

The Virgin Islands Consortium

Early Voting Will Continue As Election System And Titling Board Reach Agreement

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Early voting will continue in the territory after an agreement was reached between the Election System of the Virgin Islands and the St. Croix Retirees Inc. that gives the Legislature until Oct. 31 to act on the group's reapportionment measure, which [garnered enough signatures](#) to be placed on the November 6 general election ballot.

The group [had filed suit](#) against the Election System for moving forward with early voting, which started Monday, without the petition question being placed on the ballot -- a move proponents contended was in violation of federal law. The suit, a Temporary Restraining Order, sought to block the continuance of early voting without the petition question being on the ballot.

But Attorney General Claude Walker told The Consortium on Tuesday that the suit was abandoned and replaced with an agreement that would give the senators its 30 days, as provided by law, to examine the measure.

The Senate could choose to approve the petition and it would immediately become law, and would therefore not need to be on the ballot. If the senators disapprove within its 30-day timeline, a special election would be called within 90 days that would include the petition question and, if senators so choose, a similar measure introduced by lawmakers to address their concerns. The measure with the most votes would become law.

Backers of the initiative see the new arrangement imitating the U.S. setup whereby at-large senators would operate like U.S. Congress senators representing the entire territory, and district senators operating more like those elected to the U.S. House of Representatives — through population and focusing on local issues.

"From the court to the Titling Board and [Supervisor of Elections Caroline] Fawkes, along with the A.G.'s office, we've all done our part to get it to this point," Mr. Walker said, adding that the process should not be onerous.

"All systems have checks and balances," Mr. Walker said. "No one branch has all power. We've done our part and the retirees want their up or down vote. If the Legislature says no, then let the people decide, but all they're asking for is an up or down vote and the retirees must be allowed a chance within a time certain."

The fear of the St. Croix Retirees Inc. is that no action will be taken and the effort will be brushed aside," Mr. Walker continued.

Relative to allowing early voting to continue unchallenged, Mr. Walker said the goal was to avoid disruption, "And you don't want to throw out votes," he said.

The question that was approved by the Titling Board in April to be asked on the ballot 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."

