

# ACT NO. 7730

## BILL NO. 31-0021

### THIRTY-FIRST LEGISLATURE OF THE VIRGIN ISLANDS

#### Regular Session

2015

An Act appropriating \$1,000,000, to the office of the Governor for litigation costs and legal fees directly related to the litigation between the Government and Hess Oil V.I. Corp., HOVENSA, LLC, and Petroleos de Venezuela, PDVSA V.I., Inc. and related entities

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**WHEREAS**, the Virgin Islands Government and Hess Oil Corp., f/k/a Amerada Hess Corp., Hess Oil V.I. Corp. ("HOVIC"), HOVENSA, LLC, and Petroleos de Venezuela, S.A., and PDVSA V.I., Inc. ("the refinery entities"), have had an ongoing business relationship and agreements governing the operation of the refinery on St. Croix and protection of the Virgin Islands' interest since 1965; and

**WHEREAS**, in furtherance the Government's business relationship with the refinery entities, the Legislature of the Virgin Islands ratified in Act No.6231 the Third Extension Agreement, and in Act No. 7566 the Fourth Agreement setting forth various obligations of the refinery entities; and

**WHEREAS**, the refinery entities through operation of the refinery on the South Shore of St. Croix have caused environmental damages to the Virgin Islands in excess of \$800,000,000; and

**WHEREAS**, the Government of the Virgin Islands agreed to enter into a settlement agreement permitting the refinery entities to settle their environmental damages obligation by remitting to the Virgin Islands Government by December 2014 the sum of \$43,500,000; and

**WHEREAS**, the refinery entities continue to be in default on that settlement agreement and on other obligations set forth in prior extension and concession agreements; and

**WHEREAS**, this Government must act swiftly to protect the interests of the people of the Virgin Islands; and

**WHEREAS**, in furtherance of these interests, the Government of the Virgin Islands intends to pursue all legal remedies against the refinery entities to recover what is owed the people of the Virgin Islands; Now, Therefore,

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

**SECTION 1.** (a) The sum of \$1,000,000 is appropriated in the fiscal year ending September 30, 2015, from any available funds in the Treasury of the Virgin Islands, to the Office of the Governor for legal fees and other costs directly related to litigation between the Government of the Virgin Islands and Hess Oil V.I. Corp., f/k/a Amerada Hess Corp., Hess Oil V.I. Corp., HOVENSA, LLC, and Petroleos de Venezuela, S.A. PDVSA V.I., Inc. and any related entities (“the refinery entities”).

(b) The sum appropriated in subsection (a) remains available until expended.

**SECTION 2.** The Attorney General shall establish a committee of Attorneys within the Office of the Attorney General to manage and supervise the litigation and the use of the funds appropriated in Section 1 of the Act. The Attorney General may hire experts needed to assist with the litigation.

Thus passed by the Legislature of the Virgin Islands on March 11, 2015.

Witness our Hands and Seal of the Legislature of the Virgin Islands this 13 Day of March, AD., 2015.



*Neville James*  
Neville James  
President

*Myron D. Jackson*  
Myron D. Jackson  
Legislative Secretary

Bill No. 31-0021 is hereby approved.

Witness my hand and the Seal of the Government of the United States Virgin Islands at Charlotte Amalie, St. Thomas, this 27<sup>th</sup> day of March, A.D., 2015.



*Kenneth E. Mapp*  
Kenneth E. Mapp  
Governor