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- 0:00:00 Thank everyone that provided testimony on this particular bill. Those individuals are dismissed and we're going to move now to bill number 34-0089. Bill number 34-0089, an act appropriating \$920,000 to the Virgin Islands Port Authority the construction of an aesthetically pleasing cruise bay fish market and to modify the existing concrete boat ramp and bulkhead at the little cruise bay dock cruise bay quarter and appropriating five hundred and eighty thousand dollars to the department of public works for the construction of a boat dock and slipway at Enide Pond on the island of St. John, proposed by Senators Stephen D. Payne, Sr. and Janelle K. Seroux. Invited testifiers Carlton Dow, Executive Director, Virgin Islands Port Authority. Derek Gabriel, Commissioner, Department of Public Works. Jean-Pierre Auriol, Commissioner, Department of planning and natural resources and kendall anthony st john fisherman thank you so much madam clerk i'm going to allow you to put your name and title on the record starting with the virgin islands port authority just name and title on the record good afternoon mr chairman uh i am vincent f frazer senior staff attorney at the port authority i'm here on behalf of mr carlton
- 0:01:46 doe the executive director of port authority thank you so much do we have anyone from public works department of public works okay anyone from department of planning and natural resources Mr. Anthony, can you put your name and title on the record? Good afternoon. Colonel Anthony, one of the few local fishermen from Xinjiang.
- 0:02:27 Thank you so much. Thank you so much. Colleagues, we're going to receive testimony from attorney Fraser. Fraser. I do know that Commissioner Gabriel and Oriel was contacted a bit late. I think Commissioner Gabriel is off-line, but I'm not sure if a representative will come on at a later point. But I'm going to now move to Senator Payne for the introduction of Bill number 34-0089. Thank you for the time, Mr. Chair. Good afternoon, colleagues and listening In the viewing audience, I offer Bill No. 34-0089, an act appropriating \$920,000 to the Virgin Islands Port Authority for the construction of an aesthetically pleasing Coosby Fish Market and to modify the existing concrete boat ramp and bulkhead at Little Coosby Dock, Coosby Quarter, and appropriating \$580,000 to the Department of Public Works for the construction of a

boat dock and slipway at Eenie High Pond and the Island of St. John. Mr. Chair and colleagues, this measure is a serious win for the fishing and boating industry on Little Big Island of St. John. I definitely want to say a major major thank you to my Marching Hawks millennial colleague for working with me on behalf of the fishermen and the boaters on St. John. Colleagues, for too many years, the fishermen in St. John had to clean their fish and get their catch ready for sale in less than deplorable conditions. They cried out for years, however their cries fell on deaf ears, as St. John is usually just an afterthought. Colleagues, the days of St. John being merely an afterthought are long gone with this measure. This measure, St. John, is being placed on solid ground

0:04:25 with her sister island to ensure that St. John Nets who own businesses and rely on the ocean for the livelihood and pleasure have a space at a table and don't have to settle for anything less. The people of St. John deserve better. Colleagues, your support of this measure will ensure that St. John is not simply an afterthought. Mr. Chair, I thank you for the time and your anticipated support. Thank you. Thank you so much, Senator Payne. We're now going to go to testimony.

0:05:02 Senator Syrah, before we move, you also are a sponsor on this particular measure. You may proceed. Thank you. Thank you, Mr. Chair. We talked to you in the center before us. We had some town halls on all three islands in regard to the fishermen, And we realized that St. John was by far in the worst condition as far as the efficient infrastructure. At the time when the bill was written in June, actually July, the report from OMB indicated that there was \$3.77 million in the St. John capital improvement with the transfer out. For the bathrooms, there was still adequate funding in the Capital Improvement Fund for the project, just so the people who like to monitor their accounts would be warm and fuzzy. Can Media pull up the slides, please?

0:06:07 So we have the first slide here, and this is the present fish house in St. John. This is actually on the beach right behind the customs house, and this is where the fishermen come in and this was actually built by the fishermen and this is where they clean the fish and transport them to sell. Next slide.

0:06:50 Are we frozen? Okay. I think it wasn't a bit too far. Mr. Chai, we may have to take a two-minute recess. Please stand in the recess for two minutes.

0:07:53 We'll be right back. Let's get started. We'll be right back. We'll be right back. We'll be right back. We'll be right back. Thank you. We'll be right back. Thank you. the committee of finance is back on the record senator saru you may proceed

0:12:36 thank you mr chair so we highlighted the fish house built by the fishermen and this is where they clean their fish and transport them for sale next slide and then so note the defense the fence is a point of contention because this is a fenced off area behind the customs building and the fishermen have to climb the fence because most times the gate is locked next so when you come to st john there's a customs building a yellow building and it's fenced off again on both sides so this is the walkway to the fish house completely blocked and locked and the only way that you can access is access it is to go access the fish house is to go by boat or through government house property on the backside through the bush now the the launching dock the national park service that's the launching back that you see there and it's located behind a national park service there's a good ass where the seaplane used to take off and land on St. John and that is local land but in national park since they've constructed an area and developed that area that they have literally claimed that land so most times the gate is locked and when you get there it's about 15 minutes they allow you to launch get on get your boat and to go so it's only launching dock located on st john where you can unload and offload next this tree this is after the fishermen clean their fish this is a tree um where they sell usually there's a scale hanging from the the branch where the fishermen will go and sell but then and no solicited sign was placed there recently so the fishermen have no place to sell um their their product it's important to know too that when you clean a fish and you go to the fish house they have to log those coolers across four to five boats to get the fish on land and sometimes if they have a bad day a fisherman could simply um you know drop his cooler by mistake lose his catch lose um his his sale on his product and

0:15:05 not make any money for the day and this tree is located across from the u.s postal service next slide so the proposed fishing house um the director of the port authority and i had conversation he sent his staff up to st john to meet with us this is the old um this is the old So this is the first, this is where the barge, back in the day where the barge used to come on St. John, and later became the seaplane ramp, and this is where the proposed fish and house location would go, but it is the property of the Port Authority, and Mr. Dow was included in those discussions to put the fish and house there. Next. This is government property by Fish Bay Road.

0:15:55 That is the proposed site for the launching dock for the fishermen to launch their boats. Next. This is GeoMap. This is the property again, so you guys can note where the launching pad would be. I mean, not the launching pad, dock, and this is where the fishermen and the government is proposing to put the launching doc and if you need proof there is the proof that the property is owned by the government of the virgin islands next i think we're done so we want to just put the entire

project into some so beside having a Thank you. Thank you. Thank you.

0:18:19 that's zero zero eight nine an act to appropriate nine hundred and nine nine hundred and twenty 000 to the virgin islands port authority for the construction of an aesthetically pleasing fish market in cruise bay st john and to modify the existing concrete boat ramp and bulkhead at the little cruise bay dock the bill also appropriates 580 000 to the vi department of public works to construct a boat dock and slipway at any height st john viper is in full support of the appropriation to build the fish market on viper control property adjacent to the victor sewer marine facility in cruise bay st john and to renovate the existing boat ramp and bulkhead to be used by the fishermen a fish market will provide the amenities for the fishing community on st john facilitate the livelihood of dozens of local fishermen and help to stimulate the economy and provide fresh food for the community is again full support of this measure we are pledged to work with the department of agriculture department of planning and natural resources and other pertinent

0:20:06 agencies to bring this project to fruition viper is prepared to work with agencies and consultants to develop the appropriate design move through the permitted process and oversee the construction of the fish market we will also ensure that the design of the fish market is in line with the guidelines established by the historic preservation office which we understand has jurisdiction over building activities throughout cruise bay with regards to the appropriation of 580 000 to the department of public works to build a dock and slipway at any high pond viper is equally available to assist with this endeavor viper is the title owner of certain parcels of land around the any high pond area as a result we are unclear exactly which parcel of land is identified for the dock the engineer our engineering department will work with the department of public works to identify somebody else to print if you have a problem let me yeah you guys are hearing some feedback okay go go ahead attorney frieza yes uh vipers engineering department will work with the department of public works to identify which parcel is most suitable for the project our marine manager has had discussions of this project with the sponsors researchers and have determined and has determined that the dock and the slip away will not slip away will not necessarily interfere with the marine traffic in and out of the theovall mohead cargo facility viper looks forward to working with all the agencies to make these two projects a success i thank you very much on behalf of the executive director and i will remain available to try to

0:22:06 answer any questions concerning this matter thank you very much thank you so much attorney fraser Good afternoon, Senator Viale, and good afternoon, members of the 34th Legislature's Committee on Finance. Again, my name is Jean-Pierre Oriel, Commissioner for the Department of Planning and Natural Resources. Thank you for the invitation to testify on bill number 34-0089, an act appropriating \$920,000 to the Virgin Islands Port Authority for the construction of an aesthetically pleasing cruise bay fish market, and to modify the existing concrete boat ramp and bulkhead at Little Cruise Bay Dock, Cruise Bay Quarter, and appropriating \$580,000 to the Department of Public Works for the construction of a boat dock and slipway at Inaipan on the island of St. John.

0:23:10 I would like to begin by stating that the Department of Planning and Natural Resources is very much in favor of the construction of a new fish market on the island of St. John, as well as the construction of additional boating infrastructure that will benefit recreational boating. DPNR, the St. John Administrator, and the VI Port Authority have been in consultation over the last several months with respect to the proposed location for a fish market building in cruise bay creek and in addition through a planning session facilitated by the division of coastal zone management dpnr has identified locations and types of needed boating and access infrastructure for the island of saint john to begin with the proposed fish market dpnr CONCURS WITH THE LOCATION, AND WE BELIEVE THE FUNDS BEING ALLOCATED SHOULD COVER A SUBSTANTIAL PORTION OF THE COST, DEFINITELY THE MARKET ITSELF, BUT NOT SURE THE FUNDING WILL COVER ALL COSTS FOR THE BUILDING AND THE BOAT RAM. DPNR REQUEST SOME CLARIFICATION AS TO THE INTENT OF PROVIDING THE FUNDS TO VIPA. IS THE INTENT TO HAVE VIPA MANAGE THE FACILITY AFTER it is constructed? Is the intent of the market to be a public facility? We ask because pursuant to Virgin Islands Code Title 12, Section 325A, the management of public fish markets was transferred to DPNR from the Department of Agriculture, and it is DPNR that has the authority to establish rules and regulations as well as fees for the management of public fish markets. With the With the funding to construct the facility going to Vipa, DPNR would like to be clear on what, if any, role DPNR will have regarding this facility.

0:25:00 If the intent is for DPNR to manage the facility once construction is completed, then we would ask that the bill's sponsor include language regarding the transfer of the facility to DPNR. In addition, we would request that the language be included on the construction of the department, the consultation of the department during the design phase. With respect to the proposed L-shaped docked in Enide Pond, it is DPNR's understanding that Viper was seeking to limit activity in Enide Pond to commuter and or cargo activities. The initial plans in the 1990s for the Enide Pond facility included a 20-slip marina for recreational vessels, but in the year 2000, Viper opted to change those plans, eliminating the

recreational berthing. Viper can also confirm this, but the location may be a TWIC-controlled area, and as such, it would be difficult to have recreational vessels landing and individuals randomly traversing the area. Lastly, should Viper state that the area could accommodate the proposed recreational landing pier given that the upland is completely controlled by viper believe it would be more prudent to allocate the funding to viper for the construction as opposed to the department of public works in closing dpnr applauds the effort sought by the measure to bring additional marine infrastructure to the island of saint john and we thank you for the opportunity to testify here today thank you thank you so much commissioner mr anthony fisherman from st john to thank senator payne and senator sarah for the opportunities to speak on behalf

0:26:55 of the fishermen and st john i mean uh i also like to thank them for giving testimony and bill 24-0-0-8-9 which is something st john has long been needed at the point like this like they say we don't really have a place to do anything you saw the pictures where we clean the fish in the back and it was built by a few other fishermen uh unless we have access by customs during their work hours where we could get through the gate that was where we carried our fishes to right now it's completely closed off due to the new buildings so we don't have any access at all unless we go to the battery gate and go to the bushes like mrs saros say during their work hours we don't have anything uh again for selling the fishes what my name is anthony i know that you did submit a testimony you just want to read that into the record no problem yeah read that into the record please thank you so much okay okay in the last 50 years the demographics of st john and his fishing industry has radically changed and it is now long overdue that the government of the virgin islands recognize and value the allegations of resource to address its critical shift before the devastation of hugo in the late 80s cowboy played a major role in the economics of fishing industry especially in the communities of lower carolina

0:28:47 eastern hermitage and so forth locals were steeped in the marine time industries families such as the mohavias and anthony's the lightest descendants of whom are represented to us today goes back many generations as fishermen both builders and sailors who travel all over the world ceiling in the world of commercial fishing in carol bay local developments and genius methods of getting local locally caught fish to different customers you know methods of getting locally caught fish to different customers in the region those who caught fish in carol bay who wanted to expand their markets share realized that rather than boating all the way around the eastern portion of the island they came up with an ingenious idea of bringing their boats ashore to the nervous portions of southern glennans in john use timber to push their boat across the part of land and at the northern end be able to re-embar into the northern northeastern world of the atlantic thereby giving them direct access by boat not only to the north shore of st john but also the southern side of tortura the strategy of using the narrow strip of land to cut time okay and generate new import uh miss anthony give us one minute i need to take a quick uh one minute recess the company sounds every sense of one minute We'll be right back. We'll be right back. We'll be right back. Thank you. We'll be right back. Thank you. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. Thank you. We'll be right back.

0:37:57 The Committee of Finance is back on the record. Mr. Anthony, I know that we had two different testimonies and the one you were reading we did not have.

0:38:26 so I'm going to allow you to continue back on the record with your testimony that was submitted, so you may now proceed. I apologize for the inconvenience. That's fine. Okay. The Honorable 24th Legislative Committee on Finance, non-committee members, and listing and viewing audience. My name is Kendall Anton. i am i am a fisherman and over the 40 plus years of the island of st john the testimony testimony comes to you today on behalf of we the we the st john fishing community in reference to bill 24 dash slash zero zero eight nine St. John has a vibrant and resilient fishing community. The community is not only skilled, but we are influential, innovative, and substantial substantial most if not all of the fishermen of the fishing system and sites were created by us the fishermen ourselves unfortunately these systems and sites are now in jeopardy and have become a huge inconvenience to our fishing community for example to access our version of a fish house located behind the st john government building government house also known as battery is currently restricted creating a huge problem amongst us the reason is in refer to a version of a fish house is

0:40:25 because of memo minimum structure structure and size of the fish house it is a shaded wooden platform that can be reassembled that can resemble a table approximately eight by five feet in size that we built ourselves the gate allowing access to this fish house is is along the edge of a fence dock this is often resulting in the loss of fish due to coolers falling between transport and or injury to make matters worse the reason of the gate closure is inadequate this create reasonable frustration and anger amongst the fishermen to see the only things we have left something we have had created for ourselves constraint the issues with our officials are connected greatly to the issues of the lack of adapt the access to a dock for a fisherman and boaters is non-existent the st john national park that can only be accessed in increments of 50 minutes only to pick up or drop off passengers leaving no no doubt for a fisherman to use to store boats or even load our flows fish fishing gear and fishing gear can you visualize the frustration of roughing up up to sometimes as many as four

to five boats all in hefty coolers of fish along the along with fishing gears across and then maneuvering

0:42:24 around the edge of a fence that to a gate at his lap pretty unthinkable right well this is what be the fishermen face on a daily day-to-day fishing basis the lack of access to not to a man-made fish house adapt storage for fishing gear or fish and to try to provide one's family becoming increasingly troublesome day by day to add these obstacles numerous morning in the already limited fishing locations of st john has disappeared fishing location are scarce the decreasing moorings as a fisherman biggest nightmare some will say just go wherever else to fish but the st thomas fishermen to st john st john fisherman ratio is imbalanced for tempting other fishing spot because becomes close to impossible since these area we can do fish and are most claimed by other fishermen this results in syndrome fishermen having to achieve the impossible even then we still have the struggles of having nowhere designs designated to set up fish.

0:43:53 I appreciate the opportunity to come before you and testify today. We thank you so much for your testimony. Colleagues, we're going to go directly into a three minute round of question and Senator Javon James, thank you for joining us. We're going to. We have one more testimony that we're going to read, which is the testimony from the Department of Public Works. The commissioner has sent notification that he is off-island and he would like his testimony to be read into the record. You may proceed. Madam Clerk. Dear Chairman Viola, thank you for the opportunity to testify on the above referenced bill.

0:44:41 I am currently out of the country and will be unable to testify today. However, I wanted to submit the following information for the committee's consideration relative to the proposed legislation, particularly the portion pertaining to the Department of Public Works to appropriate \$580,000 for the construction of a boat dock and slipway at Enide Pond, St. John, Virgin Islands. earlier this year the bill's sponsor reached out to the department to request an estimate for this project this price includes design consultation and construction of an l-shaped dock to be placed at in the enide pond adjacent to the theovald moorhead dock and terminal while we stand behind the rough order of magnitude estimate provided at that time it is important to note the estimate provided was done based on similar projects designed over the past years additionally we have a number of concerns on this proposed measure number one significant geotechnical studies by a qualified firm will need to be performed to determine if the proposed site is suitable for pilings to support a dock the department does not have any qualified staff to perform such a study in-house. Additionally, more detailed design drawings, specifications, and scope will be necessary. This will also need to be done by a qualified design consultant. In its current form, the proposed legislation only funds construction. We recommend adding language that allows the department flexibility to use the funds for design.

0:46:30 any necessary studies and construction we estimate we estimate that a full design package assessments and permit acquisition particularly CZM will take at least six months number two because of the proximity to the Theovald Moorhead dock and terminal we believe we will also need to assess the impact to ensure the constant waves wakes from incoming and outgoing barges do not have an adverse effect on the new dock or its ability to serve the intended purpose number three we are not sure if this use will be allowed in this area given the proximity to the enide barge dock and the potential security and restricted access issues this may present currently that area is used for commuter and cargo related uses by the Virgin Islands Port Authority. This proposed dock and slipway is very different than those functions. Number four, we recommend additional language clarifying whose jurisdiction this dock will fall under once constructed, whether it be the Virgin Islands Port Authority or the Department of Planning and Natural Resources, as the Department of Public Works currently lacks the staff and resources to manage such a facility number five based on an on on audited fund balance requests through the Department of Finance it appears these initiatives may be funded by the st. John capital improvement fund assuming there are no outstanding legislative appropriations which have yet to be obligated thank you for reading this letter into the record and I look forward to any further discussion on this matter if you have any questions or concerns on this testimony please feel free to reach out to me directly respectfully Derek Gabriel commissioner thank you madam clerk in reference to the fund balance I did speak to the office of management and budget to get the fund balance for the St. John Capital Development Fund on Finance is saying that there's \$2.4 million in the fund, but I do know that we do have

0:48:55 obligations that were passed, and that Fred Gregory did pass a bill that I think I'm just about sure is going to consume the bulk of that, but we do have a new \$1.5 million allotment this year from the Internal Revenue Matching Fund into the particular fund, so we do know we have sufficient funding moving forward to be able to to fund this project and um it's it's very good that we're now seeing um from the last legislature the realization of allowing the 1.5 st john capital development fund to finally be used for capital development because it was going to waste management and until later before so we're beginning to see the fruits um that there was a project before that was funded by the senate president and and now these projects i I think we're moving in the right direction. Senator Blyden, you're recognized.

- 0:49:49 Thank you, Mr. Chair. Good afternoon to the testifiers and thank you for your testimony. This bill is a no brainer. It's long overdue. I want to thank the sponsors for bringing this measure forward. Definitely, as well stated, that the funds are there to assist in assuring that this bill come to fruition. But what I want to do with my short time that I have is to basically speak to the fisherman, Mr. Anthony.
- 0:50:25 Good afternoon, sir. Your testimony, go short, go short, basically highlighted many challenges that the fisherman in St. John face to include lots of fish and many obstacles. And based on what I saw with the picture, they look like you have to go through an obstacle course. matter of fact in order to do what you need to get done so can you explain to us briefly exactly what a typical day would look like in terms of catching a fish and needing to get basically a fish to where where you get to sell them etc because those pictures is deplorable you have to climb friends etc can you speak to that please okay typical there would be you come in with your fish you go back to where senator saru show you where we clean our fish that is out of the eyes of the public so unless you call someone to tell them you're back there no one knows you're there people that would want to buy fish don't know you're there until you get out on the street to sell your fish uh in the past when like i said the gate to the government houses open where people could access their way through while we're cleaning the fish you know as word spread that we're back there cleaning fish people would come through by fish while we're cleaning until the hour for that to close the gate one minute and after that everyone have to leave excuse me so continue yeah until you know after that everyone have to go out until we could get round to several fish before that it was we come in we clean the fish and then for those of us who
- 0:52:15 had trucks load the coolers in the trucks and go from house to house selling fish you know so that that's that that is what we had and we still basically do it and you know sometimes but uh like i said again from across from the post office you have the sign there but it's the risk that we have to take uh it's it's the risk that we have to take and then sometimes you have some of the coolers that leak and i for one don't really appreciate that the fishy center you know people people passing back and forth and you know for those of us who try to take the initiative of cleaning and washing long after to get rid of the scent you know it's it's not a nice thing to be passing back and forth to time well thank you so much for that um explanation um it is clear that the bill the bill is necessary and for sure you guys um once it's passed you'll be moving once everything is complete and i'm i must say um i will sign on to the bill and i want to thank the sponsors again and thank you so much for your testimony and for hanging in there and being dedicated in in respect to your craft and and basically to applying fish for the people for St. John. Thank you so much, Mr. Chair.
- 0:53:34 Thank you, Senator Blyden. Welcome, Senator Francis Heiliger. Just a quick little background. A lot of times stuff is done within the legislature and within government, and there's not a full understanding as to how we got to this point. I think it was two years ago we were in a markup, a budget markup, And the legislation come down, enabling legislation, we were reviewing it, that was going to, as usual, transfer the St. John Capital Development Fund in total to Waste Management, I think, and Antaleda. And the Senate President showed a fit. She said that it was time that these monies go to the people of St. John. And it was not fair that we have the St. Croix Capital Development Fund that goes to Capital Project and the St. Thomas Capital Development Fund that goes to St. Thomas Project and the St. John monies are going in a separate direction.
- 0:54:38 So we literally got rid of that enabling legislation and utilized the money, left the money there in a pot to be utilized for the people of St. John. And once again, this year, it was sent down again to transfer the money to these other entities. And we once again got rid of the bill and made sure that we continue to fund the St. John Capital Development Fund for capital projects. And now we're to the point where, after this year, we would have spent \$4.5 million for specific projects for St. John. So it is a good thing. Just wanted to put that historical perspective as to the role that Senator played overall in this endeavor. Senator DeGraff, you recognize?
- 0:55:24 Thank you, Mr. Chair. Good afternoon, colleagues. Good afternoon, testifiers of you and listening and present. I stand in support of anything for the fishermen, really. What I would like to try to understand is the jurisdiction. Like Commissioner Orio mentioned, the \$920,000 of bernard port authority to be la cruz may fish market is there a conflict there between your department and port authority in regards to that that part of the bill yes good afternoon senator so i i don't think there's a conflict there i think what the department is asking for is what is the intention of the bill's sponsor uh i mean the port authority if it is going to build a fish market can in fact build a fish market that manage a fish market like it manages its other properties across the territory but what we're asking is for it to be clear whether or not this is to be a fish market that is managed by the department or not because as of right now the department has no stake in what's going on um and we just want to be clear as to what the intention is okay so so that would have to be spelled out in the legislation in regards to that part i would i would say so that's what we're asking for if i may good if as from the port authority perspective we we do not have any intention and did not understand that the port authority rule would be to manage and maintain or anything with the fish market it's our understanding that port authority was going to be a conduit

- to assist with one making the land available the dock area say since it is on our property one minute it would be made available we may have to do some configuration of our security area but we have no problem with that and that it would be built we would assist with coordinating the construction and whatever assistance is necessary and then it would be managed by the appropriate government agency that has that as a mission whether it be um planning the natural resources or department of agriculture okay thank you for that attorney further okay so i guess like you said the legislation we could figure that part out and correct that part now also with the 580 there isn't anyone from the power of public works but i was just wondering if the in a pond comes does it in a palm come under port authority yes it does okay so so for that part of public work building facility at the unite pond is is that is that any conflict time right now as i as i indicated in my testimony along the along the shoreline of any high pond is owned by the port authority um and there may have been a specific area where that was designated for the building of this dock and slipway now there may be other parts along that shoreline that be that may be more appropriate for the uh dock that is in mind we are willing to make whatever area is is necessary to make it available if there is need to shift it from where was identified again it is our understanding that the um the construction will take place whether by public works or whomever we would make the land available we have no objection the marine manager has indicated that the um the area that was identified uh it would not
- necessarily interfere with traffic in and to the cargo facility so again we would cooperate with whichever agency has to bill it and our understanding is that it would be a public facility a public dock and slip away not something private or under the tweak the security um area okay thank you for that uh and again it's just for my colleagues to take that consideration and we amend what we have to amend to make this happen i stand in support uh thank you for the time mr chair thank you so much uh senator the graph um the land that we're looking at is owned by the port authority that's how the the language is in there it said in the port authority but it would then go into an agreement with department of planning and natural resources for that facility to be utilized as a fish market and maintained um but by dpnr similar to to what we're doing with the horse race track and st croix the land is owned by the port authority but it has been leased to sports park and recreation for some 40 years for the use by sports park and rec and then sports park and rec leased the land to to vigl so it's going to be a similar and the sponsor both sponsors are going to make sure that the language is clear in terms of being able to get this project to move forward. Senator Fred Gregory, you're recognized.
- Thank you, Mr. Chair, and good afternoon to the testifiers. Mr. Chair, thank you again for remembering the mock-up about two years ago when we went back and forth about utilizing the government utilizing the St. John Capital Development Funds for the purposes of why I said, I was very clear for the purposes of picking up trash and cutting the roadside. And I didn't see how that was tied to a capital improvement for the St. John District.
- So I want to thank my colleagues for supporting my concern and ensuring that we are now able to utilize the funds for its intended purposes. Now, since fiscal year, I think it's 2020, we set aside some \$900,000 to the Virgin Islands Port Authority. And then in FY2022, we set aside \$900,000 for the Boynes Dock, for the bathrooms, resurfacing of the dock, lighting, and generators, and a generator. We haven't seen any movement on those projects. we set aside most recently in our supplemental and that was bill 8401 in our supplemental um in our supplemental some 400 000 in bill in act number 8473 for the purposes of a multi-purpose center facility i included that in our supplemental um bill just this past month ago. And now we are looking for another \$920,000 plus \$580,000, which is \$1.5 million. So in total, we're talking about \$2.8 million. My question is, how is the Port Authority going to ensure that these projects move forward? Because as I indicated earlier, there is some \$900,000 dollars that's been sitting on the book since 20 i'd want to say fiscal year 2020. one minute so that's something that needs to be addressed um council yeah well certainly senator uh gregory i uh as you know the executive director of port authority uh takes delight in going from project to project so they to the extent that there has been some delay i know we've had changes in our engineering department that has caused us to to fall behind in some of the
- projects that were scheduled before so i i can only offer that the offer the energy of the executive director to make sure that we fulfill these mandates that are given including the uh one for for the Boeing's DACA as well. And I believe some of that had started with the application before the historic preservation committee. So we should be in that permitting phase. I would like to get a status update on that because it's been two years, okay? Time. So we could go back to that. But one of the concerns that I have, and Mr. Chair, if you would allow me.
- One of the concerns that I have is the fact that the fish market will be built by the Virgin Islands Port Authority and another entity would be responsible for managing it. And I know that the Virgin Islands Port Authority is a revenue generating entity. And we don't want down the road, because I experienced that when I worked there with some submerged land fees. Down the road, a new executive director comes in and say, oh, this property belongs to Port Authority, so we have to lease it. You guys have to pay a lease on it.

- 1:05:00 We have to ensure that there will be some agreement in place, some long-term agreement in place. I know that you can't legislate everything, but I see that potentially becoming a problem down the road. So we need to make sure, whether we indicate in the legislation by an amendment, that the personal support authority shall engage in an agreement with the Department of Planning and Natural Resources once this entity is built free of charge or whatever that terminology should say. But my concern is that a director down the road will come back and make issues as it relates to paying out on that particular property. Any concerns there? Yeah, if I may, Senator, with or without it being in the legislation um what you've said is correct in the past um decisions were made actions were taken and there was no paper trail we have changed from that now and and certainly even if it's not in the legislation if the intent of the legislature is that another agency will manage this facility certainly there will be a um an agreement documentation that for the purpose of history and those coming behind will know what the arrangement is whether it is an indefinite or long-term agreement document so there will certainly be documentation from any of these facilities thank you thank you council somebody needs to mute um their device We're hearing a lot of background noise, but definitely, Senator, we will make sure that there's some type of long-term agreement. I totally agree, and we will even see as to whether or not we can language that before this bill is passed.
- 1:07:00 Senator, carry on, you recognize. Thank you, Mr. Chair. It's clear that there's a need in St. John for this. And it's long overdue. We hear a testimony from everyone, and especially hearing it from the fishermen and hearing what they have to go through in order to clean their fish and be able to sell their fish. It's unbelievable. And it's about time that we do St. Jonian's Rite and we provide this venue so that they can continue to provide the services to the St. John community. So I would like to commend the sponsors of the bill for bringing this bill forward. I do have some concerns that were brought out by some of my colleagues and also in the testimony. I'm glad to hear that some of the language within the testimony would be clear up and amendments would come forward that I think are necessary in order so we don't have any confusion and we're clear which entity is responsible for what. The other thing that I think is quite important is to ensure that the funds are available. And I'm hearing the chair for the finance committee saying that there's more funds that are coming in for this fiscal year, so that gives us some sort of assurance that the funds will be there and that the work will be done. I do have a question, but there's no one here really representing the Department of Public Works.
- 1:08:46 I know the commissioner excused himself and sent his testimony, but I think it would have been good to have a deputy and assistant commissioner here to maybe represent the commissioner in the department and be able to answer some of the questions in regards to the Department of Public Works. One minute. let me just ask uh commissioner orio you did presented some concerns and i think attorney fraser uh kind of clarify that because of the area where the proposed um dock will be it's a close proximity to the other dock where you have traffic cargo and you also have um individuals that come and go through the ferry now there are some concerns you mentioned regards to restrictions can you please once again share a little bit what what are those concerns that you have uh commissioner all right good afternoon senator um so really it was for i i'll preface this by saying i i've been at dpnr for a while now and uh the the e-night pond project Turner Hall, way back when that project started off and it had many different types designs for what it would be. In 2002, when we were pushing when the Port Authority was moving that project forward. Previous design plans for that facility that location with respect to a mixture of both commuter traffic as well as the recreational boat traffic time. It was it was the goal. And Mr. Chair, if I may proceed. Yes, go ahead. So it was just it was my recollection that one of the things that the Port Authority wanted to do was separate out those two types of vessel traffic. Particularly now as things have evolved and we do have certain restricted areas, there are certain areas that become TWIC controlled. So it was just to state
- 1:10:57 that because the funding was going and gearing towards the public works, but it's the Port Authority who actually has most of the upland right in there, that the Port Authority would be best to speak to what is the overall vision, what is the overall development intention by the Port Authority for that location? Because it was my recollection that they were trying to not mix the recreational vessel traffic with the commuter and cargo traffic in that area. But again, if it can be accommodated where we don't have a number of concerns regarding what the additional security is, then that would be for the Port Authority who has the control over most of the upland to make that determination. Thank you for that, Mr. Chair.
- 1:11:50 And just quickly, if I may then, can Attorney Fraser kind of respond to that with regards to restriction and allowing recreational vessels in the area that we won't down the road have any issues with regards to those restrictions? And thank you, Mr. Chair. Thank you. Attorney Fraser? Yes. Yes. mr chairman as the good afternoon uh center carrier it's my understanding from my conversations with the marine manager who met with the senate uh researchers that the particular area that has been identified for this dock would not interfere with the cargo operation however it is i think it And it is still uncertain whether that particular area would accommodate the dock that it has in mind, the dock and the slipway. But we are prepared, as for the Port Authority, to work anywhere along that shoreline that would accommodate the concept of

what the legislation have in mind, which is to build a public dock that can be used and a slipway to be used for the public.

1:13:06 And it would be away from the cargo operations. And we would, although it's not, if the funding is not given to the Port Authority, since it is the Port Authority's line that would be used and committed to this, that we would work with Public Works or whoever else to make sure it's properly placed. Okay. Thank you so much, Attorney Fraser. We're going to work the details out. The good thing is, is that it's a Port Authority line and we can work the details out. funding is one of the the most important component um senator johnson and some of the senators over here have a flight to catch i'm trying to get this one in before they have to leave to send them a senator johnson go ahead good afternoon thank you very much mr chair we have a lot of available um bed and breakfast here for them so they could spend the time in the candy in the big island i you know i really want to say uh kudos to the sponsor of this piece of legislation it's something that that's well needed it's something that's been discussed for years you know i'm i've been traveling to st john a lot speaking to different you know people on that island and and this is something that's well needed so it's it's it's something that we definitely will have to make sure that we get the two different agencies together with some kind of a memorandum of understanding whatever it takes to make it happen and it sounds very clear that the um port authority is in support of this initiative and making sure that they do go forward i have pretty much just one question for uh commissioner oreo um once this project is complete do you have the staff that will take to you know manage and supervise this market commissioner oreo or you will be needed additional staff to um manage and and you know maintain this facility

1:14:56 uh thank you for the question senator uh we have the staffing um right now we've created within the division um some capital project managers uh but then we also will have in any fish market that we have we're we're placing port samplers and a small office space it's the way we're designing the markets now um so it would be our intention to actually put somebody physically in there uh to represent the department and then collect the adequate fees in order to keep up with the maintenance of the facility all right good good to hear that and hopefully i quite sure your agency will be fully involved in the design of what needs to be done for a fish market to make sure that st john have a well beautiful design and well accommodating fish market so i thank you very much for that time mr chair thank you very much thank you senator johnson center francis Thank you very much, Mr. Chair, and good afternoon to everyone.

1:16:01 I first want to join in commending Senator Fred Gregory for her insistence in the proper use of the Xinjiang Fund and to ensure that the funding was the Xinjiang Capital Improvement Fund and to maintain that that funding should be used for projects for Xinjiang, so kudos in your assistance and I'm making that happen. I wanted to ask Commissioner Oriel, in respect to the territorial efforts to build out fish markets, because I know that you have been in that effort, you have done it here on St. Croix, I know that you have done some work on St. Thomas as well. Was there any plan to, or any set aside funding to support the island of St. John as well this territorial effort yes good afternoon senator yes there has been um so even while we speak right now uh as i indicated in my testimony myself the uh saint john administrator's office members from the port authority we've been discussing this to the point where dpnr actually has uh prepared already an rfp for the design of the fish market to go out that was our intention prior to receiving notice of this invitation on friday um so it was the intention to to go out there get the designs done and then plan out we had a project estimate based on costs um for st john and so um the idea was to first get the design going and then we would be able to access different funding. But the department's efforts to build a fish market on St. John actually partner with the Port Authority from years before as well. I believe it was 2014 where there was a set aside, but this it was actually in enide where that uh the fish market were to be constructed um the problem that we have in the location is because of the uh the existing sewage treatment

1:18:16 plant and some of the problems that are habitual in that area this is in an area where we wanted to put the fishermen as well so so my we have been talking over the last several months about this particular location my follow-up question you're moving forward my follow-up question um commissioner before my time ran out is are you heard um commissioners uh derek gabriel's concern about the cost which is which is a fair concern uh because we know the cost on st croix and thomas and when you get over to st john um there's definitely some increasing costs there do you believe that there are additional funding to support this project the scene to to completion um based on the funding that you may have available for the territorial on fish market in addition to the money that's um being asked for this particular project yes yes very well we're estimating the actual structure at about nine hundred thousand dollars very well have there been any discussion a collaborative discussion between viper dpw and dpnr in regards to this particular project yes just last week as a matter of fact good enough and uh my final question mr chair if you would allow uh good to see you um that's the attorney fraser this it's been a while um in in regards to mou again understanding that this is a a communities project that involves all components of the government do you believe an mou moa could assist in being able to make sure that we're able to have a seamless um um completion or designation of who have the will have the rights uh to the property or the use of it um will be able to be completed do you see a mou or leasing to dpnr um as a method or instrument to move this forward yeah center we have on this property on this project in this marine area we have maximum flexibility. Unlike the situation where the race track in St. Croix, which was

- 1:20:20 mentioned, we have to account to the FAA for how we use aviation property. However, marine property in St. John, we have maximum flexibility on it. So any number of options may be available to us, whether at least MOA, a joint ownership type thing, we can explore whatever is necessary to accommodate this for the good of the community and as to what the Port Authority Governing Board would want to see happen.
- 1:20:55 Very well. The only, and I'll conclude by stating that I think that the only need we'll have then is for a timeline so that Mr. Kendall Anthony could be getting his fish pat and his boat and everything ready for lunch. And so we look forward to establishing some timelines in respect to this particular measure. Thank you, Mr. Chair, for the time. Thank you so much, Senator Francis. Senator James, you recognize? Good afternoon to the people of the U.S. Virgin Islands.
- 1:21:27 Good afternoon, testifiers. It's a nice bill, Senator Lodge. These are the kind of bays I love to see. I'm happy to know that St. John is being attended to. For quite some time, we have heard the concerns on the senator at large regarding the issues and challenges on the island of St. John. And as I do support this legislation, I do have some concerns. And most of my concerns are basically that of Commissioner Gabriel. I'm not going to sit here and sound like a broken record, but in his testimony he made mention of several things that stood out to him what i what i want to know it was made mention that the virgin annals port authority needs to confirm if this location may be a tweak control area i'm not sure if i missed it but did anyone address that here today on the floor yes if i may good afternoon senator uh this area in the inai pond is not twig control it's on outside of the security area awesome so that could have been done with a simple phone call but making it seem here in the testimony as if it's a twig control area that's a simple phone call and he also made mention from um the fishermen that there is a sign that says no soliciting who put up that sign that was dpnr where that sign came from who is enforcing that vipd anyone can speak to that i'm not familiar i can't speak to that i don't know can't speak to that senator to the fisherman do you have any idea if that's vipd when it comes to the
- 1:23:15 uh no senator i can can i tell you who posted the sign one minute authority vipd or who okay so by the way excuse me i'm with kendall anthony my name is edwin raymond roberts also a licensing commercial fisherman that said i believe is posted by the vi police department In the red sign like that, and to the bottom, I think it's VPI. I think so. I'm not sure. But I think it's the VPI Police Department. There's the one that does move, remove individuals. Also, if your car parked differently, there's the one that come and remove these vehicles. so so i think i'm not sure sure sure but i think it was placed there by the police department i'm not sure but i think that's what the science is vpi well the good thing about it the senator large was a former law enforcement officer and he's close to the commissioner nominee for virginia for the virginia police department so hopefully you can have that conversation um senator large to find out what's going there because if we're going to put this infrastructure in place and we are saying that we're looking out for the fishermen but yet we are saying no soliciting it is definitely a conflict there and we want to make sure that we we address that and and last but not least um commissioner oriole i know recently you made mention that you um you're basically allowing for for new fishermen to be able to um enter into the industry how is that coming along if you can just break that down for us um we've received a lot of notices
- 1:25:03 uh of interest senator um a number of people particularly helpers across the territory have come in uh and filled out the paperwork and and again what the department is going to do is review these statements of interest over the next several months uh and make very careful decisions in terms of the numbers of how many people we allow uh in based on the gear type and uh other parameters uh for this but um you know we're not we're not going to allow people let's say randomly coming in from florida with no ties to the virgin islands or something like that to get a commercial license thank you for that update thank you mr chair for the time and senator lodge let's meet with vip to find out what's going on there with the no soliciting sign thank you mr chair for the time thank you senator james i think we really need to make sure that um those individuals that have have been fishing as a helper, but are actually fishing that they be the population that get these new licenses and not individuals who haven't been here, who are not in the industry. We have a lot of individuals in the industry that we need to make them legal, so I think that is the group that we need to carve out, and if we carve out that group, then it's not going to impact the fisheries, because they're already fishing, they're already bringing in um a catch on a regular basis but just doing it on the next fisherman so i think that's the direction that we need to go senator francis heiliger you recognize good afternoon to my colleagues good afternoon to the people of the territory good afternoon to the testifiers um i i want to say i i do appreciate this piece of legislation which i to have signed on um agriculture when it comes to fishing is one of the most robust aspects of agriculture here in the territory i know we put a lot of effort into trying to push agriculture but fishing you know is is really been on point and anything we have to do to assist them to get the
- 1:27:09 job done i am in full support of now what i want to ask to the fishermen what kind of economic impact do you see by having this marketplace and these slips build specifically for the island of saint john what do you see once they're completed i see a big improvement because now we uh we do sell to some of the restaurants you know uh you do have a

lot of local i mean sorry you don't have a lot of tourists that comes that ask for fresh fish okay a lot of times like i said before uh where we're located no one knows we're there until we get out on the street sometime uh the length of time we take you the clean fish is late in the afternoon a lot of a lot of people go home by chance are people coming back out to dinner they're not gonna log log around any fresh fish you know okay so this this would definitely help you not only with the selling of your fish but also pushing the economy as well right so that's a plus it is also with this fishing market that's supposed to be done right hopefully we get it this would be like a classroom to the younger generation right now my boat down i don't put a unit and the the engine i have so many little young boys and girls young men and young women want to go fishing what that is building at the arm could get put up could be a classroom for me could sit down and explain to them show them things how to tie a knot how to fix your line and these different things where to fish from where you can fish and these different things

1:29:02 it's like a classroom which will be a big improvement to pass on the generational knowledge there you go there you go excellent i i think that would be excellent i i want to speak to commissioner orio earlier when you said specifically a lot um what exactly could you give me some kind of ballpark of what you would say a lot in regards to these applications that came in for fisher or like a ballpark so i could know exactly what a lot means so senator it really depends and good afternoon it really depends on on the type the gear type and such um you know we have species that have annual catch limits on them like lobster and conk and so we have to be very mindful of the amount of people we let in for those species because well i'm not i'm not worried about what your final decision is going to be i'm trying to get an idea of the amount of people that's interested in this aspect of agriculture so you had just said a lot of people had approached i'm trying to get a number was it 500 like give me an estimate so we've received approximately 40 applications in each district thus far um within that first week okay so that's about 120 so far yes oh district would be about 80 okay thank you so much for that um i also wanted to ask the question in regards to you had touched on that this was a project you guys had already begin to initiate prior to even knowing about this piece of legislation. So where were you going to tap these monies from? And since this money is coming from the Capital Improvement Fund for St. John,

1:30:53 I'm trying to figure out if you were going to do it already, did you have access to enough money that it could still potentially be done under that and these monies could be utilized for other projects or do you think that the monies you are tapping into to do it since you had already started it you have to combine it with what this bill says so senator the the right now what we have access to is the design funds um our primary source for additional funding is still uh uh unknown it's a 50 50 kind of crapshoot it's really based on whether or not president biden gets most of its agenda passed or not. We were hoping in July, we were hoping that we would have that decision by September, but Congress passed a continuing resolution until December.

1:31:46 So if the president does get the majority of his agenda passed, then we would say we do have access to that funding. It's simply just we don't know. I'm hoping we get some insights based on the president outlining some more of his agenda later on. I believe there's a press conference by the president later this week. But the majority of the funding, that was our primary source, was something that we anticipated from some congressional funding that would be appropriated.

1:32:20 Okay, thank you. Okay, good, good. So much. Thank you. Thank you so much for the time. I know the time is at all. Can I add to this something? thank you pertaining to the license um the fisherman getting the license not to be prejudiced but you know i don't know how much of the uh charter boat captains apply for the license but i mean it'll be more feasible for a local to get a license a charter boat captain once he go that goes out he's guaranteed to be paid a fisherman paid his base on his catch so even though a fisherman might go out and he doesn't catch he might be able to catch fish to pay just for gas over carry home a charter a charter fishing um captain from the time he liter duck with his people he does pay he's paid he doesn't even be cats or a fish once he sell him and then you know besides tips and other stuff he's he's you know he he don't made his day also i would like to say to uh when i'm back to this help us i think that would be the best solution for this new license that you all want to give these individuals like my son who is a helper and couple nephews of mine that help us they already know the status about the fishing industry they know how to do things these new fishermen coming in which will guarantee you it will be more strangers than local people who apply for this license because the local people are like me i i i imagine it what i'm saying is our fishing sections areas have been reduced so badly that a lot of fishermen who are commercial like me have not given it up but doing it on a part-time basis when the fish are running at this

1:34:23 one span three four five boats four five boats tie up and one buoy okay so thank you opening this license i think we need to have room that where these young fishermen coming in will have places to go then have 15 boats tie up and one buoy i have a buoy i have 14 boats back at me okay i and i hear your passion i know you want to get it all out we're going to have to try to provide an avenue um for our gold commission of dpnr to to hear all your concerns well right now we're trying to get this bill um passed so we we we could have it become lost so So Senator Kenneth Gittins, you're going to be

the last, and then we're going to take a vote.

1:35:15 Thank you, Mr. Chair. Good afternoon to all. Mr. Francis, I understand your passion as well. There's only one thing that's wrong with this bill, as I watch it here today. I'm seeing Stephen D. Payne, Janelle K. Saro. I don't see Kenneth L. Gittins. Something is wrong with this. So I just want to say that I wholeheartedly, however, support this measure.

1:35:50 And St. John, don't worry. Help is on its way. St. John certainly deserves to be treated fairly. uh the other islands we've been uh addressing especially with the market areas and whatnot and i would love to see uh this area enhanced on the island of saint john this not only uh continue to better the quality of life for virgin islanders but it also enhances the visitor experience to the island of St. John. One of the first things you see as you roll into Cruise Bay is all the boats and whatnot, but that's only about charters, or mostly about charters and whatnot. We want to be able to see our fishermen and women in action and seeing a lot of our fish on display, et cetera. And again, like I said, not only bettering the quality of life for us as Virgin Islanders, but expanding on the visitor experience. At the appropriate time, and I'm not a member of this committee, so I won't be voting on this measure today, but it has to go to rules or directly to the floor, and at the appropriate time, I'll be supporting this. So again, St. Johnians, Mr. Francis, and your colleague there, help is on its way. Thank you so much. Thank you, Mr. Chair. Thank you so much, Senator Gittin, Senator Payne, and Senator Saro had an opportunity at the very beginning to clearly outline what this bill is trying to accomplish. So we're going to go to a motion. I want to thank Carla Testifiers for your testimony. We're going to go directly to a motion, and then we'll be able to dismiss the Testifiers. Motion.

1:37:46 Motion, Mr. Chair. Senator Saro, you're recognized. Thank you, Mr. Chair. I move that bill number 34-0089 and act appropriating \$920,000 to the Virgin Islands Port Authority for the construction of an aesthetically pleasing cruise bay fish market and to modify the existing concrete boat ramp and bulkhead at the little cruise bay dock, cruise bay quarter, and appropriating \$580,000 to the Department of Public Works for the construction of a boat dock and slipway at Enid High Pond on the island of St. John be approved by by this Committee, according to the Committee on Rules, and Judiciary for further consideration, I so move. Motion made by Senator Saro, seconded by Senator Blyden, Senator James, roll call.

1:38:30 Senator Marvin A. Blyden. Senator Blyden, yay. Senator Samuel Carrion. Senator Carrion, yay. Senator Dwayne M. DeGraff. Yes. Senator DeGraff, yay. senator donna a fred gregory yes senator fred gregory yay senator javon e james senior senator james senior yay senator janelle k sarow senator sarow yay senator kurt a vla yes senator violay yay mr chair you have seven yays thank you madam clerk bill number 34-0089 an act appropriating 920 000 for the construction of an aesthetically pleasing cruise bear fish marking and to modify the existing concrete boat ramp and bulkhead at a little cruise with dock cruise bay quarter and appropriating 580 000 to the department of public works for the the construction of a boat dock and slipway at the Anaheim Pond on the island of St. John, has received a favorable vote in this committee and will be sent to the Committee of Rules and Judiciary for further consideration. Appoint a portion of privilege quickly, Senator Saro.

1:39:53 Thank you, Mr. Chair. I wanted to thank my colleagues in this committee and Senator Payne for teamwork, collaboration on the legislation. Public Works did give us the amount of what the dock would be, and of course they'll have to manage it as what they would do as engineers and that included all of the studies and then we also we've met with almost every agency but moving forward we'll have another working meeting again so by the time it makes it to the Committee on Rules and Judiciary we have worked out the jurisdictional issues because what the parties agreed on when the legislation was written that has changed today and some will swear we didn't have a conversation but we had had some discussions, so we don't have a problem working together between Senator Payne's office, myself, and the interested, the relevant agencies in working out the concerns as outlined today. So colleagues, thank you for your support. Thank you, Senator Sarow.

1:40:55 Those testifiers, I want to once again thank you for your testimony, and the committee will take a one-minute recess. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. Thank you.

1:45:03 We'll be right back. The Committee of Finance is back on the record. Madam Clerk, can you read the last item on the agenda? [3 such phrases repeated 13 times · standby audio before the proceeding, transcribed by the recogniser as speech]

1:51:00 bill number 34-0070 an act amending title 33 virgin islands code subtitle 1 part 1 chapter 3 section 54b relating to the remittance of the hotel room tax to the government from travel organizations and requiring the director of the virgin islands bureau of internal revenue with the assistance of the commissioner of tourism to enter into an agreement with all travel organizations that offer sleeping accommodations in the virgin islands to collect the hotel room tax required under 33 virgin islands code subsection 54 proposed by senator samuel carillon thank you go ahead invited testifiers joel lee

director bureau of internal revenue joseph bicholte commissioner department of tourism lisa hamilton president usbi hotel and and Tourism Association, Alison DeGazon, Director, Bureau of Economic Research, and Richard T. Evangelista, Commissioner, Department of Licensing and Consumer Affairs. Thank you so much, Madam Clerk.

1:52:29 I'm going to, at this point, allow the bill sponsor to speak to the bill. Senator Carriong, you're recognized. Good afternoon once again to you, Mr. Chair, to my colleagues, testifiers, and to the people of the Virgin Islands. Colleagues, I come before you this afternoon to offer Bill 340070, an act amending Title 33 of the Virgin Islands Code, Subtitle 1, Part 1, Chapter 3, Section 54B, relating to the remittance of the hotel room taxed to the government from travel organizations. As requiring the Director of Virgin Islands, Bureau of Internal Revenue, with the assistance of the Commission of Tourism to enter into an agreement with all travel organizations that offer sleeping accommodations in the Virgin Islands to collect a hotel room tax required under 33 Virgin Islands Code section 54. The purpose of this measure is to ensure that the Virgin Islands government receive its due occupancy tax share from the shared economy businesses operating within the territory, as well as to save local property owners the hassle of circulating and remitting their obligations to the government of the Virgin Islands. Colleagues, this is not a new concept. An agreement along these same lines between our government and Airbnb has been tremendously successful. In May of 2017, under the leadership of the former administration, a contract was executed between Airbnb and the government of the Virgin Islands for the collection of the occupancy tax and the greater promotion of the territory.

1:54:10 For the benefit of the listening audience, let me explain further. As it stands now, when you book a room in the Virgin Islands with Airbnb, the local tax required by law are included in the fees and collected on behalf of our government by Airbnb. Airbnb then turns these taxes over to the Bureau of Internal Revenue. These are the same occupancy or room taxes that all those staying in our hotels pay the 12.5% per night. For the benefit of listening to the audience, let me explain a little bit further. As I stand now, when you look at the rooms in Virgin Islands through Airbnb, the 12.5% tax required by law is included in the fee and collected on behalf of our government by Airbnb. But if you book a room through another platform, such as VRBO or others, those taxes are not included in the price. And at the end of the year, the property owner must calculate these taxes himself before paying IRB. Needless to say, this method has not been very effective. The Airbnb agreement was established as part of the government's five-year plan to foster economic stability through economic growth, increased revenues collection, and better source management, as well as to assist in improving and diversifying the tourism industry.

1:55:40 The USVI Division of Economic Research reported in April 2020 that the proximity number of Airbnb active rooms, villas, and other accommodations units increased from 1,575 to 2,200 rooms in 2019. And Airbnb guest arrivals rose from 72,150 from 32,600, an increase of 121.3%. In 2019, Airbnb hotel room occupancy tax collections were \$2,647,431, a 94.9% gain from the reported of \$1,358,024 collected one year earlier.

1:56:35 Let me repeat, a 94.9% gain in occupancy tax collections. This clearly demonstrates the need for us to execute agreements with as many booking agencies as we possibly can. Today, we will hear from various testifiers, and there are different perspectives. However, one common factor remains, we are not collecting at our full capacity. Let's be proactive and open-minded and capitalize on this opportunity to ensure that all platforms booking rooms in the Virgin Islands work with us to collect these taxes and all those that are doing business here pay their fair share thank you Mr. Chair thank you so much Senator carry on before I allow the testifiers about the name and title and the record. The bill seeks for the government of the Virgin Islands to enter into agreement. The bill does not speak to this being a new fee or a fee that was not owed to the government for years past. For years past, it has been on the books that these type of entities should paid at 12.5%. This bill just seeks to qualify a path moving forward for those companies that have substantial bookings in the Virgin Islands. As we move on, I guess we'll be able to explain a bit more about why that is important. I'll allow you now to put your name and title on the record, beginning with the Internal Revenue Director.

1:58:16 um good day everyone my name is joel lee i am the director of virgin islands bureau of internal revenue next division of tourism good afternoon alan henneman todman assistant commissioner department of tourism hotel and tourism association good afternoon lisa hamilton president of the usvi hotel and tourism association emperor of economic research director de gazon dlca commissioner good afternoon commissioner evangelista from the department of licensing and consumer affairs good afternoon senator building thank you so much we will now proceed to testimony and we'll begin with uh Mr. Lee director you may proceed greetings honorable kurt avla chairman of the committee on finance and all other honorable members of the 34th legislature present greetings to persons present in the chambers and the listening and viewing audience i am joel a lee director of the virgin allen's bureau of internal revenue i appear before you today to offer testimony on bill number 34-0070 which seeks to do two things first it seeks to amend title 33 chapter 3 section 54 paragraph b1 of the virgin allen's code inserting or pursuant to a government contract with travel organizations that offer sleeping accommodations in the virgin islands after innkeeper second it requires the bureau to enter into an agreement

with all travel organizations that offer sleeping

2:00:14 accommodations in the virgin islands including but not limited to home away and vrbo to collect and remit the 12 and a half percent hotel room tax required under 33 virgin islands code section 54. if passed the law would require the collections and subsequent payment of hotel room tax by any online marketplace that connects hosts the owners of rental spaces with travelers seeking sleeping spaces to be required to collect and remit the hotel room tax the online marketplaces must first have a government contract in place that provides the mechanism for the collection of these funds under vi law the collection of the hotel room tax lies with any and all individuals who register guests in hotels and other spaces for a period of time of the rental or lease that is less than 90 days the collection agreement would allow the online marketplaces to stand in the shoes of the owners of the hotels villas apartments or other physical spaces rented in the virgin islands the online marketplaces will have to agree to take on this responsibility and remit those funds to the government of the virgin islands the bureau stands ready to meet its obligations under this proposed legislation however it would require that the other parties be willing and ready to also fulfill the obligations within agreement as you know these online marketplaces are not within the jurisdiction of the virgin islands and may not be willing to expand their services to collect and remit these hotel occupancy taxes to the bureau and the bureau will have no control over that for example airbnb's headquarters are in ireland

2:02:10 it was the usvi department of tourism who initiated the contact with airbnb for their own purposes and subsequently invited the bureau to the table while the bureau will use our best efforts to make contact with the known online marketplaces to achieve the goals of this legislature these entities have no online presence and have no obligations to the territory as the law currently exists furthermore the law would require that we enter into these agreements no later than 90 days after its effective date and we must have agreements with all of these entities known and unknown as we just stated without the jurisdictional oversight how then would the bureau be able to enforce this aspect of the legislation mr chairman thank you and other members of this body for affording us the opportunity to testify on this bill we are available to answer any questions that you have may have at this time i do want to interject i absolutely support this bill but i wanted to point out the legal and mechanical limitations to its execution i would suggest a possible legislation now i am no attorney binding these companies in this jurisdiction first then um i would then you know be more open to entertain the enforcement of the collection of taxes but right now as it stands we don't have any control over um what they do they're a third party um agent and they're not even based in the vi so the current model that exists was voluntary um with department of tourism so as as much as i support it and it's a beautiful thing and it's been very helpful um there's a little bit more homework that needs to be done for me to be able to enforce what is being proposed thank you thank you so much for your testimony uh division of tourism good day honorable senators legislative staff ladies and gentlemen in the chamber media members of the media and the viewing and listening audience

2:04:25 I am Alany Henneman-Todman, Assistant Commissioner, Marketing, U.S. Virgin Islands, Department of Tourism. Thank you for inviting the Department of Tourism to testify this afternoon before the Committee on Finance regarding Bill No. 34-0070. an act amending title 33 virgin islands code subtitle 1 part 1 chapter 3 section 54b relating to the remittance of the hotel room tax to the government from travel organizations and requiring the director of the virgin islands bureau of internal revenue with the assistance of the commission of tourism to enter into an agreement with all travel organizations that offer sleeping accommodations in the virgin islands to collect the hotel room tax required under 33 vic section 54 as proposed by senator samuel carrio we have been asked to provide this testimony to aid in discussions about the purpose of the bill including all pertinent data and expert opinion as it pertains to the subject matter support of the proposed legislation this bill seeks to amend title 33 virgin islands code subtitle 1 part 1 chapter 3 section 54b relating to the remittance of the hotel room tax to the government from travel organizations every guest of a hotel as defined above shall pay to the government of the united states virgin islands a tax to be collected and remitted to the government by the hotel keeper or innkeeper at that rate of 12.5 percent of the gross room rate or rental for the purpose of this section gross room rate or rental shall include the room rate plus any additional charges such as an energy surcharge or a maintenance

2:06:31 fee the department of tourism supports the bill as it provides that the hosting platforms such as airbnb and vrbo collect and remit the 12.5 tax to the government through the bureau of internal revenue instead of having the hotel keeper or innkeeper remit the tax this is not a case this is not a case of first impression as airbnb is a leading online platform that has directly remitted the tax to the u.s virgin islands since 2017. in addition airbnb is currently collecting the tax for 15 countries worldwide including bermuda and the british virgin islands it is also collecting and remitting for 51 states as outlined on their website under articles 2509 and 2332 the policy of the platforms is that they do not collect the tax unless the jurisdiction requires it by law or by agreement advantages and or disadvantages to the bill advantages first a consistent across the board policy is better so that there is no real or perceived competitive disadvantage within the online booking space number two levels the playing field and supports equitable growth of shared accommodation products

number three it expands the tax collection base as it captures some accommodation providers that may not have remitted the tax voluntarily airbnb currently only reports accommodation providers who earn over 20 000 a year and have 20 200 plus transactions in the calendar year number four it increases efficiency as it relates to tax collections that benefit our tourism product Number five, it removes the administrative burden, which is collection, remittance, and reporting from the accommodation providers. And number six, it reduces collection-slash-enforcement measures and costs. Looking at the disadvantages, number one, the costs appear more expensive to travelers. Two, potential for lower bookings, as some travelers may experience sticker shock. Number three, potential for lower booking prices as market reacts to lower bookings.

2:09:11 For online booking platforms that buy and sell in bulk, the actual hotel room cost could be less than what was paid for as part of the package purchase, as many of these platforms utilize performance metrics that combine hotel, flight, transportation, meals, etc. This could result in a lower tax amount being remitted to the territory in some cases. It also could decrease the ability of accommodation providers to shield the bulk rate for consumers vis-a-vis what an actual room night booking would cost. The economic impact should mirror are the advantages noted in section 2a 326 direct collection by these third-party platforms we believe will increase remittance efficiency eliminate non-compliance and provide continued benefit to the department of tourism tourism stakeholders as well as the territory as a whole recommendations to the bill the bill should remove with the assistance of the commissioner of tourism the department of tourism is not a necessary entity for the collection of taxes the airbnb collection is direct to the bir the department of tourism would need to fund a position to handle the administrative function the bill should address the transfer of room taxes to be qualified to qualified properties for authorized reconstruction and upgrades an analysis slash audit of the airbnb model from 2017 to present should be performed from a best practice from a breast best practices perspective excuse me the bill should incorporate measures that provide appropriate infrastructure and and administrative safeguards that strengthen the collection process such measures can be guided by the airbnb audit the start date of the proposed proposed bill should provide enough lag time for online booking platforms to create the

2:11:32 administrative and technical infrastructure and to educate its consumers as well as for accommodation providers to adapt to the new system the department yields to the expertise of the bir with respect to tax collection and to that of the other testifying agencies we are pleased to provide this testimony and i'm available to respond to any questions you may have thank you thank you so much for your testimony director de gazan good day honorable chairman kurt via lay members of the committee and non-committee members listening and viewing audience i am dr alison de gazan director of the bureau of economic research i am here today to testify october 19 2021 in support of bill number 34-0700 as proposed by senator samuel carrion yes senator i think we lost you well i can actually hear you okay i'm hearing you now but we're not seeing you Okay, let me give you an opportunity to log out and log back on. I'm going to go to Commissioner Evangelista.

2:13:15 Mike Tess. Good afternoon, Committee Chair, Senator Kurt Viallee, and other members of the Committee on Finance, other senators of the 34th Legislature, the legislative staff, the DLCA staff, and the listening and viewing audience. I'm Richard Tomás Evangelista, Commissioner of the Department of Licensing and Consumer Affairs. Accompanying me this afternoon are Horace Graham, Jr., Director of Licensing Division and DLCA's General Counsel, Attorney Geraldine Vavao. Thank you for allowing DLCA an opportunity to testify before the Committee on Finance of the 34th Legislature of the Virgin Islands on Bill No. 34-0070, an act amended title three of the virgin islands code subtitle one part one chapter three section fifty four b specifically the proposed act requires the remittance of the hotel room tax to the government from travel organizations and requires the director of the virgin islands bureau of internal revenue with the assistance of the commission of tourism to enter into an agreement with all travel organizations that offer sleeping accommodations in the virgin islands to collect hotel room tax required under 33 virgin islands code section 54. the department of business and consumer affairs supports the proposed legislation currently only one major entity submits the hotel room tax to the virgin islands bureau of internal revenue on behalf of its members on june 1st 2017 the united states virgin islands and airbnb entered into an agreement that allows airbnb to collect the 12.5 virgin islands hotel room occupancy tax on behalf of homeowners and remit payments to the virgin islands bureau of internal revenue homeowner and property managers with short-term vacation rentals using other means to market and rent their properties like vrbo

2:15:09 home away or others must still file form 722 vi with the virgin islands bureau of internal revenue this new agreement only affects airbnb vacation rentals in 2018 there were approximately 1 575 airbnb active rooms fillers and other accommodation units in 2019 that number increased to 2 200 rooms in 2018 airbnb guest arrivals were 32 600 and 2019 that number increased to 72,150 for an increase of 121.3 percent the average size of a group comprises of two people the average length of stay of 4.9 is on par with data reported to the agency from territory-wide accommodation establishments the may 2017 signed agreement allows the online lodging entity to administer and collect a 12.5 percent room occupancy tax on behalf of the hosts and remit the funds to the local united states virgin islands bureau of internal revenue in 2019 airbnb hotel room occupancy tax collections were reported at two million six hundred forty seven

thousand four hundred thirty one dollars a ninety four point nine percent gain from the reported one million three hundred fifty eight thousand twenty four dollars collected one year earlier the aforementioned information was taken from an april 2020 airbnb report issued by the united states virgin islands division of economic research in preparation for today's committee hearing dlca learned that in 2020 airbnb hosts started to build their own direct booking websites many of the short-term rental hosts began launching their own direct booking websites

2:16:55 to diversify their business after years of mounting frustrations with companies such as airbnb some hosts are building their own booking services others are banding together to form new host friendly services to wrestle the power away from airbnb vrbo homeaway and booking.com in the short-term rental market although some of these websites were already in the works many hosts have prioritized them as the coronavirus pandemic has spurred widespread cancellations and many grew unhappy with airbnb's reimbursement policies clearly the short-term rental market is here to stay and is exponentially multiplying daily as such dlca is in full support of the legislation and wishes the director of the virgin islands bureau of internal revenue in collaboration with the commission of tourism best of luck in obtaining the cooperation and i underscore the cooperation from the major short-term rental organizations thanks again for giving dlc the opportunity to comment on bill number 34-0070 dlca stands ready to answer any questions that this body may have thank you senator billy thank you so much for your testimony director de gazon you're back with us you can proceed thank you so much i'll start from the beginning the day to honorable chairman kurt vla members and non-committee members of finance the listening and viewing audience i am dr alison de gazon i the director of the bureau of economic research i am here to testify today october 19 2021 in support of bill number three four dash zero seven zero zero the bureau of economic research appreciates the opportunity to testify in support of bill number three four zero zero seven zero requiring the director of the virgin

2:18:49 islands bureau of internal revenue with the assistance of commission of tourism to enter into an agreement with all travel organizations that offer sleeping accommodations in the virgin islands to collect the hotel room tax required under 33 vi code subsection 54. this bill for this proposed bill to contract with travel organizations that offer sleeping sleeping accommodations in the virgin islands is beneficial in two ways first it serves to bring equality to the local lodging industry in that vacation rental owners are enabled to be compliant in remitting the tax as do the established local hotels and other accommodations secondly it will generate additional revenue income to the territory for marketing and infrastructure purposes committee chairmen and members as you are well aware travel and tourism comprise one of the largest service industries in the u.s virgin islands tourism generates approximately 1 billion annually to the local economy and provides over 8 000 full-time jobs Accommodations is among the largest subsector of the tourism industry. There are 3,885 rooms in traditional lodging establishments, including hotel resorts, motels, condos, and villas in 2020.

2:20:09 These accommodations recorded \$142 million in room revenue in fiscal year 2020. The occupancy tax of 12.5 percent generated 17.7 million in revenue for the territory indeed new opportunities have emerged for residents to participate in what is probably known today as the sharing economy which involves internet-based hosting platforms that connect travelers seeking short-term accommodation with people who want to rent or sublet their homes and other living quarters the surge in popularity of the sharing economy and the exceptional growth of online vacation rental bookings like airbnb and vrbo has changed the tourism accommodation industry room rentals booked through these platforms represent a significant and growing market share however while it is beneficial for homeowners it has presented a challenge for a government to collect occupancy tax revenues from overnight visitors thus the approach to regulate the business of renting residential units for short-term occupancy must evolve to reflect the rapidly changing realities of new internet-based visitor accommodation models unlike traditional lodging operators that are required to collect and remit occupancy taxes not all online hosting platforms participate in the remittance of taxes on rental transactions by homeowners or renters who list a residential unit through their hosting platform as other online marketplaces for temporary and leisure lodging have proliferated the territory must also expand the collection to those online platforms accordingly bill number 340070 and act amending title 33 vi vi code subtitle 1 part 1 chapter 3 section 54b relating to the remittance of the hotel room tax and follow through attempts to regulate transient lodging rentals moving forward while also establishing enforcement

2:22:18 mechanism for hosts and booking services in this jurisdiction airbnb in particular began to collect and remit hotel occupancy taxes on the shared accommodation in the usvi after an agreement between the airbnb and the government of the u.s virgin islands was signed in the late mate in late may of 2017. the agreement was a part of the government's five-year plan to fully restore economic stability through economic growth increased revenue collection and better resource management additionally the accord would assist in improving and diversifying the tourism industry and creating unique experiences for local airbnb hosts and their guests data received from airbnb which is in table one of my testimony showed that the number of active listings feature listings featuring rooms, villas, and other accommodation units increased 39.7% from 1,575 in 2018 to 2,200 in 2019. Airbnb guest arrivals rose to 72,150 from 32,600, an increase

of 121.3%.

- 2 : 23 : 36 percent the average length of stay of 4.9 or five nights is on par with data reported to the agency from the territory-wide accommodation establishments in 2019 airbnb hotel room occupancy tax collections were 2 million 647 431 in 94.9 percent gain from the reported 1 million 358 24 collected in 2018. If the number of Airbnb rentals in the USVI is any indication, the territory would likely receive more revenue through home-away and vacation rentals by owner as well.
- 2 : 24 : 15 Okay, this is the considerations and recommendations. Developments in the sharing economy present opportunities to expand visitor accommodation options and grow the tourism economy, but may also generate negative social externalities worth mentioning. For example, research conducted by the Harvard Business Review across the U.S. found that Airbnb has a detrimental impact on housing stock, as it encourages landlords to move their properties out of the long-term rental and into the short-term rental market.
- 2 : 24 : 52 Further, accommodation-sharing services in particular may impact neighborhoods and residents due to noise and other disturbances. in a worst case scenario poorly managed growth of these services may also have a detrimental impact on the historical fabric of destinations and reduce the appeal of areas as people as places to live and visit so as you consider this bill we respectfully urge you to implement or explore regulations that might mitigate any negative impact of short-term rentals one such way would be to implement legislation like this one which states that any agreements enter into by the government of the virgin islands should also include specific data that should be shared with the gvi thus creating an avenue to monitor the payment regulation that being said we appreciate the opportunity to testify in support of house bill 340070 and we're happy to answer any questions you may have thank you thank you so much director de gazan president lisa hamilton you may proceed thank you good afternoon chairman vla committee members and fellow testifiers my name is lisa hamilton i am president of the u.s virgin islands hotel and tourism association and appear today on behalf of our board of directors and membership. We'd like to thank the Chairman and the Committee on Finance for inviting us to participate in the discussion of Bill 340070, an act amending Title 33 of the Virgin Islands Code relating to the remittance of hotel room tax to the government from travel organizations. The USVI Hotel and Tourism
- 2 : 26 : 43 Association fully supports legislation mandated that the shared economy businesses collect and remit the hotel room tax to the government of the Virgin Islands. We do not, however, support the overly broad application of such a mandate to all travel organizations. Merriam-Webster defines the shared economy as follows. economic activity that involves individuals buying or selling usually temporary access to goods or services especially as arranged through an online company or organization the u.s virgin islands are currently benefiting from the growth in the shared economy through online businesses like airbnb and verbo these businesses have attracted large numbers of visitors to our islands even during the covet 19 pandemic and this should be no surprise especially based on the statistics that you've heard today from our other testifiers i quote liana doctorman an established writer for the times magazine arguably the biggest sector of the shared economy is travel people are renting their beds to out-of-towners via airbnb and verbo leading them on guided tours and hosted meals all on most sites for a price though one far below those found at local hotels we applaud airbnb for being the first shared economy business to seek an agreement with the government of the virgin islands for the purpose of collecting the hotel room tax from the guests at the time of booking and remitting that tax to the bureau of internal revenue we believe the time is overdue for verbo to enter into such an agreement as well
- 2 : 28 : 30 Many Caribbean destinations have approached VRBO, which is now owned by Expedia, demanding that they collect and remit the taxes. Because Expedia is the 800-pound gorilla in the travel arena, VRBO has refused such agreements. The proposed legislation would include VRBO, which we believe is appropriate. We recognize that VRBO might withdraw the USVI as one of the destinations they market should they be required to collect and remit the hotel tax. We believe, however, that the loss to host properties in the USVI would be mitigated by the fact that many hosts list on multiple platforms, including Airbnb, a company that has taken on the responsibility to collect and remit the hotel tax.
- 2 : 29 : 22 Our quarrel with the legislation is its application to all travel organizations. using the term travel organizations the bill 340070 includes traditional otas online travel agencies like expedia and hotel beds.com as well as traditional wholesalers such as apple leisure group pleasant holidays delta vacations et al who have been doing business in the territory for decades. These companies have tax collection procedures in place that ensure IRB receives the taxes on the 30th of the following month from when a guest arrives at his or her hotel. This system has been in place for years and is very streamlined, thus ensuring that the government of the Virgin Islands is receiving the collected taxes on a timely basis.
- 2 : 30 : 15 We see no reason to disrupt that system. The Bureau of Internal Revenue and Department of tourism would have to enter into multiple agreements with all travel partners that sell the usvi since the otas and wholesalers have never had to enter into agreements with governments to collect hotel room taxes we doubt they will make an exception for the usvi instead they could decide to stop selling our destination altogether this segment of business typically represents between 20 and 50 percent of total businesses to hotels. Losing this valuable segment of our business would be devastating. The existing

system is not broken vis-a-vis online traditional travel agencies. We therefore urge the legislature to modify the terminology to the OTAs from the coverage of Bill 340070. We strongly recommend that the proposed legislation be revised to read shared economy accommodations rather than travel organizations so that it properly targets the companies that are evading collection and payment of the hotel tax thank you for the opportunity to provide feedback on bill 340070 and i remain available for questions thank you so much for your testimony and thank you for all the testimonies that we have received thus far. Before I go to the first senator who is going to be Senator DeGraff, Senator Blyden and Senator Saro. They're traveling back to St. Damas right now. I wanted to ask a question. As a government, as a central government, has there been a collective discussion in reference as to whether or not there is a need for litigation. I'm seeing that quite a number of entities have actually

2:32:21 carried this matter to court. I'm looking at a judgment in San Diego, California, where there was a judgment against Priceline, Expedia, Orbit, Hotels.com, and the mandate was that they would have to pay the occupancy tax and the wholesale price. Have we had a collective discussion as a government as to the direction, the need to define them?

2:32:48 I'm also seeing a lot of language in which is saying you have to define what, and that is what this bill seeks to do, but what is the collective approach coming from the executive branch in reference to this matter? um good day senator this is joel lee i'm director of irb um you know in my world we the ultimate responsibility is on the taxpayer um obviously the model with airbnb is very beneficial to us um i would have to probably defer to the dlca group to see if you know we have jurisdictional rights over that company currently we don't because they're simply not based here now one can make the argument if they are participating in a dollar figure threshold that then constitute a de facto doing business here Possibly, but that's kind of out of my scope. So, you know, I don't know offhand beyond me holding the taxpayer, the owner of the rental responsible, beyond that.

2:34:04 And perhaps out of the entire team, you are the worst one to answer that question because you're the tax collector. So in terms of policy and everything else, you know, it would have to be from another member of the team as to what is the overall approach. Because we want to make sure, I mean, when you begin to research, going after these companies have been very, very successful in a number of jurisdictions. But there's also the need for us to have language that clearly delineates or identify what is that shared economy that we're speaking to. So I'm sure that we're going to get a lot of ideas from the testimony we have read thus far. I'm seeing a lot of ideas in which we can increase the bill. Director DeGazan, I was calling you Senator DeGazan. Go ahead.

2:35:01 So, um, when we have legislation like these, it creates conversation. However, what tends to happen is you have a situation and then there is a rippling effect where you, you can be reactive instead of proactive. However, as it pertains to the entire tourism piece, it remains, and how to stay relevant, what do we put in place so that we don't deter people from coming, how do we strike that balance between regulating and building industry, those are always issues that we discuss. I think we did not get to the point of legislation because we haven't imposed anything really and have people that's been particularly non-compliant.

2:35:52 I think this would start a situation like that where we would then have to have specific conversations and then litigation would ensue if it's appropriate. Good afternoon, Senator Villay, Evangelista. Yes, go ahead. Good afternoon. So, as the public is aware, early this year, the Department of Licensing and Consumer Affairs created a short-term rental business license. What we thought would have been something simple has now turned into ants' nest.

2:36:27 We actually thought that there are persons who are engaged in industry. They're not actually renting their property as an apartment. It's a short-term rental. So if, in fact, they were doing so by virtue of the business license, then they would have to go through the internal revenue for tax clearance on an annual basis. And at that point, the internal revenue could determine that, yes, they are, in fact, submitting their hotel occupancy tax because less than 89 days or less, you're supposed to do so. So we're still in the process of working the kinks out.

2:37:00 But as far as DLCA and the Bureau of Internal Revenue and the Department of Justice getting together to hash out how we were going to move forward, it's a conversation that is still ongoing, quite frankly, because we're still receiving compliments, but not as many, but more complaints on the short-term rental license. because persons who are engaged in industry do not feel that they should actually have a business license which was our way of assuring that the coffers of the virgin islands would be filled with persons filing for 722 vi based on the occupancy at their residence so you know it's a great conversation and quite frankly senator cario did come to me to ask about what we felt about this bill and i am fully aware that airbnb voluntarily acquiesced to this relationship and i am aware that the other major companies and other jurisdictions um they have a very deep pocket and they will fight all the way to the bank to quote unquote protect their members um but i think quite frankly their members are using our pristine virgin islands to provide accommodations and and they're generating incomes. I think it's only fair that we ask them to remit to the Virgin Islands the hotel occupancy tax, which they should be doing so if they're not doing so. Thank you. Thank you so much.

- 2:38:32 The short-term rental is a bit different to these online platforms that are selling accommodations in the Virgin Islands. And there is case history in which And if we are supposed to take the approach that we are going to require these companies to pay their fair share, there's a lot of case history in which the jurisdiction, whether it's a county or a state or municipality, have been very, very successful. I just started researching, and you're seeing it all across that there's case history. So this is an opportunity for the Virgin Islands to collect money. So I would think that it should be of utmost importance for the executive branch to form a small team with members from the Department of Justice and would give us some guidance because now is the opportunity. We have a bill that we could actually craft and refine and add and delete, and we want to make sure that this bill aids in the process and in no way would limit our ability to move forward um we're pursuing uh revenues all to this government by these companies but i'll go to senator the graph he recognized uh good afternoon thank you for your time mr chair good afternoon colleagues good afternoon testifiers um i i i stand and support this bill because again i i went at the issue of the hotel property tax in one direction to do an increase and that was held and i understand why and and i agree with that but in regards to this one it's basically
- 2:40:21 to collect what we should be collecting um and putting a process into doing it so right now uh uh commissioner evangelista um with the airbnb model what type of license do they have in the territory to collect to be able to submit the revenues to irb so currently airbnb does not have a business license in the united states virgin islands because they're more of a platform and it's actually the homeowner who subscribes to them so the homeowner is why i was actually trying to get the short-term business license issued too and they in turn would remit the tax to the internal revenue okay so right now it is in airbnb's hands to to to do um yes did this uh the the process that airbnb has uh is it something that can expire i don't know you or director lee or is there into perpetuity in the territory i defer to director lee or um assistant commissioner heneman um once again they're doing this on a i'm sorry this is director lee from irb they are doing this on a voluntary basis and we appreciate that um it's important for us you know once again because we don't have no jurisdictional power over them um to definitely continue this relationship it was started with a mutual agreement between them and tourism so one minute okay so so so basically that's that's almost like they're self-regulated so how do you verify uh what airbnb is submitting how do you verify it correctly
- 2:42:11 we can't yeah and and see the these are some of the issues they volunteered to do it we can't so do you know they take a commission well they are an online booking so they do whatever units that get flowed to their website they do get a piece of that action yeah okay that that's why i support this bill because again it's for us to try address uh as you said elephant in the room and uh it's not particularly going after anyone or or doing maybe the process that i went but it is it is trying to but i i i'm in the trench today time no um finally for uh president hamilton in regards to your testimony and it was mentioned in terms of some amendments the amendments that that you suggested in your testimony did you pass them on to the bill sponsor prior to your testimony or he's aware of them before yes sir i uh said that senator carrion did uh have this discussion with me uh showed me the bill prior and um i had voiced my concern at that time about the verbiage okay thank you for that uh thank you for the time mr chair thank you so much um senator the graph um just for our information orbit is obvious is located in chicago home awareness in texas we are viewing us in texas price line in in connecticut so they're they're all over but um the language is saying that um they usually pay not usually they have to remit or pay the taxes for the jurisdiction that they're selling uh or making a unit available so they would pay the applicable tax um base in the virgin islands it's It's just how do we go about this particular fight and be successful. These companies do not have to be licensed in the Virgin Islands. They don't have to be registered. They don't need a business license.
- 2:44:35 It's an online platform. It's like you're ordering from Amazon. It's a platform. So it is how are we able to get that. We did have a senator here that tried to deal with this platform, and he almost got run out of the room. but this one is different because somebody else has been that that is coming into visits i don't think that this senator will get run out the room for for this one senator fred gregory you recognize thank you mr chair and good afternoon to the testifiers and good afternoon colleagues um so i listened to the testimony of all the testifiers this afternoon and um i certainly believe that this measure is in fact a good measure however um i think it's important that we flesh it out a lot more i think there's a lot of work to do on it i want to commend um the mrs alani henneman todman for her recommendations to the bill i think that um your advantages and disadvantages to the bill was on point but let me ask you um mrs henneman todman from your perspective does the pros of this bill outweigh the cons based on what you've laid out i mean you've done a good job of laying out some of the challenges as well as the advantages around um i don't know that around moving a legislation not necessarily moving a legislation as it is presented today that's what i got it from your um testimony good afternoon again alani henneman tadman for the record i think that you know increasing the revenue for the territory is critical and i also believe that you know if we do it in the right way

- 2:46:40 it will balance the pros and the cons we don't want to be overly aggressive to the point where people revert from the territory but if we use the law as the basis as outlined um with each individual platform we should be able to garner what is deemed um to the territory and still find that balance where they still want to work within the territory one minute so i i just think that in agreement with all the other testifiers that it's just a balance of us all flushing out some of the issues to make sure that we stay competitive but we still garner you know the revenue for the territory. And this question is for, thank you for your response, by the way.
- 2:47:31 This question is for, because you talked about the backlash. So that's something that we definitely have to be mindful of and mitigating. But let me ask IRB or Department of Licensing on consumer affairs there's no one here from the department of finance so let me just ask what do we see as the um anticipated revenues we would be able to collect if we were to move forward with a measure that would require um these entities to pay taxes in the virgin islands time have we given any consideration oh this is joely director of irb um i don't have a quantifiable number but if you listen to the earlier testimonies with the one model that we do have exists we're talking significant dollars and at the end of the day you know you guys know my perspective you know my position i get the whole non-aggressive approach but the law says if you're here for less than 90 days you pay a hotel tax period whatever the case is and then it's unfair to the local establishments who do charge it so now you're then giving an edge to folks to not pay it because we don't want to scare them off necessarily no way yes i i know that that would have been your response and i have to wholeheartedly agree with you i think my my time was called. Mr. Czarek, if you would allow me, I have one more question for Ms.
- 2:49:11 Hamilton. Hi, Lisa. How are you today? Good afternoon, Senator. Good afternoon. You've made a comment in your testimony around the fact that companies such as Delta Vacations, Apple Leisure Group, et cetera, are currently paying their taxes and they receive the internal revenue are receiving those taxes on the 30th of the following month from when a guest arrives at his or her hotel. What is your concern around us codifying what's required of them?
- 2:49:54 Well, I reached out to Apple Leisure Group is arguably the largest traditional wholesaler that is out there right now. I reached out to their vice president as well as the gentleman within Expedia who was a key factor in setting up Vrbo for Expedia back when they took them over. Around the world or in the U.S. or the Caribbean that they work with, if they had any individual agreements with said governments and they said they did not and they did not really have the systems in place to do that for years they've gone directly to the hotels and have those individual agreements and they said that they would find it really hard to make an accommodation for one specific destination on that that topic that's completely it kind of gets a little confusing because of Expedia owning Verbo, but when I talk about Expedia in my legislation, I'm talking about Expedia as the online travel agency versus their ownership of Verbo, the shared economy. I think you're muted, Senator. Senator Gregory? I think I'm being muted. Yeah, sorry about that. So, I heard the testimony from the other testifiers, as well as yourself, and I'm going to wrap up right now by asking, are we suggesting that I think this is what I heard, and I want to be clear that if we were to move legislation around shared economy accommodations with a particular tax, then that would satisfy what we are trying to do instead of trying to move forward with specific agreements for specific entities.
- 2:51:51 Yes, that's what I would say. Understood. All right. Thank you for the time, Mr. Chair. I totally understand and I do believe that while I am in support of this measure, I think that there is additional work that needs to be done. So it takes some of the burden off of the Bureau of Internal Revenue to go back to the the discussion i was had or the conversation i was had earlier about the online um online taxation if you will um this is basically what you're saying that um we will be able to what we can do is require the shared account the shared economy accommodations is specific tax and that will resolve the issue overall without agreements thank you for the time mr chair okay thank you Thank you. Thank you so much. Mr. President Hamilton, most of the online platforms, they're booking more homes or also booking quite a bit of hotels?
- 2:52:52 well the airbnb and verbo started i guess um the assistant commissioner can help me with this but they started to sell some hotel room accommodations about three or four years ago some of the smaller hotels uh but for the most part those platforms are selling individual homes or villas versus the traditional online travel who now use the internet as their platform, but those guys, you know, they've been doing it the right way all along. And for decades, they've had the agreements in remitting it. It's the shared economy that hasn't. And I think it's worth noting that Airbnb was very strategic when they came to the table. They hit all the destinations in the Caribbean in 2016, 2017, wanting to get a strategic agreement with the government so that they would be doing the right thing versus their competition and in hopes that they that the destinations would say we're only going to do business with those companies that take our money that you know that are remitting the taxes so they're nice guys but there was a strategic reason behind them doing it they wanted to try get a leg up on the other shared economy people it's a good thing and the others should comply with it but that was okay totally understand well thank you frozen okay you're back good thank you so much senator francis you're

recognized thank you very much mr chair and good afternoon and thank everyone for their testimony thus far and this is a complex issue uh that i believe that

2:54:41 really need to be properly and carefully worked out so that we could make the best decision on this particular measure. The bill certainly makes good sense and the mechanics of it is what needs to be addressed so that we could make sure that we're moving good legislation forward. i wanted to ask um dr degazon in respect to um hotel room versus airbnb villas um vrbo do you do you have a perspective of exactly what those um room a number of rooms represent can you hear me we can yes go ahead okay so we don't have it broken down by rooms villas um at hotel we separate hotels and then we have the rooms villas and other accommodation and i guess those goes under the airbnb etc outside of the normal hotel numbers that we get so that's what was able to say specifically in the um testimony that that section increased 39.7 percent okay and in regards to the platform expedia orbits and similar platforms do you have a um idea how many of our hotel room is attributed to to um to those those platforms um no we do not have that specific data but that's the type of information i need and um have submitted some legislation i'm waiting to hear back um from you senators on on that we need to be able to expand the way that we collect and also one of the recommendations that i made in this bill is that we have to also make sure we speak to um one minute how we collect the specific data and that's shared with the gbi

2:56:41 so even with this particular um piece of legislation we have to make sure that the reporting the sharing of data is specifically addressed as well and do you know if what or not time shares um could could disguise themselves as as um you know any of or or they're selling time shares to maybe um either airbnb or in fact the expedia orbits you know if that is is that i will say yes and that's why we have for based on what i'm reading and how we put our information together that is included in the other accommodations so we try to get a whole look at at all of the rooms whether it's hotels or from the other section so i would say yes you know what we would be times here sometimes sharing there when we were vetting the the measure uh the bill regarding airbnb and um vrbo we were told at that time that we're leaving money on the table And that's an area that we really need to focus in on, and we're hoping that, you know, all of the necessary entities, we all live here, whether it's the private sector or the public sector, and we just got to find that mechanism by which we're able to hone in and what we require for us to be able to collect what's due to this government in terms of building revenues.

2:58:00 time in typing class mr chief i just wrap up in typing class they often talk about now is the time for all good men to come to the aid of their country and when you talk about taxation people ain't coming to the aid of the country that way we have to find that mechanism by which we're able to hold people accountable and responsible because any volunteering um and when we talk about self reporting self-regulating you know that that is that is a problem um mr lee that is a problem And we have to find the legislation and mechanism by which we are holding people accountable for paying their dues. So, if nothing else, I'm hoping that the public sector, the private sector could really come together as well as the legislature to really be able to fine tune this particular piece of legislation because we need to be able to collect every revenue that's out there could benefit the people of the virginals thank you very much mr chairman for the time i commend the bill sponsor for being brave enough to move forward with this uh piece of legislation thank you senator francis i i just typed in st croix and the bookings.com and looked at the three bedroom two bath house and uh when i click for the price it's coming up 972 dollars plus 383 dollars for taxes and charges um so i think one of the first thing we're going to or need to be done internally because i know what the tax guy is going to say we need to determine as to whether um bookings that come and all of these other entities if they remit um any taxes to the gvi and then from there we could have that discussion with the Department of Justice, the Attorney General, because you have the platforms, and if you look at the litigation that's online, there is, they're outlined in the litigation, Priceline, Expedia, Orbitz, Hotel.com, they're all outlined.

3:00:11 And if we pull up enough for the litigation, you can see how many of these companies, different municipalities went after and this could probably quadruple the the monies we were collecting from Airbnb very easily Senator Johnson you recognize good afternoon mr. chair good afternoon to the testifiers and viewing and listening audience I I must say today have been a pretty much a learning lesson for me here listening to the testifiers and listening to the kind of money that's on the table and how we have to pretty much maneuver our way around getting it it's going to be quite interesting and i must say thanks to the sponsor of this bill as i said to having that courage to go forward but at some point we must find a way i do support mr lee that wherever is on the table we need to find a way of getting it. It's gonna take a lot of collaborative working together to make sure that we find the right way to approach it and not leave nothing on the table.

3:01:21 Commissioner Evangelista, you mentioned that some hosts are billing their own booking service. Do you know if this happens in the territory at this time? Personally, I'm not aware of any, but this was just reference made when I was preparing that some persons got upset with the major short-term rental agents. So they went ahead and got together and started grouping on their own. So those are the minor ones, but as Senator Biale alluded to, I think we should focus on

the majors first and then everything should pan out in the end.

- 3:01:59 For the owners that are booking through Facebook or Instagram, how is the territory prepared to control and collect this revenue? um good day senator this is jolly director of bir you bring up our number one issue um we haven't what i found a lot of these rentals are our owner are owned by people who don't even live here so you have an owner who lives in new york who has a summer house in the vi who rents to somebody living in california that money that rental charge never touches our soil so at the end of the day irb has always been able to at least send a bank subpoena to our local banks for that particular owner but guess what they don't even bank here they don't even live here it's just a summer home that they rent out we don't even see the money so that is a problem that um i have yet to be able to figure out because we don't have any teeth to do anything we can't subpoena a bank out of state unless we hire a local attorney in that jurisdiction um so that's like number one issue but you can to piggyback on what um senator viola said quickly even though they're charging that percentage remember it's still the responsibility of the homeowner to remit that tax which most of the time i am confident that they are remitting the tax individually not relying on the booking agency to call to remit so the booking agency passes that tax on because it's paid by the guests and then remits those funds to the owner the owner then comes in and pays um that um hotel tax so it's not that they're collecting it and necessarily the booking agency does not forward it to us it's not their responsibility it's still the tax owner and the homeowner thank you very much again i say um to the author of this piece of legislation sponsor that it's a real good piece of legislation we just probably have some little fine-tuning to do but we definitely need to go out there and see what we can do and not be a fear of challenging and see what we could pick up off the floor too much bucks just walking away from us and you know you'll hear the the residents and people in the community you're always taxing we tax and we find somebody else to tax and then this this piece of legislation does not affect the the average common man here but folks who are making money through this territory that that we need to go our face here thank you very much
- 3:04:28 for the time mr chair thank you so much uh senator johnson i know that about uh a couple years ago i had a discussion with a homeowner and he owned a home in in cotton valley and one in shoy and he lives here for like three months a year and he said listen i rent those homes out and i easily collect 100 000 plus from those two homes and you should be taxing me matter of fact he had a property tax argument he was saying i i pay less tax for that particular home that i'm paying in Marta's Vineyard and that home in Choy is better than the home is more exquisite than the home in Marta's Vineyard and you need to look at how you're going to tax villas and I think we had a measure I think the senator went back to Zendama said have a measure that villas should be should not be taxed the same as residential property if a property is being utilized as a villa and being rented out on a weekly basis for thousand dollars then they need to pay the commercial rate but I bill have been sitting I have been trying to encourage to get that below because if you're using that villa as a commercial entity you should be paying the commercial rate the residential for individuals who live in a home and also there's a lot of loopholes and these loopholes if we are able to close them like the good senator just said they're going to be paid by the guests coming into the Virgin Islands and not being paid by Virgin Islanders they're being paid by individuals who are visiting the Virgin Islands and we all know you know when we travel to the
- 3:06:16 mainland you get one price and by the time they begin to tack on the taxes It's a totally different price. You rent a car, and you pay as much in taxes, in tolls, and everything else as the cost of the car itself. And then you drive to the hotel, and then they charge you \$30 a night to park. And either you park or you don't drive. So we have to change this game in the Virgin Islands where we can collect more taxes from this industry that propels us forward. Senator James.
- 3:06:51 Good afternoon testifiers. Thank you Mr. Chair for the time. I want to say to Ms. Tatman, thank you for your testimony. I really love the recommendations that you brought forward to this body. But when it comes to the section that speaks to an analysis audit of the Airbnb model from 2017 to present should be performed from a best practices perspective. Can any Anyone on this platform speak to any analysis that was done when it comes to the current structure that we have when it comes to the collection and remittance of fees?
- 3:07:33 Good day, Senator. I guess I need a little clarification when you say analysis. Thank you. to Director Degazon. How long would it take for us to perform such an analysis and when it comes to the bill that we have before us? So you're specifically asking, I want to make sure I understand your question Senator, you're asking how long will it take for us to analyze what's been lost or what we stand to lose versus what we're collecting now?
- 3:08:13 Yeah, it's basically a pro-can analysis. If you read the testimony of Ms. Tadman, she has some recommendations to the bill, and she said that an analysis audit of the Airbnb model from 2017 to present should be performed from a best practices perspective. So I want to know, based on your level of understanding, how can we move forward with such an initiative, and how long would it take? um i i don't think it would take um more than a a few months again it goes back to collecting information data that we we don't have if we look at the airbnb we have data for 2018 2019 some of 20 working diligently trying to get um new data i just reached out to ms henneman asking for new data and she gives me as

she gets it but it's usually a bit dated and so that's the problem um while my contribution to the discussion today is the economic impact i'm also ringing the bell that we need legislation on data and the sharing of data and sharing of it in a timely manner so that we can answer questions like those who just posed and to be able to bring in from more information to the floor in my testimony but um once we have the information it would take probably a few months to be able to put it together if we need outside assistance we get outside assistance but right now we're building capacity within the unit to be able to quickly turn around analyses like those without a doubt i know um if this measure is passed once we fine tune it that it will bring in additional revenues to the territory but moving forward let us really hope when we have bills of this magnitude and such an impact that we can have a clear path based on clear data accurate data so we can have an idea of the projections possible projections if enacted and my question to director Lee in section two of the bill bill 34.0070 time is it says no later than 90 days after the effective date of this act the director of the

3:10:19 Virgin Islands Bureau of Internal Revenue shall enter into an agreement with all travel organizations that offer sleeping accommodations in the Virgin Islands my question in absence of this bill what stops the director of the Virgin Islands Bureau of Internal Revenue from entering into agreements we don't have any jurisdiction as it stands right now so we could ask nicely but remember the current model of Airbnb was driven not from a tax perspective but from a collaborative, marketing, strategic position. But as it stands right now, we don't have any jurisdictional ability to enforce that.

3:11:05 And my follow-up question to that is with section two of the bill, where it speaks to y'all shall enter into an agreement. Would that create jurisdiction? Because I know in your testimony, you mentioned that. No. Okay. have powers to enter into agreement unless they willingly want to, because they want to be nice. We don't have any enforcement. We don't have any, you know what I mean, any authority to demand them to enter into agreement. All right. So it's basically wishful thinking, hoping and praying that they would jump on board. So nothing stops us right now from having those conversations and having individuals willingly enter into agreements yes we can just want to make it clear I don't want to abuse my time because the chair has been very I'm lenient with me but I want to make sure that when we pass legislation that in the absence of it can we still accomplish the mission and a question the answer today is yes thank you mr. chair for the time Thank you, Senator James. It's clear that in other jurisdictions that they have filed court cases to make them comply with what is a local law. And you can go online and see all of the various entities that book to the Virgin Islands, so they would have to show proof to comply with the law as passed. That is why we need to make sure that we have the the requisite language that once we pass it, then after internal revenue makes a, and I don't know if it will be internal revenue, Maya, we got a tax collector, but after we make the inquiry to that online platform to pay with clear legislation that mandates that they have to pay that particular fee, if they ignore the entity, whether it's internal revenue, If they ignore that request, then we have a legal case that we could file. We have a lot of case history that we can follow.

3:13:16 But definite is needed. And they have complied in many jurisdictions. So there's no reason why they won't comply in one of the greatest spots of visit in the entire Caribbean and the entire world. The Virgin Islands is a great tourist destination. Senator Cario? Thank you, Mr. Chair. And I want to thank testifiers. I would like to address a few things. One minute, Senator Karyong. I think Senator Francis Leiliger is still there. Senator Francis Leiliger, go ahead. You recognize.

3:13:51 Thank you very much. I appreciate it. I wanted to ask a question along the lines of what was being discussed, specifically when it comes to what happens if potentially we pass this law and then we go to the table to negotiate and they still refuse. Have we in the last, what, four years since under the MAP administration, anything was created with that agreement have we attempted to set up a plan to go after any of these other large companies or we're now only going to be relying on this piece of legislation to kick it into first gear well i'll speak for bir this is jolly um at the end of the day once again the taxpayer the homeowner is the responsible party. We are now injecting a middleman to do that work for them.

3:14:51 I guess as the good Senator Viola said, you know, I'm in a weird situation in the sense that I can only go after the person who's fully responsible to taxpayers. Somebody wants to step in and help facilitate, I'm all for it, but I can't force that person to do that. Well, I think all of that aspect we gathered. I think for me, I'm trying to see if we took the time out as a government to do it previously and we saw revenues coming in, why wasn't this something that as a government we tapped into absent of current legislation that we're trying to potentially pass? now um and one of my other colleagues spoke to as you said nothing's stopping us from doing it right now um for example if they choose once again to say no are we in a position to try to finesse and bring them to the table and really have these conversations or we're in a hands-off situation where it's something we we really don't want to touch because i'm trying to understand why it wasn't done and even if this legislation happens how do we as a government really finesse the situation to get it accomplished good afternoon senator francis heiliger commissioner evangelista from dlca um if i may on your time or if you have a couple minutes um so the question was what happens going forward you have a volunteer agreement that was entered into with a

major player you have players in the arena and what i want to share with you is department of licensing and consumer affairs introduced a short-term rental business license to accommodate those other entities who are engaged in this industry but i'm going to allow director graham of the

3:16:48 division of licensing to share with you what dlca started going down the road prior to my arrival to share with you what else can be done um just as a cost to it if i may thank you so much for that yeah um good evening horace grand director division of licensing um good evening all the one of the areas that we recognized very early on um as this process was unfolding um we recognized that we would not have to be flying in the dark in order to regulate or to be able to force compliance or ensure compliance. And so we have identified and been working with trying to identify individuals or companies that do this sort of data aggregation.

3:17:39 And this information, similar to what the director of the BI Bureau of Information Research was indicating, that information is actually available. There are some entities that do this. They will gather all the data and tell you who are the players. I cannot give the name of the entity because we had started a discussion with them and that never completed, but I can tell you very clearly that they're able to see which properties on the islands of St. Croix, St. Thomas and St. John are engaged in short-term rental, who they are, how many nights they've rented, et cetera. And that kind of information becomes a buttress to our, whether it's the IRB, the DLCA from a licensing standpoint, and other entities. So I think the issue is really data acquisition and then moving with that towards compliance. And when we look at the numbers, if we see that the amount remitted matches the amounts that we are, the numbers of individuals that are playing, then we could say, okay, well, we don't need to force individual licenses. But I think that our approach of doing the individual licenses was because of the disparity between what we thought was being remitted and what we saw in terms of the numbers of players that are in the field. Well, thank you so much for that additional information. I think my time was called, but I appreciate all the information today and we'll- If you have a next question, go ahead and ask it, Senator. You have a next question? Well, I think I'll leave it at that for now based on the information that I've gathered and I will do some research on my own as well.

3:19:30 Thank you so much. Okay, thank you so much. Point of inquiry, Senator James. Yes, thank you, Mr. Chair, for your time. I have a quick point of inquiry, and I know Ms. Tadman in her testimony when she made reference to the recommendations to the bill, there's an area where she said that the Department of Tourism would need to fund a position to handle this administrative function. If you can just elaborate some more, Ms. Tadman, regarding what you mentioned during the bill, I mean, in the testimony for the bill. Good afternoon, Senator Alany Hinneman Tatman.

3:20:13 As, you know, all the testifiers have stated, looking at the data, one, is imperative for us to be able to know who is playing in the space. And, you know, even though it seems like a small feat, That is a task in itself. And so having someone that specializes in looking at this data that can now work with BIR and DLCA to make sure all of the coordination in place is necessary because at this point, we don't have anybody tracking collection on our team.

3:20:51 Thank you. I just want to make it very clear when it comes to that because of course, this bill definitely look like it needs some, because that can require some additional funding for a position within the Department of Tourism. So it is very intense when it comes to what we're trying to achieve here. And then you mentioned the start date, and I had a good conversation with the chair, giving these platforms more than enough time to be able to change their infrastructure, whatever the case may be. So I want to say in all, this bill is a good bill. The intent is good, but it does requires conversation and a proper assessment before it can be enacted. Thank you, Mr. Chair, for the time. And thank you so much for that question. In reference to the platform, most of these entities already have the platform, they're just simply in the Virgin Islands because they have already lost cases in certain jurisdiction where they had to enable the platform, so it's just to put in the amount that would be remitted to the Virgin Islands.

3:21:52 Point of victory. point of inquiry that was senator Gregory yes go ahead yeah I want to follow up on the question I was asked by the previous senator of course it harkened back to the testimony that was provided by Henneman Todman is it appropriate for your entity to be tracking that the collections or should that be the part that should that be the Bureau? Because we need to clear that up. I think that the Senator asked the question, but I think he still moved away thinking that, you know, that was a responsibility of your entity. What you are trying to explain is if we are going to hold you responsible, then this is what you will need. But it sounds, but it is that this is a risk. This is a responsibility of the Bureau of Internal of revenue. And I know that the BER, the Bureau of Economic Research, former Senator DeGazan, she continues to talk about the collection of data. So we also need to, I do have the legislation around the collection of the data. So, you know, we can, you know, have a discussion around it some more. I think once we flesh this out, I think we should probably bring both of them together and move it forward but i just wanted to make sure that we clarify that so somebody please clarify that for the good senator correct senator eleni henneman tadman when it relates to the tariff which is the tourism advertising revolving fund which is the fund that that 12.5 percent goes into it is sectioned that the ber as a

partner of the fund will receive funds to collect the data

3:23:46 so it is the ber's responsibility to generate the data to support who is paying into the tariff you're absolutely correct okay thank you so much i think senator james want to follow up go ahead thank you mr chair for the time i just want to make it very clear and i want uh thank you madam president for that but um i know i can read very clearly and miss tatman said in her testimony the department of tourism will need to fund a position to handle this administrative function that's the common answer to elaborate but now you're agreeing with the modern president so which which one is it what you have in your testimony or what the modern president just said our position is if we are on the bill moving forward the bill speaks to collection so we weren't tasked with the collection but if we have to based on new legislation we will have to create the position i'm mr chair i just want to say this one last thing you started off your testimony by saying the department of tourism is not a necessary entity for the collection of taxes you went on to say the airbnb collection is direct to bir but yet you ended by saying the department of tourism will need to find a position to handle this administrative function it's confusing but But if you can clear it up, we would gladly appreciate it.

3:25:09 I really think that that is what this forum gives the opportunity to do. That when we have discussion, we are able, through talking back and forth, to realize the best part moving forward. And definitely we don't want Division of Tourism to be that entity that is collecting, but more the entity that is receiving. So I think it is upon the director, Degasan, to be able to develop the necessary mechanisms as to how we're going to collect this data and whether or not we need to employ some additional help or whether or not we need to fund up these particular positions. And the legislature should not necessarily have to write legislation as to how data should be collected. Some of those decisions have to be done on the executive level where the various departments know that it is their responsibility to submit the requisite data to the Bureau of Economic Research. Madam President, we had this conversation in Florida, in Fort Lauderdale, in reference to the responsibility of getting data and the loss of the Virgin Islands they're facing by not having adequate data. and we we heard entities there that said well nobody asked me we could provide the data we could tell you exactly what is coming in every container to the virgin island so much chicken you're important and from there we will be able to generate um the the necessary approach to a lot of the issues that are facing us but i'm going to allow senators if you have a burning question senator the graph you've been there you have any other concerns that you had right now i'm good thank you oh well one minute i think director digazan wanted to put something

3:27:04 on the record yes um this is very engaging listening to all the discussion about data at the very beginning when i first took on this rule we submitted several pieces of legislation right off the cuff to make it a little more seamless in getting data um for this i mean speaking to senator james i clearly understood his question and i also understood the way that um assistant commissioner henneman todman answered so it's a three-prong approach we have to figure out the collection piece of the money how that's going to happen um of course irb we have to figure out um the data piece how we're going to get that information to us so that we can be able to report the data on time and make sure the revenues are in line with what IRB reports that they're collecting but also tourism to help us identify who's renting who's selling who's coming to the territory so even though um her her answer was there's an administrative burden no matter how you spin it there's still going to be more work on tourism's part because now they need to zone in a little more there but we also always need to consider that we need to increase capacity with the um bureau of economic research and that's why the tourism revolving fund is so important that's the that's where we use the money to to deal with our data to get data to analyze data so i just want to put up put it out there that you know i i really i'm going to rely on my um on the senate to look at those legislation and to help us out with getting the data and most recently we have started identifying a point of contact for data at each government agency so that we can start building a more robust pipeline of the data that we have. So we're completely in line with what you're reporting, Mr. Chair. Thank you so much. I'm coming. You're going to get all, you'll see.

3:29:09 Hey, Senator Cario, you're going to get everything. I think at times, sitting in the legislature, what we don't want to hear is a plan that is being implemented, not just a paper plan. But we always want to hear, this is what we're doing. We're going to contact these companies by the end of November. If they do not, we're going to give them 60 days to answer. If they don't answer, we need legislation that lists language, blah, blah, blah. We're going to call the Department of Justice to engage them. But we just want to hear. We don't want to be spinning wheels. You know, this government collected \$35,021,281 in hotel occupancy taxes this year. I'm looking at the report right here. \$35 million. When Frenchman Reef is closed, Sugar Bay is closed. DV was closed for nine months of this year. We collect more money than we have ever collected. And that is a direct result of some of these villas and Airbnb paying the hotel occupancy tax. I mean, the amount that we collect, it is showing you that a number of entities are remitting the tax. Because if the AB&B is only 2 point something million, then a lot of companies are remitting the tax. We just need to make sure that we don't have any loopholes because a lot of individuals are paying the money. Because we got \$35 million and our 500 room Frenchman Reef is closed. Imagine when Frenchman Reef opened next year. The kind of monies that we are going to be able to

collect.

- 3:30:54 I can then imagine if this bill passes and the executive branch run with the bill. Then we're going to have a lot more money. But if the executive branch put it on the shelf and discuss without a collective plan as to how we're going to move forward, then we're going to lose out on the money. Senator Delegraph? Got a question? No, no, sir. I'm good. Thank you.
- 3:31:29 Thank you, Senator DeGraph. I know Senator Fred Gregory got our next question. I don't have another question. I think that, as I said earlier, I think that we need to take some time out to flesh this out some more so we could basically move in a direction that you indicated. It makes no sense to move legislation that is going to create um issues with implementation so we need to make sure that the executive branch is on board and we are able to implement what we push forward so that's the perspective that I see and I hope that my colleagues see it that way as well but definitely this is a legislation that is worth moving forward but we need to to really do some work around the language. And I really think it's simple, the simple work.
- 3:32:23 It's a big lift, but it's simple work, as far as the language. Thank you so much. Senator Carrion, you had a question. Colleagues, you're good, good? Okay, Senator Carrion. Yeah, just a point of information, I just wanted to clarify for the record that the bill does not place the burden on the Department of Tourism to make collection of any funds. What the language speaks is that it's a directive of the Virgin Islands Bureau of Internal Revenue with the assistance of the commissioner of the Virgin Islands Department of Tourism shall enter into an agreement with the trial organizations.
- 3:33:05 So I just want to be clear that the burden doesn't fall, so the public could understand, the burden doesn't fall in the Department of Tourism, but that they would work in collaboration because who, the entity that entered into the agreement with Airbnb was the Department of Tourism. And it was the Department of Tourism that started to have those conversations on behalf of the government. So it's important for us to clear that information that, you know, so everyone can understand that the role of the department is to be able to assist the Bureau of Internal Revenue and in contact in these agencies, like how the Department of Tourism did in 2017, if I'm not mistaken, a year, with Airbnb. So I just wanted to clear that for the record.
- 3:33:55 Thank you so much for that from the bill. Sponsor, we're going to take a quick one minute to recess. The committee stands and recess for one minute. Thanks for having spoken. We'll be right back. Thank you. Thank you. We'll be right back. Thank you. Thank you. Thank you. Thank you. We'll be right back. We'll be right back. We'll be right back. We'll be right back. We'll be right back. Thank you. Thank you. Thank you. We'll be right back. Thank you. We'll be right back. We'll be right back. Thank you.
- 3:45:10 Thank you. The Committee of Finance is back on the record. Senator Cario, I'm going to allow you to put your statement on the record to pursue your questions.
- 3:45:54 You may proceed. Thank you to the testifiers. The bottom line issue here, first I want to thank the testifiers for their testimonies and also for their recommendations and suggestions that are taken. And we are going to make the necessary amendments and tweak this bill to ensure that we don't have any type of ambiguity within the language and that it pursue its purpose.
- 3:46:26 But the bottom line here is we are leaving money on the table and we're leaving millions and millions of dollars on the table and we need to ensure that we close the gap in order so that we don't continue to leave money on the table. And I would like to address some of the concerns or suggestions that was brought by the Department of Tourism in the area of disadvantages and one of them in in sentiment's testimony and be disadvantages number one it says cost appears to be more expensive to travelers we know that that hasn't been the case with Airbnb so we could use Airbnb as a model to ensure that when we enter into agreements with other entities or platforms, we already saw how Airbnb acted with the agreement. So number two, it says potential for lower bookings as some travelers may experience sticker shocks. That has not been the case with Airbnb. Potential for lower booking prices as market reacts to a lower booking, that has not been the case for Airbnb. It also mentions for online booking platforms that buy and sell box the actual hotel room cost could be less than what was paid for a part of the package purchase as many of these platform utilize performance metrics that combine hotels and flights and transportation meals etc so I just want to clear for the record that we saw that these disadvantages that have been presented by the Department of Tourism did not affect in anything Airbnb Airbnb is still here and they enter into the agreement that they receive and remit the 12.5 percent and it has not affected their customer clientele they to the contrary they have increased like we mentioned and we saw in the testimonies more more clients and selling more so I just wanted to
- 3:48:35 bring that up to ensure that we had a clear understanding also we're talking about data and the Department of License and Consumers Affairs Director Graham clearly stated that they have contacted an entity that has data, that has information of

the amount of rooms that we have available. And also, so that information is available that we can identify what are the villas, what are the apartments, you know, which houses are the ones that are connected to these platforms and that are not complying with the law that we have established.

- 3:49:11 And with regards to the agreement that the government has with Airbnb, I have a few questions to the commissioner, the assistant commissioner. Do you know what's the term of the agreement? Like how long is this agreement for? I think I need to give some background on this agreement with Airbnb because we the department didn't solicit Airbnb this was a partnership between Airbnb and the territory and out of them coming to the territory we have this agreement part of our agreement was they we would assist the department of tourism and i don't know how many of you are familiar that prior to the pandemic we used to do once a year we used to do a become a host or you know enhance the host experience in partnership with airbnb and that was a partnership where we did not solicit them but they actually came to us and we time for them paying into the 12.5 for the hotel tax, now that they're paying into the TARF, we now were marketing them. So that is the premise to which the whole contract with Airbnb came to place, which is different now that we're looking at doing an actual piece of legislation. And I think that what is imperative that we don't have in the room is now the legal leg because once it becomes a law we now need the the legal leg of the government to be the forefront to look at each booking platform and see what their legal ramifications are to the territory and then we can come in now an assistancy
- 3:51:16 now that you are paying into the 12.5 the department of tourism as the keeper of the tariff will now do what we're mandated to do and market your entity because you're now a player in the field so we need to make sure that we're not looking at this as everybody is going to be cut and copy an airbnb scenario that's why it's important for us to look at the pros and the cons of that Airbnb contract and see where the shortfalls are and now use this legislation to tighten the policies and the legal ramifications to ensure we don't leave any monies on the table. Thank you for sharing that. I just wanted to kind of clarify that in this case we are not creating a new tax the tax is already existent we have the law and the hotel room tax really defines hotel keepers and innkeepers and in its definition it means any person firms or corporation or partnership or association or enterprise that's administering a hotel as defined in the paragraph and then you have the definition of what a hotel is and the hotel also includes structures a group of structures including buildings condominiums timeshares development and residence kept and used maintained rented lease advertised or held out to the public to be a place where sleeping accommodations are furnished by day week month or season for pay to guests whether with or without meals so we already have something in place within our law the problem is that we're not pursuing what we have already in place and we have these entities that are benefiting from the territory but are
- 3:53:12 not contributing their share responsibilities when it comes to taxes and it creates a disparity because we have the whole to the local hotels the hotels that are here that are pairing paying their fair share so we really need to draw the line and ensure that everyone is at an equal level and what But what this bill does is asking the director of IRB, along with assistance of, again, the Department of Tourism, to pursue and enter into these conversations and agreement with these other entities, because we really have to be proactive in our approach. And there's even more that we can do. If there is a resistance, like how the director mentioned Director Lee in his testimony, the government can decide with the department of justice if to pursue uh legally against these companies for failing to abide to what's within our law but we really need to be proactive in our approach and we need to collect the taxes that are due to this government and we can continue leaving money on the table thank you mr chair for your time and your leniency thank you uh so Thank you so much, Senator Carriiong. And listening to what you just said, I think that's Section 2, based on what Director Lee said, that a lot of these, they're not licensed in the Virgin Islands, et cetera, so we're not sure if we'll be able to enter into agreement within 90 days, but we can say that within 90 days that they will begin that discussion with these entities, we need to put a time frame as to what our expectations are in order to make sure that the tenants of this bill is going to be followed. So if we put in that within 90 days we expect the GVI to at the very least communicate or to send some type of formal document requesting the mechanism that those online platforms are using to remit the taxes to the government to the Virgin Islands, but the process must start. And then the sponsor said he's going to reach out again to the GVI as to who is going to be the lead in this particular matter. I'm sure whoever is the lead can get in contact with his office so that we can have a meeting which can be held Zoom or Teams. And if there's additional recommendations that need to be made and make sure that Lisa Hamilton is there that we can include it in the bill. But we believe that today we need to send a message to all of these platforms that the Virgin Islands are very serious about collecting these taxes. It's only fair to equalize the playing field because a lot of them are already So it's only fair to equalize the playing field, so there's not any unfair competition. And we look forward to make changes if possible or if necessary before this bill is voted on in rules. But today we're going to move on with this particular bill. I want to thank all of you who testified on this matter today, testified on this bill. I want to thank you for your testimony, I want to thank you for your being candid and answering all the questions and we look forward to making sure that we're able to shore up our tourism industry and get our fair share for the Virgin Islands.

- 3:56:54 Motion Senator Carrion. Mr. Chair I move that bill number 34-0070 requiring the director of the Virgin Islands Bureau of Internal Revenue with the assistance of the Commission for Tourism to enter into agreement with the tribal organizations that offer sleeping accommodations in the virgin islands to collect the hotel room tax required under 33 virgin islands code section 54 be voted on favorably and moved to the committee of rules and judiciary for further consideration i so move The motion made by Senator Carrion. Seconded by Senator DeGraff. Senator James, roll call.
- 3:57:31 Senator Marvin A. Blyden. Senator Blyden, absent. Senator Samuel Carrion. Yes. Senator Carrion, yay. Senator Dwayne M. DeGraff. de graf yes yes senator de graf yay senator donna a fred gregory yes senator fred gregory yay senator javon e james senior senator james senior yay senator janelle k saru Senator Saro absent Senator Kurt a VLA yes Senator VLA yay mr. chair you have five yeas two absent thank you madam clerk bill number 34-0070 and I commend in title 33 virgin Alice code subtitle 1 part 1 chapter 3 section 54b relating to the remittance of the hotel room tax to the government from travel organizations requiring the Director of the Virgin Islands Bureau of Internal Revenue with the assistance of the Commission of Tourism to enter into an agreement with all travel organizations that offer sleeping accommodations in the Virgin Islands to collect the hotel room tax required under Title 33, subsection 54, has received a favorable vote in this committee and will be sent to the Committee of Rules and Judiciary for further consideration I want to thank all of the testifiers it's been a
- 3:59:26 long day committee members I also want to thank you we did have a late start but we're able to hear all three bills of where the food Senator Caron a point of personal privilege thank you mr. chair I just want to thank the testifiers once again and thank my colleagues the discussion was great great suggestions recommendations will be tweaking and making the appropriate amendments to it spill before it comes before the committee of rules thank thank you thank you so much santa james wanted a point of information thank you mr chair for the time and i know um i'm not a member well you can't be a member of the rules and judiciary and be a member of finance so um i know that i voted for the bill and i must say a good bill but i want to make sure that there are there there is some follow-up discussion at least to the committee on finance members since it's the jurisdiction of the committee on finance because we're hoping and praying that those in the committee on rules and judiciary are paying attention to the discussion here today but we want to make sure at least the members get a second bite of the apple before it gets to rules and judiciary thank you and thank you so much and uh the sponsor of the bill have said that he will hold a meeting with the gpi the members of central government along with the members of the finance Committee so that we can all agree on whatever amendments we're going to insert moving forward because we want to make sure that the amendments are done before the bill is passed in the Rules and Judiciary Committee so that when it comes to the floor, it's a clean bill. And it's not major changes. It is minor changes, but we will get it done.
- 4:01:07 And once again, I really want to thank my colleagues for being here today. We had quite a number of non-committee members who were also here to discuss the various bills. I would thank my staff for setting up this meeting, media and the entire central staff of the legislature. Thank you guys for being here. The Committee of Finance is hereby adjourned. We'll be right back. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. Thank you. You

People named in this transcript

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

- 11x **Senator Samuel Carrion**
heard in this transcript as: Carrion, Carriong
- 9x **Senator Marvin Blyden**
heard in this transcript as: Blyden, Marvin A. Blyden
- 8x **Senator Dwayne DeGraff**
heard in this transcript as: DeGraff, DeGraph, Dwayne M. DeGraff
- 7x **Senator Janelle K. Saro**
heard in this transcript as: Saro
- 7x **Senator Marise C. James**
the surname alone also matches: Javan James; Giovanni James Sr

heard in this transcript as: James

5x

Senator Fred Gregory

the surname alone also matches: Donna A. Frett-Gregory; Donna Frett-Gregory; Donna A. Fred Gregory; Frank Gregory
heard in this transcript as: Gregory

5x

Senator Steven D. Payne Sr.

heard in this transcript as: Payne, Steven D. Payne Sr

4x

Senator Alma Francis-Heyliger

heard in this transcript as: Francis Heiliger, Francis Leiliger

4x

Commissioner Derrick Gabriel

heard in this transcript as: Gabriel

3x

Senator Kenneth L. Gittens

heard in this transcript as: Gittin, Kenneth Gittins

3x

Senator Kurt Viallet

heard in this transcript as: Kurt Viallee, Viale

2x

Senator Franklin D. Johnson

heard in this transcript as: Johnson

2x

Senator Javan James

heard in this transcript as: Javon James

2x

Commissioner Jean-Pierre Oriel

heard in this transcript as: Oriel

2x

Senator Kurt VLA

heard in this transcript as: VLA

2x

Senator Kurt Viola

heard in this transcript as: Viola

2x

Senator Novelle Francis

heard in this transcript as: Francis

2x

Senator Samuel Caryong

heard in this transcript as: Karyong

Bills and acts referred to

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

Bill 34-0089

Act 8515 · November 18, 2021 · An Act appropriating \$920,000 to the Virgin Islands Port Authority for the construction of an aesthetically pleasing Cruz Bay fish market and to modify the existing concrete boat ramp and bulkhead at the Little Cruz Bay Dock, Cruz Bay, St. John; appropriating \$580,000 to the Department of Public Works for the construction of a boat dock and slipway at Enighed Pond on the island of St. John; amending the Virgin Islands Code, title 27, chapter 4B, section 221(c) relating to criminal background checks for members of medical boards to make the Department of Health the recipient of the background check results and amending title 3, chapter 23, section 415(b)(2)(B) relating to the membership of th

Bill 34-0070

Act 8528 · December 23, 2021 · An Act amending title 33 Virgin Islands Code, subtitle 1, part I, chapter 3, section 54 relating to the remittance of the hotel room tax to the Government of the Virgin Islands to expand the definition of hotelkeeper or innkeeper for purposes of persons required to remit the hotel room taxes to the Government; to add a definition of ·person·; to establish additional penalties for failure to remit room taxes timely; and requiring the Director of the Virgin Islands Bureau of Internal Revenue, with the assistance of the Commissioner of Tourism, to commence making efforts to enter into an agreement for collection and remittance of the Hotel Room Tax by business entities deemed to be doing busine

Act 8473

Act 8473 · September 17, 2021 · An Act amending Act No. 8365, as amended by Act No. 8411; and Act No. 8451; amending Act No. 8451, section 2(a); amending Act No. 8347, section 1, relating to the fiscal year 2021 operating budget for the Government of the Virgin Islands, to appropriate \$24,423,321 to several departments and agencies to pay outstanding obligations; and providing for other related purposes =

Act 8515

Act 8515 · November 18, 2021 · An Act appropriating \$920,000 to the Virgin Islands Port Authority for the construction of an aesthetically pleasing Cruz Bay fish market and to modify the existing concrete boat ramp and bulkhead at the Little Cruz Bay Dock, Cruz Bay, St. John; appropriating \$580,000 to the Department of Public Works for the construction of a boat dock and slipway at Enighed Pond on the island of St. John; amending the Virgin Islands Code, title 27, chapter 4B, section 221(c) relating to criminal background checks for members of medical boards to make the Department of

Health the recipient of the background check results and amending title 3, chapter 23, section 415(b)(2)(B) relating to the membership of th

- Act 8528** · December 23, 2021 · An Act amending title 33 Virgin Islands Code, subtitle 1, part I, chapter 3, section 54 relating to the remittance of the hotel room tax to the Government of the Virgin Islands to expand the definition of hotelkeeper or innkeeper for purposes of persons required to remit the hotel room taxes to the Government; to add a definition of ·person·; to establish additional penalties for failure to remit room taxes timely; and requiring the Director of the Virgin Islands Bureau of Internal Revenue, with the assistance of the Commissioner of Tourism, to commence making efforts to enter into an agreement for collection and remittance of the Hotel Room Tax by business entities deemed to be doing busine
- Act 8365** · An Act providing an appropriation from the General Fund of the Government of the Virgin Islands for the operation of the Government of the Virgin Islands during the fiscal year October 1, 2020 through September 30, 2021 Re it enacted by the Legislature ofthe Virgin islands: SECTION 1. The sum listed, or so much thereof as shall be sufficient to accomplish the purposes specified, as set forth, are appropriated and authorized to be paid from any funds in the General Fund of the Treasury of the Virgin islands, which amounts shall be available for the fiscal year October 1, 2020 to September 30, 2021. FY 2021 0100 GENERAL FUND A. ORG 110 DEPARTMENT OFJUSTICE PERSONNEL & FRINGE BENEFITS \$ 12,063
- Act 8411** · December 11, 2020 · An Act amending Act No. 8365, relating to the fiscal year 2021 operating budget for the Government of the Virgin Islands to increase the funding for wage adjustments from \$2,623,000 to \$9,760,658, to appropriate \$18,000,000 to the Single Payer Utility Fund; to reduce the operating expenses for the Department of Finance from \$2,091,757 to \$1,591,757; to reduce the budget for the Department of Education from \$167,807,284 to \$164,180,173; to increase the Department of Public Works- appropriation for the Abandoned Vehicles Programs in St. Croix, and St. Thomas from \$25,000 to \$75,000; to appropriate an additional \$75,000 for a St. John Abandoned Vehicles Program, and \$400,000 for addition road w
- Act 8451** · May 4, 2021 · An Act amending Act No. 8365, relating to the fiscal year 2021 operating budget for the Government of the Virgin Islands to appropriate S3,533,333 to the Department of Justice to pay the settlement agreement of Joe Harold Vanrerpool d/b/a Vanterpool Enterprises v. Gorenment of the Virgin Islands; to appropriate S2,000,000 to the Department of Labor for the payment of outstanding Worker-s Compensation payments to medical providers; to reduce the line item for Department of Education Interscholastic Sports from \$125,000 to \$1 10,000; amending Act No. 8411. to appropriate \$40,000 to Clean Sweep Frederiksted for the beautification of the town of Frederiksted; to appropriate \$15,000 to the Depar
- Act 8347** · An Act providing an appropriation from the Internal Revenue Matching Fund for the fiscal year October 1, 2020, through September 30, 2021 ---0

Referred to but not found in our acts corpus: Bill 34-0700