

VIRGIN ISLANDS SIXTH CONSTITUTIONAL CONVENTION
St. Croix, St. John and St. Thomas, Virgin Islands of the United States

September 13, 2026

Honorable Milton E. Potter
President
36th Legislature of the Virgin Islands
Capitol Building
Charlotte Amalie, St. Thomas, VI 00802

RE: Request for Technical and Conforming Amendments to Act No. 8681, as Amended by Act No. 9060

Dear Senate President Potter:

On behalf of the Virgin Islands Sixth Constitutional Convention, I respectfully request the assistance of the 36th Legislature in addressing certain statutory inconsistencies that remain within Act No. 8681, as amended, following the enactment of Act No. 9060.

Act No. 9060 provided important additional time and resources for the Convention to complete its constitutional responsibilities. Among its amendments, the legislation extended the Convention's deadline for completion of the proposed Constitution to February 28, 2027, changed the commencement of the referendum notice period to April 1, 2027, established July 3, 2027 as the date for the referendum, and revised subsequent dates associated with the constitutional process. These changes reflected the Convention's expressed intent that the proposed Constitution be presented to the people through a separate and stand-alone referendum rather than as part of a General Election.

Upon further review of Act No. 8681, as amended, however, it appears that certain provisions of section 7 were not correspondingly amended when the new statutory timeline was established. As a result, portions of the enabling legislation continue to reference dates and procedures associated with the prior election schedule.

Of particular concern are the following:

1. Section 7(a) continues to contain a reference to the 2024 general election in connection with the Convention's public education responsibilities. That reference is no longer consistent with the July 3, 2027 referendum.
2. Section 7(b) was amended to establish April 1, 2027 as the beginning of the referendum notice period and July 3, 2027 as the referendum date; however, remaining language should be reviewed

and conformed so that the entire notice provision corresponds with the July 3, 2027 standalone referendum.

3. Section 7(d) contains language associated with the counting of ballots from the 2024 general election. That provision should likewise be conformed to the counting and certification of ballots cast in the July 3, 2027 referendum.

These inconsistencies appear to be technical and conforming matters resulting from the revision of the Convention's overall statutory schedule, rather than changes to the substantive policy established by the Legislature in Act No. 9060.

Accordingly, the Sixth Constitutional Convention respectfully requests that the 36th Legislature consider legislation to make the technical and conforming amendments necessary to ensure that all dates, election references, notice requirements, post-referendum procedures, and related provisions of Act No. 8681 are internally consistent with the February 28, 2027 completion deadline, July 3, 2027 referendum, and January 31, 2028 effective-date framework established by Act No. 9060.

Fiscal Authority and September 30, 2026

The Convention also respectfully requests clarification and, if necessary, legislative action concerning the continued availability of appropriated funds and expenditure authority beyond September 30, 2026.

Because the Convention's statutory responsibilities now extend into 2027, it is important to determine whether the existing appropriations and subsequent funding authorized for the Convention remain available after the close of Fiscal Year 2026 and are sufficient to support the Convention's continued operations, public education responsibilities, completion of the proposed Constitution, and activities associated with the referendum.

We therefore respectfully request that the Legislature, in consultation with its Legal Counsel and appropriate fiscal officials, review the applicable appropriation provisions and determine whether any additional amendment, extension, reappropriation, or other legislative action is necessary to ensure continuity of the Convention's authorized operations.

The Convention has prepared a Proposed Act 8681 / Act 9060 Legislative Correction Matrix identifying the provisions requiring review and recommended areas for corrective action. A copy is enclosed for the Legislature's consideration and to assist Legislative Legal Counsel in its review.

Given the Convention's February 28, 2027 deadline and the approaching close of Fiscal Year 2026, we respectfully request expedited consideration of these matters.

The Sixth Constitutional Convention remains committed to working cooperatively with the Legislature, the Elections System of the Virgin Islands, and other appropriate governmental entities to ensure that the remaining constitutional process is conducted pursuant to a clear, consistent, and legally sound statutory framework.

Thank you for your continued assistance and support of this historic undertaking on behalf of the people of the Virgin Islands.

Respectfully,

**Stedmann
Hodge**

 Digitally signed by Stedmann
Hodge
Date: 2026.09.13 22:59:58
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Stedmann Hodge, Jr.

Acting President

Virgin Islands Sixth Constitutional Convention