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Governor Bryan Signs 22 Bills Into Law; Vetoes 'Special Interest' Casino Bill

U.S. VIRGIN ISLANDS —Governor Albert Bryan Jr. on Monday, December 6, 2021, signed into law 22 bills sent up to him by the 34th Legislature from its legislative session on November 18 and vetoed one bill that he said is "special interest" legislation that violates the Revised Organic Act of 1954.

Governor Bryan said **Bill No. 34-0168** is unconstitutional because it seeks to remove a licensing requirement of the Virgin Islands Casino and Resort Control Act to benefit a specific party and removing the licensing requirement and violates the integrity of the Act.

"This Bill defeats the original purpose and intent of the Act, as amended, which was to spur hotel development and convention activity, thereby creating jobs, investment and economic activity in St. Croix," Governor Bryan wrote in his transmittal letter to Senate President Donna Frett-Gregory. "As any applicant for a casino license is aware of all the requirements for obtaining and maintaining the license, a complete removal, after the fact, by the Legislature without any substitute condition or allowing the Casino Control Commission the opportunity to 'add other conditions it deems appropriate to the application or license holder' is counterproductive to the Act and prejudicial to all other license holders who have complied with the Act.

"A complete strikethrough to assist one Licensee is not appropriate," Governor Bryan wrote.

Among the 25 bills Governor Bryan signed into law were measures lowering the minimum amount of fluoride allowed in the public water supply; promoting gender equality on boards and commissions; repealing portions of the law relating to corporal punishment of children; changing the mandatory retirement age for firefighters, police officers and corrections officers; and approving construction of the Cruz Bay fish market and other marine enhancements on St. John.

Regarding **Bill No. 34-0051**, which relates to fluoride in public water, the Governor signed the bill but also reminded the Legislature that it is an unfunded mandate.

"While I have approved this Bill, I, again, remind the Thirty-Fourth Legislature that, although well-intentioned, unfunded mandates are hollow statements of policy and do not truly serve our community," Governor Bryan wrote. "Placing responsibility for finding grants to implement mandated programs on our currently overworked and understaffed agencies is disingenuous. In this instance, the Bill will place another burden on the Water and Power Authority that is unplanned and unfunded."

The Governor also expressed reservations about **Bill No. 34-0062**, which requires memberships on boards and commissions to be gender-balanced.

"While this Administration has celebrated the inclusion of women and young people in decision-making roles in the Cabinet and elsewhere, we are tested every time we seek to make appointments based on qualifications and interest to boards and commissions by the reluctance of people of all genders and ages to be appointed," the Governor wrote. "We will continue to make these good- faith efforts."

The Governor also noted that **Bill No. 34-0097** relating to corporal punishment of children is an action that is long overdue and congratulated the 34th Legislature for its passage. However, he pointed out that some language in the bill is inconsistent, and he suggested amended language to remove any ambiguity from the bill's intent.

"In order to clarify that section further, new language should be adopted along the lines of 'Nothing in this chapter shall be interpreted to prevent a parent, guardian or person acting at the direction of a child's parent or guardian, from using reasonable and moderate physical discipline to correct, restrain or discipline a child, with the exception of those persons outlined under 17 VIC § 130," the Governor wrote.

Governor Bryan also signed Bill No. **34-0099**, which raises from 55 to 65 the mandatory retirement age of firefighters, police officer and corrections officers. The measure codifies into law a mandatory retirement age previously implemented by Executive Order.

Other bills the Governor signed include:

- **Bill No. 34-0040**, which establishes the Nurse Licensure Compact to create a multistate nursing license and for which Governor Bryan thanked the Legislature because it is one of many steps the Bryan-Roach Administration has advocated to improve Virgin Islanders' access to life-saving health care.
- **Bill No. 34-0047**, which requires the Virgin Islands Department of Agriculture and the University of the Virgin Islands to develop and maintain ad community seed banking program to store and preserve seeds for preservation against climate change, natural disasters and other situations that could lead to total annihilation of crops, plants and other flora and fauna.
- **Bill No. 34-0053**, which establishes an Emergency Medical Services by creating the Emergency Medical Services High School Program Fund and appropriates $160,000 to the Department of Education to fund the Emergency Medical Services basic EMS education program. "This is a necessary step supporting the upcoming integration of Emergency Medical Services and Fire Services," Governor Bryan wrote in the transmittal letter. "Together, these two initiatives will improve emergency services provided to the Territory."
- **Bill No. 34-0069**, which defines a "capital improvement project" and directs the Department of Public Works to establish a "master contract" for providing government entities with architectural and engineering services for construction, expansion, renovation, major maintenance, rehabilitation or replacement projects that cost less than $500,000 over the life of the project.
- **Bill No. 34-0078**, which transfers over real property from the Government of the Virgin to the Virgin Islands Port Authority (VIPA) and requires VIPA to pay certain fees into the Education Maintenance Fund from the leasing of the premises for enhanced freight shipping facilities.
- **Bill No. 34-0081**, relating to barbering and cosmetology services in the Territory.
- **Bill No. 34-0085**, relating to the unauthorized importation of snakes and to the regulation of the importation and control of non-indigenous evasive species.

- **Bill No. 34-0089**, which appropriates funds from the St. John Capital Improvement Fund for construction of the Cruz Bay Fish Market, improvements to the existing boat dock and bulkhead at Little Cruz Bay and the construction of a boat dock and slipway at Enighed Pond.
- **Bill No. 34-0064**, which honors and commends Athneil C. "Addie" Ottley for his tireless years of informing and educating the public and keeping the radio waves open during times of imminent danger by naming a roadway in his honor.
- **Bill No. 34-0065**, which honors and commends Eldridge Blake for his outstanding accomplishments in sports and contributions to the people of the Virgin islands by naming the University of the Virgin Islands Sports and Fitness Center after him.

The Governor also approved a number of measures amending the Official Zoning Map:

- **Bill No. 34-0158**
- **Bill No. 34-0159**
- **Bill No. 34-0160**
- **Bill No. 34-0161**
- **Bill No. 34-0162**
- **Bill No. 34-0163**
- **Bill No. 34-0164**
- **Bill No. 34-0165**

Governor Bryan also acknowledged resolutions honoring and recognizing notable Virgin Islanders:

- **Resolution 1882 (Bill No. 34-0061)**, honoring Hillary "Baga" Rezende for his many contributions to steel pan music.
- **Resolution 1883 (Bill No. 34-0063)**, commending St. Clair Alphonso "Whadablee" DeSilvia for his continued development of Calypso music in the Virgin islands.
- **Resolution 1884 (Bill No. 34-0074)**, posthumously honoring Holland L. Redfield II for his expansive and consistent contributions to the island of St. Croix and the entire Virgin Islands community.

The Bryan-Roach Administration is investing in the Territory's people, infrastructure and future through transparency, stabilizing the economy, restoring trust in the government and ensuring that recovery projects are completed as quickly as possible. Visit transparency.vi.gov

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