



THE UNITED STATES VIRGIN ISLANDS

OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE

**Charlotte Amalie, V.I. 00802
340-774-0001**

January 6, 2019

VIA HAND DELIVERY

The Honorable Myron D. Jackson
Senate President
Thirty Second Legislature of the Virgin Islands
Capitol Building
St. Thomas, V.I. 00802

Re: Governor's Action on Bill Nos. 32-0062, 32-0204, 32-0235, 32-0241, 32-0247, 32-0308, 32-0315, 32-0328, 32-0336, 32-0338, 32-0340, 32-0341, 32-0342, 32-0343, 32-0344, 32-0345, 32-0346, 32-0347, Resolutions 1847 (Bill No. 32-0349) and Resolution 1848 (Bill No. 32-0298)

Dear Mr. President:

I write to advise you that, pursuant to Section 9(d) of the Revised Organic Act of the Virgin Islands of 1954 as amended, I have today acted on the following legislative bills.

I have approved Bill No. 32-0062 - An act amending title 12 Virgin Islands Code, by adding a chapter 3A establishing the Community and Heritage Tree Law of the Virgin Islands.

I have approved Bill No. 32-0235 - An act amending title 3 Virgin Islands Code Chapter 23, section 415, subsection (b) paragraph (2) subparagraph (B) relating to the composition of the Board of Dental Examiners.

I have approved Bill No. 32-0241 - An Act amending title 23 Virgin Islands Code, chapter sections 1006 and 1007, relating to the Virgin Islands Emergency Management Plan and the Virgin Islands Territorial Management and Homeland Security Council.

I have approved Bill No. 32-0247 - An Act amending the Virgin Islands code, titles 3, 5, 14, 15, 16, 19, 23, 27 and 34 to change all references to "mental health" to "behavioral health" amending title 19, chapter 31, section 716(a) relating to gubernatorial appointments to the Citizens

Council on Mental Illness Alcoholism and Drug Dependency to rename the Council “Virgin Islands Behavioral Health, Alcoholism and Drug Dependency Planning Council and Advisory Board” and to authorize the President of the Legislature to appoint one member to the Council; repealing section 14 of Act No. 7897 and section 2, paragraph (1) of Act No. 7697 appropriating \$3,000,000 for the establishment of a behavioral health care facility on the island of St. Croix; and establishing requirements for the operation of in-patient and out-patient treatment programs at the behavioral health care facility; appropriating \$1,000,000 from the St. Croix Capital Improvement Fund to purchase a mobile wellness van for St. Croix for provision of behavioral health services; appropriating \$1,000,000 from the Community Facilities Trust account to purchase a mobile wellness van for St. Thomas/ St. John for provision of behavioral health services; and for other related purposes.

I have approved Bill No. 32-0308 – An Act amending title 3 Virgin Islands Code, chapter 19 adding sections 339, 339a, and 339b to establish the Division of Festivals within the Department of Tourism whose function is organizing and executing festivals and to establish the Virgin Islands Cultural Heritage Institute within the Department of Tourism; amending title 33 Virgin Islands code, subtitle 3, chapter 111, section 3088 to re-name the “Carnival and Festival Committee Revolving fund” as the “Division of Festivals Revolving Fund”, and repealing title 3 Virgin Islands Code, chapter 22 section 408. It is clear the Legislature and taxpayers want answers on how the public funds donated each year to our carnival and festivals are being spent and managed. It is the Senate’s hope that this measure will bring some transparency and accountability to our Festivals and Carnival operations. I concur with the Bill’s purpose and hope it accomplishes its objective.

I have approved Bill No. 32-0315 – An Act honoring and commending Noel “Breeze” Boynes, Sr. for his service to his community of St. John and renaming Route 104 South (a/k/a) the Southside Road) in St. John in his honor.

I have approved Bill No. 32-0328 – An Act amending title 17 Virgin Islands Code, chapter 15, adding a section 190dd relating to scholarship programs to provide financial aid for tuition to residents of the Virgin Islands for post-secondary education at the University of the Virgin Islands; and providing for an appropriation of \$3,000,000 from the Internal Revenue Matching Fund to the University of the Virgin Islands Scholarship Revolving Fund.

Many of our talented graduates from our high schools leave the Territory and borrow huge sums of student loan money to attend college. Often times these students do not complete their education because of a lack of financial resources even though they have already borrowed a good deal of money. By approving this measure, it is the first scholarship program of any Territory of the United States, following the lead of only two other states that provide tuition-free Bachelor’s degrees. The University of the Virgin Islands would be the first Historically Black College and University (“HBCU”) in the Nation to offer free tuition to residents of its State/Territory.

While this measure is not as comprehensive as the Bill I and UVI proposed, the Bill before me does provide college tuition at the University of the Virgin Islands for our high school graduates. This new law and the opportunities it creates will be a positive “game changer” for many families. Providing tuition for young Virgin Islanders sets them on a path of achieving their

dreams and aspirations. This program will produce a larger educated workforce in the Virgin Islands as well.

For all of the political outcry this program created during this year's election, I'm pleased that we were able to get some measure of free tuition authorized by law. Many have sought to accomplish this task over many years past by including it in proposed Virgin Islands Constitutions and by authorizing bill requests in various Legislatures.

I have approved Bill No. 32-0336 – An Act approving the Lease Agreement between the Department of Property and Procurement and Marco St. Croix, Inc.

I have approved Bill No. 32-0338– An Act approving the Lease Agreement between the Department of Property and Procurement and THAW, LLC d/b/a #1 Gopher.

I have approved Bill No. 32-0340 -- An Act approving the Lease Agreement between the Department of Property and Procurement and Grantley Samuel.

I have approved Bill No. 32-0341 – An Act approving the proposed sale of Unit No. 3012 Building Lin a group of buildings known as Cowpet Beach Resort, located on Parcels No. 8-1-10 and 8-1-11 Estate Nazareth No. 1 Red Hook Quarter, St. Thomas, Virgin Islands.

I have approved Bill No. 32-0342 – An Act approving the Lease Agreement between the Department of Property and Procurement on behalf of the Department of Agriculture and Louis Orta.

I have approved Bill No. 32-0343 – An Act approving the Lease Agreement between the Department of Property and Procurement and on the Department of Agriculture and Phillippe Philbert.

I have approved Bill No. 32-0344 – an Act appropriating \$380,000 to the Virgin Islands Elections system for the costs associated with the November 20, 2018 run-off election; providing for a deadline for non-accredited religious schools to achieve accreditation candidacy status and full accreditation status; and amending title 3 Virgin Islands Code, chapter 27, section 703(f) relating to the election of certain persons re-entering government service to reject membership in the government employees Retirement System to establish on or after October 1, 2016, as the date of employment entry to which the election applies.

I have approved Bill No. 32-0345 – An Act amending title 27 Virgin Islands Code chapter 1 sections 5 and 34 relating to physician licensure and applicant qualifications.

I have approved Bill No. 32-0346 – An Act approving the Lease Agreement between the Department of Property and Procurement on behalf of the Department of Agriculture and Andrea Montoute and Claritta Montoute.

I have approved Bill No. 32-0347 - An Act approving the Lease Agreement between the Department of Property and Procurement on behalf of the Department of Agriculture and Jerome Bryan.

I have vetoed Bill No. 32-0204 - An act amending title 12 Virgin Islands Code, chapter 16A section 691a to declare the Government's "dig once" policy and for other related purposes. One of those other related purposes re-defines the terms "government agency" and "communications provider."

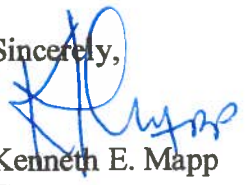
This bill if enacted into law will thrust a \$90 million debt upon the people of the Virgin Islands. The creation and construction of the assets of the VI Next Generation Network ("viNGN") happened through a \$90 million federal grant with terms and conditions and a VI Government bond issue of \$35 million. The National Telecommunications and Information Administration ("NTIA") BroadbandUSA Organization guides the terms and conditions of the \$90 million federal grant. If this Bill were to become law, it would violate the provisions of a metropolitan owned network. In essence, this measure allows commercial ISP companies to access into viNGN's middle-mile network conduit, which was paid for by NTIA funds and USVI matching funds bonds. Signing this measure into law would effectively relinquish viNGN's metropolitan network to commercial ISPs. At that point, the Territory, the Government of the Virgin Islands will have to repay \$90 million dollars in federal funds to NTIA. In addition, following Hurricanes Irma and Maria, FEMA has accepted that viNGN is a governmental entity and is providing financial resources for hardening and repair. Co-mingling for profit business on the infrastructure without requiring a fee or assessing a charge would result in serious consequences to the local treasury. This cannot, and could not, have been the intended result of this bill. Accordingly, I must veto the measure.

I acknowledge Resolution No. 1847 (Bill No. 32-0349) – A resolution honoring and commending the Voices of Love Choir for its forty years of performance for various segments of the community.

I acknowledge Resolution No. 1848 (Bill No. 32-0298) A Resolution posthumously honoring and commending Guilderoy Ashely Sprauve, Sr. for his extensive work as a diesel mechanic for the major ferry boats on St. John, St. Thomas in the Virgin Islands and in Tortola, British Virgin Islands and for his service and contributions to the marine industry.

Thank you for your work through the tenure of the Thirty Second Legislature on behalf of the people of the Virgin Islands.

Sincerely,


Kenneth E. Mapp
Governor

Enclosures