



TESTIMONY ON BILL 34-0042

4/15/2025

Good Day to the Honorable Novelle Francis and members of the Committee on Budget, Appropriations and Finance of the 36th Legislature. The League of Women Voters of the Virgin Islands thanks the Committee for the invitation to comment on Bill 36-0042, sponsored by Honorable Senator Alma Francis-Heyliger, which seeks to increase the maximum award for damages against the Government of the Virgin Islands.

We regret the lateness of our submission, as the League had been recently involved in the planning, preparation and implementation of our Annual Meeting which has absorbed most of our time.

We do thank the Bill's sponsor, Senator Alma Francis Heyliger, for personally responding to our questions regarding the Bill. Specifically, we had asked:

- 1- Rationale for the increase
- 2- Whether surveys been done with comparable jurisdictions

We were satisfied with her response regarding the rationale which was that the current ceiling had been in effect for several decades. The League agrees with the Senator that the cost of living has certainly increased over the decades and, as such, can justify an increase in the ceiling for awards in damage suits.

Further, Senator Francis-Heyliger indicated in response to our second question, that she did do a survey for comparison, which she believes justifies her proposal.

The League regrets that we were unable to conduct our own review of award limits in comparable jurisdictions due to the time constraints explained above and so cannot comment on what the ceiling should be.

The League nonetheless supports the Bill in proposing that the ceiling should be increased.

Additionally, we do have some comments/questions for the Committee's consideration as the Bill is being deliberated. Specifically, the League asks:

1. What is the source of the money used to pay awards for damages? If insurance, will its terms be adjusted accordingly? If not, should it not have such insurance?

2. If it is believed that a higher ceiling for awards might serve as an incentive for more careful and better performance within government to avoid such suits, could it not be countered that the employees within government might reason that it is the government being sued, not them personally? In other words, we question the assumption that an increased ceiling would enhance more careful performance/service.
3. Are there some entities in government that should be protected separately, if the government does have insurance? We refer specifically to Boards. Are they supported through the government's insurance if there is such insurance?

In SUMMARY, **the League is in full support of raising the ceiling but we cannot speak to what the ceiling should be at this time.** We would be happy to provide feedback on this latter point in the near future.

Again, thank you for the opportunity to comment.

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President, LWV VI