

(H. B. 2894)

(No. 302)

(Approved December 26, 2006)

AN ACT

To amend Section 8 of Act No. 82 of June 1, 1973, as amended, known as the “College of Nursing Professionals of Puerto Rico Act,” to clarify the quorum to be required to fix the annual fee to be paid by the nursing professionals.

STATEMENT OF MOTIVES

Through the approval of Act No. 82 of June 1, 1973, the State authorized the nursing professionals of Puerto Rico to constitute themselves into a legal entity under the name of “College of Nursing Professionals of Puerto Rico.” Section 8 of Act No. 82 establishes the following, and we quote:

“College members shall pay a fee every year on the date or in the manner established in the bylaws, and they shall be fixed by Regular Annual Assembly of the College. The quorum prescribed to fix fees shall be of not less than five (5%) percent of the total number of active members.”

Since the “College of Nursing Professionals of Puerto Rico” was established approximately thirty-three (33) years ago, the fees have remained at forty (40) dollars, in spite of the increase in the cost of maintaining operations and the administration of the “College of Nursing Professionals of Puerto Rico.”

One of the main reasons that has prevented the directors of the College from submitting the necessary adjustments in the membership fees for the consideration of the members is the application of the aforementioned Section 8. In said Section, the quorum required to fix fees was established for the first Assembly of the “College of Nursing Professionals of Puerto Rico,” but no provision was made for subsequent assemblies. Through the present measure, Section 8 of Act No. 82, *supra*, is amended to establish that the quorum required to modify the annual fees shall be the one required by the assembly for amendments to the bylaws. On the other hand, this Legislature shall at the same time, establish the mechanisms to prevent increase of fees in an arbitrary and capricious manner.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Section 8 of Act No. 82 of June 1, 1973, as amended is hereby amended to read as follows:

“Section 8.- College members shall pay a fee every year on the date or in the manner established in the bylaws, and they shall be fixed by the provisions of the Regular Annual Assembly of the College. The quorum prescribed in the bylaws to modify the annual fees shall be as required by the assembly for amendments to the bylaws. Provided, that a period of not less than ten (10) years shall elapse after the assembly in which a modification of the fees is approved before a new modification of the fees may be considered.”

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. 302 (H.B. 2894) of the 4th Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 8 of Act No. 82 of June 1, 1973, as amended, known as the “College of Nursing Professionals of Puerto Rico Act,” to clarify the quorum to be required to fix the annual fee to be paid by the nursing professionals,

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

In San Juan, Puerto Rico, today 17th of April of 2007.

Francisco J. Domenech
Director