

**BILL NO. 30-0017**

**Thirtieth Legislature of the Virgin Islands**

**March 6, 2013**

An Act amending 33 V.I.C., chapter 111, to establish the “Single Payer Utility Fund” and the parameters for its use; amending 2 VIC §28b relating to requirements under the Executive Appropriations Act; and providing for other related matters

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**PROPOSED BY:** Senator Terrence “Positive” Nelson and Craig W. Barshinger  
Co-Sponsor: Senator Kenneth L. Gittens

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

2       **SECTION 1.** Title 33 V.I.C., chapter 111, is amended to add a new section 3100y to read  
3 as follows:

4       **“§3100y**

5       (a) There is established in the Treasury of the Virgin Islands a separate and distinct  
6 fund known as the Single Payer Utility Fund for the purpose of paying the electric and water  
7 utility bills of departments, agencies and instrumentalities of the Government of the Virgin  
8 Islands. The Commissioner of Finance shall provide for the administration of the Fund, and no  
9 monies contained therein are to be made available for expenditure and disbursement except as  
10 provided in this section.

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1           (b)(1) The Fund shall consist of appropriated monies that have previously been released  
2 and deposited in the operating accounts of departments, agencies and instrumentalities of the  
3 Government of the Virgin Islands for the purpose of paying their respective electric and water  
4 utility bills and any funds appropriated by the Legislature for such purpose.

5           (2) The Office of Management and Budget shall release the allotted funds budgeted  
6 for utilities for each department, agency and instrumentality of the Government of the Virgin  
7 Islands, to the Department of Finance for deposit in the Single Payer Utility Fund as established  
8 in subsection (a) of this section.

9           (c) The Commissioner must pay the respective electric and water utility bills that are  
10 due and owing as well as electric and water utility bills which subsequently become due upon  
11 verification and in accordance with subsections (d), (e) and (f) herein.

12           (d) As electric and water utility bills become due, departments, agencies and  
13 instrumentalities of the Government of the Virgin Islands shall immediately forward copies of the  
14 billing statements to the Department of Finance for verification and payment.

15           (e) The Department of Finance shall verify the billing statements submitted, and the  
16 verification process must at a minimum include the reconciliation of meter numbers with the  
17 respective billing statements.

18           (f) The Commissioner may settle any dispute on behalf of the Government of the  
19 Virgin Islands arising under this section involving any electric and water utility service provider.”

20           (g) The Commissioner of Finance shall prepare a monthly statement of all obligations  
21 and disbursements from the Fund for payment of electric power bills and submit the statement to  
22 the Legislature within thirty days after the close of each month.”

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1            Subsection (b)(2) of this bill directs the Office of Management and Budget to release  
2 appropriated funds earmarked for utility bill of each department, agency and instrumentality of  
3 the Government of the Virgin Islands.

4            Subsection (c) directs the Commissioner to pay past as well as the future electric and water  
5 utility bills of these entities upon verification.

6            Subsection (d) provides for the manner and means by which future electric and water  
7 utility billing statements are to be submitted for verification and how payment of those bills is to  
8 take place.

9            Subsection (e) establishes the minimum standard for verification of payment and further  
10 provides that overpayments are to be returned to the entity submitting the overpayment.

11           Subsection (f) provides that the Commissioner can settle any dispute arising under this  
12 section and involving an electric and water utility service provider.

13           Section 2, internal, provides that funds previously allotted to departments, agencies and  
14 instrumentalities of the Government of the Virgin Islands for past electric and water utility bills  
15 and which are in their operating accounts be placed in the Fund for payment within 30 days of the  
16 enactment of this Act.

17           Section 3(a) amends the Executive Appropriations Act, and adds amounts designated for  
18 deposit in the Single Payer Utility Fund as one of the components of the Executive  
19 Appropriations Act. Section 3(b) amends 3 VIC §28(f), which mandates the Department of  
20 Finance to submit a monthly financial statement to the Legislature and the Director of Office of  
21 Management and Budget. This subsection would require the inclusion of obligations and  
22 disbursements for WAPA bill payments in the monthly report.

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24 **BR13-0039/February 13, 2013**

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