

(H. B. 1051)

(No. 35)

(Approved January 24, 2006)

AN ACT

To amend clause (15) of subsection (B) of Section 4 of Act No. 70 of September 18, 1992, as amended, known as the “Puerto Rico Solid Waste Reduction and Recycling Act” in order to give the Municipalities of Puerto Rico the option of appointing and reassigning municipal officials of trust who have the academic studies necessary to exercise the position of Recycling Coordinator in order to comply with the requirements of this Act.

STATEMENT OF MOTIVES

The Constitution of the Commonwealth of Puerto Rico states in its Article IV*, Section 19 that: “It shall be public policy of the Commonwealth to conserve, develop and use its natural resources in the most effective manner possible for the general welfare of the community...”

In harmony with this postulate, Act No. 70 of September 18, 1992, as amended, known as the “Puerto Rico Solid Waste Reduction and Recycling Act” was approved to establish the public policy of the Commonwealth and Municipal Governments in order to reduce the solid waste that requires final disposition.

The Act also indicates that the Solid Waste Reduction and Recycling Program shall be developed by the Authority and that the same shall be implemented through the adoption of the following measures:

* Translator’s Note: Should read **Article VI**

1. Devising mechanisms to reduce the volume of waste generated on the island.
2. Promoting the development of municipal syndicates to establish reduction and recycling projects.

Time has elapsed and although there are many advances in the recycling programs in Puerto Rico, it has been proven that we need a more effective implementation of said Act and that it is indispensable to amend the same to attain the goals pertaining to the established solid waste reduction and recycling rates.

The Municipalities of Puerto Rico need that this Act is more effective when enforcing it and that it is at par with the development concept that is to be implemented to comply with its objectives. Therefore, it is necessary that the position of Recycling Coordinator be one of trust without this entailing the elimination of the vested rights of the persons who hold said office at present and that may be reclassified in accordance with the applicable regulations. In this manner, the compliance with state and municipal plans directed to solid waste reduction and the implementation of recycling programs so very much needed in our Island of Enchantment shall be more effective.

It is the duty of the Legislature of Puerto to enact laws which set forth a public policy to enable the development of recycling in Puerto Rico and that present new alternatives for the municipalities for the benefit of the environment and our future generations.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Clause (15) of subsection (B) of Section 4 of Act No. 70 of September 18, 1992, as amended, known as the “Puerto Rico Solid Waste Reduction and Recycling Act,” is hereby amended to read as follows:

“15.- The municipalities shall recruit an officer of trust with a minimum of academic studies constituting of a bachelor’s degree or its equivalent in experience in areas related to science, planning and engineering, as full-time recycling coordinator for the implementation of the municipal public policy in order to effectively comply with the requirements of 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. 35 (H.B. 1051) of the 3rd Session of the 15th Legislature of Puerto Rico:

AN ACT to amend clause (15) of subsection (B) of Section 4 of Act No. 70 of September 18, 1992, as amended, known as the “Puerto Rico Solid Waste Reduction and Recycling Act” in order to give the Municipalities of Puerto Rico the option of appointing and reassigning municipal officials of trust who have the academic studies necessary to exercise the position of Recycling Coordinator in order to comply with the requirements of this Act,

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

In San Juan, Puerto Rico, today 5th of June of 2006.

Francisco J. Domenech
Director

