Original sponsor: Commerce Committee

Offered: 5/1/78
Referred: Rules

IN THE HOUSE BY THE COMMERCE COMMITTEE

CS FOR HOUSE BILL NO. 879

IN THE LEGISLATURE OF THE STATE OF ALASKA

TENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the merger of electric and telephone utilities; and providing for an effective date."

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

* Section 1. AS 10.05 is amended by adding a new section to read:

Sec. 10.05.376. MERGER OF COOPERATIVE INTO A CORPORATION ORGANIZED UNDER THIS CHAPTER. (a) A cooperative organized under the provisions of AS 10.25 may merge into a corporation organized under this chapter which is engaged in business as and is certificated as a telephone or electric utility.

(b) The corporation shall comply with the provisions of secs. 375 - 432 of this chapter insofar as they deal with the procedures for the merger of business corporations.

(c) Except as provided in AS 10.25.245, the provisions of this chapter govern the procedures and effect of the merger.

* Sec. 2. AS 10.25 is amended by adding a new section to read:

Sec. 10.25.245. MERGER OF COOPERATIVE AND CORPORATION ORGANIZED UNDER AS 10.05. (a) A cooperative organized under the provisions of this chapter may merge into a corporation organized under AS 10.05 which is engaged in business as and is certificated as an electric or telephone utility.

(b) The cooperative shall comply with the provisions of secs. 240 - 280 of this chapter insofar as they deal with the procedures for the merger of cooperatives.

(c) The manner in which the members of the cooperative may be

compensated for any net remaining assets transferred to the corporation organized under AS 10.05 after the payment of the debts and liabilities of the cooperative shall be stated in the articles of merger.

* Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-070(c).