

(H.B. 801)

(No. 26)

(Approved January 23, 2006)

AN ACT

To amend Act No. 23 of June 20, 1972, as amended, known as the “Department of Natural and Environmental Resources Act,” in order to add Subsection “q” to Section 5, so the Secretary may regulate the effective manner in which the citizens who are interested in the process being conducted by the Department regarding information furnished by said citizens to a ranger on possible violations to laws, regulations or administrative orders shall be kept informed thereof.

STATEMENT OF MOTIVES

The effective conservation of our natural and environmental resources is a duty of the greatest priority for our Government. This duty has been set forth in Section 19 of Article VI of the Constitution of the Commonwealth of Puerto Rico. Said work is complex and difficult to execute given the countless natural resources existing throughout the Island. Therefore the Natural Resources Rangers Act, known as Act No. 1 of June 29, 1977, created a civilian corps of public order empowered to watch over our resources, under the direction of the Secretary of Natural Resources. We should recognize that very often it is the citizenry who first alerts or informs the Rangers Corps about violations or noncompliance of laws, regulations or administrative orders of the Department. According to said citizen action, the ranger proceeds to investigate the violation, and if in order, the Department files a complaint of which the citizen informer is not a party, and as a consequence, in most of the cases the latter is never informed of the action, determination or adjudicative procedure that is being conducted.

Therefore, we deem that it is the duty of the Department to establish regulations through which the citizen is diligently informed of the determination or measures that are being taken. It is fair that the citizen who is aware and concerned about the good use of our natural resources be duly informed of the administrative process that is being conducted with respect to a situation that was initially reported by him/her.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Section 5 of Act No. 23 of June 20, 1972, as amended, is hereby amended by adding a subsection “q” to read as follows:

“Section 5.-

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

a) ...

...

q) Shall be empowered to regulate the procedure to be followed, and the form and manner in which the Department shall periodically inform the complainant citizen before the Rangers Corps of those determinations or decisions made by the Department with respect to a violation of its Act, Regulations or administrative order informed by him/her. The Department shall keep the complainant–citizen informed regularly of the status of the complaint, in periods that shall not exceed forty-five (45) days after initiating action on the same. Nothing of the herein provided shall require the Department to disclose internal or confidential information, or that is protected by a privilege established by law. In no case shall it be construed

that the failure to comply with this requirement shall affect the authority of the Department to proceed with the complaint as is corresponding.

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. 26 (H.B. 801) of the 3rd Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Act No. 23 of June 20, 1972, as amended, known as the “Department of Natural and Environmental Resources Act,” in order to add Subsection “q” to Section 5, so the Secretary may regulate the effective manner in which the citizens who are interested in the process being conducted by the Department regarding information furnished by said citizens to a ranger on possible violations to laws, regulations or administrative orders shall be kept informed thereof,

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

In San Juan, Puerto Rico, today 8th of May of 2006.

Francisco J. Domenech
Director