

COMMITTEE ON HOUSING, TRANSPORTATION AND  
TELECOMMUNICATIONS

**BILL NO. 35-0181**

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

**October 18, 2023**

An Act to authorize the Government of the Virgin Islands, through the Commissioner of the Department of Public Works and the Commissioner of the Department of Property and Procurement, to identify suitable cemetery property on the Island of St. John within 180 days from the enactment of this act

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**PROPOSED BY:** Senator Angel L. Bolques, Jr.

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1       **WHEREAS**, the need for a public cemetery Land on the island of St. John is critical;

2       **WHEREAS**, the island of St. John, is currently facing a critical capacity issue with regard  
3 to the availability of public cemetery land that poses a significant challenge for residents and  
4 their families;

5       **WHEREAS**, the Government of the Virgin Islands recognizes the importance of  
6 ensuring its residents have access to dignified and accessible final resting places for their loved  
7 ones and is committed to addressing this pressing issue;

8       **WHEREAS**, the availability of accessible cemetery land is an essential component of a  
9 compassionate and caring community, enabling residents to honor and commemorate their  
10 loved ones with dignity and respect; and

1           **WHEREAS**, the Island of St. John has experienced rapid population growth in recent  
2 years, leading to an increased demand for cemetery land to meet the burial needs of a growing  
3 community; *Now, Therefore,*

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

5           **SECTION 1.** The Government of the Virgin Islands, through the Commissioner of the  
6 Department of Public Works and the Commissioner of the Department of Property and  
7 Procurement, shall identify suitable cemetery property on the island of St. John within 180 days  
8 from the enactment of this act.

9           **SECTION 2.** The selected property for the cemetery must adhere to the following  
10 criteria:

11           (a) **Main Entrance and Exit Roads:** The property must have a well-defined main  
12 entrance road and an exit road to facilitate ease of access for visitors.

13           (b) **Accessibility:** The location must be easily accessible to residents and visitors, with  
14 proper road infrastructure for transportation of funeral processions and visitors.

15           (c) **Size and Capacity:** The property must have enough space to accommodate  
16 projected burial needs over an extended period, considering factors such as population growth  
17 and cultural practices.

18           (d) **Environmental Impact:** To minimize environmental impact, the site must be  
19 situated away from sensitive ecosystems, water sources, and areas prone to erosion or flooding.

20           (e) **Distance from Residential Areas:** The cemetery may balance accessibility with  
21 minimal disruption to nearby residents regarding noise, traffic, and other factors.

22           (f) **Cultural and Religious Considerations:** The site must accommodate cultural and  
23 religious practices related to burials and be acceptable to diverse communities.

1 (g) **Infrastructure:** Basic infrastructure, including water supply, sewage, and  
2 electricity, must be available or feasible for future development.

3 (h) **Topography:** The property must have a suitable topography for burial purposes,  
4 avoiding steep slopes, rocky terrain, or other difficult land conditions.

5 (i) **Aesthetics:** The site must promote a peaceful and dignified atmosphere,  
6 considering natural beauty and landscaping potential.

7 (j) **Future Expansion:** The chosen site must allow for potential expansion to prevent  
8 the need for additional sites in the future.

9 (k) **Ownership and Legal Considerations:** Potential property for acquisition must  
10 have clear ownership and legal title to avoid disputes or complications regarding land rights  
11 and purchase by the Government of the Virgin Islands.

12 (l) **Limited Earth Change Permits:** Priority consideration must be given to property  
13 that may be used for a cemetery without major earth change permits to expedite establishment  
14 and minimize environmental impact.

15 (m) **Permits and Regulatory Compliance:** The property must comply with all local  
16 regulations and permits requirements for establishing a cemetery, including zoning laws and  
17 specific cemetery-related permits.

18 (n) **Historical and Archaeological Considerations:** The archaeological assessment of  
19 the site required to be undertaken by the property owner before the sale to the Government  
20 must show that there are no significant historical or cultural artifacts or remains that may be  
21 impacted.

22 (o) **Long-Term Planning:** A long-term plan for the cemetery must be completed by  
23 the Commissioner of the Department of Public Works and the Commissioner of the Department

1 of Property and Procurement detailing considerations for expansion, maintenance, and  
2 accommodating future generations of residents.

3 (p) **Alternative Options:** The property selected must be capable of accommodating  
4 alternative burial methods and technologies that optimize land usage, such as eco-friendly  
5 burial practices or cremation gardens.

6 **SECTION 3.** (a) The Commissioner of the Department of Public Works and the  
7 Commissioner of the Department of Property and Procurement shall implement and oversee  
8 the selection and purchase of the cemetery property.

9 (b) The Commissioner of the Department of Property and Procurement shall submit a  
10 progress report on property identification and acquisition to the Legislature of the Virgin  
11 Islands not later than 180 days after enactment of this act.

12 **SECTION 4.** The sum of \$3,500,000 is appropriated for the fiscal year ending  
13 September 30, 2024, from the St. John Capital Improvement Fund to the Department of  
14 Property and Procurement for the purchase of the property identified by the Commissioner of  
15 the Department of Public Works and the Commissioner of the Department of Property and  
16 Procurement to carry out this Act.

17 **BILL SUMMARY**

18 This bill seeks to direct the Government of the Virgin Islands, through the Commissioner  
19 of the Department of Public Works and the Commissioner of the Department of Property and  
20 Procurement, to identify suitable cemetery property on the Island of St. John within 180 days  
21 from the enactment of this act.

22 Section 3 directs the Commissioners of the Department of Public Works and the  
23 Department of Property and Procurement to implement and oversee the selection and purchase  
24 of the cemetery property within 180 days of enactment of this act.

1           Section 4 appropriates \$3,500,000 for the purchase of the property identified by the  
2 Commissioner of the Department of Property and Procurement to carry out the provisions of  
3 this Act.

4   **BR23-0837/October 13, 2023/PFA**