



LAWS OF ALASKA

1968

Source

HB 559

Chapter No.

136

AN ACT

Relating to the meeting and quorum requirements of electric and telephone cooperatives; and providing for an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

* Section 1. AS 10.25.070 is amended to read:

Sec. 10.25.070. BYLAWS. The board of directors shall adopt the first bylaws of a cooperative to be adopted following an incorporation, conversion, merger or consolidation. Thereafter the members or district delegates shall adopt, amend or repeal the bylaws by the affirmative vote of a majority of those members or district delegates voting on the adoption, amendment or repeal at a meeting of the members or district delegates. The bylaws shall set forth the rights and duties of members, district delegates and directors and may contain other provisions for the regulation and management of the affairs of the cooperative not inconsistent with this chapter or with its articles of incorporation.

* Sec. 2. AS 10.25.090 is amended to read:

Sec. 10.25.090. MEETINGS OF MEMBERS. (a) An annual meeting of the members of a cooperative shall be held at the time and place provided in the bylaws. An annual meeting of the members of a cooperative which has been divided into districts as provided for in sec. 190 of this chapter may consist of separate annual meetings of the members of each district.

(b) Special meetings of the members or district delegates may be called by a majority of the board of directors or by not less than 10 per cent of all members or 10 per cent of all district delegates. A special meeting of the members of a cooperative which has been

divided into districts as provided for in sec. 190 of this chapter may consist of separate special meetings of the members of each district.

(c) An annual meeting of district delegates of a cooperative shall be held at the time and place provided in the bylaws.

* Sec. 3. AS 10.25.100 is amended to read:

Sec. 10.25.100. NOTICE OF MEETINGS. Except as otherwise provided in this chapter, written notice stating the time and place of each meeting of the members or district delegates and, in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be given to each member or district delegate, either personally or by mail, not less than 20 days nor more than 40 days before the date of the meeting. If mailed, notice is considered given when it is deposited in the United States mail with postage pre-paid addressed to the member or district delegate at his address as it appears on the records of the cooperative.

* Sec. 4. AS 10.25.110 is amended to read:

Sec. 10.25.110. QUORUM REQUIREMENTS. (a) Unless the bylaws prescribe the presence of a greater percentage or number of the members for a quorum, a quorum for the transaction of business at all meetings of the members of a cooperative or the members of a district of a cooperative having not more than 1,000 members is five per cent of all members, present in person, and a quorum for the transaction of business of the members of a cooperative or the members of a district of a cooperative having more than 1,000 members is 50 members, present in person. If less than a quorum is present at a meeting, a majority of those present in person may adjourn the meeting from time to time without further notice.

(b) Unless the bylaws prescribe the presence of a greater percentage of the district delegates for a quorum, a quorum for the transaction of business at all meetings of the district delegates of a cooperative is 25 per cent of all district delegates.

* Sec. 5. AS 10.25.210 is amended to read:

Sec. 10.25.210. AMENDMENT OF ARTICLES OF INCORPORATION. A cooperative may amend its articles of incorporation as follows, except that it may change the location of its principal office in the manner set forth in sec. 230 of this chapter.

(1) The proposed amendment shall be presented to a meeting of the members, or district delegates and the notice of the meeting shall set forth or have attached to it the proposed amendment.

(2) If the proposed amendment, with any changes, is approved by the affirmative vote of not less than two-thirds of those members, or district delegates voting on it, the president or vice president shall execute and acknowledge articles of amendment on behalf

of the cooperative and the secretary shall affix and attest to the seal of the cooperative.

* Sec. 6. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.