

**RULES FOR THE INTERNAL
ORGANIZATION OF THE PECOS RIVER COMMISSION**
**(as amended, October 27, 1960, April 10, 2003,
April 21, 2009, April 9, 2013, and April 12, 2016)**

ARTICLE I

The Commission

1. The Commission shall be that Commission referred to in Article V (a) of the Pecos River Compact.
2. The credentials of each Commissioner shall be filed in the office of the Commission, or if no office has been designated, with the Secretary or Secretary-Treasurer.
3. Each Commissioner shall advise in writing the office of the Commission as to his address to which all official notices and other communications of the Commission shall be sent to him and shall further promptly advise in writing the office of the Commission as to any change in such address.

ARTICLE II

Officers

1. The officers of the Commission shall be:
Chairman
Secretary
Treasurer
2. The Commissioner representing the United States, shall be Chairman of the Commission. The Chairman shall preside at meetings of the Commission. His duties shall be such as are usually imposed upon such officers and such as may be assigned to him by these rules or by the Commission from time to time; provided, however, that the Commissioner representing the United States shall not have the right to vote.
3. The Secretary shall not be a member of the Commission nor an employee of either signatory state to the Pecos River Compact while acting as Secretary. The Secretary shall be selected by the Commission, or the Commission may engage a public agency to provide the services of Commission Secretary through the use of the public agency's employees. The Secretary shall perform such duties as are usually imposed upon such officers and such as may be assigned to him by these rules or by the Commission from time to time. The Secretary shall furnish a fidelity bond. The cost of such bond shall be paid by the Commission.
4. The Treasurer shall not be a member of the Commission nor an employee of either signatory state to the Pecos River Compact while acting as Treasurer. The Treasurer shall be selected by the Commission, or the Commission may engage a public agency to provide the services of Commission Treasurer through the use of the public agency employees. The Treasurer shall perform such duties as are usually imposed upon such officers and such as may be assigned to him by these rules or by the Commission from time to time. The Treasurer shall receive, hold and disburse all funds of the Commission which come into his hands. The Treasurer shall furnish a fidelity bond. The cost of such bond shall be paid by the Commission.
5. The Commission may select a single person (or public agency, through the use of the agency's employees) to serve both as Secretary and Treasurer. The Secretary-Treasurer shall perform the duties of both offices as they are described in these rules or in the Pecos River Compact. The Secretary-Treasurer shall also meet the same qualifications for office as

required for the Secretary and for the Treasurer. The bond furnished by the Secretary-Treasurer shall be appropriate for the duties required under each office. The cost of such bond shall be paid by the Commission.

ARTICLE III

Principal Office, Records

1. The Commission may, from time to time, designate a principal office or offices.
2. Commission offices shall be open for business at such hours and on such days as the Commission may from time to time direct.
3. The books and records of the Commission shall be kept in Commission offices or in storage as the Commission may, from time to time, direct. All records of the Commission shall be open to inspection by the public during office business hours if kept at a Commission office, or during reasonable times if kept in storage.

ARTICLE IV

Meetings

1. The annual meeting of the Commission shall be held during the month of April of each year, or on such later date as the Commission may designate.
2. Special meetings of the Commission may be called by the Chairman at any time. Upon written request of the Commissioner of either of the signatory states setting forth the matters to be considered at such special meeting, it shall be the duty of the Chairman to call a special meeting.
3. Notice of all special meetings of the Commission shall be sent by the Secretary, or in the case of a vacancy in the office of Secretary or the inability of the Secretary to act, by the Chairman, to all members of the Commission by ordinary mail at least ten days in advance of each such meeting and such notice shall state the purpose thereof. An agenda setting forth all items of business, including new or old business, finished or unfinished business, shall be prepared in writing by the Chairman, or by the Secretary at the direction of the Chairman, and shall be mailed to the members of the Commission at least ten days prior to any meeting, general or special, of the Commission, and at such meetings only the matters appearing on the written agenda shall be discussed.
4. Unless otherwise agreed to in advance by the Commissioners of the signatory states, all annual meetings of the Commission shall be held at the principal office of the Commission. Special meetings shall be held at the office of the Commission unless the notice of any such special meeting shall designate some other place for the meeting.
5. Minutes of the Commission shall be preserved in a suitable manner. Minutes until approved shall not be official and shall be furnished only to members of the Commission, its officers, employees, counsel for the Commissioners, and committees. Unapproved minutes of a prior meeting of the Commission shall be drafted in writing by the Secretary and forthwith transmitted by ordinary mail to the members of the Commission, their engineering and legal advisors, not more than one hundred twenty (120) days after the date of each meeting.
6. All members of the Commission must be present to constitute a quorum.
7. The Commissioner of each signatory State shall have the right to vote in any of the deliberations of the Commission. The Commissioner representing the United States shall not have the right to vote. The Commissioners of the signatory States must concur in any action taken by the Commission.

8. At each annual meeting of the Commission, the order of business, unless agreed otherwise, shall be as follows:
 - Call to order;
 - Reading of unapproved minutes;
 - Approval of unapproved minutes;
 - Report of Chairman;
 - Report of Secretary;
 - Report of Treasurer;
 - Report of Committees;
 - Unfinished business;
 - New business;
 - Adjournment,provided, however, that the unapproved minutes of any annual or special meeting of the Commission shall be approved at the next annual meeting, or alternatively, at any special meeting of the Commission at which minutes of a prior meeting are available.
9. All meetings of the Commission, except executive sessions, shall be open to the public. Executive sessions shall be open only to members of the Commission and such advisers as may be designated by each member and employees as permitted by the Commission; provided, however, that the Commission may call witnesses before it in such sessions.
10. Any meeting of the Commission may be recessed from time to time and from the place set for the meeting to another place.
11. When exigent circumstances prevent the Commissioner representing the United States from attending a meeting of the Commission, that Commissioner shall designate a proxy in writing to serve as Chair of the meeting.
12. When exigent circumstances prevent a Commissioner of a signatory state from attending a meeting of the Commission, attendance by telephone or other electronic medium may be permitted and that Commissioner shall be considered present for all purposes, including for purposes of a quorum, provided the following requirements are met:
 - (1) All other members have consented to the telephonic/electronic appearance of the member;
 - (2) Only one State Commissioner attends the meeting via telephonic/electronic means;
 - (3) All Commissioners, advisors, and meeting participants can simultaneously hear one another and all persons addressing the Commission, asking questions, or responding to questions during the meeting;
 - (4) Any member of the public attending the meeting can simultaneously hear the Commissioner who is attending telephonically/electronically;
 - (5) The Commission does not meet in executive session during the meeting; and
 - (6) All votes occurring during any meeting conducted using telephones or other electronic means shall be recorded by roll call vote.

ARTICLE V

Committees

1. There shall be the following standing committees:
Engineering Advisory Committee,
Legal Committee,
Budget Committee.
2. The standing committees shall have the following duties:
 - (1) The Engineering Advisory Committee shall advise the Commission on all engineering matters that may be referred to it.
 - (2) The Legal Committee shall advise the Commission on all legal matters that may be referred to it.
 - (3) The Budget Committee shall prepare the annual budget and shall advise the Commission on all fiscal matters that may be referred to it.
3. Members of the committees may or may not be members of the Commission. The number of members of each committee shall be determined from time to time by the Commission. Each member of the Commission shall designate the member or members on each committee representing his State; provided, however, that members of the Budget Committee shall include the Treasurer, and, unless otherwise specified by the Commissioner of that state, the Engineer Advisors of each State.
4. The Chairman shall be ex officio a member of all committees.
5. The Chairman of each committee shall be designated by the Commission from the members of the committee.
6. The Commission may from time to time create special committees, composed of such members and others and assigned such tasks as the Commission may determine.
7. Formal committee reports shall be made in writing and filed with the Commission, and such reports shall be preserved by the Secretary-Manager in the permanent archives of the Commission.

ARTICLE VI

Rules and Regulations

1. So far as consistent with the Pecos River Compact, the Commission may adopt rules and regulations.
2. All proposals for rules and regulations or for changes in rules and regulations must be presented to the Commission in writing and shall not be acted on at the meeting when first presented, but shall go over for action at a designated subsequent meeting of the Commission. Provided, however, by unanimous consent the Commission may adopt rules and regulations, or change, or amend the said rules and regulations at any meeting of the Commission. Rules and regulations of the Commission shall be compiled and copies shall be prepared for distribution to the public under such terms and conditions as the Commission may prescribe.

ARTICLE VII

Fiscal

1. All funds of the Commission shall be deposited in a depository or depositories designated by the Commission.
2. Miscellaneous expense items involving the operation of the office of the Commission, such as rent, electricity, postage and office supplies shall be paid by voucher approved by the Treasurer and the Secretary, or, if applicable, by the Secretary-Treasurer and a Commissioner bonded to sign checks.
3. On or before November 1 of each even numbered year, the Commission shall adopt and transmit to the Governors of the two States and to the President of the United States a budget covering an estimate of its expenses for the following two fiscal years.
4. Disbursements of funds in the hands of the Treasurer shall be made by the Treasurer pursuant to the annual budget adopted by the Commission upon written approval of the members of the two signatory States. Written approval shall include, without limitation, approval via electronic mail.
5. In the event that the Commission approves an annual budget, but thereafter a vacancy occurs in the office of one of the Commissioners from the signatory States, the Treasurer may disburse funds for specific items identified in the approved budget; provided, however, the amount that the Treasurer pays for any item under this paragraph shall not exceed the amount specifically authorized for that item in the approved annual budget. Written approval by the remaining State member of the Commission is required for the Treasurer to make a payment under this paragraph. Written approval may, without limitation, be requested and transmitted via electronic mail.
6. The payment of expenses of the Commission and of its employees shall not be subject to the audit and accounting procedures of either State.
7. All receipts and disbursements of the Commission shall be audited yearly by a qualified independent public accountant to be selected by the Commission and the report of the audit shall be included in and become a part of the annual report of the Commission.
8. An up-to-date inventory of all of the property of the Commission shall be kept at the principal office of the Commission.
9. The fiscal year of the Commission shall begin July 1 of each year and end June 30 of the next succeeding year.

ARTICLE VIII

Annual Report

1. The Commission shall make and transmit annually on or before the last day of February to the Governors of the States signatory to the Pecos River Compact and to the President of the United States a report covering the activities of the Commission for the preceding year.
2. The annual report shall include among other things, the following:
 - (1) The estimated budget;
 - (2) All hydrologic data which the Commission deems pertinent;
 - (3) Statements as to cooperative studies of water supplies made during the preceding year;
 - (4) All findings of fact made by the Commission during the preceding year;
 - (5) Such other pertinent matters as the Commission may require.

ARTICLE IX

Seal

1. The Commission shall have a seal which shall be a circular seal with the words “Pecos River Commission” imprinted around the border and the word “Seal” in the center thereof.
2. The seal of the Commission shall be kept at the principal office of the Commission, or if no office has been designated, with the Secretary or Secretary-Treasurer.
3. The seal shall be affixed to all contracts or other official instruments in writing.

ARTICLE X

Miscellaneous

1. The Commission shall on request make available to the Governor of each of the signatory States any information within the Commission’s possession at any time, and shall always provide free access to its records by the Governors of such States, or their representatives, or authorized representatives of the United States.
2. All contracts or other instruments in writing to be signed for and on behalf of the Commission, except matters relating to the receipt or disbursement of funds, shall be signed by the members of the Commission.
3. The Commission may employ such help as it deems necessary to assist the Secretary in the office work of the Commission at such salary or salaries as it shall determine.

ARTICLE XI

Duration of Rules

These rules for the Internal Organization of the Commission shall be effective until changed or amended as herein provided.