

(H. B. 2760)
(Conference)

(No. 119-2010)

(Approved August 1, 2010)

AN ACT

To create the “Puerto Rico Economic and Social Support Fund” under the custody of the Office of Management and Budget and to amend the second paragraph of Section 2 of Act No. 66 of May 27, 1976, as amended, in order to transfer to the Puerto Rico Economic and Social Support Fund the sum of ~~thirteen million five hundred fourteen thousand dollars (\$13,514,000)~~ three million two hundred fifty thousand dollars (\$3,250,000) from the Insurance Industry Supervision and Regulation Fund; and to provide for the distribution of ~~thirteen million five hundred fourteen thousand dollars (\$13,514,000)~~ three million two hundred and fifty thousand dollars (\$3,250,000) from the Puerto Rico Economic and Social Support Fund to various government agencies, as detailed in Section 6 of this Act; to authorize the contracting of works; to authorize the matching of funds; and for other purposes.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1. – Establishment of the Fund - The Puerto Rico Economic and Social Support Fund is hereby created under the custody of the Office of Management and Budget.

Section 2. – This Fund may receive legislative, municipal, federal and private donations and the matching or combination of said funds shall be allowed.

Section 3. – To begin its operations, the fund shall receive an initial appropriation of ~~thirteen million five hundred fourteen thousand dollars (\$13,514,000)~~ three million two hundred and fifty thousand dollars (\$3,250,000) to be transferred from the Insurance Industry Supervision and Regulation Fund.

Section 4. – Any appropriation originating from this Fund, or any surplus therefrom resulting from a line veto by the Governor, or any available amount, shall be appropriated by means of Joint Resolutions approved by the Legislative Assembly. It is herein established that this provision shall not be violated by any Governing Board or by any other instrumentality or entity of the government.

Section 5. – The second paragraph of Section 2 of Act No. 66 of May 27, 1976, as amended, is hereby amended to read as follows:

“Section 2. –

The income generated as a result of the provisions of Section 1 of this Act shall be used to defray the regular operating expenses of the Office of the Insurance Commissioner. They shall also be used to defray the expenses incurred for the upgrading of jobs; cost of computer system; educational programs; scholarships for technical training of employees; the creation, through regulations to such effect, of internship programs in the Office through the contracting of university students; additional compensation to assistants or employees of said Office for professional or official services rendered in addition to their regular workday, and the regular functions of said assistant or employee; and to carry out research and studies in the insurance field, compile statistics, create a unit to adequately supervise insurance companies and health services organizations, file legal actions or intervene before judicial forums in cases vested in substantial public interest, sponsor lectures on the insurance field and initiatives of similar nature incurred by the Insurance Commissioner to effectively serve the insurance industry, protect the public interest, and maintain supervision and regulation of the highest excellence and professional competence.

Since the annual fee established in Sections 2.071 and 7.010 of Act No. 77 of June 19, 1957, as amended, may only be amended every five (5) years, at the end of each fiscal year the Commissioner shall retain any surplus remaining in the Insurance Industry Supervision and Regulation Fund, in order to defray the budgetary needs of the Office of the Insurance Commissioner, when the Fund's income is not sufficient to cover them. Except that, for fiscal year 2010-2011 the sum of ~~thirteen million five hundred fourteen thousand dollars (\$13,514,000)~~ three million two hundred fifty thousand dollars (\$3,250,000) shall be transferred from the Insurance Industry Supervision and Regulation Fund to the Puerto Rico Economic and Social Support Fund.”

Section 6. – The sum of ~~thirteen million five hundred fourteen thousand dollars (\$13,514,000)~~ three million two hundred fifty thousand dollars (\$3,250,000) originating from the Puerto Rico Economic and Social Support Fund shall be allocated to the different government agencies as provided below:

1. Council on Higher Education
 - a. To grant scholarships and financial aid to qualifying students, excepting students from the University of Puerto Rico.

| | |
|--|-----------|
| | 2,000,000 |
| | 4,955,200 |

2. Sports and Recreation Department
 - a. To transfer to the Puerto Rico Olympic Committee as part of the matching of funds program and strengthening of high performance sports training. This includes equipping and reconditioning facilities and the new responsibility of the Youth Olympics delegation sponsored by the International Olympics Committee and the technical program of the Albergue Olímpico School.

| | |
|--|-----------|
| | 400,000 |
| | 2,500,000 |

| | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| | b. For improvements to the park at the 1 ^{ra} Extensión of Levittown, Toa Baja. | 150,000 1,000,000 |
| | | 550,000 |
| | Subtotal | <u>\$3,500,000</u> |
| 3. | Mental Health and Addiction Services Administration | |
| | a. To defray operating expenses of the UPENS. Foundation | 100,000 150,000 |
| 4. | Puerto Rico Statistics Institute | |
| | a. To defray operating expenses. | -0- 229,000 |
| 5. | Energy Affairs Administration | |
| | a. To defray operating expenses. | -0- 129,000 |
| 6. | Institute of Puerto Rican Culture | |
| | a. To defray operating expenses of the Contemporary Art Museum. | -0- 200,000 |
| 7. | Fine Arts Center Corporation | |
| | a. To defray expenses of the Modern Art Museum. | 400,000 700,000 |
| 8. | Appropriation under the custody of the Office of Management and Budget. | |
| | a. "Consulta con el Pueblo." | -0- 1,050,800 |
| | b. To settle the debt with the Department of Transportation and Public Works regarding the Ownership of the land where the North and Sports Stations of the Tren Urbano are located. | -0- 2,000,000 -0- |
| | Subtotal | <u>\$3,050,800</u> |

| | | |
|----|-----------------------------------------------------------------------------------------------------------------|-------------------------------|
| 9. | Office of the Commissioner of Municipal Affairs | |
| a. | For the construction of works and capital Improvements in the Municipality of Yabucoa. | 100,000 200,000 |
| b. | For works and improvements at the Villa Pesquera, Islote Ward, Jareadito Sector in the Municipality of Arecibo. | -0- 200,000 |
| c. | For the development of cultural, arts and sports projects in the Municipality of Ponce. | 100,000 200,000 |
| | | \$200,000 |
| | Subtotal | <u>\$600,000</u> |
| | | \$3,250,000 |
| | Grand Total | <u>\$13,514,000</u> |

Section 7. –The contracting with municipal governments, private contractors as well as with any department, agency or corporation of the Commonwealth of Puerto Rico for the development of the purposes of Section 6 of this Act is hereby authorized.

Section 8. – The budget appropriations of this Joint Resolution for the agencies of the Executive Branch included in this Resolution whose budget is defrayed in whole or in part with charge to the General Fund shall not be reimbursed nor used for salary raises or other financial benefits during fiscal year 2010-2011, regardless of the legal source of said raises. These appropriations shall not be disbursed nor used for the annual monetary liquidation of sick leaves accrued in excess; said leaves accrued in excess may be liquidated as authorized by the appointing authority, through the enjoyment of accrued days. During the effective term of this Joint Resolution, salary raises and other economic benefits and the annual monetary liquidation of sick leaves accrued in excess are hereby cancelled in those agencies of the Executive Branch included in this Resolution whose budget is defrayed in whole or in part with charge to the General Fund. The cancellation of salary raises and other economic benefits provided in this Section

may only be altered in circumstances in which said raises are extremely necessary, upon previous identification of funds by the concerned agency, and the express authorization of the Office of the Management and Budget.

Section 9. – During the effective term of this Joint Resolution, and as a general rule for the responsible disbursement of budget appropriations for operating expenses and others, the Office of the Management and Budget may retain from the appropriations for the agencies of the Executive Branch included in this Resolution and whose budget is defrayed in whole or in part with charge to the General Fund, the amounts needed for the payment of contributions to the retirement systems, unemployment insurance, tax withheld from employees, electric power service, aqueducts and sewers service and the payments for leases of the agencies, when it determines that this withholding is necessary to assure compliance with these obligations by the concerned agencies.

Section 10. – The funds appropriated in Section 6 of this Act may be matched with federal, state and/or municipal funds.

Section 11. – This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 119-2010 (H. B. 2760) (Conference)** of the **3rd Session of the 16th Legislature** of Puerto Rico:

AN ACT to create the “Puerto Rico Economic and Social Support Fund” under the custody of the Office of Management and Budget and to amend the second paragraph of Section 2 of Act No. 66 of May 27, 1976, as amended, in order to transfer to the Puerto Rico Economic and Social Support Fund the sum of ~~thirteen million five hundred fourteen thousand dollars (\$13,514,000)~~ three million two hundred fifty thousand dollars (\$3,250,000) from the Insurance Industry Supervision and Regulation Fund; and to provide for the distribution of ~~thirteen million five hundred fourteen thousand dollars (\$13,514,000)~~ three million two hundred and fifty thousand dollars (\$3,250,000) from the Puerto Rico Economic and Social Support Fund to various government agencies, as detailed in Section 6 of this Act; to authorize the contracting of works; to authorize the matching of funds; and for other purposes.

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

In San Juan, Puerto Rico, on the 13th day of December, 2012.

María del Mar Ortiz Rivera