

Introduced: 2/15/68
Referred: Commerce and
Judiciary

1 IN THE HOUSE

BY SACKETT

2 HOUSE BILL NO. 559

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the meeting and quorum require-
7 ments of electric and telephone cooperatives; and
8 providing for an effective date."

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

10 * Section 1. AS 10.25.070 is amended to read:

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

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

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

28 (b) Special meetings of the members or district delegates may be
29 called by a majority of the board of directors or by not less than

1 10 per cent of all members or 10 per cent of all district delegates.
2 A special meeting of the members of a cooperative which has been divided
3 into districts as provided for in sec. 190 of this chapter may consist
4 of separate special meetings of the members of each district.

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

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

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

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

19 Sec. 10.25.110. QUORUM REQUIREMENTS. (a) Unless the bylaws
20 prescribe the presence of a greater percentage or number of the members
21 for a quorum, a quorum for the transaction of business at all meetings
22 of the members of a cooperative or the members of a district of a
23 cooperative having not more than 1,000 members is five per cent of all
24 members, present in person, and a quorum for the transaction of busi-
25 ness of the members of a cooperative or the members of a district of a
26 cooperative having more than 1,000 members is 50 members, present in
27 person. If less than a quorum is present at a meeting, a majority of
28 those present in person may adjourn the meeting from time to time with-
29 out further notice.

1 **(b) Unless the bylaws prescribe the presence of a greater per-**
2 **centage of the district delegates for a quorum, a quorum for the trans-**
3 **action of business at all meetings of the district delegates of a**
4 **cooperative is 25 per cent of all district delegates.**

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

6 Sec. 5. AS 10.25.210. AMENDMENT OF ARTICLES OF INCORPORATION.

7 A cooperative may amend its articles of incorporation as follows, except
8 that it may change the location of its principal office in the manner
9 set forth in sec. 230 of this chapter.

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

13 (2) If the proposed amendment, with any changes, is approved
14 by the affirmative vote of not less than two-thirds of those members,
15 or district delegates voting on it, the president or vice president
16 shall execute and acknowledge articles of amendment on behalf of the
17 cooperative and the secretary shall affix and attest to the seal of
18 the cooperative.

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