

(H. B. 546)

(No. 12)

(Approved January 20, 2006)

AN ACT

To add a new paragraph to subsection (i) of Section 5 of Act No. 23 of June 20, 1972, as amended, known as the “Organic Act of the Department of Natural and Environmental Resources” in order to prohibit the possession, transportation, sale or importing of by-products from vulnerable or endangered species.

STATEMENT OF MOTIVES

For the Government of Puerto Rico, the protection and conservation of vulnerable or endangered species is a priority. Endangered species are those that have a minimum chance of survival because their number or habitats have been so drastically reduced that they are considered in immediate danger of extinction.

The Legislature, in an effort to protect the fauna, has established wildlife shelters and natural reserves and has approved laws and regulations such as Act No. 241 of August 15, 1999, known as the “New Wildlife Act of Puerto Rico” and the Regulations for Management of Vulnerable and Endangered Species, among others. These measures are directed to minimize the negative impact of man’s act on wildlife fauna. The destruction of its habitat, environmental pollution, overexploitation, urbanization and the introduction of exotic (non-native) species are consequences of human activity.

In this conservationist effort of our animals, the concerned government agencies such as the Department of Natural and Environmental Resources, the National Fish and Wildlife Service, the Forest Service and private organizations are involved as well as private persons interested in the protection of these valuable resources of nature.

However, in spite of all these preservation measures, many species in Puerto Rico are destined to disappear due to uncontrolled fishing or hunting to obtain products for illegal trade. Victims of this overexploitation are the *Carey de Concha* (*Eretmochelys imbricata*) and the Boa or the *Culebrón* de Puerto Rico (*Epicrates inornatus*) from which unscrupulous merchants derive products such as oils and skin.

The Legislature of Puerto Rico, in its awareness and concern for the species that endured thousands of years of biological evolution to reach their present state, and which are at present endangered species, approves this legislation in order to prohibit the possession, transportation, sale or importation of by-products from vulnerable or endangered species.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- A new paragraph is hereby added to subsection (i) of Section 5 of Act No. 23 of June 20, 1972, as amended, to read as follows:

“Section 5.- Powers and Duties of the Secretary

In addition to those transferred by this Act, the Secretary of the Department of Natural and Environmental Resources shall have the following powers and duties:

(a) ...

(i) ...

The possession, transportation, sale or importation of by-products from vulnerable or endangered species, as identified

by the Secretary in the Regulations for Management of Vulnerable and Endangered Species in the Commonwealth of Puerto Rico and by the U.S. Fish and Wildlife Service, is hereby prohibited.

(j) ...”

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. 12 (H.B. 546) of the 3rd Session of the 15th Legislature of Puerto Rico:

AN ACT to add a new paragraph to subsection (i) of Section 5 of Act No. 23 of June 20, 1972, as amended, known as the “Organic Act of the Department of Natural and Environmental Resources” in order to prohibit the possession, transportation, sale or importing of by-products from vulnerable or endangered species,

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

In San Juan, Puerto Rico, today 2nd of June of 2006.

Francisco J. Domenech
Director