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Press Contact
Richard Motta
340-474-2399
www.vi.gov
richard.mottajr@go.vi.gov

Governor Bryan Takes Action on 26 Bills From Final Session of 34th Legislature

U.S. VIRGIN ISLANDS — Governor Albert Bryan Jr. took action on 26 bills and a resolution from the 34th Legislature's final session on December 29-30, 2022, signing 19 of them into law and vetoing seven measures.

Among the measures the Governor approved was Bill No. 34-0279, which restructures, reclassifies and adopts the first comprehensive Virgin Islands Behavioral Health Act to provide for services and interdepartmental coordination of agencies and organizations to provide a structure of support for individuals throughout the Territory who suffer from behavioral health challenges. The Bill also provides for the first comprehensive public Behavioral Health Facility to treat those individuals.

"This momentous achievement was the result of the work of numerous stakeholders and countless hours of collaboration with Senator Francis' office. This Act is an important step forward in our effort to comprehensively care for the well-being of our entire community, especially those with behavioral health need which have long been neglected," Governor Bryan wrote in his transmittal letter to Senator Novelle Francis Jr., the president of the 35th Legislature.

The Governor also approved Bill No. 34-0153, which establishes and provides an appropriation to fund the Sixth Constitutional Convention, although he pointed out that the measure does not have an identified adequate funding source.

Other bills the Governor approved include:

- **Bill No. 34-0211,** which relates to augmenting enforcement of noise pollution laws.
- **Bill No. 34-0232,** which changes the schedule for the Governor's report to the Legislature on long-range programs pertaining to the construction and repair of the Territory's roads.
- **Bill No. 34-0238,** which requires public schools to include Virgin Islands and Caribbean history into the curriculum for kindergarten through 12th grade.
- **Bill No. 34-0253,** which extends the exemptions for payment of property taxes on certain real property.
- **Bill No. 34-0265,** which establishes the Office of Disability Integration within the V.I. Territorial Emergency Management Agency.
- **Bill No. 34-0271,** which makes it illegal to discriminate against a person's sexual orientation or gender identity.
- **Bill No. 34-0283,** which establishes the Virgin Islands Stenography Scholarship Fund.

- **Bill No. 34-0350,** which reduces the number of members on the Virgin Islands Commission on Youth and appropriates $50,000 from the V.I. Education Initiative Fund for initial operating expenses of the Commission.
- **Bill No. 34-0357,** which relates to Real Estate appraisers.
- **Bill No. 34-0368,** which establishes the Opioid Abatement Fund and a committee to oversee the funds.
- **Bill No. 34-0383,** which appropriates $250,000 for the second phase of the Cruz Bay playground revitalization project.

Governor Bryan also approved Bill No. 34-0298, which initially appropriated $500,000 to the Department of Health for its Mobile Integrative Health Care Programs; however, the Governor exercised his line-item veto to strike five sections of the bill.

"Sections 1 and 2 have been stricken as they appropriate the funds to the Department of Health (DOH). Considering we have integrated Emergency Medical Service with the Virgin Islands Fire Service to form the Virgin Islands Fire and Emergency Medical Service, this appropriation should not go to DOH," Governor Bryan wrote in the transmittal letter.

The Governor also struck Section 3, which pertains to specific benefits for firefighters and first-responders; Section 14, which pertains to exemptions for candidates' signs; and Section 21(a), which reappropriated funds already in use by the Department of Sports, Parks & Recreation.

Vetoes

Governor Bryan vetoed Bill No. 34-0080, which directed the Office of the Inspector General to conduct an investigation of the V.I. Water and Power Authority and appropriated $250,000 to fund the investigation.

"Although I appreciate and support the desire for additional transparency and public explanation of WAPA's operational decisions, this proposal would delegate the Inspector General's resources and likely halt all other pending investigations," the Governor wrote in his transmittal letter. "Rather than approve this proposal, I am requesting that the Inspector General review these proposed inquiries, determine which issues have not yet been investigated, and create a timeline and cost estimate for a thorough investigation of the outstanding matters."

Governor Bryan also vetoed Bill No. 34-0236, which extended the eligibility for the Virgin Islands Higher Education Scholarship to part-time students.

"While I wholeheartedly support the extension of the Higher Education Scholarship to part-time students, I cannot support the GPA eligibility reduction from 2.5 to 2.0," the Governor wrote.

Bill No. 34-0243, which relates to the composition of the Board of Naturopathic Physicians, also was vetoed. Governor Bryan said the amendment to the bill, as written, makes it impossible to have a working board, and it removes the pharmacist member required to sit on the board while naturopaths are authorized to prescribe medicine to their patients.

Governor Bryan also vetoed Bill No. 34-0272, which empowered the executive director of the Taxicab Commission to hire the necessary staff to operate and manage to Taxicab Commission office.

“As a matter of policy, the concerns to be addressed with the Taxicab Commission cannot be resolved by removing responsibility charged to the Commission and simply placing it with the executive director,” the Governor wrote.

The Governor also vetoed Bill No. 34-0388, which increased the minimum salary for employees of the government, its semiautonomous agencies and independent instrumentalities.

“I have been a consistent advocate of increasing compensation for hard-working government employees, however, a retroactive increase after the conclusion of the government’s budget approval process and without proper cost analyses is simply financially irresponsible,” Most government employees are members of collective bargaining agreements, which are negotiated through their union representatives. Mandating pay outside these negotiated contractual agreements would destabilize the government pay systems and create a multitude of inequities.”

Bill No. 34-0397, which pertains to increasing the appropriation for Frederiksted Health Care, also was vetoed. The Governor said the funding for the appropriation is contradictory to existing legislation and the he has instructed the financial team to find alternate funding through the American Rescue Plan Act funds.

Governor Bryan also approved five zoning bills, and he acknowledged Resolution No. 1899, which expresses the support of the Legislature for U.S. House Resolution 279 acknowledging that the U.S. Supreme Court’s decision in the Insular Cases and the “Territorial Incorporation Doctrine” are contrary to the text and history of the U.S. Constitution.

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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