ending September 30, 2016.

Bill No. 31-0192—an act providing appropriation for operating expenses of the Virgin Islands Board of Education from the General Fund of the GVI during Fiscal Year October 1, 2015 to September 30, 2016.

Bill No. 31-0194—an act providing appropriation for the operating expenses of the Business and Commercial Properties Revolving Fund of the GVI during Fiscal Year October 1, 2015 to September 30, 2016.

Bill No. 31-0195—an act providing an appropriation from the Caribbean Basin Initiative Fund for Fiscal Year October 1, 2015 to September 30, 2016.

Bill No. 31-0196—an act appropriating the sum of \$1,185,413 from the Communities Facilities Trust Fund to the General Fund to pay the allocable debt service payable on debt issued to finance the Paul E. Joseph stadium project for the Fiscal Year ending September 30, 2016.

Bill No. 31-0197—an act appropriating monies for salaries and expenses of the Election System of the Virgin Islands for the Fiscal Year ending September 30, 2016.

Bill No. 31-0198—an act appropriating funds from the Government Insurance Fund for operating expenses of the Department of Finance and the Department of Labor for the Fiscal Year ending September 30, 2016.

Bill No. 31-0199—an act providing for the lump sum appropriate to the Department of Health from the Health Revolving Fund for Fiscal Year October 1, 2015 to September 30, 2016.

Bill No. 31-0200—an act providing appropriations for operating expenses of the Hospital and Hospital Facilities Corporation from the General Fund of the GVI during the Fiscal Year October 1, 2015 to September 30, 2015.

Bill No. 31-0201—an act providing for the lump sum appropriation from the Indirect Cost Fund for salaries, operating expenses and for other purposes of the Office of Management and Budget, the Division of Personnel, the Department of Property and Procurement, and the Department of Finance for the Fiscal Year October 1, 2015 to September 30, 2016.

Bill No. 31-0203—an act appropriating the sum of \$1,000,000 from the Interest Revenue Fund as a contribution to the General Fund for the Fiscal Year ending September 30, 2016.

Bill No. 31-0205—an act making appropriation to the Public Services Commission for the Fiscal Year October 1, 2015 to September 30, 2016, for operating expenses.

Bill No. 31-0207—an act providing an appropriation for operating expenses of the Department of Public Works and the Waste Management Authority from the St. John Capital Improvement Fund of the GVI during the Fiscal Year October 1, 2015 to September 30, 2016.

Bill No. 31-0208—an act providing an appropriation for operating expenses of the Waste Management Authority from the Sewer Waste Water Fund of the GVI during the Fiscal Year October 1, 2015 through September 30, 2016.

Bill No. 31-0210—an act appropriating the sum of \$1,125,000 from the Union Arbitration Award Fund as a contribution to the General Fund for the Fiscal Year ending September 30, 2016.

Bill No. 31-0211—an act providing for the operating expenses of the Public Employees Relations Board and the Labor Management Committee for Fiscal Year October 1, 2015 to September 30, 2016.

Bill No. 31-0212—an act providing for the operating expenses of the Office of Collective Bargaining for Fiscal Year October 1, 2015 to September 30, 2016.

Bill No. 31-0213—an act appropriating monies for salaries and expenses of the University of the Virgin Islands for Fiscal Year ending September 30, 2016, and for other purposes.

Bill No. 31-0214—an act providing an appropriation for operating expenses of the Virgin Islands Career and Technical Education Board from the General Fund of the GVI during Fiscal Year October 1, 2015 through September 30, 2016.

Bill No. 31-0217—an act appropriating the sum of \$22,850,000 from the General Fund to the Virgin Islands Waste Management Authority for the Fiscal Year ending September 30, 2016.

Bill No. 31-0218—an act amending 33 Virgin Islands Code, Chapter 3 to designate portions of the excise taxes as advance disposal fees and increase the schedule of rates for excise taxes for certain products, and to enact a technical amendment to Act 7536 to revive the Antilitter and Beautification Fund.

Bill No. 31-0233—an act to rezone Parcel 10-5b Estate Glucksberg, No. 22 Cruz Bay Quarter St. John from R-2 (Residential-Low Density-One and Two Family) to B-3 (Business Scattered).

Bill No. 31-0239—an act amending Official Zoning Map SCZ-12 for the island of St. Croix, rezoning Parcel No. 240 of Plot No. 6 Estate Peter's Rest, Queen Quarter, St. Croix from R-2 (Residential-Low Density-One and Two Family) to B-3 (Business Scattered).

Bill No. 31-0242—an act amending Official Zoning Map SCZ-10 for the island of St. Croix, rezoning Plot No. 60 Estate Prosperity, West End Quarter, St. Croix from A-1 Agricultural to R-1 (Residential-Low Density).

Bill No. 31-0193-an act providing appropriation for the operating expenses of the Bureau of Motor Vehicles of the GVI during Fiscal Year October 1, 2015 to September 30, 2016.

Bill No. 31-0202-an act appropriating the sum of \$1,100,000 from the interest earned on debt services reserves as a contribution to the General Fund.

Bill No. 31-0204-an act providing appropriations from the Internal Revenue Matching Fund for the Fiscal Year October 1, 2015 to September 30, 2016, to the Department of Human Services for the Crisis Intervention Fund, to the Department of Finance to pay debt services, and to the General Fund, as a contribution.

Bill No. 31-0206-an act to appropriate the sum of \$2,000,000 from the Internal Revenue Matching Fund as a contribution to the St. Croix Capital Improvement Fund for the Fiscal Year ending September 30, 2016.

Bill No. 31-0209-an act appropriating the sum of \$11,500,000 from the Transportation Trust Fund as a contribution to the General Fund for the Fiscal Year ending September 30, 2016.

Bill No. 31-021S-an act providing an appropriation for operating expenses of the Virgin Islands Office of the Inspector General from the General Fund of the GVI during the Fiscal Year October 1, 2015 through September 30, 2016.

Bill No. 31-0220-an act appropriating funds for the operating expenses and capital projects for the Legislature of the Virgin Islands for the Fiscal Year ending September 30, 2016.

Bill No. 31-0221-an act providing appropriations for operating expenses of the Supreme Court of the Virgin Islands, the Superior Court of the Virgin Islands, the Judicial Council, and the Office of the Territorial Public Defender.

Bill No. 31-0222-an act amending 33 Virgin Islands Code, chapter III, section 3018 pertaining to the Agriculture Revolving Fund; and section 54(b)(1) paragraphs (1) and (2) pertaining to the Hotel Room Tax and the Time-Share Estate Tax respectively. By approving Bill No. 31-0222, now Act 7767 the legislature has authorized funding that will support a soon to be created farmers' cooperative to grow and provide fresh fruits, vegetables, seasonings and herbs for our school lunch program.

Bill No. 31-0081-an act amending Title 19, Virgin Islands Code, part V, adding chapter 48 establishing an Autoimmune Disease Registry.

Bill No. 31-0133-an act requiring the Commissioner of Public Works to provide VITRAN bus service on weekends and holidays; and

Bill No. 31-0183-an act naming the St. John Legislative Conference Room after Cleone Henrietta Creque.

Bill No. 31-0223-an act amending 33 Virgin Islands Code, chapter 117, section 3304 providing for additional collateral that a depository banking institution may pledge in lieu of a corporate surety bond, and

Bill No. 31-0229-an act amending Act No. 7342 and Act No. 7501 relating to the mandatory, statutory balance in the Insurance Guarantee Funding providing for a two-year sunset clause on the provision that reduced the mandatory statutory balance of the Insurance Guaranty Fund.

Bill No. 31-0230-an act amending 1 Virgin Islands Code by designating the month of November as the "David Hamilton Jackson Month" and providing for the digitization of all publications of The Herald and of all historically significant documents about David Hamilton Jackson.

Bill No. 31-0228-an act providing appropriation from the Tourism Advertising Revolving Fund to the Office of the Governor, Virgin Islands Police Department, the Department of Public Works, the Virgin Islands Waste Management Authority, and the Department of Tourism during the Fiscal Year October 1, 2015 through September 30, 2016; and

Bill No. 31-0073-an act authorizing the issuance of up to \$250,000,000 in bonds, notes or other evidences of indebtedness of the Government of the Virgin Islands Public Finance Authority, with amounts necessary to finance reserves and costs of bond issuance to finance pursuant to 23 U.S.C. § 122 and Phases I and Phases II of the Melvin Evans Highway, and the Veteran's Drive Projects, additional road projects on the island of St. Croix approved by the Department of Public Works and the Federal Highway Administration and other road projects approved by the Federal Highway Administration; and authorizing the Government and the Authority to execute certain agreements, pledge the Federal Highway Grant Revenues and other revenues as additional collateral as necessary to further secure and reduce the interest on the bonds; to issue limited special obligation notes of the Government to secure repayment of such bonds, notes or other obligations and to take all other appropriate actions as necessary to carry out the purposes of this act.

The governor also approved the following resolutions:

Resolution No. 1821 (Bill No. 31-0187)-a Resolution honoring and commending Julio "Maganja" Felix for his career achievements as an established professional jockey and as an idol for the Virgin Islands community.

Resolution No. 1822 (Bill No. 31-0243)-a Resolution honoring and commending Timothy Theodore Duncan for his accomplishments in his professional basketball career and his philanthropy and contributions to the people of the Virgin Islands.

Resolution No. 1823 (Bill No. 31-0246)-a Resolution welcoming the Legendary Rhythm Blues Cruise on its January 20, 2016 voyage to St. Croix and encouraging the organizers to partner with the Department of Tourism to put on a music festival and Blues-in-the-Schools Program while in port.

Governor Mapp also approve the Legislature's ratification of Minor Coastal Zone Permit No. CZT -12-14(W) issued to Black Magic Flightops, LLC.

The Governor vetoed Bill No. 31-0146-an act amending title 3 Virgin Islands Code, chapters 27 and 28A pertaining to the retirement of government employees. "While the bill, on its face, is a well-intentioned effort to implement reforms to preserve the security of the Government Employees Retirement System (GERS), the bill presented to me by

the Secretary of the Legislature on September 29, 2015 does not do that. There are several errors in the bill and it must be revisited for accuracy and responsible financial management” said Mapp.

“I personally want to thank Senator Clifford Graham, the Members of the Committee on Finance, Members of my financial team, and the 31st Legislature for a successful budget cycle. Everyone worked hard under trying conditions of insufficient resources to meet all of the needs of the community. In the end, we got it done and have adopted a budget that expands services, increases employment, aids the GERS by providing new members, and which lay the foundation to increase the pay of government workers. Thank you” concluded the Governor in his correspondence with the Senate President.

The governor vetoed the following measures:

Governor Mapp vetoed Bill No. 31-0080, which amends Act. No. 7676 to increase the appropriation from the Internal Revenue Matching Fund for Fiscal Year October 1, 2014 to September 30, 2015, to the UVI Medical School Debt Service from \$700,000 to \$1,000,000. Governor Mapp stated “While I support the territory’s medical school and have stated so publicly; I have made it clear to the leadership of the University that the central government cannot carry any additional financial burden for the medical school beyond the benefits we committed as of May 6, 2015. The leadership of the University agreed and indicated they were not seeking any additional financial support. In fact, UVI laid out its financial plan on how the medical school would be sustained financially without additional government support.”

Mr. Mapp vetoed Bill No. 31-0216—an act appropriating funds to the Virgin Islands Taxi Cab Commission for the Fiscal Year October 1, 2015 to September 30, 2016 for operating expenses; amending 33 Virgin Islands Code, section 3067(b) relating to the use of the Taxi License Fund, and 20 Virgin Islands Code, section 408(d) relating to the purchase of taxi medallions.

“For too long, the Taxi Cab Commission has operated on the backs of hardworking and struggling taxi and tour operators through the issuance of fines, levies, and fees. Taxi drivers and tour operators have been assessed penalties as high as \$1000.00 for first offense infractions that a non-taxi driver would be assessed a fine in traffic court of \$75.00. We cannot statutorily mandate that an agency regulate an industry and then that agency target the citizens it is regulating to collect sufficient revenues so the regulators can be paid,” stated the Governor with reference to the bill.

Governor Mapp also vetoed Bill No. 31-0238, which provides funds for payment to members of the United Industrial Workers of North America, Seafarers International Union, AFL-CIO, and for the costs and fees for the disposition of the lawsuit, Harley, et al v. Government of the Virgin Islands, et al. This lawsuit is still active and pending before the Superior Court of the Virgin Islands. This is not the first time that the language contained in this bill has appeared before the Governor. The Office of Collective Bargaining has advised that this matter has not been settled and in fact remains active and pending before the Superior Court of the Virgin Islands.

“The Legislature’s appropriation of funds mandating the payment of such funds to settle a case which is still pending, is a horrible precedent to set and not in the best interest of the

people of the Virgin Islands,” added the governor.

The chief executive vetoed bill No. 31-0146 -- the Government Employees' Retirement System (GERS) bill sponsored by Sen. Neville James, president of the 31st Legislature, pointing out “substantive errors that the Virgin Islands Code does not allow me to make corrections to,” Mapp said, while raising concerns his administration has with the measure.

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