

(S. B. 2433)

(No. 297-2012)

(Approved October 18, 2012)

AN ACT

To amend Section 22 of Act No. 29-2009, known as the “Public-Private Partnership Act,” in order to increase the budget appropriation of the Joint Committee; and to clarify the use of such funds.

STATEMENT OF MOTIVES

Act No. 29-2009 established the public policy of the Government of Puerto Rico on Public-Private Partnerships. This Act established the criteria whereby the Commonwealth and its agencies may enter into contracts with the private sector to carry out infrastructure and capital improvement projects.

The creation of this mechanism has resulted in a promising alternative to improve Government services; facilitate the development, construction, operation, and maintenance of the infrastructure; and free financial resources of the State in the face of the current fiscal crisis. Consistent with these purposes, Public-Private Partnerships have enabled the development of projects and the rendering of services in a more effective and less costly manner by delegating the risks related to such developments or services to the party better suited to assess and manage them. Likewise, Partnerships have enabled the Government to make infrastructure projects feasible in those cases in which the funds needed to carry out a project are not available in the treasury.

The Joint Committee on Public-Private Partnerships of the Legislative Assembly of Puerto Rico was created as part of this public policy. Among the duties of said Committee are: to examine, investigate, evaluate, and study all matters relative to Public-Private Partnerships; evaluate and recommend any Public-Private Partnership proposal not included among the Priority Projects established in the aforementioned Act; recommend the use of funds from the General Fund; and review the need and convenience of said Act and submit a report to the Governor and the Legislative Houses.

Originally, the Joint Committee was appropriated one hundred, seventy-six thousand dollars (\$176,000) to defray operating expenses. Said budget proved to be insufficient for the Committee to fulfill its duties during its first year of operations, and consequently, it had to be appropriated additional funds. Therefore, in order to provide the necessary controls to promote Public-Private Partnerships, as a development strategy and to protect the public interest consistently with the profit goals of every private operation, this Legislative Assembly deems it necessary to provide additional funds to the Joint Committee on Public-Private Partnerships.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Section 22 of Act No. 29-2009 is hereby amended to read as follows:

“Section 22.- Joint Committee on Public-Private Partnerships.

...

The employees of the Joint Committee shall be subject to the provisions of the Personnel Regulations for each Legislative House, as per the body holding the Chair of the Committee. Joint Committee expenses shall be chargeable to the General Budget Fund of the Commonwealth Treasury. To achieve the purposes of this Act, the sum of one hundred, seventy-six thousand dollars

(\$176,000) is hereby appropriated. Beginning in Fiscal Year 2012-2013, the sum of three hundred seventy-six thousand dollars (\$376,000) shall be appropriated. Said funds shall be earmarked in the Joint Resolution of the General Budget of the Commonwealth of Puerto Rico. However, for this Fiscal Year 2011-2012, the Joint Committee is hereby empowered to receive an additional sum of two hundred thousand dollars (\$200,000), which shall be provided by the Public-Private Partnerships.”

Section 2.-The Budget Office of the Legislative House to which the Chair of the Joint Committee on Public-Private Partnerships belongs shall be responsible for setting aside the funds corresponding to the fringe benefits, supply expenses, as well as sick or vacation leave payouts to be determined by the number of employees working in the Committee.

Section 3.-This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 297-2012 (S. B. 2433)** of the **7th Regular Session** of the **16th Legislative Assembly of Puerto Rico**:

AN ACT to amend Section 22 of Act No. 29-2009, known as the “Public-Private Partnership Act,” in order to increase the budget appropriation of the Joint Committee; and to clarify the use of such funds.

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

In San Juan, Puerto Rico, on this 25th day of September, 2015.

Juan Luis Martínez Martínez
Director