

(H.B. 2683)

(No. 280)

(Approved December 22, 2006)

AN ACT

To amend Section 18.013 of Act No. 81 of August 30, 1991, as amended, known as the “Commonwealth of Puerto Rico Autonomous Municipalities Act of 1991,” in order to provide that one of the duties of the Secretary of the Commission to Hear Municipal Complaints shall be to maintain an indexed compilation of the final decisions issued by the Commission as of August 30, 1991 and to have them available for reproduction with the prior payment of reasonable fees.

STATEMENT OF MOTIVES

Act No. 170 of August 12, 1988, as amended, known as the “Uniform Administrative Procedures Act,” provides that, at the request of an interested person, the agencies must make available for reproduction the final orders and the decisions and interpretations of the laws that apply to those agencies. It also provides that the agencies must prepare and maintain a register of the interpretations issued with their thematic indexes, that set a precedent or that establish norms.

The evident purpose of these provisions is to maintain an organized and manageable register of the decisions of the agencies so they may serve as guides and as precedents for the adjudications that are to be made later.

The truth of the matter is that many agencies fail to properly comply with what is established in subsection (d) of Section 1.6 of the “Uniform Administrative Procedures Act.”

In the specific case of the Commission to Hear Municipal Complaints, it is necessary to establish the specific duty of the Secretary of that administrative body to maintain a compilation of the decisions of the Commission so they may serve as orientation, guides and precedent for the parties that appear before the Commission and for the general public. It must also be provided that the Secretary must make the decisions of the Commission available for reproduction, at the request of an interested person, with the prior payment of reasonable reproduction fees.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.-Section 18.013 of Act No. 81 of August 30, 1991, as amended, is hereby amended to read as follows:

“Section 18.013.-Duties of the Secretary

The Secretary of the Commission to Hear Municipal Complaints shall be appointed by the President and shall hold office at his/her volition. The Secretary shall be custodian of the files of the Commission and shall keep a complete and accurate record of all its proceedings and maintain an indexed compilation of the final decisions issued by the Commission as of August 30, 1991. The Secretary shall make available for reproduction, at the request of an interested person, the final decisions of the Commission, with the prior payment of reasonable reproduction fees. The Secretary shall report the decisions, priorities and resolutions of the Commission, under the direction of the President.”

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. 280 (H.B. 2683) of the 4th Session of the 15th Legislature of Puerto Rico:

AN ACT to amend Section 18.013 of Act No. 81 of August 30, 1991, as amended, known as the “Commonwealth of Puerto Rico Autonomous Municipalities Act of 1991,” in order to provide that one of the duties of the Secretary of the Commission to Hear Municipal Complaints shall be to maintain an indexed compilation of the final decisions issued by the Commission as of August 30, 1991 and to have them available for reproduction with the prior payment of reasonable fees,

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

In San Juan, Puerto Rico, today 30th of March of 2007.

Francisco J. Domenech
Director