

(H. B. 1764)

(No. 45)

(Approved July 29, 2009)

AN ACT

To create the “Puerto Rico Culture and Arts and Sports and Recreation Collection Fund” under the custody of the Secretary of the Department of the Treasury and to amend subsection (i) of Section 11 of Chapter II of Act No. 213 of September 12, 1996, known as the “Puerto Rico Telecommunications Act,” as amended, in order to transfer the sum of seventeen million (17,000,000) dollars from the Special Telecommunications Regulatory Board Fund to the Puerto Rico Culture and Arts and Sports and Recreation Collection Fund.

STATEMENT OF MOTIVES

The Puerto Rico Telecommunications Act of 1996, Act No. 213 of September 12, 1996, as amended, provides for the creation of the Special Telecommunications Regulatory Board Fund. At present, such Special Fund has resources in excess of those that are necessary to comply with the purposes for which it was created.

For such reason, it is necessary to direct such resources to other sectors of our government in greater need, in times of fiscal crisis such as the one we are experiencing. Therefore, the Puerto Rico Culture and Arts and Sports and Recreation Collection Fund is created through this Act and the sum of seventeen million (17,000,000) dollars is hereby transferred from the resources of the Special Telecommunications Regulatory Board Fund created by virtue of the Puerto Rico Telecommunications Act of 1996, Act No. 213 of September 12, 1996, as amended.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Establishment of the Fund – The “Puerto Rico Culture and Arts and Sports and Recreation Collection Fund” is hereby created under the custody of the Secretary of the Department of the Treasury.

Section 2.- The moneys to be deposited in this Fund, which shall be attached to the Department of the Treasury, shall be used solely to provide incentives to the cultural and the recreation and sports sectors in Puerto Rico.

Section 3.- The funds established herein may be appropriated to government agencies and instrumentalities engaged in cultural, arts, and sports and recreational endeavors, to contribute with the development thereof.

Section 4.- This Fund may receive legislative, municipal, federal, and private funds and the matching or combination of such donations shall be allowed.

Section 5.- To begin its operations, the Fund shall receive an initial appropriation of seventeen million (17,000,000) dollars transferred from the Special Telecommunications Regulatory Board Fund.

Section 6.- Any appropriation originating from this Fund or any surplus therefrom due to any line-item veto by the Governor or any amount available shall be appropriated through Joint Resolutions approved by the Legislature. It is hereby established that this provision shall not be violated by any Governing Board or any other government instrumentality or body.

Section 7.- Subsection (i) of Section 11 of Chapter II of Act No. 213 of September 12, 1996, as amended, is hereby amended to read as follows:

“Section 11.- Budget and Regulation Fees.

(a) ...

(i) The Secretary of the Treasury shall cover into a special account denominated as the ‘Special Telecommunications Regulatory Board Fund’ the moneys collected by virtue of this Act, which may be used solely and exclusively to defray the operating and functioning expenses of the Board, except that, for fiscal year 2000-2001, the sum of ten million (10,000,000) dollars shall be transferred to the Budget Fund and the sum of five million (5,000,000) dollars shall be transferred to the Puerto Rico Special Communities Socioeconomic Development Fund from the resources of this Special Telecommunications Regulatory Board Fund to establish telephone services in such communities. Provided, further, that for fiscal year 2009-2010, the sum of seventeen million (17,000,000) dollars shall be transferred from the same Special Fund to the Puerto Rico Culture and Arts and Sports and Recreation Collection Fund, for the promotion of culture, arts, sports, and recreation in Puerto Rico in all forms.

(j) ...”

Section 8.- This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 45 (H. B. 1764)** of the **1st Session of the 16th Legislature** of Puerto Rico:

AN ACT to create the “Puerto Rico Culture and Arts and Sports and Recreation Collection Fund” under the custody of the Secretary of the Department of the Treasury and to amend subsection (i) of Section 11 of Chapter II of Act No. 213 of September 12, 1996, known as the “Puerto Rico Telecommunications Act,” as amended, in order to transfer the sum of seventeen million (17,000,000) dollars from the Special Telecommunications Regulatory Board Fund to the Puerto Rico Culture and Arts and Sports and Recreation Collection Fund.

has been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, on the 15th day of March of 2010.

Solange I. De Lahongrais, Esq.
Director