

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 157
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES ANDERSON, Thomas

Introduced: 2/28/05

Referred: Community and Regional Affairs, Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act clarifying the powers of electric or telephone cooperatives to become members**
2 **of or own stock in other entities."**

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

4 *** Section 1.** AS 10.25.010(a) is amended to read:

5 (a) Except as provided in (b) of this section, an electric or telephone
6 cooperative may

7 (1) sue and be sued in its corporate name;

8 (2) have perpetual existence;

9 (3) adopt a corporate seal and alter it;

10 (4) construct, buy, lease, or otherwise acquire, and equip, maintain,
11 and operate, and sell, assign, convey, lease, mortgage, pledge, or otherwise dispose of
12 or encumber lands, buildings, structures, electric or telephone lines or systems, dams,
13 plants and equipment, and any other real or personal property, tangible or intangible,
14 that is necessary, convenient, or appropriate to accomplish the purpose for which the

1 cooperative is organized;

2 (5) buy, lease, or otherwise acquire, and use, and exercise and sell,
3 assign, convey, mortgage, pledge or otherwise dispose of or encumber franchises,
4 rights, privileges, licenses, and easements;

5 (6) borrow money and otherwise contract indebtedness, and issue
6 evidences of indebtedness, and secure the payment of the indebtedness by mortgage,
7 pledge, or deed of trust of, or any other encumbrance upon its real or personal
8 property, assets, franchises, or revenues;

9 (7) construct, maintain, and operate electric transmission and
10 distribution lines, or telephone lines along, upon, under and across publicly owned
11 lands and public thoroughfares, including, without limitation, all roads, highways,
12 streets, alleys, bridges, and causeways;

13 (8) exercise the power of eminent domain;

14 (9) become a member of other cooperatives, **limited liability**
15 **companies**, or corporations **organized for any lawful purpose**, or own stock in them;

16 (10) conduct its business and exercise its powers inside or outside the
17 state;

18 (11) adopt, amend, and repeal bylaws;

19 (12) make all contracts necessary, convenient, or appropriate for the
20 full exercise of its powers;

21 (13) make donations for the public welfare or for charitable, scientific,
22 or educational purposes;

23 (14) do and perform any other act and thing, and have and exercise any
24 other power that may be necessary, convenient, or appropriate to accomplish the
25 purpose for which the cooperative is organized.