

1 **PUBLIC EDUCATION COMMISSION**

2 **RULES OF PROCEDURE**

3  
4 **I. COMMISSION: ESTABLISHMENT AND AUTHORITY**

- 5  
6 **A.** Constitutional Framework: The Public Education Commission (the “Commission”  
7 or “PEC”) is an elected body established pursuant to Article XII, Section 6 of the  
8 New Mexico Constitution. It is an independent agency of the State of New Mexico.  
9
- 10 **B.** Creation Authority, Committees: The Commission may establish committees,  
11 standing or ad-hoc, as it shall from time to time deem necessary to carry on its  
12 work. Standing committees may only be created by the Commission as a whole  
13 upon a majority vote during a regularly scheduled meeting of the body. Ad-hoc  
14 committees may be formed at discretion of the Chairperson or by a majority vote of  
15 the Commission. Committee members shall be appointed by the Chairperson. The  
16 Chairperson shall be an ex-officio member of all committees. If a committee  
17 consists of 6 or more members, then, that committee meeting shall comply with the  
18 Open Meetings Act.  
19
- 20 **C.** Effective Dates: These Rules shall become effective upon their adoption by the  
21 Commission. Rules of Procedure adopted by the Commission shall remain in effect  
22 unless amended or suspended by a two-thirds vote of the Commission during a  
23 scheduled meeting for good cause shown. The Chair may allow a vote on an  
24 amendment to be done in an alternative manner in an exceptional circumstance.  
25

26 **II. MEMBERS: DUTIES AND CONDUCT**

- 27  
28 **A.** Duties of Commission Members (“Commissioners”):  
29
- 30 1. It is the policy of the Commission to encourage the active participation of all  
31 Commissioners in all aspects of the Commission’s activities, including  
32 active service in the leadership. Commissioners are expected to attend all  
33 regular, special, and emergency Commission meetings.  
34
- 35 2. Commissioners are expected to educate themselves regarding issues and  
36 requirements concerning education in New Mexico. Commissioners are  
37 further expected to avail themselves of educational opportunities to keep  
38 abreast of such issues, including training conducted by the Public  
39 Education Department (the “Department” or “PED”) and trainings for local  
40 school board members.

1 3. It is expected that Commissioners will express themselves  
2 both as individuals and as representatives of the  
3 Commission. When a Commissioner expresses an opinion  
4 or articulates a position on an issue related to Commission  
5 business, the Commissioner shall clearly state whether he,  
6 she or they is/are speaking as an individual or as a  
7 representative of the Commission. Unless otherwise  
8 delegated by the Commission, the Chairperson shall act as  
9 the default representative of the Commission. However, in  
10 legislative affairs or meetings with the PED Secretary, the  
11 Chairperson must be clear in all communications when the  
12 Chairperson is speaking for the Commission, as  
13 representative of at least a majority of the Commissioners.  
14 Otherwise, the Chairperson shall indicate that any opinions  
15 stated are personal opinions.  
16

17 **B. Code of Conduct:**  
18

- 19 1. The Commission, and each Commissioner, is expected to  
20 conduct business in a professional manner with respect  
21 between and among individual Commissioners. The  
22 expectation of respectful behavior extends to comments  
23 made during committee meetings, in interactions related to  
24 the oversight of schools, and interactions with members of the  
25 public and staff. The Chair may direct any Commissioner to  
26 consider the Code of Conduct when making comments or  
27 conform to the Code of Conduct, if necessary.  
28
- 29 2. Each Commissioner should answer questions from his, her or their  
30 constituents or assist in resolving problems arising within his, her or  
31 their district in conformity with Commission guidance.  
32 Commissioners who receive inquiries from constituents other than  
33 their own shall refer the matter to the Commissioner from which the  
34 constituent resides. Responses to inquiries addressed to or  
35 affecting the Commission, as a whole, may be coordinated by the  
36 Chairperson, as needed.  
37

38 **C. Conflict of Interest:**  
39

40 No Commissioner shall engage in any activity which gives rise to a  
41 conflict of interest or the appearance of a conflict of interest with the  
42 performance of his, her or their duties as a Commissioner. In  
43 addition to other statutory requirements, Commissioners are subject  
44 to the provisions of the Governmental Conduct Act (Section 10-16-1  
45 et seq. NMSA 1978); and the Financial Disclosure Act (Section 10-  
46 16A-1 et seq. NMSA 1978). It is unlawful for a public officer or  
47 employee to take an official act for the primary purpose of  
48 enhancing his, her or their own financial interest or financial position,  
49 nor shall a Commissioner vote on a question in which the member  
50 has a financial interest not common to other members of the

1 Commission.

2  
3 **D. Ethical Conduct**

4  
5 Each Commissioner shall respect the ethical duties of holding a  
6 publicly elected office. The New Mexico State Ethics Commission  
7 oversees and enforces ethical conduct of elected officials, including  
8 PEC Commissioners.  
9

10 **III. OFFICERS: SELECTION AND DUTIES**

11 **A. Officers:**

12  
13  
14 **1. Chairperson.**

- 15  
16 **a.** The Chairperson shall call to order and preside at  
17 Commission meetings pursuant to the Commission's  
18 adopted parliamentary rules and all applicable  
19 regulations. To address the Commission, a  
20 Commissioner or member of the public must be  
21 recognized by the Chairperson. The Chairperson  
22 shall rule on motions, moderate the floor during  
23 debate, and conduct meetings in a manner to  
24 maintain decorum and discussion.  
25  
26 **b.** When the Chairperson wishes to speak, except in  
27 cases of providing order, the Chairperson joins the  
28 queue and then takes his, her or their turn as  
29 appropriate.  
30  
31 **c.** The Chairperson shall direct and request the work of  
32 counsel for the Public Education Commission  
33 consistent with the vote or requests of the  
34 Commission and the Executive Committee, except as  
35 set forth in section 2.c., duties of the Vice  
36 Chairperson, below.  
37

38  
39 **2. Vice-Chairperson.**

- 40 **a.** The Vice-Chairperson, in the absence of the  
41 Chairperson or at the request of the Chairperson in  
42 his, her or their place, shall serve in the interim as  
43 Chairperson and assume such powers and duties  
44 thereof.  
45  
46 **b.** The Vice-Chairperson shall oversee and lead the  
47 contract negotiations with new and renewing schools,  
48 and direct staff and counsel to prepare and assist in  
49 the negotiations as needed.  
50

- 1                   3.     Secretary of the Commission (“Secretary”).  
2  
3                   a.     The Secretary will call the roll, including roll call  
4                   votes, at each Commission meeting and perform  
5                   other duties as otherwise established or agreed upon  
6                   with the Chairperson.  
7  
8                   b.     The Secretary, in the absence of the Chairperson  
9                   and Vice-Chairperson or at the request of the  
10                  Chairperson, shall serve in the interim as  
11                  Chairperson and assume such powers and duties  
12                  thereof.

13  
14        **B.**     Selection of Officers:  
15

- 16                  1.     Officers shall be elected at the annual meeting of the  
17                  calendar year. Officers shall be elected for a term of one (1)  
18                  year and will serve until the annual election the subsequent  
19                  calendar year, except in the case of resignation or removal  
20                  from office. The acting Chairperson shall preside over the  
21                  election unless the duty is delegated to another officer. In the  
22                  event the acting Chairperson accepts a nomination, he, she  
23                  or they shall delegate the duty to preside over the election of  
24                  the position in which the acting Chairperson is being  
25                  considered for.  
26  
27                  2.     The Chairperson shall be elected first, followed by the Vice-  
28                  chairperson and Secretary. Nothing shall prohibit a member  
29                  from running for more than one officer position so long as no  
30                  member accepts or serves in more than one position at a  
31                  given time.  
32  
33                  3.     Each position requires a nomination. Nominations may either  
34                  be offered by another member of the commission or by self-  
35                  nomination. The nominated Commissioner shall either  
36                  accept or decline the nomination. No second is required for a  
37                  nomination. After nominations are closed, Commissioners  
38                  shall record their votes in a manner consistent with the Open  
39                  Meetings Act. Officers shall be elected by a majority vote. In  
40                  the event that no candidate receives a majority, a runoff vote  
41                  shall be conducted between the two (2) candidates receiving  
42                  the greatest number of votes. In the event that a tie persists  
43                  after three (3) ballot attempts to elect any officer, the winner  
44                  shall be decided by an equal game of chance, such as a roll  
45                  of dice, coin toss, or card draw. The results from this game  
46                  of chance shall be verified by a roll call attestation by the  
47                  Commission.  
48  
49                  4.     Officers elected at an annual meeting shall take office upon  
50                  the conclusion of the meeting. Officers elected at any other

1 meeting shall take office immediately upon election.  
2

- 3 5. Any vacancies shall be filled pursuant to the rules above at  
4 the next regular commission meeting so long as such notice  
5 is provided pursuant to the Open Meetings Act.  
6

7  
8 **IV. EXECUTIVE COMMITTEE:**  
9

10 **A.** Membership and Organization. The Executive Committee shall be  
11 composed of the officers of the Commission.  
12

13 **B.** Responsibilities. The Executive Committee will perform the  
14 following, as directed by the Commission:  
15

16 1. Perform governmental relation functions on behalf of the  
17 Commission without prior discussion and direction of the  
18 Commission.  
19

20 2. Assist the Commission in making policy recommendations to  
21 the Secretary of Public Education regarding legislative  
22 initiatives in support of public education. Recommendations  
23 to the Secretary must be discussed at a public meeting as an  
24 agenda item and approved by a majority of the Commission.  
25

26 3. Meet with the Commission's legal counsel to discuss legal  
27 advice provided on behalf of the Commission. Any formal  
28 legal actions must be discussed at a public meeting as an  
29 agenda item and approved by a majority of the Commission.  
30

31 4. Establish the proposed agenda for each Commission  
32 meeting, including work sessions, or study sessions.  
33

34 5. Approve or deny contractor requests for reimbursement.  
35

36 6. Any other function delegated to it by a majority vote of the  
37 Commission.  
38

39 **V. MEETINGS:**  
40

41 **A.** Annual Meeting: The annual meeting shall be the first regular  
42 meeting of each calendar year to elect officers. If the Commission  
43 is unable to conduct an election, the prior year's officers shall serve  
44 until an election can be conducted at the Commission's earliest  
45 opportunity.  
46

47 **B.** Regular Meetings: The regular meetings and working sessions of  
48 the Commission shall be held each month, on the third Thursday and  
49 following Friday, unless otherwise ordered by the Commission or

1 dictated by other events or religious holidays or observances. The  
2 Commission should establish the dates of the regular meetings,  
3 work sessions and study sessions for the year no later than the  
4 annual meeting. The Commission may change the calendar during  
5 the year as needed. Said changes must be posted. The  
6 Commission shall comply with minimum meeting requirements  
7 pursuant to NMSA 1978, Section 9-24-9 (2004).  
8

9 **C.** Special Meetings: Special meetings may be called by the  
10 Chairperson or upon the written request or vote of a majority of the  
11 Commission.  
12

13 **D.** Executive Session: The Commission may hold executive (closed)  
14 sessions as provided by the Open Meetings Act. The Commission  
15 will not enter Executive Session for discussion prior to vote on  
16 renewal/nonrenewal or initial application approval/denial or  
17 revocation of charter schools unless the privacy rights of an  
18 individual may be compromised.  
19

20 **E.** Telephonic or Video Participation:  
21

22  
23 **1.** Unless exceptional circumstances exist, regular meetings will  
24 be held in a hybrid format allowing both in-person and virtual  
25 attendance for Commissioners and those participating in a  
26 meeting. The Chair will determine whether working sessions  
27 and special meetings will be hybrid or virtual only.  
28

29 **2.** Telephonic or video attendance must comply with the Open  
30 Meetings Act. In person attendance of Commissioners is  
31 encouraged.  
32

33 **3.** Video attendance means a Commissioner is participating by  
34 simultaneous remote electronic means and is visually  
35 present as confirmed by the Chair. Video attendance counts  
36 as attendance for the purposes of establishing a quorum,  
37 doing business, voting on a motion or the receipt of per diem.  
38

39 **4.** Even if permitted by the Chairperson, telephonic or video  
40 attendance shall not be permitted, if each member  
41 participating by conference telephone cannot be identified  
42 when speaking, all other attending Commissioners are not  
43 able to hear each other at the same time, and members of  
44 the public attending the meeting are not able to hear the  
45 Commissioner(s) attending by telephone or video. If  
46 technological malfunctions prevent all members from hearing  
47 each other or from the public hearing the telephonically or  
48 video attending member(s), then that attending member(s)  
49 must be withdrawn from further participation until the  
50 malfunction is corrected. The record of the Commission will

1 reflect these circumstances if they occur.

2  
3 **F. Quorum:**

- 4  
5 1. Per statute, a majority of the total membership of the  
6 Commission shall constitute a quorum.

7  
8 **G. Public Notice:**

- 9  
10 1. Open Meetings Act. The Commission shall comply with all  
11 requirements pursuant to the New Mexico Open Meetings  
12 Act.  
13  
14 2. Minutes. Minutes shall be kept of all Commission meetings  
15 in accordance with the Open Meetings Act. The Commission  
16 must formally approve all minutes before they become an  
17 official record of the body.  
18  
19 3. The Commission shall ensure that a certified transcript of a  
20 Regular monthly meeting or Special meeting is prepared.  
21 This certified transcript shall be the document provided at the  
22 next meeting to be approved as the minutes of the meeting  
23 and, once approved, shall be the official record of the  
24 meeting.  
25  
26 4. The Commission shall provide summary minutes of working  
27 sessions and provide a link to a recorded version of the  
28 working session in the summary minutes. The Commission  
29 shall also provide a link to a recorded version of the Regular  
30 monthly meeting or Special meeting as a convenience to the  
31 public and not for any other purpose.

32  
33 **H. Agenda:**

- 34  
35 1. The Executive Committee will be responsible for establishing  
36 the proposed-agenda for each meeting of the Commission.  
37  
38 2. Individual Commissioners may make a written request to the  
39 Executive Committee to include items on the next month's  
40 agenda that were not previously discussed at a Commission  
41 meeting. If at least two (2) Commissioners make a written  
42 request to the Executive Committee to include the same item  
43 on the next month's agenda, the item shall be included on

1 the agenda. Agenda requests must be received at least ten (10)  
2 business days prior to the date of the meeting in which the agenda  
3 item is requested to be heard. Alternatively, any two  
4 Commissioners may propose an agenda item during the “New  
5 Business” section of any regularly scheduled meeting of the PEC  
6 and identify the PEC meeting date during which they would like the  
7 agenda item heard.  
8

- 9 **3.** An individual or representative of an organization seeking to  
10 have the Commission consider an item as a noticed agenda  
11 item may make a written request to the Executive Committee  
12 at least ten (10) business days prior to the start of the  
13 meeting. The decision to include the request on the next  
14 meeting’s agenda shall be determined at the discretion of  
15 the Executive Committee.  
16  
17 **4.** If the Executive Committee does not include on the next  
18 meeting’s agenda, an item requested by an individual or  
19 representative of an organization, that item may be  
20 considered for inclusion on the subsequent meeting’s  
21 agenda by a vote of a majority of the Commission.  
22  
23 **5.** At the beginning of each meeting, the proposed agenda will  
24 be voted on, and may be amended, by a majority of the  
25 Commission.  
26

27 **I. Public Comment:**

- 28  
29 **1.** The Commission shall include an opportunity for public  
30 comment during each regular meeting at the beginning of  
31 each meeting or during the discussion on each noticed  
32 agenda item. Public comment shall be limited to three (3)  
33 minutes per person or decreased to no less than two (2)  
34 minutes at the discretion of the Chairperson dependent on  
35 the number of signed in participants. At the discretion of the  
36 Chairperson time may be extended.  
37  
38 **2.** The Commission shall include an opportunity for public  
39 comment at hearings for new applicants, renewal hearings  
40 and revocation hearings.  
41  
42 **3.** The Chairperson may allow for public comments under the  
43 following parameters:  
44  
45 **a.** maintain consistent time limitations for presentation;  
46  
47 **b.** at the discretion of the Chair, discourage, and, if  
48 necessary, rule multiple or repetitious presentations  
49 out of order; and  
50



- c. rule out of order presentations that are a matter of pending litigation, disruptive to the conduct of the meeting, outside the Commission's scope of business or authority, or contain information that is confidential under applicable law.
- d. The Chairperson shall read the rules of engagement in Public Forum prior to beginning.

**J. Action by the Commission; Voting:**

- 1. Recusal and Abstention. A Commissioner shall, before the consideration of any agenda item, disclose whether he or she has any financial interest in that agenda item, and whether there are any facts which would give rise to undue influence, or an appearance of undue influence, as considered under the Governmental Conduct Act, Gift Act, or Procurement Code with respect to that agenda item.
  - a. A Commissioner shall recuse himself, herself or themselves from the discussion, consideration and voting on any issue in which he, she or they has/have a financial interest, a conflict of interest, the appearance of a conflict of interest, undue influence, or the appearance of undue influence.
  - b. In the event that a Commissioner, who has disclosed a financial interest, or a conflict of interest or undue influence, or the appearance of one, does not recuse himself, herself or themselves, the Commission may, by a vote of a majority of members present, require the Commissioner making the disclosure to recuse himself, herself or themselves.
  - c. A Commissioner should consider whether to recuse himself, herself or themselves from a vote if the Commissioner has entered into a discussion and rendered an opinion outside of a PEC meeting with a school about the topic that involves a pending authorization, contract decision, or another vote that may become before the Commission in the current school year.
  - d. A Commissioner shall recuse from any matter in which the Commissioner is unable to make a fair and impartial decision. A Commissioner should consider whether to recuse from any matter in which the Commissioner has made a public statement or communication outside of a PEC meeting that would indicate the Commissioner has predetermined his, her

1 or their vote, or in which there is a reasonable doubt  
2 about whether the Commissioner can make a fair and  
3 impartial decision.

4  
5 **e.** A recused Commissioner shall not participate in the  
6 discussion or consideration with respect to that  
7 agenda item, shall not attend any portion of a closed  
8 session involving the agenda item, and shall not vote  
9 on such agenda item. A Commissioner must state his,  
10 her or their intent to recuse and his, her or their reason  
11 for the recusal prior to the agenda item discussion. A  
12 Commissioner may abstain from a vote but may  
13 participate in the discussion.

14  
15 **f.** If a Commissioner refuses to recuse himself, herself  
16 or themselves a simple majority of the members  
17 attending the meeting at which the vote is conducted  
18 may require that Commissioner to recuse himself,  
19 herself or themselves.  
20

21 **2.** Action. The Commission shall proceed by motion. Any  
22 Commissioner, including the Chairperson, may make a  
23 motion. Motions require a second by another Commissioner  
24 before debate or a vote, except as otherwise adopted by the  
25 Commission.

26  
27 **3.** Debate.

28  
29 **a.** After a motion is seconded, the Chairperson shall  
30 restate the motion and then open the floor for debate.

31  
32 **b.** The Chairperson shall recognize all Commissioners  
33 who wish to engage in the debate in the order in  
34 which they indicate a desire to address the body.

35  
36 **c.** The Chairperson is granted the discretion to continue  
37 debate and to disallow points off topic. After all  
38 Commissioners who wanted to speak have spoken at  
39 least once, any Commissioner may “call the  
40 question”, triggering a vote to end the debate.  
41

42  
43 **4.** Voting.

44  
45 **a.** The Chairperson shall call for the negative vote, no  
46 matter how unanimous the affirmative vote may  
47 appear.

48  
49 **b.** It is the duty of each Commissioner who has an  
50 opinion to express it by vote. Each Commissioner is

1 entitled to one (1) vote and may not delegate voting  
2 rights to any other person.

- 3  
4 **c.** A Commissioner who does not have adequate  
5 information on which to judge the merits of a matter  
6 or who is simply unable to make a decision in the  
7 matter may abstain from voting.  
8  
9 **i.** Although a member cannot be compelled to vote,  
10 abstentions generally should be the exception.  
11  
12 **ii.** Any abstention shall be noted to the body. An  
13 abstention must be noted before any  
14 Commissioners begin voting. An explanation for  
15 the abstention shall be given at the time the  
16 Commissioner indicates the abstention.  
17  
18 **iii.** Abstentions shall not be counted in the tally of the  
19 vote unless the vote requires approval based on  
20 the number of the entire body.  
21  
22 **d.** Roll Call Votes. When required, roll shall be called by  
23 the Secretary or, in the absence of the Secretary, a  
24 Commissioner as designated by the Chairperson, and  
25 the vote of each Commissioner shall be announced  
26 and noted in the record.  
27  
28 **e.** Division. Any member may verify a voice vote or vote  
29 by a show of hands by calling "division" during or  
30 immediately thereafter a vote.

31  
32 **K.** Inclement Weather Policy:

- 33  
34 **1.** In the event of inclement weather, the Chair may decide to  
35 hold the meeting in a virtual format only at the same date and  
36 time as scheduled.  
37  
38 **2.** In the event of inclement weather delays and closures  
39 affecting those who may be on the agenda of the Commission,  
40 the Chair may direct that the Commission to follow the  
41 schedule of the local school district within which the meeting  
42 is being held or delay the start time of the meeting. For  
43 example, should a meeting be held in Santa Fe and the Santa  
44 Fe Public School District be on a two-hour delay due to  
45 inclement weather, the Chair may also designate that the  
46 meeting of this Commission be on a two - hour delay or at a  
47 time established by the Chair.  
48  
49 **3.** In the event that the Chair cancels a meeting due to  
50 inclement weather, the meeting shall be rescheduled to

1 meet within ten (10) business days and noticed in  
2 compliance with the Open Meetings Act.

- 3  
4 4. In the event of a scheduling change taken pursuant to this  
5 section, the Chair shall ensure that any change is published  
6 on the PEC website where the agenda is posted.  
7

8 **VI. PARLIAMENTARY AUTHORITY:**

9  
10 These Rules of Procedure are the rules by which the Commission conducts  
11 its business. These rules may be revised twice annually, pursuant to the  
12 rules below. For circumstances not covered by these rules, the Chair may  
13 at his, her or their discretion employ any commonly known rules of  
14 parliamentary order, such as Robert's Rules of Order to manage the  
15 business of the Commission.  
16

17 **VII. PER DIEM AND MILEAGE:**

18  
19 **A.** Commissioners shall be reimbursed as provided in the Per Diem  
20 and Mileage Act for related expenses incurred in the discharge of  
21 official duties, including attending noticed regular or special  
22 meetings and working group meetings of the Commission.  
23

24 **B.** For purposes of the Per Diem and Mileage Act reimbursement,  
25 attendance as a Liaison on behalf of the Commission will be  
26 reimbursed as long as:  
27

28 1. The business is conducted for the purpose of fulfilling the  
29 obligations of Commission.  
30

31 2. A Liaison will only be reimbursed for travel if he, she or  
32 they is/are the primary Liaison or he, she or they was/were  
33 asked to attend a meeting on behalf of the primary Liaison.  
34

35 3. A Liaison should only attend a meeting if information will be  
36 transmitted or if business will be conducted that is  
37 reasonably related to the business of the Commission.  
38

39 4. A Liaison shall not be reimbursed for attending a  
40 subcommittee meeting unless the prior authorization of the  
41 Commission through the Executive Committee is received  
42 in writing to support such reimbursement.  
43

44 **C.** Any other reimbursable activity of a Commissioner requires prior  
45 authorization by the Executive Committee. Reimbursement will  
46 only be approved if attendance constitutes business of the  
47 Commission as a whole.  
48

49 **D.** Public funds shall be paid out under the Per Diem and Mileage Act  
50 only in compliance with the Act's requirements. Commissioners

1 must provide a certification and receipts if required by the NM  
2 Department of Finance and Administration (DFA).

- 3  
4 **E.** Out-of-State Travel: The extent of out-of-state travel will be subject to  
5 budgetary availability and approval of a simple majority of the Commission,  
6 in advance.  
7

8 **VIII. EFFECTIVE DATE, AMENDMENTS, AND REVISIONS:**  
9

- 10 **A.** These Rules of Procedure shall remain in effect until amended or  
11 modified.  
12  
13 **B.** The Executive Committee may initiate amendments or revisions to  
14 the Rules of Procedure by placing the item on the agenda. The text  
15 of such proposed amendments or revisions shall be provided in  
16 writing to the Commissioners at least ten (10) days prior to the  
17 meeting at which the amendment or revision will be considered.  
18 Unless exceptional circumstances exist, any amendments or  
19 revisions will be on the agenda for two consecutive meetings either  
20 on the working session or regular meeting agenda or both. A vote  
21 may be taken at the second meeting after the second reading.  
22  
23 **C.** Amendments to the Rules of Procedure may be proposed by any  
24 Commissioner pursuant to the process set forth in Section H. above.  
25  
26 **D.** These rules may be amended by a simple majority of the members  
27 attending the meeting at which the vote is conducted.  
28  
29 **E.** These Rules or any amendments thereto shall become effective  
30 upon adoption by the Commission.