



The Honorable  
**Alicia V. Barnes**  
**Secretary**  
33<sup>rd</sup> Legislature

# Legislature of the Virgin Islands

36-C STRAND STREET  
ST. CROIX, U.S. VIRGIN ISLANDS 00820  
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August 10, 2020

The Honorable Albert Bryan, Jr.  
Governor of the Virgin Islands  
Office of the Governor  
No. 20-21 Kongens Gade  
Charlotte Amalie, St. Thomas  
Virgin Islands 00802

Dear Governor Bryan:

Transmitted herewith, as approved by the Thirty-Third Legislature of the Virgin Islands at its Regular Session held on August 10, 2020, is Bill No. 33-0359 - An Act renewing and extending the State of Emergency in the Virgin Islands based on the COVID-19 Pandemic. This bill addresses any timeline gap inadvertently created since the Legislature did not meet before August 9, 2020.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Alicia V. Barnes'.

Alicia V. Barnes  
Legislative Secretary



**THE UNITED STATES VIRGIN ISLANDS  
OFFICE OF THE GOVERNOR  
GOVERNMENT HOUSE  
Charlotte Amalie, V.I. 00802  
340-774-0001**

**EXECUTIVE ORDER AND PROCLAMATION  
BY THE GOVERNOR  
OF THE UNITED STATES VIRGIN ISLANDS  
EXTENDING THE STATE OF EMERGENCY  
IN RESPONSE TO THE COVID-19 PANDEMIC**

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**WHEREAS**, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, *et. seq.* and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning January 20, 2020;

**WHEREAS**, on March 13, 2020, the President of the United States declared the ongoing COVID-19 a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the ‘Stafford Act’);

**WHEREAS**, the undersigned issued Executive Order and Proclamation Declaring a State of Emergency due to the COVID-19 – Coronavirus Pandemic dated March 13, 2020 to coordinate the Territory’s response and protective actions to address the Coronavirus Disease 2019 (“COVID-19”) public health emergency and to provide for the health, safety, and welfare of residents and visitors located in the Virgin Islands (“Declaration of a State of Emergency”) and have supplemented such Executive Order and Proclamation with additional Orders;

**WHEREAS**, the undersigned established a VI Task Force on COVID-19 Preparedness, Response and Mitigation to work with territorial, local and federal partners in responding to challenges posed by COVID-19;

**WHEREAS**, the undersigned designated the Commissioner of the Virgin Islands Department of Health as the Incident Commander to direct the territorial response and directed the Commissioner of the Virgin Islands Department of Human Services and the Director of the Virgin Islands Territorial Emergency Management Agency to provide any necessary support to the Incident Commander;

**WHEREAS**, the DOH has organized a Public Health Incident Management Team to manage the public health impacts of COVID-19 in the Territory;

**WHEREAS**, on April 2, 2020, the President of the United States declared that a major disaster exists in the Territory of the U.S. Virgin Islands based on COVID-19;

**WHEREAS**, the outbreak has infected over 18.1 million people and killed about 690,000 around the world, including more than 155,000 deaths in the U.S., according to a tally compiled by Johns Hopkins University from official government figures, though the true numbers are believed to be far higher

**WHEREAS**, to date, the Virgin Islands Department of Health (“DOH”) received confirmation from the Center for Disease Control (“CDC”) that four hundred thirty nine persons, including eight deceased persons, have tested positive for COVID-19 in the U.S. Virgin Islands and currently await results of tests conducted on additional individuals;

**WHEREAS**, the COVID-19 pandemic is projected to continue through the end of the summer of 2020 and may re-emerge in the fall of 2020 and will require continuing diligence in combating the pandemic;

**WHEREAS**, pursuant to Title 23, Section 1005(d) of the Virgin Islands Code, the existing State of Emergency may not last longer than thirty (30) days unless renewed by the Governor and in order to extend the state of emergency beyond the first two 30-day periods, the Governor must submit legislation to the Legislature requesting an extension of the state of emergency;

**WHEREAS**, pursuant to Title 23, Section 1005(d) of the Virgin Islands Code, on July 1, 2020, the Governor submitted a request and proposed legislation to extend the existing State of Emergency declared on March 13, 2020 as supplemented, renewed and extended from July 11, 2020 to September 9, 2020;

**WHEREAS**, the Thirty-third Legislature of the U.S. Virgin Islands did not take action on the Governor’s request for extension to the existing State of Emergency for an additional 60-days, resulting in an automatic extension of the State of Emergency due to COVID-19 for only an additional 30-days expiring on August 10, 2020;

**WHEREAS**, the need for the Territory of the United State Virgin Islands to remain in a State of Emergency to respond to and combat this COVID-19 pandemic, especially in the height of the hurricane season for the safety of our people and our visitors, is paramount and needs to comply with federal guidelines;

**NOW, THEREFORE, I**, Albert Bryan, Jr., Governor of the United States Virgin Islands, by virtue of the authority granted to me by Section 11 of the Revised Organic Act of 1954, as amended, and Title 23, Section 1005(d) of the Virgin Islands Code, do hereby DECLARE as

follows:


**SECTION 1.** The State of Emergency declared effective March 13, 2020, as renewed, supplemented, and extended, which is set to expire on August 10, 2020, is hereby extended pursuant to Title 23, Section 1005(d) of the Virgin Islands Code, for an additional 60 days, and such State of Emergency, along with all terms declared and ordered, as supplemented on March 20, 2020 and March 23, 2020, April 6, 2020, April 20, 2020, April 29, 2020, May 4, 2020, May 7, 2020 and May 30, 2020 shall continue in full force and effect through **October 9, 2020**, unless earlier lifted or extended by order of the Governor of the United States Virgin Islands.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the Government of the United States Virgin Islands to be affixed at Christiansted, St. Croix, Virgin Islands, this 4<sup>th</sup> day of August, A.D., 2020.



  
Albert Bryan, Jr.  
Governor

ATTEST:

  
Tregenza A. Roach, Esq.  
Lieutenant Governor



**THE UNITED STATES VIRGIN ISLANDS**  
OFFICE OF THE GOVERNOR  
GOVERNMENT HOUSE  
Charlotte Amalie, V.I. 00802  
340-774-0001

August 13, 2020

**VIA MESSENGER**

The Honorable Novelte E. Francis, Jr.  
President  
Thirty-Third Legislature of the Virgin Islands  
Capitol Building  
St. Thomas, VI 00802

**Re: Governor's Action on Bill No. 33-0359**

Dear Mr. Senate President:

I write to advise you that, on August 13, 2020, pursuant to Section 9(d) of the Revised Organic Act of the Virgin Islands of 1954, as amended, I have acted on Bill number 33-0359 presented to me by the Thirty-Third Legislature of the Virgin Islands.

I thank you and the members of the Thirty-Third Legislature for all that you do for the Territory of the U.S. Virgin Islands and its people.

Sincerely,

  
Albert Bryan Jr.  
Governor

Enclosures

# ACT NO. 8328

BILL NO. 33-0359

## THIRTY-THIRD LEGISLATURE OF THE VIRGIN ISLANDS

### Regular Session

2020

An Act renewing and extending the State of Emergency in the Virgin Islands based on the COVID-19 Pandemic

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**WHEREAS**, on March 13, 2020, the President of the United States pursuant to the National Emergencies Act, 50 U.S.C. § 1601. et. seq. and consistent with the Social Security Act, as amended 42 U.S.C. § 1320b-5 declared a national emergency that the Coronavirus Disease 2019 (“COVID-19”) outbreak in the United States constitutes a national emergency beginning January 20, 2020;

**WHEREAS**, on March 13, 2020, the President of the United States declared the ongoing COVID-19 a Pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207;

**WHEREAS**, the Governor issued Executive Order and Proclamation Declaring a State of Emergency due to the COVID-19 Pandemic dated March 13, 2020, to coordinate the Territory’s response and protective actions to address the Coronavirus Disease 2019 (“COVID-19”) public health emergency and to provide for the health, safety, and welfare of residents and visitors located in the Virgin Islands (“Declaration of a State of Emergency”) and have supplemented such Executive Order and Proclamation with additional Orders;

**WHEREAS**, the Governor established a VI Task Force on COVID-19 Preparedness, Response and Mitigation to work with territorial, and federal partners in responding challenges posed by COVID-19;

**WHEREAS**, the Governor designated the Commissioner of the Virgin Islands Department of Health as the Incident Commander to direct the territorial response and directed the Commissioner of the Virgin Islands Department of Human Services and the Director of the Virgin

Islands Territorial Emergency Management Agency to provide any necessary support to the Incident Commander;

**WHEREAS**, the Department of Health has organized a Public Health Incident Management Team to manage the public health impacts of COVID-19 in the Territory;

**WHEREAS**, on April 2, 2020, the President of the United States declared that a major disaster exists in the Territory of the Virgin Islands based on COVID-19;

**WHEREAS**, the outbreak has infected over 18.1 million people and killed over 690,000 around the world, including more than 155,000 deaths in the U.S., according to a tally compiled by Johns Hopkins University from official government figures, though the true numbers are believed to be far higher;

**WHEREAS**, to date, the Virgin Islands Department of Health received confirmation from the Center for Disease Control ("CDC") that four hundred thirty-nine persons, including eight deceased persons, have tested positive for COVID-19 in the U.S. Virgin Islands, and currently the Department of Health awaits results of tests conducted on additional individuals;

**WHEREAS**, the COVID-19 pandemic is projected to continue through the end of the summer of 2020 and may re-emerge in the fall of 2020 and will require continuing diligence in combating the pandemic;

**WHEREAS**, pursuant to title 23, section 1005(d) of the Virgin Islands Code, the existing State of Emergency Declaration may not last longer than 30 days unless renewed by the Governor and in order to extend the state of emergency beyond the first two 30-day periods, the Governor must submit legislation to the Legislature requesting an extension of the state of emergency;

**WHEREAS**, pursuant to title 23, section 1005(d) of the Virgin Islands Code, on July 1, 2020, the Governor submitted a request and proposed legislation to extend the existing State of Emergency declared on March 13, 2020 as supplemented, renewed and extended from July 11, 2020 to September 9, 2020;

**WHEREAS**, the Thirty-Third Legislature of the Virgin Islands did not take action on the Governor's request for extension to the existing State of Emergency for an additional 60 days, resulting in an automatic extension of the State of Emergency due to COVID-19 for only an additional 30 days expiring on August 10, 2020;

**WHEREAS**, the need for the Territory of the Virgin Islands to remain in a State of Emergency to respond to and combat this COVID-19 pandemic, especially in the height of the hurricane season for the safety of our people and our visitors, is paramount and needs to comply with federal guidelines; and

**WHEREAS**, the Legislature finds that it is necessary and appropriate to suspend the provisions of title 23, section 1005(d) to permit the renewal of the state of emergency for an

additional 30 days to facilitate proper planning and response in the face of COVID-19 Pandemic and hurricane season; Now, Therefore,

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

**SECTION 1.** Notwithstanding any law to the contrary, the provisions of title 23, section 1005(d) are suspended for a period of 30 days from August 10, 2020, to permit the renewal of the state of emergency for an additional 30 days to facilitate proper planning and response in the face of the COVID-19 Pandemic and hurricane season.

**SECTION 2.** Pursuant to title 23, section 1005(d) of the Virgin Islands Code. Having received the request of the Governor of the Virgin Islands to extend the State of Emergency in the Virgin Islands which request includes 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 emergency, the Legislature of the Virgin Islands, extends and renews the State of Emergency due to the COVID-19 Pandemic from September 10, 2020 until October 9, 2020, unless, before the expiration of this renewal, the Governor of the Virgin Islands finds that a state of emergency no longer exists and as a result terminates the State of Emergency.

Thus passed by the Legislature of the Virgin Islands on August 10, 2020.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 10<sup>th</sup> day of August, A.D., 2020.



Novelle E. Francis, Jr.  
President

Alicia Y. Barnes  
Legislative Secretary





**Bill No. 33-0359 is hereby approved.**

**Witness my hand and the seal of the Government of  
the United States Virgin Islands at Charlotte Amalie,  
St. Thomas, this 15<sup>th</sup> day of August, 2020 A.D.**

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

**Albert Bryan, Jr.  
Governor**