

To Grant a Life Annuity and Other Facilities to Ex-Governors

Act No. 2 of March 26, 1965, as amended

(Contains amendments incorporated by:

Act No. 10 of May 1, 1973

Act No. 2 of February 27, 1993)

To grant a life annuity and other personnel, office and transportation facilities to every person who has held the office of Governor of Puerto Rico by election during a certain term; and to grant a life annuity to the widow of every ex-Governor.

STATEMENT OF PRINCIPLES

On January 2, 1965, for the first time since the inception in 1952 of the Commonwealth Constitution, the transfer was made of the responsibilities and prerogatives of the Office of Chief Executive, from one governor elected by the people, to another governor also elected by the people. It is therefore advisable to set the fittest standards for the establishment of a lofty tradition anent the ulterior activities of outgoing governors and the measures to be adopted by the Commonwealth for the development of such activities within the exacting canons of dignity and decorum that should govern the conduct and standing in society of those who have attained such a high office in our country.

In harmony with these principles, and with a high sense of responsibility, the Legislative Assembly considers it a duty to approve the measure embodied in this Act as the fittest to attain the aforesaid objective.

Be it enacted by the Legislature of Puerto Rico:

Section 1. — [Annuity, manner of compensation and incompatibility] (3 L.P.R.A. § 21)

Every former Governor elected as Chief Executive before November 3 of 1992, shall be entitled to a life annuity of twenty five thousand dollars (\$25,000). Said annuity shall be paid by the Secretary of the Treasury in monthly installments, and the payment of any other emolument chargeable to the Treasury for any reason, and the receipt of any benefit under a pension system established by law of the Commonwealth shall be incompatible with the payment of said annuity.

Section 2. — [Exception] (3 L.P.R.A. § 21a)

However, it is expressly provided that every former Governor who, upon approval of this Act is entitled to receive the annuity referred to in Section 1 of Act No. 2 of March 26 of 1965, as amended shall continue to enjoy said benefit for life, unless he/she voluntarily waives it.

Section 3. — [Other rights] (3 L.P.R.A. § 21b)

This Act shall not affect other vested rights, benefits or emoluments enjoyed by every former Governor by virtue of other provisions of Act No. 2 of March 26 of 1965, as amended.

Section 4. — [Former Governor's Service Office]. (3 L.P.R.A. § 22)

(a) There is hereby created in the Bureau of the Budget the Former Governor's Service Office, which shall have the responsibility of providing to each former Governor the following facilities and services:

(1) An office, duly equipped at the place within Puerto Rico which the former Governor may select.

(2) Such technical and office personnel as the Governor may require. Said personnel shall be included within the Exempt Service and the former Governor shall be the appointing authority of said personnel. The former Governor shall determine the number, categories and, subject to the provisions hereinafter contained, the salaries, of such employees, who shall be responsible solely to him for the performance of their duties and functions. The compensation payable to each such employee shall not exceed the maximum compensation payable to other employees holding equivalent positions in the Government of Puerto Rico.

(3) The purchase of equipment and fixtures, and other general operating expenses. The purchase or obtainment of these facilities and services shall in all cases be governed by the laws and regulations of the Commonwealth of Puerto Rico.

(b) The facilities and services mentioned in clauses (1), (2) and (3) of subsection (a) shall be provided chargeable to a self-renewing annual appropriation that shall provide each Governor with funds in the amount of forty thousand dollars (\$40,000) which is hereby appropriated to the Bureau of the Budget.

(c) Any unencumbered surplus remaining at the close of each fiscal year in the appropriation made by this section shall be covered into the general funds of the Commonwealth Treasury.

(d) The Bureau of the Budget shall also provide to each Former Governor an automobile for personal use, and the services of a driver, maintenance and operation. Provided, That the Secretary of the Treasury shall appropriate annually the amounts the Bureau of the Budget determines necessary to comply with these provisions; Provided, further, That such amounts shall be in addition to the appropriation of subsection (b) of this section, and shall be also under the administration of the Bureau of the Budget.

(e) If a former Governor were to hold the office of Governor again, he/she shall not receive the annuity nor the appropriations, facilities and services provided by this Act, during his/her term as Governor.

Section 5. — [Widows of former Governors] (3 L.P.R.A. § 23)

The widow of every former Governor shall be entitled to a life annuity of ten thousand dollars (\$10,000) payable in monthly instalments, while she remains a widow. Said annuity shall be paid by the Secretary of the Treasury in monthly instalments, and the receipt of any benefit under a pension system established by law of the Commonwealth shall be incompatible with said annuity. These provisions shall not bar payment of emoluments for services rendered to the Commonwealth or its instrumentalities, but the amount of such payment shall be deducted from the annuity granted by this Act.

Section 6. — [Definition] (3 L.P.R.A. § 24)

The term "former Governor", as used in this Act, means any person who has held the office of Governor under the provisions of the Constitution of the Commonwealth of Puerto Rico, by popular election, has not been removed from office, and has held said office for a term of at least 4 years, or has ceased therein by reason of mental or physical disability before expiration of said term.

Section 7. — This act shall take effect immediately after its approval.

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