

Original sponsor: Bettisworth

Offered: 5/15/82

1 IN THE HOUSE

BY THE RULES COMMITTEE

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SENATE CS FOR HOUSE BILL NO. 849 (Rules)

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

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

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

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* Section 1. AS 10.25.030(1) is amended to read:

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(1) furnish, improve and expand telephone service and related

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telecommunications service to its members, and to other users not in

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excess of 10 percent of the number of its members; however, telephone

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service may be made available by a cooperative through interconnection

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of facilities to any number of subscribers of other telephone systems,

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and through pay stations to any number of users, and a cooperative which

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acquires existing telephone facilities may continue service to persons,

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not exceeding 40 percent of the number of its members, who are already

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receiving service from the facilities without requiring them to become

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members, and these persons may become members upon terms as may be

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prescribed in the bylaws;

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* Sec. 2. AS 10.25.120 is amended to read:

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Sec. 10.25.120. VOTING. Each member is entitled to one vote on

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each matter submitted to a vote at a meeting of the members. Each mem-

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ber of a district is entitled to one vote on each matter submitted to

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a vote at any district meeting. Voting shall be in person, but, if the

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bylaws so provide, may also be by mail.

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

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Sec. 10.25.175. BOARD MEETINGS OPEN TO MEMBERS. (a) A meeting of

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the board of directors may be attended by members of the cooperative.

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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 char-
16 acter of a person; however, the person may request a public discussion;

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

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

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

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

24 Sec. 10.25.176. MEMBER'S RIGHT TO EXAMINE BOOKS AND RECORDS. A
25 member of a cooperative may, at a reasonable time and for a proper pur-
26 pose, examine and make copies of the books and records of the coopera-
27 tive at the principal office of the cooperative. The cooperative may
28 charge a member an amount equal to the actual cost of duplicating docu-
29 ments requested under this section.

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* Sec. 5. AS 10.25.190 is amended to read:

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

* Sec. 6. AS 10.25.640 is amended by adding a new paragraph to read:

(5) "related telecommunications service" means telecommunications service where there is the transmission and reception of messages, impressions, pictures, and signals by means of electricity, electromagnetic waves, and any other kind of energy, force variations, or impulses, whether conveyed by cable, wire, radiated through space, or transmitted through other media within a specified area or between designated points.