

(H. B. 989)

(No. 100)

(Approved August 26, 2005)

AN ACT

To create the “Act for the Development of Free Internet Access Centers throughout Puerto Rico,” authorizing the Telecommunications Regulatory Board, to promote coordination with the government agencies and the municipalities of Puerto Rico, as well as private and educational entities, the implementation of a comprehensive program that includes the establishment of a Free Internet Access Center in each of the municipalities of Puerto Rico and to create regulations to govern such centers.

STATEMENT OF MOTIVES

In the 21st Century the achievement of the main objective of fostering citizen education and interest in the use of technology and access to the Internet is a mandate which cannot be postponed by the Government of Puerto Rico. We are aware that we live in a technologically advanced world in which the development of technologies and communications systems is continuous and the equipment associated to it changing on a daily basis. It is a world in which our children’s access to and skills, or lack thereof, regarding technology management and information tools could affect their future.

Unfortunately, we are aware that many families and parents, especially those with low financial resources, cannot afford to provide such technology or equipment in their homes. Although the percentage of families with access to computers and the Internet has increased in the past years, the digital divide phenomenon, or the gap between those who have the financial resources to have the technology and access thereto and those who cannot afford them still exists.

In compliance with our commitment to the people and for the sake of solving, in part, the situation described above, an ambitious project for the establishment of Free Internet Access Centers throughout Puerto Rico is being enforced through this Act.

Such centers shall be established under the supervision of the Telecommunications Regulatory Board, which shall provide their implementation, in coordination with the other government agencies and municipalities of Puerto Rico, and with the help, both financial and with equipment, of private and educational entities. The centers shall be located in that area of the municipality in question in which there is greater access for persons of low economic resources, and shall have the necessary telecommunications infrastructure and the necessary computer equipment and software to offer free Internet access to the citizens of said municipalities. For such reasons, the Legislature, in compliance with public policy established, directs the creation of these Free Internet Access Centers, to offer our people the tools and technological education necessary to achieve its highest progress and self-sufficiency. This bill was one of the many to which this Parliamentary Majority was committed, and in turn, was one of the commitments approved by the votes of the People last November 2nd.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-TITLE

This Act shall be known as the “Act for the Development of Free Internet Access Centers throughout Puerto Rico.”

Section 2.-PUBLIC POLICY

It shall be the public policy of the Government of Puerto Rico, through the Telecommunications Regulatory Board (“the Board”), in coordination with other government agencies and the municipalities, and private and educational entities, to promote the creation of Free Internet Access Centers throughout Puerto Rico, as

a tool for the development of citizen education and interest in the use of technology and the Internet.

Section 3.-IMPLEMENTATION

The Telecommunications Regulatory Board of Puerto Rico, in coordination with the government agencies concerned and the municipalities, as well as private and educational entities, is hereby directed and authorized to promote the creation of Free Internet Access Centers throughout the seventy-eight (78) municipalities. The Board shall be bound to promote the establishment, maintenance and supervision of the seventy-eight (78) centers throughout Puerto Rico, as well as in the municipalities in which no free Internet access center exists.

The Board shall be bound to regulate the establishment of these centers and to ensure that they have the physical facilities, infrastructure and equipment necessary in order to comply with the provisions set forth in this Act.

Section 4.-REGULATIONS

The Telecommunications Regulatory Board shall prepare regulations, subject to the Uniform Administrative Procedures Act, Act No. 170 of August 12, 1988, as amended, to establish the operating norms and parameters of this program, and the type of information or web pages that may be accessed, pursuant to all the laws and regulations of the Commonwealth of Puerto Rico and the Government of the United States of America.

Section 5.- RECEIPT AND ADMINISTRATION OF STATE, FEDERAL AND/OR PRIVATE FUNDS

The Board and the agencies concerned in the implementation of this Act are hereby authorized to receive and administer funds from legislative appropriations, transfers, delegations, contributions and donations of any sort received from agencies, municipal governments and the Government of the United States of America, as well as those proceeding from persons, non-government organizations

and other private entities for the design and implementation of projects, programs or services to be performed or offered by the Free Internet Access Centers. These funds include, but are not limited to, those items under E-Rate federal programs for which the municipalities in question may qualify. For such purposes, the Telecommunications Regulatory Board is hereby directed to identify the existing federal programs that may apply to the municipalities for the implementation and maintenance of the Free Internet Access Centers.

Furthermore, the Telecommunications Regulatory Board shall promote a sponsorship program in which private entities shall defray all or part of the costs of the establishment and operations of the Free Internet Access Centers directed by this Act.

Section 6.-SEPARABILITY CLAUSE

If any part of this Act is declared null by any court with jurisdiction, said ruling shall not affect or invalidate the remaining parts of the Act and its effect shall be limited to that aspect that is the object of such judicial ruling.

Section 7.-EFFECTIVENESS

This Act shall take effect immediately after its approval. However, a term of twelve (12) months from the date of approval of this Act is granted to the Telecommunications Regulatory Board to establish any regulations or forms necessary for the implementation thereof. Likewise, within a term of six months, the Telecommunications Regulatory Board shall be bound to submit a status report and a program and schedule of implementation before the Legislature of Puerto Rico.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 100 (H.B. 989) of the 1st Session of the 15th Legislature of Puerto Rico:

AN ACT to create the “Act for the Development of Free Internet Access Centers throughout Puerto Rico,” authorizing the Telecommunications Regulatory Board, in to promote coordination with the government agencies and the municipalities of Puerto Rico, as well as private and educational entities, the implementation of a comprehensive program that includes the establishment of a Free Internet Access Center in each of the municipalities of Puerto Rico and to create regulations to govern such centers,

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

In San Juan, Puerto Rico, today 1st of February of 2006.

Francisco J. Domenech
Director