

The Virgin Islands Consortium

Bryans Signs Slew Of Bills Into Law, Including 2020 Budget. The Governor Also Vetoed 3 Measures.

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Governor Albert Bryan took action Tuesday by signing into law a number of bills forwarded to his desk by the 33rd Legislature. Among them was the government's fiscal year 2020 budget, though Mr. Bryan expressed concern with what Government House said was the removal of "several key provisions" of his initial budget proposal.

Those provisions include the removal of \$1.7 million to fund the White Collar Crime Division within the Department of Justice, the removal of funding for 30 new police officers to the Virgin Islands Police Department and removal of \$4.2 million to fund the integration of the Virgin Islands Emergency Medical Service with the Virgin Islands Fire Service, Government House said.

“Removing funding for the White Collar Crime Unit of the Department of Justice at a time when we need to show concerted efforts on this front to the community and our federal oversight partners concerns me,” the governor said.

Mr. Bryan also raised concern with a line item in the budget which calls for an appropriation of \$10 million to only fund retroactive payments to retirees over 65. According to Government House, while Mr. Bryan agrees with the intent and acknowledges the debt owed to retirees over 65, he contended that the appropriation discriminates against retirees who are under the age of 65 and also are owed retroactive monies.

“While I agree with the intent and want to pay what is owed for retroactive wages, this appropriation to fund what’s owed to those 65 and over is discriminatory to retirees who are under 65, and only a fraction of the more than \$100 million we believe is owed to just those retirees,” Mr. Bryan said. “The government of the Virgin Islands owes retroactive wages to active and retired government employees, but our priority at this point with extra surplus funds is to continue paying the outstanding backlog of income tax refunds that are owed.”

He added, “I urge the Legislature to reconsider this action and equally distribute this payment to all through funding for income tax refunds. We understand that the government owes this money to retirees, and we created a plan to address this debt through other funding resources.”

Mr. Bryan said Tuesday that in crafting the budget, the administration prioritized the payment of \$75 million in tax returns owed to the community at large, stating that “these earnest taxpayers ultimately are responsible for all the salaries paid to government workers, whether past or present and they must be made whole.”

“The payment of these returns will not be easy, but we will make good on this commitment before we commit to any other payment,” said the territory’s leader. “Therefore, although I will move to approve Bill No. 33-0157 overall, it is with grave reservations and concerns in light of the Legislature’s decision to include the two line items discussed above.”

Mr. Bryan issued a line-item veto to an appropriation in budget Bill 33-0157 of \$1.4 million to award for damages to a judgment in Harley v GVI, as the Attorney General has advised there is no judgment or settlement in the matter and requested the \$1.4 million instead be appropriated to fund the White Collar Division within the Department of Justice.

Governor Bryan also took action on approving the following bills:

Bill No. 33-0011, which is an Act amending Title 14 Virgin Islands Code, chapter 60, section 1191 relating to strengthening the loitering law and increasing the penalty for loitering. **Approved with recommendations for clarifying language.**

Bill No. 33-0040 an Act amending Title 20, Part II, chapter 41, section 466, subsection (b) of the Virgin Islands Code to require each passenger in the rear seat of a vehicle to wear a safety belt. **Approved with objection to inclusion of non germane amendment; expressed reservations about enforcement and recommendation of**

technical correction.

Bill No. 33-0080, an Act amending Title 2, Chapter 9, section 154, subsection (b) of the Virgin Islands Code regarding the expiration of the appointment of members to the Legislative Youth Advisory Council.

Bill No. 33-0082, an Act honoring and commending Robert O'Connor Jr. for his commitment to the people of the Virgin Islands through his service as a Senator, his membership on the Port Authority Board, and his work as a community leader by naming the new Port Authority maintenance building in his honor.

Bill No. 33-0084 an Act approving the Lease Agreement between the Government of the Virgin Islands, acting through the Commissioner of the Department of Property and Procurement and Fabien's Trucking, LLC for the leasing of Parcel No. 149C Submarine Base, No. 6 Southside Quarter, St. Thomas, Virgin Islands.

Bill No. 33-0085 an Act amending Title 2, Chapter 9, section 154, subsection (a) of the Virgin Islands Code by increasing the number of days for the appointment of members to the Legislative Youth Advisory Council.

Bill No. 33-0086 an Act amending Title 19 of the Virgin Islands Code by inserting a new chapter 52 requiring all restaurants and establishments that sell food to post signs that demonstrate appropriate first aid for choking. **Approved with recommendation for further revisions to allow better implementation and enforcement.**

Bill No. 33-0088 an Act approving the Lease Agreement between the Government of the Virgin Islands Department of Property and Procurement and Dadlie's Trucking Service, Inc. for the leasing of Parcel No. 32A and Parcel No. 33 Submarine Base, No. 6 Southside Quarter, St. Thomas, Virgin Islands.

Bill No. 33-0090 an Act amending Title 24, chapter 12, sections 302 and 308 of the Virgin Islands Code to implement a new methodology for assigning individual employer Unemployment Insurance Taxes as administered by the Virgin Islands Department of Labor's Division of Unemployment Insurance.

Bill No. 33-0098 an Act amending Title 12A of the Virgin Islands Code by adding a new chapter 8 requiring that businesses offer at least two payment options to their customers and matters related thereto.

Bill No. 33-0104 an Act amending the Hotel Development Act; Title 29, Chapter 23, of the Virgin Islands Code by making technical amendments to sections 1302 through 1309 and inserting new sections 1312, 1313, 1314, and 1317, regarding the Economic Recovery Fee and matters related thereto. **Approve with request for technical amendments.**

Amendment 33-406: an Act requiring any hotel receiving assistance to include a component marketing the territory in their marketing plan.

Bill No. 33-0146 an Act to amend Title 9, Chapter 22 ("The Uniform Money Services Act") of the Virgin Islands Code, by changing the license renewal period from biennial to

annual for an authorized delegate of a money transmission, check cashing or currency exchange business.

Bill No. 33-0147 an Act amending Title 22, Chapter 10 of the Virgin Islands Code by deleting from Section 232 the words “life” and “disability” and by adding a new Section 248, all to satisfy the accreditation standards established by the National Association of Insurance Commissioners and to provide more effective protection to the policyholders in the territory.

Bill No. 33-0148 an Act amending chapter 60, section 1521 Title 22 Virgin Islands Code to reflect a change to the definition of a Third-Party Administrator Trust Fund Account as it appears in Act 7695.

Bill No. 33-0149 an Act amending Title 22 Virgin Islands Code to add a new chapter 20b entitled “Corporate Governance Annual Disclosure Act,” requiring the territory’s domiciled insurers and alien insurers not doing business in any other U.S. jurisdiction to submit to the Commissioner of Insurance a corporate governance disclosure report in accordance with the accreditation standards established by the National Association of Insurance Commissioners, and that all such reports and related documents shall be kept confidential by law and privileged.

Bill No. 33-0154 an Act ratifying the approval of the Governor of the Virgin Islands of Major Coastal Zone Permit No. CZX-18-18 (L&W).

Bill No. 33-0156 an Act to rezone Plot No. 25 Estate Concordia, West End Quarter, Frederiksted, St. Croix, from R-2 (Residential-Low Density-One and Two Family) to B-3 (Business-Scattered) to allow for restaurant and retail uses on the property.

Governor Bryan vetoed the following bills:

Bill No. 33-0061 an Act amending Title 29, chapter 12, section 705 of the Virgin Islands Code relating to the powers of the Economic Development Commission (“EDC”), sections 713a and 713b relating to tax reduction benefits for EDC beneficiaries, and title 29, chapter 23, section 1308 relating to the Hotel Development Trust Fund.

Bill No. 33-0092 an Act amending Title 4, chapter 1 of the Virgin Islands Code by adding a new section 7 to provide for the continuing operation of the Judicial Branch of the Virgin Islands in the event of natural disaster or other emergencies.

Bill No. 33-0188 An Act amending Title 17 chapter 5 Section 60(d) amending the Department of Education’s Procurement threshold from \$50,000 to \$250,000, not inclusive of construction contracts. As amended - Amendment No. 33-444- Amendment in the nature of a substitute.