MONDAY, DECEMBER 26, 2022

BOXING DAY

Holiday

TUESDAY, DECEMBER 27, 2022

OFFICE OF THE SENATE PRESIDENT

Reserved

WEDNESDAY, DECEMBER 28, 2022

CONSTITUENT MEETINGS AND OFFICE WORK

Reserved

THURSDAY, DECEMBER 29, 2022

PRESIDENT: SENATOR DONNA A. FRET-GREGORY
VICE PRESIDENT: SENATOR NOVELLE E. FRANCIS, JR.

Continuation of
The Committee of the Whole and Regular Session
9:50 A.M.
Earle B. Ottley Legislative Hall
LEGISLATIVE SESSION AGENDA – REVISED II

Call to Order: Honorable Donna A. Frett-Gregory
Senate President

Invocation: Reverend Dr. Jermaine Mulley
St. Luke AME Church, St. Croix

Anthem: National Anthem and Virgin Islands March

Roll Call: Honorable Genevieve R. Whitaker
Legislative Secretary

Messages and/or Correspondences

Reports: Chairpersons of Standing Committees

Special Orders and Overrides

Consideration of Floor Agenda:

BLOCK I: NOMINEES AND RESOLUTIONS

Dr. Janis Valmond, MS, MPH, DrPH, CHES – (Approved 14Y, 1A)
Virgin Islands Housing Authority Board of Commissioners

Dr. Rick Warehime - (Approved 14Y, 1A)
Virgin Islands Board of Pharmacy

Stephanie Hodge - (Approved 14Y, 1A)
Virgin Islands Real Estate Commission

Christopher McDonald - (Approved 14Y, 1A)
Virgin Islands Real Estate Commission

Dr. Dionne Wells-Hedrington - (Approved 14Y, 1A)
Commissioner, Virgin Islands Department of Education

Ms. Delia Thomas - (Approved 14Y, 1A)
Inspector General, Office of the Virgin Islands Inspector General

Ms. Leona Smith - (Approved 13Y, 1N, 1A)
Virgin Islands Port Authority Board of Governors, Renomination
Bill No. **34-0057**  
A Resolution honoring and commending José Julio Martínez, better known as “Papi Love” for his outstanding contributions as a radio talk show host, educating and entertaining the people of the Virgin Islands.  
(Approved 13Y, 2A)

Bill No. **34-0288**  
A Resolution to honor and commend Command Sergeant Major Charles David, Retired, for his service to the Virgin Islands National Guard.  
(Approved 13Y, 2A)

Bill No. **34-0292**  
An Act to posthumously honor and commend Rafael Garcia, MD for his outstanding years of service to the Virgin Islands community as a Medical Doctor and a public servant. (Approved 13Y, 2A)

Bill No. **34-0293**  
A Resolution honoring and commending the Reverend Dr. George E. Phillips for his invaluable contribution to the Gospel, ministry, and people of the Virgin Islands. (Approved 14Y, 1A)

Bill No. **34-0295**  
A Resolution petitioning the President of the United States of America to issue a posthumous pardon to Rothschild Francis for his unjust conviction for the federal crimes of criminal libel, contempt, and embezzlement. (Approved 14Y, 1A as Amended by 34-718)

Bill No. **34-0297**  
A Resolution to posthumously honor and commend Roselin Maud McFarlane for her contributions to the Virgin Islands Community and specifically as an advocate of independent living for people with disabilities. (Approved 15Y, 2A)

Bill No. **34-0376**  
An Act posthumously honoring and commending Valmy Thomas for his contributions to the Virgin Islands community and for renaming Soboetker Ln and West Ln in his memory; making an $15,000 appropriation; and for other related purposes. (Approved 14Y, 1A)

Bill No. **34-0380**  
A Resolution honoring and commending Michelle Mycah Leone Smith for her outstanding performance in track and field and her contributions to the Virgin Islands community as a sports ambassador. (Approved 15Y, 2A)
BLOCK II: ZONING MAP AMENDMENTS

Bill No. 34-0331  An Act granting a zoning use variance for Parcel No. 18-A Remainder Estate Smith Bay, Nos 1, 2 & 3 East End Quarter, St. Thomas, Virgin Islands, to allow for the installation of 29 storage containers for use as “Warehouse & Storage Services (General)” and for no other purpose. (Approved 13Y, 2A)

Bill No. 34-0359  An Act amending Official Zoning Map No. STZ-7 to change the zoning designation of Parcel No. 3-103 Remainder Estate Bovoni, Nos. 1 & 2 Frenchman’s Bay Quarter St. Thomas from R-3 (Residential-Medium Density) to B-3 (Business-Scattered). (Approved 13Y, 2A)

Bill No. 34-0360  An Act amending Official Zoning Map No. STZ-11 to change the zoning designation of Lease Area 47D-1 Kronprindsens Gade, Kronprindsens Quarter, St. Thomas, Virgin Islands, from P (Public) to B-3 (Business-Scattered). (Approved 13Y, 2A)

Bill No. 34-0372  An Act amending Official Zoning Map No. SCZ-10 for the island of St. Croix to change the zoning designation of Plot No. 34-A Estate Two Brothers and Smithfield, West End Quarter, St. Croix from R-3 (Residential-Medium Density) to C (Commercial). (Approved 13Y, 2A)

Bill No. 34-0375  An Act rezoning Parcel Nos. L-1, 1-1, 1-Rem., C-1, C-Rem., D-Rem., G, H, M, N, P, S, R.O.W. Parcel Nos. 1-A, C-A, D-A, Q, and R Estate Raphune, No. 5B New Quarter St. Thomas and Parcel Nos. 1-1-1, 1-11, 1-1-Rem., 1-5-B-1, 1-5-B-2, 1-5-B-3, 1-15-1, R.O.W. Parcel Nos. 1-3 (Revised)-1, and 1-3 (Revised)-Rem., Estate Donoe, No. 2A New Quarter, St. Thomas, as more fully described on Drawing Nos. A9-859-T020 and A9-861-T021, from R-2 and C, as the case may be, to B-2, and rezoning Parcel No. 1-5-F Estate Donoe, No. 2A New Quarter, St. Thomas, as more fully described on Drawing No. A9-861-T021, from C to R-2. (Approved 13Y, 2A)

Bill No. 34-0377  An Act amending Official Zoning Map No. STZ-9 for the island of St. Thomas to change the zoning designation of Parcel Nos. 19F-1 Remainder and 19N Remainder, Estate Smith Bay, Nos. 1, 2 and 3, East End Quarter, St. Thomas from A-1 (Agricultural Zone) to C (Commercial) and R-3 (Residential-Medium Density), respectively. (Approved 13Y, 2A)
Bill No. **34-0379**  An Act conditionally amending Official Zoning Map No. STZ-7 to change the zoning designation of Parcel No. 2 Remainder Estate Bovoni, Nos. 1 & 2 Frenchman’s Bay Quarter St. Thomas from R-3 (Residential-Medium Density) to C (Commercial). *(Approved 13Y, 2A)*

Bill No. **34-0382**  An Act amending Official Zoning Map No. SCZ-10 for the island of St. Croix to change the zoning designation of Parcel No. 9-E Estate LaGrange, West End Quarter, St. Croix, Virgin Islands, from R-2 (Residential-Low Density-One and Two Family) to R-3 (Residential Medium Density). *(Approved 13Y, 2A)*

Bill No. **34-0389**  An Act amending Official Zoning Map No. SCZ-10 for the rezoning of Parcel Nos. 73-B and 271 Estate Concordia, West End Quarter, St. Croix from R-3 (Residential- Medium Density) to P (Public). *(Approved 13Y, 2A)*

Bill No. **34-0392**  An Act amending Official Zoning Map No. SCZ-12 to allow for the rezoning of Plots No. 1-K and 1-L Estate Diamond, Queen Quarter, St. Croix, Virgin Islands, from R-2 (Residential-Low Density-One and Two Family) to B-2 (Business-Secondary/Neighborhood), with a use variance to allow for a water distillation plant and ice manufacture and sales *(Approved 13Y, 2A)*

**BLOCK III: LEASES**

Bill No. **34-0194**  An Act approving the Lease Agreement between the Government of the Virgin Islands Department of Property and Procurement and Julien Welding, d/b/a Julien’s Welding. *(Approved 14Y, 1A)*

Bill No. **34-0275**  An Act approving the lease agreement between the Government of the Virgin Islands Department of Property and Procurement and Caribe Tradewinds Lodge No. 17, Inc., District No. 8 for the purpose of conducting meetings, community outreach activities, feeding the homeless, mentoring youth, and for other related purposes. *(Approved 14Y, 1A)*

Bill No. **34-0276**  An Act approving the Lease Agreement between the Government of the Virgin Islands, acting through its Commissioner of the Department of Property and Procurement, and Liberty Mobile USVI, Inc., for Parcel No. 6-4-1 Estate Carolina, No. 1 Coral Bay Quarter, St. John, Virgin Islands to develop, construct, operate, maintain, repair, replace and upgrade a wireless communication facility and for other related purposes. *(Approved 14Y, 1A)*
Bill No. **34-0278** An Act approving the Lease Agreement between the Government of the Virgin Islands, acting through the Commissioner of the Department of Property and Procurement and On The Level d/b/a OTL MECHANICAL for the leasing of Parcel No. 69 Submarine Base, No. 4 Southside Quarter, St. Thomas, Virgin Islands. *(Approved 13Y, 1N, 1A)*

Bill No. **34-0346** An act approving the Lease Agreement between the Government of the Virgin Islands and Twin City Cricket Association, Inc. for Rem. Parcel No. 23 Estate VICORP Land (f/k/a Upper Bethlehem and Fredensborg), King Quarter, St. Croix Virgin Islands for a cricket facility and other related activities. *(Approved 14Y, 1A)*

Bill No. **34-0353** An Act approving the Grant of Easement over Parcel No. 11 Remainder Estate Dorothea, No. 6 Great Northside Quarter, St. Thomas, Virgin Islands from the Government of the Virgin Islands acting through the Virgin Islands Department of Property and Procurement to Leslie Phipps. *(Approved 14Y, 1A)*

Bill No. **34-0356** An Act approving the Lease Agreement between the Government of the Virgin Islands, acting through the Commissioner of the Department of Property and Procurement and the Virgin Islands Resource Center for the Disabled, Inc. for an improved portion of Parcel No. 75 Kronprindsens Gade, Kronprindsens Quarter, St. Thomas, Virgin Islands. *(Approved 14Y, 1A)*

Bill No. **34-0362** An Act approving the Lease Agreement between the Government of the Virgin Islands, acting through the Commissioner of the Department of Property and Procurement and the Village-Virgin Islands Partners in Recovery, Inc. for Parcel Nos. 1-H and 13-F Estate Sion Hill, Queen Quarter, St. Croix, Virgin Islands. *(Approved 14Y, 1A)*

Bill No. **34-0363** An Act approving the Lease Agreement between the Government of the Virgin Islands, acting through its Commissioner of the Department of Property and Procurement, and Hustler and Sons, Inc. for Parcel No. 34, Estate Nisky, No. 6, Southside Quarter, on the island of St. Thomas for the purpose of operating a garage and repair shop, with related activities. *(Approved 14Y, 1A)*

Bill No. **34-0364** An Act approving the Lease Agreement between the Government of the Virgin Islands, acting through its Commissioner of the Department of Property and Procurement, and Courtesy Car Wash, LLC. *(Approved 14Y, 1A)*

Bill No. **34-0369** An Act approving the Lease Agreement between the Government of the Virgin Islands, acting through the Commissioner of the Department of Property and Procurement and Catholic Charities of the Virgin Islands, Inc. for Parcel No. 410 Hospital Ground, Kings Quarter, St. Thomas, Virgin Islands (f/k/a Plantation “Hospital Ground”). *(Approved 14Y, 1A)*


Bill No. **34-0373**  
An Act approving the lease agreement between the Government of the Virgin Islands Department of Property and Procurement and Sanitary Trashmoval Services, Inc. *(Approved 14Y, 1A)*

Bill No. **34-0374**  
An Act approving the Lease Agreement between the Government of the Virgin Islands, acting through its Commissioner of the Department of Property and Procurement, and O Corp, LLC, d/b/a Owen’s Jeep Rental, for Parcel No. 1Ad Cruz Bay Town, No. 1 Cruz Bay Quarter, St. John, Virgin Islands, consisting of 715 U.S. sq. ft. or 0.016 U.S. acre, more or less, to be used for the rental of vehicles, and for other related purposes. *(Approved 14Y, 1A)*

Bill No. **34-0381**  
An Act approving the lease agreement between the Government of the Virgin Islands, acting through its Commissioner of the Department of Property and Procurement, and Janice Enterprise, LLC d/b/a Love City BBQ and Grill, for Parcel No. 307 Cruz Bay Town, Cruz Bay Quarter, St. John, Virgin Islands, which includes a one-story building situated on approximately 2,641.09 U.S. sq. ft. or 0.06 U.S. acre, more or less, of improved land, to be used to operate a mobile bar and grill, and for other related purposes. *(Approved 14Y, 1A)*

Bill No. **34-0384**  
An Act approving the lease agreement between the Government of the Virgin Islands, acting through the Commissioner of the Department of Property and Procurement and Christiansted Harbor Resort Hotel and Marina, LLC for Protestant Cay, specifically improved Plot No. 1 and improved Plot No. 2 with all buildings and improvements located in Christiansted Harbor, St. Croix, Virgin Islands. *(Approved 14Y, 1A)*

Bill No. **34-0385**  
An Act approving the lease agreement between the Government of the Virgin Islands, acting through its Commissioner of the Department of Property and Procurement, and Star Time Technology Center, Inc. for a portion of Parcel No. 2A Crystal Gade, Queens Quarter, St. Thomas for the purpose of operating a community technology learning & training center, and for other related purposes. *(Approved 14Y, 1A)*

The 34th Legislature will dissolve into  
THE COMMITTEE OF THE WHOLE

Bill No. **34-0345**  
An Act amending title 19 Virgin Islands Code by adding chapter 34A to expand the legalization of Cannabis from medicinal use to include Adult Use Cannabis.
Invited Testifiers:

The Honorable Ray Martinez  
Commissioner  
V.I. Police Department

The Honorable Justa Encarnacion  
Commissioner  
V.I. Department of Health

The Honorable Richard Evangelista, Esq.  
Commissioner  
V.I. Department of Licensing and Consumer Affairs

Hannah Carty  
Executive Director  
Virgin Islands Office of Cannabis Regulation

Barbara LaRonde  
Cannabis Consultant

Gerard Luz James II  
President  
5th Constitutional Convention

Biko McMillan  
Resident

Lloyd Jordan, Esq.  
Legal Counsel  
5th Constitutional Convention

Myron Jackson  
Former Senator/Historian

Gerard Emanuel  
Delegate  
5th Constitutional Convention

Gerard Luz James II  
President  
5th Constitutional Convention

Biko McMillan  
Resident

Rupert Ross, Jr.  
President  
4th Constitutional Convention

Lisa Moorhead, Esq.  
Legal Counsel  
5th Constitutional Convention

Dr. Malik Sekou  
Office of Self Determination and Constitutional Development - UVI

Bill No. 34-0153  
An Act establishing the Sixth Constitutional Convention of the Virgin Islands; and providing for an appropriation to cover convention-related expenses.
Bill No. **34-0370** A Resolution mandating the President of Thirty-Fourth Legislature of the Virgin Islands to institute a civil action against the Government Employees’ Retirement System of the Virgin Islands for its failure to implement the provisions of title 3 Virgin Islands Code, sections 717(b)(17), 717(c), 719(b), 766 (b)(17), 766 (b)(18), and 766 (c).

**Invited Testifiers:**

**Mr. Austin Nibbs**  
Administrator  
Government Employees’ Retirement System

**Mr. Dwane Callwood**  
Chairman  
Government Employees’ Retirement System  
Governing Board

**Debbie Christopher**  
Acting President  
St. Croix Retirees

**Helen Hart**  
President  
Government Retirees United for Fairness

**Gerald Jackson**  
President  
United Steelworkers

**James Fredericks**  
President  
United Steelworkers – Local 8248

**BLOCK IV: BILLS**

**Bill No. 34-0211** An Act amending title 19 Virgin Islands Code, part VI, chapter 62 Code relating to noise pollution to augment its enforcement.

**Bill No. 34-0232** An Act amending title 20 of the Virgin Islands Code, chapter 3, section 42 relating to the Governor’s initial report to the Legislature on a long-range program for the construction and improvement of roads and highways throughout the Virgin Islands; to change the time and frequency for the Governor to submit the report to the Legislature and to establish procedures and minimum standards for paving and constructing roads in the Virgin Islands and for other related purposes.

**Bill No. 34-0236** An Act amending title 17 Virgin Islands Code, chapter 15, section 190dd extending the eligibility for the Virgin Islands Higher Education Scholarship Program to part-time students.

**Bill No. 34-0238** An Act amending title 17 Virgin Islands Code, chapter 5, section 41(c), relating to courses of study in public schools to require that Virgin Islands and Caribbean history to be integrated into the curriculum for kindergarten through grade 12 and for other purposes.

**Bill No. 34-0243** An Act amending titles 3 Virgin Islands Code, chapter 23, section 415 and 27 Virgin Islands Code, chapter 4, section 193 regarding the composition and duties of the Board of Naturopathic Physicians and for other related purposes.
Bill No. **34-0253**  An Act amending title 33, subtitle 2, chapter 81, section 2304 of the Virgin Islands Code to extend the exemption from the payment of real property taxes to certain real property.

Bill No. **34-0265**  An Act amending title 23 Virgin Islands Code, chapter 10 by adding subchapter 1A to establish the Office of Disability Integration within the Virgin Islands Territorial Emergency Management Agency.

Bill No. **34-0271**  An act amending title 10 Virgin Islands Code, chapter 5, section 64 of the Civil Rights Act to include discrimination based on sexual orientation and gender identity as an unlawful discriminatory practice.

Bill No. **34-0272**  An Act amending title 3 Virgin Islands Code, chapter 16, section 274 to empower the Executive Director of the Taxicab Commission to hire the necessary staff to operate and manage the Taxicab Commission office.

Bill No. **34-0279**  An Act amending 19 Virgin Islands Code, part V restructuring, reclassifying and adopting the first comprehensive Virgin Islands Behavioral Health Act to provide for services and interdepartmental coordination of agencies and organizations to provide a structure of support to individuals throughout the Virgin Islands who suffer from behavioral health challenges; to establish community behavioral health services, as well as to provide for the first comprehensive public Behavioral Health Facility to treat individuals voluntarily and involuntarily who face behavioral health challenges; amending and repealing conflicting laws; and providing for other related purposes.

Bill No. **34-0283**  An Act amending title 17 Virgin Islands Code, chapter 15, relating to scholarships by adding section 190ff to establish “the Virgin Islands Stenography Scholarship Fund”, which will fund a scholarship for individuals pursuing a certificate in stenography, court reporting, or a related field.

Bill No. **34-0298**  An Act appropriating $500,000 from the Emergency Services Fund to the Department of Health for the purposes authorized in 33 VIC § 3099(d)

Bill No. **34-0345**  An Act amending title 19 Virgin Islands Code by adding chapter 34A to expand the legalization of Cannabis from medicinal use to include Adult Use Cannabis.

Bill No. **34-0357**  An Act amending title 27 Virgin Islands Code, chapter 16, relating to Real Estate Appraisers.

Bill No. **34-0368**  An Act amending title 33, subtitle 3, chapter 111 of the Virgin Islands Code, establishing an Opioid Abatement Fund and an Opioid Abatement Fund Committee to oversee the use of the monies for specific purposes and report to the Governor and the Legislature and the Attorney General on the outcome.
Bill No. 34-0370  
A Resolution mandating the President of Thirty-Fourth Legislature of the Virgin Islands to institute a civil action against the Government Employees’ Retirement System of the Virgin Islands for its failure to implement the provisions of title 3 Virgin Islands Code, sections 717(b)(17), 717(c), 719(b), 766 (b)(17), 766 (b)(18), and 766 (c).

Bill No. 34-0383  
An Act appropriating $250,000 from the St. John Capital Improvement Fund to the Virgin Islands Department of Sports, Parks, and Recreation to be awarded as a grant to the friends of the Virgin Islands National Park to fund the second phase of the Cruz Bay playground revitalization project on Tract 01-132, 1300 Cruz Bay Creek, St John, Virgin Islands and appropriating $150,000 to the Department of Sports, Parks, and Recreation for the purpose of purchasing equipment to maintain the running track surface and for temporary isolation stables at the Clinton E. Phipps Racetrack on the island of St. Thomas

Bill No. 34-0387  
An Act amending Official Zoning Map No. SCZ-7 for the island of St. Croix to change the zoning designation of Portion of the Remainder of Estate Beeston Hill (South Portion), Matricular No. 6a, Company Quarter, St. Croix from R-1 (Residential-Low Density) to B-3 (Business-Scattered).

Bill No. 34-0344  
An Act amending title 5, chapter 314, section 3731 et seq. of the Virgin Islands Code, to expunge the criminal records of persons convicted for marijuana related crimes and offenses

Bill No. 34-0361  

FRIDAY,  
DECEMBER 30, 2022

Reserved

OFFICE OF THE SENATE PRESIDENT

MONDAY,  
JANUARY 02, 2023

NEW YEAR’S DAY OBSERVED

Holiday
TUESDAY, JANUARY 03, 2023
CONSTITUENT MEETINGS AND OFFICE WORK
Reserved

WEDNESDAY, JANUARY 04, 2023
CONSTITUENT MEETINGS AND OFFICE WORK
Reserved

THURSDAY, JANUARY 05, 2023
CONSTITUENT MEETINGS AND OFFICE WORK
Reserved

FRIDAY, JANUARY 06, 2023
THREE KING'S DAY
Holiday