

(H.B. 174)

(No. 86)

(Approved August 26, 2005)

AN ACT

To amend Act No. 32 of June 23, 1985, better known as the “Student Travel Act,” in order to add to the duties of the Executive Director of the Office of Youth Affairs in his capacity as Director of the Travel Program; to amend Sections 3, 7, 8, 9, 10, 13, 16, 17 and 18; and to add a new subsection (h) and redesignate as subsection (i) the present subsection (h) of Section 12.

STATEMENT OF MOTIVES

Act No. 32 of June 23, 1985, better known as the “Student Travel Act,” was approved in order to establish a program for students attending the public high schools of the educational system of the Island to travel to places outside of Puerto Rico. Said law also provided for the creation, development and operations of the program, created the Student Travel Program Fund at the Department of the Treasury and appropriated funds to achieve the objectives of said Act.

The adoption of this Act was inspired by the fact that it was noted in certain youths that a deviation in the development process needed for them to achieve a well balanced personality could turn a wonderful stage in their growth into an obstacle for their personal development. Subsequently, in seeking to provide these young people with experiences and opportunities

that would broaden the breadth of their human potential, the Legislature approved this Act No. 32, *supra*, to offer options and alternatives to those young people who might need them.

Said Act was amended in 1993 to attach the Student Travel Program to the Office of Youth Affairs and include university students as participants.

In reexamining Act No. 32, *supra*, this Legislature believes it convenient to give additional duties to the Director in charge of enforcing the provisions of this Act, pursuant to the demands created by the changes in recent times and so that the duties of the Director may be compatible with the prevailing social needs and the pronouncements set forth in this Act No. 32, *supra* be rendered effective.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-Section 3 of Act No. 32 of June 23, 1985, as amended, is hereby amended to read as follows:

“Section 3.-Definitions.

The following terms, wherever used or referred to in this Act, except when incompatible with its purposes, shall mean:

(1) ...

(8) ‘Executive Director’ – The person in charge of the Office of Youth Affairs, the Office of the Governor.

(9) ...

(13) ‘Accompanying Adult’ – Any adult, be it an employee of the Office of Youth Affairs or a Volunteer, chosen to accompany participating students in the trips sponsored by the Student Travel Program.”

Section 2.-Section 7 of Act No. 32 of June 23, 1985, as amended, is hereby amended to read as follows:

“Section 7.-Director – Additional Functions and Faculties.

In addition to the powers conferred by this Act or by other laws, the Director shall have all the faculties, functions and prerogatives inherent to his/her office, among which are included, but not limited to, the following:

- (a) ...
- (c) To draft and administer the budget of the Program.
- (g)”

Section 3.-Section 8 of Act No. 32 of June 23, 1985, as amended, is hereby amended to read as follows:

“Section 8.-Faculties of the Executive Director.

Under this Program the Executive Director shall exercise the following functions:

- (a) ...
- (d) Evaluate and approve the Operational Plan that the Director shall annually submit according to the provisions of this Act.
- (e) ...
- (f)”

Section 4.-Section 9 of Act No. 32 of June 23, 1985, as amended, is hereby amended to read as follows:

“Section 9.-Participating Students.

The participating students shall be selected by means of a drawing.

The Office of Youth Affairs shall establish a system of drawing to be implemented using the facilities of the Puerto Rico Lottery. For that purposes the Secretary of the Treasury is hereby authorized, in conjunction with the Director, to establish the most effective plan taking into

consideration the needs of the Lottery and the time within which to conclude the procedures to select the students who shall constitute the groups which will travel at the proper time during each academic year, subject to the financial resources available. It will likewise select those students who will substitute for those participants, who, for whatever reason, will not be able to travel.

The Executive Director shall establish the necessary regulations and grant the contracts required by the procedure to select the participating students as herein provided. No grade point average requirements shall be established for regular disabled students registered with the Office of the Assistant Secretary for Integral Educational Services for Persons with Disabilities who wish to participate in the Student Travel Program.”

Section 5.-Section 10 of Act No. 32 of June 23, 1985, as amended, is hereby amended to read as follows:

“Section 10.-Operational Plan.

No later than one hundred and twenty (120) days before the close of each fiscal year, the Director shall submit to the Governor and the Legislature an operational plan for the next fiscal year including, among other things, the following information:

(1) ...

(11) ...”

Section 6.-A new subsection (h) is hereby added and the present subsection (h) is hereby redesignated as subsection (i) of Section 12 of Act No. 32 of June 23, 1985, as amended, to read as follows:

“Section 12.-Regulations.

The Executive Director shall adopt the following regulations, among others, subject to the approval of the Governor and of the Secretary of the Treasury when necessary:

(a) ...

(h) To establish the procedure for testing all participating students and accompanying adults for the use of controlled substances.

(i)”

Section 7.-Section 13 of Act No. 32 of June 23, 1985, as amended, is hereby amended to read as follows:

“Section 13.-Agreements with agencies.

The Office of Youth Affairs may enter into agreements with any agency of the Government of the Commonwealth of Puerto Rico to jointly carry out any project or activity within the mission of the Program established in this chapter, provided that these agreements are allowed by the laws and regulations in effect.”

Section 8.-Section 16 of Act No. 32 of June 23, 1985, as amended, is hereby amended to read as follows:

“Section 16.-Acceptance of donations and funds.

The Office of Youth Affairs shall have the power to accept donations or funds by means of appropriations, materials, properties or other similar benefits from any private person or institution or from the Federal Government or the Government of the Commonwealth of Puerto Rico or the municipal governments or any instrumentality or agency of said governments; and advise on or participate in contracts or agreements with any of said governments or their instrumentalities or agencies for the use of

these donations or funds in harmony with the purposes of this chapter. The funds received from donations shall be used pursuant to the terms of each donation and the applicable laws.”

Section 9.-Section 17 of Act No. 32 of June 23, 1985, as amended, is hereby amended to read as follows:

“Section 17.-Agreements with the Federal Government and U.S. States.

The Office of Youth Affairs may request and obtain aid or assistance in cash, goods and services or of any other kind, from the Government of the United States, the States of the United States or from any of their political subdivisions for the purposes of this Act, pursuant to applicable laws, regulations and agreements.

The Executive Director shall enter into and transact the necessary agreements in the most effective way to achieve the purposes of this Act. To those ends, the Executive Director is hereby authorized to use, create, regulate, coordinate, evaluate or promote and develop, in a manner compatible with the laws, regulations and contractual terms that govern said agreements, projects, facilities, organizations, activities and services required to obtain the greatest benefits for the Program. The Executive Director, in order to comply with any of said agreements, shall likewise have the authority to supply to the entity with which it contracts, or with the person or entity designated by it, information of any nature whose revelation is not expressly prohibited by law or regulations with the force of law.”

Section 10.-Section 18 of Act No. 32 of June 23, 1985, as amended, is hereby amended to read as follows:

“Section 18.-Appropriation.

The amount of two million five hundred thousand (2,500,000) dollars is hereby appropriated to the Office of Youth Affairs, from unencumbered funds in the Commonwealth Treasury for fiscal years 2001 to 2005, to carry out the purposes of this Act. At the close of each fiscal year all surplus funds shall revert to the General Fund.

The funds appropriated in this Act shall proceed annually from the net product of the drawings of the Lottery to be held each fiscal year from 2001 to 2005, inclusive.”

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. 86 (H.B. 174) of the 1st Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Act No. 32 of June 23, 1985, better known as the “Student Travel Act,” in order to add to the duties of the Executive Director of the Office of Youth Affairs in his capacity as Director of the Travel Program; to amend Sections 3, 7, 8, 9, 10, 13, 16, 17 and 18; and to add a new subsection (h) and redesignate as subsection (i) the present subsection (h) of Section 12,

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

In San Juan, Puerto Rico, today 24th of January of 2006.

Francisco J. Domenech
Director