

COMMITTEE ON GOVERNMENT AFFAIRS, VETERANS,
ENERGY, AND ENVIRONMENTAL PROTECTION

06/15/2018-REASSIGNED BACK TO THE COMMITTEE ON GOVERNMENT AFFAIRS,
VETERANS, ENERGY, AND ENVIRONMENTAL PROTECTION

06/14/2018-SPECIAL ORDERED TO THE FLOOR

BILL NO. 32-0185

Thirty-Second Legislature of the Virgin Islands

March 23, 2018

An Act amending title 23 Virgin Islands Code, chapter 10 section 1005 relating to the Governor of the Virgin Islands and emergencies and major disasters

PROPOSED BY: Senators Tregenza A. Roach, Marvin A. Blyden,
Dwayne M. DeGraff, Myron D. Jackson, and
Positive T. A. Nelson

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 23 Virgin Islands Code, chapter 10, subchapter I, section 1005,
is amended as follows:

(a) In subsection (d) by:

(1) Inserting after the third sentence, the following: “The Governor may
renew the initial state of emergency for one additional 30-day period. But to extend
the state of emergency beyond the two 30-day periods, before the expiration of the
second 30-day period, the Governor shall submit legislation to the Legislature
requesting an extension of the state of emergency. The request must include the
specific reasons for the extension, the time-period of the extension, and a plan of
action to address the conditions that necessitate the extension of the state of

1 emergency. All subsequent requests for an extension must be submitted to the
2 Legislature before the expiration of the extension that is in effect. The Legislature
3 shall consider a request for an extension of the state of emergency not later than
4 five days after its receipt. If the Legislature fails to consider the request within the
5 five-day period, the state of emergency is automatically extended for an additional
6 30 days.”

7 (2) In the penultimate sentence by inserting “or acts” after “All
8 proclamations issued”; by striking “shall” and inserting “must”; and by inserting
9 “the” after “possible”;

10 (3) In the last sentence by striking “A” where it first appears and
11 inserting “All”; by adding an “s” to “proclamation”; by inserting “or acts” after
12 “proclamation”; and by striking “shall” and inserting “must”.

13 (b) By adding a subsection “(h)” that reads:

14 “(h) The Legislature may limit or modify the powers granted to the Governor
15 in subsections (b) and (g) in any act passed pursuant to subsection (d).”

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17 **BILL SUMMARY**

This bill provides for the termination of a state of emergency after two 30-day periods unless the Governor submits legislation to the Legislature requesting an extension beyond the initial 30-day period. The Legislature has five days to act on the request for an extension. If the Legislature fails act on the request, the extension is automatically granted for another 30-day period. The bill also adds a subsection (h) that provides that the Legislature may limit or modify the power granted to the Governor in subsections (b) and (g) in any act providing for an extension of the state of emergency.

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