PUERTO RICO
STATEHOOD COMMISSION

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Regulation of the Puerto Rico Statehood Commission

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Table

Article 1 - General Dispositions
- 1.01- Title
- 1.02- Legal Authority
- 1.03- Purpose
- 1.04- Languages
- 1.05- Interpretation
- 1.06- Definitions

Article 2 - Members and Powers; Expenses
- 2.01- Composition
- 2.02- Chair
- 2.03- Powers
- 2.04- Code of Conduct
- 2.05- Prohibition on Use of Public Funds

Article 3 - Support from Puerto Rico Federal Affairs Administration (PRFAA) and Other Government Entities
- 3.01- Support
- 3.02- Use of Facilities

Article 4 - Meetings & Hearings
- 4.01- Meetings
- 4.02- Quorum
- 4.03- Agreements and Resolutions
- 4.04- Public Hearings

Article 5 - Committees
- 5.01- Committees
- 5.02- Committee Leadership
- 5.03- Authorization

Article 6 - Records & Reports
- 6.01- Record Keeping
- 6.02- Record Keeping of Individual Members Activities
- 6.03- Annual Reports

Article 7 - Public Communications
- 7.01- Verbal or Written Statements

Article 8 - Amendments
- 8.01- Amendments

Article 9 - Parliamentary Process
- 9.01- Rules of Order

Article 10 - Effectiveness
- 10.01- Effective Date

Regulation of the Puerto Rico Statehood Commission

Article 1 - General Dispositions

1.01- **Title** – The commission will be known as the Puerto Rico Statehood Commission (the "Commission").

1.02- **Legal Authority** – The Commission is constituted under the authority of Act No. 30-2017, as may be amended from time to time (the "Enabling Act").

1.03- **Purpose** – The purpose of the Commission is to constitute a shadow "Congressional delegation" to represent the U.S. citizens of Puerto Rico in the U.S. House of Representatives and the U.S. Senate, to demand that the U.S. Congress and the Executive Branch act on the electoral mandates resulting from the political status plebiscites held in 2012 and 2017, and to implement the public policy of the Government of Puerto Rico as established in the Enabling Act.

1.04- **Languages** – English and Spanish will be the official languages of the Commission.

1.05- **Interpretation** – The Commission may through means of Resolutions, clarify and interpret the dispositions of this document if necessary.

1.06- **Definitions** – The terminology used in this Regulation, not otherwise defined herein, shall have the meaning ascribed to such terms in the Enabling Act.

Article 2 - Members and Powers; Expenses

2.01- **Composition** – The activities of the Commission shall be carried out by the seven (7) members appointed by the Governor of Puerto Rico (the "Governor"), and confirmed by the majority of each of the Senate and the House of Representatives of Puerto Rico, in accordance with Article 4 of the Enabling Act. The time commitment of Members shall not equal or exceed that of full-time employment and shall not be considered an employment position. Service in the Commission shall not prohibit paid employment and contractual work outside of the Commission as long as it does not conflict with the duties entrusted to the members under the Enabling Act.

2.02- **Chair** – In accordance with the Enabling Act, the Governor shall designate one of the members of the Commission as the Chair. The members of the Commission shall have the opportunity to nominate and vote on the designated Chair to ratify the Chair's appointment. The Chair will preside over the meetings of the Commission and shall preside the meetings of the Commission as typically done by the chair of a collective body.

2.03- **Powers** – The members shall have the powers and duties provided in Article 4 Section 2 of the Enabling Act. Members of the Commission may designate individuals to assist them in the performance of their duties in the Commission. The role of the assistant(s) shall be to support the commissioners. They may not replace the Commissioner in any meeting or act on the Commissioner's behalf in a public capacity. Commissioners may not delegate a vote by proxy to an assistant. Designation of an assistant shall be given in a written notification to

the Chair and the Executive Director of the Puerto Rico Federal Affairs Administration (PRFAA). The designated assistant shall sign a confidentiality agreement before receiving any internal information from the Commission.

2.04- **Code of Conduct** – Within 120 days of its first official meeting, the Commission shall adopt a Code of Conduct consistent with the Enabling Act to govern the operations of the Commission and its members.

2.05- **Prohibition on Use of Public Funds** – Pursuant to the provisions of the Enabling Act, the members of the Commission shall serve without pay, and the reimbursement of its expenses shall not be covered from public funds. The Commission shall evaluate and establish mechanisms to channel and separately account for, in accordance with the requirements of the Enabling Act, all private funding and donations that may be received to assist the Commission in its mission and cover expenses of its members.

Article 3 - Support from Puerto Rico Federal Affairs Administration (PRFAA) and Other Government Entities

3.01- **Support** – PRFAA shall provide support to the Commission, to the extent permitted by law and within the existing PRFAA budget. Support may include, but is not limited to access to office equipment for the members of the Commission including printers, computers and access to the agency's broadband and information technology support services, preparation and distribution of briefing materials, handouts and other Commission documents as well as support in the planning and execution of Commission meetings, events and activities. The Executive Director of PRFAA may, at his/her own discretion and as the existing budget may allow, designate PRFAA staff members to support the Commission either on specific tasks or on an ongoing basis.

3.02- **Use of Facilities** – The members of the Commission shall have access to and shall enjoy the usage of specially designated office space within PRFAA. The members of the Commission shall have physical access to the common areas of the office, but will not interfere with or direct the work of PRFAA employees in any way regarding its internal functions and or any other functions, except as may have been previously agreed with PRFAA's Executive Director with respect to the provision of support to the Commission.

Article 4 - Meetings & Hearings

4.01- **Meetings** – The Commission will meet in person at least once per month. If members are unable to attend in person, they may join through teleconference, or video conference, if needed, as long as all members participating can hear each other.

4.02- **Quorum** – Once all members Senators and Representatives have been designated and take possession, a majority of them, that is four (4) members, shall constitute a quorum for the purpose of conducting the business of the Commission, provided however that at least one shall be a Senator, as such term in defined in the Enabling Act, for quorum to be duly constituted.

4.03- **Agreements and Resolutions** – All formal decisions and agreements by the Commission shall be documented in the form of a written resolution. The rules and procedures for approving any such agreement or decision shall correspond to Article 4 Section 7 of the Commission's enabling statute.

4.04- **Public Hearings** – The Commission may hold public hearings, take testimony, and receive evidence, as the Commission considers appropriate, to assist it in carrying out the Enabling Act.

Article 5 - Committees

5.01- **Committees** – The Chair of the Commission with the consent of a majority of its members may designate one or more standing or special committees for specific purposes, each committee to consist of one (1) or more members of the Commission and any other external advisors. The Chair may designate and appoint Commission members (including him or herself) to one or more such committees. The special or standing committees shall report to the Commission.

5.02- **Committee Leadership** – The Chair may also designate a chair for each such committee, which shall preside at all meetings of the committee.

5.03- **Authorization** – No committee is authorized to take any official action on behalf of the Senators and Representatives or the Commission, unless expressly so and unanimously authorized by all members of the Commission.

Article 6 - Records & Reports

6.01- **Record Keeping** – All activities and work performed by the Commission as a collective body in meetings, to pursue the public policy of the Enabling Act, shall be memorialized as part of the Commission Book of Minutes. A record of the work of the Commission and its committees shall be kept, including minutes of all meetings of any type. After approval by the Commission, the records of meetings shall be entered in the Commission's Book of Minutes and can be placed on the Commission's website, as a public record if the Commission so decides. When a scheduled meeting is held and a quorum is not present, the discussions shall form a report only. The votes of the members shall be recorded by name.

6.02- **Record Keeping of Individual Members Activities** – The members shall report to the Chair and provide a summary of each meeting, activity, event or any other task performed individually outside of meetings. Such summaries shall also be included in the Commission Book of Minutes, identified separately from the record of meetings. The extent of the information to be included with respect to individual activities outside of meetings shall vary according to the nature of the activity, but shall be sufficient to create institutional knowledge of the efforts of the Commission. The Chair shall determine if any portion of such minutes shall be afforded confidential treatment from disclosure to third parties outside the members to protect third parties' trade secrets, privileged or confidential information protected from disclosure under applicable law.

6.03- **Annual Reports** – The Commission shall issue an annual report each year and submit it to the Governor and to the Legislative Assembly of Puerto Rico no later than June 30 subsequent to the calendar year of the report. The first calendar year to be reported shall be 2017-2018 and shall be filed by June 30, 2018. The Commission may issue additional reports, as it may deem necessary, to advance the public policy defined by the Enabling Act.

Article 7 - Public Communications

7.01- **Verbal or Written Statements** – The designated Senators and Representatives have been entrusted with the responsibility of advancing the public policy defined by the Enabling Act. To that effect, they all individually and as a collective body have a duty to communicate periodically with its stakeholders, the residents of Puerto Rico, and with its target audiences in Washington D.C. and nationwide. These communications should be accurate, timely and should also show a unified purpose.

Article 8 - Amendments

8.01- **Amendments** – This Charter may be added to, amended, or revised at any meeting of the Commission by a majority of a quorum of the Commission, provided that notice of any proposed amendment is given to each member in writing at least two weeks prior to an official meeting.

Article 9 - Parliamentary Process

9.01- **Rules of Order** – In all matters of parliamentary procedure not specifically governed by this Regulation or otherwise required by law, the current edition of *Robert's Rules of Order (Newly Revised)* shall apply.

Article 10 - Effectiveness

10.01- **Effective Date** – This regulation shall become effective upon its approval and shall be filed before the Puerto Rico State Department within five (5) for its approval, in accordance with Section 6 of the Enabling Act.