



06-24-24 | Legislative Session

Legislature USVI

June 24, 2024 · 1.8 hours · gov

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0:00:00 I'll see you next time. I'll see you next time.

0:01:00 I'll see you next time. Bye. [2 such phrases repeated 101 times · standby audio before the proceeding, transcribed by the recogniser as speech]

0:35:06 Bye. Bye. Bye. Bye.

0:37:06 Bye. Bye. Bye. Bye. Bye. Bye. Bye. Bye. Pleasant good morning to all the legislative session of June 24th, 2024 is hereby called to order. We'll start off with the invocation by Reverend Charles L. Brown Jr., the Chaplain of the 35th Legislature of the Virgin Islands and then we followed by the National Anthem and the Virgin Islands March.

0:41:36 Let us look to the Lord. God, we have gathered in this hallowed space to help 15 senators do the people's business. But our first order of business is to proclaim that you are God and beside you there is none other. Bless the staff of the legislature, senate staff and central staff who give a yeoman's effort behind the scenes, many of whom are never seen on camera or have their names called, but do what it takes to make this institution function in excellence. You have graced these elected officials with the privilege of serving the people of the Virgin Islands through the legislative process today. Nominees will be interviewed, zonings will be considered, leasings will be examined, and bills will be deliberated over. Anoint these senators with intelligence and good judgment, with humility and determination, and with the goal of fostering justice and fairness in all they do. The senate has convened to create laws, but as your blessed people compel us to delight in your law, meditate on it day and night because when we delight in your law, our government can then pass laws that empower our people and give you glory. Rather than be led by emotions or less than honorable motives, grant them courage to face difficult decisions by listening to your still, small voice and today as a day to model what it means to use God-given talent for the good of the people. In the name of the one who sacrificed glory momentarily so that we could all obtain glory eternally, Jesus the Christ. Amen.

- 0:43:21 Amen. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you.
- 0:46:23 Thank you. Thank you.
- 0:47:23 In the session, we will also be moving into the Committee of the Whole to receive testimony on two pressing matters, namely the funding of the Territory's Medicaid program and the extension of the state of emergency. At the conclusion of the committee, both bills discussed in the committee will be added to the session agenda and subsequently considered and voted on. There is an urgency to do so, there is an urgency to these two items being discussed in the committee of the whole as we collectively strive to preserve the access to healthcare for Medicaid beneficiaries and also to take measures to stabilize WAPA and address our territory's crisis, energy crisis. Before we proceed, I would like you to join me in a moment of silence where, once again, we recognize the passing and the burial of Pamela C. Richards, a lifelong public servant who, in addition to serving as a territory's tourism commissioner, notably serve as the executive director of the legislature in the 29th and 33rd legislatures.
- 0:48:29 We extend our condolences to her family and give thanks for her life of leadership and service to the people of the Virgin Islands. Please stand for a moment of silence. Thank you. At this time, I'd just like to remind all present to please turn your cell phone off or unmute as not to interrupt these proceedings.
- 0:49:09 And to ask the Madam Secretary to call the roll. A pleasant good morning, everyone. I'll begin the roll call. Senator Marvin A. Blyden. Senator Blyden, present. Senator Angel L. Bolquez, Jr. Senator Bolquez, present. Senator Diane T. Capehart. Present.
- 0:49:38 Senator Samuel Carrion. Senator Carrion, absent. Senator Carrion, absent. Senator Dwayne M. DeGraff. Senator DeGraff, absent. Senator Ray Fonseca. I'm here.
- 0:50:04 Senator Fonseca, present. I'm here. Senator Fonseca, present. I'm here. Senator Fonseca, present. Senator Fonseca, present. Senator Novel E. Francis, Jr. I'm here. Senator Francis, present. Senator Alma Francis Heiliger. Senator Francis Heiliger, present. Senator Donna Fred Gregory. Senator Fred Gregory, absent. Senator Kenneth L. L. Gittins, present. Senator Kenneth L. Gittins, present. Senator Kenneth L. Gittins, present. Senator Gittins, present. Senator Gittins, present. Senator Maurice C. James, present. Senator Maurice C. James, absent. Senator James, absent.
- 0:50:43 Senator Javon E. James, Sr. Senator James, absent. Senator Javon E. James, Sr. Senator James, Sr., absent. Senator Franklin D. Johnson. Senator Johnson, present. Senator Karla Joseph, present. Senator Joseph, present. Senator R. Gittins, present. Senator Milton E. Potter, absent. Senator Potter, absent.
- 0:51:20 Mr. Chairman, Mr. President, we have nine members present, six members absent. Please record Senator Maurice James as being present. The tally now is ten members present, five members absent. Thank you very much, Madam Secretary. We do have a quorum. I'm prepared to proceed. At this time, Madam Clerk, is there any correspondence to be read into the record?
- 0:51:58 Yes, Mr. President. We may proceed in reading those correspondence. Letter dated June 24th, 2024, Honorable Novelle E. Francis, Jr., President. Dear President Francis, Jr., please accept this letter as a formal notice of my late arrival to today's Committee on the Whole meeting, which is scheduled to begin at 9:00 a.m. in the Earl B. Otley Chambers in St. Thomas. Please have all circulated documents placed on my desk for immediate review upon my arrival. Thank you for your consideration on this matter. My disregard, Donna Freight-Gregory, Senator, 35th Legislature of the Virgin Islands. Letter dated June 24th, 2024, the Honorable Senate President, Novelle E. Francis, Jr. Dear President Francis, due to travel limitations, I will be late for the legislative session scheduled from Monday for Monday, June 24th, 2024, at the Earl B. Otley Legislative Hall on St. Thomas. I am requesting that my tardiness be excused. Thank you for your kind consideration for your kind consideration in this matter. Respectfully, Jevonne E. James, Sr., Senator, 35th Legislature of the Virgin Islands. Letter dated June 24th, 2024, Honorable Novelle E. Francis, Jr. Dear President Francis, Jr. Dear President Francis, Jr., I will be unable to attend today's scheduled Committee of the Whole meeting and legislative session of the 35th Legislature of the Virgin Islands. I am currently out of the territory addressing an unforeseen personal matter. Please record my absence as excuse. I thank you in advance for your understanding in this matter and sincerely apologize for any inconvenience my absence may cause.
- 0:53:42 Sincerely, Milton E. Potter. Letter dated June 24th, 2024, Honorable Novelle E. Francis, Jr., President, 35th Legislature of the Virgin Islands. Dear President Francis, Jr., Due to a family medical emergency, I am out of the territory and will not be in attendance for today's legislative session and Committee of the Whole on Monday, June 24th, 2024. I ask that my absence be recorded as excuse. I regret missing this very important meeting and apologize for any inconvenience my absence may cause. I kindly request that any relevant information distributed during the session be shared with my office. Thank you for your consideration and understanding. Sincerely, Samuel Carrion, Senator, 35th Legislature of the Virgin Islands. This concludes the reading of the correspondence, Mr. President.

- 0:54:37 Thank you very much, Madam Clerk. And please record Senator Samuel Carrion and Senator Potter as excused. And certainly we'll recognize Senator Fred Gregory as soon as she arrives, as well as Senator Javon E. James, Sr. We know he had some flight complications. His flight started to make its way here and had to return back to St. Croix. So we wish him safe travels and we'll recognize him as soon as he arrives. And please recall Senator Minority Leader, Dwayne DeGraff, as being present.
- 0:55:10 Madam Secretary, I tally at this time. Mr. President, we have 11 members present, 2 members absent and 2 members excused. Mr. President, thank you very much. Madam Secretary, at this time, Madam Clerk, please read today's agenda into the record. The 35th Legislature will convene into the Committee of the Whole to receive testimonies on the following.
- 0:55:49 Bill number 35.0291, an act appropriating the sum of \$3 million from the General Fund of the Treasury of the Government of the Virgin Islands to the Department of Human Services to pay providers and vendors that participate in the Medicaid program and for other related purposes. Invited testifiers, Honorable Kevin McCurdy, Commissioner, Department of Finance. Honorable Avril George, Commissioner, VI Department of Human Services. Gary Smith, Director, VI Medicaid Program, VI Department of Human Services. Danelle Baptiste, Assistant Commissioner, VI Department of Human Services. Lydia McGrath, Chief Financial Officer, VI Department of Human Services.
- 0:56:34 Bill number 35.0292, an act to renew and extend the Governor's Executive Order and Proclamation declaring the state of emergency, the state of energy emergency in the Virgin Islands to advert an energy crisis. Invited testifiers, Honorable Kevin McCurdy, Commissioner, Department of Finance. Kimika Woods, Acting Director, Office of Management and Budget. Kevin Williams, Chief Policy Advisor, Office of the Governor. Daryl Jashin, Director, Vytéma. Andrew Smith, Chief Executive Officer, Water and Power Authority. Ashley Bryan, Interim Chief Operating Officer, Water and Power Authority. Kyle Fleming, Chairman, Water and Power Authority, Governing Board. The 35th legislature will reconvene into legislative session to consider the following. Consideration of nominations.
- 0:57:32 Lyndell A. Williams, nominee, Virgin Islands Waste Management Authority, Board of Directors, St. Croix. Con J. Davis II, nominee, Virgin Islands Waste Management Authority, Board of Directors, St. Thomas. Consideration of zonings. Bill No. 35-0137, an act granting a use variance for parcel No. 9-3, Estate Glucksburg, No. 22, Cruzby Quarter, St. John, Virgin Islands, to allow the applicant to lease individual bedrooms under the category Lodging/Rooming House. Bill No. 35-0241, an act granting a zoning use variance for Lot No. 3, 2nd Street, Subdivision of Estate Thomas, King's Quarter, St. Thomas, Virgin Islands, to allow for a restaurant and a fruit bar. Bill No. 35-0244, an act amending official zoning map No. SCZ-10, to rezone plots No. 126A, 126B, 126C, 126CA, 127E combined, and 212E, 212E, 212E, 2Brothers, Smithfield and Hesselberg, West End Quarter, St. Croix, Virgin Islands, from R-1, Waterfront Pleasure, to R-3, Residential Medium Density. Bill No. 35-0256, an act amending official zoning map No. SJZ-1, St. John, Virgin Islands, to allow for the rezoning of parcel No. 6A, 6-A, Estate Zuzanaberg, No. 17A, Cruz Bay Quarter, St. John, from R-2, Residential Low Density, 1 and 2 Family, to P Public. Bill No. 35-0260, an act amending official zoning map No. SCZ-12, for the island of St. Croix, Virgin Islands, rezoning plot No. 6, parcel No. 6 of Estate Clifton Hill, King's Quarter, St. Croix, from R-2, Residential Low Density, 1 and 2 Family, to B-3, Business Scattered.
- 0:59:46 Consideration of Leases, Bill No. 35-0263, an act approving the lease agreement between the Government of the Virgin Islands and Sanchez Ventures, B-13, for parcel No. 1, Estate Contant, No. 7B, Southside Quarter, St. Thomas, Virgin Islands. Parcels No. 194-2 and 194-2A, Estate Altona and Wilgunz, Crown Prince Quarter, St. Thomas, Virgin Islands, and Parcel No. 10 and 11-A, Submarine Base, No. 6, Southside Quarter, St. Thomas, Virgin Islands. Bill No. 35-0264, an act approving the lease agreement between the Government of the Virgin Islands and Verdell Turnbull, doing business as Turnbull Welding Service, for parcel No. 99-A-1, Submarine Base, No. 6, Southside Quarter, St. Thomas, Virgin Islands. Bill No. 35-0265, an act approving the lease agreement between the Government of the Virgin Islands, acting through its Department of Property and Procurement and St. Thomas Properties, LLC, for Consolidated Parcel No. 17-3A, Estate Niskey, No. 6, Southside Quarter, St. Thomas, U.S. Virgin Islands. Consideration of Bills.
- 1:01:08 Bill No. 35-0030, an act honoring and commending Vaughn Benjamin posthumously for his contributions to reggae music in the Virgin Islands and the global communities, appropriating \$45,000 to the Department of Sports, Parks and Recreation for the design and construction of the Vaughn Benjamin Monument, and naming the Waterfront Park West of the Marley Homes the Vaughn Akebeka Memorial Park. Bill No. 35-0117, an act amending Title 27, Virgin Islands Code, Chapter 15, Sections 421A and 422, relating to the Qualifications, Term Limits and Duties of the Members of the Real Estate Commission. Bill No. 35-0215, an act amending Title 23, Virgin Islands Code, Chapter 5, Section 457, Subsection A, Paragraph 3, relating to the contents of a firearm license to change the statement in the license increasing the term of the license from three years to five years.

- 1:02:16 This concludes the reading of today's agenda, Mr. President. Thank you very much, Madam Clerk. I know that was a lot. You did a good job. Thank you. At this time, I'll ask the legislative pages to come forward. Today we have two legislative pages that will be assisting my colleagues and I with the workflow for today. First of all, we have Ms. Kimi Naya, George, Gregoire, sorry. And the school attendant is Charlotte Amali High School. She's an 11th grader. Her school activities include the Girl Scouts.
- 1:02:57 Her favorite subject is cooking and her hobbies, reading, extracurricular activity, doing nails and volunteering. And her career goal is to become an ultrasound technician. Please join me in welcoming Ms. Kimi Naya Gregoire. Next page this morning is Kilia Redden-Moses. She's attending the North Carolina Central University, a junior college. And her school activities is a proud member of the marching band. Her favorite subject is history and her hobby is doing here. And, of course, her career goal is to become an entrepreneur and a business owner. She didn't tell me what business she intended to own, but we look forward to your entrepreneurship.
- 1:03:47 Please join me in welcoming Ms. Kilia Redden-Moses. Thank you very much, Pages, and work hard today. And you'll get a stipend as well as lunch at the end of the day. All right, so colleagues, you heard it. We do have a long agenda. As I indicated on the onset, we'll be dissolving into the Committee of the Whole, where we'll be able to take a testimony in regards to the two matters before us today, which is the \$3 million from the general fund for the purpose of the Medicaid program. As well as the requested extension of the state of emergency energy crisis that we're experiencing, state of emergency energy crisis. So at this time, we'll dissolve into the Committee of the Whole. And we'll take a two-minute recess to bring in our testifiers. Standing recess for two minutes.
- 1:04:50 Thank you. [1 such phrases repeated 29 times · standby audio before the proceeding, transcribed by the recogniser as speech]
- 1:19:20 Thank you. Thank you. Thank you. Thank you.
- 1:21:20 Thank you. [1 such phrases repeated 9 times · standby audio before the proceeding, transcribed by the recogniser as speech]
- 1:25:49 Thank you. Thank you.
- 1:26:49 Thank you. Thank you. Thank you. Thank you. Thank you.
- 1:29:19 Thank you. Thank you. Thank you. Thank you. Thank you.
- 1:31:49 Thank you. Thank you. Thank you. Thank you.
- 1:33:49 Thank you. Thank you.
- 1:34:49 Thank you. Thank you. Thank you.
- 1:36:19 Thank you. Thank you. Thank you. Thank you. Thank you.
- 1:38:49 Thank you. Thank you. Thank you.
- 1:40:19 Thank you. Thank you. Thank you. Thank you. Thank you.
- 1:42:49 Thank you. Thank you. Thank you. Thank you. Thank you.
- 1:45:19 Thank you. Thank you. Thank you. Thank you. Thank you.

People named in this transcript

SUSPECTED, and a finding aid only. Names were matched by machine against the spellings used across all 426 of our transcripts, and the title is the one used in the room. Being named here is NOT evidence that a person attended or spoke · only that the name was said. Speech recognition mishears names, so a spelling may be wrong even where no alternative is offered.

- 7x **Senator Kenneth L. Gittens**
heard in this transcript as: Gittins, Kenneth L. Gittins, Kenneth L. L. Gittins, R. Gittins
- 7x **Senator Marise C. James**
the surname alone also matches: Javan James; Giovanni James Sr
heard in this transcript as: James, James Sr., Maurice C. James, Maurice James
- 6x **Senator Ray Fonseca**
heard in this transcript as: Fonseca

5x	Senator Samuel Carrion heard in this transcript as: Carrion
4x	Senator Javan James heard in this transcript as: Javon E. James Sr.
4x	Senator Milton E. Potter heard in this transcript as: Potter
3x	Senator Alma Francis-Heyliger heard in this transcript as: Alma Francis Heiliger, Francis Heiliger
3x	Senator Angel L. Bolques, Jr. heard in this transcript as: Angel L. Bolques Jr., Angel L. Bolquez Jr., Bolquez
3x	Senator Dwayne DeGraff heard in this transcript as: DeGraff, Dwayne M. DeGraff
3x	Senator Franklin D. Johnson heard in this transcript as: Johnson
3x	Senator Fred Gregory the surname alone also matches: Donna A. Frett-Gregory; Donna Frett-Gregory
3x	Senator Marvin Blyden heard in this transcript as: Blyden, Marvin A. Blyden
3x	Senator Novelle Francis heard in this transcript as: Francis, Novel E. Francis Jr.
2x	Senator Carla Joseph the surname alone also matches: Clifford Joseph; Karla J. Joseph heard in this transcript as: Joseph
2x	Senator Diane T. Capeheart heard in this transcript as: Diane T. Capehart
2x	Senator Karla J. Joseph the surname alone also matches: Carla Joseph; Clifford Joseph heard in this transcript as: Karla Joseph
1x	Senator Donna A. Frett-Gregory heard in this transcript as: Donna Fred Gregory
1x	Senator Donna Frett-Gregory heard in this transcript as: Donna A. Frett-Gregory

Bills and acts referred to

Matched by number against our own acts corpus. The number is what the recognition heard, so it may be wrong; where it resolved, the title is the one the Legislature gave the act.

Referred to but not found in our acts corpus: Bill 35-0137, Bill 35-0241, Bill 35-0244, Bill 35-0256, Bill 35-0260, Bill 35-0263, Bill 35-0264, Bill 35-0265, Bill 35-0030, Bill 35-0117, Bill 35-0215