



**THE UNITED STATES VIRGIN ISLANDS**  
OFFICE OF THE GOVERNOR  
GOVERNMENT HOUSE  
**Charlotte Amalie, V.I. 00802**  
**340-774-0001**

May 20, 2020

**VIA MESSENGER**

The Honorable Novelle E. Francis, Jr.  
President  
Thirty-Third Legislature of the Virgin Islands  
Capitol Building  
St. Thomas, VI 00802

**Re: Governor's Action on Bill Nos. 33-0093, 33-0097, 33-0102, 33-0132, 33-0137, 33-0197, 33-0224, 33-0230, 33-0244, 33-0249, 33-0273, 33-0279, 33-0292, 33-0297, and Resolution No. 1867.**

Dear Mr. Senate President:

I write to advise you that, on May 19, 2020, pursuant to Section 9(d) of the Revised Organic Act of the Virgin Islands of 1954, as amended, I have acted on Bills numbered 33-0093, 33-0097, 33-0102, 33-0132, 33-0137, 33-0197, 33-0224, 33-0230, 33-0244, 33-0249, 33-0273, 33-0279, 33-0292, 33-0297, and Resolution No. 1867 as acted upon and presented to me by the Thirty-Third Legislature of the Virgin Islands.

I have signed into law Bill No. 33-0093, an Act amending Title 33, Chapter 111 of the Virgin Islands Code establishing the St. Thomas Capital Improvement Fund. I applaud the Senators for acting together regardless of their respective districts. It is a significant step to repairing the divide that exists between the districts.

I have also approved Bill No. 33-0097, honoring and commending Euclyn "Pede" Prentice, Jr. for his accomplishments in the horse racing industry and his contributions to the Virgin Islands. I commend the Legislature for its honor of this renowned Virgin Islands role model, and look forward to celebrating June 8th

annually as a day to honor his memory, as well as the plaque and naming ceremony of the public road through John F. Kennedy Housing Community in Pede's honor.

I have also signed into law Bill No. 33-0137, authorizing the Division of Economic Research of the Office of Management and Budget, Virgin Islands Department of Planning and Natural Resources, and the Virgin Islands Economic Development Authority to create a plan to assist the U.S. Virgin Islands in developing a sustainable blue economy within the Territory; and Bill No. 33-0197, An Act amending Title 33, Subtitle 1, Part II, Chapter 20, Section 681 of the Virgin Islands Code by authorizing the Virgin Islands Bureau of Internal Revenue to create any and all forms necessary for the collection and filing of taxes.

Bill No 33-0224 has also been signed into law, but with grave reservations. Bill No 33-0224 is difficult to enforce and will not accomplish its intended goals unless it is amended and tailored to its true intent. I fully support the Legislature and any effort of enforcement aimed at discouraging and preventing underage drinking and the selling of alcoholic beverages to minors, but this Bill by unclearly requiring Identification (I.D.) checks at the door of an establishment does not address underage drinking directly. The Legislature needs to do three things: 1) define "nightclub, bar, or dancehall" consistently across the statute as provided in Section 485(a)(3) so it makes clear which business owners must implement this rule and the time and place when this rule must be implemented without restricting traffic to businesses in the day or restricting patrons who are not buying alcohol at said businesses; 2) indicate what happens after proof of identification is furnished; and 3) most importantly, requiring proof of identification checks at the bar when alcohol is being purchased. These revisions should prove more effective to preclude a minor from purchasing alcohol. Although I have signed this Bill into law, I believe it must be amended to truly eradicate underage drinking in our community.

The following bills are also signed into law: Bill No. 33-0230, posthumously honoring and commending Beulah Smith Harrigan for her service to the children of the Virgin Islands and for her role in the development of the library system of our Territory and naming the children's room at the Charles Wesley Turnbull Regional Library in her memory; Bill No. 33-0244, An Act declaring the month of May as Virgin Islands Mental Health Awareness Month and assigning the responsibilities of increasing mental health awareness and reducing the stigma of mental illness to the Department of Health and the Department of Education; Bill No. 33-0249, mandating the Department of Agriculture and the Department of Tourism to host an annual

Agricultural Symposium known as the "V.I. Agricultural Caribbean Symposium"; Bill No. 33-0273, an Act amending Title 9, Chapter 25 and Title 29 Chapter 12 of the Virgin Islands Code relating to personnel hiring requirements for International Financial Service Entities to operate international finances services and to receive tax incentive benefits under the International Banking Center Regulatory Act and the Economic Development Program and to amend the hiring requirements for receipt of tax incentive benefits; Bill No. 33-0279, An Act ratifying my approval of the Lease Agreement between the Government of the Virgin Islands Department of Property and Procurement and Caledonia Communication Corporation; Bill No. 33-0292, providing for a referendum vote on convening a constitutional convention to consider adopting the Revised Organic Act of the Virgin Islands (or portions of it) as the Constitution of the Virgin Islands; and Bill No. 33-0297, the Act amending Title 3, Chapter 11 of the Virgin Islands Code, adding Section 177a to provide for procedures for the use of credit cards for government purchases, which has been corrected from its previously vetoed version as Bill No. 33-0069. I am pleased to see that the Thirty Third Legislature was able to address the concerns expressed by the Commissioner of Agriculture for the V.I. Agricultural Caribbean Symposium Bill and those expressed in the Governor's veto message relating to the government credit card Bill in order to pass laws that are able to be effectively implemented.

I have vetoed Bill No. 33-0102. Although I agree and fully support the Legislatures' intent to reward academic excellence to all high school graduates in the Virgin Islands, this Bill, as written, imposes a limit on Valedictorians and Salutatorians that I cannot support. Due to unnecessary added language in Section 1(a)(1), this Bill places a restriction on Valedictorians and Salutatorians who are accepted into Colleges or Universities outside the Virgin Islands, and prohibits them from receiving scholarship funds unless they choose the University of the Virgin Islands ("UVI") or a major that UVI does not offer. I believe Valedictorians and Salutatorians should not be limited in any way from being rewarded for their academic excellence, and that they have the right to receive a scholarship award and use the money that they receive at any College or University that they choose to attend or are accepted into. Furthermore, given the tuition-free status of UVI for VI residents, scholarship use at UVI is now a nullity and Title 17 VI Code Section 476 should be repealed. Therefore, I encourage the Legislature to rework this Bill to eliminate the limitations it unnecessarily imposes on graduates so that the true intent of the Bill can be accomplished.

Although I support the strengthening of the Board of Trustees of the

Government Employees Retirement System ("GERS"), I must veto Bill No. 33-0132, the Act amending Title 3, Chapter 7, Section 715 of the Virgin Islands Code requiring greater expertise amongst Board members. Once again, quick amendments and poor drafting, would have resulted in conflicting clauses within the Virgin Islands Code if signed into law. Should this bill have been signed as presented to me, the third sentence of Subsection 715(a) would have been amended to state: "*The Board of Trustees shall be composed of seven members of whom three shall be appointed by the Governor four shall be appointed by the Governor.*" (Emphasis added). Additionally, language stricken in that third sentence is repeated multiple times throughout the paragraph and section but not removed in the amendment, although it would now be inapplicable to the Board (i.e. the ex-officio member removed). Finally, the insertion stating that "*The remaining three members must have the same credentials as the two retiree members ...*" does not make sense as written considering the two retiree members would be exempted from the requirements by the first amendment in Section 1 (2) of this Bill.

Finally, I acknowledge receipt of Resolution No. 1867 (Bill No. 33-0242), and lend my support in petitioning the members of 116th United States Congress to terminate the statutory cap on overall Medicaid funding to the Territory, to eliminate the specific limit of 55 percent on the rate of federal matching funds for Medicaid in the Territory and to provide for the eligibility of the Territory to receive Medicaid disproportionate share hospital payments, so that the Territory can strengthen its Medicaid Program to enroll and provide care for all of the Territory's residents who are Medicaid eligible and for additional funding to help offset the Territory's uncompensated care costs.

I thank you and the members of the Thirty-Third Legislature for all that you do for the Territory of the U.S. Virgin Islands and its people.

Sincerely,

  
Albert Bryan Jr.  
Governor

Enclosures

cc: Senators of the Thirty-Third Legislature.