



| Legislative Session

Legislature USVI

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- 0:00:00 The End The End The End When the Omicron was raging on January 8th, 372 active cases, 97 deaths. We couldn't open schools on January 10th. People are Skyping from their offices, from their homes.
- 0:02:06 Every single time we get on a plane, we risk our lives to come over to St. Thomas again because of the possible exposure to the COVID. Colleagues, let's be reasonable here. Let's be reasonable. The Organic Act wasn't able to save those 97 individuals that passed away as a result of this deadly disease. Come on. Come on. It's more than reasonable. So, I will be supporting this measure again. Yes, we could have had it on January 10th. But, again, because of the risk that was involved, there was no need for us to be able to risk your lives and risk your family's exposure for having it.
- 0:03:00 Today is certainly a better day where we have a decrease in the numbers. I ask for your support as we move this measure forward so that we can all hear the anticipated state of our territory today. The personalized community can't wait to hear from the governor this evening. We look forward to that. Thank you very much, Madam President, for the time. As I listened to the narrative this morning, and as I read the news this morning, we learned that we have a 97th death in the United States Virgin Islands as a result of COVID-19. As I listened to the conversation, I think it's important that we be careful with the narrative that we share with the people of the Virgin Islands. We all have acknowledged that we are in unprecedented times. And, yes, the state of the territory was set for January 10th of 2022.
- 0:04:15 However, with the uptick in the virus that harkened all the way back to the numbers in 2020, correspondence was sent to the legislature of the Virgin Islands by the governor asking for the date to be changed. Immediately, I requested legal advice from our deputy legal counsel. And under the advice, a draft legislation was submitted to change the date. 30 seconds.
- 0:04:59 We are here this morning to ensure that we retain the integrity of this institution. But I think it's also my responsibility to read into the record the advice from our legal counsel. And I've heard us talking about the rules of the legislature, et cetera. And the rules of the legislature says, Chapter 2, Rule 201B, the first session of the legislature convenes annually

on the second Monday in January. On even numbered years, the legislature may enact of a statute, fix a different date for the commencement of the annual session. As you know, and this, I am going to read the legal counsel's opinion that was submitted to every single senator within this institution. Any correspondence that I receive, I do not hold on to it. I am very transparent. And it reads, to the Honorable Donna A. Fred Gregory from Yvonne L. Topps, dated January 7th of 2022, BR 21.0885, Legal Opinion. And it reads, as you know, Bill number 34-0187 changes the date of the annual regular session of the legislature from the second Monday in January 2024, January 24th, 2022. The bill is necessary in order to meet constitutional requirements for convening the annual session on a date that other than that prescribed by Section 7A of the Revised Organic Act of the Virgin Islands, 48th U.S.C., Section 1473A. For convenient reference, Section 7A of the Revised Organic Act provides, in relevant part, regular sessions of the legislature shall be held annually, commencing on the second Monday in January, unless the legislature shall by law fix a different date. It is not subject to debate that Section 7A clearly grants the legislature the authority to change the date of the session by enactment. It is well established that when a statute is clear and unambiguous, there is no need to resort to any rule of statutory construction. And she further states, there is nothing in Section 7A of the Revised Organic Act, which limits the time in which the legislature may enact a statute changing the date of the annual regular session.

0:08:14 Consequently, one cannot read into a statute that which Congress has left out. The legislature, on occasion, exercised its authority to fix a different date for convening regular session. It occurred in 1966, and it further occurred in 1967. But what's interesting about this conversation that we're having this morning is most recently, the 2018 regular session was set for January 22nd, 2018, by Act number 8042, then Bill number 32, that's 0172. An Act to provide that the 32nd legislature of the Virgin Islands shall commence the 2018 regular session of the legislature on January 22nd, 2018. It is a fact worthy of noticing that although the session was held on January 22nd, 2018, the 32nd legislature did not adopt Bill number 32, that's 0172, until April 4th, 2018. It was signed into law by the governor on May 1, 2018. In summary, the convening of the 2022 annual regular session of the legislature on January 24th, 2022, and the enactment of Bill number 34, 0187, fixing the date, are consistent with Section 7A of the Revised Organic Act. Yvonne L. Topps, Deputy Chief Legal Counsel of the Legislature of the Virgin Islands. Colleagues, we know that we are in unprecedented times. If we look at a national level, the

0:10:25 President of the United States of America will not present his State of the Union address until March 1 of 2022. It has been delayed so that the nation can get a better handle on the coronavirus. Colleagues, this issue that we are spending the people's time on this morning does not put bread or butter on any of the people of the United States Virgin Islands. I urge you to support this measure so we can move forward and continue to do what the people elected us for. To continue to do the work that the people elected us for and to ensure that we address the matters that are critical in nature. Thank you. Madam Clerk, roll call please.

0:11:26 I urge you to support this measure. I urge you to support the people of the United States, and I urge you to support the people of the United States, and I urge you to support the people of the United States, and I urge you to support the people of the United States, and I urge you to support the people of the United States, and I urge you to support the people of the country. And I urge you to support the people of the United States, and I urge you to support the people of the United States. I urge you to support the people of the United States to support the people of the United States. I urge you to support the people of the United States, and I urge you to support the people of the United States. I urge you to support the people of the United States and I urge you to support the people of the United States, and I urge you to support the people of the United States, and I urge you to support the people of the United States. I urge you to support the people of the United States and I urge you to support the people of the United States. I urge you to support the people of the United States and I urge you to support the people of the United States.

0:12:08 I urge you to support the people of the United States and I urge you to support the people of the United States. I urge you to support the people of the United States and I urge you to support the people of the United States. I urge you to support the people of the United States and I urge you to support the people of the United States. I urge you to support the people of the United States and I urge you to support the people of the United States. I urge you to support the people of the United States and I urge you to support the people of the United States. I urge you to support the people of the United States and I urge you to support the people of the United States. I urge you to support the people of the United States and I urge you to support the people of the United States. I urge you to support the people of the United States and I urge you to support the people of the United States. I urge you to support the people of the United States and I urge you to support the people of the United States. I urge you to support the people of the United States and I urge you to support the people of the United States. I urge you to support the people of the United States. Thank you, Madam Clerk. Bill number 34, that's 0187, an act changing the date for commencing the 2022 regular session of the legislature of the Virgin Islands to January 24, 2022 has been favorably adopted by this body and will be forwarded to the governor for his consideration.

0:13:08

[illegible]

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 34-0187 Act 8539 · An Act changing the date for commencing the 2022 Regular Session of the Legislature of the Virgin Islands to January 24, 2022 ---0

Act 8042 Act 8042 · An Act to provide that the Thirty-Second Legislature of the Virgin Islands shall commence the 2018 Regular Session of the Legislature on January 22, 2018 |

Act 8539 Act 8539 · An Act changing the date for commencing the 2022 Regular Session of the Legislature of the Virgin Islands to January 24, 2022 ---0