MEMORANDUM No. 21-012

TO: Members of the Committee on Rules and Judiciary
    The Honorable Kenneth L. Gittens, Vice Chair
    The Honorable Novelle E. Francis, Jr.
    The Honorable Carla J. Joseph
    The Honorable Franklin D. Johnson
    The Honorable Steven D. Payne, Sr.
    The Honorable Genevieve R. Whitaker

FROM: Milton E. Potter
    Chairman, Committee on Rules and Judiciary

DATE: April 21, 2021

RE: REVISED-5 Agenda | Committee on Rules and Judiciary

The Committee on Rules and Judiciary has scheduled a meeting for Thursday, April 22, 2021 at 9:30am in the Earle B. Ottley Legislative Chambers on St. Thomas to consider the following:

Block I: 9:30am -10:00am
Bill No. 34-0019. A Resolution honoring and commending Ronaqua Russell for her heroic achievements and extraordinary performance that resulted in her becoming the first African-American female aviator in the United States Coast Guard to receive the Air Medal (Sponsored by Senators: Donna Frett-Gregory, Novelle Francis, Jr., Kenneth Gittens, Franklin Johnson, Janelle Sarauw)
Block II: 10:00am – 10:45am

Bill No. 34-0040. An Act amending title 27, chapter 1 of the Virgin Islands Code by adding a new subchapter Va. Establishing the Nurse Licensure Compact to create a multi-state nursing license (Sponsored by: Senator Kurt A. Vialet)

Bill No. 34-0042. An Act repealing title 3 Virgin Islands Code, chapter 23, section 415 relating to the Boards of Examiners for Medicine, Surgery, Dentistry, Pharmacy, Nursing, Optometry, Physical Therapy, Chiropractic and Podiatry and reestablishing the respective boards establishment of and reestablishing the language in Title 27 Virgin Islands Code, Chapter 1, section 1a; and establishing a temporary board (Sponsored by: Senator Novelle E. Francis, Jr.)

Block III: 10:45am – 11:15am

Bill No. 34-0041. An Act amending Title 27, Chapter 1, subchapter I; by amending section 7 relating to the continuing medical education requirements for permanent and institutional licensees, by inserting a new section 55 relating to the Commissioner of Health’s authorization to issue licenses to radiological technologists, a new section 56 relating to the Good Samaritan Law, and a new section 57 relating to penalties; amending subchapter XI relating to the practice of podiatry; and by making technical amendments (Sponsored by: Senator Novelle E. Francis, Jr.)

Block IV: 11:15am – 11:45am

Bill No. 34-0028. An Act amending Title 19 Virgin Islands Code, chapter 37, subchapter III adding section 870 to authorize registered nurses and certified registered nurse practitioners employed by a certified home health agency, hospice, or nursing home to determine and pronounce death under certain specified conditions; and requiring the Department of Health to promulgate implementing regulations (Sponsored by: Senator Novelle E. Francis, Jr.)

Block V: 11:45am – 12:15pm

Bill No. 34-0021. An Act amending Title 3 Virgin Islands Code, Section 273(a) relating to the Public Services Commission to reestablish the Commission as a semi-autonomous agency; amending Title 30, Section 1 relating to public utilities subject to regulation to eliminate from regulation as utilities lighterage and cargo, dockage, wharfage and related cargo handling services, and passenger services by motors busses or trucks, to subject waste management service provided by the Virgin Islands Waste Management Authority to regulation by the Public Services Commission; to repeal sections 15a through 15d abolishing transportation rate reductions for seniors and the standard residential base rate for use of electricity, to increase the penalty for each violation by a utility from $100 to $1,000; amending section 45 to provide for the appointment, qualifications and duties of an executive director of the Public Services Commission; amending section 104 relating
to the executive director of the Virgin Islands Water and Power Authority to require additional qualifications and duties, to authorize the Authority’s governing board to hire counsel and contract with a corporation to perform the duties of the executive; amending section 116(a) to increase the amount at which the Virgin Islands Water and Power Authority may purchase supplies and services without competitive bidding from $2,500 to $10,000; amending section 118 relating to reports to require the Virgin Islands Water and Power Authority to submit audited financial statements to the Governor and the Legislature by January 31 annually; amending section 121 relating to the lack of jurisdiction of agencies over the Authority to make rates, fees, rentals, and other charges of the Authority not subject to the jurisdictional limitation; amending section 122 relating to the applicability of the Public Services Commission’s regulation of the Virgin Islands Water and Power Authority to make the Commission’s regulatory authority applicable to public utility Independent instrumentalities of the Government; amending section 125 relating to the reading of electric service meters to require the Authority to make the reading and date available on the customer’s bill within 30 days after the reading; adding section 128 to require the Authority to make quarterly filings of the LEAC to the Public Services Commission; directing the Virgin Islands Water and Power Authority to hire a turnaround management company to make an assessment of the Authority and to make recommendation; adding chapter 9 to provide for resolution of customer complaints against wireless telecommunication providers; amending title 12, section 68a to add a subsection (b) to direct government agencies that install, conduits within the public rights-of-way to ensure access to the conduits by multiple communication provider; amending Title 29, section 500m relating to the lack of jurisdiction of other agencies over the Waste Management Authority to negate a statutory construction that would preclude the Public Services Commission from regulating the Waste Management Authority; amending title 3, section 273 by adding subsections (g) and (h) to authorize the Public Services Commission to sue and be sued, to retain counsel, and to grant the Commission members immunity from personal liability; and for other related purposes. (Sponsored by: Senators Janelle Sarauw, Marvin Blyden, Samuel Carrión, Novelle Francis, Jr., Alma Francis-Heyliger, Donna Frett-Gregory, Kenneth Gittens, Javan James, Sr., Franklin Johnson, and Kurt Vialet)