

# ACT NO. 897.9

BILL NO. 35-0428

## THIRTY-FIFTH LEGISLATURE OF THE VIRGIN ISLANDS

Regular Session

2024

An Act appropriating \$2,930,870 from the Indirect Cost Fund in the fiscal year October 1, 2024, to September 30, 2025, for the operating expenses of the Office of Management and Budget, the Virgin Islands Division of Personnel, and the Virgin Islands Departments of Finance and Property and Procurement; amending title 3, Virgin Islands Code, chapter 27 regarding the retirement of certain government employees and the re-employment of government retirees; amending Act No. 8681 regarding the Sixth Constitutional Convention; amending title 23 Virgin Islands Code, chapter 5 regarding requirements for gun license applications; amending Act No. 8875 regarding the payment of prior year obligations owed to Pafford Medical Services; amending title 19 Virgin Islands Code, chapter 16 regarding the Government Hospitals and Health Facilities Governing Board; amending Act No. 8918 regarding the implementation of certain provisions of the Agricultural Plan and for other purposes

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

**SECTION 1.** The following sum, or so much as may be necessary, is appropriated from the Indirect Cost Fund, in the fiscal year October 1, 2024, to September 30, 2025, for the operating expenses of the Office of Management and Budget, the Virgin Islands Division of Personnel, and the Virgin Islands Departments of Finance and Property and Procurement.

<b>2098 Indirect Cost Fund</b>	<b>FY 2025</b>
210 Office of Management and Budget	\$2,106,503
Total - 210 Office of Management and Budget	<b>\$2,106,503</b>
220 - V.I. Division of Personnel	\$530,867
Total 220 - V.I. Division of Personnel	<b>\$530,867</b>
390 V.I. Department of Finance	\$108,500
Total - 390 V.I. Department of Finance	<b>\$108,500</b>
600 V.I. Department of Property and Procurement	\$185,000

Total – 600 V.I. Department of Property and Procurement	<b>\$185,000</b>
<b>TOTAL 2098 – Indirect Cost Fund</b>	<b>\$2,930,870</b>

**SECTION 2.** Title 3 Virgin Islands Code, chapter 28a, section 754, subsection (c) is amended by:

(a) ~~inserting “wastewater treatment plant operators and technicians, solid waste and sanitation technicians employed by the Virgin Islands Waste Management Authority after “carcinogens””;~~

(b) ~~inserting “peace officers as defined by title 5 Virgin Islands Code, section 3561; sworn members of the Capitol Police of the Legislature of the Virgin Islands and sworn members of the Executive Security Unit within the Virgin Islands Police Department,” after the first instance of “police officer”; and~~

(c) ~~inserting “emergency medical technicians, medical technicians, and radiology technicians employed by the Virgin Islands Department of Health or the Virgin Islands Hospitals and Health Facilities Corporation,” after “corrections officer”.~~

**SECTION 3.** Act No. 8681, as amended by Acts Nos. 8788 and 8814, is further amended as follows:

(a) in section 1, strike “Monday” and insert “Tuesday”;

(b) in section 2, subsection (c), strike “Mason’s Manual of Legislative Procedures” and insert “Robert’s Rules of Order”;

(c) in section 5, strike the language in subsection (c) and insert the following: “The Constitutional Convention shall use legal counsel that the Convention may secure for all revisions, modifications, determinations of legal sufficiency and legal matters.”;

(d) in section 8, insert the following subsection (c):

“(c) All funds appropriated to the Convention shall be allotted to the Legislature of the Virgin Islands for disbursement to the Convention upon request, for all documented expenses until such time an independent fiscal entity is chosen by the Convention”; and

(e) insert the following section 9:

**“SECTION 9.** The territorial public libraries in the District of St. Croix and the District of St. Thomas and St. John are designated as repositories for the permanent housing and maintenance of all official records produced by the Sixth Constitutional Convention of the Virgin Islands”.

**SECTION 4.** Title 23 Virgin Islands Code, chapter 5, section 455, is amended as follows:

- (a) in subsection (f)(1)(A), strike “institution of higher education.”; and
- (b) insert the following subsections (g), (h), (i), and (j):

“(g) All applicants for an initial gun license shall complete and submit to the Virgin Islands Police Department as part of their gun license application a certificate of completion for a handgun training class that includes the original signature of the class instructor.

(h) The Virgin Islands Police Department may not issue an initial or renewed gun license without receiving a certificate of completion of a handgun training class.

(i) Every ten years, a gun license holder shall complete and submit to the Virgin Islands Police Department a certificate of completion for a handgun training class that includes the original signature of the class instructor.

(j) The Commissioner of the Virgin Islands Police Department shall revoke the license of a gun holder, if the licensee is convicted of a felony.”

**SECTION 5.** ~~Act No. 8875 (Bill No. 35-0275) section 1 is amended by striking “October 1, 2023” and inserting “March 1, 2023”.~~

**SECTION 6.** (a) Title 3 Virgin Islands Code, chapter 27, section 706(d) and (e) is amended by striking “36” and inserting “72”; and

(b) title 3 Virgin Islands Code, chapter 28A, section 755(d) and (e) is amended by striking “three” and inserting “six”.

**SECTION 7.** (a) Act No. 8916, (Bill No. 35-0376) section 1, page 4, subsection L is amended by striking line item, ‘OVA VETERANS MEDICAL AND BURIAL EXPENSES’ and inserting ‘VETERANS EMERGENCY AND MAINLAND TRANSPORTATION ACCOUNT’;

(b) title 33 Virgin Islands Code, section 3038, as amended by Act No. 8921 (Bill No. 35-0087) section 1, is further amended as follows:

(1) insert the following language at the end subsection (a), ‘The fund shall consist of an annual appropriation by the Legislature of the Virgin Islands, any grants, contributions, gifts and bequests, federal or local.’; and

(2) insert the following language at the end of subsection (c), ‘Only economy or coach class ticket fares are reimbursable.’;

(c) title 3 Virgin Islands Code, chapter 1, section 8(a), subsection (14), strike “Veterans Transportation Fund” and insert “Veterans Emergency and Mainland Transportation Account”.

**SECTION 8.** Title 19 Virgin Islands Code, part II, chapter 16, subchapter 1, section 244, subsection (h) is amended by striking “through the District Governing Boards”.

**SECTION 9.** Title 19 Virgin Islands Code, part II, chapter 16, subchapter 1, section 243 is amended by inserting the following subsection (j):

“(j) Notwithstanding subsections (b) and (g), the Government Hospitals and Health Facilities Corporation Board or either District Governing Board may act upon the vote of a majority of the members present and voting at a meeting.”

**SECTION 10.** Act No. 8936 (Bill No. 35-0390), is amended as follows:

(a) section 1, internal section 518 is amended:

(1) in subsections (b), (c), and (d) by striking “Virgin Islands Bureau of Internal Revenue (VIBIR)” and inserting “Office of the Lieutenant Governor, Division of Banking and Insurance”, and by striking “VIBIR” and inserting “Office of Lieutenant Governor, Division of Banking and Insurance and Financial Regulation”;

(2) by striking subsection (c); and

(3) in subsection (f) by inserting “of Banking and Insurance and Financial Regulation” after each instance of “Director”.

(b) section 2 is amended by striking “45” and inserting “90”.

**SECTION 11.** (a) Notwithstanding title 2 Virgin Islands Code, chapter 2, section 28(b), the University of the Virgin Islands may use \$300,000 from the balance in its Senior ROTC Program restricted account to fund the Senior Citizens Tuition program.

(b) Notwithstanding title 2 Virgin Islands Code, chapter 2, section 28(b), the University of the Virgin Islands may use \$250,000 from the balance in its UVI CELL Surveyor Program restricted account to fund the UVI Center for Excellence in Leadership and Learning (CELL), particularly UVI Cell's Culinary Arts Program costs.”

**SECTION 12.** Act No. 8918 (Bill No. 35-0378) is amended in section 3 by striking “University of the Virgin Islands’ Office of Sponsored Program.” and inserting, “Virgin Islands Department of Agriculture to hire critical positions to include the Local Food and Farm Coordinator under Mandates Nos. 1 and 3 of the Agriculture Plan. The Virgin Islands Department of Agriculture shall submit a listing of the positions created including titles and salaries to the Legislature of the Virgin Islands. The Local Food and Farm Coordinator shall be an employee of the Virgin Islands Department of Agriculture and report directly to the Local Food and Farm Advisory Committee.

**SECTION 13.** Resolution No. 1910 (Bill No. 35-0116) is amended as follows:

- (a) On page 2, in the second Whereas clause, insert "(AFB)" after "Thule Air Force Base";
- (b) On page 2, in the fifth Whereas clause, strike "Vitenam" and insert "Vietnam";
- (c) On page 3, before the first Whereas clause, strike "Aid" and insert "Aide", strike the comma after "Paiewonsky";
- (d) On page 3, in the fifth Whereas clause, strike "Buchannan" and insert "Buchanan";
- (e) On page 3, in the seventh Whereas clause, strike "acting" and insert "Acting";
- (f) On page 4, in the fourth Whereas clause, strike "7" after "December" and insert "6" and strike "had" and insert "have"; and
- (g) On page 4, in the fifth Whereas clause, strike the second occurrence of "Honorary Brigadier General" and insert "Lieutenant Colonel".

Thus passed by the Legislature of the Virgin Islands on December 18, 2024.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 19<sup>th</sup> day of December, A.D., 2024.



  
Novelle E. Francis, Jr.  
President

  
Carla J. Joseph  
Secretary

**Bill No. 35- 0428 is hereby approved.**

**SEAL**

**Witness my hand and the Seal of the Government of  
the United States Virgin Islands at Charlotte Amalie,  
St. Thomas, this \_\_\_\_\_ day of December, 2024 A.D.**

**Albert Bryan Jr.  
Governor**



**THE UNITED STATES VIRGIN ISLANDS**  
OFFICE OF THE GOVERNOR  
GOVERNMENT HOUSE  
**Charlotte Amalie, V.I. 00802**  
**340-774-0001**

**GOVERNOR'S OBJECTIONS**

**Bill No. 35-0428** is hereby approved except for the following item(s), part or parts, portion or portions thereof, which are hereby objected to and disapproved and deleted as marked on the Bill, pursuant to Section 9(d) of the Revised Organic Act of the Virgin Islands of 1954 as amended.

In **SECTION 2** by striking the section in its entirety:

“**SECTION 2.** Title 3 Virgin Islands Code, chapter 28a, section 754, subsection (c) is amended by:

(a) inserting ‘wastewater treatment plant operators and technicians, solid waste and sanitation technicians employed by the Virgin Islands Waste Management Authority after ‘carcinogens’

(b) inserting ‘peace officers as defined by title 5 Virgin Islands Code, section 3561, sworn members of the Capitol Police of the Legislature of the Virgin Islands and sworn members of the Executive Security Unit within the Virgin Islands Police Department,’ after the first instance of ‘police officer’; and

(c) inserting ‘emergency medical technicians, medical technicians, and radiology technicians employed by the Virgin Islands Department of Health or the Virgin Islands Hospitals and Health Facilities Corporation,’ after ‘corrections officer.’”

In **SECTION 5** by striking the section in its entirety:

“**SECTION 5.** Act No. 8875 (Bill No. 35-0275) section 1 is amended by striking ‘October 1, 2023’ and inserting ‘March 1, 2023.’”

Witness my hand and the seal of the Government of the Virgin Islands of the United States,  
at Charlotte Amalie, St. Thomas, Virgin Islands, this 21<sup>st</sup> day of December 2024.



A handwritten signature in blue ink, consisting of several loops and a long horizontal line extending to the right.

**Albert Bryan Jr.**  
**Governor**