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Governor Bryan Takes Action on Bills

U.S. VIRGIN ISLANDS – Governor Albert Bryan Jr. has taken action on 22 measures, vetoing six of the measures and signing 16 of them into law.

Among the measures the Governor approved is Bill No. 33-0077, which is focused on preventing financial exploitation and abuse of elderly persons and dependent adults. However, the Governor also recommended revising the bill to include any exploitation of those persons, not just financial exploitation; strengthening punishments and penalties; and fixing language so the bill will allow the Virgin Islands Department of Human Services to request certain financial records that are allowed to be obtained by only federal entities and law enforcement agencies.

Governor Bryan also signed into law Bill No. 33-0275, which allows appropriation of \$8.2 million from the Revenue Matching Fund from FY 2020 ad 2021 for the construction of Paul E. Joseph Stadium on St. Croix. However, the Governor also reminded the Legislature that the original request was for the \$8.2 million from FY 2020 because an additional \$3 million will be needed in FY 2021 to complete the stadium as designed.

“The Legislature having appropriated the \$8.2 million across both FY 2020 and FY 2021 will result in the Government’s need to come back to the Legislature for an additional request for funding if we truly intend to adequately complete the stadium project maintaining the superior quality the Virgin Islands expects,” Governor Bryan wrote in his transmittal letter to Senate President Novelle Francis Jr.

Governor Bryan vetoed six of the measures put before him for a variety of reasons.

The Governor said he vetoed Bill No. 33-0054, which sought to enhance business opportunities for local and resident businesspersons by establishing the “Virgin Islands Small and Local Disadvantaged Business Enterprise Act,” because it contained critical statutory errors that were pointed out but not corrected.

“Principally among these corrections needed is the merger of the Small Business Development Administration into the Economic Development Bank, which is operated within the Economic Development Authority,” the Governor wrote. “The bill references the Small Business Development Agency throughout. This agency no longer exists.”

The Governor also said that similar programs to the one that would be created by the bill already exist within the Department of Property and Procurement, Department of Public Works, Housing Finance Authority and the Small Business Development Center.

“All of these programs and agencies provide similar services, assistance and reporting as proposed in the Bill. There is no reference in the Bill how this proposed new function within EDA would run concurrently, collaboratively or duplicative with these other agencies,” Governor Bryan wrote. “It is necessary that this issue be addressed by bringing these separate programs into the collaborative administration by an economic development authority.”

The Governor also vetoed Bill No. 33-0106 that seeks to regulate the use of drones in the Territory. The bill also comprises a number of non-germane amendments, including sections pertaining to protections for coral reefs from chemicals used in sunscreens; restrictions for registered sex offenders regarding operating drones; and exemptions for where gas stations can be located.

Regarding the section on coral reef protections, Governor Bryan wrote: “I urge this Legislature to meet with the experts from our Department of Planning and Natural Resources and the University of the Virgin Islands to craft the proper amendment to this law in order to protect our coral reefs properly and avoid deleting words and creating loopholes in the V.I. Code for manufacturers and vendors to bypass the purpose of this law.”

“I urge the Legislature to act on the different sections of this bill independently and to involve the necessary experts and practitioners in crafting of the amendments in order to present the people of the Virgin Islands with clear and enforceable laws,” the Governor wrote.

Regarding Bill No. 33-0217, which seeks to establish more public restrooms in Charlotte Amalie, Governor Bryan said he vetoed it because it encroaches on executive authority to implement capital improvement projects.

“The Administration already has plans underway to utilize the site at 48b Norre Gade and the adjacent lot and is looking at alternative sites for public restrooms,” the Governor wrote.

“Further, the Bill lacks flexibility in its operation and use of the site and does not provide a funding source or personnel for the activities it mandates.”

The Governor vetoed Bill 33-0320, a rezoning request for “Parcel No. 5” in Estate Honduras on St. Thomas because it has an incorrect property description.

“Even a minute mistake in the legal description in a document or legislation affecting land and property can cause unforeseen consequences for years to come affecting the rights of an owner,” Governor Bryan wrote.

Regarding Bill 33-0335, which seeks to restructure the makeup of the Cannabis Advisory Board, the Governor wrote: “I must also veto Bill No. 33-0335 as the Governor has pending legislation that should be promptly considered by the Legislature and that will revise the Cannabis Use program substantially. Any amendments to the composition of the Board should be made in that legislation.”

Governor Bryan said he vetoed Bill No. 33-0338 because it would essentially allow the Legislature to run the GERS Board, rendering the Board and its members’ authority null and void. The Governor said the bill is too broad and overrides the purpose of the Board because it mandates the Legislature to have blanket approval and power over any policies created by GERS Trustees.

“If the Legislature’s intent is to prohibit or allow annuities to existing retirees benefits to be reduced, the Legislature should so state its intent specifically,” Governor Bryan wrote.

Other bills

Other measures the Governor approved are:

- Bill No. 33-0245, commending Pastor Hector Gonzalez for 56 years of ministry and authorizing naming a road in his honor.
- Bill No. 33-0321, to rezone a parcel in Estate Donoe on St. Thomas to allow the Virgin Islands Housing Authority to build residential units to replace the previous Donoe Housing Community.
- Bill No. 33-0323, to rezone a parcel in Estate Diamond on St. Croix to address housing for the Juan Luis Hospital staff.
- Bill No. 33-0307, ratifying a Minor Coastal Zone permit for CTC Charters.
- Bill No. 33-0308, ratifying a Minor Coastal Zone permit for Pleasant Properties.
- Bill No. 33-0336, ratifying a Minor Coastal Zone permit for S. Donald Sussman.
- Bill No. 33-0337, ratifying a Major Coastal Zone permit for Kings Alley Management.
- Bill No. 33-0327, approving a lease agreement between the Government of the Virgin Islands and Marco St. Croix.
- Bill No. 33-0328, approving a lease agreement between the Government of the Virgin Islands and Alliance Data Services.

- Bill No. 33-0329, approving an agreement for certain insurance coverage between the Government of the Virgin Islands and CIGNA.
- Bill No. 33-0331, approving a zoning variance for Plot 6 Estate Adrian on St. John to be developed into an assisted living facility.
- Bill No. 33-0332, approving rezoning of Parcels 34B and 34 Remainder in Coral Bay St. John to bring the property's long-existing use into conformity.
- Bill No. 33-0333, granting a conditional zoning use variance for Parcel 6D in Estate Adrian on St. John for the development of a restaurant, bar and retail businesses.
- Bill No. 33-0339, to enable a referendum on adoption of a Virgin Islands Territorial Constitution.

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