

Original sponsor: Bettisworth

Offered: 5/6/82  
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 SENATE CS FOR HOUSE BILL NO. 849 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to cooperatives."

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

8 \* Section 1. AS 10.25.120 is amended to read:

9 Sec. 10.25.120. VOTING. Each member is entitled to one vote on  
10 each matter submitted to a vote at a meeting of the members. Each mem-  
11 ber of a district is entitled to one vote on each matter submitted to  
12 a vote at any district meeting. Voting shall be in person, but, if the  
13 bylaws so provide, may also be by mail.

14 \* Sec. 2. AS 10.25.190 is amended to read:

15 Sec. 10.25.190. DISTRICTS. The bylaws may provide for the division  
16 of the territory served or to be served by a cooperative into two or  
17 more districts for any purpose, including, without limitation, the  
18 nomination and election of directors and the election and functioning of  
19 district delegates. These delegates, who shall be members, may nominate  
20 and elect directors. The bylaws shall prescribe the boundaries of the  
21 districts, or the manner of establishing the boundaries, and the manner  
22 of changing the boundaries, and the manner in which the districts func-  
23 tion. No member at any district meeting and no district delegate at any  
24 meeting may vote by proxy or by mail. However, the election of directors  
25 shall be by mail unless the bylaws provide otherwise.

26 \* Sec. 3. AS 10.25 is amended by adding a new section to read:

27 Sec. 10.25.175. BOARD MEETINGS OPEN TO MEMBERS. (a) A meeting of  
28 the board of directors may be attended by members of the cooperative.  
29 Except when voice votes are authorized, a vote shall be conducted in

1 such a manner that the members may know the vote of each person entitled  
2 to vote.

3 (b) If excepted subjects are to be discussed at a meeting, the  
4 meeting must first be convened as a regular or special meeting and the  
5 question of holding an executive session to discuss matters that come  
6 within the exceptions contained within (c) of this section shall be  
7 determined by a majority vote of the board. No subjects may be con-  
8 sidered at the executive session except those mentioned in the motion  
9 calling for the executive session unless auxiliary to the main question.  
10 No formal action may be taken during the executive session.

11 (c) The following excepted subjects may be discussed in an execu-  
12 tive session:

13 (1) matters the immediate knowledge of which would clearly  
14 have an adverse effect on the finances of the cooperative;

15 (2) subjects that tend to prejudice the reputation and  
16 character of a person; however, the person may request a public discus-  
17 sion;

18 (3) matters discussed with an attorney for the cooperative,  
19 the immediate knowledge of which could have an adverse effect on the  
20 legal position of the cooperative.

21 (d) Notice shall be given for all regular or special meetings of  
22 the board of directors as provided in the bylaws of the cooperative.

23 (e) Action taken contrary to this section is void.

24 \* Sec. 4. AS 10.25 is amended by adding a new section to read:

25 Sec. 10.25.176. MEMBER'S RIGHT TO EXAMINE BOOKS AND RECORDS.  
26 Except as prohibited by the bylaws of a cooperative, a member of a  
27 cooperative may, at a reasonable time, examine and make copies of the  
28 books and records of the cooperative at the principal office of the  
29 cooperative. The cooperative may charge a member an amount equal to the

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actual cost of duplicating documents requested under this section.