

(H. B. 2761)
(Conference)

(No. 120-2010)

(Approved August 1, 2010)

AN ACT

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 of 1996,” as amended, in order to transfer to the Puerto Rico Culture and Arts and Sports and Recreation Collection Fund, under the custody of the Department of the Treasury, created by virtue of Act No. 45 of July 29, 2009, the sum of five million dollars (\$5,000,000) from the Special Telecommunications Regulatory Board Fund; and to reappropriate an additional two million dollars (\$2,000,000), originating from the moneys of Act No. 45, *supra*, and to provide the distribution of ~~seven million dollars (\$7,000,000)~~ five million five hundred thousand dollars (\$5,500,000) from the Puerto Rico Culture and Arts and Sports and Recreation Collection Fund to the various government agencies, as detailed in Section 2 of this Act; to authorize contracts for carrying out works; to authorize the matching of funds; and for other purposes.

STATEMENT OF MOTIVES

The Puerto Rico Telecommunications Act of 1996, Act No. 213 of September 12, 1996, as amended, provides for the creation of a Special Telecommunications Regulatory Board Fund. Currently, this special fund has resources in excess of those needed to meet the purposes for which it was created.

In view of this situation, it is necessary to channel these resources to other sectors with greater needs within our government. Therefore, by virtue of this legislation, the sum of ~~seven million dollars (\$7,000,000)~~ five million five hundred thousand dollars (\$5,500,000) are transferred to various government agencies.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.—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 dollars (\$10,000,000) shall be transferred to the Budgetary Fund and the sum of five million dollars (\$5,000,000) 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 systems in such communities. For Fiscal Year 2009-2010, the sum of seventeen million dollars (\$17,000,000) 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, the arts, sports, and recreation in Puerto Rico in all their forms. During Fiscal Year 2010-2011, the sum of five million dollars (\$5,000,000) shall be transferred to the Puerto Rico Culture and Arts and Sports and Recreation Collection Fund, and an additional two million dollars (\$2,000,000) shall be reappropriated from surplus moneys available in said Fund.

(j) ...”

Section 2.—It is hereby provided that ~~seven million dollars (\$7,000,000)~~ five million five hundred thousand dollars (\$5,500,000) shall be distributed from the Puerto Rico Culture and Arts and Sports and Recreation Collection Fund to various government agencies, as detailed below:

1. Sports and Recreation Department
 - a. To strengthen sports and recreation for the general citizenry. 3,090,000
 - b. For the Boys and Girls Club, for operating expenses and to broaden services. 700,000
2. Puerto Rico Public Broadcasting Corporation
 - a. For the creation of the International Production Center. ~~1,500,000~~ -0-
3. Department of Education
 - a. For the Dr. Pedro Rosselló-González Library Foundation, for the Document Digitization Program and improvements. 1,400,000
4. Department of Agriculture
 - a. For the “Junta de Exportación de Café 100% de Puerto Rico, Inc.”, to match international marketing and promotional programs of Puerto Rican artisan coffee. 310,000

Section 3.—It is hereby authorized to enter into contract with municipal governments and private contractors, as well as with any department, agency, or corporation of the Commonwealth of Puerto Rico to achieve the purposes of Section 3 of this Act.

Section 4.—The budgetary appropriations made under this Joint Resolution [sic] to the agencies of the Executive Branch that are included in this Resolution [sic], whose budget derives in whole or in part from the General Fund, may not be disbursed or used for pay raises or other financial benefits during Fiscal Year 2010-2011, regardless of the legal source of such raises. Nor shall these appropriations be disbursed or used for the annual monetary liquidation of excess sick leave accrued; such accrued excesses may be liquidated, as authorized by the appointing authority, by means of expending the days thus accrued. During the effectiveness of this Joint Resolution [sic], all pay raises and other financial benefits and all annual monetary liquidations of excess sick leave accrued are suspended in all the agencies of the Executive Branch included in this Resolution [sic], whose budgets derive in whole or in part from the General Fund. The suspension of pay raises and other financial benefits provided in this Section could be altered only under circumstances in which such raises are extremely necessary, after the agency concerned has identified funds and the Office of Management and Budget has given its express authorization.

Section 5.—During the effectiveness of this Joint Resolution [sic], and as a necessary rule for the responsible disbursement of budgetary appropriations for operating and other expenses, the Office of Management and Budget may withhold from the appropriations made to the agencies of the Executive Branch included in this Resolution [sic], whose budgets derive in whole or in part from the General Fund, any amounts necessary for the payment of retirement contributions, unemployment insurance, taxes withheld from employees, electric power service, aqueduct and sewer service, and rent of the agencies, when the Office determines that such withholding is necessary to ensure that the agencies concerned meet these obligations.

Section 7.—The funds appropriated under Section 3 of this Act may be matched with Federal, Commonwealth, and/or municipal funds.

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. 120-2010 (H. B. 2761) (Conference)** of the **3rd Session of the 16th Legislature** of Puerto Rico:

AN ACT 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 of 1996," as amended, in order to transfer to the Puerto Rico Culture and Arts and Sports and Recreation Collection Fund, under the custody of the Department of the Treasury, created by virtue of Act No. 45 of July 29, 2009, the sum of five million dollars (\$5,000,000) from the Special Telecommunications Regulatory Board Fund; etc.

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

In San Juan, Puerto Rico, on the 3rd day of December, 2012.

María del Mar Ortiz Rivera