

**BILL NO. 35-0340**

**Thirty-Fifth Legislature of the Virgin Islands**

**September 23, 2024**

An Act renewing and extending the state of emergency in the Virgin Islands based on the power and energy crisis for an additional 60 days from September 20, 2024, through November 19, 2024

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**PROPOSED BY:** Senators Novelle. E. Francis, Jr., and Angel L. Bolques, Jr.  
by Request of the Governor

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1       **WHEREAS**, title 23 Virgin Islands Code, section 1005(a), vests in the Governor of the  
2 Virgin Islands the responsibility for meeting the dangers to the Territory of the Virgin Islands  
3 and its people presented by emergencies or major disasters; and

4       **WHEREAS**, for months leading up to April 2024, the inability of independent  
5 government agencies to timely pay the Virgin Islands Water and Power Authority (WAPA) for  
6 its services impacted WAPA's ability to pay its critical vendors, resulting in curtailing of power  
7 generation; and

8       **WHEREAS**, on April 22, 2024, the Governor issued Executive Order 537-2024,  
9 declaring a state of emergency to avert an emergency crisis in the Virgin Islands; and

10       **WHEREAS**, the Governor, on May 22, 2024, to protect the lives and property of the  
11 residents of the Territory, found it necessary to renew and extend the state of emergency for an  
12 additional 30 days through Executive Order 537a-2024; and

13       **WHEREAS**, on June 14, 2024, the Governor requested an additional 90-day extension  
14 from the Legislature of the Virgin Islands; and

1           **WHEREAS**, on June 27, 2024, the Legislature of the Virgin Islands passed Bill No. 35-  
2 0292 and approved the request to extend the state of emergency through September 19, 2024;  
3 and

4           **WHEREAS**, Governor Albert Bryan Jr. approved and signed Bill No. 35-0292, and it is  
5 now Act No. 8839;

6           **WHEREAS**, pursuant to title 23 Virgin Islands Code, section 1005(d), to extend the state  
7 of emergency beyond the first two 30-day periods, the Governor must submit a request to the  
8 Legislature; and

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

12           **WHEREAS**, the Territory continues to work through the process of mitigating the severe  
13 threat of insufficient and unreliable power generation in the Virgin Islands; and

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

17           **WHEREAS**, based on the progress made thus far and achievements accomplished, the  
18 Governor r requests an extension for an additional 60-day period, beginning September 20,  
19 2024, through November 19, 2024; Now, therefore,

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

21           **SECTION 1.** Pursuant to title 23 Virgin Islands Code, section 1005(d), having received  
22 the request of the Governor of the Virgin Islands to extend the state of emergency, which  
23 includes the specific reasons for the extension, the time-period of the extension, and a plan of  
24 action to address the conditions that necessitate the extension of the state of emergency, the  
25 Legislature of the Virgin Islands, approves the extension and renewal of the state of emergency  
26 due to the power and energy crisis from September 20, 2024, until November 19, 2024, unless,

1 before the expiration of this renewal, the Governor of the Virgin Islands finds that a state of  
2 emergency no longer exists and, as a result, terminates the state of emergency.

3 **BILL SUMMARY**

4 The purpose of this bill is to ratify the Governor's extension of the state of emergency in  
5 the Territory of the Virgin Islands due to the power and energy crisis for an additional 60 days  
6 from September 20, 2024, through November 19, 2024.

7 **BR24-1295/September 23, 2024/CBM**

8 **G35-087**