

**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.