

# ACT NO. 7625

**BILL NO. 30-0338**

## **THIRTIETH LEGISLATURE OF THE VIRGIN ISLANDS**

**Regular Session**

**2014**

An Act approving the use of funds from the Community Facilities Trust Fund for various community facilities and urban development projects throughout the Territory

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**WHEREAS**, the Virgin Islands, through Governor John P. de John, Jr. entered into and executed "Agreement between DIAGEO USVI, Inc., and The Government of the United States Virgin Islands" ("Agreement") on June 17, 2008; and

**WHEREAS**, the Agreement was ratified and approved by the Twenty-Seventh Legislature on July 11, 2008, under Act No. 7012, which was approved by the Governor on July 24, 2008; and

**WHEREAS**, pursuant to section 6.1.6(b)(iii) and section 7.1 of the Agreement, three percent of the Annual Gross Cover Over Receipts must be deposited in a Communities Facilities Trust account, also referred to "Community Facilities Trust Account", to be established and administered by the Virgin Islands Public Finance Authority; and

**WHEREAS**, Section 7.1 of the Agreement further established an Advisory Board for Community Service Facilities and Urban Redevelopment Projects for the development, operations and maintenance of community and/or sports facilities or urban redevelopment projects on St. Croix and similar facilities and projects on St. Thomas or St. John which must be recommended by the Governor and subject to approval by the Legislature to be funded by the Communities Facilities Trust account; and

**WHEREAS**, the Community Facilities Trust Account, as of December 31, 2013, held a balance of approximately \$5,200,000 for certain projects in furtherance of section 7.1 of the Agreement; and

**WHEREAS**, the Community Facilities Trust Fund generates approximately \$3,000,000 annually and should generate approximately \$2,250,000 by September 30, 2014; and

**WHEREAS**, the Community Facilities Trust Fund's approximate balance as of December 31, 2013, of \$5,200,000 combined with the approximate balance to be generated by September 30, 2014, of \$2,250,000 equals \$7,450,000; and

**WHEREAS**, the Governor by this Act recommends funding for several projects, as further set forth below, in accordance with section 7.1 of the Agreement for which Legislative approval is required; Now, Therefore,

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

**SECTION 1.** Pursuant to Act No. 7012 ratifying the Agreement dated June 17, 2008, between Diageo USVI, Inc. and the Government of the United States Virgin Islands establishing the Community Facilities Trust account, the Legislature approves the projects and the corresponding sums from the Community Facilities Trust Account established and administered by the Virgin Islands Public Finance Authority for the purposes expressly provided in paragraphs (1) through (9) to:

(1) the Virgin Islands Police Department, in the amount of \$1,000,000 for the Territorial-wide camera installation and the Police Commissioner shall submit quarterly reports to the Legislature of the Virgin Islands commencing September 2014, which must include the cost, implementation plans, location, maintenance and a timeline for the installation of the cameras;

(2) the Department of Public Works in the total amount of \$2,000,000, \$1,000,000 each for the District of St. Thomas & St. John and the District of St. Croix, for road paving;

(3) the Virgin Islands Port Authority in the amount of \$500,000 for the Schooner Bay Channel dredging project in Christiansted on the island of St. Croix;

(4) the Department of Public Works, in the amount of \$350,000 for maintenance of public cemeteries 45% for the district of St. Thomas and St. John and 55% for the district of St. Croix, and \$75,000 of the allocation for the district of St. Croix must be used for the employment of disengaged youth;

(5) to the Public Finance Authority in the amount of \$150,000 to conduct a due diligence, feasibility study to assess the need and readiness of the community to construct a multipurpose sports complex on the island of St. Thomas; and

(6) to the Virgin Islands Housing Authority in the amount of \$100,000 to further the demolition and disposition of site of the former Ralph de Chabert Housing Community on the island of St. Croix.

(7) to the Department of Education \$1,186, 212 for the Ivanna Eudora Kean High School track;

(8) to the Department of Public Works \$905,614 for White Lady White Bay Road, Smith Bay Cemetery and Hurricane Earl debris removal; and

(9) to the Virgin Islands Fire Service \$1,258,174 towards the construction of the fire station in Estate Ross.

**SECTION 2.** The funds approved for the projects identified in section 1 remain available until expended.

Thus passed by the Legislature of the Virgin Islands on June 19, 2014.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 23<sup>rd</sup> Day of June, A.D., 2014.

Shawn-Michael Malone  
President

Janette Millin Young  
Legislative Secretary



Bill No.30-0338 is hereby approved.

Witness my hand and the Seal of the Government of the United States Virgin Islands at Charlotte Amalie, St. Thomas, this 11th day of July A.D., 2014.

John P. de Jongh, Jr.  
Governor