

(S. B. 9)
(Conference)

(No. 141-2012)

(Approved July 20, 2012)

AN ACT

To amend Sections 1 and 2; subsections (a) and (e) of Section 3; Sections 4 and 5; subsection (d) of Section 7; Section 9; and add a new subsection (f) to Section 3 of Act No. 67-2008, known as the “Charter Flights Air Incentive Program at the Rafael Hernández Airport in Aguadilla,” for the purpose of including Mercedita Airport of Ponce in the Charter Flights Air Incentive Program; and for other purposes.

STATEMENT OF MOTIVES

The main purposes of Act No. 67-2008, known as the “Charter Flights Air Incentive Program at the Rafael Hernández Airport in Aguadilla Act,” are to: increase the hotel occupancy in the Paradores and Inns located at the Porta del Sol-Puerto Rico Tourist Destination; increase the number of passengers in the Rafael Hernández Airport in Aguadilla; promote consumption and investment in the region’s economy; generate and increase benefits to be received by the different economic sectors of Puerto Rico; and offer equal incentives to all operators of charter flights in order to maximize the promotion of Puerto Rico as the Porta del Sol-Puerto Rico Tourist Destination, among others.

The Porta Caribe Tourist Destination is a tourism zone created by Executive Order that comprises the municipalities of Adjuntas, Arroyo, Coamo, Guánica, Guayama, Guayanilla, Juana Díaz, Jayuya, Patillas, Peñuelas, Ponce, Salinas, Santa Isabel, Villalba, and Yauco.

The Mercedita International Airport in Ponce is one of the most important and productive components of the Porta Caribe Tourist Destination. The commercial, private, and corporate air activities conducted therein make it an invaluable asset to the economic development of the Ponce Municipality and the southern area of the island in general.

The tourist industry is one main economic sectors of Puerto Rico. This important industry is the source for the creation of jobs and generation of capital for Puerto Ricans, both of which are essential elements to compete in the global market. Therefore, this legislation shall serve as an additional tool to achieve sustained economic growth in the southern region of Puerto Rico. It shall also provide investors and developers with significant incentives to develop new infrastructure directed to promoting the tourist industry.

Therefore, this Legislative Assembly, aware of the need to create legislation that benefits economic development and the tourism industry, deems it necessary to amend Act No. 67-2008, known as the “Charter Flights Air Incentive Program at the Rafael Hernández Airport in Aguadilla Act,” for the purpose of providing the southern region of Puerto Rico with an essential economic boost and to promote consumption and investments in the economy of said region. It is further established that an item from the Air Access Program Funds for new routes shall be set aside for the creation of new routes for the Rafael Hernández Airport of Aguadilla and the Mercedita Airport of Ponce.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF PUERTO RICO:

Section 1.- Section 1 of Act No. 67-2008, known as the “Charter Flights Air Incentive Program at the Rafael Hernandez Airport in Aguadilla Act”, is hereby amended to read as follows:

“Section 1.- Title.- This Act shall be known as the ‘Charter Flights Air Incentive Program at the Rafael Hernandez Airport of Aguadilla and Mercedita International Airport of Ponce Act’.”

Section 2.- Section 2 of Act No. 67-2008 is hereby amended to read as follows:

“Section 2.- The ‘Charter Flights Air Incentive Program at the Rafael Hernandez Airport in Aguadilla and Mercedita International Airport of Ponce’ attached to the Puerto Rico Tourism Company is hereby authorized and established for the purpose of fixing an incentives plan directed to promoting the arrival of charter flights to said airports, to increase the number of passengers, to promote the stay of passengers in the Paradores and Inns located at the Porta del Sol-Puerto Rico, and Porta Caribe Tourist Destinations endorsed by the Tourism Company, and to provide an economic boost to these important tourist sectors of Puerto Rico.”

Section 3.- Subsections (a) and (e) are hereby amended and a new subsection (f) is hereby added to Section 3 of Act No. 67-2008, to read as follows:

“Section 3.- Public Policy

The main purposes pursued by the Government ...

(a) To increase the hotel occupancy in the Paradores and Inns located at the Porta del Sol-Puerto Rico and the Porta Caribe Tourist Destinations endorsed by the Tourism Company;

(b) ...

...

(e) To offer equal incentives to all operators of charter flights in order to maximize the promotion of Puerto Rico as the Porta del Sol-Puerto Rico Tourist Destination, and the Porta Caribe Tourist Destination.”

(f) To create new routes for the purpose of attracting tourists and promoting Puerto Rico in as many countries as possible.

Section 4.- Section 4 of Act No. 67-2008 is hereby amended to read as follows:

“Section 4.- Creation of the Fund

A special fund is hereby created in the books of the Puerto Rico Tourism Company to be denominated the ‘Special Fund for the Charter Flights Incentive Program at the Rafael Hernandez Airport of Aguadilla and Mercedita International Airport of Ponce’ (the ‘Fund’), attached to the Puerto Rico Tourism Company. The Fund...”

Section 5.- Section 5 of Act No. 67-2008 is hereby amended to read as follows:

“The Puerto Rico Tourism Company shall establish through regulations all that pertains to the form and manner in which incentives shall be requested and granted in order to guarantee a sound administration of the public funds.

The following is hereby established with regard to the manner in which the aforementioned incentives shall be granted:

The Tourism Company shall annually set aside five percent (5%) or a minimum of one million dollars (\$1,000,000) from the funds available in the ‘New Routes Air Access Program Fund’ to the Rafael Hernández Airport of Aguadilla, and five percent (5%), or a minimum of one million dollars (\$1,000,000) from said funds to the Mercedita International Airport of Ponce, beginning on July 1, 2012, for the purpose of promoting the establishment of new air routes.”

Section 6.- Subsection (d) of Section 7 of Act No. 67-2008 is hereby amended to read as follows:

“Section 7.- Establishment of Incentives

The following incentives shall be granted to the companies or operators of charter flights for the new routes established by this Act:

(a) ...

(b) ...

(c) ...

(d) It is hereby expressly provided that the incentives herein itemized shall apply exclusively to charter flights using the Rafael Hernandez Airport of Aguadilla and the Mercedita International Airport of Ponce.”

Section 7.- Section 9 of Act No. 67-2008 is hereby amended to read as follows:

“Section 9.- Requirements

In order to qualify for the incentives provided under this Act, it shall be required that seventy-five percent (75%) of the passengers in the charter flight have at least a three (3)-night stay reservation in any of the Paradores or Inns located at the Porta del Sol-Puerto Rico, and Porta Caribe Tourist Destinations, endorsed by the Puerto Rico Tourism Company.”

Section 8.- Effectiveness

This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following **Act No. 141-2012 (S. B. 9) (Conference)** of the **7th Regular Session** of the **16th Legislative Assembly of Puerto Rico**:

AN ACT to amend Sections 1 and 2; subsections (a) and (e) of Section 3; Sections 4 and 5; subsection (d) of Section 7; Section 9; and add a new subsection (f) to Section 3 of Act No. 67-2008, known as the “Charter Flights Air Incentive Program at the Rafael Hernández Airport in Aguadilla,” for the purpose of including Mercedita Airport of Ponce in the Charter Flights Air Incentive Program; and for other purposes.

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

In San Juan, Puerto Rico, on this 9th day of October, 2015.

Juan Luis Martínez Martínez
Director