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Committee on Homeland Security, Justice & Public
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Committee on Education and Workforce



Legislature of the U.S. Virgin Islands

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The Honorable Senator
JAVAN E. JAMES
★ ★ ★ ★ 35TH LEGISLATURE

TO: Kurell A. Sheridan, JD
Executive Director
35th Legislature of the Virgin Islands

FROM: Senator Javan E. James, Sr. _____
Chairman, Committee on Economic Development and Agriculture

SUBJECT: Committee Report for Wednesday, March 8, 2023

DATE: March 13, 2023

Following the Rules of the 35th Legislature of the Virgin Islands, please find enclosed the report for the Committee on Economic Development and Agriculture hearing, held on Wednesday, March 8, 2023, at the Earle B. Ottley Legislative Hall on the island of St. Thomas.

The Committee on Economic Development and Agriculture, chaired by Senator Javan E. James, Sr. convened a meeting at 10:10 a.m. met on Wednesday, March 8, 2023, at the Earle B. Ottley Chambers on the island of St. Thomas. The purpose of the hearing was to receive updates from the following agencies: USVI Office of Cannabis Regulations; Virgin Islands Department of Tourism; and the Virgin Islands Port Authority.

The Committee on Economic Development and Agriculture, chaired by Senator Javan E. James, Sr. was called to order at 10:00 a.m.

In honor of Virgin Islands month, Virgin Islands Women’s month and today, March 8th, 2023, marks International Women’s Day, Chairman James, Sr. recognized our former Senate President, Senator Donna Frett-Gregory, and extended time to her to make remarks.

Chairman James, Sr. requested roll call and the reading of the agenda. Chairman James also thanked The Honorable Senators, both committee as well as non-committee members for attending the meeting.

Legislative Attendance

Committee Members in Attendance:

The Honorable Javan E. James Sr.	-	Chairperson
The Honorable Angel L. Bolques, Jr	-	Vice Chairman
The Honorable Marvin A. Blyden		
The Honorable Diane T. Capehart		
The Honorable Dwayne M. DeGraff		
The Honorable Alma Francis Heyliger		
The Honorable Donna A. Frett-Gregory		



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Non-Committee Members in Attendance:

The Honorable Senate President Novelle E. Francis, Jr.
The Honorable Franklin D. Johnson
The Honorable Marise James
The Honorable Milton E. Potter
The Honorable Ray Fonseca
The Honorable Samuel Carrion

Office of Public Affairs

Mrs. Africah Harrigan
Barry Leerdam
Jahmel Leonard
Jamal Potter
Omari Hicks

Legal Counsel

Attorney Augustin Ayala

Sergeant-at-Arms

Mr. Delvin Fleming

Legislative Reporters

Vashti O. Gerard
Casmus Caines
Nataya A. M. Munoz

Clerk

Jonathan E. James, Jr.

Staff of Senator Javan E. James, Sr.

Andrea Z. Mshila
Jonathan E. James, Jr.

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BLOCK I - 10:00 a.m.

Bill No. 35-0049 - An act amending title 7, chapter 1 of the Virgin Islands Code by adding subchapter VIII, establishing a Local Food and Farm Council in accordance with mandate five of the Virgin Islands Agriculture Plan. *Proposed by Senator Donna A. Frett-Gregory and Senator Javan E. James, Sr.*

Senator Donna Frett-Gregory spoke on Bill No. 35-0049 and a letter of support from President Hall was read on the record. Chairman James Sr. extended two minutes to each senator. Bill No. 35-049 was Approved favorably with a vote of seven (7) yeas.

Members	Yea	Nay	Not Voting	Absent
Blyden, Marvin A	X			
Bolques, Jr. Angel L	X			
Capehart, Diane	X			
DeGraff, Dwayne M	X			
Francis Heyliger, Alma	X			
Frett-Gregory, Donna A	X			
James, Sr. Javan E.	X			
Total	7			

Invited Testifiers:

The Honorable Richard T. Evangelista, Esq.
Commissioner Department of Licensing & Consumer Affairs
Government of the U.S. Virgin Islands

Mrs. Hannah Carty
Executive Director
Office of Cannabis Regulations

Dr. Catherine Kean,
Chairwoman of the Cannabis Advisory Board
Virgin Islands Cannabis Advisory Board

Kye Walker Esq.
Legal Adviser to the Governor &
Cannabis Legislation

Mr. Tafari Tzaddi
President
Rastafari Sacramental Cannabis Counsel, Inc.

At 11:07 the Committee reconvened and received an update on the overall status of the USVI Office of Cannabis Regulations that included the implementation of Act 8680 as well as licensing procedures for the cannabis industry. The invited testifiers below read their testimonies into the record.

Commissioner Evangelista T. Evangelista Esq. Department of Licensing and Consumer Affairs (DLCA)

Mrs. Hannah Carty, Executive Director of OCR read her testimony into the record as well as Chairwoman Kean's testimony.

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Attorney Key Walker, Legal Adviser to the Governor & Cannabis Legislation read her testimony into the record.

Mr. Tafari Tzaddi, President, Rastafari Sacramental Cannabis Counsel Inc. read his testimony into the record.

After the reading of the testimonies, Chairman James, Sr. extended eight minutes each to Senators for their line of questioning.

Requests through the Chair:

- Chairman James asked Mrs. Carty, ED OCR for timelines of Rules and Regulations as well as Projections.
- Chairman James, Sr. requested for the job description for positions at the OCR

In summary, shortages of personnel slow down the process progress as result staff are working with much heavier loads than usual. There were also clarifications on licenses that were given while, Hemp Retail Licenses and Farmers License are issued licenses as opposed to Cannabis license. There were concerns expressed those individuals in the community are under the assumption that since the Cannabis Bill was signed by the Governor, that it is legal to smoke Marijuana in public. Mrs. Carty stated that Office of the Governor is creating a position whereas the individual will be working with the relevant various government agencies to ensure that there is one message about the current legislation to include information about smoking marijuana in public. In his testimony, Commissioner Evangelista said that the Department of Licensing and Consumer Affairs (DLCA) works closely with Mrs. Carty to provide staff assistance and office space and shall continue to assist the OCR to ensure the success of the cannabis industry in the United States Virgin Islands.

The committee went into recess at 2:23 p.m.

BLOCK II – 1:30 p.m.

INVITED TESTIFIER:

The Honorable Joseph B. Boschulte
Commissioner,
United States Virgin Islands Department of Tourism

The Committee reconvened at 3:00 p.m. Commissioner Boschulte delivered his testimony to the record which included an update on the overall status of the Virgin Islands Department of Tourism.

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Chairman James gave five (5) minutes to each Senator for their line of questioning.

In summary, Commissioner Boschulte stated that Virgin Islands tourism thrived and became the fastest-growing destination in the Americas during 2019 and 2021. However, challenges of decreased flights contributed towards a downward trend. Nevertheless, the demand to come to the US Virgin Islands is extremely high. Commissioner Boschulte stated that each island is unique, and we should embrace the diversity of that the US Virgin Islands has to offer.

The Committee went into recess at 3:50 p.m.

BLOCK III – 4:00 p.m.

INVITED TESTIFIER:

The Honorable Carlton Dowe
Executive Director
Virgin Islands Port Authority

The Committee reconvened at 4:00 p.m. A presentation as well as an update presented by the Honorable Carlton Dowe, Executive Director, Virgin Islands Port Authority on the overall status.

Chairman James gave four minutes to each Senator for round of questioning.

In summary, Carlton Dowe highlighted the construction and major improvements to capital projects on the ports of all three islands. He also highlighted the proposed Bill No. 35-0034 sponsored by Chairman James, confirmed his agreement to the proposed bill, and mentioned the money loaned would be financial help as they go through the P3 process. An update with reference to Seaborne Airlines. The airport service was no longer available. The exclusivity of the of seaplane ramps on both St. Thomas and St. Croix was discussed and although Seaborne has agreed to consider the lease agreement, it will end in 2028. Mr. Dowe also discussed VIPA's desire to cultivate an interest in aviation and is working with VI Department of Education to introduce the field of aviation into the local curriculum.

There being no other business the meeting adjourned at 7:27 p.m.