

# ACT NO. 8473

BILL NO. 34-0106

## THIRTY-FOURTH LEGISLATURE OF THE VIRGIN ISLANDS

Regular Session

2021

An Act amending Act No. 8365, as amended by Act No. 8411; and Act No. 8451; amending Act No. 8451, section 2(a); amending Act No. 8347, section 1, relating to the fiscal year 2021 operating budget for the Government of the Virgin Islands, to appropriate \$24,423,321 to several departments and agencies to pay outstanding obligations; and providing for other related purposes

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

**SECTION 1.** Act No. 8365, section 1 is amended in the following instances:

(a) Subsection (A), is amended as follows:

(1) In the line item "Personnel & Fringe Benefits", strike "\$12,063,815" and insert "\$11,563,815"; and

(2) After the line item, "Partial Payment of the settlement in *Vanterpool d/b/a Vanterpool Enterprises v. Government of the Virgin Islands* \$3,533,333", as added by Act No. 6451 § 1(a), insert two line items that read as follows

"STT Facility Renovations \$500,000".

"Partial Payment to Medical Imaging, Inc. for the settlement of SX- -2021-CV-28 *Medical Imaging Inc. v. V.I. Government Hospitals and Health Facilities Corporation and the Governor Juan F. Luis Hospital and Medical Center* \$2,350,000".

(3) In line item "Total Org 110 Department of Justice", as amended by Act No. 6451 § 1(a), strike "\$21,191,645" and insert "\$23,541,645".

(b) Subsection (D), is amended as follows:

(1) In the line item "Personnel & Fringe Benefits", strike "\$4,117,563" and insert "\$3,417,563";

(2) In the line item "Operating Expenses", strike "\$1,611,501" and insert "\$2,311,501";

(3) In the line item "Funding for Additional Vacancies", strike "\$3,000,000" and insert "\$1,700,000";

(4) In the line item "Funding for Wage Adjustments", as amended by Act No. 8411 § 1(a), strike "\$9,760,658" and insert "\$7,760,658";

(5) Insert the following two line items after "Single Payer Utility Fund \$18,000,000", as amended by Act No. 8411 § 1(a)(2):

"Virgin Islands Water and Power Authority on behalf of Virgin Islands Waste Management Authority ("VIWMA") to pay VIWMA's outstanding obligations \$5,000,000"

"Outstanding Workers' Compensation to Medical Providers \$2,000,000".

(6) Insert a line item after "DOT St. Croix Landmark Society – Whim \$35,000" to read "DOT St. Croix Landmark Society \$125,000".

(7) Insert a line item after "SPR VI Olympic Committee \$300,000" to read "SPR VI Olympic Committee –Virgin Islands Olympic Sports Complex Estate Nazareth (local match)\$2,000,000".

(8) In the line item "Total ORG 210 Office of Management and Budget", as amended by Act No. 8411 § 1(a)(3) and Act No. 6469 § 1(a)(2), strike "\$81,257,554" and insert "\$87,082,554".

(c) Subsection (G) is amended as follows:

(1) In the line item "Personnel & Fringe Benefits", strike "\$22,604,214" and insert "\$22,074,214";

(2) Insert a line item after "Utilities" to read "Acquisition of Specialty Vehicles \$1,500,000"; and

(3) In the line item "Total ORG 240 VI Fire Services" strike "\$23,126,380", and insert "\$24,096,380";

(d) Subsection (J) is amended as follows:

(1) Insert a line item after "OTAG National Guard Pension Fund \$80,000" to read "Outstanding Hurricane Active-Duty Payment \$1,093,691"; and

(2) In the line item "Total ORG 280 Office of the Adjutant General", strike "\$1,913,127" and insert "\$3,006,018".

(e) Subsection (K), as amended by Act No. 8411, section 1(b), is amended as follows:

(1) Insert a line item after “Local Match for Federal Funds for Cemeteries pursuant to 3 V.I.C. §8c. \$350,000” to read “Veterans Crypt & Crematorium \$700,000”; and

(2) In the line item “Total ORG 290 Office of Veterans Affairs”, strike “\$1,456,096” and insert “\$2,156,096”.

(f) Subsection (L) is amended as follows:

(1) In the line item “Personnel & Fringe Benefits”, strike “\$6,151,225” and insert “\$6,021,225”;

(2) Insert a line item after “Operating Expenses \$744,292” to read “Purchase of new Lt. Governor Office \$1,500,000”; and

(3) In the line item “Total ORG 300 Office of the Lieutenant Governor”, strike “\$6,895,517” and insert “\$8,265,517”.

(g) Subsection (M) is amended as follows:

(1) In the line item “Personnel & Fringe Benefits”, strike “\$10,005,628” and insert “\$9,305,628”; and

(2) In the line item “Operating Expenses”, strike “\$2,434,738” and insert “\$3,134,738”.

(h) Subsection (N) is amended as follows:

(1) Insert a line item to read “Settlement of Outstanding Judgment \$103,000”; and

(2) In the line item “Total ORG 360 Bureau of Motor Vehicles”, strike “\$2,186,216” and insert “\$2,289,216”.

(i) Subsection (R), , section 1(c), is amended as follows:

(1) In the line item “Personnel & Fringe Benefits”, strike “\$150,826,050” and insert “\$144,826,050”;

(2) Strike “Utilities” and insert the following line item and language:

“No Virgin Islands Child Goes Hungry” feeding initiative service workers \$200,000

A payment of \$1,000 must be remitted to each service worker of the “No Virgin Islands Child Goes Hungry” feeding initiative who worked from March 1, 2020 to May 13, 2021. Payment must be remitted by December 31, 2021.”

(3) In the line item “Total ORG 400 Department of Education”, as amended by Act No. 8411§ 1(d) and Act No. 8451§ 1(c), strike “\$164,165,173” and insert “\$158,365,173”.

(j) Subsection (T) is amended as follows:

(1) Insert a line item to read “Outstanding Rental Fees due Island Laundries Ltd \$11,200”.

(2) In the line item “Total Org 520 Law Enforcement Planning Commission”, strike “\$763,736” and insert “\$774,936”.

(k) Subsection (V) is amended as follows:

(1) In the line item “Personnel & Fringe Benefits”, strike “\$10,665,380” and insert “\$9,741,955.89”;

(2) In the line item “Operating Expenses”, strike “\$7,931,453” and insert “\$8,854,877.11”;

(3) Insert the following line items before “Utilities”:

“Engineering Services \$175,000”

“Thermoplastic Pavement Marking \$117,000”

“Asphalt Supply-Territorial \$179,200”

“Landscape Projects-Territorial \$300,000”

“Guardrail Supplies- Territorial \$60,000”

“Eastern Cemetery Crypt \$300,000”

“Roadside Brush Clearing \$1,800,000”

“Lighting for the Melvin Evans Highway \$1,500,000”

“Renovation of Downtown Charlotte Amalie Bathrooms  
\$1,000,000”

(4) In the line item “Total ORG 610 Department of Public Works”, as amended by Act No. 8411 § 1(e), strike “\$20,165,133” and insert “\$25,696,333”.

(l) Subsection (W) is amended as follows:

(1) In the line item “Personnel & Fringe Benefits”, strike “\$19,741,362” and insert “\$19,211,362”;

(2) Insert the following line items before "Utilities":

"Payment of Off-Island Residential Care \$217,662"

"Mental Health Services Prior Year Outstanding Obligations \$97,968"

"Payment of Outstanding Medical Settlements \$715,029"

(3) In the line item "Total ORG 700 Department of Health", as amended by Act No. 8411 § (1)(f), strike "\$33,057,384" and insert "\$33,558,043".

(m) Subsection (X) is amended as follows:

(1) In the line item "DHS to Hire Nurses", strike "\$1,149,035" and insert "\$259,402";

(2) Insert the following seven line items before "Utilities":

"FF&E and General Maintenance for YRC and Group Home \$1,000,000"

"MAP-MMIS \$573,295"

"MAP-Claims \$750,000"

"CHG Contractual Services \$889,633"

"Herbert Grigg Home for the Aged, 7 Passenger Van \$34,200"

"Herbert Grigg Home for the Aged, ADA Accessible Bus (2 wheelchairs, 12 passengers) \$92,000"

"DHS Homemaker Program – STT, 15 Passenger Transit Van \$50,000"

(3) In the line item "Total ORG 720 Department of Human Services", strike "\$56,924,749" and insert "\$59,424,244".

(n) Subsection (Y) is amended as follows:

(1) In the line item "Personnel & Fringe Benefits", strike "\$5,114,539" and insert "\$4,908,539"; and

(2) In the line item "Operating Expenses", strike "\$1,431,608" and insert "\$1,637,608".

(o) Subsection (Z) is amended as follows:

(1) Insert the following line item before "Utilities":

"Prior Year Obligations for Animal Shelters-Territorial \$518,325"

(2) In the line item "Total ORG 830 Department of Agriculture" strike "\$4,279,119" and insert "\$4,797,444".

(p) Subsection (AA) is amended as follows:

(1) In the line item "Personnel & Fringe Benefits", strike "\$6,663,571" and insert "\$6,063,571".

(2) Insert the following two line items before "Utilities":

"Frederiksted Waterfront Repair & Midre Cummings Park Revitalization  
\$1,500,000"

"Lighting for Strand Street Frederiksted Waterfront \$350,000"

(3) In the line item "Total ORG 840 Department of Sports, Parks & Recreation", strike "\$7,434,242" and insert "\$8,684,242".

(q) C/CNTR AGENCY/MISC ITEM FY 2021, as amended in Act 8411, section 1 (i) and section 5, is amended as follows:

(1) Insert the following three line items:

"St. Croix Animal Welfare Center – Subsidized Spay/Neuter Program \$50,000"

"Humane Society of St. Thomas – Subsidized Spay/Neuter Program \$50,000"

"St. John Animal Care Center – Subsidized Spay/Neuter Program \$20,000"

(2) Insert a line item after "M2118 OOG Economic Development Authority \$5,013,344" to read "M2118 OOG Economic Development Authority 8% Restoration \$363,100"

(3) Insert the following four line items after "NEW SPR Fox and Hounds \$7,000":

"New SPR St. Croix Cricket Field – Estate Bethlehem \$2,175,000"

"New SPR Nuff Respect Basketball Youth Club \$10,000"

"New V.I. Port Authority – Repair Concrete Storm Panels @ Ann E.  
Abrahamson Marine Terminal – St. Croix \$400,000"

"New Ivanna Eudora Kean High School Alumni Association – 50<sup>th</sup>  
Anniversary Celebration \$50,000"

(4) In line item "Total Miscellaneous Section", strike "\$28,180,467" and insert "\$31,298,567", and in line item "Grand Total Miscellaneous Section and

Miscellaneous Scholarship – NL”, strike “\$29,726,033” and insert “\$32,844,133”.

**SECTION 2.** Act No. 8341, section 1 is amended in the following instances:

(a) Insert the following two line items after “7110 Schneider Regional Medical Center \$25,000,000”:

“Schneider Regional Medical Center – Disaster Recovery Revolving Fund \$150,000”

“Schneider Regional Medical Center Technology Enhancement and Capital Equipment \$1,390,000”.

(b) Insert the following three line items after “7110 Governor Juan F. Luis Hospital and Medical Center \$23,500,000”:

“Governor Juan F. Luis Hospital and Medical Center – Disaster Recovery Revolving Fund \$150,000”

“Governor Juan F. Luis Hospital and Medical Center Technology Enhancement and Capital Equipment \$700,000”

“Lease agreement between Juan F. Luis Hospital and the Rodgers family for Remainder 2A Sion Farm for the purposes of a staging area needed during the rebuilding of the JFL Hospital \$390,000”

(c) In the line item “Total Hospitals and Health facilities Corporation”, strike “\$48,500,000” and insert “\$51,280,000”.

(d) In the line item “General Fund”, strike “\$48,500,000” and insert “\$51,280,000”.

**SECTION 3.** Act No. 8451, section 2, subsection (a) is amended by striking “\$638,259,749” and inserting “\$650,416,919”.

**SECTION 4.** Act No. 8347, section 1 is amended in the following instances:

(a) In the line item “Contribution to the General Fund”, strike “\$43,219,112” and insert “\$33,219,112”;

(b) In the line item “Total Department of Finance”, strike “\$43,219,112” and insert “\$33,219,112”;

(c) Insert the following two line items before “Subtotal Internal Revenue Matching Fund \$1,000,000”:

“GERS OUTSTANDING EMPLOYER OBLIGATIONS \$10,000,000”

“TOTAL TRANSFER TO GERS \$10,000,000”

(d) The sums appropriated in subsection (c) constitute a payment towards the outstanding, unpaid employer contributions from 1991-2009 due pursuant to the ruling in Civil No. 1981-5 (D.V.I. Apr. 3, 2020).

**SECTION 5.** Act No. 8348, section 1, as amended by Act No. 8469, section 2, is amended as follows:

(a) Strike “\$24,745,992” and insert “\$24,942,992”; and

(b) Insert a line item that reads as follows:

“GERS Employer Contribution \$197,000”.

**SECTION 6.** (a) Not later than 10 days after enactment of this act, the Department of Labor shall submit to the Office of Management and Budget a list of all medical providers owed outstanding vendor payments, along with the amount of the debt owed each provider.

(b) Not later than 30 days after the appropriation in Section 1(b)(5)(A) has been disbursed, the Department of Labor shall provide a report to the Legislature documenting the payments to the medical providers for Worker's Compensation services.

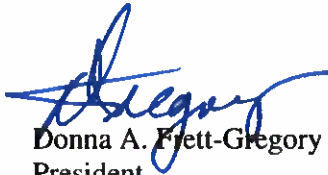
**SECTION 7.** The sum of \$400,000 is appropriated in the fiscal year ending September 30, 2021, from the St. John Capital Improvements Fund to the Virgin Islands Port Authority for the architectural and engineering design of a multipurpose use facility to support cultural events and other community purposes on the island of St. John.

**SECTION 8.** With the exception of the sums appropriated in Section 1, Subsection (m)(2)(b) MAP-MMIS and (m)(2)(c) MAP-Claims, affecting Act 8365, Section 1, Subsection X, all sums in this act remains available until expended.

Thus passed by the Legislature of the Virgin Islands on September 17, 2021.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 19<sup>th</sup> Day of September, A.D., 2021.



  
Donna A. Flett-Gregory  
President

  
Genevieve R. Whitaker  
Secretary





**Bill No. 34-0106 is hereby approved.**

**Witness my hand and the Seal of the Government of  
the United States Virgin Islands at Charlotte Amalie,  
St. Thomas, This 21<sup>st</sup> day of September, 2021 A.D.**

A handwritten signature in blue ink, appearing to read "Albert Bryan Jr.", is written over the printed name.

**Albert Bryan Jr.  
Governor**