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If Payne Resigns or is Removed, What's Next?

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The Earl B. Ottley Legislature in St. Thomas in 2015. By. ERNICE GILBERT/ V.I. CONSORTIUM

Senator Steven Payne is under [immense pressure](#) to resign after being accused by three women of either sexually harassment or sexually assault. The at-large senator so far hasn't shown signs that he is willing to step down, however if he doesn't the Senate has already resolved to take further action.

"I'm prepared to do what's necessary to protect the integrity of the institution, but we must give the senator an opportunity to make his decision," Senate President Donna Frett-Gregory stated when asked by the Consortium last week what would happen if Mr. Payne chooses not to resign. All of the senator's colleagues along with the Democratic Party have called on him to step down.

If Mr. Payne resigns or is removed, according to Virgin Islands Code Title 2, Chapter 8, the beleaguered lawmaker would be replaced by the Democratic Party since he is a Democrat, and since the removal would be taking place less than one year before the next election cycle.

The law, seen [here](#), reads, "If prior to the one year immediately preceding the date of the next general election, a vacancy occurs in the office of a member of the Legislature, the Governor shall call a special election in said district, or at-large, as the case may be, within thirty days following the day on which the vacancy occurs. Said special election shall be held no later than sixty days after the call, and the person elected shall hold office for the remainder of the unexpired term of his predecessor.

"When the vacancy occurs within one year prior to the general election, the President of the Legislature, upon the written recommendation of the territorial committee of the political party of which the previous office holder was a candidate, shall appoint the person so recommended; provided, however, that if the previous office holder was not a candidate of a political party as defined by law, the Legislature by a two-thirds majority of its members shall elect a person from said district, or at large, as the case may be, to fill the vacancy."