

(H.B. 4535)

(No. 370)

(Approved September 16, 2004)

AN ACT

To add a new subsection (s) to Section 6 of Act No. 83 of May 2, 1941, as amended, known as the “Puerto Rico Electric Power Authority Act”, to empower the Electric Power Authority to cede and transfer surplus property, free of cost, in favor of other government entities or municipalities; to redesignate the present subsection (s) as subsection (t) and the present subsection (t) as subsection (u).

STATEMENT OF MOTIVES

The indiscriminate disposal of solid waste in the dumps in Puerto Rico is contrary to the public policy of the Commonwealth of Puerto Rico, which promotes recycling and reuse to the maximum extent possible as a means to fight the excessive and inefficient use of the limited spaces in the dumps existing in our Island. It is also contrary to the public policy of the Commonwealth for the government entities, public corporations and municipalities to accumulate equipment and materials that are of no value and of no use, and subsequently declared as surplus, to dispose of the same as junk or trash, and which could be used by other government dependencies or municipalities.

This public policy is attuned to the purpose set forth in the Commonwealth Surplus Property Regulations of the General Services Administration. These regulations allow that agencies and public corporations of the Commonwealth of Puerto Rico voluntarily request to avail themselves of the disposal procedure of equipment and materials for

which they have no use, which enables the collection and recycling of those materials that may be reused. Through this, the most efficient use of space in the dumps is promoted as well as the maximization of the use to be given by the government to surplus equipment and materials, thus allowing for its recycling or reuse and resulting in long and short term economies of public resources.

The Electric Power Authority, however, at present lacks the express juridical power to transfer its surplus property free of charge, and to thus direct its administrative duties to the attainment of this public policy. For this reason, it is necessary to empower the Authority so that it may dispose of such property that no longer serves its corporate purposes in an efficient manner so that other government entities are allowed to make use of its recycling and reusable value, and at the same time, space which was taken up by still useful equipment and materials in the dumps is freed; all of this without impairment to the contractual obligations between the Authority and its bondholders with respect to the management and disposal of its property.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Subsection (s) is hereby added to Section 6 of Act No. 83 of May 2, 1941, as amended, to read as follows:

“(s) Cede and transfer surplus property, free of cost, in favor of other government and municipal entities, subject to compliance with any conditions set forth in the applicable regulations and norms.”

Section 2.- The present subsection (s) is hereby redesignated as subsection (t) and the present subsection (t) as subsection (u).

Section 3.- Effectiveness

This Act shall take effect immediately after its approval.

CERTIFICATION

I hereby certify to the Secretary of State that the following Act No. 370 (H.B. 4535) of the 7th Session of the 14th Legislature of Puerto Rico:

AN ACT to add a new subsection (s) to Section 6 of Act No. 83 of May 2, 1941, as amended, known as the “Puerto Rico Electric Power Authority Act”, to empower the Electric Power Authority to cede and transfer surplus property, free of cost, in favor of other government entities or municipalities; to redesignate the present subsection (s) as subsection (t) and the present subsection (t) as subsection (u),

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

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

Francisco J. Domenech
Director

