

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/Senate Bill No. 44, Page 1, Section Title, Lines 3-4,

2 by striking "water and sewer infrastructure" and inserting
3 in lieu thereof the following: "utilities"; and

4 Further amend said bill, page 11, Section 393.1509,
5 line 154, by inserting after all of said line the following:

6 "394.120. 1. No person shall become a member of a
7 cooperative unless such person shall agree to use electric
8 energy furnished by the cooperative when such electric
9 energy shall be available through its facilities. The
10 bylaws of a cooperative may provide that any person,
11 including an incorporator, shall cease to be a member
12 thereof if he or she shall fail or refuse to use electric
13 energy made available by the cooperative or if electric
14 energy shall not be made available to such person by the
15 cooperative within a specified time after such person shall
16 have become a member thereof. Membership in the cooperative
17 shall not be transferable, except as provided in the
18 bylaws. The bylaws may prescribe additional qualifications
19 and limitations in respect of membership.

20 2. An annual meeting of the members shall be held at
21 such time as shall be provided in the bylaws.

22 3. Special meetings of the members may be called by
23 the board of directors, by any three directors, by not less
24 than ten percent of the members, or by the president.

25 4. Meetings of members shall be held at such place as
26 may be provided in the bylaws. In the absence of any such

27 provisions, all meetings shall be held in the city or town
28 in which the principal office of the cooperative is located.

29 5. Except as herein otherwise provided, written or
30 printed notice stating the time and place of each meeting of
31 members and, in the case of a special meeting, the purpose
32 or purposes for which the meeting is called, shall be given
33 to each member, either personally or by mail, not less than
34 ten nor more than twenty-five days before the date of the
35 meeting.

36 6. Two percent of the first two thousand members and
37 one percent of the remaining members, present in person, or
38 if the bylaws so provide, participating electronically or by
39 mail, shall constitute a quorum for the transaction of
40 business at all meetings of the members, unless the bylaws
41 prescribe the presence of a greater percentage of the
42 members for a quorum. If less than a quorum is present at
43 any meeting, a majority of those present in person may
44 adjourn the meeting from time to time without further notice.

45 7. Each member shall be entitled to one vote on each
46 matter submitted to a vote at a meeting. Voting shall be in
47 person, but, if the bylaws so provide, may also be by proxy,
48 by electronic means, by mail, or any combination thereof.
49 If the bylaws provide for voting by proxy, by electronic
50 means, or by mail, they shall also prescribe the conditions
51 under which proxy, electronic, or mail voting shall be
52 exercised. In any event, no person shall vote as proxy for
53 more than two members at any meeting of the members.

54 8. Notwithstanding the provisions of subsections 2 and
55 7 of this section, the board of directors shall have the
56 power to set the time and place of the annual meeting and
57 also to provide for voting by proxy, electronic means, by
58 mail, or any combination thereof, and to prescribe the
59 conditions under which such voting shall be exercised. The

60 meeting requirement provided in this section may be
61 satisfied through virtual means. The provisions of this
62 subsection shall expire on August 28, 2022."; and
63 Further amend the title and enacting clause accordingly.