

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Energy & Environment.

HB21-1131 be amended as follows:

1 Amend printed bill, page 3, after line 7 insert:

2 **"SECTION 2.** In Colorado Revised Statutes, 40-9.5-108, **amend**
3 **(2); and add (1.5) and (4) as follows:**

4 **40-9.5-108. Public meetings - definition.** (1.5) ALL MEETINGS
5 OF A GENERATION AND TRANSMISSION ASSOCIATION ARE DECLARED TO BE
6 OPEN MEETINGS AND OPEN TO THE MEMBERS, CONSUMERS, AND NEWS
7 MEDIA AT ALL TIMES; BUT SUCH ASSOCIATION, BY A TWO-THIRDS
8 AFFIRMATIVE VOTE OF THE BOARD MEMBERS PRESENT, MAY GO INTO
9 EXECUTIVE SESSION FOR CONSIDERATION OF DOCUMENTS OR TESTIMONY
10 GIVEN IN CONFIDENCE.

11 (2) (a) Before ~~the~~ A board of directors convenes in executive
12 session PURSUANT TO SUBSECTION (1) OR (1.5) OF THIS SECTION, the board
13 shall announce the general topic of the executive session.

14 (b) At every regular meeting of the board of directors of AN
15 ASSOCIATION OR A GENERATION AND TRANSMISSION ASSOCIATION,
16 members of the association shall be given an opportunity to address the
17 board on any matter concerning the policies and business of the
18 association. The board may place reasonable, viewpoint-neutral
19 restrictions on the amount and duration of public comment.

20 (c) Written minutes shall be made of all meetings of the board of
21 directors of AN ASSOCIATION OR A GENERATION AND TRANSMISSION
22 ASSOCIATION. The minutes shall be posted on the website of the
23 association OR GENERATION AND TRANSMISSION ASSOCIATION as soon as
24 they have been approved and shall remain posted until at least six months
25 after the date of the meeting. Upon request by a member of the board, that
26 member's own vote on any issue shall be noted in the minutes.

27 (4) AS USED IN THIS SECTION, "GENERATION AND TRANSMISSION
28 ASSOCIATION" MEANS A NONPROFIT GENERATION AND TRANSMISSION
29 ELECTRIC ASSOCIATION THAT PROVIDES WHOLESALE ELECTRIC SERVICE
30 DIRECTLY TO COLORADO COOPERATIVE ELECTRIC ASSOCIATIONS THAT ARE
31 ITS MEMBERS.".

32 Renumber succeeding sections accordingly.

33 Page 9, strike lines 2 through 8 and substitute "OWES FIDUCIARY DUTIES
34 TO BOTH ASSOCIATIONS AND SHALL NOT BE REQUIRED TO GIVE PRIORITY
35 TO A FIDUCIARY DUTY THE DIRECTOR OWES TO ONE ASSOCIATION OVER
36 THE DUTIES THE DIRECTOR OWES TO THE OTHER ASSOCIATION.".

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