

Attachment A to Policy Bulletin No. 50

COOPERATIVE ELECTION DISCLOSURE REQUIREMENTS

1. **Purpose.** Grand Valley Power has adopted these disclosure requirements to promote transparency regarding campaign contributions (both monetary and non-monetary) and expenditures of candidates seeking election to the Board.
2. **Applicability.** This Attachment to Policy Bulletin No. 50 (Voting and Elections) shall be considered part of that policy. These provisions, which require filing a Financial and Other Disclosure Report (“Disclosure Report”) apply to all candidates—incumbent as well as non-incumbent—who are to appear on a ballot.
3. **Required Disclosures.** Candidates shall disclose financial contributions and other forms of support as provided in this section:
 - a) Candidates must disclose all received contributions of less than \$250 on their Disclosure Report, although itemization is not required. Candidates must report and itemize all contributions from any single source that in the aggregate are \$250 or more. The aggregation period begins on January 1st of the election year through the date of the last disclosure prior to the election. Itemization means listing each contribution individually with the name and address of the contributor. Candidates receiving contributions that in the aggregate are \$250 or more from any individual, including non-monetary contributions with an estimated value of \$250 or more, must also include the occupation and employer of the contributor on the Disclosure Report form. Itemization of contributions aggregating \$250 or more from an organization must include the name of the organization and a statement of the organization’s objectives, as identified in its organizational documents.
 - b) Contributions include anything of value given directly or indirectly to a candidate for the purpose of promoting the candidate’s nomination, retention, or election, including non-monetary donations of goods, equipment, supplies, advertising, position statements, counsel or advice from any advocacy group (e.g., Western Colorado Alliance for Community Action, Club 20, etc.), or other services, even if of unknown value. Volunteer services of time provided at no charge

by an individual unaffiliated with an advocacy group, however, do not constitute contributions.

c) No person or entity may act as a conduit for a contribution to a candidate, and anonymous contributions of \$250 or more are prohibited.

d) Candidates must disclose and identify all third parties and activities that the candidate is aware of to be contributing resources (whether monetary or non-monetary) to support the candidate, even if the candidate does not directly receive such resources.

e) Separate and apart from any financial disclosure requirement in this policy and attachment, candidates must disclose whether they have had contact with any advocacy group (e.g., Western Colorado Alliance for Community Action, Club 20, etc.) if such group later contributes resources to support or advocates on behalf of the candidate, even if the candidate does not directly receive such resources. "Contact" includes, but is not limited to, in-person meetings, telephone calls, and written correspondence (including e-mail and text messaging) between a representative of such group and the candidate or agent of the candidate. This disclosure shall be submitted to the cooperative at the time of the first reporting due date after the resources, support, or advocacy are provided for or on behalf of the candidate.

4. **Expenditure Disclosures.** A candidate's Disclosure Report will also include expenditures as provided in this section:

a) Expenditures refer to money, time and/or resources spent on anything for the purpose of advocating or promoting the election or defeat of a candidate, including, but not limited to, the following: (i) money spent by an individual candidate or individual volunteer(s) supporting a candidate on campaign-related activities, (ii) resources such as position statements, biographic or demographic information, images or likeness provided by a candidate to any third party (other than to individual volunteer(s) supporting a candidate on campaign-related activities), and (iii) time and/or resources expended by a third party (other than to individual volunteer(s) supporting a candidate on campaign-related activities) on the candidate's campaign-related activities. An expenditure occurs when it is made, when funds are obligated, or when a contract is established—whichever occurs first.

b) Expenditures controlled by or coordinated with a candidate or individual volunteer(s) supporting the candidate represent both contributions by the person making the expenditure, and expenditures by the candidate. Candidates must itemize all expenditures that in the aggregate are \$250 or more. The aggregation period begins on January 1st of the election year through the date of the last disclosure prior to the election. Itemization means listing each expenditure individually with the name and address of the payee and the purpose of the expense.

c) Expenditures not controlled by or coordinated with the candidate or individual volunteer(s) supporting the candidate but that the candidate is aware of as being made for the purpose of advocating or promoting the election or defeat of the candidate must be disclosed, even if of unknown value.

d) Candidates that do not reimburse third-party expenditures (those made on behalf of the candidate by someone other than the candidate or individual volunteers supporting the candidate) should report the expenditures as non-monetary contributions. Candidates should report reimbursements by the campaign to candidates and individual volunteer(s) supporting the candidate as expenditures.

e) Each reimbursement of \$250 or more must be disclosed separately.

5. **Reporting.** Financial and other disclosure reporting requirements are as follows:

a) Whether an election is contested or not, and whether contributions are received and/or expenditures are made or not, Disclosure Reports shall be submitted by the due dates set forth below using a form that Grand Valley Power will provide.

b) All Disclosure Reports shall be signed by the candidate and submitted to the cooperative. The candidate's electronic submission shall be deemed to be his/her signature on the submission.

c) If a Disclosure Report is not timely submitted, or if an incomplete form is submitted, the candidate will be notified and will have 48 hours from notification to complete the form and resubmit. If a completed form is not submitted within 48 hours, the candidate shall be considered as failing to comply.

- d) Candidates shall submit Disclosure Reports as follows:
 - i. At the time the written nominating petition is due. This Disclosure Report shall list all contributions received and expenditures made from January 1st of the election year up to that date.
 - ii. Beginning on the last Friday of June and then each Friday thereafter through the date of the election. Each Disclosure Report shall list all contributions received and expenditures made since the previous Disclosure Report or that have not otherwise been included in a previous Disclosure Report. If none have been received, candidates will check a box indicating so.
- e) Fillable, online Disclosure Report forms will be made available to candidates by the cooperative.
- f) Disclosures Reports will be published on the cooperative's website within two business days of the submission due date.

6. **Role of Election Supervisory Committee.** Until such time as an election is complete, the Election Supervisory Committee shall be responsible for resolving any disputes on the interpretation of the requirements of this policy.

7. **Failure to File Disclosures.**

- a) If, prior to an election, the Election Supervisory Committee determines in its discretion that a candidate has materially failed to comply with these disclosure requirements, the Election Supervisory Committee may in its discretion (and in consideration of the relevant circumstances) take such actions it deems appropriate, up to and including disqualifying the candidate from election (or re-election) to the Board .
- b) If any candidate wins an election (or re-election) to the Board, and it is subsequently determined that he or she failed to comply with this policy's disclosure requirements, the Board may in its discretion (and in consideration of the relevant circumstances) vote to expel that Board member pursuant to Article V, Section 3 of the Bylaws.

8. **Responsibility.** After nomination petitions are submitted and until completion of an election, the Election Supervisory Committee is responsible for the administration of these disclosure requirements. Following an election, the Board is responsible for the administration of these disclosure requirements.

Date Adopted: February 15, 2023

ATTEST: Brian Woods
Secretary

Date Revised: December 20, 2023