

(S. B. 531)

(No. 156)

(Approved December 16, 2005)

AN ACT

To establish as a public policy the distribution of resources set aside in the budgets for the contracting of public broadcasting media by the agencies and departments of the Commonwealth of Puerto Rico, so that said resources are distributed in a more cost effective manner, while reaching the greatest number of Puerto Rican citizens, by establishing that a minimum portion of the budget destined to the contracting of broadcasting media be invested in the contracting of radio broadcasting media.

STATEMENT OF MOTIVES

Radio in Puerto Rico is the communications media of greatest reach throughout the entire Island. At home, work, in the car, regardless of the geographic area, this media reaches more than 80 % of the Puerto Rican population on a daily basis. Radio is the media that allows the people to be informed most effectively and usually without interruptions during times of crisis. With one hundred and twenty-six (126) regional stations and eighteen (18) chains throughout the Island, radio in Puerto Rico is a local industry of great importance that renders a valuable service to the immense majority of our people.

At present, the Government of Puerto Rico designates more than three hundred ninety million dollars (\$390,000,000) from its budget through its agencies and dependencies to keep the citizenry informed as to the great diversity of services, bids, programs, convocations and notices that concern the general public, among other things. Approximately seventy-eight percent

(78%) of this amount is used to contract advertising in written diffusion media, more than sixteen percent (16%) is used in television, and only a six percent (6%) is used for radio broadcast. The marked difference in the amounts invested in the different media is noteworthy. We deem that it is necessary to regulate these differences by establishing proportions that reflect the scope of each diffusion media.

The radio is, to this day, the broadest diffusion media in the Island. At the same time, it is the only free diffusion media available to Puerto Ricans to be informed on a daily basis, and it is also the less costly means for the diffusion of information. As a matter of public policy, we deem it necessary to establish a fixed fifteen percent (15%) which all government agencies and dependencies shall be under the obligation to invest in radio broadcasting from the budgets set aside for advertisement in the media to each agency. An increase in the funds destined for public broadcasting is not our intention, but rather to seek a fairer and more beneficial distribution of the funds destined to this purpose.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- It is declared as public policy of the Commonwealth of Puerto Rico to propitiate a more equal distribution of the resources provided in the budgets for the contracting of public diffusion media by the agencies and department of the Commonwealth of Puerto Rico, in order for these said resources to be distributed in the most cost effective manner, while reaching the greatest number of the Puerto Rican citizens.

Section 2.- Every agency and dependency of the Commonwealth of Puerto Rico shall, as of two (2) years of the approval of this Act, designate a total of at least fifteen percent (15%) of the resources provided in the budget for contracting of diffusion media, for the contracting of radio broadcast

media, of which seven percent (7%) shall be set aside for independent radio stations that are not in chain with others, and seven and a half percent (7.5%) for radio stations in chain with others.

Section 3.- During the first year of effectiveness of this Act, every agency and dependency of the Commonwealth of Puerto Rico shall assign at least five percent (5%) of the resources destined in their budgets for the contracting of diffusion media, to contracting with radio broadcast media. This Section shall not apply to those agencies or dependencies that assign at least ten percent (10%) of the resources set aside in their budget for contracting with the diffusion media, to contracting in radio broadcasting media. Fifty percent (50%) of said funds shall be assigned for contracting with independent radio stations not in chain with others and the remaining fifty (50%) to chain radio stations.

Section 4.- During the second year of effectiveness of this Act, every agency or dependency of the Commonwealth of Puerto Rico shall at least assign the fifteen percent (15%) required in Section 2 of this Act for contracting with radio broadcast media, which shall be distributed among the radio stations in the manner established in said Section.

Section 5.- The Office of the Comptroller shall oversee to the faithful compliance of all the provisions of this Act as part of the auditing process of all agencies.

Section 6.- The Department of State of Puerto Rico is exempted from the provisions of this Act.

Section 7.- Nothing of the herein provided shall contravene the provisions of the Act to Regulate and Limit the Advertising Expenses of the Government of Puerto Rico.

Section 8.- This Act shall take effect on July 1 of the year following that of its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 156 (S.B. 531) of the 2nd Session of the 15th Legislature of Puerto Rico:

AN ACT to establish as a public policy the distribution of resources set aside in the budgets for the contracting of public broadcasting media by the agencies and departments of the Commonwealth of Puerto Rico, so that said resources are distributed in a more cost effective manner, while reaching the greatest number of Puerto Rican citizens, by establishing that a minimum portion of the budget destined to the contracting of broadcasting media be invested in the contracting of radio broadcasting media,

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

In San Juan, Puerto Rico, today 6th of February of 2006.

Francisco J. Domenech
Director

