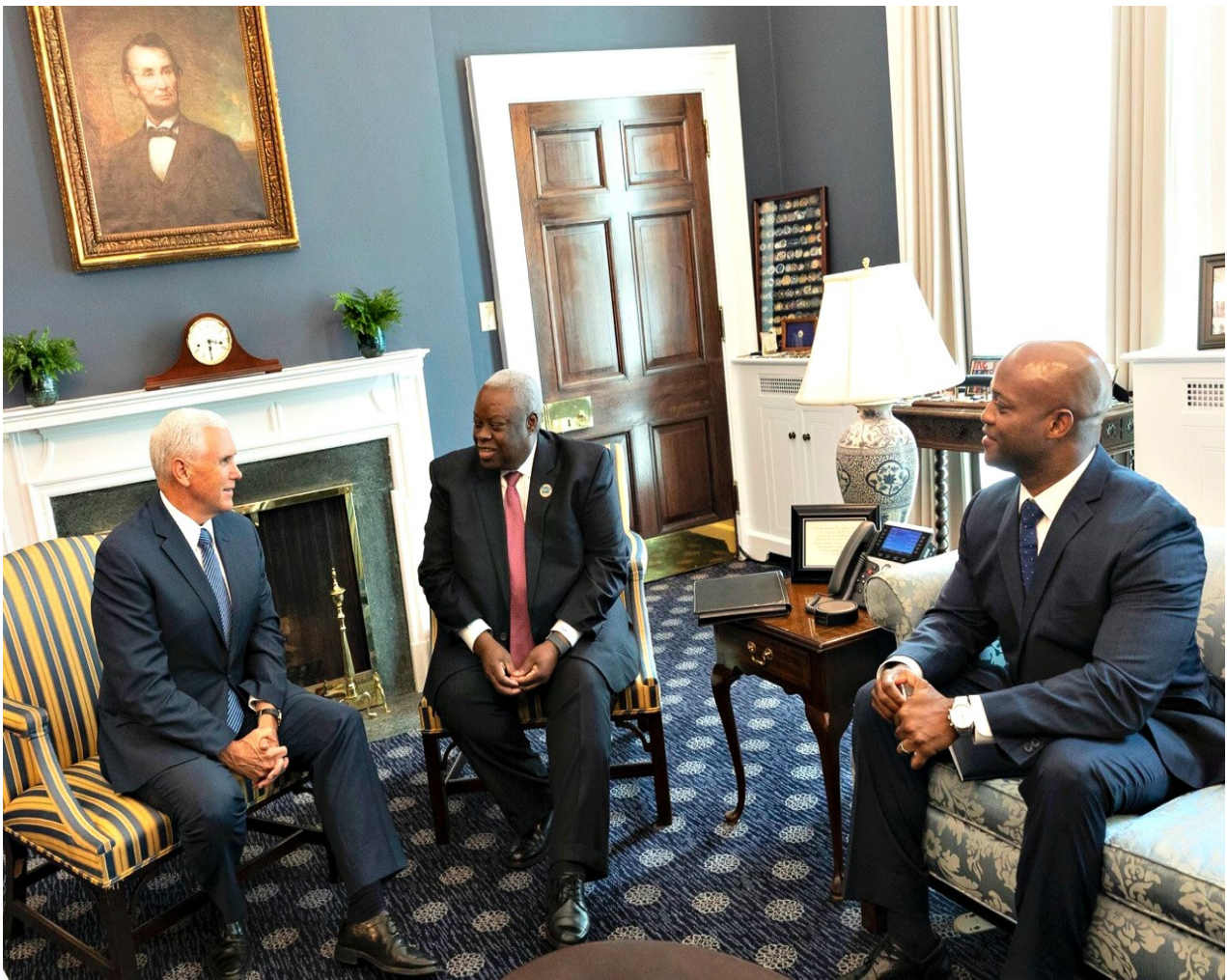


The Virgin Islands Consortium

Mapp Expected To Veto Bill Limiting His Disaster Declaration Authority

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[More than a dozen bills are being forwarded to Governor Kenneth Mapp](#) following an all-day Senate session last week, and while the fate of many remains unknown, the governor is expected to veto a measure introduced by Senator Tregenza Roach, a candidate in the gubernatorial election, that seeks to limit the governor's power on declaring state of emergencies for the territory.

Mr. Mapp has spoken about the importance of the executive branch's authority to declare state of emergencies through executive order unhindered, hinting that such legislation would be swiftly vetoed. But the measure could still become law if vetoed by the governor, if lawmakers wage a successful override.

Currently, the executive powers afforded a governor by statute during a state of emergency are vast, including the authority to “suspend the provisions of any statute prescribing the procedures for conduct of territorial business, or the orders, rules, or regulations of any territorial agency.” The governor may also utilize “all available resources of the territory,” and can “transfer the direction, personnel, or functions of territorial departments and agencies or units thereof,” among other powers.

Last week, Mr. Mapp extended the state of emergency declaration [through October 1](#) — past one year since Hurricanes Irma and Maria struck the territory. [Hurricane Irma walloped St. Thomas](#) and [St. John](#) on September 6, 2017, while [Hurricane Maria ravaged St. Croix](#) on September 19, 2017.

The Mapp administration maintains that the territory still is in a state of emergency, and therefore the extensions are warranted. And it has contended that the state of emergency also makes available certain federal tools -- including access to funding -- that would have otherwise been inaccessible.

Even so, lawmakers see the continued use of the disaster declaration as an overreach of power as the Legislature watches from the sidelines.

“I know my colleagues have encountered the reality when our constituents ask why are we’re still under a state of emergency,” said Mr. Roach [while introducing the bill in July](#). “Why in a new hurricane season, why 10 months or more after [Hurricanes Irma and Maria] have passed are we still in a state of emergency? I don’t generally have an answer; I don’t know what you all tell them.”

“The idea behind the bill is that it gives the legislature an opportunity to have the governor or his representatives say to the body what has occurred during the state of emergency, the actions that have been taken, and the actions that remain to be done which requires an extension of the state of emergency,” Mr. Roach added. “This is about us, this is about the body. This is about the role of the Legislature and even in regards to the representatives of the governor when they tell us pointblank that they’re not coming to hearings. And there are actions that are taken that continue to undermine the role of this body.”