



LEGISLATURE OF PUERTO RICO

Office of Legislative Services

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 66 (S.B. 1784) of the 4th Session of the 14th Legislature of Puerto Rico:

AN ACT to create the Virtual Library of the Commonwealth of Puerto Rico, to establish its Organizing Board; to arrange its organization, powers, duties and functions,

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

In San Juan, Puerto Rico, today 26st of February of 2004.

Elba Rosa Rodríguez-Fuentes
Director

(S. B. 1784)

(No. 66)

(Approved January 4, 2003)

AN ACT

To create the Virtual Library of the Commonwealth of Puerto Rico, to establish its Organizing Board; to arrange its organization, powers, duties and functions.

STATEMENT OF MOTIVES

Today, knowledge is considered the most powerful tool by which a nation attains its economic and social development. A prosperous society is one which can protect, maintain, and ensure, for its present and future generations, quick and reliable access to its array of information, about its collective and institutional history, and the scientific, cultural and political endeavors generated from day to day. Information is fundamental to any procedure where decisions must be made, as well as in every segment of life. Public administration, business management, education, as well as community organization require communication systems that allow for the necessary information at the exact moment it is required.

The advent of the Internet has revolutionized the management of information and knowledge, opening the gates so that countries, enterprises, educational systems and people can attain important competitive advantages making good use of this tool. Accordingly, well-designed coordinated strategic action, within the framework of a broad social base, is required to foster the growth of a culture favoring discovery, critical judgment,

collaborative work and the development of a well informed and responsible citizenry.

Puerto Rico has not yet developed a coherent and clear strategy to insert itself in the society of knowledge, incorporating the new computer technologies. There are many scattered valuable efforts and initiatives. There is an abundance of duplication of work, inefficiency in the use of financial resources, and loss of opportunities. This project intends to coordinate efforts, to transform and make valuable sources of documentary information accessible and, therefore, overcome the deficiencies in all levels of education.

Through the creation of the Virtual Library of the Commonwealth of Puerto Rico, we seek to develop an electronic medium to guarantee the conservation, preservation, management, access, and disclosure of the country's documentary sources to allow all the Puerto Rican community, and the world at large, to have quick and easy access to the array of information contained in Puerto Rican collections, libraries, and archives of all fields of knowledge.

This shall be a cooperative inter-institutional effort, with the participation of the public and private sector, as well as nonprofit organizations. The Virtual Library seeks to coordinate actions, share digitalization efforts, and place in the Internet, in a logical and orderly form, the arrays of information existing in public and private educational institutions, government agencies, public corporations, and the archives of the Commonwealth of Puerto Rico. This is a very important, dynamic, and long-range project which, without any doubt, shall make a great impact upon all the walks of life in the country.

The Virtual Library of the Commonwealth of Puerto Rico will allow access to documentary sources, inaccessible to the majority of the population until now, such as historical archives. Additionally, a statistical base with data generated by several sources will be kept updated, allowing public servants and businessmen to quickly locate the information they need to make a decision. Generally, it will organize and make available for consultation the arrays of Puerto Rican cultural production in all its manifestations for the development and strengthening of Puerto Rican education. It will contribute toward the improvement of the quality of public administration, helping to strengthen the people's self-esteem, and will make us known all over the world. It will also help to develop certain areas of advantage in the world economy.

This project emerges as a recommendation from a study performed by the Education, Scientific and Cultural Commission of the Senate of the Commonwealth of Puerto Rico titled *The Transformation of Higher Education in Puerto Rico*. Additionally, it has the backing and the enthusiastic support of the principal universities of the Country, of the Archive and General Library of Puerto Rico, of the Department of Education and of numerous civic and business entities.

The Senate Committee convened a work group of approximately twenty-five librarians, archivists, educators, and computer experts, who analyzed the creation of the Virtual Library, of the Commonwealth of Puerto Rico for several months. That group considers it is urgent to set forth a law for the creation of such an entity, and the establishment of a Board of Directors to guide the preparation of a Work Plan to identify and link the institutions which could form part of this effort, to establish an order of

priorities, to identify the most adequate technological platforms and to prepare a budget for the complete development of the project.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Title

This Law shall be known as "The Virtual Library of the Commonwealth of Puerto Rico Act".

Section 2.- The Virtual Library of the Commonwealth of Puerto Rico; objectives.

The Virtual Library of the Commonwealth of Puerto Rico is hereby created with the following objectives, purposes and goals:

(a) To preserve and conserve documents and other information resources of historical and strategic value about the economic, social, scientific, political and cultural development of Puerto Rico, making them electronically accessible through the Internet.

(b) To convert into a digital format the manuscripts, letters, signs, photographs, maps, newspapers, governmental publications, magazines, sound files, and original Puerto Rican books located in the General Archive of Puerto Rico, the General Library of Puerto Rico, the Puerto Rican Collection of the University of Puerto Rico, and in other public or private collections.

(c) To establish a Digitalization Center for converting the information resources belonging to institutions participating in the creation of the Virtual Library of the Commonwealth of Puerto Rico into digital format.

(d) To create a bibliographical database, of complete text, audio, and images of the aforementioned information resources.

(e) To provide access to the digitalized information resources through descriptive cataloguing and indexation.

(f) To publish the database on the Internet through an electronic gateway on the "World Wide Web" (www).

(g) To establish formal agreements for exchange and collaboration between the institutions participating in the creation of the Virtual Library to manage the development of the infrastructure, the acquisition of documentary sources, and the support of the project.

(h) To generate specialized electronic services that can be sold by the Virtual Library to generate funds contributing to its maintenance.

Section 3.- Organization Board of the Virtual Library of the Commonwealth of Puerto Rico.

The Organization Board of the Virtual Library of the Commonwealth of Puerto Rico is hereby created, and shall be formed by (7) members, to wit: the Director of the Office of Legislative Services of Puerto Rico; the President of the University of Puerto Rico; the Secretary of the Department of Education; the Director of the Puerto Rico Institute of Culture; the Executive Director of the Management and Budget Office of the Commonwealth of Puerto Rico; the President of the Librarian's Society of Puerto Rico and the President of the Puerto Rican Association of Puerto Rican Private Universities. The work of the Organization Board shall be coordinated by the Director of the Management and Budget Office.

Section 4.- Terms of Office for the Organization Board.

The Organization Board shall remain operative during one year, within which it must perform the duties and functions assigned to it, or until the agency or organization which must assume definite control over the Virtual Library begins its mandate following the corresponding legislative decision.

Section 5.- Duties of the Organization Board.

(a) During its term of office, the Organization Board shall be responsible for the start up of the Virtual Library of the Commonwealth of Puerto Rico, for which it shall prepare a work plan, develop and adopt internal by-laws; recruit the necessary personnel; designate the advisory committees deemed pertinent; and convene meetings.

(b) The Organization Board shall take the measures necessary to establish the operative structure deemed most convenient for the operation of the Virtual Library, which shall begin as a demonstration project under the direction of such Board with the purpose of making viable its definitive structure; and shall develop and approve the rules that are necessary, according to this Law, for the operation of the Virtual Library, which shall be subject to amendments made necessary by the development of the institution.

(c) The Organization Board shall prepare a draft budget to strengthen the definitive establishment of the Virtual Library. This shall be submitted to the Legislature at least three (3) months before the end of the term established in Section 4 of this Act, together with a work plan for the continuation of the work of the Virtual Library and a Board recommendation concerning the state agency or organization which shall assume definite control over the institution.

(d) Conceived as an inter-institutional collaborative effort, the Virtual Library of the Commonwealth of Puerto Rico, its Organization Board shall convene the participation of as many public and private organizations that can add to the definite attainment of the project, among which are the following: the General Archive of Puerto Rico, the General Library of Puerto Rico, the University of Puerto Rico, the Department of Education of

Puerto Rico, the Ana G. Mendez University System, the Sacred Heart University, the American University of Puerto Rico, the Caribbean University, the Carlos Albizu University, the School of Performing Arts of Puerto Rico, the Center for Advanced Studies of Puerto Rico, and the Caribbean, Pontifical Catholic University of Puerto Rico, Central University of Bayamón, Inter-American University of Puerto Rico, Polytechnic University of Puerto Rico, Evangelical Seminary of Puerto Rico, Center of Dominical Studies of the Caribbean, Historical Archive of the Autonomous Municipality of the Caguas, Luis Muñoz Marín Foundation, Kmanagement, Inc., Library of the McConnell Valdez Law Firm, Library of the Rafael Hernández Colón Foundation, Office for Management and Budget, Librarian's Society of Puerto Rico, the Court Administration, as well as any other entity deemed convenient.

(e) The Organization Board shall determine the public institutions or organizations which shall be included in the Virtual Library of the Commonwealth of Puerto Rico and the private organizations which may join by invitation, without this limiting the future exercise of its discretion in this sense by the organization to assume the definite control and direction of the Virtual Library. The Board shall convene at least (2) two meetings, during its term in office, with the institutions or organizations which it deems should join the project.

(f) At the end of its term, the Board will submit a report on its management and the use of assigned funds to the Legislature.

Section 6.- Special Power of the Virtual Library of the Commonwealth of Puerto Rico.

The Virtual Library of the Commonwealth of Puerto Rico shall be able to request, manage and use funds originating from private sources for

institutional purposes. Furthermore, it shall be able to sell its services through contracts with public and private entities; and to retain and use the funds so received for its operations, as well as any other resources it raises, as long as it complies with the ethical rules applicable to all public entities.

Section 7.- Appropriation of Funds.

The amount of five hundred thousand (500,000) dollars is assigned to cover the operational costs of the Organization Board and the establishment of the Virtual Library of the Commonwealth of Puerto Rico as a demonstration project. Said funds shall be channeled through the Management and Budget Office of the Commonwealth of Puerto Rico. In subsequent years, the Management and Budget Office shall assign funds from the General Budget of the Government of the Commonwealth of Puerto Rico for its operations.

Section 8.- Effectiveness

This Act shall take effect immediately after its approval.