

The Virgin Islands Consortium

In Major Development, Proposal To Fundamentally Change Legislature Wins Approval To Be Placed On 2018 Ballot

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ST. CROIX -- In what may be a pivotal moment in Virgin Islands history as it relates to the Legislature, the Titling Board of the Virgin Islands on Tuesday night voted to add a question to the 2018 General Election ballot that, if voted on favorably by a majority of voters, would transform the makeup of the Senate, moving from the current system of island-wide and district-wide voting, to a system that proponents of the measure hope will see better representation for all Virgin Islanders.

The question that was approved to be asked on the ballot after hours of deliberation, starts by explaining the proposal: "Title 2, Chapter 6 of Virgin Islands Code entitled Apportionment of the Legislature is amended to read as follows: There are five Legislative Districts with 9 district senators and 6 at-large senators: District of St. Croix East shall have two senators, District of St. Croix West Shall have two senators, District of St. Thomas East shall have two senators, District of St. Thomas West Shall have two senators, District of St. John shall have one senator, voted on by the qualified electors of the respective districts. The proposal further states that there shall be six at-large senators, "three shall be residents of St. Croix and three shall be residents of St. Thomas, voted on by the qualified electors of the Virgin Islands Code."

The question then asks: "Shall this proposal become law?"

The Titling Board also approved the question's summary to be placed on the 2018 ballot, which reads: "This initiative seeks to amend Title 2, Chapter 6 of Virgin Islands Code entitled Apportionment of the Legislature to create the following districts: District of St. Croix St. East, District of St. Croix West, District of St. Thomas East, District of St. Thomas West, and District of St. John. The initiative also seeks to create the following at-large senators: Three shall be residents of St. Croix, and three shall be residents of St. Thomas."

The Titling Board voted unanimously for the ballot question and summary. Board members include Attorney General Claude Walker, who chaired the hourslong meeting last night, Supervisor of Elections Caroline Fawkes, and Attorney Yvonne Tharpes, legislative chief legal counsel, among others.

The proposal to place the question on the ballot was introduced by an organization named the St. Croix Retirees Group, Inc. The group's special project coordinator, Mary Moorhead, who was actively involved during the meeting, told The Consortium that while St. Croix has seven senators, not one of them lives in Frederiksted, a reality she said has placed the town at a disadvantage. "You go to the Senate and you can't really have anybody to answer, specifically with the G.E.R.S. [Government Employees' Retirement System] situation," Ms. Moorhead said. She said the group has been attending Legislature hearings for years advocating on the behalf of retirees. "We have been testifying on just about every single legislation they brought to deal with G.E.R.S.," Ms. Moorhead said.

With two senators representing the east side and two senators representing west side of the St. Croix and St. Thomas districts, and one representing St. John, proponents of the measure believe Virgin Islanders will be better represented. And with six at-large senators vying for territory-wide votes, proponents see equal representation for the entire territory.

Now that the ballot question and summary have been approved by the board, the next step gives proponents of the measure a maximum of 180 days to circulate the petition throughout the U.S. Virgin Islands. Before that happens, however, the Elections System of the Virgin Islands will peruse the petition, send it to the Attorney General's Office for review, and then produce a formal letter to the proponents of the petition, the St. Croix Retirees Group, Inc. Once the letter is received by the St. Croix Retirees Group, the 180 days duration to gather the required amount of petitions commences.

In order for the petition to be placed on the ballot, it must be signed by at least 10 percent of the territory's voters, which Ms. Fawkes said should be between 2,000 and 3,000 signatures. An official number will be made known before the circulation begins, she said. Ms. Fawkes suggested that signatures be provided monthly to the Election System so that the count can be continuous. "Because if you come in and don't have all the signatures, we want to give you time to go back," she said.

The ballot question's passage last night could usher in a new day in the U.S. Virgin Islands, pending the required number of signatures are collected and a majority of voters approve of the question on the general election ballot. It would mean senators would have to hone in their focus on the district of each island that they were elected to serve, and not the whole island. And the six at-large senators would be focused solely on the growth of the territory as a whole. There would also be added pressure on senators to perform, as the proposal would weaken the advantage of senators with island-wide strength, who are usually voted in based on name recognition and popularity.

Among advocates of the proposal at the Wednesday night meeting was Mario Moorhead, brother of Ms. Moorhead and legendary radio personality and historian on St. Croix. Mr. Moorhead has been calling for such change to occur on his radio show, and has been sharing the benefits of apportionment with his listeners -- most of whom have been receptive to the idea.

And Virgin Islanders in general have long called for change in the manner in which the territory elects its lawmakers, with a decrease in the number of senators and sub-districting being popular among many.

Interestingly, Ms. Fawkes said while the question will be placed on the ballot in November once all requirements are met, the proposal could actually become law before, but only if current lawmakers take up the proposal and approve it. (Once the petition is approved, it is sent to the Senate, which could then decide to take action on it as is, amend or fail it. However, for the petition not to be placed on the ballot, senators must pass the measure as presented in the petition. If not, the petition is placed on the ballot where voters get to decide its fate.)

If a majority of voters approve, the proposal immediately becomes law, and would be immune from the governor's veto, according to Ms. Fawkes. The new law would also be immune from a repeal or amendment by the Legislature during a three-year period after it's approval, "unless the Legislature acts by a two-thirds majority," she said.

Correction: April 4, 2018

A previous version of this article, because of a text error, said the meeting occurred on Wednesday, when it actually occurred on Tuesday night. We've updated the story.