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Legislature USVI

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0:00:00 Let's do it. Thank you. Thank you. Thank you. Thank you. ¶¶ So my way down.

0:03:29 Thank you. We'll be right back.

0:04:29 Thank you. Thank you.

0:05:29 We'll be right back. Thank you. Thank you.

0:06:59 And we are back on the record. Senator Alma Francis Heiliger you're recognized thank you so much good afternoon once again colleagues good afternoon to the people of the territory good afternoon to the testifier central staff. Okay. I wasn't sure because there we go. The first thing I wanted to ask, and this is a direct question to the Lieutenant Governor's Office Attorney Matthew. One of the things that I have been trying to ascertain is the total amount of the unclaimed funds. Do you guys on an annual basis either request of the finance department the total amount of monies that is in the general fund since you guys are in charge of the unclaimed funds or do they freely provide you with an annual update as to their portion of the money in the general fund?

0:08:31 I'm not aware of us requesting and I'm not aware of them providing either. So basically, we really don't know how much on claim funds is actually being controlled by the government based on testimony here today. Because even I as a senator, I'm only hearing from your side for the \$15.9 million. I have had a very difficult time trying to get the balance from the finance department. We had a working meeting where we made the request again. so hopefully we'll be able to get a total amount because based on what is transpiring it could be 50 million it could be 20 million nobody knows it it could be any amount nobody seems to be able to want to relay the amount of funding that is in the general fund and based on how the law is written the bulk of the money is to be deposited in the general fund so i am very much concerned as to get this total because if we're going to be passing this law in order to give people better access, I think it's prudent for us to also know the numbers that we're dealing with. Inspector General Office, Ms. Thomas, how are you? I'm good. Earlier

when my colleague had asked you about potentially doing a quick audit to get the amount in the general fund, my office did submit a request to your office to assist us because we were having such a cumbersome time in getting information in order to do the people's work. And based on your response, and I just want to, you know, share some excerpts. You did stress, as you may be aware, our office does not currently have an inspector general due to the recent retirement of Mr. Steven Van Vieberholt, respectively pending the appointment of an Inspector General, we will have to keep your request on file until the newly appointed IG can address your request on behalf of the Office of the Inspector General.

0:10:49 So when you shared with her that you could go ahead and do it, has there been an appointment of an inspector general, or has your office now been authorized to do things based, you know, explain to me what the difference is then and now. Delia Thomas, at the time the request came in, it was addressed to the inspector general. Okay. And we were at a particular extremely busy time at the office that we would not have had the staff to even address it. Okay. So it's something the office can do.

0:11:32 Okay. But based on our workload, it was just something that had to be tabled. So as of this moment, has your workload eased so you could assist us with getting around a lot of this red tape that I seem to be encountering in order to get a total amount of unclaimed funds that is in the general fund? Well, our workload has alleviated a little. Uh-huh. However, the perception that it's going to be easy is just the perception. Okay. I would not be able to know whether it will be easy or difficult okay i i just would say that an audit just encompasses more detail work okay and an inspection would be extremely focused so the inspection is an easier process well one of the things i will say is we do have a budget process and last year when i had my extensive exchange with the lieutenant governor's office and trying to ascertain this information one of the things that was expressed to me is that even every time i kept saying but if this is in the budget part of your budget it's in the general fund it should be accounted for and i was specifically told that there's nothing in regards to this in the budget. So I am very much concerned and confused that we have a general fund where I as a senator is told that there's no main accounting for all of these unclaimed funds in the general fund. And nobody to this date in over a year can give me a full accounting inclusive of the trust fund and the amount in the general fund. So I'm going to say it Again, I thank the lieutenant governor's office for sharing their portion, but we have no clue what the total amount of this money is. And I don't understand if we have an accounting system to finance, why is it difficult for me as a senator to request if you have a ledger or you have a separate account in the general fund to say that these monies were deposited here because they are on claim funds why is it so difficult for me to get that number? So I am hoping that at some point we could

0:14:01 get a resolution to that. I may ask a question because I think they called my time. Senator you may proceed to wrap up. Thank you. One of the things that we had discussed And you had shared earlier in regards to needing additional employees at the lieutenant governor's office. I know we're doing a budget hearing, and I'm going to ask you, do you guys plan on requesting additional employees during the budget process to assist with getting quite a bit of this work done? because it's very concerning you know that based on your workload that the public has not been notified in over 10 years asked to unclaimed funds being published so some of them might not even be aware over the last 10 years that these funds might be sitting there um attorney glendina matthew interim director we had a conversation as recent as yesterday with the director of business and financial management as well as the chief of staff and they have indicated they will try to seek funding um seek some from somewhere some source of funding to be able to at least get us a position um however as you know normally you submit your budget ahead of time and it did not go in at that time but they're going to work to see what they can do to get us well the beauty of coming to the legislature is anything could be amended okay and if it's something you need you need to let us know but thank you madam chair for giving me the additional time thank you senator uh you're

0:15:47 You're welcome, Senator. I just want to note that the budget time is upon us, and I know the budget call has already been passed for the departments and agencies. What type of salary range were you looking at? We're looking at maybe at least 45 to 50. Okay. All right. That's noted. All right. Thank you so much. Colleagues, we have exhausted all of our time on this bill, 34.0212.

0:16:29 We're going to take a brief recess, but before we do that, I would like to invite the testifiers to present a 30-second wrap-up on their testimony and their presentation today before our committee. I will first recognize Attorney Glendina Matthew. You're recognized for your 30 seconds wrap-up. Good afternoon to the listening and viewing audience.

0:17:00 We want to thank the legislature for giving us the opportunity to come before you today and provide testimony. And I would be remiss if I did not thank the staff of the Division of Banking, Insurance and Financial Regulation. Even with the shortage of staff, they continue to do the work of the people. So I must thank them for their continued service. And thank you to the legislature again.

- 0:17:29 Thank you so much, Attorney Matthew. Ms. Dahlia Thomas, you are recognized for your 30 seconds wrap up. Thank you. I do want to reiterate that our office, we stand ready to audit or investigate the programs and operations of this government. I would like to thank the bill's sponsor for your request to our office.
- 0:18:01 As I said, we will keep it under advisement and as soon as we can, the need arise and we can address that, we will. Thank you so much, Ms. Thomas. And both Ms. Thomas and Attorney Matthew and Representative from the Lieutenant Governor's Office, you are hereby released from your testimony today before the Committee on Government Operations and Consumer Protection. We were going to take a brief recess, but I noted that the sponsor for the next legislation in our block is here and present madam clerk kindly move forward with reading the next block on our agenda today into the record block 2 the committee will receive testimony concerning bill number 34.0230 an act amending title 18 virgin islands code chapter 5 section 110 relating to registration of electors to require the supervisor of elections to compile an inactive versus an active versus inactive voters list within 90 days after each general election starting with the general election in 2022. This bill is sponsored by Senator Kenneth L. Gittins. The invited testifiers are Ms. Caroline Fox, supervisor of VI Board of Elections, and Ms. Gwen Marie Moulinette, President of VI League of Women Voters. Madam Chair, this ends the reading of today's agenda.
- 0:19:52 Thank you so much. Colleagues, we will in fact take a break for lunch while we await the other testifiers for Block 2. We have one testifier who will be testifying virtually and another testifier who will be testifying in person. So we will take a 45-minute recess. The Committee on Government Operations and Consumer Protection stand in recess for 45 minutes. Thank you. Thank you. Thank you. Thank you.
- 0:22:37 Thank you. Thank you. Thank you.
- 0:24:07 Thank you. Thank you. Thank you. Thank you. Thank you.
- 0:26:37 Thank you. Thank you.
- 0:27:37 Thank you. Thank you. Thank you. Thank you. Thank you.
- 0:30:07 Thank you. ¶¶ Thank you. Thank you.
- 0:32:06 We'll be right back. Thank you. Thank you. ¶¶ Thank you. Thank you. so Thank you. Thank you.
- 0:36:36 Thank you. Thank you.
- 0:37:36 Thank you. Thank you.
- 0:38:36 Thank you. Oh, my God. [2 such phrases repeated 12 times · standby audio before the proceeding, transcribed by the recogniser as speech]
- 0:44:36 Thank you. ¶¶ [2 such phrases repeated 10 times · standby audio before the proceeding, transcribed by the recogniser as speech]
- 0:49:36 Thank you. ¶¶ ¶¶ Me, no, la, la, la, la, la, la, la, la, la.
- 0:51:05 Thank you. Thank you. Lilo la la, lilo te do da, lilo la la, lilo te do da, ¡Oye, amigo!
- 0:52:35 Thank you. Thank you. Thank you. Thank you.
- 0:54:35 so Thank you.
- 0:55:35 so so Oh, my God.
- 0:57:05 Thank you. Thank you. Thank you. Thank you. Thank you. The The Committee on Government Operations and Consumer Protection is back on the record.
- 1:00:11 We have already read into the record Block 2, who speaks on Bill No. 34-0230, an act amending Title 18, Virgin Islands Code, Chapter 5, Section 1110, relating to registration of electors to require the supervisor of election to compile an active versus inactive voters list within 90 days after each general election, starting with the general election in 2020. Who speaks on this bill?
- 1:00:46 I do. Senator Gittins, you are recognized. Thank you, Madam Chair, and good afternoon to all. Today it is my pleasure to introduce bill number 34-0230. This bill, it speaks to, I'm sorry, I have so much papers in front of me. The bill pertains to the registration of electors and to require the Supervisor of Elections to compile an active versus inactive voters list within 19 days after each general election, starting with the general election in 2022. This is and should be a function of the Supervisor of Elections as the CEO of the Office of Elections.
- 1:01:57 A lot of these operational functions are being to the supervise of elections and away from the Board of Elections, as you would see in the number of upcoming election reform measures. The purpose of this bill is to actually provide an accurate

voting list and provide voting statistics but establishing an active or an inactive voting status for electors rather than electors being uh just arbitrarily taking up of the election role what this also does is it allows the supervisors of elections to examine all registration records and be able to contact electors who had not voted in the last two election they will also be notified that their voter registration has been placed on hold in an inactive status for approximately 30 days giving them time and the opportunity to request that their voter registration be actually reinstated And anyone who is determined to still be an inactive voter will still be registered to vote and their registration can be updated by 7 p.m. on election day itself and still be able to receive a ballot. The voter will then be allowed to complete the voting process and have their registration status placed back on active status.

- 1:03:43 This essentially purges the voting system to allow the voter data to be more accurate and give a true picture of what the numbers are of registered voters and gauge the turnout more accurately. I'm urging colleagues to support the measure as we continue to work toward the election revisions and clean up a number of deficiencies and discrepancies within Title 18 of the Virgin Islands Code, which speaks to our election system. At this time, I'll wait to hear the testimony and look forward to having a good discussion on this matter and move forward.
- 1:04:31 Thank you, Madam Chair, and thank you to the testifiers in advance of us moving forward. Thank you so much, Senator Gittins. We do have two testifiers who are, one is here in the chambers, Ms. Caroline Fox, who is a supervisor of the Virgin Islands election system, as well as Dr. Gwen Marie Molinar, President of the Virgin Islands League of Women Voters, who will be joining us virtually. Pleasant good morning, ladies, or good afternoon, rather, ladies. Pleasant good afternoon.
- 1:05:13 Good afternoon, Senator Joseph. Dr. Molinar, can you also, we just want to make sure everything is operable on your end, the visual and audio. we can see you so we know the visual is operable just on your end with the microphone check the audio good afternoon Senator Joseph good good afternoon good we will begin by receiving the written and prepared testimony by Supervisor Fox Supervisor Fox kindly proceed with reading your testimony into the record. Good afternoon, Honorable Chairwoman Carla J. Joseph, distinguished members of the Committee on Government Operations and Consumer Protection, other members of the 34th Legislature, members of the press, the viewing and listening audience. I am Caroline Fox, Supervisor of Elections. It is an honor to appear before you today to present on bill number 34-0230, an act amending Title 18, Chapter 5, Section 110, relating to the registration of electors to require the Supervisor of Elections to compile an active and inactive voter list within 90 days after each general election, starting with the general election in 2022.
- 1:06:49 First, we would like to state we support Bill 34.0230 with one recommended amendment, which is a major change for the election system of the Virgin Islands. We would like this law to be enacted 30 days after the governor signs. Our goal is to obtain an accurate voters participation rate for the 2022 general election because during the four-year cycle, which is when the gubernatorial race is on the ballot, more voters participate. The ESVI do not want to see the fruits of our labor in 2024. We have the tools necessary to begin this process, and we can change the status of non-voters in the 2024 through 2020 general elections from active to inactive, beginning 30 days after the passage of this legislation. The statement below explains the process the Office of the Supervisor will conduct.
- 1:08:01 The Supervisor of Election shall cause all registration of electors to be examined and in the case of each elector who is not recorded as having voted at such election and the last general election prior to the same, the Supervisor of Election shall send to such elector by mail at his address appearing upon his registration card, wherever he is known to reside in notice setting forth that the records of the Office of the Supervisor indicate he has not voted at last to general election and that his registration will be placed inactive at the expiration of 30 days from the date of mailing. Such notice will be filed with Office of the Supervisor either personally or by mail. This written request for reinstatement of his registration will set forth his place of residence and must be signed by him. At the expiration of the time specified in the notice, the supervisor of elections shall place inactive on the registration of such elector unless he has filed with the Office of the Supervisor a signed request for reinstatement of his registration as above provides. The name of any elector whose registration has been changed to inactive shall be posted forthwith territorially in three places such as the United States Post Office, Water and Power Authority Bulletin Board, on the election website, www.vivote.gov, and at any government office where the public has to visit for services. If you are an inactive voter, you are still a registered voter.
- 1:10:04 You can update your registration anytime before 7 p.m. on Election Day and receive a ballot. Before you may vote, however, you will be required to complete a Request for Reinstatement Form and Affirmation of Current and Continuous Residence as prescribed by the Supervisor of Elections at the Voting Center. request for reading statement form you must affirm that you still reside at the address at which you are registered or an updated current address or have moved to another district.

- 1:10:42 Your registration status will be returned to active once you complete the voting process. For deceased voters who pass away other than in the Virgin Islands we may not be aware unless we subscribe to the National Association for Public Health Statistics, an information system so that we can have access to the electronic verification of virtual vital events. The Bureau of Motor Vehicles subscribes to this so they can verify off island birth certificates.
- 1:11:20 However, not every state and county participates. We are also looking at the Electronic Registration Information Center, which is ERIC, a nonprofit organization with the sole mission of assisting states to improve the accuracy of America's voting rules and increase access to voter registration for all eligible citizens. ERIC is governed and managed by states who choose to join and was formed in 2012 with assistance from the Pew Charitable Trust. The seven states that pioneered that formation of ERIC in 2012 were Colorado, Delaware, Maryland, Nevada, Utah, Virginia, and Washington.
- 1:12:18 As of October 2021, 31 states plus DC are members. We have been discussing ERIC since 2015, but it was cost prohibitive because only about 15 states or territories were members at that time. I recently attended the Florida Supervisor of Elections Conference, where I met one-on-one with one the principal founders of ERIC. I am awaiting information from this agency to again assess the value added for us in paying an annual fee for this information. Changing from active to inactive will enable us to place those residents whose status is unknown in active status. This assists us in maintaining an accurate and current voters' database.
- 1:13:21 Statistics are important because today we live in the information world, and much of this information are determined electronically. Assessing and utilizing statistics is a critical asset in decision-making, particularly in a time when more data than ever is being produced. For example, current and historical statistics derive from accurate data collection and predictive analytics that apply statistical algorithms and machine learning or artificial intelligence to make predictions about future trends and anticipated outcomes historical and statistical data is utilized to determine the number of ballots to order the number of voting machines to deploy and the number of voting centers to assigned though all forecasting efforts are subject to certain limitations predictive analysis has proven to be a helpful way for decision makers to arrive at truly informed assumptions about future trends future events and trends this statistical data assists us in planning preparing and executing a successful election cycle now i would like to present these graph depictions to explain how our primary rationale for supporting bill 2034 that's zero two three zero the cancellation of purging let me go to the graphs no it's on media need to put up a media presentation could you pull up the powerpoint presentation it's not
- 1:15:27 much it's just about six slides it's it's on one screen no it's it's on the screen i got it so just go forward so first we thank you i'm trying to share the historical data because pictures are worth a thousand words here we have the registered number of voters of 54 209. the voters that participated in that election was 29 050. so you divide those numbers and you get 54 percent Look at it now when you have active versus inactive. Registered voters, 37,650. The same number of voters participated, 29,050.
- 1:16:12 Your percentage over divided to 2,950 by 37,650, 77%. Participation rate increases by 23%. for the years 2010 to now St. Croix. This was the voter participation. As you can see, once we stop canceling in 2016, you do not have an accurate picture of your number of voters. The voter percentage decreased. So I'll give you a few minutes to look at that. registered voters and blue number voter in orange 2010 to 2020 let's go to st croix here it is at numbers first 2010 68.90 percent 2012 60 percent 2014 53.89 percent 2014 14 i already done 16 45.40 percent 18 51.6 percent and 2020 33.99 percent let's take a look at st thomas 2010 you see the number of registered voters are in gray the number who voted are in yellow a few minutes so you can look at those charts And here is the numbers, 2010, 64.26%, 2014, no, 2012, sorry, 55%, and I'm saying it because we got listening and viewing our audience that might not be able to view, so that's why
- 1:18:04 reading it out sorry 2014 50.88 percent 2016 45.60 percent 2018 51.6 percent 2020 33.99 percent that's those highlights on the chart the cancellation of purge the cancellation or purging of voter registration database performed for the last time after 2016 general election. Up to that point, the registration database or voter list was current and accurate. Once we stopped the process of cancellation, they left only two ways to cancel voters, which is considered minimal. First, receiving the deceased listing quarterly from the Department of health or secondly receiving the felony court orders quarterly from the superior or district courts the virgin island voter participation historically in all prior elections of 2018 has always averaged 60 percent or higher once we stop canceling the percentage shrunk to 40 percent or lower this data not only affects the statistical report but also other laws such as initiative referendum or recall which requires a certain category of voters to initiate approve and implement i would like to share with the example with this legislative body and the viewing and listening audience which i just did sorry i got ahead of my time there so that was the list Using the same numbers, please note the significant difference in the percentage participation, which was a 23% increase.
- 1:20:05 If we utilize the active versus the inactive voters, this percentage is an accurate statistical formula, painting a clearer and true picture of our participation rates. The Virgin Islands voter participation turnout percentage has always been higher than the U.S. mainland. We want the registration of voters to continually increase. This process is in no way to decrease

our voter registration.

- 1:20:39 Participating in our democracy is critical, free, your rights, and important. Statistical information is critical in many areas, especially in analyzing the election results. Our goal in supporting this bill is to obtain true, accurate statistical information and to inspire, encourage and energize all our citizens to participate in the electoral process as done in many other countries based on our preliminary review of the number of registrants who have not voted in 2014 to 2016 and again we always look two years prior to the election in the St. Thomas St. John district that number is 4,803 and in the St. Croix district 4,512 The following four years' prediction will be about half the number of voters to revert inactive compared to the 2014-2016 totals. Changing from inactive to active in the registration database is one step after careful and methodically reviewing and verifying each individual voter's history. We then will bulk mail the official notice to the elector letter to every registrant on the inactive list created. The registrant has 30 days to respond to ESVI prior to changing the voting status from active to inactive. I present to you the following example. If Jane Doe was away, returned home the day before the elections and never received the
- 1:22:46 notice of elector, the 30-day notification letter, on election day she shows up to the voting center to vote. The election official, the judge, will contact our office and provide her a reinstatement registration form to complete at the voting site. Copy was attached with my presentation. She will be allowed to cast her ballot. Although this is an apparent seamless process, of course we must always plan for the 1% error rate, but we will be able to correct the issue. The question you may ask yourselves, how How can I avoid having my status changed to inactive? Today I will share these pointers to ensure you remain current in our voters registration database. First, check your registration status at least six weeks before you go to vote, every time.
- 1:23:54 This gives you enough time to discover any problems with your registration and get them corrected before the voter registration deadline number two update your voter registration address every time you move number three ensure your zip code is current since the poster system has updated zip codes over the years on the voters look up you must input your residential zip code number four vote in every elections it's like exercise the more you use that muscle the stronger it will be plus it's good for democracy if by chance a voter is on the inactive status they are ways they can return to active status first vote going to vote at the voting center to vote on election day will automatically move the status back to active.
- 1:25:03 Two, the elector must complete the notice of elector form sent to you by the Office of the Supervisor, informing them that their status is inactive. By law, if a registration status is transferred to inactive, the Office of the Supervisor is required to mail the affected elector and notification. The notification instructs the voter on what steps to take to avoid being transferred to the inactive status. But this notice may not be received for assorted reasons, especially if the elector has moved and not updated their address. Therefore, on election day, they may find that their names are on the list of inactive voters. The staff and I are excited and ready to implement this process.
- 1:25:59 This module has been part of the registration database from 2006. My goal is to maximize the use of all applicable modules to enhance our election system and provide the voters with a positive, motivational, and memorable experience. The future of ESVI is to implement and utilize new enhanced technology. I would like to take this opportunity to present the next few dates on the 2022 election calendar. Two days ago, June 14, was the certification of candidates.
- 1:26:43 June 21, which is next week Tuesday, all federal ballots to be mailed out to military and overseas personnel and the deadline for mail-out absentee ballots request June 30th campaign disclosure reports are due July 6th the last sorry July 7th the last day of registration July 18th early voting begins and the locations are as follows St. John will be using Julia Sproul cafeteria. St. Thomas, we'll have two sites, Charlotte Amali High School gym and Tutu Park Mall, which is next to Champs, and then St. Croix, the St. Croix Elections Office and the St. Joseph Parish Hall. August 1st, early voting ends. August 6th, Democratic Primary election. Please visit our website for additional information and the remaining deadlines on the 2022 elections calendar. The 2022 election, as it is in all elections, will be fair, accessible, transparent, and secure. In conclusion, Chairman Karla Joseph, I thank you, members of the committee, members of the 34th Legislature, for inviting me to present on Bill 34-02-30, an act amending Title 18, Chapter 5, Section 110 relating to the registration of electors to require the Office of the Supervisor to compile active versus inactive voters list within 90 days after each general election starting with
- 1:28:40 the general election in 2022. ESVI will fully support bill 34.020 with our recommendation of enactment of this legislation 30 days after the governor's signature. I would like to end with this quote we do not have a government by the majority we have a government by the majority who participate and that's a quote from thomas jefferson former u.s president and the founding father of the u.s i'm prepared to respond to any questions you may have your voice is your vote vote, and your vote is your voice. Voting is the right thing to do. Thank you. And thank you so much, Supervisor Caroline Fox, for your presentation. The committee would now recognize and hear the testimony. Point of inquiry? Point of inquiry? Yes, Senator gittins you're recognized thank you just a point of inquiry for or clarification from the supervisor

uh i didn't intend to have this discussion but since she mentioned it it's a little confusing to me so i just wanted the clarification for others who might be as well you stated um with regards to those dates july 18th being the uh early voting begins i'm assuming that that's the first day of early voting and then you stated that locations are and you listed uh saint john julius prouf cafeteria saint thomas uh chs jim and tutu park mall and saint croix election office and

1:30:34 saint joseph parish house are you stating that for the entire period of early voting that these are the areas that individuals can go daily to vote that's correct senator nine to six p.m. nine a.m. to six p.m. thank you thank you madam chair thank you senator Gittins dr. Gwen Marie Molina you are recognized to read your testimony into the record great can I be heard yes we can hear you clearly good day to the Honorable Senator Carla Joseph chairperson of the committee on government operations and community and consumer protection good day to the members of the committee members of the 34th legislature present and persons in the viewing and listening audience the league of women voters of the virgin islands is very pleased to have been invited to comment on bill number 34-0230 as it is the mission and raison d'etre of our organization to protect and expand voting rights within our democracy we work very hard to ensure that everyone is represented in our democracy and we empower voters through advocacy and education in preparation for the vote. I'm Dr. Gwen Marie Moulin, our president of the League of Women Voters of the Virgin Islands. Bill number 340230 was thoroughly reviewed by our board of directors and interested members. This presentation then represents our collective feedback on the bill. In our discussion there was much support for this bill as proposed by senator kenneth gittens we recognize for example the importance of being able to verify the number of eligible voters especially when the percentage of the voters is critical in calculating the success or failure of the vote we agree therefore

1:32:52 wholeheartedly with supervisor co-op with respect the importance of numbers and the statistics for planning and well as for evaluation there were however a few concerns which we believe to be addressed dr. moliner dr. moliner i'm so sorry to interrupt you is it possible that you can get closer to the mic uh our stenographer is having a difficult time uh following your testimony your verbal testimony so just get a little closer to the mic and see if you can also speak directly into the mic thank you kindly okay um i shall also try to speak slower which will make it easier I just to reiterate a bit, the League of Women Voters held a number of meetings on the bill, and the board, as well as the membership, provided input. We were very much in support of the bill, and we support also the statements by Supervisor Fawkes with respect to the importance of the statistics. Is this better, Senator?

1:34:06 much better much better thank you okay there were however a few concerns which we believe need to be addressed to further improve the bill first the bill states that a list of inactive voters will be posted in three sites but does not provide information about what or where the sites might be there was concern in the group that the postings might not be in sufficiently public venues so that people could be adequately informed as to their voting status, although we do recognize that they will be also notified by mail.

1:34:46 To correct this, the league suggests that there should be some assurance to the voting public that these notices will be provided in places agreed by most that could reach the majority of the public. Given this concern, the League also suggests that there be a broad educational initiative in the media by the election system to inform the public about active, what it means to be active versus being inactive. We believe this information should be clear and rather brief in its format.

1:35:29 Further, we suggest that an educational postcard be sent to all voters of record, providing them with this information, that is what it means to be active versus inactive, at least once immediately after this bill is passed, and also prior to and during each election cycle. We do have a few questions, however. First, if this bill is passed, what effect, if any, will it have on the passage of initiative and recall measures? Would its passage require a change in the code regarding how these measures are evaluated? Another question. When the bill says that starting with election 2022, does this mean that electors will start counting, election system will start counting the voting frequencies from 2022 and then look at 2024 for and then enact the active and inactive status or will you be looking at the previous two general elections to identify who is active versus inactive so we were asking to have clarification and what it means when you say that you will be starting with the 2022 election um the other question is if a person can vote on the same day of election up until seven o'clock how does the election system verify the accuracy of the statement of affirmation by the by the voter

1:37:29 And the final question is, we ask, how does the election system confirm that voters who move from one voting district within the territory to the other voting district are dutifully registered to vote in the district? For example, imagine a hypothetical voter who moves from St. John to St. Croix to work for purposes, for work purposes, rather, but prefers to continue to vote in the St. Thomas, St. John district. How does the election system know of change in residence if not so informed by the voter?

- 1:38:18 Could this be a concern in determining the number of active voters in each district? In many mainland states, a person's driver's license states place of residence, and that information is often utilized by the election system in determining voting places. Could a similar practice, that is collaboration between a Bureau of Vehicles and the election system be instituted in virgin island to provide information to the electives the election system in order to verify the district within which voters cast their votes and i know i'm just listening to supervisor fox testimony that you're also considering uh using uh eric maybe that might be the way of making determination in summary we thank the committee for the opportunity to comment on bill 340230 we believe this to be a very good bill one that is definitely needed but we offer some recommendations particularly with respect to the education of the public with respect to the bill and we also read some related questions we'd be happy to respond to any comments or questions that the committee may have thank you and thank you so much dr molyner colleagues we have this bill before us and i will proceed with one one five-minute round, and if we need to have another round, we can.
- 1:40:01 So we will begin, of course, with Senator Alma Francis Heiliger. Senator Francis Heiliger, you are recognized for your five minutes. Thank you so much. Good afternoon once again to my colleagues, to the testifiers, to the people of the territory, central staff. One of the things that Testifier Fox shared had to do with the number and percentages of voters and how this bill might affect, for example, for initiatives.
- 1:40:35 I did pull up out of the revised organic act and it speaks to, for example, it says at At least 10% of the voters of each legislative district, or 41% of all voters of the Virgin Islands, must be submitted to the Supervisor of Elections. And that's just an excerpt in regards to getting a percentage within the 180-day circulation. With this creating an active and inactive, would it really make a difference if the revised Organic Act speaks to all as opposed to active versus inactive.
- 1:41:20 Senator, good afternoon and thanks for your question. It makes a difference with us doing our voting locally. Again I said I didn't know clearly what it impacted the initiative referendum but I list them there. We are also talking about updating our revised Organic Act so that's something they could look at. But when we do our voting percentage right now, we submit our first request is the number of registered voters if you look at our election report it goes with a number of active voters when I print out a statistical report each month I print out active voters so if they're inactive they won't be shown just like if someone has a felony they're suspended if someone is 17 and a half they're not active voter yet until they turn 18 so these are all drop-down menus on the database so when we do our certification at the end of the election it tells you how much voters participated and that's where this information is critical.
- 1:42:16 Okay. Economic impact. I know you spoke earlier in regards to this module already existing within the system. So would this have any kind of financial impact on the Board of Elections or this is something that could be rolled out right away without any issues? Well, we can roll it out right away without any issues. It's not a financial impact because it's It's already in the computer system. It's there. Bulk mail, we do bulk mail for elections, so we have that account. So that's the only cost, mailing out the letters. Do you see that in attempting to do this in future elections, because I'm sure we might not be able to implement some of these things because it's 90 days after, et cetera. But do you think about additional manpower that might be needed at the polls?
- 1:43:08 For example, you might end up with, say, 4,000 people inactive, and then they all show up to vote, and all of a sudden now you have to have these people filling out these forms and just to be able to vote in that election. Do you foresee any future issues in regards to that, or you just think it might be a smooth transition for those that might be inactive when they show up? Well, you always plan for that 1%, what we said. And again, we've tried to talk about this a lot two years ago, so this is not new. And historically, usually when voters come off the rolls, many don't return, whether they cancel, whatever, relocated, or they just don't want to vote anymore. So I don't see it as a huge.
- 1:43:51 You will have some that show up, but it won't be 4,000, and even if they show up, they'll be spread to various voting centers or different dates. So we can handle the workload. Right now, we already started the process. That's why I could tell you the number that can be cancelled between 2014 and 2018. All we waiting for, the click from the governor. Because we want to see the statistics for the gubernatorial election instead of waiting until 2026. That's the issue. Because people look at statistics, you know, or percentage, where you get your voters from, where area. The voters in this area voted, 30% of them showed up or came out.
- 1:44:29 So this is something that's been talked about for over two years. Okay. Do you think that there would be any issues in regards to laws that are implemented within a six-month period of an election, trying to get this done, if we get it done within a time period? Do you think there would be any kind of adverse effects in getting this accomplished in that time frame after the election? It's some 90 days? Like I said, Senator, we don't agree with 90 days. we want to enact it 30 days from signing of the governor. So again, because 90 days from 2022, again, you won't see the results of that till the next two years for the senatorial election and the delegate, and then four years for the gubernatorial. And so you want to see your statistics in the year that's most focused participating. Which would be the gubernatorial year. Correct, this year.

Thank you for sharing that. Madam Chair, thank you for the time. Thank you so much, Senator Francis Heiliger. Senator Blyden, you are recognized for your point of inquiry. Thank you, Madam Chair.

1:45:41 Supervisor Fox, you mentioned that you can, you know the number you can, you're waiting for, we're about to go ahead, what's that number that can be canceled, the number of individuals that you said you know that number? In the testimony, I had 4,000 and changed. We looked at 14 and 16. 4 000 is in my testimony on page eight it's a lot but a large number it is a large number i'm concerned with that but i'll wait till my line of questioning okay thank you so much the numbers are in page eight okay thank you thank you so much uh senator blighting i do have a follow-up concern so should this proposal this proposed bill be enacted and within 30 days would that affect the election that's going to be taking place in August in the primary? No ma'am. But it will affect the general? The statistics will be ready for the general election. Understood. So that's the time frame you're looking at the general? That's correct. So and you're you're looking at the individuals who have not participated in two consecutive general election? That's correct Senator.

1:46:55 Okay. Thank you. Senator Franklin D. Johnson, you are recognized for your five minutes. Good afternoon, Madam Chair. Thank you very much. Good afternoon to my colleagues. Good afternoon to the testifiers, to the testifier, and good afternoon to the listening and viewing audience. In your testimony, you were speaking about having enough paper ballots and purchasing enough. And I can recall in the last general election, in the Western District of St. Croix, there was insufficient paper ballot.

1:47:36 What will be done differently to make sure that when folks show up to the poll, that they do have these paper ballots? Senator Johnson, good afternoon, and thanks for the question. What happened that last time, again, we were transitioning to the express vote, and our encouragement was to try to encourage folks to use the express vote with the activation card is there 24-7. So we tried to do an average percentage base on our list of voters, and we did that amount of paper ballots. We learned from that mistake, not mistake, but again, projection, and so we realized that more people want a paper ballast we were most trying to push the electronic Express vote machine so that's what happened and we have adjusted inside election so I I would stand here to say that we shouldn't have that problem again should we should not have that problem again senator you spoke about about having two different sites this time on each island for early voting do you have sufficient staff to manage two different polling sites on each island for early voting yes senator we do bring in poll workers or part-time persons to manage so it's not just our staff we do hire poll workers that's what we're doing say that again we do hire poll workers that's what we're doing so when come to early vote you notice there were some folks in the conference room that weren't our staff our staff does deal with checking in we do have a new e-poll book so we can bring on e-poll book workers as temporary um helps you in the early voting and help me if i'm right you said this active and inactive list will be posted yes senator

1:49:28 and and don't you think this will bring some problems to some folks that might have political jobs that are inactive senator when we cancelled back up until 2016 it was the same process it was posted in wapa it was posted in the post office so it's the same process and back then we still had the same political persons were around so we don't see it as being an issue again we impartial in elections but again it's it's a list thing and 2014 or 2016 some other person may have been deceased so you know we don't know that because they may have deceased in the states so the list cancellation has always been a public process and it's a public process elections is a public entity you also said that you sent an application I didn't see it I look for it what what What are some of the questions on that application for when an active person reach to the poll on the day to decide to register to want to vote?

1:50:34 Usually it's just your name, your information, your address, and you take a vote at the bottom swearing on a firm that your residence is still the same. I did send it, I think when I sent it with the first briefing when this was scheduled back in May, and I looked through and I missed it this last time, but it was sent at the first round. It's just basic information, just like when you come to the polling place and you have to fill out the application for a provisional ballot, you get your name, you get your address, and then you tell us that you swear and affirm that that's your residence. Does the system have a current process in which it used to purge individuals who have relocated from the Virgin Islands to the mainland from local database?

1:51:15 Presently, when someone goes to the state or anywhere they sign up to register to vote, that state would send us, with an email or in the mail, a letter stating that John Doe is registered at this state. Again, there's always a percentage that don't come back. We do the same. If someone comes here from the state to register, we fill out that form and we mail it out to the state that they came from. So that's why I always ask you where was the last place you were registered, and that's we do both with each in election entity and my other question why do you think becoming a member of the electronic register information Center will be beneficial to the voters in the Virgin Islands the only thing I see with that senator was the Social Security because when we try to get information from Social Security locally here in 2014 they told us they cannot provide us that report so this that is the only thing I see that would value us folks that pass or deceased in the

states social security have all that information again it was nearly twenty thousand dollars to join this organization and i didn't think the benefit was worth it at that time with based on our budget and now again as most states join based on your size that's the annual cost so if i'm paying ten thousand i might only get three persons out of it said a die in the states it wasn't worth that money but i'm waiting to see what the cost would be now it's 2022. Time. Madam Chair, if I may. You may proceed to wrap up, Senator. And your numbers, that 4,000 difference on page eight, what do you think actually create that problem or have that big decrease? Well, Senator, that was 2014 to 2016. Those were the folks that did not vote. again some may have relocated you know some between HES closure hurricanes it varies and so that's what we're saying the number is large in the first year because we're going back to 2016 but as you come forward it would be less i would say it would be about 50 percent maybe when you look at 2018 and 20 you may be canceling 2000 person so to everybody this seems like a big number but we got to look that it's going way back to 2014 and we had a lot of transitions whether folks left after s hurricanes relocate died etc thank you very much

1:53:39 thank you so much uh senator francis i want to dive in a little bit with the number i'm so sorry senator johnson i want to uh dive in a little bit with a number that you presented uh of the amount of persons from the 2014 to 2016 election period who are not registered, or have not voted rather. Is it possible to look at getting a comparison between those who did not vote and also those who voted? Because this statistics you presented is only for those who didn't didn't vote, and what about those who did vote?

1:54:29 Do you have that statistics to present? I do not have that with me, Senator, but that's on our website. I know it's on your website. I could forward that to the body, but I don't have it with me. Okay. And also, I just wanted to get an impression from you for the actual election year. So that would be 2014, not the whole bulk, because you did a more cumulative for both 2014 and 2016. So if we could break it down to 2014 as well as 2016, that would be very insightful.

1:55:12 And you don't have any listing for 2018? No, because we come in to present our numbers, and like I said, I think it will reduce each because if you take off from the base that numbers won't be in those years going forward right we don't want to get you know I mean we could look at the numbers and I'll see I know the the election system from being a member of the Board of Elections you can actually break it out yes with her election cycle how many persons did not vote in each election cycle and I think that would help us to see is there an upward trend, is there a little bump here with these years because you did mention as far as a justification the closure of the refinery in St. Croix as well as the hurricanes, the hurricanes were 2017, that's not this time period and also We had the closure of the refinery, that was in 2014 there about, but then it reopened and then it closed again. So for us to be able to really analyze and dive deeply into the data as presented. Thank you so much.

1:56:29 Senator Marvin A. Blyden, you're recognized for your five minutes. Please recognize Senator Blyden's mic. Thank you. Thank you, Madam Chair, and good afternoon, Supervisor Fox and Dr. Molina, and thank you so much for your testimonies. Good afternoon, Senator. I believe also in doing an analysis, we also need to include gubernatorial race and non-gubernatorial race because the numbers are usually lower when it's not a gubernatorial year, election year in those numbers also. If you look at a chart, you'll notice that also. So I think we need to add that in there also. Now let me actually, when it comes to that 4,000 plus individuals, I know Dr. Moulinan mentioned some um in her testimony that she mentioned uh some um basically amendments to the bill do you agree actually taking writing some stuff do you agree with any of those um suggestions that dr molina mentioned in her testimony senator some of them we started to address i know we had spoken to her so they gave us the preliminary i know some of the others we of hearing them for the first time so we'll have to look look at them again the person standing from one district to another if you go to a district to work right now that's adjusted you do an absentee in either district you get the ballot for where your district is so we don't require you to change to any district so these are procedures that are already in place that won't impact this um and some other questions that she mentioned the media educational campaign of course i agree with those type things but the other ones we'll have to research what about i

1:58:14 I think this is a very important one I should mention. Number two, the educational postcard to be sent to all voters of records, providing them with the information for those that are listening. But I know that might be a problem because, as you said, some of them have moved on or probably deceased, et cetera. So what would that look like, though? Because I do agree with that in terms of I know in the past, you have posted in the newspaper, et cetera. You said a post office, different agencies. feel being a little intimidating in some aspects um how how can you um basically uh make that work to basically accommodate what they're trying to accomplish and what you are trying to accomplish i i agree with that senator like i said postcard in the mail we do that all the time because some mail come back and we still have to mail them out so we i look at look at that as a great educational um way to get the word out and it goes to all voters so of course you'll have a percentage that come back but i agree with those media educational campaign and then also sending the postcards to the voters and she also mentioned a situation where folks come late after five between five and seven um

and need to uh actually put in the information etc how will that work in terms of the accuracy of the information because you won't have any time to check it for instance with the numbers with the final numbers early numbers you're talking with someone coming to the voting center to complete the form yes so they call our office where the main databases and ali says yes that person is registered or not that's it like i said they fill out the form right there and they're eligible to vote once you're in the voting center or the polling site you're eligible to vote once the door is closed and you're outside that's different but once you're inside they'll give you the opportunity to vote and i know numbers matter

2:00:04 statistics is important, but let's turn the page in terms of voters registration and increasing the numbers. And I believe it's important to get voters participation in terms of getting them to the polls and being involved in the government and taking part, as you say. Once Once you vote, you make a difference. So coming from your perspective, what do you think needs to be done in terms of actually getting more voters out in addition to the candidates themselves to get them out? From your office, what have you been doing in terms of voter registration and drive and information and education in order to bring people to the polls and get them involved in the government?

2:00:54 Well, I know between the board and the office and the supervisor, we're doing some outreach but again we continue to say the same thing um it starts at home parents family it starts at churches it starts at school it starts with the political parties doing their part it's not just the board of election or the supervisor of elections so it's all of us in the community so they have to have that interest in government civics and understand what election is all about a lot of them just get the id card to go to the bank and so that's something you know we've been talking about this for 10 years and so that's our issue and that's why a lot of these numbers in our roles are just folks that wanted to get the id card and they don't participate in voting you know so we just have to continue to educate we try to do innovative ways i know the board go out and there's a few folks they had a registration drive this saturday or sunday down at bodo park and bottle farm sorry i'm thinking of park bodo bodo um farm three person registered and it was well announced well advertised and and so that's what's happening and so you only could do so much but again parents need to lead the way i didn't wait for the education or anybody else to tell me my parents took me to register when i was 18 and i find that it's something i do and i've done it every year since because that's what service is about to your community okay thank you dr milliner any insight from from the league of urban voters before my time it up let me hear from you. May I, Senator Joseph? No, go ahead. My time is not called. Yes, yes, you're on Senator Blyden's time. You may proceed, Dr. Molina. I'm so very, very happy Senator Blyden asked that question about how we can get the vote out. And I should say that the League of Women Voters has taken that question very, very seriously. We began a process where we are going into the schools once they reopen and the students are back in the classroom, especially the high schools and the vocational schools. We already began with my brother's workshop. We went and did a fantastic

2:03:05 presentation and the students loved it. They wanted to know how they can sign up. We have a wrapped our video we got from the mainland that um that that talks about it's my vote don't count and uh it's it's a real fantastic and we want to take that into schools when once the school opens in nepal i should say uh senator that what's very interesting is that on the mainland you know that many states the league of women votes organizations are admitted by their state election system to participate in registration i know in the virgin islands we have requested registration activities but it's we are required by the system to have a person from the elected system present. But in the many states, they are authorized to actually conduct registration and assist, there's great assistance to the election system. We look forward to the time when Virgin Islands, this can also happen. I should say that Supervisor Fox has been very accommodating and but whenever we want to do a registration we are always required to have present a member of the of the system thank you for your responses um but i'm chairing closing i would just like to say civics also plays a great role in terms of educating individuals from a younger age so i look forward to us um having a discussion and bringing forward

2:04:56 legislation to um assess in that endeavor thank you so much madam chair for the time thank you for your responses excellent excellent uh thank you so much senator blighton uh senator novel francis jr you're recognized for your five minutes thank you very much madam chair and good afternoon to you uh good afternoon to the testifiers um president molinar as well as supervisor fox thank you for your testimony uh today and you seem to all be in support of this measure and um with with some tweak of course some recommendations for tweaking it so those will certainly be taken under advisement uh supervisor fox tell me this major seeks to do what good afternoon senator as i was mentioning before on when we do certification it goes by the number of voters that are on your list the number of voters that vote in the participant and it should give you your participation rate when we used to cancel voters which was the process up until 2016 you got a true picture of your voter participation once we stop doing that we only have a total number of voters some who do not participate and so your voters participation rate continues to decrease the virgin islands has always been on the top over the years over many states 60 and better we're striving to get to 70 and striving to get higher now we're in the reverse gear and in addition to that i think the bill also speaks to the posting of that information within 90 days after the general election is that correct yes senator and this affords you enough time to be able to make that

- 2:06:47 posting and that comparison or issue the numbers publicly yes senator that's the system that was there before so the staff has always done it over the years from the time the election was instituted in the 60s up to 2016 the similar to the state so the staff that's what they look into under the board members also come in and they go through the cancellation process as senator um joseph mentioned before so we can accomplish that in 90 days and you utilize this data then to do what how how will this information then help you to improve upon your system well you you really have a true number of the number of voters that are in that are registered um you look at percentage when we have to do a ballot calculation the percentage of turnout the number of vote in sight it all goes with your numbers so statistically you look at that you're going to say i'm going to do 40 percent of that number but 40 percent of a number that's not really accurate you end up overspending sometimes we end up with balance that we have to shred every two years because we're doing 40 percent of whatever this number is and half of that percentage at least 40 percent of them are not registered voters i mean not here living and active voters sorry Thank you very much. And President Molinar, I want to also commend the League of Women Voters for your effort to always inform and educate our public. And thank you for all that you do to make that happen. We certainly are going to be missing Ms. Gwen Brady this year, because obviously she's no longer around. And I know here in the St. Croix District, you know, she did a lot of that work. But in your recommendation, and I know that there was a lot spoken about in terms of education, and marketing, I guess, is part of the education process as well.
- 2:08:44 How do you propose that we continue to do that? Because up to, I think it might have been yesterday or the day before, someone asked me whether or not there will be any early voting, and what's the date for the early voting. which means that, again, we're kind of missing the bus in terms of making sure that people are properly informed. Any suggestion how we could close that loop? Yes, yes, yes. I think that, well, we did give the recommendation that immediately after this bill is passed, and I'm listening to the conversation, I'm pretty confident that it will be, that after this bill is passed, that elections sent out, notices to all of the entire voting public about what it means to be active versus in and that for every single voting cycle during that cycle the election system again should send out a postcard informing people about the need to ensure that they are active voters and if not active how to rectify that um i noted that it senator i believe it was uh senator francis who asked whether the budget needs to be increased for the election system And perhaps we might want to advise and suggest to Supervisor Fox that she add in some additional funds for education, educating the public.
- 2:10:25 I think that was a great question, Senator Francis. Thank you very much, Madam Chair. Can I just wrap up with one final question? You may proceed, Senator Francis. Thank you. Thank you very much, Madam Chair. Supervisor Fox, in regards to the changing of numbers during the primary and general election, and I know that's been around for quite some time now, can you remind me, what is the logic behind that? And do you see any movement away from that where you just select one number that will then apply to both the primary and the general election? Can you touch on that real quickly for me, please? Yes, Senator. Again, based on the law, so the law has cast in a lot in two areas.
- 2:11:07 the reason for that is those coming those that are participating in the general election they should have a fair chance of getting number one like everybody else i know this recommendation that everybody pulls together but again you may have some withdrawals you may have some different things that happen and then your ballots will not be chronological i mean a lot of us run in numbers one two three four five things i am one to say we should get rid of numbers most states don't have numbers on the balance but everybody wants us to keep these numbers so you can't have it both ways but that's what the law says right now two casting of lat so again the senators will have to change the law and we look at that go from there but it's confusing because if you're gonna have a number one then you have a number seven because the numbers are in the primary and then now you come to the general it's just not chronological very well thank you my time i've been called um thank you madam chair for the time thank you for your responses um supervisor fox as well as president thank you thank you senator thank you senator francis i do have some questions i recall very vividly my tenure on the board of election representing the saint thomas saint john district and i never participated in the cancellation of voters that was my stance and my reasoning was once a person comes in and they have registered to vote, they have exercised their constitutional right.
- 2:12:41 And I didn't want to be a party of removing somebody constitutional right because they may have chosen or not to vote as their stance in any given election. And that was their voice, not to actually participate and that was part of what they chose to do. So I never supported or participated, I should say, in the cancellation or purging of the voter registration rules while I was there. I wanted to ask you some questions relative to your testimony. You You mentioned that the elector, on page two, you mentioned at the bottom, you mentioned that the elector, unless he has filed with the Office of the Supervisor, the signed request for reinstatement of his registration as above provides. How many days do they have to file that? Is there a timeframe that they must file it so that they can, of course, become re-registered should this bill pass and become enacted?

- 2:13:55 Yes, Senator, 30 days. They have 30 days to return the document. And how many days, and you have 30 days to notify them that they are going to be purged. And you also indicated that if they were, they could still provide the documentation of their polling placement if they go to vote on that day and get reinstated also. That's correct, Senator.
- 2:14:21 Okay. Now, I'm looking at page four of your testimony, I believe you spoke about it in a bit. What does it take? What is needed for you to have access to the system that the Bureau of Motive Vehicle subscribe to so you can actually verify persons birth certificates and the like well Senator our requirements is not to do that because Miss McIntosh is a board member she mentioned the system that they have and as they said not everyone is in not every state is a part of it so you might not want to join a system you have to pay maybe to get information from that system so that might not be good for us again the future we're looking at is tiny with BMV so if they're doing it already we'll get that information from them exactly so I'm looking at that whole transition because I know it's been talked about for a number of years and I just wanted to find out how close we are to making it a reality and not just a talk well senator it's not a talk we are very close to making it a reality we had the entities ES&S and some Omni systems already had meeting with BMV, ES&S is waiting to provide us the quote on what it will cost on our end and we're ready to implement December January we can't do anything between now and November but it's in the works so we could get a contracts and everything fully up and running by January it's going to be implemented so you have some timeline now because I know this has been touted from since maybe three four even when I was a board member and I left the board in 2018 so here today things move very slowly in the Virgin Islands for some
- 2:16:17 reason but I'm glad to hear that you have a timeframe at least by January 2023 yes to have it fully implemented is that correct what you're representing here today my concern relative to the measure having been a board member and we when When you're a board member, you are the front line of implementing the election, correct? The board is who implements the elections. They hire the judges and all of those persons who implement the election. And they go around and they monitor how the election is being conducted. I look at election systems and I'm concerned about any type of election change affecting the voters because we want to assure that the voters are coming out and they are able to vote and not be disenfranchised because that could be a total turn off from somebody who wants to come out and vote. Do you see this legislation impacting adversely any voters coming out to the voting poll? Because it's not everyone who reads the newspaper, goes to WAPA, and all of those things. There are some people who just stay at home, they just go from the grocery stores. So the publications and the marketing and the information, should this bill be enacted, has to go out.
- 2:17:57 I'm just concerned about the timeframe, knowing that it's an election year. So if you could speak on that and what your methodology and approach will be to assure that those voters who may be impacted by this legislation are not disenfranchised. Well, Senator, I would say, again, we look at it from the election perspective, being there historically, and a lot of the members have been there a number of years and based on experience i'm saying this is similar to what we did with cancellation so that process was the same and you'll have some that impact negatively and some that are positive with it so in anything we do you're going to have some that are not happy with the process um our goal is if they're on and again the numbers i look through the list and some of those names some of those persons mean is not on the island anymore but again you have the percentage that may so we plan for that um again we looked at it we look at all the data that we have time and we find that we can implement and we don't see a negative impact on our behalf okay so you don't see it on your behalf but what are the impacts on the voter who you are providing the service to have you taken that into consideration perhaps based on past practices of when the voter registration has been cancelled. Have you had any dialogue with your judges or even the poll workers relative to how that has impacted them on the election day?
- 2:19:36 Have those conversations occurred? Well, over the years we've visited polling sites and you have that percentage, one or two that have a problem that they didn't find their registration in the system. are human, they get frustrated, you call the office, you solve the problem, some of them are still unhappy and you try to, you know, give them the best customer service that you have. So I'm saying, yes, all of that was taken into consideration. Again, this is a project that's from bottom up, because these 4,000 persons, I could tell you, they are not here. 2014 to 2016, they're not here, they're not voting, they're not participating. But we will do our due diligence.
- 2:20:14 Well, I think you're being very presumptuous if you're saying that they're not here. I am saying they're not here. Supervisor Fox, that means that you know each one of these persons that you are going to purge, and you can verify that they are not in the Virgin Islands. I don't know if you want to go with that message, change, but I definitely would prefer to lean on the side that maybe they did not want to vote. Now, my next question would be relative to 2018 voters. You're not taking into consideration those individuals who did not vote in the 2018 election or the 2020s. 2014 and 16 you're taking into consideration to look at purging we take it into consideration we sound with 24 20 well I'll say no we're going to 2018 we're looking at 20 up to 2018 so we want to be generous back so 2018 general election will be also considered yes after you have got if this this measure passed you will also take in so it's three general elections you're going to be

looking at correct yes senator so we could get on track for this bill so this bill gives you two years back so we have to come up to 2018 after this is implanted they go 2022 and 2020 so we'd be doing that in 2023 or 2024 so we have to come up to 2018 but we just wanted to give the numbers and as I stated that these numbers are in the 2018 numbers because they're showing on the list as registered voters and when you take out this first 4,000 you might end up having in 2018. It will be less. This is the base because it's way back to 2014.

2:22:04 Okay. I do agree with President Molinar that more educational outreach needs to be done to the voters. More educational outreach needs to be done to get persons eligible to register to vote to actually vote. And so in that, I wanted to ask Dr. Molinar, what partnerships do you as the president of the league and your organization see that you could be working with with the Board of Elections and the election system to increase the amount of persons who are on our registered voters, and for them definitely to become active voters. Well, thank you for that question, Senator.

2:23:00 The League won a small grant from the National Organization of the League of Women Voters to do outreach to new citizens, and that is a project that we have taken really very, very seriously. Before the pandemic, we visited, we participated in all of the immigration ceremonies where people became new citizens and we passed out literature with the consent, of course, of the presiding judge. We passed out literature to the new citizens, encouraging them to vote, giving them information about why they should vote, of where they should vote and what kind of materials they needed to take to the voting. Because of the pandemic, these immigration ceremonies have not been taking place in the public, and we've had a setback there. But once they resume, we're going to resume that effort as well.

2:24:00 So that has been a big project for us that we're really very proud of. Secondly, as I indicated earlier, we have a program where we plan to go back into the schools. We have begun that effort where we talk about to the 18-year-old why they should vote and how they should vote. We have had a relationship with the election system, and I want to thank Ms. folks for overseeing that we have offered efforts to assist with destruction of new of individuals and the election system has cooperated but as i had said before uh we um we we look for the opportunity but we're only limited really by the availability of members of the board who can be there while they're doing the registration. We did a big reach at the University of the Virgin Islands campus on St. Thomas and Elections told us that that was one of the largest successful programs that they had in registering people and we got a certificate from the board commending Vidley for registering the largest number of people at a registration event. So we continue to offer our services to the board and to the electoral system, wherever we can handle it if we have to do so. And thank you for that.

2:25:28 I do recall vividly persons, a representative from the League of Women Voters being at those naturalization ceremonies, they were very active and they had on their shirts encouraging individuals to go and register. I know typically the system sees an upsurge of registered voters after a naturalization ceremony. Thank you so much, Dr. Milner, for your comments and for answering the question.

2:26:00 Senator Kenneth Gittins, you're recognized for your five minutes. Thank you, Madam Chair. Madam Chair, can I get a point of clarification and a point of information first? I've been trying to get that, but I know we're in two different districts, so it's a little difficult. Senator Gittins, if you could go ahead and ask your questions, I think it could be all rolled up in one. So you're denying my point of clarification and information, ma'am?

2:26:36 Because it's your turn, Senator Gittins. Thank you. You're welcome. The point of clarification to Supervisor Fox, on page three of your testimony, you spoke about the mandate to the statement below explains the process of the office that the the supervisor will conduct. And you stated that the name of any elector whose registration has been changed to inactive shall be posted forthright territorially in three places such as the U.S. Post Office, Water and Power Authority, Bulletin Board, and the election system. Where did this come from, this man?

2:27:35 The information, sir, we use what we used to do cancellation of voters so the cancellation of voters we posted them in the post office when I came on board in 2014 I worked with water and power authority they allowed us to post them in their building and then the website came on board in 2014 so that too became new but this was a cancellation of voters were posted in these places prior so the clarity is this is something that you used to do this isn't something that this bill is requiring at this time and And that's why I wanted the clarity.

2:28:11 And my point of information was that the question asked by the good vice president regarding the casting of lots, we're also addressing that, and hopefully we'll be able to bring that forward shortly. But the supervisor of elections is also saying that a number of jurisdictions don't use numbers, just use names. However, we must come to grips that we still have a small bit of our population that does not read well, and they utilize the numerical system. system so hence why we did not move to remove the numbers from the ballots now I must say that the there's a term used in other jurisdiction which is called a list maintenance and this is the process used by many other jurisdictions to keep their voter registrations accurate and up to date and keeping the voter registration list accurate and current is critical to actually holding efficient

and secured elections so we know for sure that we want people to be able to trust in the process and it starts where with the actual registry which is the first now a question to you miss uh fox supervisor fox a move from christian stead to frederick said may require a simple update uh in your voter registration database correct

2:30:00 yes senator any adverse change is updated right right so my other uh flip side to that is whether or not a move from st thomas to st croix and i think uh my good friend attorney um molinar sorry about that had um alluded to it i think um but my actual question will be a move from st thomas to st croix or either district will require an actual cancellation of a previous registration yes or no it's called a transfers it's called a transfer senator it's not a cancellation a transfer from one district so it will be a transfer now i believe that most people understand the importance of our election system having uh such tracking system in place in order to keep track of changes in registration so my question to you is does incarceration for criminal convictions uh render a voter ineligible to vote senator the voter is suspended one of the drop downs that we have suspended so so currently it is suspended yes senator so they're ineligible to vote so the answer is yes yes what about adjudication of mental incompetence if we get a court ruling that voter will not be able to vote so they will be the board will have to cancel them or put them in another category but right now we only so that's go ahead son great so that sends me into my next question whether or not you uh there is a good time uh relationship uh between you uh meaning your office that is and the um the courts yes senator and lastly uh do you keep

2:32:02 track of death certificates or the death records yes senator we get that quarterly from the department of health and we check those forces off and that's under removable so there's different like as a categories active inactive suspension removable other okay thank you and and hence our continued work on the revisions of title 18 i must note uh to my colleagues that although we're uh amending this section to to add the inactive versus inactive i also want you to notice that in the previous uh language of this section 10 as it speaks in subsection b and and d there's uh mentions of the board of elections and their responsibility and what we're actually doing is transferring a number of these uh day-to-day operations from the board to the supervisor of elections where it should be which will actually allow i'm getting a feedback which would actually allow for there to be a grievance practice that it's something uh if someone has a grievance at the first step they go to the supervisor if they don't uh agree with what the supervisor is saying then it is invoked to the board before it goes to the courts but currently all challenges now go straight to courts because our board of elections who have a lot of these day-to-day operational functions thank you uh madam chair and thank you to the testifiers uh and looking forward to completing these uh revisions thank you a special thank you miss multner for continuing to state was and we must echo the Vice President and we'll miss Attorney Brady as well.

2:34:06 Thank you. Thank you, Senator. Thank you so much, Senator Gittins. Senator Alma-Francis Heiliger, you have a point of inquiry. Thank you. Point of inquiry to the Chair, to Supervisor Fox. I'm not sure if I had missed this because I had stepped out for a few moments. on page two of this piece of legislation, line 17. What I'm trying to find out is when it speaks to it, I just, let me see if I could read it quickly.

2:34:46 It says on this form, you must affirm that you continue to reside at the address at which you are registered have moved within the same district or have moved to another district within the Virgin Islands. Your registration status will be reinstated to active once you complete the voting process. Is anything going to interfere with filling out this form if, for example, you move from one house to another? because what this is saying you have to affirm basically that you're at the same location and I don't want anything written here that could potentially stop someone from voting so if they fill out the form and the information is not identical to what we're requesting here would that potentially stop them from being able to vote? No Senator that would mean that they come into our office after the election and update their database. But they'll be allowed to vote at the site. Similar to what we do now with the nomination process, if an address is incorrect, we give them three days to bring in the documents to update, which you're going to have to bring a lease, a WAPA bill, because we don't want folks just coming and changing the address willy-nilly.

2:36:10 So you have to prove documentation. So you're going to allow to vote, and then you'll update your address. But it triggers you to come to our office. yeah because i was a little concerned how it's written because it says you must affirm that means it has to be identical so i didn't know if that would have triggered any issues for you because you know once this is set in stone it's the law correct but okay but also like i'm saying remember now you got two processes you could do either the ballot or provisional so you're still gonna be allowed to vote that's the main point so if you if we can't confirm you won't do a ballot But you do the provisional and it'll be checked and you come in and make sure you update your address So you'll get to vote anyway. Thank you for the answer Thank you so much senator Frances Heiliger Senators we have exhausted all of our time on this measure If there isn't any other burning questions senator gittins you have any other burning questions that you would need to ask or any other member present need to ask this is the time senator gittins i i see kindly recognize senator gittins mike thank you thank you madam chair my only question is to my colleagues and ask for your support in moving this measure forward and a number of these election reforms are very time sensitive so i'm

just here to humbly ask for your support so we could move this measure forward thank you madam chair thank you so much senator giddens uh at this time i will ask our testifiers to present a 30-second wrap-up you afford you that time supervisor fox we will begin with you again thank you chairwoman car i'm senator joseph and the opportunity to testify in support of this

2:38:11 bill as i stated we would like to implement 30 days after the governor's signature again this is one that's not impacting voter voting day and of course we do the education process to make sure the information is out to the public thank you dr molinar you are recognized for your 30 seconds wrap up thank you the league of women voters is delighted to have been asked and we are very much in support of the bill. We stress the importance of education for the bill. May I make just one correction? Senator Gittins referred to me as Attorney Molinar. My sister is Attorney Molinar. I wouldn't want that mistake to be made. She's the attorney, not I. Thank you so much. Colleagues, we have exhausted all of our time on two pieces of legislation before our committee today. I want to also thank our testifiers for coming forward today and presenting testimony and giving us a thorough assessment on the bill that is before us, Bill 34-0230. At this time I will release you from your testimony and presentation before the committee on government operations and consumer protection and again we thank you so much for taking time today to uh be in attendance thank you motion senator novelle e francis jr you're recognized for your motion thank you very much madam chair madam chair and colleagues i move that bill number 34 does zero two three zero an act amended title 18 virgin illes code chapter 5 section 110 110 relating to the registration

2:40:07 of electors to require the supervisor of elections to compile an active versus inactive voters list within 90 days after each general election starting with general election in 2022 be favorably approved by the committee of government operations and consumer protection and center the the full body for further consideration. I so move. Senator, is it the full body or to rules? Kindly restate your motion. Thank you. That'll be going to the Rules Committee, Madam Chair, so I'll just restate. Bill number 34-0230, an act, I I move that on Bill No. 34-0230, an act amended Title 18, Virgin Islands, Code Chapter 5, Section 110, relating to the registration of electors to require the Supervisor of Elections to compile an active versus inactive voters list within 90 days of each general election, starting with the general election of 2022, be favorably approved by the Committee of Government Operations and Consumer Protection and sent to the Rules and Judiciary Committee for Frederick Betten.

2:41:25 i so move second bill number 34.0230 has been properly moved and by senator noble e francis jr and seconded by senator franklin d johnson roll call on bill number 34.0230 Senator Marvin A. Blyton, Senator Blyton, yeah. Senator Novel E. Francis Jr. Yeah. Senator Francis Jr., yeah. Senator Alma Francis Heiliger, yeah. Senator Francis Heiliger, yeah. Senator Javon E. James Sr., Senator James Sr., absent. Senator Franklin D. Johnson, Senator Johnson, absent.

2:42:22 Yay. One moment. Yay. Senator Johnson, yay. Senator Carla J. Joseph. Not voting. Senator Joseph, not voting. Senator Milton E. Potter. Senator Potter, absent. Madam Chair, you have four, yay. Two absent, one not voting. Thank you so much, Madam Clerk. Bill 34.020, an act amending Title 18, Virgin Islands Code, Chapter 5, Section 110, relating to the registration of electors to require the supervisor of election to compile an active versus inactive voters list within 90 days after each general election, starting with the general election in 2022 has been properly moved and will be forwarded to the Committee on Rules and Judiciary for further consideration and action.

2:43:38 Motion Senator Alma Frances Heiliger. Thank you. Thank you. that bill number 34-0212 be voted on favorably be voted on oh Lord I move that bill number 34-021 I am reading my whole thing wrong today I'm sorry I move that bill number 34-0212 yes I am bill number 34-0212 an act amending Title 28, Chapter 29, Section 660 of the Virgin Islands Code to include additional requirements for the notice and publication of lists of abandoned property, be voted on favorably by this committee and forwarded to the Committee on Rules and the Judiciary for further consideration, I so move.

2:44:37 Bill number 34.0212 has been properly moved by Senator Alma Francis Heiliger, seconded by Senator Marvin A. Blyden and I believe also seconded by Senator Novel E. Francis. Yeah. Roll call on bill number 34.0212. Senator Marvin A. Blyden. senator blyden ye senator novell e francis jr yeah senator novell e senator francis jr ye senator alma francis heiliger senator francis heiliger ye senator javon e james senior senator james senior absent senator franklin d johnson Yes.

2:45:30 Senator Johnson, yes. Senator Johnson, yes. Senator Carla J. Joseph, yes. Senator Joseph, yes. Senator Milton E. Potter, Senator Potter, absent. Madam Chair, you have five, yes, and two absent. Thank you, Madam Clerk. Bill number 34-0212, an act amending Title 28, Chapter 29, Section 660 of the Virgin Islands Code to include additional requirements for the notice and publication of lists of abandoned property has been properly moved and favorably voted upon in this committee and will be forwarded to the Committee on Rules and Judiciary for further action and consideration. Senator Frances Heiliger, you're recognized for your point of personal privilege. Thank you so much, Madam Chair.

- 2:46:33 First, I just would like to thank my colleagues for their full support of this piece of legislation. It is a piece of legislation that is going to benefit the people of this territory as it relates to them being able to tap into getting information for their on-claim funds. I hope as this moves through the process, we will get an overall number as to what the total amount of on-claim funds we have here in the territory in hopes of being able to allow for people to be able to get these monies disbursed back to them. Thank you so much, Madam Chair, for the time, and thanks again to my colleagues.
- 2:47:10 Thank you so much, Senator Francis Heiliger. Colleagues, we have exhausted our agenda today. It was one of the most abbreviated agenda before the Committee on Government Operation and Consumer Protection. Before we leave out for today, I want to really thank everyone for your attendance and your participation. I also would like to thank my staff for their hard work in putting all of this activity and today's meeting together. Also thank the central staff who has been here from the get-go, getting everything ready and prepared for today's meeting. The Committee on Government Operations and Consumer Protection meeting for Thursday, June 16, 2022 is hereby adjourned.
- 2:48:27 Thank you. I'll see you next time.

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.

- 12x **Senator Alma Francis-Heyliger**
heard in this transcript as: Alma Frances Heiliger, Alma Francis Heiliger, Alma-Francis Heiliger, Frances Heiliger, Francis Heiliger
- 10x **Senator Carla Joseph**
the surname alone also matches: Clifford Joseph; Karla J. Joseph
heard in this transcript as: Carla J. Joseph, Joseph
- 9x **Senator Kenneth L. Gittens**
heard in this transcript as: Gittins, Kenneth Gittins, Kenneth L. Gittins
- 8x **Senator Franklin D. Johnson**
heard in this transcript as: Johnson
- 8x **Senator Marvin Blyden**
heard in this transcript as: Blyden, Blyton, Marvin A. Blyden, Marvin A. Blyton
- 6x **Senator Novelle Francis**
heard in this transcript as: Francis, Francis Jr, Novel E. Francis, Novel E. Francis Jr
- 5x **Senator Milton E. Potter**
heard in this transcript as: Potter
- 2x **Senator Javan James**
heard in this transcript as: Javon E. James Sr
- 2x **Chairman Karla Joseph**
the surname alone also matches: Carla Joseph; Clifford Joseph
- 2x **Senator Marise C. James**
the surname alone also matches: Javan James; Giovanni James Sr
heard in this transcript as: James Sr

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.

- Bill 34-0230** Act 8591 · July 20, 2022 · An Act amending title 18 Virgin Islands Code, chapter 5, section 110, relating to registration of electors; to require the Supervisor of Elections to compile an active vs. inactive voter-s list within 90 days after each General Election starting with the General Election in 2022 -0
- Act 8591** Act 8591 · July 20, 2022 · An Act amending title 18 Virgin Islands Code, chapter 5, section 110, relating to registration of electors; to require the Supervisor of Elections to compile an active vs. inactive voter-s list within 90 days after each General Election starting with the General Election in 2022 -0

Referred to but not found in our acts corpus: Bill 34-0212, Bill 34-0021