



Legislature of the Virgin Islands  
**COMMITTEE ON GOVERNMENT SERVICES,  
CONSUMER AND VETERANS AFFAIRS**  
Senator Justin Harrigan, Sr. - Chairman

**MEMORANDUM**

**TO:** Iver A. Stridiron, Esq.  
Executive Director

**FROM:** The Honorable Justin Harrigan, Sr.  
Chairman, Committee on Government Services, Consumer and Veterans Affairs

**DATE:** August 29, 2016

**RE:** 8/23/16 CGSCVA Committee Report

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The Committee on Government Services, Consumer and Veterans Affairs met on **Tuesday, August 23, 2016** at the Frits E. Lawaetz Legislative Conference Room on St. Croix to consider Bill Nos. 31-0049, 31-0132, 31-0329 and 31-0173.

Please find attached 8/23/16 CGSCVA Committee Report.

For more information, contact Committee Coordinator, Amrika Williams at (340) 693-3586 or [amwilliams@legvi.org](mailto:amwilliams@legvi.org).

Cc: All Senators  
Chief Legal Counsel



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# COMMITTEE REPORT

Meeting  
 Tuesday, August 23, 2016  
 10:00 a.m. - 4:00 p.m.  
 Earle B. Ottley Legislative Hall  
 St. Thomas, VI

**PURPOSE:** To receive testimony and consider the following bills:

**Bill No. 31-0049** - An Act amending title 20 VIC, chapter 47, adding section 704a relating to motor vehicles liability policies, providing for reduction in automobile insurance premiums for drivers 50 years of age and older who complete an approved accident prevention course  
*Proposed by Senator Sammuell Sanes*

**Bill No. 31-0132** - An Act amending title 20 VIC, chapter 47 to require insurance carriers to provide liability insurance data to the Virgin Islands Bureau of Motor Vehicles and for the Bureau to establish a motor vehicle liability insurance database *Proposed by Senator Nereida Rivera-O'Reilly*

**Bill No. 31-0329** - An Act amending title 3 VIC, chapter 18 requiring that the Department of Sports, Parks and Recreation submit to the Legislature a listing of all vendor spaces *Proposed by Senator Marvin A. Blyden*

**Bill No. 31-0173** – An Act amending 3 VIC, chapter 1, section 8b to extend burial death benefits to veterans who were domiciled outside of the Virgin Islands at their time of death *Proposed by Senator Sammuell Sanes*

**ROLL CALL FOR ATTENDANCE:**

Committee Member	Present	Absent
Senator Myron Jackson, Vice Chair		1
Senator Neville James, President	1	
Senator Terrence Nelson	2	
Senator Tregenza Roach	3	
Senator Sammuell Sanes	4	
Senator Janette Millin Young	5	
Senator Justin Harrigan, Sr., Chair	6	
<b><u>TOTAL</u></b>	<b>6</b>	<b>1</b>
Non-Committee Member		
Senator Marvin Blyden	1	
Senator Nereida Rivera-O'Reilly	2	

Chairman Justin Harrigan, Sr. called the meeting to order and stated its purpose.

**Bill No. 31-0049** was introduced by sponsor, Senator Sammuel Sanes. Then the meeting proceeded with testimony by Ms. Anastasia M. Doward, a volunteer with the AARP Driver Safety Program. In her testimony, Ms. Doward supported the bill and stated that legislation has been enacted in 34 states and the District of Columbia requiring all automobile insurance companies conducting business in those states to provide a premium discount to participants who completed an approved AARP driver safety classroom course. In contrast, Director of the Division of Banking and Insurance Gwendolyn Hall Brady, Office of the Lt. Governor, did not support the bill in her presented testimony. Director Brady stated several reasons including significant financial decrease in the Virgin Islands Insurance Guaranty Fund, rates that have not been increased since 1984 and existing No Claims Discounts offered by automobile insurance companies. Brady, also recommended amendments to define “appropriate reduction”, decrease reduction period to annually and to allow for disqualification of discount if driving violations occur after the issuance of the policy. In addition, testimony was heard from Mr. Wayne Harty, President of the V.I. Insurance Association and Mr. Warren Bowers, Underwriting Manager of Guardian Insurance, both of which thought that the bill was discriminatory and selective to a particular group of drivers. Testimonies were followed by two rounds of questioning by all Senators present. Senator Sammuel Sanes then made a motion to hold the bill in Committee until all amendments recommended by the testifiers are completed. The motion was properly moved, seconded and with no objections, so ordered. Testifiers were thanked for their participation and excused.

**ACTION TAKEN ON BILL NO. 31-0049: HELD**

**VOTE ON MOTION TO HOLD BILL NO. 31-0049: SO ORDERED**

Next, bill sponsor Senator Nereida Rivera-O’Reilly introduced **Bill No. 31-0132**. The Committee then received testimony on the bill from Ms. Ethlyn De Windt, MIS Administrator, Bureau of Motor Vehicles. Ms. De Windt stated that there was a policy in place to receive liability insurance from insurance carriers, but currently, only one company provides information on a weekly basis. De Windt recommended that it be mandated that automobile liability insurance information be transmitted on a timely basis and that companies be penalized for noncompliance. Assistance Director of the Division of Banking and Insurance Glendina Matthew, Office of the Lt. Governor, also testified on this bill. Asst. Director Matthew supported the bill with some amendments. One of which included adding the word “designee” to Section 707(c); addition would give insurers the option to delegate the reporting responsibilities to licensed and appointed agents or producers. In addition, Mr. Warner Bowers, Underwriting Manager of Guardian Insurance also testified on this bill. Mr. Bowers stated that it was near impossible to transmit data on a daily basis. The reason being is that the company is represented by several agencies which conducts business in accordance with their contracts to submit data between seven to sixty days, data would then have to be processed in the company’s system before being transmitted to the Bureau of Motor Vehicles. Testimonies were followed by a round of questioning by all Senators present. After, testifiers were thanked for their participation and excused. Following, Senator Sammuel Sanes made a motion to hold the bill in Committee until all amendments recommended by the testifiers are completed. The motion was properly moved, seconded and with no objections, so ordered.

**ACTION TAKEN ON BILL NO. 31-0132: HELD**

**VOTE ON MOTION TO HOLD BILL NO. 31-0132: SO ORDERED**

Later, **Bill No. 31-0329** was introduced by sponsor Senator Marvin Blyden. Then the Committee received testimony on the bill from Commissioner Pedro Cruz, Department of Sports, Parks and Recreation. Cruz was accompanied by Ms. Valencia Williams, Facilities Officer for the District of St. Croix. The Commissioner supported the bill because it would display accountability by the Department and transparency to the public. Testimonies were followed by a round of questioning by all Senators present. Following, Senator Sammuel Sanes made a motion to amend the bill with Amendment No. 31-1158. With no objections, the amendment was so ordered. Subsequently, Senator Sammuel Sanes made a motion for the bill to be voted upon favorably and forwarded to the Committee on Rules and Judiciary for further consideration. The motion was properly moved, seconded and voted upon. With four ‘yea’ majority votes, the bill as amended passed. Testifiers were thanked for their participation and excused.

**ACTION TAKEN ON BILL NO. 31-0329: PASSED (AS AMENDED)**

**VOTE ON MOTION TO AMEND BILL NO. 31-0329 WITH AMENDMENT NO. 31-1158: SO ORDERED**

**VOTE ON MOTION TO VOTE FAVORABLY ON AND FORWARD TO THE COMMITTEE ON RULES AND JUDICIARY BILL NO. 31-0329 (AS AMENDED):**

<b>Committee Member</b>	<b>Yea</b>	<b>Nay</b>	<b>Absent</b>	<b>Not Voting</b>
Senator Myron Jackson, Vice Chair			<b>1</b>	
Senator Neville James, President	<b>1</b>			
Senator Terrence Nelson			<b>2</b>	
Senator Tregenza Roach	<b>2</b>			
Senator Sammuel Sanes	<b>3</b>			
Senator Janette Millin Young			<b>3</b>	
Senator Justin Harrigan, Sr., Chair	<b>4</b>			
<b>TOTAL</b>	<b>4</b>	<b>-</b>	<b>3</b>	<b>-</b>

Lastly, bill sponsor Senator Sammuel Sanes introduced **Bill No. 31-0173**. The Committee then received testimony from Brigadier General Deborah Howell, Adjutant General, Virgin Islands National Guard. General Howell supported the bill pending amendment to resolve conflict stated in the reviewer’s note of the bill. Testimony from Director Patrick Farrell, V.I. Office of Veterans Affairs was into the record. In Director Farrell’s testimony, he stated that his office would be able to financially support a minimum of a 50% reimbursement rate if the rate of death remains the same or slightly higher. Also, he recommended an amendment to limit time to up to two years before the passing of the veteran. Testimonies were followed by a round of questioning by all Senators present. Following, Senator Sammuel Sanes made a motion to hold the bill in Committee until all amendments recommended by the testifiers are completed. The motion was properly moved, seconded and with no objections, so ordered.

**ACTION TAKEN ON BILL NO. 31-0173: HELD**

**VOTE ON MOTION TO HOLD BILL NO. 31-0173: SO ORDERED**

Chairman Justin Harrigan, Sr. made closing remarks and adjourned meeting of the Committee on Government Services, Consumer and Veterans Affairs.

*All testimonies and relevant meeting documents are available on the 31<sup>st</sup> Legislature Committees drive and [the web](#).*