



GOVERNMENT OF PUERTO RICO

Puerto Rico Telecommunications Bureau
President's Office

August 19, 2019

Honorable Michael O'Rielly

Commissioner
Federal Communications Commission
445 12th St, SW
Washington, DC 20554

Dear Commissioner O'Rielly:

The Government of Puerto Rico wishes to inform you that on June 21, 2019 it enacted Act No. 55-2019 (Act 55), with the purpose of prohibiting the transfer of the 9-1-1 Emergency System Bureau (Bureau) and other telecommunications funds for purposes "*...other than ensuring the rendering and stability of the 9-1-1 and telecommunications services.*" Accompanying this letter, is an official English language copy of Act 55 prepared by the Office of Legislative Services.

You have our assurance that these funds will be use only for the provision and operations of the Bureau's responsibility as an essential service for all our citizens during emergencies. As you are aware, Puerto Rico is facing difficult times, but our priorities and efforts are focused on demonstrating with our actions that we are working tirelessly to rebuild Puerto Rico, with emphasis on the public safety area and telecommunications infrastructure and services, which proved to be essential and literally makes a difference in any emergency situations.

Thank you in advance for your continuous support.

Cordially,


~~Sandra E. Torres López~~, Esq.
President

cc: Hon. Wanda Vázquez,
Governor of Puerto Rico

Ms. Yazmín González Morales
Commissioner
9-1-1 Emergency Systems Bureau



(S. B. 949)

(No. 55-2019)

(Approved June 21, 2019)

AN ACT

To amend Sections 5 and 16 of Act No. 3-2017, as amended, known as the “Act to Address the Economic, Fiscal, and Budget Crisis to Guarantee the Operations of the Government of Puerto Rico,” in order to prohibit the transfer of the funds of the 9-1-1 Emergency System Bureau to the Job and Economic Activity Promotion Fund and any other; and for other related purposes.

STATEMENT OF MOTIVES

Section 16 of Act No. 3-2017, as amended, known as the “Act to Address the Economic, Fiscal, and Budget Crisis to Guarantee the Operations of the Government of Puerto Rico,” provides that the savings generated by the public corporations concerned with the promotion of economic development of Puerto Rico shall be deposited in the “Job and Economic Activity Promotion Fund” under the custody of the Puerto Rico Trade and Export Company, created under a separate special legislation for such purposes. Section 16 also expressly provides for a contribution to be made by the Governing Board of the 9-1-1 Service and the Puerto Rico and the Caribbean Cardiovascular Center Corporation to such fund even though none of these entities are directly related to economic development.

The 9-1-1 Emergency System Bureau, formerly known as the “Governing Board of the 9-1-1 Service,” provides critical and essential services during emergencies. The passage of hurricane Maria over Puerto Rico evidenced and emphasized the importance of the 9-1-1 and the telecommunications services for

the Island and its people during emergencies, since such services are vital for saving lives. With the approval of Act No. 5-2018, telecommunications were expressly recognized as an essential public service. As provided in the aforementioned Act and the Puerto Rico Oversight Management and Economic Stability Act or PROMESA, Public Law 114-187, telecommunications are considered an essential service, See Title V, Section 201, subsection (5).

The services provided by the 9-1-1 Emergency System Bureau are directly related to telecommunications, which may be the difference between life and death. Therefore, this Legislative Assembly deems it necessary to amend Sections 5 and 16 of Act No. 3-2017, as amended to eliminate any reference to the 9-1-1 Emergency System Bureau. Furthermore, it is necessary to expressly provide that the funds of the 9-1-1 Emergency System Bureau and other telecommunications funds shall not be diverted in the future for purposes other than ensuring the rendering and stability of such services.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Section 5 of Act No. 3-2017, as amended, known as the “Act to Address the Economic, Fiscal, and Budget Crisis to Guarantee the Operations of the Government of Puerto Rico,” is hereby amended to read as follows:

“Section 5.- Applicability.-

The provisions of this Act shall apply to every Entity of the Executive Branch of the Government of Puerto Rico. For purposes of this Act, ‘Entity of the Executive Branch’ shall be deemed to include all agencies, instrumentalities, and public corporations of the Government of Puerto Rico, notwithstanding their degree of fiscal or budget autonomy otherwise conferred to them under their organic act or any other applicable legislation. However, this Act shall not apply to the State Elections Commission, the Office of Government Ethics, the Office of the Special Independent Prosecutor’s Panel, the 9-1-1 Emergency System Bureau,

and the Office of the Election Comptroller unless otherwise expressly provided. For purposes of this Act, the University of Puerto Rico, its branches, and the Municipalities shall not be deemed to be Entities of the Executive Branch.”

Section 2.- Section 16 of Act No. 3-2017, as amended, known as the “Act to Address the Economic, Fiscal, and Budget Crisis to Guarantee the Operations of the Government of Puerto Rico,” is hereby amended to read as follows:

“Section 16.- Contribution of Savings Resulting from the Budget Control Measures set forth herein in Public Corporations concerned with Economic Development-related Fields to the General Fund’s Deficit.-

The savings generated by public corporations concerned with the promotion of economic development, and some other corporations designated under this Section, as a result of the implementation of this Act, shall be deposited in a fund set aside to address the fiscal crisis of the General Fund.

For purposes of this Section, the following shall be considered as public corporations concerned with the promotion of economic development: the Land Administration, the Lands Authority of Puerto Rico, the Puerto Rico Convention Center District Authority, the Puerto Rico Infrastructure Financing Authority, the Housing Financing Authority, the Puerto Rico Economic Development Bank, the Government Development Bank for Puerto Rico, the Trade and Export Company, the Industrial Development Company, the Tourism Company, the Agricultural Insurance Corporation, and the Public Corporation for the Supervision and Insurance of Cooperatives in Puerto Rico. Furthermore, the Caribbean Cardiovascular Center Corporation shall contribute to said fund.

The corresponding amounts certified by June 30th, 2017, shall be considered conclusively as the savings generated under this Act for the following Fiscal Year 2016, and shall be transferred to the Department of the Treasury by each of the corresponding public corporations, beginning on or before July 31st, 2017. Public

corporations required to make contributions under this Section shall continue to make their respective additional transfers in an amount equal to that paid during Fiscal Year 2017, beginning on July 31st, 2018 for Fiscal Year 2017, and annually thereafter on July 31st during the effective term of this Act.

The Funds of the 9-1-1 Emergency System Bureau and other telecommunications funds are hereby prohibited from being diverted in the future for purposes other than ensuring the rendering and stability of the 9-1-1 and telecommunications services.”

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



ORLANDO PAGÁN RAMÍREZ
DIRECTOR

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 55 (S. B. 949)** of the **5th Regular Session** of the **18th Legislative Assembly of Puerto Rico**:

AN ACT to amend Sections 5 and 16 of Act No. 3-2017, as amended, known as the "Act to Address the Economic, Fiscal, and Budget Crisis to Guarantee the Operations of the Government of Puerto Rico," in order to prohibit the transfer of the funds of the 9-1-1 Emergency System Bureau to the Job and Economic Activity Promotion Fund and any other; and for other related purposes.

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

In San Juan, Puerto Rico, on this 7th day of August, 2019.

Orlando Pagán-Ramírez
Director