



Lcdo. Rolando Cuevas Colón
Secretario

CEE-AC-21-031

11 de febrero de 2021

MIEMBROS DE LA COMISIÓN

CERTIFICACIÓN DE DESACUERDO

Se transcribe el Desacuerdo del Referéndum Electrónico celebrado el martes, 9 de febrero de 2021, para su conocimiento y acción que corresponda.

PROCLAMA DE LA ELECCIÓN ESPECIAL (LEY 167-2020) -TRADUCIDA AL INGLÉS

A continuación, se resume las posiciones de los Comisionados Electorales:

Comisionado Electoral PNP: A favor con correcciones gramaticales. Se acompaña la proclama con enmiendas.

Comisionado Electoral PPD: A favor.

Comisionado Electoral PIP: En contra.

Comisionado Electoral MVC: En contra. La posición del MVC es que no apoya esta elección especial como un mecanismo justo y participativo para atender el asunto del estatus de Puerto Rico pues no representa todas las opciones descolonizadoras.

Comisionado Electoral PD: A favor.

No habiendo unanimidad entre los Comisionados, el asunto queda sometido para decisión del señor Presidente.

Así se **certifica**.

Lcdo. Rolando Cuevas Colón
Secretario

STATE ELECTIONS COMMISSION
COMMONWEALTH OF PUERTO RICO
SAN JUAN, PUERTO RICO

PROCLAMATION

ACT TO CREATE THE CONGRESSIONAL DELEGATION OF PUERTO RICO

MAY 16, 2021

WHEREAS: With the approval of THE Act 167-2020, known as the "Act to create the Congressional Delegation of Puerto Rico", a Special Election was arranged in which those eligible voters shall be able to choose two (2) special delegates to the United States Senate, and four (4) special delegates to the United States House of Representatives. Whose function shall be to demand that the United States Congress respect and enforce the results of the 2020 Plebiscite, and that proceeds to admit Puerto Rico as a State of the United States of America.

WHEREAS: Any interested citizen who needs to carry out any transaction in the General Voter Registry before the registration deadline, including new voters, shall have up to fifty (50) days before the Special Election to update their voting status, restore their registration or register to vote. Furthermore, if needed, the aforementioned date shall be the deadline for voters to request transfers, or relocations, as well as request Absentee Ballot, Early Voting or Accessible Polling Place. The Permanent Registration Boards (JIP), of the State Elections Commission, shall be open to the public to conduct all transactions during regular business hours.

WHEREFORE: The State Elections Commission, in the discharge of the duties conferred thereto by the Law, hereby proclaims that:

FIRST: Date of the Special Election-On Sunday, May 16, 2021, a Special Election shall be held to elect two (2) special delegates to the United States Senate and four (4) special delegates to the United States House of Representatives. Whose function shall be to demand the Congress of the United States that respect and enforces the results of the 2020 Plebiscite and that proceeds to admit Puerto Rico as a State of the United States of America in every election precinct and all qualified voters are hereby called to participate therein.

SECOND: Voting Hours-The voting process for the Special Election shall be conducted in open voting places, from nine (9:00 am) in the morning to five (5:00 pm) in the afternoon, The "Dry Law" shall apply only during the aforementioned hours and with the exceptions provided in the Puerto Rico Election Code.

THIRD: Ballot-There shall be a single ballot that will contain two columns and shall be destined for the voters to choose two (2) special delegates to the United States Senate, and four (4) special delegates to the United States House of Representatives,

FOURTH: Certification of Results- The counting of ballots and certification of the results by the State Elections Commission shall only be carried out pursuant to the doctrine of the Supreme Court of Puerto Rico in Suárez- Cáceres v. Com Estatal Elecciones, 176 DPR 31, 73-74 (2009), A vote not cast and any blank ballot cast and lacking a clear expression of the voter's intent "in no way may be counted for purposes of influencing or affecting the result of an election, referendum or Plebiscite, among other voting events".

FIFTH: Vote Counting System- For this Special Election} the same electronic counting system used in the General Elections shall be used, as provided in Resolution CEE-RS-1 5-21 approved on October 30, 2015. Said system shall be capable of tallying votes easily, securely, and reliably with security and auditing mechanisms that ensure the transparency in the voting process

SD<TH: Identification of Voters- In order to vote at the polling places, voters shall be required to provide their Voter Identification Card issued by the State Elections Commission, regardless of the expiration date thereof or any other valid identification card authorized by the Puerto Rico Election Code. In addition, one of the voter's finger shall be inked after casting his vote.

SEVENTH: Absentee and Early Voting- In accordance with the Election Code, the Commission shall guarantee the right to apply for an Absentee Ballot and Early Voting of all voters domiciled in Puerto Rico who qualify therefore and have made such request on or before fifty (50) days prior to holding of the Special Election, that is, the registration deadline.

EIGHTH: Right to Vote Guaranteed- The State Elections Commission shall prescribe measures and remedies in order to guarantee the right to vote of any voter who, by reasons beyond his control} was unduly omitted from the General Voter Registry of Puerto Rico. Pursuant to the Election Code, the Commission shall also implement mechanisms to allow bedridden voters whether at hospitals and at home, as well as voters with disabilities, residing in nursing homes, or confined in correctional institutions to vote.

Moreover, pursuant 10 the Election Code, no public or private employer shall prevent employees from exercising their right to vote. If any employer violates the previously established norm, it shall be subject to the criminal penalties provided by said Election Code.

NINTH: Education and Disclosure- As part of the continuous efforts to educate and inform citizens and voters on the scope of the Act enabling this Special Election and the electoral processes related to this proclamation, not later than forty-five (45) days from the approval of this Act, the Chair of the State Elections Commission shall publish and continually update in the Agency's website, a prominent space entitled "Act to create the Congressional Delegation of Puerto Rico" with the contents of this Act this proclamation, and all of the official and information material pertaining to this Special Election.

TENTH: Supplemental Laws- In order to electorally enable this Special Election, the provisions of the Puerto Rico Election Code and the "Puerto Rico Political Campaign Financing Oversight Act," including the regulations adopted thereunder, shall be supplemental to this Act in those matters that are not preempted by or affect the purposes and success of this electoral event.

ISSUED in San Juan, Puerto Rico, on February, , 2021.

Francisco J. Rosado Colomer
President

I CERTIFY: That the honorable State Elections Commission agreed this PROCLAIM on and for the record, I issue this certification under the seal of the State Elections Commission today February, , 2021 .

Rolando Cuevas Colón
Secretary
