

BILL NO. 35-_____

THIRTY-FIFTH LEGISLATURE OF THE VIRGIN ISLANDS

REGULAR SESSION

2024

An Act renewing and extending the State of Emergency in the U.S. Virgin Islands based on the power and energy crisis for an additional 60 days from October 21, 2024, through December 20, 2024.

PROPOSED BY THE GOVERNOR

1 **WHEREAS**, Title 23, Section 1005(a), Virgin Islands Code, vests in the Governor the
2 responsibility for meeting the dangers to the Territory of the United States Virgin Islands and its
3 people presented by emergencies or major disasters; and
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5 **WHEREAS**, for months leading up to April 2024, the inability of independent government
6 agencies to timely pay the Water and Power Authority (WAPA) for its services impacted WAPA’s
7 ability to pay its critical vendors, resulting in curtailing of power generation; and
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9 **WHEREAS**, on April 22, 2024, the Governor issued Executive Order 537-2024, declaring
10 a State of Emergency to avert an emergency crisis in the United States Virgin Islands; and
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12 **WHEREAS**, the Governor of the Virgin Islands of the United States, to protect the lives
13 and property of the residents of the Territory found it necessary to renew and extend the State of
14 Emergency on May 22, 2024 for an additional 30 days through Executive Order 537a-2024; and
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16 **WHEREAS**, on June 14, 2024, the Governor of the Virgin Islands of the United States
17 requested an additional 90-day extension from the Legislature of the Virgin Islands; and
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19 **WHEREAS**, on June 27, 2024, the Legislature of the Virgin Islands passed Bill No. 35-
20 0292 and approved the request to extend the State of Emergency through September 19, 2024; and
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1 **WHEREAS**, Governor Albert Bryan Jr. approved and signed into law Bill No. 35-0292,
2 now Act No. 8839;

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4 **WHEREAS**, pursuant to Title 23, Section 1005(d) of the Virgin Islands Code, to extend
5 the State of Emergency beyond the first two 30-day periods, the Governor must submit a request
6 to the Legislature; and

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8 **WHEREAS**, on June 27, 2024, the Legislature passed Governor Bryan’s request to extend
9 the State of Emergency for an additional 90-day period, beginning on June 22, 2024, through
10 September 19, 2024; and

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12 **WHEREAS**, Governor Albert Bryan Jr. requested an additional 60-day extension from the
13 Legislature of the Virgin Islands on September 13, 2024 for the State of Emergency that expired
14 on September 19, 2024; and

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16 **WHEREAS**, the Legislature failed to schedule a hearing, within five days of Governor
17 Bryan’s request for an extension so by operation of law, the State of Emergency was automatically
18 extended for an additional thirty days and is set to expire on October 20, 2024; and

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20 **WHEREAS**, the Territory continues to work through the process of mitigating the severe
21 threat of insufficient and unreliable power generation in the USVI; and

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23 **WHEREAS**, the Government of the Virgin Islands continues to take action to stabilize the
24 production of energy in the Territory to ensure the delivery of critical services to its residents; and

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26 **WHEREAS**, based on the progress made thus far and achievements accomplished, I am
27 requesting an extension for an additional 60-day period, beginning October 21, 2024, through
28 December 20, 2024.

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30 Now therefore,

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32 ***Be it enacted by the Legislature of the Virgin Islands:***

1 **SECTION 1.** Pursuant to Title 23, Section 1005(d) of the Virgin Islands Code, having
2 received the request of the Governor of the U.S. Virgin Islands to extend the State of Emergency
3 in the U.S. Virgin Islands, which includes the specific reasons for the extension, the time-period
4 of the extension, and a plan of action to address the conditions that necessitate the extension of the
5 State of Emergency, the Legislature of the Virgin Islands, hereby approves the extension and
6 renewal of the State of Emergency due to the power and energy crisis from October 21, 2024, until
7 December 20, 2024, unless, before the expiration of this renewal, the Governor of the U.S. Virgin
8 Islands finds that a state of emergency no longer exists and, as a result, terminates the State of
9 Emergency.

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BILL SUMMARY

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The purpose of this bill is to ratify the Governor’s extension of the State of Emergency in
the Territory of the U.S. Virgin Islands due to the power and energy crisis for an additional sixty
days from October 21, 2024 through December 20, 2024.