



STATE ELECTION COMMISSION

**Regulations of the 2017
Referendum on
Free Association or
Independence**

Approved February 20, 2017



CERTIFICATION

I hereby certify to the Secretary of State that the **Regulations of the 2017 Referendum on Free Association or Independence** have been translated from Spanish to English and that the English version is correct.

In San Juan, Puerto Rico, on this 9th day of March, 2017.

Roger J. Iglesias-Sepúlveda, Esq.
Director

TITLE I.
GENERAL PROVISIONS

R. 01 – AUTHORITY

These Regulations are hereby adopted and promulgated by virtue of subsection (l) of Section 3.002 of Act No. 78 of June 1, 2011, as amended, known as the “Commonwealth of Puerto Rico Election Act,” (hereinafter, the Election Act); Act No. 7 of February 3, 2017, known as the “Puerto Rico Immediate Decolonization Act”; in accordance with the applicable provisions of Public Law 107-252 of 2002, known as the “Help America Vote Act,” as amended, (HAVA); Public Law 11-84 of 2009, known as the “Military and Overseas Voter Empowerment Act” (MOVE Act) and Public Law 113-76 of 2014, known as the “Consolidated Appropriations Act.”

R. 02 – DATE OF THE REFERENDUM

The Referendum on Free Association or Independence (hereinafter, the Referendum) shall be held in the Commonwealth of Puerto Rico on Sunday, October 8, 2017. This Referendum would only take place if in the Plebiscite on the Immediate Decolonization of Puerto Rico (hereinafter, the Plebiscite) called pursuant to the Puerto Rico Immediate Decolonization Act on Sunday, July 11, 2017, the Free Association/Independence option is favored by a majority of valid votes.

R. 03 – HOLIDAY

The day on which the Referendum is to be held shall be a legal holiday in Puerto Rico. Government agencies, public corporations, and municipalities shall not authorize the use of parks, coliseums, auditoriums, or public facilities and shall provide that these facilities shall be closed to the public on said day, unless such

facilities are used by the Commission. In addition, on the day of the Referendum no horse races shall be held in Puerto Rico's horse racing tracks.

R. 04 – DECLARATION OF PURPOSES

The purpose of these Regulations is to establish the rules and guidelines to make the holding of the Referendum feasible, pursuant to the applicable constitutional guarantees.

R. 05 – DEFINITIONS

The definitions of Article II of the "Puerto Rico Immediate Decolonization Act," as well as the applicable definitions included in Section 2.003 of the Election Act are incorporated into these Regulations.

As used in these Regulations, the masculine gender shall include the feminine and the neutral genders and the singular number shall include the plural and vice versa. Except for cases where such interpretation is likely to lead to an absurd result.

1. Confidentiality Folder – A folder that serves to safeguard the privacy of documents.
2. Assistive Technology Device (AT) – A personal and specialized device that belongs to a voter and allows him to perform the electoral activity independently and privately, such as interacting with the electronic canvassing machine, marking a ballot or other.
3. Political Party Balance Board – The body designated to address the issues referred thereto with equal and well-balanced representation among representatives of each status option. Provided, that said well-balanced and equal distribution shall always be made taking into account the number of columns printed on the ballot. The decisions of the board shall be made unanimously.

4. Polling Place Board – The Political Party Balance Board that administers the voting process in polling places.

5. Electoral Unit Board – The Political Party Balance Board that directs and supervises the voting process in the polling center of the designated electoral unit.

6. Voting Board – A Political Party Balance Board that administers the voting process in hospitals.

7. Index Marks – Preprinted dashed lines along the edges of the ballot that serve to identify the voting target.

8. Odd – Refers to uneven.

R. 06 – CALL FOR REFERENDUM

The Commission shall announce the Referendum through a Proclamation, which shall be published on Friday, February 17, 2017, in three (3) newspapers of general circulation in Puerto Rico, (in Spanish and English) and one (1) newspaper of general circulation in the United States of America (in English). Said Proclamation shall bear the text and the format established in subsection (d) of Section (1) of Article VI of the “Puerto Rico Immediate Decolonization Act of 2017.”

R. 07 – PURGING OF VOTER LISTS

Prior to holding the Plebiscite, the Commission shall conduct a General Voter Registry (GVR) Purging process, excluding therefrom voters who, by legal or judicial provision, are not entitled to appear thereon as of the General Election of November 8, 2016 in accordance with the provisions of HAVA, as amended, which provides that voters who have not voted in the two (2) immediately preceding general elections shall be removed from the list of eligible voters and who, after

having been notified of the intention to remove them from the GVR, have not responded to such notice.

It shall be understood that a voter has answered to the notice if he appears at the Permanent Registration Board (PRB) to update his registration within the term provided for conducting electoral transactions in connection with the Referendum provided in the Puerto Rico Immediate Decolonization Act. Inactive voters who request an absentee ballot, at home voting, or accessible voting shall be exempt from the requirement of appearing at the PRB, thus, a request for any of such voting modalities shall be sufficient to update said voter's registration. The preceding provision shall apply to both voters who were notified as a result of the purging of the voters lists of the 2016 General Election and voters who were already inactive before the purging process.

R. 08 – PERSONS ENTITLED TO VOTE IN THE REFERENDUM

Citizens who meet the requirements of the Puerto Rico Immediate Decolonization Act and the Election Act shall be considered qualified voters, that is, to be a citizen of the United States of America and of Puerto Rico; to have a legal residence in the jurisdiction of Puerto Rico; to be eighteen (18) years of age by the date of the Referendum; to be duly qualified as such before the holding of the Referendum, and have not been declared mentally incompetent by a Court.

R. 09 – CLOSING OF REGISTRATIONS AND TRANSACTIONS IN THE GVR FOR THE REFERENDUM (CLOSING OF REGISTRATIONS)

Interested citizens, including new voters, who need to conduct any transaction in the GVR shall have until Monday, August 21, 2017, to update their registration, restore his voting rights, or register to vote in the Referendum. Furthermore, if a

voter so needs, the aforementioned date shall be the deadline for requesting transfers, or relocations, as well as Absentee Ballot, Early Ballot, Accessible Polling Place at Home, or Accessible Polling Place at the Polling Center. The PRBs of each election precinct or municipality shall be open to the public to conduct all of these transactions.

R. 10 – IMPAIRMENT OF RIGHT TO REGISTER OR TO VOTE

Any person who unlawfully attempts to prevent any other person eligible for voting from registering in the GVR shall be guilty of a felony punishable by imprisonment for a term of not less than one (1) year nor more than three (3) or by a fine not to exceed five thousand dollars (\$5,000) or both penalties at the discretion of the Court.

Likewise, any employer or representative thereof who refuses to allow an employee or worker to register or to vote, being the latter able to do so, shall be guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment for a term not to exceed six (6) months or by a fine not to exceed five hundred (500) dollars or both penalties at the discretion of the Court, as provided in Section 12.019 of the Election Act.

R. 11 – EMPLOYERS’ DUTY ON THE DAY OF THE REFERENDUM

All employers that will actively operate on the day of the Referendum and on the day to be established for early voting shall be required to establish turns to allow their employees to attend their corresponding polling places during voting hours and to grant them reasonable time as is necessary to exercise their right to vote taking into account, among other factors, the distance between the workplace and the polling center.

R. 12 – BAN ON SERVING ALCOHOLIC BEVERAGES

Any person who opens or operates a commercial establishment, lounge, shop, club, house, apartment, depot, barracks, or pavilion for the dispensing, sale, traffic, or free consumption of distilled spirits, wine, or fermented or alcoholic beverages, from eight o'clock in the morning (8:00 a.m.) to three o'clock in the afternoon (3:00 p.m.) on the day of the Referendum shall be guilty of a misdemeanor and, upon conviction, be punished by imprisonment for a term not to exceed ninety (90) days or a fine of up to five thousand dollars (\$5,000) or both penalties, at the discretion of the Court.

Restaurants and bars in cruise ships as well as commercial establishments in hotels, inns, and condo-hotels certified by the Puerto Rico Tourism Company are hereby exempt from the aforementioned provision when such establishments are part of the services or amenities they offer to their guests or visitors and participants of conventions, and when the sale, dispensing, or distribution of alcoholic beverages is conducted for consumption within the confines of the hotel, inn, condo-hotel or cruise ship. Commercial establishments that operate within the duty-free zones of ports and airports of the Puerto Rico Ports Authority are also exempt, provided that the sale of alcoholic beverages is for delivery to the buyer after he has boarded the airplane or ship. Likewise, the provisions of this Rule shall not apply to tourist interest zones as defined by the Planning Board.

R. 13 – ELECTORAL DISTRIBUTION

In order to set up polling places and for purposes of tallying the results of the Referendum, the Commission shall use Puerto Rico's division into election precincts using as a basis the delimitation of municipalities, as provided by law, and the division into senate and representative districts, as determined by the Final Determination of the Constitutional Board of Review of Senate and Representative

Districts of 2011. In addition, it shall use the configuration of electoral units within each election precinct that was used in the 2016 General Election.

R. 14 – CERTIFICATION OF PARTIES, CITIZEN GROUPS, AND POLITICAL ACTION COMMITTEES

The Commission shall only certify one or more political parties, major political parties or parties by petition, citizen groups, or political action committees to represent one of the status options included in the ballots.

Political parties, citizen groups, and political action committees may form internal alliances or coalitions to represent the same status option; provided, that they meet the requirements of the Puerto Rico Immediate Decolonization Act. No party, major party, party by petition, citizen group or political action committee, alliance, or coalition may represent more than one of the status options.

Prior to the Commission’s certification, every political party, citizen group, or political action committee shall provide proof of registration as required by Act No. 222 of November 18, 2011, as amended, known as the “Puerto Rico Political Campaign Financing Oversight Act,” regardless of whether these shall participate individually, as an alliance, or a coalition. Also, it shall notify the Commission in its request for certification:

1. the names,
2. the addresses,
3. the personal information and positions of all the members of the governing body of the organization;

4. if the organization existed prior to the approval of the Puerto Rico Immediate Decolonization Act and had a proven track record advocating for the status option it is interested in representing; or

5. if the central governing body thereof is composed of persons enrolled in a political party or group, organization, or entities that existed prior to the request and had a proven track record advocating for the status option it is promoting; or

6. even if it had not existed prior to the effective date of the Puerto Rico Immediate Decolonization Act or as of the filing date of the request for certification, a substantial number of the members thereof has a proven track record advocating for the status option it intends to represent in the election event.

Upon filing its request, it shall also notify the Commission whether it intends to represent said option individually as an organization, or shall identify the alliance or coalition under which it is participating. Moreover, it shall notify whether the only purpose of the certification is to oppose any of the status options printed on the ballots, or to promote abstention, any type of voting expression modality, or any other status option.

The name of the members of the governing body of the political party, group or committee that shall ultimately be certified shall appear on the certification to be issued by the Commission, if approved. The application shall be filed with the Office of the Secretary of the Commission on or before Wednesday, April 12, 2017.

Any political party that had been certified by the CEE in the 2016 General Election and that meets the requirements of the Puerto Rico Immediate Decolonization Act, shall be recognized as the main representative of the status option, whose governing

body has chosen to represent and, therefore, shall lead any potential alliance or coalition related to such option.

Any political party that fails to meet the requirements to have priority as a status option representative by Sunday, March 5, 2017, shall not be entitled to be considered as main representative. In this case, the citizen group or political action committee that, on the earliest date, has fulfilled in the CEE all the requirements for representing one of the status options printed on the ballot of the Plebiscite or the Referendum, shall be considered the main representative.

R. 15 – PARTICIPATION OF CERTIFIED PARTIES, CITIZEN GROUPS, AND POLITICAL ACTION COMMITTEES

Representatives of political parties, citizen groups, or political action committees certified to represent any of the status options may support or oppose any of the questions to be voted on and may carry out any lawful political event in accordance with the provisions of, and subject to the limitations established in, the Election Act, the Puerto Rico Political Campaign Financing Oversight Act, and the Puerto Rico Immediate Decolonization Act.

R. 16 – APPOINTMENT AND SWEARING IN OF ELECTION OFFICIALS

Certified citizen groups and political action committees shall submit to the Office of the Secretary of the Commission a list certifying their representatives authorized to administer oaths. Said list shall be divided by precinct and delivered to the Office of the Secretary of the Commission on or before Wednesday, August 9, 2017. The Secretary of the Commission shall notify said certification to the local commissions.

Certified political parties, citizen groups and political action committees may appoint electoral unit coordinators and sub-coordinators. Said coordinators and sub-coordinators shall be appointed and sworn in by the local commissioner of the political party, or the representative of the citizen group or political action committee concerned.

Likewise, certified political parties, citizen groups and political action committees may appoint the officials of polling places, special polling places for provisional voting, voting boards, and political party balance boards, in the case of inmate voting. Said officials shall be appointed and sworn in by the local commissioner of the political party, or the representative of the citizen group or political action committee concerned.

The chairs of the local commissions, any official authorized by the Commission, and the officials authorized by law to administer oaths in Puerto Rico may also administer oaths to coordinators, sub-coordinators, as well as to officials of polling places, special polling places for provisional voting, voting boards, and political party balance boards.

Official inspectors may administer oaths to substitute inspectors and the secretaries of their polling places.

Appointments and swearings-in shall be made using a form to be provided by the Commission for such purposes.

R. 17 – DUTIES OF ELECTORAL BODIES

The Commission shall be responsible for organizing, directing, implementing, and supervising the Referendum process. Established local electoral bodies shall perform their duties, conforming such duties to the special characteristics of the Referendum.

R. 18 – DIRECTION OF POLITICAL PARTY BALANCE BOARDS

Coordinators representing the Independence option shall direct the electoral unit boards identified by an odd number in each election precinct, and the representatives of the Free Association option shall direct electoral unit boards identified by an even number.

The direction of each polling place shall be assigned as follows: Independence option representatives shall direct the polling places identified by an odd number in each electoral unit, and the representatives of the Free Association option shall direct the polling places identified by an even number. Provisional voting polling places at the polling center in electoral units identified by an odd number shall be directed by the official inspector representing the Independence option, and the official inspector representing the Free Association option shall direct provisional voting polling places in the electoral units identified by an even number.

In the case of early voting polling places, the official inspector representing the Independence option shall direct the polling places of the precincts identified by an odd number, and the official inspector representing the Free Association option shall direct the precincts identified by an even number.

The voting boards of accessible polling places at home shall be directed by the official inspector representing the Independence option in the precincts identified by

an odd number, and by the official inspector representing the Free Association option in the precincts identified by an even number.

Voting boards at hospitals shall be directed by the official inspector representing the Independence option in the precincts identified by an odd number, and by the official inspector representing the Free Association option in the precincts identified by an even number. In these cases, the precinct identification number to be used shall be that corresponding to the local commission designated to administer the voting process rather than the identification number of the precinct where the hospital is located.

It is hereby provided that the Absentee and Early Voting Administrative Board (JAVA, Spanish acronym) shall alternate the direction of the political party balance boards to be constituted to carry out the voting process in penal and juvenile institutions. Likewise, said alternation shall be used in the direction of political party balance boards created for administering the absentee voting process, if necessary.

R. 19 – ABANDONMENT OF DUTIES

It shall be an election-related offense for the members of local commissions or political party balance boards to abandon their work without having concluded, uninterruptedly, all works and procedures established in the Election Act, as well as the Puerto Rico Immediate Decolonization Act, and these Regulations, as classified in Section 12.005 of the Election Act. In this case, such members shall be guilty of a misdemeanor and, upon conviction, be punished by imprisonment for a term not to exceed six (6) months or by a fine not to exceed five hundred (500) dollars or both penalties at the discretion of the Court.

R. 20 – COURTS OF FIRST INSTANCE

The Courts of First Instance designated in accordance with the Election Act in each judicial region shall remain open on the day of the Referendum during voting hours to receive and address complaints made in accordance with these Regulations and the Election Act.

TITLE II.

PROVISIONS RELATING TO POLLING CENTERS, POLLING PLACES, BALLOTS, LISTS, AND TRANSPORTATION OF ELECTION MATERIALS AND EQUIPMENT.

R. 21 – VOTING CENTERS

Local commissions, with the approval of the Commission, shall select the polling centers of each electoral unit not later than on Tuesday, July 25, 2017. To the extent possible, the same voting centers used in the Plebiscite shall be selected, except for those that, due to *force majeure*, public safety, or unavailability should be changed. In addition, they shall inform the number of available rooms where the polling places shall be established as well as the location of electrical outlets in said rooms, the exact address of the location, and whether it is a single story or multi-story building, among other things.

The selection of polling centers shall be governed by the provisions of the Regulations for Delimiting Precincts and Electoral Units and for Selecting Polling Centers. The Planning Office shall be responsible for coordinating the selection process in conjunction with local commissions, as well as disclosing the final account of polling centers to the different offices and bodies of the Commission not later than on Friday, July 28, 2017.

The Commission may transfer any polling center if, due to *force majeure* or public safety, the local commission of the precinct in question so requests, even on the day of the Referendum.

Such request shall be notified by the chair of the local commission to the Commission by telephone or in writing. Immediately after the Commission receives such request, it shall make the determination that it deems appropriate and notify the chair of the local commission concerned who shall enforce it immediately.

R. 22 – POLLING PLACES

The Commission shall determine the number of regular polling places in each electoral unit based on ____ active voters per polling place with a residual maximum of fifteen percent (15%). If the residual is equal to or higher than fifteen percent (15%), an additional polling place shall be constituted. In both cases, the total number of voters of the electoral unit shall be distributed equitably among all polling places.

R. 23 – REFERENDUM BALLOT

The Commission shall design and print the ballot to be used, which shall be of a uniform size, printed with all texts in both English and Spanish, in black ink, and in thick paper, in such a way that the text printed thereon does not show through the back of the sheet, and that it can be tallied by the electronic canvassing system.

The upper portion of the ballot shall bear the institutional logo and the name of the State Election Commission, including the date, October 8, 2017, and the words

“Referendum and Ballot.” The following title shall be included below said text: “Referendum” on Free Association or Independence.

Below the foregoing text, the following instructions for voters shall be included:

INSTRUCCIONES AL ELECTOR

El elector sólo puede escoger y marcar una (1) alternativa de estatus político no territorial y no colonial en esta papeleta. Debe hacer una marca válida dentro del rectángulo que aparece debajo del número de la alternativa de estatus político de su preferencia. En esta papeleta usted tiene derecho a seleccionar solo una alternativa de estatus no territorial y no colonial. La papeleta marcada por más de una alternativa de estatus se considerará mal votada. Cualquier símbolo o escritura fuera de uno de los rectángulos será considerada inconsecuente. Toda papeleta votada en blanco, así como la mal votada, no será clasificada como papeleta adjudicada en los resultados oficiales que certifique la Comisión Estatal de Elecciones, según la jurisprudencia del Tribunal Supremo de Puerto Rico.

INSTRUCTIONS FOR THE VOTER

The voter can only choose and mark one (1) alternative of non-territorial and non-colonial political status on this ballot. You must make a valid mark inside the square that appears below the number of the alternative of political status of your preference. In this ballot you have the right to choose only one non-territorial nor colonial status alternative. The ballot marked with more than one status alternative will be considered wrongly voted. Any symbol or writing outside of the rectangles will be considered inconsequential. All ballots not voted and/or wrongly voted will not be accounted in the official results certified by the State Elections Commission, according to the jurisprudence of the Supreme Court of Puerto Rico.

The following affirmation of the voter shall be included below the foregoing text:

AFIRMACIÓN DEL ELECTOR

RECLAMO al Gobierno de los Estados Unidos la reparación del agravio territorial y colonial durante 119 años, excluyendo a Puerto Rico de cualquier modalidad o interpretación jurídica de la “Cláusula Territorial” de la Constitución Federal y con la implantación de la alternativa de estatus político final, permanente, no territorial y no colonial siguiente:

AFFIRMATION OF THE VOTER

I CLAIM to the Government of the United States the reparation of territorial and colonial grievance for 119 years, excluding Puerto Rico from any modality or legal interpretation of the “Territorial Clause” of the US Constitution and with the implementation of the following final, permanent, non-territorial and non-colonial political status alternative:

Below the aforementioned text, only two (2) columns shall appear side by side in bold type; one column for each one of the status options.

The upper part of each column shall feature, in the largest possible size, the number one (1) or two (2) that has been chosen, through a public drawing, as the emblem and order for each of the status options.

Below the emblem and order of each status option there shall be a white rectangle, in the largest possible size, where the voter shall make a valid mark.

Below each white rectangle where the voter shall make a mark, the name of each status option, Free Association and Independence, shall appear as determined by public drawing.

Below the names of each status option their respective meanings shall appear:

Libre Asociación

Con mi voto reitero la petición al Gobierno Federal para comenzar el proceso de descolonización a través de: (1) “Libre Asociación”: prefiero que Puerto Rico adopte un estatus fuera de la cláusula territorial de la Constitución de los Estados Unidos, que reconozca la soberanía del pueblo de Puerto Rico. La Libre Asociación se basaría en una asociación política libre y voluntaria, cuyos términos específicos se acordarían entre Estados Unidos y Puerto Rico como naciones soberanas. Dicho acuerdo dispondría el alcance de los poderes jurisdiccionales que el pueblo de Puerto Rico autorice dejar en manos de Estados Unidos y retendría los restantes poderes o autoridades jurisdiccionales. Bajo esta opción la ciudadanía americana estaría sujeta a negociación con el Gobierno de los Estados Unidos;

Free Association

With my vote, reiterate my request to the Federal Government to begin the process of the decolonization with: (1) “Free Association”: Puerto Rico should adopt a status outside of the Territory Clause of the Constitution of the United States that recognizes the sovereignty of the People of Puerto Rico. The Free Association would be based on a free and voluntary political association, the specific terms of which shall be agreed upon between the United States and Puerto Rico as sovereign nations. Such agreement would provide the scope of the jurisdictional powers that the People of Puerto Rico agree to confer to the United States and retain all other jurisdictional

powers and authorities. Under this option the American citizenship would be subject to negotiation with the United States Government;

Independencia

Con mi voto, reitero mi apoyo a la descolonización de Puerto Rico con la proclamación de Independencia. Demando al Gobierno de los Estados Unidos que, en el ejercicio de su poder para disponer del territorio, reconozca la soberanía nacional de Puerto Rico como una nación totalmente independiente y que el Congreso federal promulgue la legislación necesaria para iniciar la negociación y la transición hacia la nación independiente de Puerto Rico. Mi voto por la Independencia representa, además, mi reclamo de los derechos, deberes, poderes y prerrogativas de las repúblicas independientes y democráticas; mi apoyo a la ciudadanía puertorriqueña; y a un “Tratado de Amistad y Cooperación” entre Puerto Rico y los Estados Unidos con posterioridad al proceso de transición.

Independence

With my vote, I reiterate my support for the decolonization of Puerto Rico with the proclamation of Independence. I demand that the U.S. Government, in the exercise of its power to dispose of territory, recognize the national sovereignty of Puerto Rico as a completely independent nation and that the United States Congress enact the necessary legislation to initiate the negotiation and transition to the independent nation of Puerto Rico. My vote for Independence also represents my claim to the rights, duties, powers, and prerogatives of independent and democratic republics, my support of Puerto Rican citizenship, and a “Treaty of Friendship and Cooperation” between Puerto Rico and the United States after the transition process.

R. 24 – ORDER OF STATUS OPTIONS ON THE BALLOT

On February 17, 2017, the Commission shall hold a public drawing to determine the emblems and the order in which the status options shall appear on the columns of the Referendum ballot, so that voters may analyze the consequences of their votes in the Referendum. The emblems and the order thereof to be drawn are the numbers one (1) and two (2). To this public drawing, the Commission shall invite the press, the general public, and at least two judges from the Court of First Instance of Puerto Rico to serve as witnesses. The public drawing process and the results thereof shall be certified by a notary public.

R. 25 – BALLOT PRINTING

The Commission shall direct the printing of ballots not later than on Monday, August 14, 2017. In addition, on that same date, the Commission shall direct the printing of ____ sample ballots (sample) ____ training ballots, and ____ test ballots.

R. 26 – BALLOT DISTRIBUTION

The Commission shall distribute equally among the status options the total of sample and training ballots. It also shall divide the number of sample and training ballots of each status option in accordance with the number of political parties, citizen groups, and political action committees certified to represent such option.

R. 27 – VOTERS LISTS AND REFERENCE DOCUMENTS

Immediately after the Closing of Registrations, the Office of Electronic Information Systems and Processing (OSIPE, Spanish acronym) shall deliver to each main representative of the status options one (1) copy on electronic format, of the Polling Place Alpha List of Active Voters with Index to be used on the day of the

Referendum. Likewise, OSIPE shall deliver to the main representatives of the status options a set of the following:

1. The summary of the GVR by age and sex, election precinct, and electoral unit
2. An electronic copy of the GVR
3. Information Cards or Forms – At the request of the main representatives of the status options, the Commission shall prepare and furnish information cards for registered voters indicating the polling center, election precinct, electoral unit, polling place, page, and position on the voters’ list where the voter appears. In lieu of information cards, the main representatives of the status options may choose to request forms in which said main representatives of the status options may include the voters’ information described above. These cards or forms, if requested, shall be delivered not later than on Friday, September 8, 2017, and the request must be made on or before Wednesday, August 9, 2017. If said cards or forms are not requested within the term prescribed herein, it shall be understood that main representatives chose not to request them.

In addition, OSIPE shall produce the following lists for:

4. JAVA
 - (i) Penal and Juvenile Institutions Voting (men, women, and youth) – alpha list, islandwide
 - (ii) Penal and Juvenile Institutions Voting Index (men, women, and youth)
5. Local Commission
 - (i) Accessible Early Voting at Home – alpha precinct
6. Unit Sub-board
 - (i) Alpha Precinct of Active Voters with Index

- (ii) Numerical Municipal of Active Voters with Index
- (iii) Alpha Precinct of Excluded Voters
- (iv) Alpha Unit of Voters who requested Accessible Polling Place at the Polling Center

7. Polling Place Board

- (i) Voters list (1 with picture and 1 without picture per polling place) – alpha polling place
- (ii) List of Voters who requested Accessible Voting (1 with picture per polling place) – alpha unit
- (iii) List of Voters who requested Accessible Voting – generic
- (iv) List of Voters who requested Accessible Vote-by-Telephone – generic

8. Political Party Balance Boards in Penal and Juvenile Institutions

- (i) List of voters in Penal and Juvenile Institutions with pictures (men, women, youth) – alpha islandwide

9. Early Voting Polling Place Board

- (i) List of Voters who requested Early Ballots at the Precinct (1 with picture and 1 without picture per polling place) – alpha precinct
- (ii) List of Voters who requested Early Ballots at the Commission (without picture) - alpha islandwide

10. Accessible Polling Place at Home Board

- (i) List of Voters who requested Accessible Polling Place at Home – alpha unit

11. Special Polling Place for Provisional Voting Boards, Voting Boards at Hospital, and Political Party Balance Boards at Penal and Juvenile Institutions

- (i) Voters list for Provisional Voting - generic

OSIPE shall produce any other voters list to be included as determined by the Commission by Agreement or Resolution.

R. 28 – PARKING FOR VOTERS WITH DISABILITIES

The unit board shall be responsible for taking the appropriate action to reserve and coordinate the placement of signage on the parking spaces that are nearer and accessible to the polling places to be used by voters with disabilities. The local commission shall carry out all that pertains to the implementation of this Rule with the police commander of the corresponding district or the person designated by the latter.

R. 29 – FACILITIES FOR UNIT BOARDS

The electoral unit board shall be provided with an office at all polling centers. If telephone and fax facilities are available, these shall be placed at the disposition of the unit board and the availability and operability thereof shall be certified to the Commission by the Planning Office during the inspection of polling centers.

R. 30 – FACILITIES WITHIN POLLING PLACES

Each polling place shall have, at least, three (3) voting booths which voters may use to mark their ballots privately. Of the three (3) voting booths, two (2) shall be standard booths and one (1) shall be an accessible booth. Voting booths shall be placed in a manner that allows polling place officials to prevent more than one person from entering the booth at the same time, except when voters need assistance to mark the ballot. The table assigned to polling place officials shall be placed in a manner that allows for the control of the entrance and exit of voters from voting booths.

There shall also be one (1) electronic canvassing machine into which the voter shall feed the ballot after casting his vote. The electronic canvassing machine shall be placed in an adequate area where the privacy of the voter may be assured when using the same. A perimeter with a radius of not less than sixty (60) inches around the electronic canvassing machine shall be delineated and the officials shall ensure that whenever a voter is using the electronic canvassing machine no one is within the delineated perimeter. In the case of persons who request assistance in feeding the ballot into the electronic canvassing machine. This prohibition shall not apply to the person assisting the voter in feeding the ballots.

Voters shall be allowed to use only one door for entering and exiting a polling place.

R. 31 – VOTING BOOTH DIMENSIONS

Standard voting booth dimensions shall be 72” height, 26” depth, and 26” width. Standard voting booths shall include a shelf 17” depth, 26” width, and 43 ½” height. Accessible voting booths shall be 72” height, 48” depth, and 46” width. Accessible voting booths shall include a shelf 20” depth, 46” width, and 34 ½” height.

R. 32 – TRANSPORTATION OF ELECTION MATERIAL AND EQUIPMENT

Election material and equipment shall be transported from the Commission to the police station of the precinct concerned in secured vehicles with sufficient capacity to carry such material and equipment. Vehicles shall remain at the police station under the custody of the corresponding local commission until five o’clock in the morning (5:00 a.m.) on Sunday, October 8, 2017, when such vehicles shall be moved to the PRB’s office.

The local commission shall open the vehicles upon receipt thereof to verify that all election material and equipment has arrived. It shall place the cases in the order they shall be delivered. Likewise, it shall be responsible for keeping custody of, and distributing the election material and equipment through the political party balance board. In addition, it shall receive said material and equipment from, and then return it to, the Commission once the voting and the transmission of results of each polling place of the precinct have concluded. Vehicles shall depart without delay to the Commission with all the election material and equipment of the precinct. Vehicles shall be escorted with the protection and security that the local commission deems pertinent in conjunction with the Security Office of the Commission and the Puerto Rico Police.

TITLE III.

PROVISIONS RELATING TO THE COMMISSION

R. 33 – FUNCTIONS OF THE COMMISSION

The functions, duties, and authorities of the Commission pursuant to the Election Act and the Puerto Rico Immediate Decolonization Act shall be the following:

1. Organize, direct, and supervise all procedures related to the Referendum including, but not limited to:

- (i) Regulate all that pertains to the Referendum.
- (ii) Develop and implement an affirmative action plan to facilitate the exercise of the right to vote of voters with disabilities.
- (iii) Guarantee to the People of Puerto Rico that the affairs, activities and works related to the Referendum shall be ready not later than on the dates provided in the timetable attached to these Regulations.

2. Ensure that the procedures related to the Referendum are carried out free from bias, with purity and justice for all voters, political parties, and citizens in general, by taking affirmative action such as:

- (i) To educate voters through an intensive campaign.
- (ii) To train local commissions and election officials.
- (iii) To provide, through the office of the election commissioner, material as is necessary to educate and train polling place and electoral unit officials.
- (iv) To approve polling centers accessible to all voters in their respective communities.
- (v) To determine the manner in which ballot boxes and booths shall be transported to polling centers.
- (vi) To seek the necessary vehicles and personnel to transport election material and equipment to police stations and PRBs.
- (vii) To allow seven (7) hours of voting time so that every voter may have the opportunity to vote from eight o'clock in the morning (8:00 a.m.) to three o'clock in the afternoon (3:00 p.m.) in regular polling places.
- (viii) To provide any necessary additional election material as required by local commissions.
- (ix) To have a swift and efficient system to transmit and disclose the results of the Referendum.
- (x) To resolve any dispute brought for its consideration with the expected promptness, strictly observing the terms provided in the Election Act and these Regulations.

3. Ensure that its actions are taken as efficiently and swiftly as possible in all election-related procedures.

4. Perform the canvass and certify the results of the Referendum.

R. 34 – RESERVE THE RIGHT TO CALL

The Commission reserves the right to call election officials as is necessary to clarify any situation it deems pertinent.

TITLE IV.

PROVISIONS RELATING TO LOCAL COMMISSIONS, LOCAL SUB-COMMISSIONS, AND THE PRB

R. 35 – CONSTITUTION OF LOCAL COMMISSIONS OF PRECINCTS

A local commission shall be constituted in each election precinct and be composed of a chair and an official local commissioner, as well as a substitute local commissioner representing each political party.

The presence of the chair of the local commission and two (2) local commissioners of different political parties shall constitute a quorum for all works of the local commission. It is hereby provided that, if there is a lack of quorum, the chair of the local commission shall call, in writing with acknowledgment of receipt, all local commissioners and their substitutes to a second meeting in accordance with the Regulations for the Operations of Local Commissions and Permanent Registration Boards. The local commission shall thus carry out its works with those present at the meeting.

Local commissions shall be constituted in permanent session commencing at seven thirty in the morning (7:30 a.m.) on Monday, October 2, 2017, through noon (12:00 p.m.) on Monday, October 9, 2017, and may recess from time to time. On the day of the Referendum, local commissions shall meet to begin works at five o'clock in the morning (5:00 a.m.). At said time, the members of local commissions shall synchronize their watches with that of the chair of the respective local commission,

thenceforth all schedules stated in these Regulations for the day of the Referendum shall be governed by said synchronization. Local commissions that, due to their nature and complexity, are required to meet prior to the scheduled time, may do so by unanimous consent. On the day of the Referendum, local commissions shall remain in continuous session until the voting has concluded, the results of the precinct are certified, and the election material and equipment have been returned to the Commission. Local commissions shall be constituted as a body and under no circumstances shall separate while carrying out their duties.

Local commissions shall have no power or authority to alter, amend, modify, or nullify the resolutions, regulations, manuals, orders, or agreements of the Commission.

Substitute chairs of local commissions shall be available from Monday, October 2, 2017, at seven thirty in the morning (7:30 a.m.) through Monday, October 9, 2017, until noon (12:00 p.m.) in the event their services are required. Substitute chairs of local commissions shall notify the Commission the exact address and telephone number where they may be located at all times. The Office of the Secretary of the Commission shall prepare a list of these exact addresses and telephone numbers not later than on Friday, September 29, 2017, keep it updated at all times, and inform local commissions of such fact.

R. 36 – LOCAL SUB-COMMISSIONS OF PRECINCTS

Substitute local commissioners shall be constituted into a local sub-commission under the supervision of the local commission of their precinct, from the time and date that by virtue of these Regulations the local commission is constituted. This sub-commission shall have the responsibilities entrusted thereto by the local

commission and shall be subject to the same rules applicable to local commissions. Two (2) members of the local sub-commission shall constitute a quorum.

If a complaint arises that cannot be settled by the electoral unit board, the local sub-commission, at the request of the corresponding local commission, shall decide on such complaint, and any agreement with respect thereto shall be reached by the unanimous vote of the members present. If no such unanimity is reached, the local sub-commission shall contact, through the fastest available means, the chair of the corresponding local commission, explain the issue in dispute and the local commission shall decide on it. If no unanimity is reached, the chair of the local commission shall decide on it.

No member of the local sub-commission shall attend a polling center to act on behalf of the local sub-commission without the authorization thereof.

R. 37 – REPRESENTATIVES OF POLITICAL PARTIES IN LOCAL COMMISSIONS AND LOCAL SUB-COMMISSIONS

Representatives of political parties in local commissions and local sub-commissions shall be persons of recognized moral probity and qualified voters of the election precinct by which they are appointed, but if there is more than one election precinct in a municipality, residence in said municipality shall suffice to meet such requirement.

In addition, while performing their duties, no member of a local commission or local sub-commission shall wear the uniform of any military or paramilitary armed force.

R. 38 – FUNCTIONS AND DUTIES OF LOCAL COMMISSIONS

The functions, duties, and authorities of local commissions pursuant to the Election Act and the Puerto Rico Immediate Decolonization Act shall be the following:

1. To supervise the works related to the voting process performed by PRBs, local sub-commissions, and unit boards.
2. To select the polling centers of the corresponding election precinct in conjunction with the Planning Office and with the approval of the Commission.
3. To educate and train polling place and electoral unit officials.
4. To receive election material and equipment from the Commission, keep custody of, and distribute the same to electoral unit boards, as well as to pick up and return such material and equipment to the Commission.
5. To verify that sufficient voting booths and ballot boxes are received for all polling centers of the precinct and that the same are stored in a safe place. This verification shall be performed on or before Thursday, October 5, 2017.
6. To coordinate and supervise that all electoral unit boards have all polling places set and ready by Saturday, October 7, 2017.
7. To coordinate with the area commander of the Puerto Rico Police the designation of personnel to maintain order and provide security at polling centers. The Municipal Guard shall work in conjunction with the Puerto Rico Police in providing security services at polling centers.
8. To confirm that the results of all polling places of each electoral unit have been transmitted successfully. Said confirmation shall be made when the memory cards of the polling places are delivered by the electoral unit board to the PRB office.
9. To authorize the transmission from the PRB office of the results of polling places that were unable to transmit such results from the polling center.

10. To direct the PRB to print the results of the precinct from the computer, sign, and distribute such copies to all members of the local commission.

11. To notify the Commission of any irregularity that requires the Commission's attention.

R. 39 – TERMS FOR THE AGREEMENTS OF LOCAL COMMISSIONS

Any matter submitted for a local commission's consideration at any time between Sunday, September 3, 2017, and Tuesday, October 3, 2017, shall be considered as soon as possible but never later than five (5) days after they are submitted. No matter submitted within the aforementioned term may remain pending settlement as of noon (12:00 p.m.) on Tuesday, October 3, 2017.

Any matter submitted for a local commission's consideration between noon (12:00 p.m.) on Tuesday, October 3, 2017, and noon (12:00 p.m.) on Saturday, October 7, 2017, must be considered and settled immediately.

Agreements of local commissions shall be approved by unanimous vote of the members present, always requiring the quorum provided in the Election Act when the votes are cast. Any matter submitted for their consideration which does not receive a unanimous vote shall be decided by the chair of the local commission, who shall vote in favor of or against it. This shall be the only occasion and circumstance under which the chair may vote. The chair's decision in these cases may be appealed to the Commission by any of the members of the local commission or the affected party.

In no case shall a decision of a local commission, or an appeal of a decision issued by its chair, have the effect of suspending, staying, impairing, or otherwise hindering

the voting, canvass, or matter which shall begin or take place on a specific date or time in accordance with the Election Act, the Puerto Rico Immediate Decolonization Act, or these Regulations.

R. 40 – APPEALS

Any appeal of a decision of the chair of a local commission shall be filed at the same session (meeting) in which the appealed decision was made and before said session (meeting) is adjourned. Notice of the appeal shall be given to the chair of said local commission, who shall immediately transmit such notice to the Office of the Secretary of the Commission. The Chair shall call the Commission to a meeting as soon as possible to resolve such appeal as provided in the Election Act, the Puerto Rico Immediate Decolonization Act, or these Regulations.

On the day of the Referendum and within five (5) days before the holding thereof, any appeal of a decision of the chair of a local commission shall be made by telephone, the cost of which shall be assumed by the appellant, or in writing signed by the appellant. Written appeals shall be filed in person by the appellant or a person authorized by the latter, with the Office of the Secretary of the Commission, so that the Chair and election commissioners be immediately notified.

The Commission shall resolve appeals within thirty (30) days following their filing with the Secretary of the Commission. Within thirty (30) days before the Referendum, the term shall be five (5) days. Any appeal that arises within five (5) days prior the Referendum shall be resolved the day following the filing thereof, within four (4) days prior to the eve of the Referendum. Appeals filed at any time on the eve of the Referendum shall be resolved not later than six (6) hours following

the filing thereof and, if submitted on the same day of the Referendum, the Commission shall resolve the same within one (1) hour after its filing.

If the Commission has not resolved the appeal after the prescribed term has elapsed, the appellant party may resort directly to the Court of First Instance designated pursuant to Chapter IV of the Election Act. The Court shall resolve appeals from local commissions within the same terms prescribed in the Election Act for the Commission to issue its decision.

Appeals of a decision of the chair of a local commission shall be deemed to be filed with the Secretary of the Commission when said official receives such appeal from any of the members thereof or from an affected party, or upon receipt of the notice from the chair of the local commission whose decision is being appealed, as the case may be.

In no case shall a decision of a local commission, or an appeal of a decision issued by the chair thereof, or the decision issued by the Commission on such appeal, have the effect of suspending, staying, impairing, or otherwise hindering the voting or canvass of the Referendum, or the General Canvass or any other procedure, action, or matter that shall begin or take place on a specific date or time in accordance with the Election Act, the Puerto Rico Immediate Decolonization Act, or these Regulations.

R. 41 – DUTIES OF THE PRB DURING THE REFERENDUM

The functions, duties, and authorities of PRBs pursuant to the Election Act and the Puerto Rico Immediate Decolonization Act shall be the following:

1. To distribute and receive requests for absentee ballots, early ballots, accessible voting, and accessible voting at home until Monday, August 21, 2017.
2. To record on the GVR any requests for early ballots, accessible voting, and accessible voting at home.
3. To forward to JAVA the requests for absentee ballots.
4. To print the daily transaction log per electoral unit and submit them to each local commissioner for his information.
5. To receive and keep custody of the election material and equipment for inmate voting until their return to the Commission.
6. To receive and keep custody of the material related to accessible polling place at home until it is sent to the polling place selected by the local commission for early voting.
7. To serve as voter information centers and to issue voter identification cards (VIC) until two thirty in the afternoon (2:30 p.m.) on the day of the Referendum.
8. To assist the local commission in any transaction or matter it requires on Sunday, October 8, 2017.
9. To participate in the General Canvass at the request of their respective election commissioners.

TITLE V.

PROVISIONS RELATING TO ELECTORAL UNIT BOARDS, ELECTORAL UNIT SUB-BOARDS, POLLING PLACE BOARDS

R. 42. – CREATION AND CONSTITUTION OF ELECTORAL UNIT BOARDS

An Electoral unit board shall be constituted in each electoral unit to be composed of a coordinator representing each of the status options taking into account the number

of columns printed on the ballot, rather than the different ideologies represented within each column. There shall never be more than two (2) coordinators per each electoral unit. Unit boards shall operate under the supervision and direction of the local commission of the corresponding precinct. Municipal legislators may be appointed and sworn in as coordinators.

Decisions of unit boards shall be taken by the unanimous vote of their two (2) members. If no unanimity is reached, the matter shall be referred to the local commission so that it may decide on it.

R. 43 – FUNCTIONS AND DUTIES OF ELECTORAL UNIT BOARDS

The functions, duties, and authorities of electoral unit boards pursuant to the Election Act and the Puerto Rico Immediate Decolonization Act shall be the following:

The day before the Referendum

1. To collect the material to set up the polling places corresponding to the electoral unit and be at their respective polling centers to prepare the material. Materials shall be collected on Saturday, October 7, 2017, at one o'clock in the afternoon (1:00 p.m.) at the PRB of the precinct. Not later than five o'clock in the afternoon (5:00 p.m.), electoral unit boards shall inform the local commission of their precinct, through the fastest means available, about the progress of the preparations at their polling center.

2. To set up voting booths and the ballot box corresponding to the electronic canvassing machine of each polling place.

3. To identify the doors that provide access to polling places.

4. To verify that a table, desk, or both are available in the polling places.

5. To verify that polling places have adequate illumination (electricity and lighting).
6. To verify that at least one electrical outlet is in working order to plug in the electronic canvassing machine.
7. To ensure that restroom facilities are accessible and verify if they are in working order.
8. To guarantee, upon coordination with the person in charge of the keys of the polling center, that on the day of the Referendum, the polling center, the office, and all polling places to be used are open at the specified time to begin preparations works for the voting event.
9. To obtain the name, address, telephone number, and any pertinent information that helps locate the person in charge of the keys of the polling center.
10. To coordinate and locate adequate chairs and tables to be used by the unit sub-board.
11. To establish the place where the unit sub-board shall be located on the day of the Referendum.
12. To reserve and identify, to the extent possible, a parking area near the polling center to be used by voters with disabilities and coordinate security therefor.
13. To establish, to the extent possible, the one hundred (100) meter distance within which no one may be engaged in any type of political propaganda.
14. To immediately notify the local commission if any situation that may affect the voting event is detected.

The day of the Referendum

15. To present their duly-sworn appointments to the local commission by five thirty in the morning (5:30 a.m.) on Sunday, October 8, 2017, at the PRB of their precinct in order to be constituted as a board.

16. To receive the election material and equipment of their unit. In order to receive such material, both coordinators of the electoral unit board concerned shall be present. If there is a board that has not been yet constituted after the election material and equipment are distributed to the duly constituted unit boards, said material and equipment shall be delivered to the coordinator of said board who is present.

17. To synchronize their watches with that of the chair of the local commission upon receipt of the election material and equipment.

18. To transport the election material and equipment from the PRB to the designated polling center. Both (2) coordinators shall travel in the same vehicle where the election material and equipment is being transported, unless there is only one coordinator present. If there is only one coordinator present, efforts shall be made to locate a representative of the other status option to transport the election material and equipment. The unit board shall spare no effort trying to find an adequate vehicle to transport the material. If, due to the amount of material to be transported, it is not possible to find such vehicle, the local commission of the precinct concerned shall be notified so that it may determine the manner in which the distribution shall be made. No vehicles devoted to political campaigns shall be used for receiving, distributing, and returning election material and electronic canvassing machines.

19. To distribute the election material and equipment to the unit sub-board and polling place boards at their polling centers not later than six thirty in the morning (6:30 a.m.). Both (2) sub-coordinators shall be present when the election material and equipment are delivered. Likewise, both (2) official inspectors of the polling place concerned shall be present when the election material and equipment are delivered. If there is a board that has not been yet constituted after the election material and equipment are distributed to the duly constituted unit boards, said

material and equipment shall be delivered to the coordinator of said board who is present. The delivery shall be made through the corresponding document, which shall be signed by the officials of the electoral unit board and the officials of the polling place board who are present at the time of the delivery. Said document shall be part of the logs of the electoral unit board.

20. To fill out the Incident Log of the Electoral Unit Board.

21. To show to each other their appointments and make the corresponding entry on the Incident Log of the Electoral Unit Board. Said appointments shall be part of the documents of the unit board.

22. To check the election material assigned to them against the checklist included in their election material bags which shall contain one hundred (100) ballots in a sealed package to be supplied to polling places, if needed.

23. To take notes of any missing election material, verify if any polling place is missing any materials, and to supply the same.

24. To immediately notify the local commission when they are unable to supply any election material.

25. To count and write the number of ballots in the Incident Log of the Unit Board, only if said package needs to be opened to supply ballots to a polling place.

26. To verify that the voter information center constituted by the unit sub-board is ready to begin operations.

27. To ensure that not later than eight o'clock in the morning (8:00 a.m.) the officials' attendance sheet of each polling place board, as well as those of coordinators and sub-coordinators are filled out. Additionally, they shall collect said attendance sheets to deliver them to the unit sub-board.

28. To declare open all polling places of the electoral unit at eight o'clock in the morning (8:00 a.m.).

29. To collect all copies of the attendance sheets one hour before the closing of polling places. Said sheets shall contain information about any substitutions made during the day as well as the time of said substitutions. Once collected, a copy shall be delivered to each coordinator and the original sheet shall be placed in the envelope addressed to the Commission, which is included in the election material bag of the unit board or polling place board, as the case may be.

Functions while polling places are open

30. To maintain order in the premises of the polling center as well as in polling places. Any issue related to keeping the order shall be addressed firstly using persuasion and dialogue, in accordance with the election regulations. If necessary, the unit board may require the assistance of the police to keep order at the polling center.

31. To keep the premises of the polling center clear from voters who have already voted or other persons foreign to the voting process.

32. To strictly enforce the provisions relating to the ban on political propaganda within one hundred (100) meters from the polling center, as such distance was agreed by the coordinators.

33. To ensure that voters' free access is not interrupted or that voters are not inquired or questioned about the manner in which they shall cast or have cast their vote, within one hundred (100) meters from the polling center.

34. To solve any complaints or disputes that may arise in the polling places or centers by means of unanimous agreements. If no unanimity is reached, said complaints or disputes shall be referred to the local commission for their resolution. The intervention of the unit board in the polling places shall be at the official inspector's request, whether unanimously or individually.

35. To comply with the polling places' opening and closing times based on the prior synchronization of watches with the local commission. The unit board shall notify polling places of their closing time as agreed.

36. To request support services relating to any election equipment facing technical difficulties. Said request shall be made directly through the Commission's Command Center and notified to the local commission.

37. To report any situation relating to electric power at the polling places that specifically affect the electronic canvassing machine. This situation must be addressed firstly by the polling center's personnel. If the situation persists, it shall be reported directly to the Commission's Command Center and notified to the local commission.

38. To receive service technicians and accompany them to the area where the situation has arisen. It shall be the responsibility of the unit board to notify the Commission's Command Center and the local commission when the issue is settled.

39. To certify the number of officials who shall be provided with lunch. Said certification shall be made not later than nine o'clock in the morning (9:00 a.m.).

Functions after the closing of polling places

40. To verify whether a polling place needs additional material.

41. To collect the election material of the unit board and annul excess ballots. Only the unused ballots of an opened package shall be annulled, otherwise, the package shall be returned unopened. Annulled election material shall be placed inside the electoral unit board's election material bag and the corresponding entry shall be made in the Incident Log of the Unit Board.

42. To solve any incident or complaint that may arise in the polling places or centers while the polling place closing process is completed and the results are transmitted directly to the Commission.

43. To receive the election material bags, the equipment, and one memory card for each polling place. Memory cards shall be kept in an envelope provided for such purposes, which envelope shall be hand-delivered out of the bag to the local commission. It shall be responsible for delivering to the local commission one memory card for each polling place corresponding to the electoral unit concerned.

44. To receive the Tally Sheet, the first copy of the Ballot Count Sheet, and the Polling Place Incident Log of each polling place. These documents shall be placed in an envelope identified for such purpose inside the unit election material bag.

45. To return and transport the material and equipment from the polling center to the PRB. The unit board shall use the fastest means of transportation available.

R. 44 – FUNCTIONS AND DUTIES OF COORDINATORS

The functions, duties, and authorities of coordinators pursuant to the Election Act and the Puerto Rico Immediate Decolonization Act shall be the following:

1. To designate and administer oaths to the substitute polling place officials of their respective status options. However, substitute polling place officials may bring their sworn appointment, which shall be accepted without the need for the coordinator to issue a new appointment. The sworn appointment for a substitution shall bear the initials of the members of the unit board.

2. To appoint coordinators and sub-coordinators in the event a substitution is required or a vacancy or absence arises in the electoral unit. This fact shall be recorded in the Incident Log of the Unit and the attendance sheet. The time at which the designated coordinator or sub-coordinator is incorporated shall be stated in such documents. Substitutions may be made at any time before delivering the material and equipment to the headquarters of the local commission. In these situations, any official previously designated as polling place official may be designated and the oath administered as such shall include his new functions as coordinator or sub-coordinator.

R. 45 – CREATION AND CONSTITUTION OF ELECTORAL UNIT SUB-BOARDS

An electoral unit sub-board shall be constituted in every electoral unit, to be composed of a sub-coordinator representing each status option taking into consideration the number of columns printed on the ballot. There shall never be more than two (2) sub-coordinators for each electoral unit. Unit sub-boards shall operate under the supervision and direction of the corresponding unit board. Municipal legislators may be appointed and sworn in as sub-coordinators.

Decisions made by unit sub-boards shall require the unanimous vote of both (2) members thereof and if no unanimity is reached, the matter shall be referred to the unit board to decide on it.

R. 46 – FUNCTIONS AND DUTIES OF ELECTORAL UNIT SUB-BOARDS

The functions, duties, and authorities of electoral unit sub-boards pursuant to the Election Act and the Puerto Rico Immediate Decolonization Act shall be the following:

1. To ensure that the polling center is open and inspect polling places to ascertain that everything is in order. This inspection shall be made not later than six o'clock in the morning (6:00 a.m.) on Sunday, October 8, 2017, upon its constitution as board. Special attention should be given to the availability of electrical outlets in the polling places in order to plug in the electronic canvassing machines.

2. To offer orientation to voters in the area designated by the unit board as an information center. This service shall begin not later than seven thirty in the morning (7:30 a.m.) on Sunday, October 8, 2017. It shall use the voters' lists and documents furnished by the unit board for such purpose. Upon request, inform voters of the polling place or unit where they shall vote. Likewise, inform voters who qualify to cast a provisional ballot of the procedure to be followed and the location of the polling place. The information to be provided to voters must be approved by all members of the sub-board. It shall be an election-related offense to knowingly provide inaccurate information regarding the place where a voter should go to vote. Criminal provisions of Section 12.012 and 12.022 of the Election Act may apply to such effect. In these cases, the person shall be guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment for a term that shall not be less than one (1) month nor more than six (6) months or by a fine that shall not exceed five hundred (\$500) dollars or both penalties at the discretion of the Court.

3. To verify that coordinators, sub-coordinators, and polling place officials are qualified voters of the municipality. This verification shall be carried out at eight o'clock in the morning (8:00 a.m.) using the attendance sheets. If any coordinator, sub-coordinator, or polling place official appears as an unqualified voter, the board concerned shall be notified that the unqualified voter may work, but may not cast a vote, unless the Secretary of the Commission issues a certification of qualification.

4. To operate the information center until two fifty-five in the afternoon (2:55 p.m.), at which time the members of the sub-board who are not voters of the unit, but are voters of the precinct, may vote.

5. To return to the unit board the lists used in the information center once they have voted and remain at the polling center to assist the unit board as required, including in the transfer of election material and equipment to the PRB.

6. To hand-deliver in advance the memory cards to the local commission in the event that results transmission from the polling center fails.

R. 47 – FUNCTIONS AND DUTIES OF SUB-COORDINATORS

The functions, duties, and authorities of coordinators[sic.] pursuant to the Election Act and the Puerto Rico Immediate Decolonization Act shall be the following:

1. To substitute their respective coordinators in their absence.

R. 48 – CREATION AND CONSTITUTION OF POLLING PLACE BOARDS

In each polling place, there shall be a polling place board composed of one official inspector, one substitute inspector, and one secretary in representation of each status option. Members of the polling place boards shall be active voters of the municipality. If the official inspector who is in charge of directing the polling place is absent, he shall be replaced by the substitute inspector, and in its default, by the secretary representing the same status option. If there are no representatives for the status option responsible for directing the polling place, the official inspector of the other status option shall direct the polling place.

The Free Association option shall be entitled to three (3) polling place officials and the Independence option shall be entitled to the same number of polling place officials. There shall never be more than six (6) officials per polling place.

Political parties, citizen groups, or political action committees that have been certified by the CEE as main representatives of each status option (columns on the ballot) shall be called to coordinate the distribution of polling place officials among their respective alliances or coalitions and shall thus inform in writing to the Commission not later than on Wednesday, August 9, 2017.

Every official inspector shall have right to voice and vote in the procedures of the polling place board of which he is a member. Decisions of the polling place board shall be made by unanimity of their official inspectors.

R. 49 – FUNCTIONS AND DUTIES OF OFFICIAL INSPECTORS

The functions, duties, and authorities of official inspectors pursuant to the Election Act and the Puerto Rico Immediate Decolonization Act shall be the following:

1. To hand out ballots to voters.
2. To read the instructions on the ballot to any voter who so requests.
3. To deliver the confidentiality folder and the fine point, black ink marker pen.
4. To ensure that the voter enters in one of the voting booths and casts his vote independently and secretly.
5. To control the flow of voters when exiting the voting booth.
6. To ensure that voters feed the ballot into the electronic canvassing machine.
7. To be ready to help voters who request assistance when feeding in the ballots.
8. To ensure that voters return the confidentiality folder and the fine point, black ink marker pen.

9. To warn any voter who has received a ballot and intends to leave the polling place with the ballot that he will not be allowed to leave the polling place until he feeds the ballot into the electronic canvassing machine.

R. 50 – FUNCTIONS AND DUTIES OF SUBSTITUTE INSPECTORS

The functions, duties, and authorities of substitute inspectors pursuant to the Election Act and the Puerto Rico Immediate Decolonization Act shall be the following:

1. To ensure that order is maintained at the entrance of the polling place.
2. To ensure that voters are not inked when entering the polling place and that have been inked when leaving the polling place.

R. 51 – FUNCTIONS AND DUTIES OF SECRETARIES

The functions, duties, and authorities of secretaries pursuant to the Election Act and the Puerto Rico Immediate Decolonization Act shall be the following:

1. To be in charge of voters lists.
2. To verify that the voter identification card (VIC) presented by the voter is the appropriate one.
3. To check with the voter the data that appears on the voters list to ensure that the voter has not been excluded.
4. To ensure that the voter signs the voters list.
5. To ensure that the voter inks his finger.

R. 52 – SUBSTITUTION OF POLLING PLACE OFFICIALS

On the day of the Referendum, any polling place official may be substituted by the representative of the status option who designated him. The substitution may be made at any time prior to closing the polling places.

The substitute or polling place official who arrives after eight o'clock in the morning (8:00 a.m.) may not exercise his right to vote in said polling place unless he is a voter of said polling place.

R. 53 – INCOMPATIBILITY WITH THE OFFICE OF POLLING PLACE OFFICIAL

Any position in the Puerto Rico Police, the Municipal Police, or the Municipal Guard, as well as any other position excluded from acting in such capacity pursuant to federal and state laws and regulations are incompatible with any of the positions of polling place board members. The fact that such incompatibility does not exist shall be stated in the oaths that polling place board members are required to take.

No polling place official shall wear the uniform of any military or paramilitary armed force while discharging the duties as a member of a polling place board. Persons who hold an elective public office shall not be members of a polling place board.

R. 54 – DUTIES OF THE POLLING PLACE BOARD ON GENERAL ELECTION DAY

The functions, duties, and authorities of polling place boards pursuant to the Election Act and the Puerto Rico Immediate Decolonization Act shall be the following:

1. To arrive at the polling center not later than six thirty in the morning (6:30 a.m.) on Sunday, October 8, 2017, in order to be constituted as a board and show to each other their respective sworn appointments. Said appointments shall be included as part of the polling place board documents, but said appointment may only be withheld at the time polling place board members cast their vote, except when an official is absent during the day, in which case said appointment shall be delivered to the polling place board before exiting. Any polling place official who

arrives after the polling place board has been constituted shall show his appointment to the unit board officials and then to the polling place board.

2. To receive the election material and equipment of their polling place. For such receipt, official inspectors shall show their duly sworn appointments to the electoral unit board, and the two (2) official inspectors of the polling place board concerned shall be present. If, upon concluding the distribution of such election material and equipment, there is a polling place board pending constitution, such material and equipment shall be delivered to the official inspector of said board who is present. Official inspectors shall make sure to sign the appropriate receipt.

3. To synchronize their watches with the official time notified by the unit board upon receipt of the election material and equipment.

4. To immediately transfer the election material and equipment to the room or site designated as polling place.

5. To verify that the polling place identification is affixed to the door of the room or site so that it is visible to all voters when the polling place opens. If there is more than one door, the board shall make sure that additional doors are closed and that they remain closed during the voting process, except in case of emergency which requires the public to exit quickly.

6. To install the electronic canvassing machine atop the ballot box provided for such purpose upon verifying that said ballot box is in good condition and empty.

7. To connect the electronic canvassing machine to the electrical outlet following the installation procedure available inside the electronic canvassing machine case.

8. To verify that the voting booths have been set up and are in good condition, have a curtain, and have no marks or phrases written therein. If there is any written mark or phrase therein, official inspectors shall delete or cover the same using the most suitable mechanism available.

9. To verify that the polling place has at least one desk or table to carry out works and that the surface thereof is free from foreign objects or items other than election material.

10. To organize the room, to the extent possible, in the manner described and illustrated in the Procedures Manual.

11. To verify that sample ballot and ballot challenge posters are placed in visible spots. No propaganda or any other kind of material shall be allowed in the room, except those provided by the Commission or the documents needed to challenge a vote.

12. To ensure that cellular telephones or other type of devices used to send or receive information are not used inside the polling place during the voting process.

13. To verify the contents of the election material bag to ensure that any election material and equipment are received, and ascertain that these are functional. If any material is missing or an equipment is damaged, the electoral unit board shall be notified immediately without delay.

14. To complete attendance sheets, tally sheets, and envelopes as they are being used, as well as any other required document pursuant to the Procedures Manual.

15. To distribute the election material and equipment to the polling place officials in accordance with the duties assigned.

16. To count the ballots and sign their initials thereon. Official inspectors shall be responsible for carrying out this task. Initials shall be signed in the space provided on the back of each ballot. Moreover, the number of ballots shall be written in the Ballot Count Sheet and in the Incident Log of the Polling Place. Every ballot shall bear the initials of both (2) official inspectors, except when there is no representation for one of the status options in a polling place. Any official inspector

who arrives after all the ballots have been signed shall not add his initials to the ballots. This fact shall be stated in the Incident Log of the Polling Place.

17. To print the Blank Tally Sheet without detaching it from the electronic canvassing machine and verify that the number of votes cast in said tally sheet is zero. The Blank Tally Sheet shall be signed by both (2) official inspectors. Said Tally Sheet shall not be detached and shall be stored in the printer compartment of the electronic canvassing machine.

18. To open the polling place at eight o'clock in the morning (8:00 a.m.) in coordination with the electoral unit board.

19. To close the polling place at three o'clock in the afternoon (3:00 p.m.) in coordination with the electoral unit board, taking into account any voters to whom a turn has been assigned in the closed line, and those voters who refused to have their finger inked, who shall be allowed to cast their vote after the polling place is closed.

20. To transmit the results of the voting from the polling place and through the electronic canvassing machine.

TITLE VI.

PROVISIONS RELATED TO THE VOTING PROCESS

R. 55 – CONTROLLING ACCESS TO THE POLLING PLACE AND INK VERIFICATION

Substitute inspectors shall control the entrance so that voters may be able to sit on any available desks or chairs while awaiting their turn to vote. Voters shall be organized in such a manner, provided, that the space available at the polling place so allows without causing any overcrowding inside the polling place and on a first-come first-serve basis. Members of the Puerto Rico Police, the Municipal Guard,

and the employees of the Commission who are on duty on the day of the Referendum shall vote with priority. Substitute inspectors may agree on giving priority to other voters who so warrant.

Such substitute inspectors shall verify with a lamp the right index finger of each voter upon their arrival to the polling place to ascertain that such finger is not already inked. Such ink verification shall be made at the entrance of the polling place. The substitute inspector for the status option in charge of directing the polling place shall be in charge of the lamp verification.

If a voter is missing the right hand or the right index finger, then the inspector shall verify the voter's left index finger for any ink marking. If the voter is missing both index fingers, then the inspector shall verify the voter's right thumb for any ink marking. If the voter is missing both hands, the inking requirement shall be waived and the voter shall cast his vote at that time. If any ink marking is found on a finger, as provided herein, the voter shall not be able to vote.

Furthermore, substitute inspectors shall verify with the lamp that any voter who has cast a vote and is about to leave the polling place has been inked accordingly. If no ink marking is found, the voter shall be required to be inked, except for voters who cast their vote after three o'clock in the afternoon (3:00 p.m.) for having objected to the use of indelible ink. No person shall be allowed to leave a polling place while holding a ballot.

R. 56 – VOTER IDENTIFICATION VERIFICATION AND VOTERS LIST SIGNATURE

Secretaries shall be located at any desk or table available in the polling place. They shall verify that the VIC shown by the voter is the appropriate one by comparing the picture on the face of the card to the picture on the voters list.

Secretaries shall verify the data on the voters list to ascertain that said voter has not been excluded. If all the information is correct, the voter shall sign or make a mark on the space provided in the voters list showing the voter's picture. In the case of voters who are unable to sign or make a mark on the voters list, secretaries shall write their initials in the corresponding space on the left side of the voter's name together with the word "voted." If the voter is unable to sign, he shall make a mark and secretaries shall sign their initials next to such mark.

The secretary representing the status option in charge of directing the polling place shall have the voters list with pictures. The other secretary shall have the voters list without pictures in order to verify the information of voters who cast their vote and to write the word "voted" in the corresponding space.

They shall ensure that voter's fingers are inked. The secretary who does **not** represent the status option in charge of directing the polling place shall keep guard over the indelible ink pot. Voters who request not to be inked at the time of casting their vote shall be notified that they may only cast their vote after the closing of the polling place, but that they shall be inside of the polling place before three o'clock in the afternoon (3:00 p.m.).

R. 57 – HANDING OUT BALLOTS, VOTING, AND FEEDING BALLOTS INTO THE ELECTRONIC CANVASSING MACHINE

The official inspector of the status option in charge of directing the polling place shall hand out the ballots. If a voter so requires, official inspectors may alternate to read the following instructions:

“We are providing you with a ballot on which you shall make a mark inside of the rectangle below the number representing the status option of your preference. Any symbol or marking made outside of the rectangles shall be deemed to be inconsequential. A ballot bearing a mark for more than one status option shall be rendered mismarked.”

Any other person inside a polling place is prohibited from instructing any voter as to the manner of voting.

The official inspector of the status option who is **not** in charge of directing the polling place shall hand out the confidentiality folder and the fine point black ink marker pen. The folder shall be empty and bear no markings so that the voter may place the unfolded ballots therein while entering and exiting the voting booth towards the electronic canvassing machine.

Official inspectors shall ensure that voters enter the voting booths and cast their votes secretly and independently. Voters may remain inside the voting booth for as long as they need in order to cast their vote. Official inspectors shall control the flow of voters when exiting the voting booth to indicate to them when the electronic canvassing machine is available.

Moreover, they shall ensure that voters feed their ballots facing down into the electronic canvassing machine and shall pay attention to any request for guidance made by a voter. The electronic canvassing machine shall alert the voter if the ballot has any error that renders it mismarked or if it was left blank. The voter may indicate to the device that he intends to correct such error by pressing the CORRECT gray button to recover the ballot and return to the voting booth. If, on the contrary, the voter may confirm in the machine that he intends for the ballot to be read as such by pressing the VOTE yellow button. In this case, the device will not eject the ballot and shall canvass it as such. In the event that a voter takes more than fifteen (15) seconds to indicate his decision regarding the ballot, the electronic canvassing machine shall automatically eject the ballot without canvassing it. In this case, the voter shall feed the ballot into the machine once again and press either the VOTE or CORRECT button.

Official inspectors shall ensure that voters return the confidentiality folder and the fine point black ink marker pen. They shall warn voters that if they attempt to exit the polling place while holding a ballot, they shall be prevented from doing so until they feed the ballot into the electronic canvassing machine.

R. 58 – VOTERS WITH DISABILITIES

Any voter who is unable to mark the ballot or carry out any of the actions of the voting process due to a disability shall have the right to be assisted by another person. Such person may accompany the voter when casting his vote in order to mark the ballots as instructed by the voter. The voter's express consent shall be required to obtain such assistance. The person chosen by the voter may be an official assigned to the voter's polling place. Likewise, the voter may use an ATD. No polling place

official may limit the use of an ATD, insofar as the same is compatible with the electronic canvassing machine.

The Commission shall provide a special braille template for visually impaired voters who wish to exercise their right to vote independently. Also, a magnifying glass may be provided to voters with low vision who so request. Moreover, the vote-by-telephone system shall be provided to assist voters with disabilities during the voting process. Vote-by-telephone system procedures may be carried out in accordance with the manual approved by the Commission to such effect.

R. 59 – ASSISTANCE FOR FEEDING BALLOTS INTO THE MACHINE

Any voter shall be entitled to be assisted by a person when feeding the ballot into the electronic canvassing machine. The voter must expressly consent to receive such assistance. The person chosen by the voter may be an official assigned to the voter's polling place.

R. 60 – BALLOTS SPOILED BY VOTER

If a voter spoils a ballot or makes a mistake in his selection, said voter shall return the ballot to the official inspectors who shall hand him another one. A voter may be provided only one (1) additional ballot if his ballot is spoiled. Official inspectors shall annul every spoiled ballot by drawing a horizontal line across the index marks at the top of the ballot and writing under such line the phrase: **BALLOT SPOILED BY VOTER, ANOTHER ONE WAS PROVIDED.**

R. 61 – BALLOTS DAMAGED BY THE MACHINE

If an electronic canvassing machine mechanically damages a ballot that has not been canvassed, official inspectors shall provide the voter with another one. In this case,

the limitation of one (1) additional ballot per voter as provided by law shall not apply. Official inspectors shall annul every ballot damaged by a canvassing machine by drawing a horizontal line across the index marks at the top of the ballot and writing under such line the phrase: **BALLOT DAMAGED BY MACHINE, ANOTHER ONE WAS PROVIDED.**

R. 62 – UNTALLIED BALLOTS

If a voter returns a ballot without feeding it into the electronic canvassing machine or if the machine rejects it and the voter does not request another one, the same shall be identified as **UNTALLIED BALLOT**. Untallied ballots shall be placed without being annulled in a special envelope inside of the election material bag and shall be adjudicated or voided during the General Canvass.

R. 63 – INCONSEQUENTIAL MARKS AND OTHER DOTS ON THE BALLOTS

Indistinctive small dots shown in different places of the ballots that may seem as paper or printing imperfections shall not be accepted as valid marks.

Any mark of less than four square millimeters (4mm²) whether inside or outside of the mark recognition area shall be deemed to be inconsequential.

R. 64 – CLOSED LINE

Voting shall continue uninterruptedly until all the voters who were inside the polling place before closing time have cast their vote. If it is impossible to fit all voters inside of the polling place, voters shall be placed in a closed line and they shall be assigned a turn to vote.

R. 65 – VOTING OF ELECTORAL UNIT BOARD AND SUB-BOARD MEMBERS

Members of electoral unit boards and sub-boards who are registered voters of the electoral unit to which they are assigned shall attend the polling place where they are registered in order to cast their vote with priority at any time between eight o'clock in the morning (8:00 a.m.) and three o'clock in the afternoon (3:00 p.m.) on the day of the Referendum.

Members of electoral unit boards and sub-boards who are not registered voters of the electoral unit to which they are assigned but are registered voters of the precinct, shall vote in polling place number one (1) of said electoral unit with priority at two fifty-five in the afternoon (2:55 p.m.) on the day of the Referendum and their voter information shall be added at the end of the voters list.

Members of electoral unit boards and sub-boards shall vote following the same procedure established for any voter who attends a polling place, as applicable. Immediately after casting their vote, such members shall resume their works at the electoral unit.

Members of electoral unit boards and sub-boards who are not registered voters of the electoral unit to which they are assigned and report for work after eight o'clock in the morning (8:00 a.m.) shall only vote in the polling place where they are registered, otherwise they may not vote.

R. 66 – VOTING OF POLLING PLACE OFFICIALS

Polling place board officials may cast their votes as soon as the polling place closes and all other voters have finished voting. Officials who are registered voters of the

polling place to which they are assigned shall sign next to their information in the voters list. Voter information of officials who are not registered voters of the polling place to which they were assigned, but are registered voters of the precinct shall be added at the end of the voters list. Such officials shall sign next to their respective information in the voters list.

Polling place board officials shall vote following the same procedure established for any voter who attends a polling place, as applicable. Immediately after casting their vote, such members shall resume their works at the polling place.

Polling place board officials who report for work after eight o'clock in the morning (8:00 a.m.) may not vote in the polling place to which they were assigned unless they are registered voters of said polling place.

TITLE VII.

PROCESSES AT THE POLLING CENTER AFTER THE CLOSING OF POLLING PLACES

R. 67 – PROHIBITIONS ON POLLING PLACE OFFICIALS

Once polling places are closed, no polling place board member may exit the same until all the works are finished and the electronic canvassing results have been announced by fixing a copy thereof on the door of the polling place. This provision shall also apply to early voting officials; however, in this case the results of the electronic canvassing shall not be printed, transmitted, or announced.

R. 68 – CLOSING OF ELECTION ON THE ELECTRONIC CANVASSING MACHINE

Official inspectors shall close the election on the electronic canvassing machine once they have finished tending to all of the voters entitled to cast their vote. This includes voters on a closed line, voters who objected to being inked, coordinators, sub-coordinators, and polling place officials. Moreover, they shall ensure that there are no ballots in the special emergency compartment of the ballot box. Should there be any ballots in said compartment, they shall feed them into the electronic canvassing machine.

Official inspectors close the election on the electronic canvassing machine. The machine shall not accept any other ballot after the election has been closed, and one (1) copy of the Polling Place Tally Sheet shall be automatically printed and then placed in an envelope inside of the election material bag of the polling place. This sheet shall include on the same paper and, continuously, the Blank Tally Sheet that was printed prior to opening the polling place but was undetached.

R. 69 – TRANSMISSION OF RESULTS FROM THE POLLING PLACE

Official inspectors shall transmit the results of the polling place to the Commission directly from the polling place. The electronic canvassing machine shall be programmed to make at least two (2) additional automatic transmission attempts in case the first one fails.

R. 70 – COPIES OF THE POLLING PLACE TALLY SHEETS

After the transmission or attempt thereof, in case it fails, official inspectors shall print four (4) copies of the Polling Place Tally Sheet: one (1) to be delivered to the

electoral unit board, one (1) for each official inspector, one (1) to be fixed on the polling place's door.

Official inspectors shall sign all the tally sheets of the polling place.

R. 71. – MEMORY CARD RETURN

Official inspectors shall turn off the machine and remove the memory card therefrom, which is located on the right side and is identified as *poll worker*, and shall be hand-delivered to the unit board.

The electoral unit board shall direct the unit's sub-board to take all the memory cards of all the polling places immediately to the local commission if at least one of the polling places experienced a failed transmission. Memory cards shall be transported inside an envelope provided therefor and shall be hand-delivered to the local commission.

R. 72. – OPENING OF THE ELECTRONIC CANVASSING MACHINE BALLOT BOX COMPARTMENT

Official inspectors shall remove the ballots from the main compartment of the ballot box and shall place them in a plastic bag which shall be subsequently placed in the election material bag. Ballots removed from the main compartment shall not be classified by type, or tallied or annulled.

The auxiliary compartment shall have no ballots.

R. 73 – FINAL WORKS AFTER POLLING PLACE IS CLOSED

Official inspectors shall make sure that any material that must be placed inside the election material bag is placed therein before closing and locking said bag. Before closing the election material bag, the number of the seal to be used to lock said election material bag shall be written in the Polling Place Incident Log.

Moreover, official inspectors shall ensure that all of the documents required to be filled in accordance with the procedures established by the Commission are completed.

The polling place board shall return the election bags and equipment as well as the copies of the tally sheet and the envelope along with the memory card to the electoral unit board.

TITLE VIII.

PROCESSES AT THE PRB AFTER THE POLLING PLACES ARE CLOSED

R. 74 – MEMORY CARD RETURN AND TRANSMISSION VERIFICATION

Every electoral unit board or sub-board, as the case may be, shall deliver to the local commission all the memory cards corresponding to the electronic canvassing machines of the polling places comprising said electoral unit. The local commission shall access the Commission's information system and confirm the status of the transmission of each of the polling places comprising the electoral unit concerned. If the information system confirms that all of the polling places comprising said electoral unit successfully transmitted their results from the polling center, the local commission shall authorize the board or sub-board to leave.

R. 75 – TRANSMISSION OF RESULTS FROM THE PRB

If during the process of verifying the status of the results transmission of an electoral unit it is confirmed that any of the polling places failed to transmit the results thereof, the unit board together with the local commission shall select the memory card corresponding to said polling place. The results shall be transmitted to the Commission using the alternative results transmission system available at the PRB.

This system shall be an electronic equipment capable of reading the memory card where the results of a specific polling place were stored and transmitting them to the Commission's result receipt system in the same manner as the electronic canvassing machines transmit them from the polling places.

Once the transmission of the results of said polling place is completed, the local commission shall verify in the information system the status of the results transmission of the polling places comprising said electoral unit. The local commission shall authorize the electoral unit concerned to leave upon confirming that all of the polling places comprising said unit have successfully transmitted their results.

R. 76 – PREPARATION OF THE LOCAL COMMISSION ELECTION MATERIAL BAG

Local commissions shall sign and distribute the precinct's tally sheets as well as organize the envelopes received containing the memory cards of every polling place. Said envelopes shall be ordered and placed in a plastic bag inside of the election material bag together with the local commission documents envelope. The election material bag shall be sealed and placed in the back of the truck in order to be located

easily. This election material bag shall be identified with an orange label. The truck's door shall be immediately closed and locked, and the seal provided by the Commission shall be affixed thereto.

R. 77 – TRANSPORTATION AND RETURN OF LOCAL COMMISSION ELECTION MATERIAL

Local commissions shall request authorization from the Commission's Command Center for the truck's departure towards San Juan in order to return the election material. Local commissions shall notify the Office of Election Operations the seal number of the election material bag of the local commission, the truck's seal number, and the time of the truck's departure once authorized by the Command Center. For such purposes, local commissions shall use the form included in their election material bag. They shall also make sure that the truck departed under their custody and responsibility and is escorted by the Puerto Rico Police in accordance with Section 10.007 of the Election Act.

The truck shall not make any stop under any circumstances, except by *force majeure*, until it arrives at the premises of the Commission's Office of Election Operations.

The agreement executed for the transportation of election material shall include that contractors shall have available towing truck services in different regions in order to tow any trucks in the event of a breakdown.

Election material shall be received by the Commission. The personnel assigned to receive said material shall consist of the representatives of the Chair and the representatives of the status options who shall be responsible for the custody of said election material until the final certification of the Referendum results.

TITLE IX.
PROVISIONAL VOTING

R. 78 – PROVISIONAL VOTING AT THE VOTING CENTERS

On the day of the Referendum, a special polling place shall be set up for provisional voting and a board shall be established to be composed of one (1) official inspector and one (1) secretary representing each status option. Members of the provisional voting polling place board shall be active voters of the municipality.

In the event that the official inspector responsible for the direction of the polling place is absent, the secretary representing the same status option as said official inspector shall substitute him. The official inspector of the other status option shall be in charge of directing the polling place in the event that there is no other representative of the status option responsible for the direction of the polling place.

Every official inspector shall have voice and vote in the procedures of the provisional voting polling place board of which he is a member. Provisional voting polling place board decisions shall be made by the unanimous vote of the official inspectors thereof.

Provisional polling places shall be used only by voters who claim their right to vote but do not appear in the voters list, due to administrative errors attributable to the Commission, or in the list of excluded voters. Moreover, voters who also hold a certification of inclusion issued by the Secretary of the Commission and present it prior to casting their vote, may also use this polling place. Voters who claim their right to provisional voting shall be referred by the sub-board of the unit in order to be allowed to vote.

Not later than at eight o'clock in the morning (8:00 a.m.), the provisional voting polling place board shall receive from the unit sub-board a yellow card with the signatures of the members of said sub-board, which card shall be used to validate the signatures of the referral cards to be subsequently presented by voters.

Officials of the special provisional voting polling place shall vote with priority from eight o'clock to eight thirty in the morning (8:00 a.m. to 8:30 a.m.) on the day of the Referendum. Officials who are registered voters of the electoral unit to which they are assigned shall sign next to their information in the voters list of their polling place. Officials who do not vote in the electoral unit to which they are assigned but are registered voters of the precinct, shall vote in polling place number one (1) of said electoral unit with priority, and their voter information shall be added at the end of the voters list. Said officials shall sign next to their information in the voters list. Officials shall cast their vote following the same procedure established for any voter in a polling place, as applicable. Immediately after casting their vote, such officials shall resume their works at the polling place.

The special provisional voting polling place shall be declared open at eight thirty in the morning (8:30 a.m.) on the day of the Referendum. The VIC of voters who availed themselves of provisional voting shall be withheld at the polling center.

R. 79 – PROVISIONAL VOTING AT HOSPITALS

Voters who are hospitalized on the day immediately preceding the Referendum and who remain hospitalized on the day of the event shall have the option to vote upon being added to the provisional voters list to be provided for such purposes. The local commission shall constitute voting boards as are necessary to handle voting at hospitals. Hospitalized voters shall be advised that if they cast their vote through

provisional voting at the hospital they may not attend their polling place on the day of the Referendum to vote.

Election material resulting from the voting process conducted in hospitals shall be sent to the PRB of the precinct to which the local commission designated to coordinate the voting process in the hospital belongs. The local commission shall report through the PRB the number of voters who voted through provisional voting at each hospital. Moreover, the local commission shall be the custodian of the bags, which shall be sent to the Commission on the day of the Referendum together with the precinct's bags and equipment. Furthermore, the Office of Election Operations shall keep custody of said material, which shall be delivered to the Provisional Voting Unit during the General Canvass in order to adjudicate votes thus cast according to the provisional voting process.

The VIC of voters who avail themselves of provisional voting at the hospitals shall be withheld.

R. 80 – PROVISIONAL VOTING AT PENAL AND JUVENILE INSTITUTIONS

Voters who are imprisoned in any penal institution, on the day on which provisional voting shall be held, and who have not requested an early ballot shall have the option to vote through provisional voting. The JAVA shall administer said provisional voting process, as well as provide any necessary material and resources in order to conduct said voting process at penal and juvenile institutions.

Election material resulting from the voting process conducted in penal and juvenile institutions shall be delivered to the Commission. The JAVA shall report to the Commission the number of voters who voted through provisional voting at the penal

and juvenile institutions. Moreover, the JAVA shall keep custody of the material, which shall be sent to the Provisional Voting Unit during the General Canvass in order to adjudicate votes thus cast according to the provisional voting process.

The early voting process shall be conducted in penal institutions in accordance with the manual to be approved by the Commission to such effect.

R. 81 – CANVASS OF PROVISIONAL VOTING

The Commission shall ascertain the right to vote of voters who availed themselves of provisional voting before adjudicating or voiding their ballots during the General Canvass.

TITLE X.

ACCESSIBLE POLLING PLACE

R. 82 – SELECTION AND CERTIFICATION OF ACCESSIBLE POLLING PLACES AT POLLING CENTERS

The Commission shall, through its Planning Office and in coordination with local commissions, implement a process for the selection and certification of an accessible polling place in each polling center as provided in HAVA. Once the accessible polling place of each polling center has been identified and certified, it may only be changed upon the Commission's authorization. Officials who make such a change without the Commission's authorization shall be guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment for a term of not less than one (1) month nor more than six (6) months, or by a fine which shall not exceed five hundred dollars (\$500), or both penalties, at the discretion of the court, in accordance with

Section 12.007 of the Election Act. The Commission may consider suggestions from regulatory bodies or entities concerned with these matters.

R. 83 – FACILITIES OF ACCESSIBLE POLLING PLACES AT POLLING CENTERS

An accessible polling place shall be established in each electoral unit, to be located at polling place number one (1), and shall have at least, among other accommodations, an accessible voting booth. Moreover, it shall have a magnifying glass, braille templates for the ballots, and graphic and braille information material.

R. 84 – REQUEST TO VOTE IN THE ACCESSIBLE POLLING PLACE AT THE POLLING CENTER

Any voter with temporary or permanent disabilities may request the Commission's authorization to vote in the accessible polling place. Such request shall be submitted not later than on Monday, August 21, 2017 to any PRB. The original and two (2) copies of the request shall be submitted to be distributed in the manner provided in the form to be furnished for such purposes. Said form shall be duly filled out and signed by the voter. It shall not be necessary for the voter to submit said request personally at the Office of the PRB, because he may submit the form duly filled out and signed through a relative or a trusted person.

R. 85 – REQUEST TO VOTE IN AN ACCESSIBLE POLLING PLACE AT HOME

Any voter with a mobility disability or who is bedridden due to any type of medical condition that prevents him from attending a polling place may request the Commission's authorization to vote in an accessible polling place. Such request shall be submitted not later than on Monday, August 21, 2017 to any PRB. The original and two (2) copies of the request shall be submitted to be distributed as provided in

the form to be furnished for such purposes. In said form a physician authorized to practice medicine in Puerto Rico and who holds a valid license as of the date of the certification, shall certify that the voter has a mobility impairment or is bedridden. In no event, shall the decision of the physician who issued the certification be challenged. The form shall be duly filled out and signed by the voter or a person authorized by the voter in case he has a disability that prevents him from signing, which fact shall be certified in the form provided. It shall not be necessary for the voter to submit said request personally at the Office of the PRB, because he may submit the form duly filled out and signed through a relative or a trusted person. The local commission shall be responsible for verifying and certifying that the request was duly filled out.

The voting process at an accessible polling place at home shall be carried out in accordance with the Accessible Polling Place at Home Procedures Manual for the 2017 Plebiscite and Referendum.

R. 86 – ACCESSIBLE POLLING PLACE AT HOME VOTING PERIOD

The voting process for the accessible polling place at home shall begin on Tuesday, October 3, 2017, and end not later than on Saturday, October 7, 2017, the day before the Referendum, at three o'clock in the afternoon (3:00 p.m.).

R. 87 – COMPOSITION AND RESPONSIBILITIES OF ACCESSIBLE POLLING PLACE AT HOME BOARDS

Polling place boards shall be created under the supervision of the local commission concerned. Boards shall be composed of one (1) official of each status option included on the ballot.

Accessible polling place at home boards shall guarantee the voter's identity, that ballots be blank when handed over, and that the voter casts his vote independently. Said board shall be responsible for guaranteeing that the voter has the capacity to consent and that he casts his vote secretly.

The capacity to consent is the voter being able to communicate individually and voluntarily through any of the following mechanisms: orally, in writing, affirmative body gestures or signs equal or similar to those used by people with speech, hearing, and vision impairments. It shall also imply that the voter casts his vote freely, independently, secretly, and without coercion.

R. 88 – CHALLENGING A VOTE IN AN ACCESSIBLE POLLING PLACE AT HOME

Any member of an accessible polling place at home board who believes that the conditions regarding the capacity to consent as described in the Puerto Rico Immediate Decolonization Act were not guaranteed during the voting process may challenge said vote in accordance with the process to be established by the Commission. No challenge may be based on the medical condition of a voter.

R. 89 – CANVASSING OF VOTES CAST IN AN ACCESSIBLE POLLING PLACE AT HOME

Accessible polling place at home ballots shall be tallied together with the early ballots of the same precinct using the electronic canvassing machine designated therefor.

TITLE XI.

ABSENTEE VOTING AND EARLY VOTING

R. 90 – PERSONS ENTITLED TO ABSENTEE VOTING AND EARLY VOTING

For the categories of voters entitled to absentee voting and early voting, see the Regulations for Absentee Voting and Early Voting.

R. 91 – CANVASSING OF ABSENTEE BALLOTS, REGULAR BALLOTS CAST BY INMATES, VOTE-BY-TELEPHONE, AND EARLY BALLOTS CAST BY CEE EMPLOYEES

On the day of the Referendum, starting at eight o'clock in the morning (8:00 a.m.), the Commission shall open the canvassing tables with their respective political party balance boards, under the supervision of JAVA. At least one electronic canvassing machine shall be assigned to each table in order to feed into them the absentee ballots requested by voters through regular mail, as well as regular ballots cast by inmates and early ballots cast by the CEE employees. This canvassing process shall be conducted using electronic canvassing machines located in a controlled area as established by the Commission. All mailed absentee ballots received by three o'clock in the afternoon (3:00 p.m.) on the day of the Referendum shall also be included in this canvassing. JAVA shall make sure to bring all ballots received in the mail until three o'clock in the afternoon (3:00 p.m.) on Sunday, October 8, 2017. If the Commission furnishes electronic canvassing machines enabled to canvass ballots and classify results by precinct, the JAVA provisions regarding the canvassing of regular ballots cast by inmates and early ballots cast by CEE employees shall be waived.

Absentee ballots of voters who requested the electronic delivery thereof through the Internet, as well as vote-by-telephone votes shall be canvassed manually on the day of the Referendum starting at eight o'clock in the morning (8:00 a.m.) by political party balance boards.

The transmission of results shall begin at three o'clock in the afternoon (3:00 p.m.) on the day of the Referendum. Both the electronic and manual canvassing of the aforementioned votes shall be added by the Commission to the results of the appropriate precincts on the day of the Referendum.

Votes received after three o'clock in the afternoon (3:00 p.m.) on the day of the Referendum shall be canvassed during the General Canvass.

TITLE XII.

CANVASS RULES AND BALLOT CLASSIFICATION CRITERIA TO ADJUDICATE VOTES IN THE ELECTRONIC CANVASSING SYSTEM

R. 92 – BALLOT CLASSIFICATION

For canvassing purposes, ballots shall be classified into two (2) main groups: adjudicated ballots and ballots with no adjudication value. Adjudicated ballots shall be those where a vote for one of the two status options therein is cast. Ballots with no adjudication value are those left blank, mismarked, or void.

During both the canvass conducted the night of the event and the General Canvass, these classifications shall be safeguarded. Provided, that the night of the event there shall be a third classification known as ballots pending adjudication which shall include provisional voting, challenged, and untallied ballots.

R. 93 – VOTER’S INTENT

When adjudicating a ballot, the guiding criterion that shall prevail is respect for the voter’s intent when casting his vote with a valid mark. Such intent is directly expressed by the voter when the electronic canvassing machine evaluates the ballot fed into it and notifies the voter whether the ballot has been mismarked or left blank, and the voter himself confirms his intent of having the ballot tallied as such or if, on the contrary, the voter wishes to retrieve the ballot to make the pertinent corrections. This intent expressed by the voter when feeding the ballot into the electronic canvassing machine shall govern any determination made when interpreting the voter’s intent.

R. 94 – MARKS ON THE BACK OF THE BALLOT OR OUTSIDE OF THE MARK RECOGNITION AREA

No mark made by a voter on the back of the ballot or outside of the mark recognition area shall be adjudicated. Hence, such mark shall be deemed to be invalid, not made, and, therefore, inconsequential.

R. 95 – WHEN A MARK CROSSES OVER TO ANOTHER RECTANGLE

Whenever the line made in one mark recognition area crosses over to another mark recognition area and the electronic canvassing machine recognizes it as a valid mark, the device shall evaluate the ballot based on this criterion and shall notify the voter of the mismarked ballot. The electronic canvassing machine shall require the voter to confirm if this situation constitutes his vote’s intent or if he rather wants to retrieve the ballot to make any pertinent corrections. In the event that the voter confirms that his vote shall be cast as is, the electronic canvassing machine shall canvass it as a mismarked ballot.

R. 96 – BALLOT MARKS

The Commission shall provide voters with a fine point black ink marker pen in order to cast their vote. However, any mark made on the ballot that meets the valid mark criteria shall be recognized as such regardless of the color or the instrument or material used to make such a mark.

TITLE XIII. CHALLENGE

R. 97 – VOTER’S CHALLENGE

Any voter who has grounds to believe that a person intends to cast a vote unlawfully may challenge such person’s vote on the grounds that render said vote unlawful under the provisions of the Election Act and these Regulations. However, such a challenge shall not prevent a person from casting his vote.

In the case of a challenge on the grounds of citizenship, it shall be necessary for the challenger to have available and furnish to the polling place board a certification from the pertinent body attesting to the fact that the challenged person is not a United States citizen.

In the case of a challenge on the grounds of age, it shall be necessary for the challenger to have available and furnish to the polling place board a birth certificate or negative certificate stating that the voter has not reached legal age to vote. Likewise, in the case of a challenge on the grounds of a deceased voter, the challenger shall furnish a death certificate. If a challenge is made on the grounds of duplication of voter registration in the GVR, the challenger shall furnish a certification issued by the Commission to such effect.

The challenged ballot as well as the documents and information attesting to said challenge shall be sealed and placed in a labeled envelope provided for such purposes by the Commission in order to guarantee that the person cast a secret ballot. Ballot challenges shall be made on the face of the special envelope provided for challenged ballots. The envelope shall provide a space to write down the challenged voter's name and identification number, the grounds for such challenge, the challenger's voter identification number and his name in type font. If the challenged voter denies the challenge, he shall do so in writing and under oath as provided by the Commission; however, if such voter does not deny the grounds for such challenge his ballot shall not be tallied nor adjudicated. The challenged voter shall be notified of the grounds for such challenge and advised of his right to answer said challenge. Furthermore, the challenged voter shall be advised that, if he refuses to deny the challenge, his vote shall be declared void. For such purposes, the following shall be read to the voter:

“You have the right to answer this challenge. If you do not deny it by means of a statement, your vote shall not be tallied, but rather deemed to be void.”

Once the voter places the ballot in the special envelope for challenged ballots, the polling place board shall not open, amend, correct, or add information to said envelope at any time, even after the polling center has closed.

Upon completion of the ballot challenge process, the sealed envelope shall be placed inside the election material bag until the voting process ends. Said envelopes shall be subsequently collected, counted, and returned to the election material bag of the polling place. Sealed envelopes for challenged ballots shall be sent to the Commission inside of the election material bags.

Votes cast in challenged ballots shall not be canvassed at the polling place, but rather during the General Canvass, where a determination on the voter's right shall be made as to whether said ballots shall be adjudicated or voided, as the case may be.

R. 98 – GROUNDS OR REASONS FOR CHALLENGE

Grounds for challenging votes on the day of the Referendum are:

1. Not be a United States or Puerto Rico citizen. In this case, a negative certificate issued by the United States Citizenship and Immigration Services or the Federal Court in the case of naturalized persons, shall be enclosed with the challenged ballot inside the appropriate envelope. In the case of persons born in Puerto Rico, the United States of America, or its territories, the negative certificate shall be issued by the appropriate Vital Statistics Registry.

2. Not be of legal age to vote. In this case, the challenged ballot shall also enclose, in the appropriate envelope, a certificate issued by the Vital Statistics Registry or any similar or analogous registry in the United States of America or foreign country, attesting to the voter's age, or a negative certificate issued by the Vital Statistics Registry or any similar or analogous registry in the United States of America or foreign country, stating that the name of the person does not appear in the Vital Statistics Registry of the municipality or place that said person stated in the sworn request for registration to have been born.

3. The person is not who he says he is (identity theft).

4. A person intends to vote assuming the identity of a deceased voter.

5. That the person has been declared mentally incompetent by a Court, in which case, a copy of the Judgment or Holding of the Court shall be enclosed with the ballot in the appropriate envelope.

6. That the person is registered in more than one polling place.

7. That the person has been issued an Exclusion Order. This Exclusion Order shall bear both the same name and the same voter identification number as it appears on the voters list of the polling place, and has to be enclosed with the challenged ballot in the same envelope in order to be subject to verification.

8. That the voter's right to vote is pending adjudication in said precinct before the Commission or a Court of Law. A certification issued by the Secretary of the Commission or the Clerk of the pertinent Court, as the case may be, shall attest to such fact and shall be enclosed with the challenged ballot in the same envelope.

R. 99 – CHALLENGED BALLOT

In order to be valid, a challenged ballot placed in a special envelope for challenged ballots shall meet the following basic requirements:

1. To have the name of the challenged voter or any identifying information thereof such as his voter identification number, page number, and line where his name appears on the voters list.
2. To include the grounds for such challenge, which shall be any of the grounds provided in these Regulations.
3. To be signed at the bottom by the challenger. The name of the challenger written in type font shall not be sufficient. Initials shall be accepted as a signature only when the same may be identified as the initials of any of the official inspectors on the ballots.

If these basic requirements are not met, or if any of them has yet to be met, the challenge shall be deemed incomplete. A ballot subject to an incomplete challenge shall be canvassed during the General Canvass process for the adjudication or voidance thereof. In the event that the challenge meets the basic requirements, and the same is granted, the ballot shall be voided during the General Canvass.

R. 100 – INADMISSIBLE CHALLENGE

A voter shall be challenged on grounds not provided for in these Regulations.

R. 101 – ARREST OF A VOTER DUE TO UNLAWFUL VOTING

On the day of the Referendum, any voter or polling place official who challenges the vote of a person whom he believes has voted or attempts to vote unlawfully in said precinct or municipality, may request that such person be arrested and brought before a judge, or shall file a sworn complaint.

Unit coordinators are hereby empowered to administer oaths regarding any complaints made by any person.

TITLE XIV. FINAL PROVISIONS

R. 102 – PROCEDURES MANUAL

The Election Act empowers the Commission to draft and adopt manuals for any procedures required for conducting an election process and to take any measures as are necessary to guarantee the operation of the electronic canvassing system.

R. 103 – PROHIBITION ON PERSONS HOLDING PUBLIC ELECTIVE OFFICES

Persons holding public elective office shall not be allowed to be present at, or enter the Commission (Administrative Building and Election Operations) while results are being received on October 8 and 9, 2017.

R. 104 – PENALTIES

Any prohibitions and election-related offenses provided for in the Puerto Rico Immediate Decolonization Act and the Election Act are included herein.

R. 105 – TERMS VARIATIONS

Any terms established in these Regulations, which are not prescribed under the Puerto Rico Immediate Decolonization Act or the Election Act may vary as provided by the Commission where warranted and for just cause, always notifying the appropriate parties.

R. 106 – AMENDMENTS TO THESE REGULATIONS

Amendments to these Regulations, if necessary, shall be made in accordance with the procedure established in the Election Act.

R. 107 – SAVINGS CLAUSE

Any matter or procedure not provided for in these Regulations shall be transacted taking into consideration general law principles and with the intent to do justice.

R. 108 – SEVERABILITY

If any title, rule, clause, subsection, paragraph, part, or word of these Regulations were held to be null or unconstitutional by a Court with competent jurisdiction, the holding to such effect shall not affect or impair the remaining provisions of these Regulations.

R. 109 – EFFECTIVENESS

These Regulations shall take effect upon notice and publication, as provided in subsection (l) of Section 3.002 of the Election Act.

In San Juan, Puerto Rico, on this 20th day of February, 2017.

These Regulations are hereby approved in accordance with Section 3.004(b) of Act No. 78 of June 1, 2011, as amended.

[illegible signature]
LIZA M. GARCÍA-VELEZ
Chair

[illegible signature]
NORMA I. BURGOS-ANDÚJAR
Election Commissioner
New Progressive Party

GUILLERMO SAN ANTONIO-ACHA
Election Commissioner
Popular Democratic Party

I HEREBY CERTIFY: That these Regulations for the 2017 Referendum on Free Association or Independence to be held on October 8, 2017, were approved by the State Election Commission on February 20, 2017, in accordance with Section 3.004(b) of the Election Act and, in witness whereof, I hereby sign and seal these presents, on this 20th day of February, 2017.

[stamp: COMMONWEALTH OF PUERTO RICO
STATE ELECTION COMMISSION]

[illegible signature]
MARIEL TORRES-LÓPEZ
Acting Secretary