

(H.B. 167)
(Reconsidered)

(No. 141)

(Approved November 17, 2005)

AN ACT

To amend Section 1, add a new Section 2 and renumber the present Section 2 as Section 3 of Act No. 159 of July 23, 1999, in order to establish that all facilities owned by the Commonwealth of Puerto Rico or any of its agencies or dependencies, shall be lent free from the payment of a fee when sought for holding any activity of the Official Program sponsored by the Puerto Rico councils of the Boy Scouts of America or the Girl Scouts of America; and to define concepts and exclusions.

STATEMENT OF MOTIVES

Act No. 159, approved on July 23, 1999, authorized the free use of recreational or sports facilities owned by the Commonwealth of Puerto Rico and its agencies or dependencies when they are to be used for any activity related to the Boy Scouts of America, the Girl Scouts of America or the councils of Puerto Rico.

However, the purpose of said Act was undermined when the meaning of concepts such as “facilities” and “free use” were questioned, leaving room for charging the Boy or Girl Scouts for the use of areas free of structures or buildings, thus giving an erroneous interpretation to these terms.

The Puerto Rico Boy and Girl Scouting organizations are non profit institutions whose main objectives are the shaping of exemplary citizens and the enhancement of family values and ties. These objectives are achieved by establishing programs that serve both children and young adults. These children and young adults are committed to inspire in their peers the highest ideals for the development of character, behavior, patriotism, service and effort while using the available resources prudently so as to make the world a better place in which to live. The work of these groups is praiseworthy since it provides our children and young adults with an environment that inspires them to develop initiatives for sound growth and learning within a framework of values of which they shall benefit for the rest of their lives. For these and many more reasons we must strive to make Puerto Rico a better place by cooperating with these groups and allowing them to use, free from the payment of fees, any of the facilities owned by the Government, its agencies or dependencies so they may hold their official activities.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-To amend Section 1 and add a new Section 2 and renumber the present Section 2 as Section 3 of Act No. 159 of July 23, 1999, to read as follows:

“Section 1.-To provide that all facilities owned by the Commonwealth of Puerto Rico or any of its agencies or dependencies shall be lent free of the payment of fees on any account, whenever the these are sought for holding any activity sponsored by the Puerto Rico Councils of the Boy Scouts or the Girl Scouts of America. All housing facilities that generate revenues for the government agencies or dependencies are hereby excluded.”

Section 2.-The following terms or phrases shall have the meaning expressed below:

- a. Boy Scout shall mean any boy or young man, to the age of twenty-one (21), duly registered as a member of the Puerto Rico Council of the Boy Scouts of America, including adults duly registered as leaders of these groups.
- b. Girl Scout shall mean any girl or young woman, to the age of seventeen (17), duly registered as a member of the Puerto Rico Council of the Girl Scouts of America, including adults duly registered as leaders of these groups.
- c. Facility owned by the Commonwealth of Puerto Rico, its agencies or dependencies means any facility, premise, physical area, as well as properties such as parks, courts, land, beaches, forests, green areas, centers, mountains, slopes, peaks, hummocks, lakes and islets, with or without structures, which because of their size and daily usage, or because of their nature or destination is for recreational, sports or contemplative use or that might be used for camping or recreational activities or for practicing some sport or for meetings of large groups of people. This definition excludes stadiums, sports complexes, coliseums or any facility which because of its nature or size is mainly used for regional or national activities. In the case of those facilities that are administered by a public, Commonwealth or municipal instrumentality whose revenues depend on the fees charged for the use of the facilities under its administration, a discount of 50% off the fee usually charged shall be granted. Also excluded are those housing facilities which generate revenues for government agencies or dependencies.

- d. The agency or dependency of the Commonwealth shall retain control as to the ways and means in which its resources shall be ceded and the authority to identify the proper areas for every application and may grant similar benefits to analogous organizations for which the corresponding regulations were adopted within a term not to exceed sixty (60) days as of the effective date of this Act.
- e. In order to obtain the permit for the use of said facilities, not less than thirty (30) days before, the interested organizations shall notify the pertinent public agencies and instrumentalities about the kind of activity to be conducted, its purpose and the scope or duration of the activity. They shall also provide a certification indicating that they hold the minimum public liability insurance policies to cover the participants as well as those to cover the damages to the facilities and the instruments and equipment they contain may suffer.

Section 3.- ----“

Section 2.-This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 141 (H.B. 167) (Reconsidered) of the 2nd Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 1, add a new Section 2 and renumber the present Section 2 as Section 3 of Act No. 159 of July 23, 1999, in order to establish that all facilities owned by the Commonwealth of Puerto Rico or any of its agencies or dependencies, shall be lent free from the payment of a fee when sought for holding any activity of the Official Program sponsored by the Puerto Rico councils of the Boy Scouts of America or the Girl Scouts of America; and to define concepts and exclusions,

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

In San Juan, Puerto Rico, today 9th of February of 2006.

Francisco J. Domenech
Director