



## Committee of the Whole/Session

Legislature USVI

August 28, 2025 · 0.4 hours · gov

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| <b>Source recording</b> | <a href="https://youtu.be/jUXMMz9HDdI">https://youtu.be/jUXMMz9HDdI</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <b>Public record</b>    | The underlying proceeding is a public record of the Legislature of the Virgin Islands. 3 V.I.C. § 881(a) defines public records to include all records and documents of or belonging to this Territory or any branch of government, or any "department, board, council or committee of any branch of government" · which names legislative committees by category. § 881(b) gives every citizen the right to examine and copy such records, and the news media the right to publish them. (The open-meetings chapter, 1 V.I.C. § 254, does NOT reach the Legislature: § 253(b) expressly excludes it and its Standing and Special Committees. § 881 does, and it is § 881 that confers the right to copy and publish.) The Legislature broadcast this proceeding publicly itself. The source recording is not ours, is not hosted here, and remains with its publisher at the link above. |
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- 0:00:00 Respectfully, Maurice C. James, Esquire, Senator, 36th Legislature of the Virgin Islands. Letter dated August 28, 2025, the Honorable Senator Milton E. Potter, Senate President, 36th Legislature of the Virgin Islands. Dear Honorable Milton E. Potter, please accept this correspondence as a formal request to be excused from today's legislative session, scheduled for 10:00 a.m. on Thursday, August 28, 2025, at the Earl B. Otley Legislative Hall on St. Thomas. My absence is due to my participation in the Out of Territory 2025 Robert J. Thompson, Eastern Leadership Academy, a commitment that predates the official notice of this session. I do apologize for any inconvenience my absence may cause. Thank you for your understanding, and I extend my best wishes to the 36th Legislature of the Virgin Islands for a productive and informative session. Regards, Senator Hubert L. Frederick, MS, CFE, 36th Legislature of the Virgin Islands. This concludes the reading of correspondence, Mr. President. Thank you very much, Madam Clerk. Please record Senator Maurice James, as well as Senator Hubert Frederick, as excused.
- 0:01:20 Senator Viola, you're recognized for your motion. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. I would draw my motion. Okay. Mr. President, for today's meeting, you have 12 members-- today's session, you have 12 members present, two excuses, and one upset. Thank you very much, Mr. Secretary. We do indeed have a quorum.
- 0:02:07 Madam Clerk, can you please read today's agenda into the record? Consideration of Floor Agenda, Bill No. 36-0145, an act ratifying the Governor's approval of the modification and extension of Consolidated Major Coastal Zone Management Permit, numbers CZJ-04-14W and CZJ-03-14L. Bill No. 36-0147, an act approving the Hotel Development Agreement between the Government of the Virgin Islands and Haven Development, LLC. This concludes the reading of today's agenda, Mr. President.
- 0:02:51 Thank you very much, Madam Clerk. Senator VLA, you're recognized for your motion. Thank you, Mr. President. Mr. President, I move to waive committee reports, overwrite and special orders, and order the agenda into one block,

consisting of Bill No. 36-0145, Bill No. 36-0145, Bill No. 36-0147, which will be the non-germain bill, with no debate time. I so move. Thank you, properly moved by Senator VLA, seconded by Senator Marvin Blyden, Senator Ray Fonseca, Senator Avery Lewis, Senator Carla Joseph objected to, Senator Novel Francis objected to, by Senator Dwayne M. de Graff.

- 0:03:41 Roll call. Senator Marvin A. Blyden. Yes. Senator Blyden, yes. Senator Blyden, yes. Senator Angel L. Boulkes Jr. Senator Boulkes Jr. absent. Senator Dwayne M. de Graff. No. Senator de Graff, no. Senator Ray Fonseca, yes. Senator Fonseca, yes. Senator Fonseca, yes. Senator Fonseca, yes. Senator Fonseca, yes. Senator Novel E. Francis Jr. Yes. Senator Francis Jr., yes. Senator Francis Jr., yes. Senator Alma Francis Heiliger, yes. Senator Francis Heiliger, yes. Senator Francis Heiliger, yes. Senator Hubert A. Frederick, yes. Senator Frederick, yes. Senator Frederick, absent. Senator Kenneth L. Gittins, yes. Senator Gittins, yes. Senator Gittins, yes. Senator Maurice C. James. Senator James, absent. Senator Franklin D. Johnson. Yes. Senator Johnson, yay. Senator Carla J. Joseph. Senator Joseph, not voting. Senator Clifford A. Joseph Sr. Yes. Senator Joseph Sr., yay. Senator Avery L. Lewis. Yes. Senator Lewis, yay. Senator Milton E. Potter. Yes. Senator Potter, yay. Senator Kurt A. Valle. Yes. Senator David Avery, yay. Mr. President, ten yays, one nay, three absent, one not voting.
- 0:04:59 Thank you very much, Madam Clark. The motion carries. Madam Clark, can you please call the first item up? Bill number 36-0145, an act ratifying the governor's approval of the modification and extension of of consolidated major coastal zone management permit numbers CZJ-04-14W and CZJ-03-14L. Can we please have a roll call?
- 0:05:36 Senator Marvin A. Valle Blyton, yes. Senator Blyton, yes. Senator Blyton, yes. Senator Blyton, yes. Senator Angel L. Bulkes Jr., yes. Senator Bulkes Jr., yes. Senator Bulkes Jr., absent. Senator Dwayne M. DeGraff, yes. Senator DeGraff, yes. Senator DeGraff, yes. Senator DeGraff, yes. Senator Ray Fonseca, yes. Senator Fonseca, yes. Senator Fonseca, yes. Senator Fonseca, yes. Senator Novel E. Francis Jr., yes. Senator Fonseca, yes. Senator Novel E. Francis Jr., yes. Senator Francis Jr., yes. Senator Alma Francis Hyliger, yes. Senator Alma Francis Hyliger, yes. Senator Francis Hyliger, yes. Senator Francis Hyliger, yes. Senator Francis Hyliger, yes.
- 0:06:04 Senator Francis Hyliger, yes. Senator Francis Hyliger, yes. Senator Francis Hyliger, yes. Senator Francis Hyliger, yes. Senator Francis Hyliger, yes. Senator Francis Hyliger, yes. Senator Francis Hyliger, yes. Senator Francis Hyliger, yes. Senator Francis Hyliger, yes. Senator Francis Hyliger, yes. Senator Hubert L. Frederick, yes. Senator Frederick, yes. Senator Frederick, absent. Senator Kenneth L. Gittins, yes. Senator Gittins, yes. Senator Gittins, yes. Senator Gittins, not voting. Senator Maurice C. James, no. Senator James, no. Senator James, absent. Senator Franklin D. Johnson, no. Senator Francis, no. Senator Johnson, no. Senator Johnson, no. Senator Carla J. Joseph, no. Senator Carla J. Joseph, no. Senator Sommersen, no. Senator Sommersen, no. Senator Joseph, no. Senator Clifford A. Joseph, no. Senator Clifford A. Joseph, no. Senator Joseph, no. Senator Avery L. Lewis. Senator Lewis, yes. Senator Lewis, yes. Senator Lewis, yes. Senator Milton E. Potter, no. Senator Potter, no. Senator Carter, no. Senator Kurt Deveille, no. Senator Deveille, no. Senator Deveille, no. Senator Deveille, no. Senator Deveille, no.
- 0:07:07 Mr. President... Please... Madame Clerk, please change Senator Ray Fonseca's vote to no. Please call, change Senator Duane de Graff's vote to no. Please change Senator Alma Francis. Oh, we already have you recorded as no. Please record Senator Alma Francis Heiliger's vote as nay. Record mine as no. Please record Senator Kenneth Gittin's vote as no. Mr. President, three yeas, nine nays, three absent. Thank you very much, Madam Clerk.
- 0:08:03 Your colleagues bill number 36-0145, an act ratifying the Governor's approval of the modification and extension of consolidated major coastal zone management permit numbers, CZJ-04-14W, and CZJ-03-14L, has been unfavorably voted upon by this body, and the Governor will be so notified. Madam Clerk, can you please read the next item? Bill number 36-0147, an act approving the hotel development agreement between the Government of the Virgin Islands and Haven Development, LLC. Thank you, Mr. President, I rise to offer amendment number 36-521, being offered by yours truly, Senator Novell E. Francis, Jr., Senator Ray Fonseca, Senator Kenneth L. Gittin, Senator Marvin Blyden, Senator Clifford Joseph, Senator Kurt Viale, Senator Dwayne DeGraff, Senator Avery Lewis, Senator Milton Potter, Senator Alma Francis Heiliger, Senator Carla J. Joseph, Senator Franklin Johnson.
- 0:09:32 That covers everybody. Bill number 36-0147 is amended by adding the following appropriately numbered sections. Section blank, A, Act 8920, as amended by Act number 8985, Bill number 36-0047 is amended in the following instances. A, in section 7, strike 10 million and insert 5 million. Senator Viale, you're recognized for your motion.
- 0:10:05 Thank you, Mr. President. Mr. President, I move to waive the reading of amendment number 36-521. I so move. Mr. Chairman, objection. Properly moved by Senator Kurt Viale, seconded by Senator Marvin Blyden and Senator Ray Fonseca, objected to by Senator Dwayne M. DeGraff. Roll call. Senator Marvin Blyden. Senator Marvin Blyden. Senator

Marvin Blyden. I'm sorry. Roll call. Go ahead.

0:10:32 Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. I'm sorry. Senator Marvin Blyden. Roll call. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. Senator Marvin Blyden. I'm sorry. Okay. We're proceeding with a roll call. On the way of the arena, right? Correct. Correct. You did it right. Senator Marvin Blyden. Yeah.

0:11:02 Senator Blyden. Senator Blyden. Senator Blyden. Yay. Senator Angel L. Bocas Jr. Senator Bocas Jr. Absent. Senator Dwayne M. DeGraff. No. Senator DeGraff. Yay. Senator Ray Fonseca. Yay. Senator Fonseca. Yay. Senator Novelli Francis Jr. Yay. Senator Francis Jr. Yay. Senator Alma Francis Heiliger. Yes. Senator Francis Heiliger. Yay. Senator Hubert L. Frederick. Senator Frederick. Absent. Senator Kenneth L. Gittins. Yes. Senator Gittins. Yay. Senator Maurice C. James. Senator James. Absent. Senator Franklin D. Johnson. Yes. Senator Johnson. Yay. Senator Carla J. Joseph.

0:11:45 Yes. Senator Joseph. Yay. Senator Clifford A. Joseph Sr. Yes. Senator Joseph Sr. Yay. Senator Avery L. Lewis. Yes. Senator Lewis. Yay. Senator Milton A. Potter. Yes. Senator Potter. Yes. Senator Potter. Yes. Senator Potter. Yay. Senator Kurt A. Vele. Yes. Senator Vele. Yay. Mr. President. Eleven yays. One nay. Three absent. Okay.

0:12:13 Motion passes. So move. Rejection. Senator. Senator. Okay. We will have a debate, two minute debate time. Motion. Motion made by Senator, properly moved by Senator Noel Francis, seconded by Senator Carla Joseph, objected to by Senator Duane de Graaff. We will proceed with a two minute debate time. We are going to start with Senator Noel Francis. You may proceed with your two minutes. Thank you very much.

0:12:50 Mr. President, I am offering this amendment to bill number 36.0147. And in it, we're allowing for the Department of Finance to take care of some outstanding debt payments on behalf of the Department of Health for the behavioral health services and undervendors in the amount of \$6.9 million owed to several health facilities over current year, as well as to the Department of Finance audit division for \$2 million payment. We are addressing various operating expenses for the Law Enforcement Planning Commission at a half a million dollars. Diabetes centers, \$500,000. Lutheran Social Services, \$600,000. I reserve the balance of my time at this time. Thank you very much. Madam Clerk, what is the time remaining for Senator Francis?

0:13:43 One minute, 10 seconds. Thank you. Senator Duane de Graaff, you are recognized for your two minutes. Thank you, Mr. President. I saw \$12 million move in an amendment. And I remember asking the OMB director in regards to if any amendments coming down for any movement of monies from the 25 budget. Having asked for nine years for wage increases for everybody, I wanted to make sure I see monies in any kind of bill moving around money for the legislature. First branch of government. But in going through this amendment, I signed on to it. I agree with it. And I just wanted to put on a record as actually what we are moving this money for, very important stuff. So I withdraw my objection. Thank you for the time, Mr. Chair.

0:14:30 Mr. President. Thank you very much, Senator de Graaff. Senator Noval Francis. You may proceed with your remaining time. Again, this is additional appropriations that have been sent down by the Office of Management and Budget. I also reserve the balance of my time, or give up the balance of my time, and I will at this time, so move. Properly moved by Senator Noval Francis. Seconded by Senator Ray Fonseca and Senator Clifford Joseph.

0:15:02 Senator Kurt Viale. Roll call. Roll call. And Senator Carla J. Joseph. Roll call. So we just needed a roll call. Roll call. Senator Marvin A. Blyden. Senator Blyden. Yay. Senator Blyden. Yay. Senator Angel L. Bocas Jr. Senator Bocas Jr. Absent. Senator Dwayne M. de Graaff. Yes. Senator de Graaff. Yay. Senator Ray Fonseca. Yay. Senator Fonseca. Yay. Senator Novelli Francis Jr. Yay. Senator Francis Jr. Yay. Senator Alma Francis Heiliger. Yes. Senator Francis Heiliger. Yay. Senator Hubert L. Frederick. Yes. Senator Frederick. Absent. Senator Kenneth L. Gittins. Yay. Senator Gittins. Yay. Senator Maurice C. James. Senator James. Absent. Senator Franklin D. Johnson. Yes. Senator Johnson. Yay. Senator Carla J. Joseph. Yes. Senator Joseph. Yay. Senator Clifford A. Joseph Sr. Yes. Senator Joseph Sr. Yay. Senator Avery L. Lewis. Yes. Senator Lewis. Yay. Senator Milton E. Potter. Yes. Senator Potter. Yes. Senator Potter. Yay. Senator Kurt Avery. Yay. Senator Avery. Yay. Mr. President. Twelve yays. Three absent. Thank you very much. And we have zero one four seven.

0:16:29 An act approving the hotel development agreement between government of the Virgin Islands and Haven Development LLC as amended has been favorably voted upon. No, no, no, no, no. We voted on the bill as amended. We just voted on the bill as amended. We just voted on the amended. We just voted on the bill as amended. Oh, we're not voting on the bill as amended now? No, no, no. We vote on the right vote. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended.

So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended.

0:17:02 So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. Colleagues, the amendment carries. We will now vote on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. So now we're voting on the bill as amended. Thank you very much. Thank you very much, Madam Clerk. Colleagues, bill number 36-0147.

0:18:34 An act approving the hotel development agreement between the government of the Virgin Islands and Haven Development, LLC, as amended, has been favorably voted upon by this body and will be forwarded to the governor for further consideration and action. Colleagues and to the people of the Virgin Islands, I just wanted to make it clear that the vote that we took on bill number 36-0145 was no indication that we are opposed to the development in and of itself. Our vote was an indication that we were opposed to the process and we feel as though the process was totally usurped. We have a committee that was entrusted and charged with the responsibility of vetting CZM permits. That body was not consulted. It was not routed through that entity and that is really the primary reason for our opposition to the Summers and Bill. So I just wanted to put that on the record. Colleagues, we've exhausted a line of questioning.

[illegible]

0:20:46 We're going to take a two-minute recess. [1 such phrases repeated 52 times · standby audio before the proceeding, transcribed by the recogniser as speech]

00:21:38 We're going to take a two-minute recess. [1 such phrases repeated 47 times · standby audio before the proceeding, transcribed by the recogniser as speech]

0:22:25 We're going to take a two-minute recess. [1 such phrases repeated 28 times · standby audio before the proceeding, transcribed by the recogniser as speech]

0:22:53 We're going to take a two-minute recess. We're going to take a two-minute recess. We're going to take a two-minute recess. We're going to take a two-minute recess. We're going to take a two-minute recess. Mr. President, good evening to all. Mr. President and colleagues, I'll be remiss if I didn't just quickly say a happy 101 birthday greetings to Ms. Lucinda Benjamin, who will be making 101 years old this Saturday, her birthday. She was born on August 30, 1924. So I just want to say a special happy birthday to her. Continue to thrive with all the strength you have. God's blessings upon you. And to Ms. Rita Smith, as well, who made 94 years old in the District of St. Thomas. And lastly, to my granddaughter,

Zion, who made birthday today as well. So happy birthday to all. Thank you, Mr. President and colleagues. Thank you very much, colleagues. The session for Thursday, August 28, 2025 is hereby adjourned.

## 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.

|     |                                                                                                                                                                         |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 40x | <b>Senator Marvin Blyden</b><br>heard in this transcript as: Blyden, Blyton, Marvin A. Blyden, Marvin A. Valle Blyton                                                   |
| 26x | <b>Senator Alma Francis-Heyliger</b><br>heard in this transcript as: Alma Francis Heiliger, Alma Francis Hyliger, Francis Heiliger, Francis Hyliger                     |
| 20x | <b>Senator Novelle Francis</b><br>heard in this transcript as: Alma Francis, Francis, Francis Jr, Noel Francis, Noval Francis, Novel E. Francis Jr                      |
| 20x | <b>Senator Ray Fonseca</b><br>heard in this transcript as: Fonseca, Ray Fonseca's                                                                                       |
| 18x | <b>Senator Carla Joseph</b><br>the surname alone also matches: Clifford Joseph; Karla J. Joseph<br>heard in this transcript as: Carla J. Joseph, Joseph, Joseph Sr      |
| 15x | <b>Senator Dwayne DeGraff</b><br>heard in this transcript as: DeGraff, Duane de Graaff, Dwayne M. DeGraff, Dwayne M. de Graaff, Dwayne M. de Graff                      |
| 14x | <b>Senator Kenneth L. Gittens</b><br>heard in this transcript as: Gittins, Kenneth Gittin's, Kenneth L. Gittin, Kenneth L. Gittins                                      |
| 14x | <b>Senator Milton E. Potter</b><br>heard in this transcript as: Milton A. Potter, Milton Potter, Potter                                                                 |
| 13x | <b>Senator Avery Lewis</b><br>heard in this transcript as: Avery L. Lewis, Lewis                                                                                        |
| 13x | <b>Senator Hubert Frederick</b><br>heard in this transcript as: Frederick, Hubert A. Frederick, Hubert L. Frederick                                                     |
| 11x | <b>Senator Franklin D. Johnson</b><br>heard in this transcript as: Franklin Johnson, Johnson                                                                            |
| 11x | <b>Senator Marise C. James</b><br>the surname alone also matches: Javan James; Giovanni James Sr<br>heard in this transcript as: James, Maurice C. James, Maurice James |
| 8x  | <b>Senator Clifford Joseph</b><br>heard in this transcript as: Clifford A. Joseph, Clifford A. Joseph Sr                                                                |
| 6x  | <b>Senator Angel L. Bulkes Jr</b><br>heard in this transcript as: Angel L. Boulkes Jr, Boulkes Jr, Bulkes Jr                                                            |
| 5x  | <b>Senator Angel L. Bocas Jr</b><br>heard in this transcript as: Bocas Jr                                                                                               |
| 5x  | <b>Senator Kurt Violet</b><br>heard in this transcript as: Kurt Viale, Viale                                                                                            |
| 3x  | <b>Senator Kurt A. Vele</b><br>heard in this transcript as: Vele                                                                                                        |
| 3x  | <b>Senator Kurt VLA</b><br>heard in this transcript as: VLA                                                                                                             |
| 2x  | <b>Senator Kurt Viola</b><br>heard in this transcript as: Viola                                                                                                         |

## 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 36-0047**      Act 8985 · April 14, 2025 · An act amending Act No. 8920 to appropriate \$22,500,000 from the Southern Trust Company Settlement Fund to pay retroactive wages for retired and active government employees; to appropriate \$13,000,000 to the territory-s hospitals and for other purposes ·0
- Act 8920**      Act 8920 · September 27, 2024 · An Act appropriating funds received from the settlement of The Government of the United States Virgin Islands v. Estate of Jeffrey E. Epstein, et al., Civil No. ST-2020-CV-00014 and the settlement agreement with Leon Black for various projects and initiatives to enhance community services, mental health resources, infrastructure, and economic development in the Virgin Islands, including the establishment of the Southern Trust Company Settlement Fund and the Survivors and Mental Health Healing Trust Fund
- Act 8985**      Act 8985 · April 14, 2025 · An act amending Act No. 8920 to appropriate \$22,500,000 from the Southern Trust Company Settlement Fund to pay retroactive wages for retired and active government employees; to appropriate \$13,000,000 to the territory-s hospitals and for other purposes ·0

Referred to but not found in our acts corpus: Bill 36-0145, Bill 36-0147