

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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