

The Virgin Islands Consortium

Committee OKs Cannabis Board Nominations; Bill Prohibiting Gross Receipt Tax Penalties For Businesses Making Less Than \$250K, Other Measures Approved

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The Senate Committee on Rules and Judiciary on Friday approved three nominations for the medicinal marijuana board along with one for the Waste Management Authority. The lawmakers also took favorable action on a number of bills, including [a measure that prohibits the Bureau of Internal Revenue](#) from assessing penalties and fees for unpaid gross receipt taxes on a business whose gross receipts have not exceeded \$225,000. The gross receipts reprieve measure was sponsored by Senator Alicia Barnes and Dwayne DeGraff. It was co-sponsored by Senators Allison DeGazon and Athneil

Thomas.

All nominations and bills were forwarded to the full body for further consideration.

The nominees approved for the Virgin Islands Cannabis Advisory Board are Miguel Tricoche as a representative of the Department of Licensing and Consumer Affairs; Hugo Roller II as a farmer representative; and Catherine Kean as a health practitioner representative.

The Advisory Board is responsible for creating the regulations and policies governing the medical marijuana industry in the territory. Act 8167, which was [signed into law in January](#), makes medical marijuana legal in the territory. The law requires the Cannabis Advisory Board to be appointed and confirmed and to have a set of rules in place by Dec. 31, 2019, but the Cannabis Board still lacks the full six members less than three months before the deadline.

It also requires the Office of Cannabis Regulation to begin issuing registry identification cards to qualifying patients by Dec. 31, 2019.

“Since the passage of Act 8167 the Virgin Islands Cannabis Patient Care Act, we’ve been waiting for the nominees to serve on the board,” said Sen. Novelle Francis. “Today, senators were finally able to vet at least three out of six nominees. We are excited about closing the loop on the vacancies that were pending for a while. Collectively, all the nominees have diverse backgrounds and possess requisite skills to be approved.”

Mr. Tricoche views the interaction with cannabis regulatory groups outside of the territory and public education through the media as crucial. Making the Virgin Islands the leader of medicinal cannabis in the Caribbean is another long-term goal, he said.

Mr. Roller said his top priority is to implement best practices regarding the interests of local farmers. He said legalization of medical marijuana gives farmers an opportunity to expand their existing agriculture base to medicinal cannabis and to obtain a cultivation license.

Senator Janelle Sarauw, Rules and Judiciary Committee chair, inquired about the volume of patients in need of medicinal cannabis. Nominee Kean said many of her patients require cannabis treatment for chronic illnesses, migraines, and post-traumatic stress disorder.

“Presently, patients are using CDB oil or requesting non-addictive products to ease the pain. The national goal is to wean patients off prescription drugs such as oxycodone and to embrace a natural less addictive approach to healing,” Ms. Kean said.

In addition to medicinal cannabis, Ms. Kean equally supports legalizing cannabis for recreational use. Senator Javan James stated that moving forward, the board should conduct an analysis or census driven activities aimed towards educating the community.

Senators approved Daphne Harley for the Virgin Islands Waste Management Authority Board. Ms. Harley is a native Virgin Islander. She retired as the director of the Waste Management Department for the town of Bakersfield, Ca., where she was employed from 1992 to 2009.

Ms. Harley said her short-term goals for WMA include developing community partnerships to improve services, creating a citizens advisory committee to educate the public, and establishing a protocol for businesses and residents to pay for collection and recycling of waste.

Mr. Francis inquired about ideas for tipping fees, given that residents are accustomed to disposing of garbage for free.

Ms. Harley said WMA's goal is to incorporate tipping fees into homeowners' property taxes — a potentially controversial move. Businesses would be required to pay based on the weight of their solid waste.

On other matters, lawmakers approved:

- Bill No. 33-0130 - "An Act amending Title 23, chapter 19, subchapter I, section 1519 of the Virgin Islands Code by adding a new subsection (c) to protect members of the Virgin Islands National Guard from civil action court proceedings while they are on territorial active military service or deployment."

Sponsor of the Bill, Sen. Stedmann Hodge, Jr., said, "The bill is needed to protect members of the Virgin Islands National Guard from litigation while placed on Territorial Active Duty."

Virgin Islands Office of Veteran's Affairs Director Patrick Farrell expressed support for the measure. "Deployment is required if there is a natural disaster, preventing or suppressing violence, or supporting law enforcement agencies. Having to be concerned about legal matters can be a distraction from the larger mission." Bill No. 33-0130 is co-sponsored by senators Oakland Benta, Dwayne M. DeGraff, and Athneil "Bobby" Thomas.

The following measures were also approved: