

As Amended

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
 Territory of the Virgin Islands
 REGULAR/SPECIAL SESSION 2000
 ROLL CALL

Bill No. 23-0250

Date: 9/19/2000

Short Title: To rezone Plots No. 330, 331 and 332, Estate LaValle, Northside "B" Quarter, St. Croix, Virgin Islands, from R-2 (Residential-Low Density) to B-3 (Business-Scattered)

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	12			X CCH
BERRY, Lorraine L.	1			
BRYAN, Adelbert M.		1		
OLE, Donald "Ducks"	2			CCH 2.1
DAVID, Roosevelt St. C.				
DONASTORG, Adlah "Foncie"	3			
GOLDEN, Violet Anne	4			
GOMEZ, Judy M.	5			
GOODWIN, George E.	6			
HANSEN, Alicia "Chucky"		2	X CCH	
JN. BAPTISTE, Norman	7			
JONES, David S.	8			
LIBURD, Almando "Rocky"	9			
PETRUS, Allie-Allison	10			
RICHARDS Vargrave A.	11			

Certified true and correct

12 2

X CCH

1

Carine C. Hodges
 CLERK

BILL NO. 23-0250

**Twenty-Third Legislature Of The Virgin Islands
Of The United States**

AUGUST 30, 2000

To rezone Plots No. 330, 331 and 332, Estate LaValle, Northside "B" Quarter, St. Croix, Virgin Islands, from R-2 (Residential-Low Density) to B-3 (Business-Scattered)

PROPOSED BY: Senator Vargrave A. Richards

1 BE IT ENACTED by the Legislature of the Virgin Islands:

2 SECTION 1. Notwithstanding any other law, Official Zoning District Map SCZ-2, for island of
3 St. Croix, is amended by changing the zoning designation of Plots No. 330, 331 and 332, Estate
4 LaVallee, Northside "B" Quarter, St. Croix, Virgin Islands, consisting of approximately 1.924 U.S.
5 acres, as shown on P.W.D. Drawing No 5012, dated December 5, 1995 revised on March 25, 1999 from
6 R-2 (Residential-Low Density-One and Two-Family) to B-3 (Business-Scattered).

7
8
9
10 BR00-1376 / August 4, 2000 / SA



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

DEPARTMENT OF PLANNING AND NATURAL RESOURCES

6003 Anna's Hope
Christiansted, St. Croix, V.I. 00820-4433

Telephone: (809) 773-1082
FAX: (809) 773-1716
TDD (809) 777-8413

REPORT OF PROPOSED AMENDMENT TO OFFICIAL
ZONING MAP NO. SCZ 2

Application No. ZAC-99-10
March 10, 2000

Petition to rezone Plots No. 330, 331, and 332 Estate La Vallee from R-2 (Residential Low Density) to B-3 (Business Scattered), in order to operate a beach bar.

FINDINGS:

Acreage: Plots No. 330, 331, and 332 Estate La Vallee are approximately 1.924 U.S. Acres, as more fully shown on Public Works Drawing No. 5012, dated December 5, 1995.

Ownership: The owner of record is Lauritz Acoy as per recorded Warranty Deed No. 3309/1997, dated July 21, 1997.

Present Use: Presently the lot contains a DPNR's Coastal Zone Management permitted gazebo type structure which is located at the northern edge of the property overlooking the Atlantic Ocean. No other structures are located on the premise.

Surrounding Uses: The subject lot is immediately located in a low density residential area. Surrounding uses are mixed, to include residential, agricultural, retail and commercial.

Public Response: At DPNR's February 3, 2000 public hearing on the petition, Mr. Acoy spoke in support of his petition. No written or verbal opposition to the petition was received by the Department.

Analysis: Mr. Acoy, the applicant, is requesting approval to rezone Plots 330, 331 and 332 Estate La Vallee, in order to immediately operate a beach bar, and long term an apartment building. The beach bar is intended to serve locals as well as tourists.

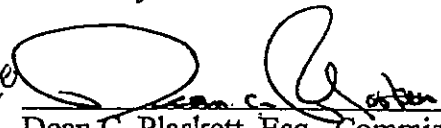
Application No. ZAC-99-10
Page Two
March 10, 2000

The subject lot, which is located along the northern shore line of the island, a few hundred feet from a public roadway, Route 78, and approximately three (3) miles from the Carambola hotel, is in an area that is characterized as mixed use, consisting of residential, retail and commercial activities. The B-3 zone that is being requested is a zone which permits single businesses in residential areas, and would be consistent with the zones of other area properties which have been rezoned.

The Department does not view the applicant's request as unreasonable, in light of the character of the area, the proximity of the property to a major trafficked area, as well as the size of the property (1,924 acres). The property is sufficiently large to accommodate the proposed use(s), meet the provisions of the B-3 zone for off-street parking for patrons, employees, and off-street loading and unloading areas. The acreage would also allow the applicant to buffer his property from any abutting residentially zoned or utilized properties.

Recommendation: The Department recommends that the rezoning of Plots 330, 331 and 332 Estate La Vallee from 'R-2' (Residential-Low Density, one & two family) to 'B-3' (Business Scattered), be approved in order to allow a beach bar subject to the following conditions:

1. The applicant shall comply with existing law, as prescribed in V.I.C. Title 29 Subsections 229 and 230, by providing adequate off-street parking and loading and unloading spaces and;
2. A buffer of fencing, trees, and/or shrubs, approximately 6'0"-7'0" high, be installed surrounding the properties to protect and maintain the visual aesthetics and general safety of the area.

mde 
Dean C. Plaskett, Esq., Commissioner
Department of Planning and Natural Resources

3/14/00
Date

Sen. Donastorg motion to override Section 10+
15 of Act No. 6360, Bill No. 23-0250. Recorded

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 20__
ROLL CALL

23-0250

Bill No. _____

Date: 12/20/00

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
(b) Reported from Committee and sent to Rules on.....
(c) Reported from Committee on Rules.....
(d) Recalled from Committee by Special Order.....
(e) Adopted on.....
(f) Rejected on.....
(g) Vetoed by Governor on.....
(h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.		1		
BERRY, Lorraine L.		2		
BRYAN, Adelbert M.		3		
COO Donald "Ducks"		4		
DAVID, Roosevelt St. C.	1			
DONASTORG, Adlah "Foncie"	2			
GOLDEN, Violet Anne		5		
GOMEZ, Judy M.	3			
GOODWIN, George E.		6		
HANSEN, Alicia "Chucky"	4			
JN. BAPTISTE, Norman	5			
JONES, David S.				1
LIBURD, Almando "Rocky"		7		
PETRUS, Allie-Allison		8		
RICHARDS Vargrave A.		9		

Certified true and correct

59

Corrine C. Hodge
CLERK

Bill No. 23-0250

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 2000
ROLL CALL

Date: 9/18/00

Seconded
Golden
objection
Petrus

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
(b) Reported from Committee and sent to Rules on.....
(c) Reported from Committee on Rules.....
(d) Recalled from Committee by Special Order.....
(e) Adopted on.....
(f) Rejected on.....
(g) Vetoed by Governor on.....
(h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

Adopted
9/18/00

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.			1	
BERRY, Lorraine L.	1			
BRYAN, Adelbert M.		1		
OLE, Donald "Ducks"	2			
DAVID, Roosevelt St. C.	3			
DONASTORG, Adlah "Foncie"	4			
GOLDEN, Violet Anne	5			
GOMEZ, Judy M.	6			
GOODWIN, George E.		2		
HANSEN, Alicia "Chuckie"	11		2 (P)	
JN. BAPTISTE, Norman	7			
JONES, David S.	8			
LIBURD, Almando "Rocky"	9			
PETRUS, Allie-Allison	10			
RICHARDS Vargrave A.				1

Certified true and correct

11 2 1 1

Melencia M. Steele
CLERK

PREPARED BY
FIRST DRAFT
LEAD
Drafted or Reviewed
By Legal Counsel
yet

OFFERED BY SENATOR ROOSEVELT ST. C. DAVID

Bill No. 23- ____ is amended by adding a an appropriately numbered section to
read:

“SECTION _____. Notwithstanding the requirements set forth in title 29, chapter 3,
section 238 Virgin Islands Code, a zoning variance from R-3 Residential–Medium
Density is granted to Parcel No. 8A-REM, Estate Smith Bay (Megahaabet & De Gunst)
Nos. 1,2 & 3, Smith Bay Quarter, St. Thomas, Virgin Islands, consisting of 3.00 + acres,
more or less, as shown on O.L.G. File No.D9-6344-T97 for the purpose of constructing
and operating a wholesale trade, storage and warehouse on the subject property. All other
requirements of the B2 zoning designation shall continue to apply to the subject property.

Amendment No. 23-416a

June 14, 2000/Drafted by YLT

Am o l. mcl

Amendment #23-549
Introduced by Seno Holden
Objection by Seno Bryan

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
 Territory of the Virgin Islands
 REGULAR/SPECIAL SESSION 20____
 ROLL CALL

Bill No. 23-0250 Date: 9/19/2000

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected
 over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.				1
BERRY, Lorraine L.	1			
BRYAN, Adelbert M.		1		2 CKH
LE, Donald "Ducks"	2			
DAVID, Roosevelt St. C.				3
DONASTORG, Adlah "Foncie"	3			
GOLDEN, Violet Anne	4			
GOMEZ, Judy M.	5			
GOODWIN, George E.	6			
HANSEN, Alicia "Chucky"	7			
JN. BAPTISTE, Norman				4
JONES, David S.				5
LIBURD, Almando "Rocky"	8			
PETRUS, Allie-Allison	9			
RICHARDS Vargrave A.				6

Certified true and correct

Carrie C. K. Dodge
 CLERK

6
 5

AMENDMENT TO BILL NO. 23-_____
OFFERED BY SENATOR ALLIE ALISON PETRUS

Bill No. 23-_____ is amended by adding an appropriately numbered section to read as follows:

"SECTION ____. (a) Act 6220 (March 3, 1998), Section 2, is repealed.

(b) (1) The Governor, on behalf of the Government of the Virgin Islands, acting through the Virgin Islands Public Finance Authority, shall pursue all available financing structures in order to maximize the proceeds to be received by the Government from the Cigarette Master Settlement Agreement and the Smokeless Tobacco Settlement. Such structures may include the issuance of notes of indebtedness secured by a pledge of the tobacco settlement proceeds on either a tax exempt or taxable basis.

(2) The Governor or the Public Finance Authority are further authorized to execute all necessary documents to effectuate the purposes outlined in subsection (a) herein.

(3) The specific proposal outlining the financing structure and other supporting documentation shall first be submitted to the Legislature prior to ratification of any notes of indebtedness by the Government or the Public Finance Authority.

(c) Title 33, chapter 111, Virgin Islands Code is amended by adding an appropriately numbered section to read:

'Section_____. Tobacco Settlement Health Care and Capital
Improvement Fund

(a) There is established a separate and distinct fund in the Treasury of the Virgin Islands to be designated the "Tobacco Settlement Health Care and Capital Improvement Fund", hereinafter referred to as "the Fund". The Commissioner of Finance shall provide for the administration of the Fund as separate and apart from all other funds of the Government of the Virgin Islands. No monies in the Fund shall be available for expenditure or disbursement except as provided in this section.

(b) There is appropriated and deposited into the Fund such sums received each year by the Government of the Virgin Islands from its settlement with the tobacco industry for reimbursement for smoking related health care costs pursuant to the Cigarette Master Settlement Agreement and Smokeless Tobacco Settlement; all monies previously deposited into the Union Arbitration Award and Government Employees Increment Fund and the Heath Revolving Fund pursuant to Act 6220 (March 3, 1998), §2; all revenues derived from interest earned on any bond issue; all monies appropriated from time to time by the Legislature; public and private grants; gifts; donations; and bequests or devises.

(c) The Commissioner of Finance, upon the authorization of the Commissioner of Health and the Chief Executive Officers of the Roy Lester Schneider Hospital and the Governor Juan Luis Hospital, shall disburse monies from the Fund as follows:

(1) Thirty-six percent (36%), including any interest earned on any bond issue, to the Department of Health to be used for prevention, basic and long-term health care needs, and health related capital improvement projects;

(2) Thirty-two percent (32%), including any interest earned on any bond issue, to the Roy Lester Schneider Hospital to be used for basic health care services, including cancer treatment, and health related capital improvement projects; and

(3) Thirty-two percent (32%), including any interest earned on any bond issue, to the Juan F. Luis Hospital to be used for basic health care services, including cardiac treatment, and health related capital improvement projects.

(d) Any health related capital improvement projects authorized under subsection (c) of this Section shall be administered at the direction of the Public Finance Authority, under the supervision of the Commissioner of Health and the Chief Executive Officers of the Roy Lester Schneider Hospital and the Governor Juan Luis Hospital. The Public Finance Authority, the CEO's of the Roy Lester Schneider Hospital and the Juan Luis Hospital shall, promulgate rules for the operations, coordination and dispute settlement in the disbursement and use of the Tobacco Settlement Health Care and Capital Improvement Fund and submit these rules to the Governor and the Legislature for approval as provided under title 3, chapter 35, Virgin Islands Code. The Public Finance Authority shall maintain a detailed report of the status of health related capital improvement

projects and shall submit to the Governor and the Legislature annually, at the close of each fiscal year, a report on the status of the projects.

(e) The Commissioner of Finance shall maintain a detailed accounting record of all monies deposited into and disbursed from the Fund and shall submit to the Governor and the Legislature annually, at the close of each fiscal year, a report on the financial status of the Fund.'

(d) Notwithstanding any other law, any employee of the Government of the Virgin Islands, including employees of the Legislature, the Territorial Court, the University of the Virgin Islands, and all independent or semi-autonomous agencies and instrumentalities of the Government of the Virgin Islands, shall be entitled to a maximum of three hours administrative leave annually to receive pre-cancer screening; Provided, That the employee provide medical verification from a licensed physician or other licensed health care provider.

(e) Notwithstanding any other law, the legal holidays outlined in Title 1, Section 171, subsection (a), Virgin Islands Code, that were not repealed by Act No. 6333 (Bill No. 23-0178), section 13, shall remain legal holidays in the Virgin Islands including Veteran's Day and Memorial Day and all government offices including the Department of Education shall be closed on those days."

Amendment Summary

Section 2 of Act No. 6220 allocates the tobacco settlement funds as 50% deposited into the Union Arbitration Award and Government Employees Increment Fund; and, 50% deposited into the Health Revolving Fund for equal shares going to the Juan 06Luis Hospital, and the Roy Lester Schneider and

Myrah Keating Smith Clinic, jointly. This bill reallocates the monies as stated above.

Amendment No. 23-549/ June 20, 2000 /Reviewed by CEK

Sen. Liburd introduced 23-579 *Objection by Sen. Bryan*
Seconded by Sen. Liburd

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
 Territory of the Virgin Islands
 REGULAR/SPECIAL SESSION 20____
 ROLL CALL

Bill No. 23-0250 Date: 9/19/2000

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected
 over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	1			
BERRY, Lorraine L.	2			
BRYAN, Adelbert M.		1		
LE, Donald "Ducks"	3			
DAVID, Roosevelt St. C.	4			
DONASTORG, Adlah "Foncie"	5			
GOLDEN, Violet Anne	6			
GOMEZ, Judy M.				1
GOODWIN, George E.	7			
HANSEN, Alicia "Chucky"		2		
JN. BAPTISTE, Norman				2
JONES, David S.				3
LIBURD, Almando "Rocky"	8			
PETRUS, Allie-Allison	9			
RICHARDS Vargrave A.		3		

Certified true and correct

9 3
Corine C. H. Adams
 CLERK

3

Amendment to Bill No. 23-0
Initiated by Senators George E. Goodwin, Lorraine L. Berry; Donald "Pete" Cole
Anne Golden
Bill No. 23-0 — is amended by inserting an appropriate number
section to read:

SECTION ____. There is appropriated in the fiscal year ending September 30, 2000, from the Industrial Promotion Fund, established in title 29, chapter 12, section 726, **the** sum of \$250,000 to be used for the acquisition of two acres or real property at Estate Zufriedenheit on St. Thomas, adjacent to the area known as 'Drake's Seat' to develop the area into a tourist attraction center with permanent bathroom facilities. The sum appropriated in this section shall remain available until expended".

Amendment No. 23-579/September 16, 2000/Revised by YLT

Sens. Gomez - Amendment #23-145
Seconded by Sens. Buyer
Objection by Sens. Jones
Adopted

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
 Territory of the Virgin Islands
 REGULAR/SPECIAL SESSION 20____
 ROLL CALL

Bill No. 23-0250

Date: 9/19/2000

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	1			
BERRY, Lorraine L.	2			
BRYAN, Adelbert M.		1		
LE, Donald "Ducks"	3			
DAVID, Roosevelt St. C.	4			
DONASTORG, Adlah "Foncie"	5			
GOLDEN, Violet Anne	6			
GOMEZ, Judy M.	7			
GOODWIN, George E.	8			
HANSEN, Alicia "Chucky"	9			
JN. BAPTISTE, Norman	10			
JONES, David S.	11			
LIBURD, Almando "Rocky"	12			
PETRUS, Allie-Allison	13			
RICHARDS Vargrave A.	14			

Certified true and correct

Corine C. Hodge
 CLERK

Amendment to Bill No. 23 -

Offered by Senator Gomez

Bill No. 23 - is amended by

adding a new appropriately numbered section to read as follows;

"SECTION 4. Notwithstanding any other law, the Government of the Virgin Islands through the Department of Public Works, may contract with independent contractors to provide public restroom facilities, if no other public facilities exist, for the town areas of St. Thomas, St. John and St. Croix."

Floor Amendment No. 23-145 / 9-18-00

CF

F
23-
145

Sen. Bryan Amendement # (Anderson) AO Ordered
Seconded by Sen. Hansen

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 20____
ROLL CALL

Bill No. 23-0250 Date: 9/19/2000

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.				
BERRY, Lorraine L.				
BRYAN, Adelbert M.				
LE, Donald "Ducks"				
DAVID, Roosevelt St. C.				
DONASTORG, Adlah "Foncie"				
GOLDEN, Violet Anne				
GOMEZ, Judy M.				
GOODWIN, George E.				
HANSEN, Alicia "Chucky"				
JN. BAPTISTE, Norman				
JONES, David S.				
LIBURD, Almando "Rocky"				
PETRUS, Allie-Allison				
RICHARDS Vargrave A.				

Certified true and correct

Carine C. K. Hodge
CLERK

Amendment to Amendment #23-54
Offered by Senator Bryan

Amendment No. 23-549 is amended
on Page 3, Item (1) by adding a
sentence at the end thereof to read;

" Of the funds appropriated under this
Item Eighteen percent (18%) shall be
appropriated to ~~the~~ St. Thomas and
eighteen percent (18%) shall be
appropriated to St. Croix. "

9-19-00

Sen. Hodges Presentation # 23-191 *Opposition by Sen. Bryan*
Seconded by Sen. Petrus
TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
 Territory of the Virgin Islands
 REGULAR/SPECIAL SESSION 20__
 ROLL CALL

Bill No. 23-0250 Date: 9/19/2000
Adopted

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	1			
BERRY, Lorraine L.	2			
BRYAN, Adelbert M.				1
LE, Donald "Ducks"	3			
DAVID, Roosevelt St. C.	4			
DONASTORG, Adlah "Foncie"	5			
GOLDEN, Violet Anne	6			
GOMEZ, Judy M.				2
GOODWIN, George E.	7			
HANSEN, Alicia "Chuck"	8			
JN. BAPTISTE, Norman				3
JONES, David S.				4
LIBURD, Almando "Rocky"	9			
PETRUS, Allie-Allison	10			
RICHARDS Vargrave A.	11			

Certified true and correct

Carine C. K. Dodge
 CLERK

4

AMENDMENT TO:

Bill No. 23-0205

OFFERED BY:

Golden

Bill No. 23-0205 is hereby amended by adding thereto a new subsection, numbered appropriately to read:

Section _____. (a) Act No. 6331, Section 1, Item M, subitem (c), is amended as follows:

(c) ~~Reduce:~~ ^{delete}

TaxiCab Commission

Personnel Services	\$193,036	
Total Personnel Services		\$193,036
All Other Expenses		\$ 65,871
		\$258,907

(d) Adjust the Total for ORG 2600 Department of Licensing and Consumer Affairs accordingly, ~~"\$22,130,140"~~

(b) The following sum or as much thereof as may be necessary, is hereby appropriated out of any available funds in the Taxi License Fund for the Fiscal Year ending September 30, 2000, to the Virgin Islands Taxicab Commission, to remain available until expended:

Fund 590000 Taxi License Fund
Org 2600 Licensing and Consumer Affairs
C/Cntr SS90269 Taxi License Fund

Personnel Services	\$193,036	
Total Personnel Services		\$193,036
All Other Expenses		\$215,871

Total Taxi License Fund \$408,907

Act No. 6331 funds the operation of the Taxicab Commission from the General Fund instead of the Taxi License Fund, which has always been the source for the operation of the Taxicab Commission. The appropriation bill for the Taxi License Fund transmitted in the Fiscal Year 2000 Executive Budget was never approved by the 23rd Legislature.

While Act No. 6331, Section 10, made the Taxicab Commission a Division under the Department of Licensing and Consumer Affairs, this legislation did not, however, change the funding source for the operation of the Commission.

Personnel Services

Classified	\$12,159,159	
Unclassified	\$3,185,305	
Adjustments as per Gov's Revised Budget	(1,002,376)	
TOTAL PERSONNEL SERVICES		\$14,342,088
ALL OTHER EXPENSES		9,374,796
TOTAL ORG 2400 DEPARTMENT OF JUSTICE		\$23,716,884

M. ORG 2600 DEPARTMENT OF LICENSING & CONSUMER AFFAIRS

Personnel Services

Classified	\$802,878	
Unclassified	\$912,520	
Adjustments as per Gov's Revised Budget	\$(186,088)	
TOTAL PERSONNEL SERVICES		\$1,529,310
ALL OTHER EXPENSES		600,838
TOTAL DEPARTMENT OF LICENSING & CONSUMER AFFAIRS		\$2,130,148

TAXI-CAB COMMISSION

Personnel Services	\$193,036	
TOTAL PERSONNEL SERVICES		\$193,036
ALL OTHER EXPENSES		\$65,871
		\$258,907

TOTAL ORG 2600 DEPARTMENT OF LICENSING & CONSUMER AFFAIRS	\$2,389,055
--	--------------------

N. ORG 2700 VIRGIN ISLANDS BUREAU OF INTERNAL REVENUE

Personnel Services

Classified	\$3,511,340	
Unclassified	\$734,000	

Sen. Golden Greenman #23-570
Recorded by Sen. Berry
Objection by Sen. Bryant

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
 Territory of the Virgin Islands
 REGULAR/SPECIAL SESSION 20____
 ROLL CALL

Bill No. 23-0250

Date: 9/19/2000

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	1			
BERRY, Lorraine L.	2			
BRYAN, Adelbert M.		1		
LE, Donald "Ducks"	3			
DAVID, Roosevelt St. C.	4			
DONASTORG, Adlah "Foncie"		2		
GOLDEN, Violet Anne	5			
GOMEZ, Judy M.				1
GOODWIN, George E.	6			
HANSEN, Alicia "Chucky"	7			
JN. BAPTISTE, Norman				2
JONES, David S.	8			
LIBURD, Almando "Rocky"	9			
PETRUS, Allie-Allison	10			
RICHARDS Vargrave A.	11			

Certified true and correct

11 2

2

Carine B. Hodge
 CLERK

Drafted or Reviewed
By Legal Counsel

AMENDMENT TO BILL NO. 23-
OFFERED BY SENATOR VIOLET ANNE GOLDEN

David S. Jones
Lorraine L. Bern
King Gooden
James D. Smith
James D. Smith
James D. Smith

Bill No. 23- 0250 is amended by adding a new appropriately

numbered section to read as follows;

"SECTION . Title 29, chapter 17, subchapter 2, section 1014, Virgin Islands Code, as added by Act No. 6294 (Bill No. 23-0081), section 2, is amended in the following instances:

Yea
Na
Ab
Not
Vot

(a) Designate subsection (9) as subsection (10) and add a new subsection (9) to read as follows;

'(9)(A) The owner of real property located within a designated Blighted Area that is reconstructed, rehabilitated or upgraded to accommodate either a business or a residence shall receive a property tax credit of 100% of the property taxes authorized under title 33, chapter 81, of this code, beginning on the date of finance closing and shall continue for one and one half (1 ½) the financing period, not to exceed a total of five (5) years. In the event the reconstruction, rehabilitation or upgrading is not completed within five (5) years, except where the delay is caused by an act of God, the owner shall become liable for all property tax credits which were received.

If the reconstruction, rehabilitation or upgrading is fully funded by the property owner, the tax credit shall commence on the date a Certificate of Occupancy is issued by the Department of Public Works.

(B) At the expiration of the initial property tax credit period, the owner shall be eligible to receive a property tax credit of 25% of the property taxes paid for

an additional five (5) years if the property continues to be maintained in a habitable condition'; and

(b) The newly designated subsection (10) is amended in the last line by deleting 'subsection (1)(f)' where it appears and inserting in lieu thereof 'subsections (1)(f) and (9)'."

Amendment No. 23-590 / September 18, 2000/ CEK

Sen. Jones Amendment # 23-5529
Seconded by Sen. Holden
Objections by Sen. Bryan Lost

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
 Territory of the Virgin Islands
 REGULAR/SPECIAL SESSION 20____
 ROLL CALL

Bill No. 23-0250

Date: 9/19/2000

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.		1		
BERRY, Lorraine L.		2		
BRYAN, Adelbert M.		3		
LEE, Donald "Ducks"		4		
DAVID, Roosevelt St. C.	1			
DONASTORG, Adlah "Foncie"		5		
GOLDEN, Violet Anne		6		
GOMEZ, Judy M.		7		
GOODWIN, George E.		8		
HANSEN, Alicia "Chucky"		9		
JN. BAPTISTE, Norman		10		
JONES, David S.	2			
LIBURD, Almando "Rocky"		11		
PETRUS, Allie-Allison		12		
RICHARDS Vargrave A.		13		

Certified true and correct

2 13
Carlene L. Hodge
 CLERK

Drafted or Reviewed
By Legal Counsel

**AMENDMENT TO BILL NO. 23-
OFFERED BY SENATOR DAVID S. JONES**

Bill No. 23-_____ is amended by adding a new appropriately
numbered Section to read as follows:

“Section _____. There is appropriated from the interest on the bond
proceeds authorized to be issued in Act No. 6297, the sum of \$350,000 for
the purpose of satisfying a legal claim against the Virgin Islands Housing
Finance Authority by Innovative Asset Group.”

Amendment No. 23-552a / June 22, 2000 / CEK

Sen. Lorraine Berry Amendment # *23-139* *Objected by*
Seconded by Sen. ~~David~~ David *Sen. Hansen*

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 20____
ROLL CALL

Bill No. 23-0250

Date: 9/19/2000

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
(b) Reported from Committee and sent to Rules on.....
(c) Reported from Committee on Rules.....
(d) Recalled from Committee by Special Order.....
(e) Adopted on.....
(f) Rejected on.....
(g) Vetoed by Governor on.....
(h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.				
BERRY, Lorraine L.				
BRYAN, Adelbert M.				
E, Donald "Ducks"				
DAVID, Roosevelt St. C.				
DONASTORG, Adlah "Foncie"				
GOLDEN, Violet Anne				
GOMEZ, Judy M.				
GOODWIN, George E.				
HANSEN, Alicia "Chucky"				
JN. BAPTISTE, Norman				
JONES, David S.				
LIBURD, Almando "Rocky"				
PETRUS, Allie-Allison				
RICHARDS Vargrave A.				

Certified true and correct

Carine B. Hodge
CLERK

*Received by
Jkt*

Amendment to Bill No. 23-0244
Offered by Senator George E. Goodwin

1. Bill No. 23-0244 is amended by adding a section to read as follows:

"Section _____.

Notwithstanding title 33, section 3085 C.J.
There is hereby appropriated from the Corporation Division Revolving Fund, for the fiscal year ending September 30, 2000, the sum of \$248,727.52 to the Office of the Lieutenant Governor for the purpose of satisfying prior year rental obligations as follows: \$115,203.50 to Vanterpool Enterprises; \$98,237.00 to King Cross and Associates; and \$35,287.02 to B & W Investment, Ltd.

~~Notwithstanding any law to the contrary,~~ *THE* such sums appropriated herein shall remain available until expended."

Floor Amendment NO 23-13 9/September/8/2000 / Reviewed by YU

Hansen
Amendment

23-pfa 2

Seconded
Liburd
Opposition
~~Steen~~
Petrus

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 2000
ROLL CALL

Bill No.

23-0250

Date:

9/18/00

Short Title:

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
(b) Reported from Committee and sent to Rules on.....
(c) Reported from Committee on Rules.....
(d) Recalled from Committee by Special Order.....
(e) Adopted on.....
(f) Rejected on.....
(g) Vetoed by Governor on.....
(h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

Post
9/18/00

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	1			+ (92)
BERRY, Lorraine L.		1		
BRYAN, Adelbert M.	1			
LE, Donald "Ducks"		2		
DAVID, Roosevelt St. C.		3		
DONASTORG, Adlah "Foncie"	2			
GOLDEN, Violet Anne		4		
GOMEZ, Judy M.	3			
GOODWIN, George E.		5		2 (92)
HANSEN, Alicia "Chucky"	4			
JN. BAPTISTE, Norman	5			
JONES, David S.		6		
LIBURD, Almando "Rocky"	6			
PETRUS, Allie-Allison		7		
RICHARDS Vargrave A.		8		

Certified true and correct

CLERK

7
Mencin M. Steele

Drafted or Reviewed
By Legal Counsel

**AMENDMENT TO BILL NO. 23-
OFFERED BY SENATOR ALICIA 'CHUCKY' HANSEN**

Bill No. 23-_____ is amended by adding a new appropriately numbered Section to read as follows:

"Section _____. There is appropriated from the accumulated retained earnings of the Public Finance Authority as provided under title 29, chapter 15, Virgin Islands Code, for the fiscal year ending September 30, 2000, the sum of \$27.2 million to the General Fund of the Government of the Virgin Islands for the following purposes;

(1) Department of Education-School Bus Transportation;

- a. St. Croix - \$6 million;
- b. St. Thomas - \$6 million; and
- c. St. John - \$1 million.

(b) Department of Public Works - maintenance and repair of the St.Croix Sewer System - \$5 million.

(c) Department of Human Services - Pharmaceutical Assistance to the Aged Program;

- (1) St. Croix - \$3 million;

BR 1442

RECEIVED BY:

DATE 9-1-00

TIME 8:55 AM

[Signature]

(2) St. Thomas - \$3 million; and

(3) St. John - \$1.5 million.

(d) For the Government of the Virgin Islands to purchase the Christiansted Post Office - \$1.2 million.

(e) Department of Health to purchase and maintain ambulances on St. Croix - \$500,000."

Amendment No. 23-pfa2 / August 31, 2000 / CEK

*Sens Jones Amendment #23-487 Objections by Sen Jones
 Seconded by Sen David*

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
 Territory of the Virgin Islands
 REGULAR/SPECIAL SESSION 20____
 ROLL CALL

Adopted

Bill No. 230250

Date: 9/19/2000

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected
 over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	1			
BERRY, Lorraine L.	2			
BRYAN, Adelbert M.		1		
LE, Donald "Ducks"	3			
DAVID, Roosevelt St. C.				1
DONASTORG, Adlah "Foncie"	4			
GOLDEN, Violet Anne	5			
GOMEZ, Judy M.	13	DUCK		
GOODWIN, George E.	6			
HANSEN, Alicia "Chucky"	7			
JN. BAPTISTE, Norman	8			
JONES, David S.	9			
LIBURD, Almando "Rocky"	10			
PETRUS, Allie-Allison	11			
RICHARDS Vargrave A.	12			

Certified true and correct

13 ~~DUCK~~

Corrine C. Hodge
 CLERK

**Drafted or Reviewed
By Legal Counsel**

**AMENDMENT TO BILL NO. 23 - _____
OFFERED BY SENATOR DAVID S. JONES**

Bill No. 23-_____ is amended by adding a new appropriately numbered section to
read as follows:

“Section _____. Act No. 6001, section 2, and Act No. 6069, section 4, are repealed
in their entirety.

EXPLANATION

This amendment will eliminate the sunset clause for the operation of cruise ship casinos
while anchored or docked at piers on the island of St. Croix.”

Amendment No. 23-487/ March 28, 2000/ CEK

Sen. Donastorg Government # 23-575 *Objection by Sen. Bryson*
Decided by Sen. Jn. Baptiste *Adopted*

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
 Territory of the Virgin Islands
 REGULAR/SPECIAL SESSION 20____
 ROLL CALL

Bill No. 23-0250 Date: 9/19/2000

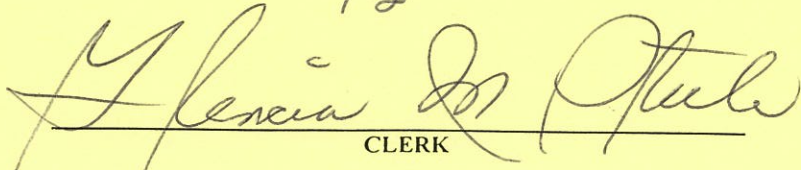
Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.		1		
BERRY, Lorraine L.	1			
BRYAN, Adelbert M.				1
LE, Donald "Ducks"	2			
DAVID, Roosevelt St. C.	3			
DONASTORG, Adlah "Foncie"	4			
GOLDEN, Violet Anne	5			
GOMEZ, Judy M.	6			
GOODWIN, George E.	7			
HANSEN, Alicia "Chucky"	8			
JN. BAPTISTE, Norman	9			
JONES, David S.				2
LIBURD, Almando "Rocky"	10			
PETRUS, Allie-Allison	11			
RICHARDS Vargrave A.	12			

Certified true and correct

12

 CLERK

2

Drafted or Reviewed
By Legal Counsel
YLT

AMENDMENT TO BILL NO. 23- ____

Offered by Senator Adlah "Foncie" Donastorg

Bill No. 23-____ is amended by adding a section to read:

"SECTION ____ . The Public service Commission shall commence a rate investigation of ^{any} ~~a~~ public utility within 30 days of enactment of any law mandating the rate investigation."

Amendment No. 23-595 /September 19, 2000/YLY

Richards
Amend ment

23-0186

Recorded
Golden
objection
Bryan

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 2000
ROLL CALL

Bill No.

23-0250
23-0254

Date:

9/18/00

Short Title:

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
(b) Reported from Committee and sent to Rules on.....
(c) Reported from Committee on Rules.....
(d) Recalled from Committee by Special Order.....
(e) Adopted on.....
(f) Rejected on.....
(g) Vetoed by Governor on.....
(h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

So ordered
9/18/00

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.				
BERRY, Lorraine L.				
BRYAN, Adelbert M.				
OLE, Donald "Ducks"				
DAVID, Roosevelt St. C.				
DONASTORG, Adlah "Foncie"				
GOLDEN, Violet Anne				
GOMEZ, Judy M.				
GOODWIN, George E.				
HANSEN, Alicia "Chucky"				
JN. BAPTISTE, Norman				
JONES, David S.				
LIBURD, Almando "Rocky"				
PETRUS, Allie-Allison				
RICHARDS Vargrave A.				

no
objection
So ordered

Certified true and correct

Mencia M Otake
CLERK

AMENDMENT TO BILL NO. 23-____
OFFERED BY SENATOR VARGRAVE A. RICHARDS

Bill No. 23-____ is amended by adding a new appropriately numbered section to read as follows:

“SECTION _____. Pursuant to the provisions of title 29, chapter 3, section 238a, Virgin Islands Code, a use variance from the R-1 (Residential-Low Density) zoning designation is granted to Plot No. 62-A Southgate, East End Quarter, “A”, St. Croix, which consists of approximately 0.500 U.S. acres, as shown on P.W.D. Drawing No. 4078, dated November 5, 1981, for the purpose of operating a manicurist shop. All other requirements of the R-1 (Residential-Low Density) zoning designation shall continue to apply to the subject property.”

Amendment #23-586/September 15, 2000/Reviewed by CEK:vs



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

DEPARTMENT OF PLANNING AND NATURAL RESOURCES

6003 Anna's Hope
Christiansted, St. Croix, V.I. 00820-4433

Telephone: (809) 773-1082
FAX: (809) 773-1716
TDD (809) 777 8413

REPORT ON PROPOSED AMENDMENT TO OFFICIAL
ZONING MAP NO. SCZ 8

Application No. ZAC-99-11
March 13, 2000

Petition to rezone Plot No. 62-A Estate Southgate, East End Quarter 'A', from a R-1 (Residential Low Density) to a Variance, in order to operate a manicurist shop.

FINDINGS:

Acreage: Plot No. 62-A Estate Southgate consist of approximately 0.500 U.S. Acres, as more fully shown on Public Works Drawing No. 4078 dated November 5, 1981.

Ownership: The owner of record is Pamela Toussaint as per Deed of Gift No. 5780/85 dated November 27, 1985.

Present Use: The property contains a single family dwelling, which serves as the applicant's place of residence.

Surrounding Uses: The properties immediately surrounding the subject lot are undeveloped. Area businesses such as Cheeseburgers In Paradise and Chenay Bay Beach Resort are located approximately 200 feet west, and 100 feet north respectively.

Public Response: Ms. Toussaint appeared at DPNR's February 3, 2000 public hearing and spoke in support of her petition. Two other petitioners whose applications were heard at the February 3, 2000 hearing expressed their support for Ms. Toussaint's proposed manicurist shop. No written or verbal opposition to the petition was received by the Department.

Analysis: In her testimony before the Department, Ms. Toussaint indicated that it is her intent to operate a small scale manicurist shop from her residence. Clients would be served on an appointment basis only, with no more than two persons on the premise at one time. The subject lot is immediately surrounded by undeveloped properties to the south, east and west. The property abuts the East End Road (Route 82) and is

Application No. ZAC-99-11

Page Two

March 13, 2000

approximately one quarter of a mile east of Cheeseburgers In Paradise and approximately 100 feet southwest of the entrance to Chenay Bay Beach Resort.

In DPNR's analysis of the subject lot, it was noted that the property can accommodate parking for the anticipated number of clients (two) to be on the property at one time. The subject property is extremely well buffered by fencing, trees and shrubs, which screens the property from the East End Road and other properties.

The applicant indicated that she would not be modifying the existing character of her residence to reflect on-site business, and further indicate that she would be utilizing an on-site septic system, a well, and a two-chambered 36,000 gallon capacity cistern, thus negating the need for municipal water and sewer.

Based on the proposed use and it's scale, DPNR does not anticipate any negative impacts thereby resulting.

Conclusion: Since the applicant clearly intends the proposed use to be incidental to the residential use of her property, and has no intention of utilizing the property for any other use than that which was stated in her petition, the Department has no objection to the Legislature granting a use variance to the property.

Recommendation: The Department of Planning and Natural Resources has considered the request of petitioner Pamela Toussaint on its merits, and recommends that a use variance be granted to Plot No. 62-A Estate Southgate, to permit the manicure shop, with the condition that all other provisions of the R-1 district retain their applicability to the property.



Dean C. Plaskett, Esq., Commissioner
Department of Planning and Natural Resources

3/14/00

Date

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
 Territory of the Virgin Islands
 REGULAR/SPECIAL SESSION 2000
 ROLL CALL

Bill No. _____

Date: _____

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

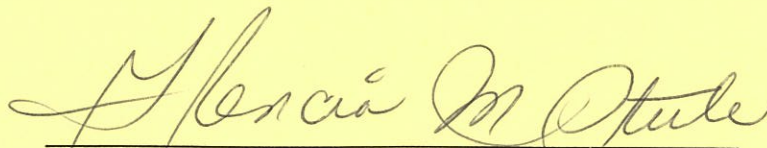
No objection

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.				
BERRY, Lorraine L.				
BRYAN, Adelbert M.				
DALE, Donald "Ducks"				
DAVID, Roosevelt St. C.				
DONASTORG, Adlah "Foncie"				
GOLDEN, Violet Anne				
GOMEZ, Judy M.				
GOODWIN, George E.				
HANSEN, Alicia "Chuckie"				
JN. BAPTISTE, Norman				
JONES, David S.				
LIBURD, Almando "Rocky"				
PETRUS, Allie-Allison				
RICHARDS Vargrave A.				

No objections

Ordered

Certified true and correct


 CLERK

Amendment to Bill NO 23-0250

offered by Senator Adelbert M. Bryan

Bill NO 23-0250 is amended by adding a section to read:

"SECTION —

Notwithstanding title 29, chapter 3, Virgin Islands Code, the official the zoning ~~Map~~ District Zoning Map 5.02

— For the island of St Croix is amended by changing the zoning designation of Plot NO 76-H Estate Whim. consisting of approximately 0.292 U.S. Acres as shown more fully on P.W.D.

Drawing MAP 4573 dated August 17, 1989 from R-2 (Residential 1-Low Density One and two family) to B-3 (Business scattered)"

Floor Amendment 23-144/Sept 18, 2000, YLT

Donastorg
Amendment to # 23573
Bill No. 23-0250

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 2000
ROLL CALL

Seconded
David
Objection
Cole

Date: 9/18/00

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
(b) Reported from Committee and sent to Rules on.....
(c) Reported from Committee on Rules.....
(d) Recalled from Committee by Special Order.....
(e) Adopted on.....
(f) Rejected on.....
(g) Vetoed by Governor on.....
(h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.		1		
BERRY, Lorraine L.	1			
BRYAN, Adelbert M.	2			
LE, Donald "Ducks"		2		
DAVID, Roosevelt St. C.	3			
DONASTORG, Adlah "Foncie"	4			
GOLDEN, Violet Anne		3		
GOMEZ, Judy M.	5			
GOODWIN, George E.		4		
HANSEN, Alicia "Chucky"	6			
JN. BAPTISTE, Norman	7			
JONES, David S.		5		
LIBURD, Almando "Rocky"	8			
PETRUS, Allie-Allison				
RICHARDS Vargrave A.		6		1

Certified true and correct

Alencia M. (Stute)
CLERK

United States
District Court
for the District of Columbia
[Signature]

**AMENDMENT TO BILL NO. 23-
OFFERED BY SENATOR ADLAH 'FONCIE' DONASTORG**

Bill No. 23- _____ is amended by adding a new appropriately numbered section to read as follows;

"SECTION . WHEREAS, the Virgin Islands Telephone Corporation, hereinafter referred to as Vitelco, is a subsidiary of ICC and the major supplier of commercial and residential telephone service in the Virgin Islands; and

WHEREAS, Vitelco is a utility subject to regulation by the Virgin Islands Public Services Commission hereinafter referred to as (PSC); and

WHEREAS, Vitelco has been a monopoly in the Virgin Islands for over 25 years, without sharing its consumer market with any competitors; and

WHEREAS, by virtue of its status as a monopoly and utility, Vitelco has realized profits in the millions of dollars over the years; and

WHEREAS, very little of Vitelco's profits are returned to the community by way of industrial development of civic and community services; and

WHEREAS, Vitelco has been a beneficiary of the Industrial Development Commission (hereinafter referred to as IDC) for a number of years, up to September 1996; and

WHEREAS, Vitelco recently filed an application for an extension of and approval of additional tax exemptions from the IDC; and

WHEREAS, Vitelco in 1997 received from the IDC the following tax exemptions; 90% Income Tax, 100% Gross Receipts Tax, 100% Property Tax and 83.3% Customs Duty; and

WHEREAS, the majority of Virgin Islanders believe that the said tax exemptions to Vitelco were not necessary since Vitelco is regulated by the PSC which determines a reasonable profit margin for Vitelco through the setting of reasonable telephone rates; and

WHEREAS, the Legislature of the Virgin Islands voted unanimously to petition the PSC to reduce Vitelco's rates by 20%; and

WHEREAS, the granting of the tax exemptions by the IDC to Vitelco was not conditioned nor coupled with a rate decrease with the loss of revenues to the Government; and

WHEREAS, it is the feeling and will of the Legislature that the citizens of the Virgin Islands, who are Vitelco's customers should also receive direct benefits as a result of the tax exemptions granted; and

WHEREAS, Vitelco sets aside \$600,000 a year for rate investigations and if not utilized will be returned to Vitelco as profits; and

WHEREAS, a rate investigation has not been conducted since 1992; and

WHEREAS, Vitelco has charged consumers \$2 million per year for insurance that the utility never purchased; and

WHEREAS, the PSC acted illegally in dismissing the Legislature's request without a full hearing; and

M. Baptiste
Baptiste

23-584

Recorded
Golden
Section
Bryan

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 2000
ROLL CALL

Bill No.

23-0250

Date:

9/18/00

Short Title:

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
(b) Reported from Committee and sent to Rules on.....
(c) Reported from Committee on Rules.....
(d) Recalled from Committee by Special Order.....
(e) Adopted on.....
(f) Rejected on.....
(g) Vetoed by Governor on.....
(h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

Adopted
9/18/00

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	<i>15</i>			<i>X</i> <i>(92)</i>
BERRY, Lorraine L.	<i>1</i>			
BRYAN, Adelbert M.	<i>2</i>			
<i>E, Donald "Ducks"</i>	<i>3</i>			
DAVID, Roosevelt St. C.	<i>4</i>			
DONASTORG, Adlah "Foncie"	<i>5</i>			
GOLDEN, Violet Anne	<i>6</i>			
GOMEZ, Judy M.	<i>7</i>			
GOODWIN, George E.	<i>8</i>			
HANSEN, Alicia "Chucky"	<i>9</i>			
JN. BAPTISTE, Norman	<i>10</i>			
JONES, David S.	<i>11</i>			
LIBURD, Almando "Rocky"	<i>12</i>			
PETRUS, Allie-Allison	<i>13</i>			
RICHARDS Vargrave A.	<i>14</i>			

Certified true and correct

Marcia M. Oster
CLERK

Drafted or Reviewed
By Legal Counsel

AMENDMENT TO BILL NO. 23-_____
OFFERED BY NORMAN JN BAPTISTE

Bill No. 23-_____ is amended by adding thereto a new
appropriately numbered Section to read as follows:

"SECTION _____. Act No. 6333 (Bill No. 23-0178), section
30, subsection (d), insert a period at the end of "2000", delete "for the
following purposes" and insert in lieu thereof "The funds appropriated
under this subsection shall remain available until expended and shall
be used for the following purposes: "."

Amendment No. 23-584 / September 15, 2000 / CEK

Sen. Loder, Original # 23-587
Seconded by Sen. Berry

Opposition by
Sen. Bryan

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 20__
ROLL CALL

Bill No. 23-0250

Date: 9/19/2000

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	1			
BERRY, Lorraine L.	2			
BRYAN, Adelbert M.		1		
LE, Donald "Ducks"	3			
DAVID, Roosevelt St. C.	4			
DONASTORG, Adlah "Foncie"	5			
GOLDEN, Violet Anne	6			
GOMEZ, Judy M.	7			
GOODWIN, George E.	8			
HANSEN, Alicia "Chucky"		2		
JN. BAPTISTE, Norman	9			
JONES, David S.	10			
LIBURD, Almando "Rocky"	11			
PETRUS, Allie-Allison	12			
RICHARDS Vargrave A.	13			

Certified true and correct

13 2
Corrine C. Hodge
CLERK

Read or Reviewed
By Legal Counsel

GREGORY
BURTONSON

DONALD COLE,

AMENDMENT TO BILL NO. 23-

OFFERED BY SENATOR VIOLET ANNE GOLDEN

ALMANDO LIBORD
LORRAINE BERRY
ROOSEVELT DAVID

ALUE PETRUS

VARGRAVE RICHARDS

DAVID JONES

NORMAN JN Baptis

Bill No. 23-

_____ is amended by adding a new appropriately

numbered section to read as follows;

"SECTION . WHEREAS, the Virgin Islands rum industry is essential to the economic development of the Virgin Islands; and

WHEREAS, the rum industry contributes significantly to the total budget of the Government of the Virgin Islands through the return of the federal excise taxes on rum to the Treasury of the Virgin Islands pursuant to section 28(b) of the Revised Organic Act of 1954 and section 7652(b) of the United States Internal Revenue Code, as amended; and

WHEREAS, the Government of the Virgin Islands issues bonds for capital improvement projects and for other purposes authorized by the Legislature of the Virgin Islands, and repayment of the bonds is secured by the federal excise taxes returned to the Treasury of the Government of the Virgin Islands pursuant to 48 U.S.C. § 1574a(a) (Matching Fund Bonds)

WHEREAS, it is appropriate to extend the tax benefits available to the Virgin Islands rum industry under the Industrial Development Program in recognition of the critical support provided for the Matching Fund Bonds and the economic development of the Virgin Islands by the Virgin Islands rum industry; Now, Therefore title 29, chapter 12, Subchapter IV, Virgin Islands Code, is amended by adding a new section 714a to read as follows:

"§ 714a. Extended tax benefits for producers of Virgin Islands rum

(a) Notwithstanding any other law, for Virgin Islands producers of Virgin Islands rum, who possess an industrial development certificate, under the provisions of this chapter, shall receive extended benefits under sections 713a and 713b of this chapter, for a period of time equal to the greater of; (i) twenty (20) years from the date of enactment of this section, or (ii) the period of time during which any bonds, issued by the Government of the Virgin Islands pursuant to 48 USC § 1574a(a) ("Matching Fund Bonds"), in existence on the date of enactment of this section that remain outstanding.

However, should the Government of the Virgin Islands after the enactment of this section, issue any new Matching Fund Bonds secured by United States excise taxes returnable to the Treasury of the Government of the Virgin Islands pursuant to section 28(b) of the Revised Organic Act of 1954 and section 7652(b) of the United States Internal Revenue Code, as amended, the period of time references in (ii) hereof shall be the period of time during which any new Matching Fund Bonds remain outstanding.

(b) The provisions of section 715 of this chapter shall not apply to the provisions of this section.

Donastorg
amendment
23 0250

Bill No. _____

136

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 20⁰⁰
ROLL CALL

Recorded
Liburd
objection

Date: 9/18/00

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....
- No objection

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.				
BERRY, Lorraine L.				
BRYAN, Adelbert M.				
DLE, Donald "Ducks"				
DAVID, Roosevelt St. C.				
DONASTORG, Adlah "Foncie"				
GOLDEN, Violet Anne				
GOMEZ, Judy M.				
GOODWIN, George E.				
HANSEN, Alicia "Chucky"				
JN. BAPTISTE, Norman				
JONES, David S.				
LIBURD, Almando "Rocky"				
PETRUS, Allie-Allison				
RICHARDS Vargrave A.				

No objection

Do ordered

Certified true and correct

Merced M. Otey
CLERK

AMENDMENT TO BILL NO 23-

Offered by Senator Adlah "Fong-e" Donas for g
Bill NO 23- is amended by adding an
appropriately numbered section to read:

SECTION - Notwithstanding title 33, section
3025, subsection (b) paragraph (4) of
the Virgin Islands Code, there is
appropriated from the Indirect Cost
fund in the Treasury of the Virgin
Islands, the sum of \$300,000
or so much thereof as may be necessary
to construct public restroom faci-
lities at ^{the} Bordeaux Mountain in the
vicinity ^{of the} Overlook within the boundary of the
Virgin Islands National Park. The sum appropriated
herein at all times shall be available for the



United States Department of the Interior

NATIONAL PARK SERVICE

Virgin Islands National Park
P.O. Box 710 - Cruz Bay
St. John, Virgin Islands 00831

12:30
MR. B

IN REPLY REFER TO:

August 28, 2000

Senator Adlah "Foncie" Donastorg, Jr.
The Legislature of the Virgin Islands
Capitol Building, Charlotte Amalie
St. Thomas, U.S. Virgin Islands 00804

Re: Public Restrooms

Senator Donastorg:

We are responding to your inquiry letter dated August 01, 2000, of the public restrooms issue at Bordeaux Mountain on St. John and the involvement of property within the boundary of Virgin Islands National Park.

The issue of public restrooms and how Virgin Islands National Park could possibly be of assistance was discussed with the previous Islands Administrator Mr. Jimmy Dalmida. In those discussions with Mr. Dalmida, Park Management suggested the possibility of giving consideration for a special use permit for the Virgin Islands Government to construct a restroom facility.

However since the suggestion was made, a request for a special use permit from the Virgin Islands Government was never received for consideration.

We would be happy to schedule a meeting to further discuss this issue and hopefully be able to possibly assist in whatever manner we can.

Sincerely,

R.W. Jenkins
Acting Deputy Superintendent

CC: Senator Almando "Rocky" Liburd
Senator George Goodwin
Senator Donald Cole
Senator Norman Jn Baptiste

Bennerson
Commitment to

23-585

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 2000
ROLL CALL

Decon de
Golden
objection
Bryan

Bill No. 23-0250

Date: 9/18/00

Short Title:

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
(b) Reported from Committee and sent to Rules on.....
(c) Reported from Committee on Rules.....
(d) Recalled from Committee by Special Order.....
(e) Adopted on.....
(f) Rejected on.....
(g) Vetoed by Governor on.....
(h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	1			
BERRY, Lorraine L.	2			
BRYAN, Adelbert M.	3			
OLE, Donald "Ducks"	4			
DAVID, Roosevelt St. C.	5			
DONASTORG, Adlah "Foncie"	6			
GOLDEN, Violet Anne	7			
GOMEZ, Judy M.	8			
GOODWIN, George E.	9			
HANSEN, Alicia "Chucky"	15			X (2)
JN. BAPTISTE, Norman	10			
JONES, David S.	11			
LIBURD, Almando "Rocky"	12			
PETRUS, Allie-Allison	13			
RICHARDS Vargrave A.	14			

Certified true and correct

15

Melvin M. O'Neil
CLERK

Drafted or Reviewed
By Legal Counsel

**AMENDMENT TO BILL NO. 23-
OFFERED BY SENATOR GREGORY M. BENNERSON**

Bill No. 23-_____ is amended by adding a new appropriately numbered Section to
read as follows:

“SECTION 1. (a) The following roads identified by the appropriate Department of
Public Works Drawing Maps shall be designated as referred to herein and incorporated by
reference and attached hereto as follows;

<u>Road Plot No.</u>	<u>Street Name</u>
(1) 3 & 4 (PWD Drawing No. 2081)	Main Street (Rt. 655)
(2) 7 (PWD Drawing No. 2188)	1st Avenue
(3) 7	1st Street South
(4) 7	1st Loop South
(5) 7	1st Loop North
(6) 7	1st Street North
(7) 700 (PWD Drawing No. 2797)	2nd Avenue
(8) 700	2nd Street South
(9) 700	2nd Loop South
(10) 700	2nd Loop North
(11) 700	2nd Street North
(12) 700	Church Avenue
(13) 957 (PWD Drawing No. 3395)	3rd Avenue
(14) 957	3rd Street South

- | | | |
|------|-----------------------------|----------------------|
| (15) | 957 | 3rd Street North |
| (16) | | Good Shepherd Avenue |
| (17) | 479 (PWD Drawing No. 2772) | 4th Avenue East |
| (18) | 479 | 4th Street East |
| (19) | 479 | 4th Avenue West |
| (20) | 478 (PWD Drawing No. 2772) | 4th Street West |
| (21) | 479A (PWD Drawing No. 2772) | 5th Avenue East |
| (22) | 479A | 6th Avenue East |
| (23) | 478A (PWD Drawing No. 2772) | 5th Avenue West |
| (24) | 478A | 6th Avenue West |
| (25) | 158 (PWD Drawing No. 2188A) | 7th Avenue |
| (26) | 158 | 7th Street South |
| (27) | 158 | 7th Street North |
| (28) | 160 (PWD Drawing No. 2797) | 8th Avenue East |
| (29) | 8 (PWD Drawing No. 2188) | 9th Avenue East |
| (30) | 10 (PWD Drawing No. 2188) | 9th Avenue West |
| (31) | 9 (PWD Drawing No. 2188) | 10th Avenue East |
| (32) | 11 (PWD Drawing No. 2188) | 10th Avenue West |

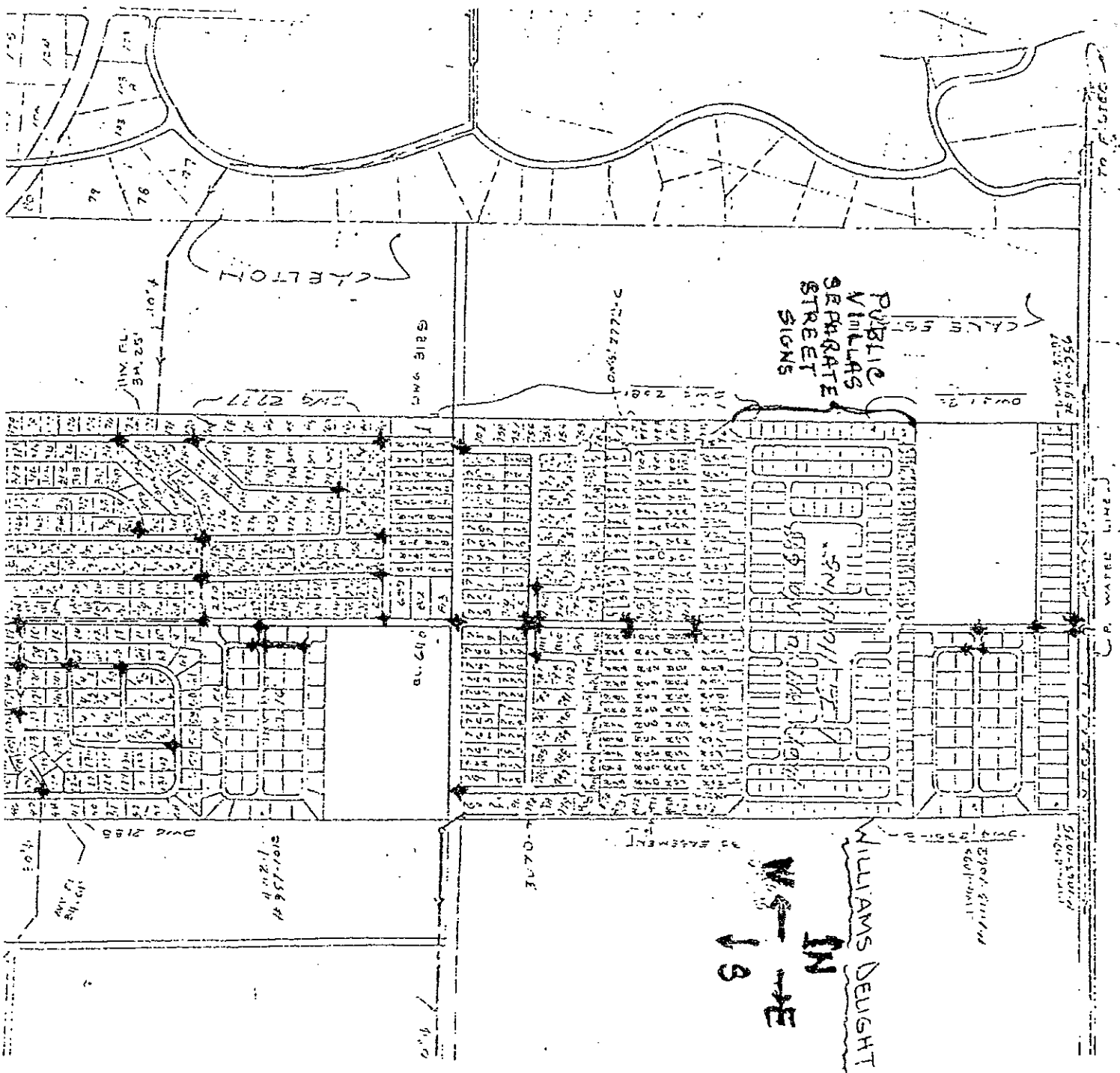
(b) The Department of Public Works shall have prepared appropriate signs bearing the inscription so identified under subsection (a) of this section, and the signs shall be affixed at least at the beginning and end of each designated thoroughfare.

(c) There is appropriated from any funds available in the General Fund of the Treasury of the Government of the Virgin Islands for the fiscal year ending September 30,

2001, the sum of \$16,000 to the Department of Public Works to carry out the provisions of this section.”

Amendment No. 23-585 / September 15, 2000 / CEK

EST. WILLIAM'S DELIGHT COMMUNITY



Richards
Amendment to

23-587

Recorded
Golden
objection
Bryan

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 20⁰⁰
ROLL CALL

Bill No. 23-0250

Date: 9/18/00

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
(b) Reported from Committee and sent to Rules on.....
(c) Reported from Committee on Rules.....
(d) Recalled from Committee by Special Order.....
(e) Adopted on.....
(f) Rejected on.....
(g) Vetoed by Governor on.....
(h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

Adopted
9/18/00

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	1			
BERRY, Lorraine L.	2			
BRYAN, Adelbert M.	3			
OLE, Donald "Ducks"	4			
DAVID, Roosevelt St. C.	5			
DONASTORG, Adlah "Foncie"	6			
GOLDEN, Violet Anne	7			
GOMEZ, Judy M.	8			
GOODWIN, George E.	9			
HANSEN, Alicia "Chucky"	10			
JN. BAPTISTE, Norman				1
JONES, David S.	11			
LIBURD, Almando "Rocky"	12			
PETRUS, Allie-Allison	13			
RICHARDS Vargrave A.	14			

Certified true and correct

Mencia M. O'Neil
CLERK

*Drafted or Reviewed
By Legal Counsel*

AMENDMENT TO BILL NO. 23-_____
OFFERED BY SENATOR VARGRAVE A. RICHARDS

Bill No. 23-_____ is amended by adding a new appropriately numbered section to read as follows:

“SECTION _____. Pursuant to the provisions of title 29, chapter 3, section 238a, Virgin Islands Code, a use variance from R-2 (Residential-Low Density) zoning designation is granted to Plot No. 303, Clifton Hill, King Quarter, St. Croix, which consists of approximately 0.2563 U.S. acres, as shown on P.W.D. Drawing No. 4586, dated July 18, 1989, for the purpose of operating a small hardware shop and bakery. The use variance is granted subject to the following conditions:

- (a) The construction and development of the proposed business structure and activity shall not cause to alter the residential context or character of the neighborhood;
- (b) Where the property abuts any residentially zoned lots, a buffer of fencing, trees, and/or shrubs, approximately 6'0 – 7'0 high, shall be installed surrounding the property to protect and maintain the visual aesthetics and general safety of the area;
- (c) The applicant shall comply with the existing R-2 zoning district, as prescribed in title 29, chapter 3, section 229 and 230 of the Virgin Islands Code by providing adequate off-street parking and loading/unloading spaces; and
- (d) All other requirements of the R-4 zoning designation shall continue to apply to the subject property.”

Amendment #23-587/September 15, 2000/Reviewed by CEK/vs



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

0

DEPARTMENT OF PLANNING AND NATURAL RESOURCES

6003 Anna's Hope
Christiansted, St. Croix, V.I. 00820-4433

Telephone: (809) 773-1082
FAX: (809) 773-1716
TDD (809) 777-8413

REPORT OF PROPOSED AMENDMENT TO OFFICIAL
ZONING MAP NO. SCZ 12

Application No. ZAC-99-13

March 17, 2000

Petition to rezone Plot No. 303 Clifton Hill, King Quarter from R-2 (Residential Low Density) to B-3 (Business Scattered) or Use Variance, in order to commercially operate a small hardware shop and bakery.

FINDINGS:

Acreage: Plot No. 303 Clifton Hill consists of approximately 0.2563 U.S. Acres, as more fully shown and described on Public Works Drawing No. 4568, dated July 18, 1989.

Ownership: The owner of record is Strong Construction, which is owned by Gregory Parris, as per recorded Warranty Deed dated July 19, 1999.

Present Use: Presently the lot contains one storage trailer on the premise.

Surrounding Uses: The lot is adjacent to Route 663 which connects the Queen Mary Highway to the north with the Melvin H. Evans Highway to the south. The subject lot is located in a predominantly low density residential area. Residential dwellings are located to the south and east of the subject lot. To the north is a small scale business, and to the west and northwest is the St. Croix Central High School. The St. Croix Midland Bar and Restaurant is located approximately 250 feet to the north of the subject lot.

Public Response: At DPNR's February 3, 2000 public hearing, Mr. Parris spoke in support of the petition for the proposed rezoning. Mrs. Parris, who was also present at the public hearing, spoke in support of her husband's petition. Other petitioners whose applications were heard at the hearing, expressed their support for the petition. There was no written or verbal opposition to the petition.

Analysis: Mr. Parris, the applicant, is requesting approval to rezone Plot No. 303 Clifton Hill for the purpose of establishing and operating a hardware shop and bakery.

Application No. ZAC-99-13**Page Two****March 17, 2000**

The subject lot is located in a predominantly low density residential area with residential dwellings immediately to the east and south of the lot. A small scale business is located

immediately to the north of the lot, and to the west and northwest is St. Croix Central High School. Approximately 250 feet to the north of the subject lot are located the St. Croix Midland Bar and Restaurant, and a lot that the Department of Planning and Natural Resources had recommended be rezoned in 1995. The subject lot is located along a major trafficked road which transverses to and from the Melvin H. Evans Highway and the Queen Mary Highway.

Currently, businesses such as the proposed do not exist in the area. The closest that are located are in the Estate La Reine shopping district. The proposed businesses are ones that if planned and executed properly could harmoniously exist with residential activities.

In a B-3 districts, there are a total of one hundred and forty three (143) uses permitted as a matter of right. The districts were primarily established to allow single businesses which provide convenient shopping and services for the neighborhoods within which they were located. Consequently, these uses range from low intensity uses such as general and professional offices, art galleries, and retailers, to higher intensity uses such as automobile service stations and repair shops, and drive-through banks and restaurants.

Due to the surrounding residential characteristic of the subject lot, it should be restricted from the high intensity uses of the B-3 district. The Department does not oppose the uses proposed by the applicant. It does, however, oppose the B-3 zone being granted to the property since it permits as a matter of right an extensive range of uses, several of which would not be compatible or consistent with the character of the area.

Conclusion: The Department concludes that a **Use Variance** should be granted in order to protect the residential character and safety of the neighborhood. In rendering it's conclusion, the Department analyzed the following: (1) the uses which the applicant has proposed, (2) the character of the immediate and surrounding areas, and (3) the occupancy of the lot. Based on the foregoing, the Department concludes that a **Use Variance** should be granted to the property to specifically allow a small scale hardware shop and a bakery.

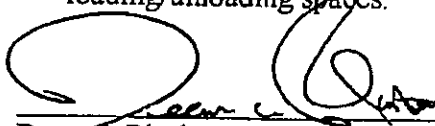
In conjunction with the variance, the applicant would be required to meet the setback, off-street parking, and loading and unloading requirements of the R-2 zone, as well as provide buffering to prevent or mitigate any adverse visual impacts to adjacent residential properties.

Recommendation: The Department of Planning and Natural Resources recommends that Plot No. 303 Clifton Hill, St. Croix, U.S. Virgin Islands be granted a **Use Variance**

Application No. ZAC-99-13**Page Three****March 17, 2000**

in order to allow a hardware shop and bakery with the condition that all provisions of R-2 district retain their applicability to the property. The Department further recommends the following conditions:

1. The construction and operation of the proposed business structure and activity shall not cause to alter the residential context or character of the neighborhood;
2. Where the property abuts any residentially zoned lots, a buffer of fencing, trees, and/or shrubs, approximately 6'0"-7'0" high, shall be installed surrounding the property to protect and maintain the visual aesthetics and general safety of the area, and;
3. The applicant shall comply with the existing R-2 zoning district, as prescribed in V.I.C. Title 29 Subsections 229 and 230 by providing adequate off-street parking and loading/unloading spaces.



Dean C. Plaskett, Esq., Commissioner
Department of Planning and Natural Resources

3/17/00
Date

*Richards
amended*

#208a

*Recorded
Jones
objection
Petrus*

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 2000
ROLL CALL

Bill No. 23-0250

Date: 9/18/00

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
(b) Reported from Committee and sent to Rules on.....
(c) Reported from Committee on Rules.....
(d) Recalled from Committee by Special Order.....
(e) Adopted on.....
(f) Rejected on.....
(g) Vetoed by Governor on.....
(h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

*Adopted
9/18/00*

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	1			
BERRY, Lorraine L.	2			
BRYAN, Adelbert M.	3			
OLE, Donald "Ducks"	4			
DAVID, Roosevelt St. C.	5			
DONASTORG, Adlah "Foncie"				1
GOLDEN, Violet Anne	6			
GOMEZ, Judy M.	7			
GOODWIN, George E.	8			
HANSEN, Alicia "Chucky"	9			
JN. BAPTISTE, Norman				2
JONES, David S.	10			
LIBURD, Almando "Rocky"	11			
PETRUS, Allie-Allison	12			
RICHARDS Vargrave A.	13			

Certified true and correct

Alicia M. Petrus
CLERK

~~Deleted or Reviewed
By Legal Counsel~~

AMENDMENT TO BILL NO. 23-

OFFERED BY SENATOR VARGRAVE RICHARDS

Bill No 23-0059 is amended by adding a new appropriately numbered Section to read as follows;

"SECTION . Pursuant to the provisions of title 29, chapter 3, Virgin Islands Code, Official Zoning Map No. SCZ – 18, for the island of St. Croix, is amended by changing the zoning designation of Plot No. 39-AA King Street, Fredriksted, consisting of approximately 0.74 U.S. acres, as described on P.W.D. Drawing No. 1184, dated March 16, 1962, from the R-4 (Residential Medium Density) to B-3 (Business Scattered)."

Amendment No. 23-208a/ May 18, 1999/ CEK



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

— 0 —

DEPARTMENT OF PLANNING AND NATURAL RESOURCES

DIVISION OF PERMITS

396-1 ANNA'S RETREAT, FOSTER PLAZA
ST. THOMAS, V.I. 00802

FAX: (809) 774-1098

TEL: (809) 774-3320

**REPORT ON PROPOSED AMENDMENT TO OFFICIAL
ZONING MAP NO. SCZ-18
APPLICATION NO. ZAC-9804**

JULY 10, 1998

Petition to rezone Plot # 39-AA King Street, Frederiksted Town District from R-4(Residential Medium Density) to B-3(Business Scattered).

FINDINGS

Ownership: The owners of record are Mr. Wayne J. Gonzales, Mr. Glen R. Gonzales and Mr. Michael N. Gonzales as per Warranty Deed dated January 9, 1996. Lot No. 39-AA King Street, Frederiksted, St. Croix, VI, as shown and described on P.W.D drawing No. 1184, dated March 16, 1962 is approximately 0.74 acres.

Present Use: The lot is improved with a one story structure that previously housed a restaurant.

Proposed Use: The applicants would like to utilize the property for a restaurant.

Infrastructure: Frederiksted Town is served by potable water, public sewer lines, arterial roadways and other major utilities.

Surrounding Uses: Frederiksted Town is an Urban Center, which is located on the west end of St. Croix, and is comprised primarily of medium intensive uses. The town is comprised of residential, public, and business designations.

Site Impact: Plot # 39-AA is within the Historic District and results from a subdivision of Plot 39-A which lies on King Street. It is bordered on the east by a bar/restaurant and on the west by a bakery.

The structure intended for the proposed activity is existing, and would not require any major improvement to it, if the applicants utilize the building in the manner they presented in their petition and at the DPNR zoning hearing.

Off-Street Parking: Since there are no accommodations on the site to satisfy the off-street parking

DPNR Report on ZAC-9804

July 10, 1998

Page 2

requirements as prescribed by Sec. 230, T .29 V.I.C, the Department recommends that the applicant petitions the Historic Preservation Commission for a waiver of the off-street parking requirements for the proposed B-3 zoned lot, or acquire suitable property to meet the off-street parking requirement.

PUBLIC RESPONSE

The Department did not receive any letters in support of nor in opposition to the proposed zone change, nor were there any testimonies given in support of or in opposition to the proposed zone change at the public hearing held by DPNR on May 15, 1998.

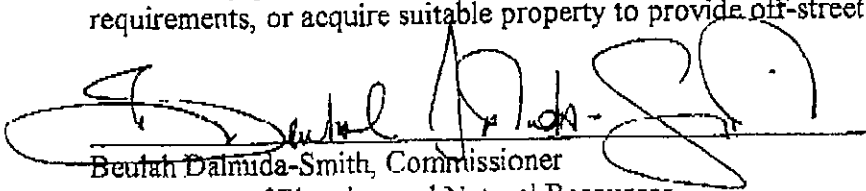
ANALYSIS

The property which is residentially zoned, has experienced a history of business activity which pre-dated the 1972 Zoning Law. The non-conforming use continued up until approximately two years ago, when the structure thereon underwent structural repairs which lasted for more than one year. Upon completion of the repairs, the applicant decided to petition the Legislature for a change in the property's R-4 designation, to one which would bring it into compliance with surrounding and customary uses.

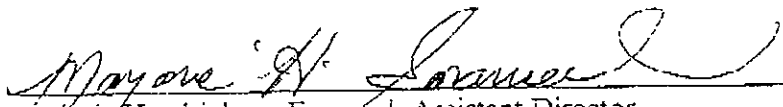
The applicant has indicated that there is no intent to ever utilize the property solely for residential purposes. The area where the property is located is one that is experiencing a changing pattern of development due to its location. Over the years other similarly situated lots that are close to the busy King and Fisher Streets have been changed from strictly residential to a mixed uses.

Since it is not anticipated that the proposed use will have any adverse impacts on surrounding use, the Department does not view the request as unreasonable.

Recommendation: The Department of Planning & Natural Resources hereby recommends that Plot 39-AA King Street, Frederiksted Town District, St. Croix, be **rezoned from R-4 (Residential Medium Density) to B-3 (Business Scattered)** as requested, with the condition that applicant immediately petition the Historic Preservation Commission for a waiver of the off-street parking requirements, or acquire suitable property to provide off-street parking for their patrons.



Beulah Dalnuda-Smith, Commissioner
Department of Planning and Natural Resources



Marjorie Hendricksen-Emanuel, Assistant Director
Comprehensive and Coastal Zone Planning

Liburd
Amend sent to

23-588

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
Territory of the Virgin Islands
REGULAR/SPECIAL SESSION 20⁰⁰
ROLL CALL

Recorded
David
Bryan

Bill No. 23-0250

Date: 9/18/00

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
(b) Reported from Committee and sent to Rules on.....
(c) Reported from Committee on Rules.....
(d) Recalled from Committee by Special Order.....
(e) Adopted on.....
(f) Rejected on.....
(g) Vetoed by Governor on.....
(h) Reconsidered by Legislature and passed or rejected
over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.	1			
BERRY, Lorraine L.	2			
BRYAN, Adelbert M.	14	X (92)		
OLE, Donald "Ducks"	3			
DAVID, Roosevelt St. C.	4			
DONASTORG, Adlah "Foncie"	5			
GOLDEN, Violet Anne	6			
GOMEZ, Judy M.	7			
GOODWIN, George E.	8			
HANSEN, Alicia "Chucky"	9			
JN. BAPTISTE, Norman	10			
JONES, David S.	11			
LIBURD, Almando "Rocky"	12			
PETRUS, Allie-Allison	13			
RICHARDS Vargrave A.				1

Certified true and correct

14

X (92)

Mencia M. Stule
CLERK

AMENDMENT TO BILL NO. 23-_____
OFFERED BY SENATOR ALMANDO "ROCKY" LIBURD

Bill No. 23-_____ is amended by adding an appropriately numbered section to read as follows:

"SECTION __. Notwithstanding any law, Title 29, Chapter 3, Virgin Islands Code, Official Zoning District Map No. STJ-2 for the island of St. John is amended by changing the zoning designation for Parcel No. 15-E Estate Rendezvous, No. 15 Cruz Bay Quarter, consisting of approximately 1.00 U. S. acre as shown on P.W.D. Drawing Map No. F9-3882-T80, from R-1 (Residential-Low Density) to R-2 (Residential-Low Density-One and Two-Family)."

Amendment No. 23-588/September 17, 2000/ SA

Sens. Jones 23-541 - Amendment *Objections by Sens. Cote*
Secorded by Sens. Holder

TWENTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS
 Territory of the Virgin Islands
 REGULAR/SPECIAL SESSION 20____
 ROLL CALL

Bill No. 23-250

Date: 9/19/2000

Short Title: _____

LEGISLATIVE HISTORY

- (a) Introduced and sent to Committee on.....Date.....
- (b) Reported from Committee and sent to Rules on.....
- (c) Reported from Committee on Rules.....
- (d) Recalled from Committee by Special Order.....
- (e) Adopted on.....
- (f) Rejected on.....
- (g) Vetoed by Governor on.....
- (h) Reconsidered by Legislature and passed or rejected
 over Governor's Veto on.....

MEMBERS	YEA	NAY	NOT VOTING	ABSENT
BENNERSON, Gregory A.				1
BERRY, Lorraine L.	1			
BRYAN, Adelbert M.				2
LE, Donald "Ducks"	2			
DAVID, Roosevelt St. C.	3			
DONASTORG, Adlah "Foncie"	4			
GOLDEN, Violet Anne	5			
GOMEZ, Judy M.	6			
GOODWIN, George E.	7			
HANSEN, Alicia "Chucky"	13			13 CCH
JN. BAPTISTE, Norman	8			
JONES, David S.	9			
LIBURD, Almando "Rocky"	10			
PETRUS, Allie-Allison	11			
RICHARDS Vargrave A.	12			

Certified true and correct

13

2

Carine C. Hodge

 CLERK

**AMENDMENT TO BILL NO. 23-
OFFERED BY SENATOR DAVID S. JONES**

Bill No. 23- _____ is amended by adding a new appropriately numbered section to read as follows;

"SECTION . (a) The Governor, on behalf of the people of the Virgin Islands, through the Department of Property and Procurement shall offer for purchase the real property identified on Appendix No. 1 attached hereto and incorporated by reference herein for purchase under the Affordable Housing Program, title 29, chapter 16, Virgin Islands Code.

(b) Upon the enactment of this act, the provisions of title 31 section 205, Virgin Islands Code shall be deemed to have been complied with and no other further legislative approval shall be necessary."

Amendment No. 23-591 / September 18, 2000/ CEK

10/2/90
August 31, 1990

WARRANTY DEED

39064
No. 6273/1990

INDENTURE made this 23rd day of August, 1990, by and between Daniel E. Ford of P.O. Box 1150, Kingshill Station, St. Croix 00851, hereinafter referred to as GRANTOR, and Government of the Virgin Islands of the United States c/o Department of Property and Procurement, P.O. Box 1437, St. Thomas, U.S.V.I. 00801, hereinafter referred to as GRANTEE.

WITNESSETH:

THAT, in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration to GRANTOR in hand paid, receipt whereof is hereby acknowledged, GRANTOR does hereby GRANT, SELL and CONVEY unto the GRANTEE, its successors and assigns, the following real property situated in Christiansted, St. Croix, U.S.V.I., to wit:

Remainder Plot No. 1 of Estate Sion Hill, Queen Quarter, consisting of approximately 30.045 U.S. Acres as shown on Public Works Department Drawing No. 3376 dated April 10, 1979; (Plot 1 is also shown on Public Works Department Drawing No. 3303 dated and revised May 16, 1977; less Plots 1-E and 1-F, which were separated out by Public Works Department Drawing No. 3376).

Plot No. 1-A of Estate Sion Hill, Queen Quarter, consisting of approximately 0.410 U.S. Acre as shown on Public Works Department Drawing No. 3303 dated May 16, 1977;

Plot No. 1-E of Estate Sion Hill, Queen Quarter, consisting of approximately 0.233 U.S. Acre as shown on Public Works Department Drawing No. 3376 dated April 10, 1979;

Plot No. 3 of Estate Sion Hill, Queen Quarter, consisting of approximately 8.540 U.S. Acres as shown on Public Works Department Drawing No. 3303 dated May 16, 1977;

Plot No. 4 of Estate Sion Hill, Queen Quarter, consisting of approximately 4.791 U.S. Acres as shown on Public Works Department Drawing No. 3376 dated April 10, 1979;

Plot No. 13 of Estate Sion Hill, Queen Quarter, consisting of approximately 26.129 U.S. Acres as shown on Public Works Department Drawing No. 3303 dated May 16, 1977;

Plot No. 13-A of Estate Sion Hill, Queen Quarter, consisting of approximately 0.473 U.S. Acre as shown on Public Works Department Drawing No. 3303 dated May 16, 1977 and Public Works Department Drawing No. 1337 dated December 17, 1963;

Plot No. 13-C of Estate Sion Hill, Queen Quarter, consisting of approximately 0.606 U.S. Acre as shown on Public Works Department Drawing No. 3303 dated May 16, 1977;

Plot No. 13-D of Estate Sion Hill, Queen
Quarter, consisting of approximately 0.812
U.S. Acre as shown on Public Works Department
Drawing No. 2380 dated May 22, 1968;

Plot No. 18 of Estate Sion Hill, Queen
Quarter, consisting of approximately 1.477
U.S. Acres as shown on Public Works Department
Drawing No. 3303 dated May 16, 1977;

TOGETHER WITH all the tenements, hereditaments and
appurtenances thereunto belonging;

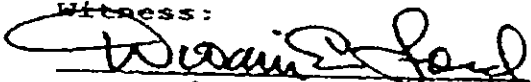
TO HAVE AND TO HOLD the premises hereby granted unto
the GRANTEE, The Government of the Virgin Islands of the
United States, its successors and assigns, in fee simple
forever.

SUBJECT, HOWEVER, to covenants, easements and restrictions
of record and all applicable laws and regulations.

AND, GRANTOR does hereby COVENANT that he is seized
of said premises in fee simple and has good right to convey
same; that GRANTEE shall quietly enjoy said premises; that
the premises are free from encumbrances except as herein
provided; that GRANTOR will execute or procure any further
necessary assurances of title to said premises; and that
GRANTOR will forever warrant and defend the title to said
premises.

IN WITNESS WHEREOF, GRANTOR has caused these presents
to be signed the day and year first above written.

Witness:





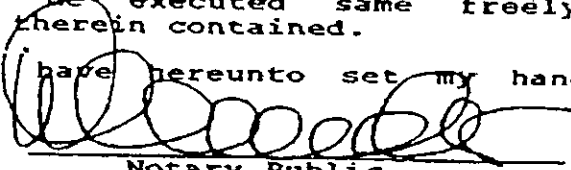
Daniel E. Ford

ACKNOWLEDGMENT

TERRITORY OF THE VIRGIN ISLANDS)
JUDICIAL DISTRICT OF ST. CROIX) ss:

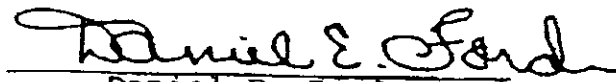
On this 23rd day of August, 1990, before me personally
came and appeared Daniel E. Ford, to me known and known to
me to be the individual described in the foregoing instrument
and he acknowledged that he executed same freely and
voluntarily for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and
official seal.


Notary Public

CERTIFICATE OF VALUE

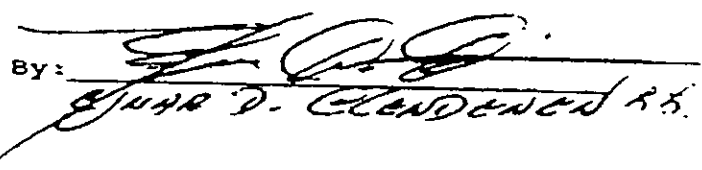
IT IS HEREBY CERTIFIED that the property conveyed herein
is exempt from the stamp tax by virtue of 33 VIC 128(1).


Daniel E. Ford

CERTIFICATE OF PUBLIC SURVEYOR

IT IS HEREBY CERTIFIED that according to the records in the Office of the Public Surveyor, the property described in the foregoing instrument located at Estate Sion Hill, have not undergone any change with respect to boundary and area.

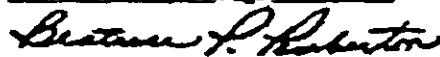
OFFICE OF THE PUBLIC SURVEYOR
Christiansted, St. Croix, V.I.

By: 

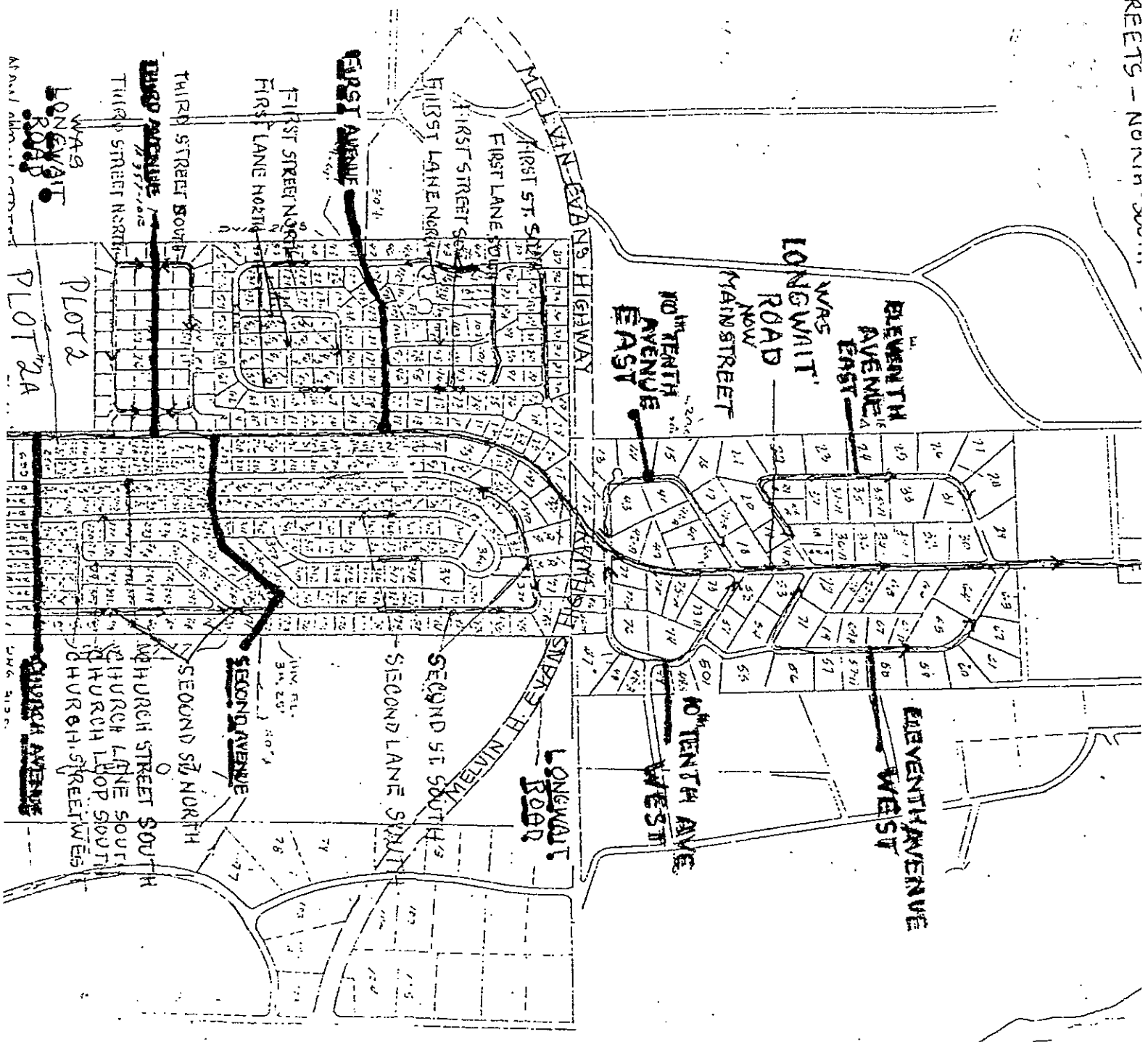
DATED: AUG 27 1958

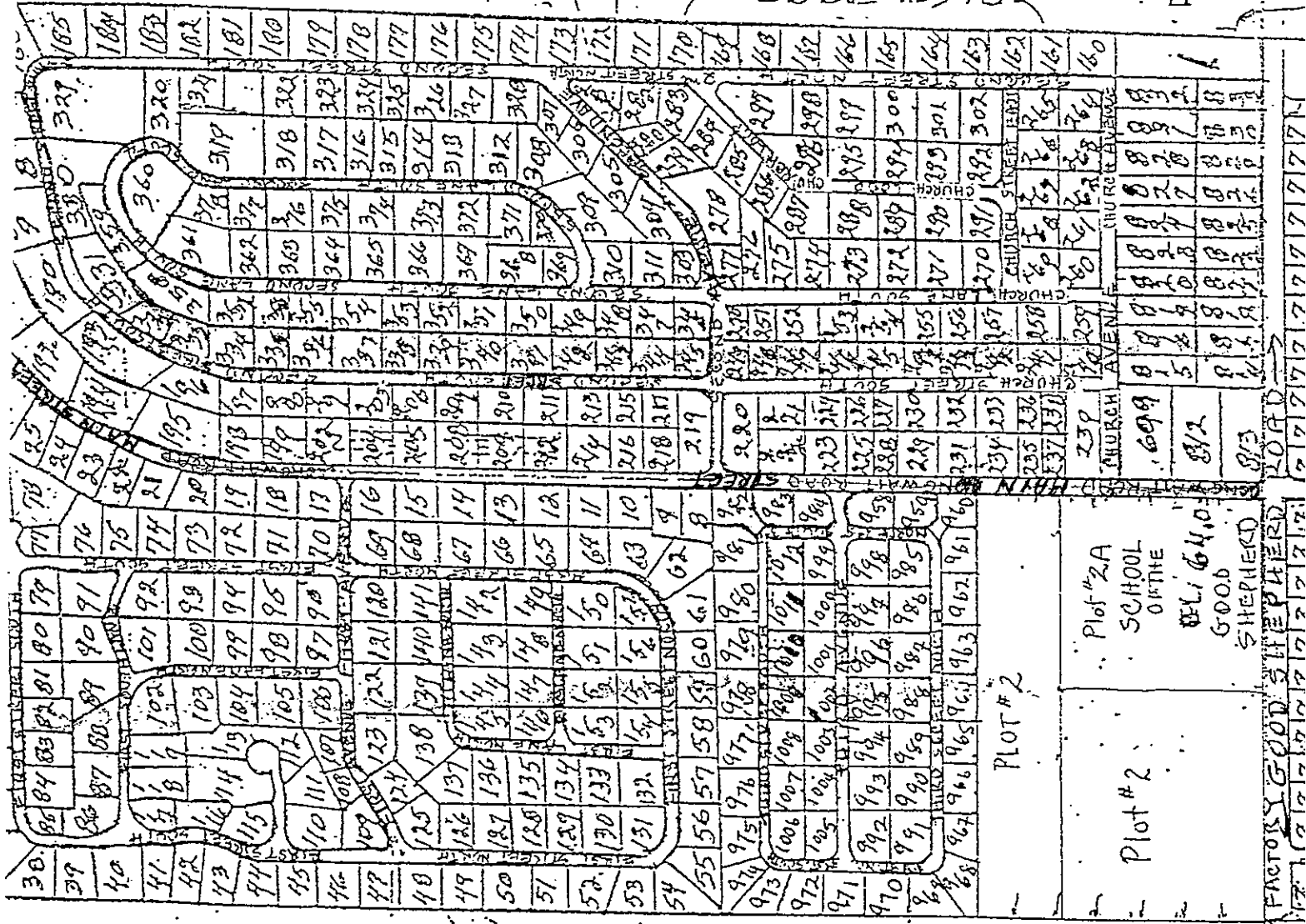
FEE: NONE

Received for recording on the 31st day of August
1958 at 2:56 o'clock P.M. and
Recorded and Entered in Recorder's Book for the
District of St. Croix, Virgin Islands of the U.S.A. at
Photo-copy 377 Page
No. 647-10 and noted in Real Property Register
Page



FEE: NONE





INVEL
38.25'

662 540

DW4
3180

INVEL
38.61'

402.4
#57-1015
ROND.

TO RUN
SHEPHERD

Plot #2A
SCHOOL
OF THE
DELI 64.0
GOOD
SHEPHERD

Plot #2

Plot #2

FACTORY GOOD SHEPHERD

WHEREAS, a preliminary rate investigation was made by Georgetown Consulting Group and that investigation proved that a full rate investigation is warranted and that the ratepayer could be owed as much as \$50 million; Now, Therefore; Title 30, section 20, Virgin Islands Code is amended by adding at the end thereof "except that the Commission shall conduct an investigation and a formal hearing as mandated by the Legislature of the Virgin Islands.". Pursuant to this section the Legislature of the Virgin Islands, on behalf of the people of the Virgin Islands, hereby mandates the Public Services Commission to conduct a full rate investigation on Vitelco's phone rates.

Amendment No. 23-593 / September 18, 2000/ CEK