

(H.B. 194)

(No. 68)

(Approved August 25, 2005)

AN ACT

To amend Section 2 of Act No. 140 of June 3, 1976, as amended, in order to make compulsory that every government entity and public corporation provide adequate spaces in which duly qualified disabled persons may devote themselves to the sale of miscellaneous articles such as magazines and sweets and exhibit any art works, crafts or products made or acquired by them for sale.

STATEMENT OF MOTIVES

At present Section 2 of Act No. 140 of June 3, 1976, as amended, contemplates the possibility of having the Vocational Rehabilitation Program work in coordination with public agencies and instrumentalities to provide spaces exclusively devoted to enable disabled persons to engage in the sale of miscellaneous products.

Sadly, this provision has not achieved the effectiveness desired, so much so that in fact we have been able to observe that the disabled population has not benefited to the maximum of this opportunity granted them. It is for this reason that it must be provided that all public agencies or corporations be obligated to make adequate spaces available. This shall also broaden the variety of products that disabled persons may be able to sell to include their works of art, products handcrafted by them and other miscellaneous articles, excluding only the sale of cigarettes, according to the public policy that seeks to discourage their use.

Taking into consideration the great number of public buildings we have in Puerto Rico, we believe that this legislation shall foster the creation of hundreds of jobs for disabled persons and more importantly, that it will open the way for this population to lead independent and self-supporting lives.

Furthermore, the beneficiaries of vocational rehabilitation programs, as well as all duly qualified disabled persons, may display for sale the products of their artistic and culinary skills and craftsmanship.

Lastly, the Office of the Advocate for the Disabled is hereby granted the authority to supervise and oversee the proper compliance with the provisions of this Act.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-Section 2 of Act No. 140 of June 3, 1976, as amended, is hereby amended to read as follows:

“Section 2.-All departments, agencies, public institutions, public corporations and instrumentalities of the Government of Puerto Rico shall fit out adequate spaces in the buildings property of the Government of the Commonwealth of Puerto Rico wherein the disabled persons duly qualified therefor may engage, without this constituting a limitation, in the sale of miscellaneous articles such as magazines and sweets and so that they may display any works of art, crafts or products handcrafted or acquired by them for sale. The department, agency, public institution, public corporation or instrumentality that believes that fitting out a space within its facilities is impractical, onerous or counterproductive, be it because of space limitations, a question of security or because of the nature of the services rendered, must document their inability to comply with this Act. This shall be done through an official document addressed to the Administrator of the Vocational Rehabilitation Administration and sent by certified mail in the name of the

director or secretary of the department, agency, public institution, public corporation or instrumentality indicating the reasons for soliciting a dispensation for being unable to comply with the provision. The Vocational Rehabilitation Administration shall have ninety (90) days as of the date in which it receives the document to object to the dispensation solicited by the department, agency, public institution, public corporation or instrumentality. Any dispensation submitted to the Vocational Rehabilitation Administration shall be deemed as admitted and not contested within the corresponding ninety (90) days. The Vocational Rehabilitation Administration shall have to ensure the faithful compliance of this Act. The Vocational Rehabilitation Administration shall be duty bound to provide orientation to duly qualified clients as to how to obtain those permits that may be necessary to operate premises in which to sell miscellaneous articles as established in this Act. The Vocational Rehabilitation Administration shall furthermore render a report to the Legislature every six (6) months concerning the functions, operations and persons who benefit from the program established pursuant to this Act.

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. 68 (H.B. 194) of the 1st Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 2 of Act No. 140 of June 3, 1976, as amended, in order to make compulsory that every government entity and public corporation provide adequate spaces in which duly qualified disabled persons may devote themselves to the sale of miscellaneous articles such as magazines and sweets and exhibit any art works, crafts or products made or acquired by them for sale,

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

In San Juan, Puerto Rico, today 17th of January of 2006.

Francisco J. Domenech
Director