

**HB**

**336**

# Alaska State Legislature



## Chairman

State Affairs Committee

## Member

Judiciary Committee

Labor & Commerce Committee

Health & Social Services Committee

Military & Veterans Affairs Committee

## Finance Subcommittees

Labor and Workforce Development

Military and Veterans' Affairs

Public Safety

## Session:

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*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
**District 31 Anchorage**

**E-Mail:** [Representative\\_Bob\\_Lynn@legis.state.ak.us](mailto:Representative_Bob_Lynn@legis.state.ak.us)  
**"Bob Lynn's Alaska Blog"** [www.RepLynnBlog.com](http://www.RepLynnBlog.com)

## HB 336

### Sponsor Statement

House Bill 336 puts in statute the ability for telephone or electric cooperatives to allow members to vote by electronic transmission as specified by the coop's by-laws. The bill was filed at the urging of coops around the state.

Currently, coop members may only vote in person or via the postal service. This method, however, is outdated and could be having a negative impact on member participation in elections and other important matters.

By allowing telephone and electric coops to permit voting via electronic transmission approved in its by-laws, the Legislature will make it so common 21<sup>st</sup> century practices may be applied to important public involvement matters.

Coops in every corner of Alaska will be enthused the Legislature has had the foresight to pass legislation important to their public process. This bill does not make electronic transmission voting mandatory, and cooperatives choose whether they want to partake or not.

Already, however, Matanuska Telephone Association (MTA) members have voted to adopt a new bylaw allowing electronic transmission voting. All MTA, and other coops, need is for the Legislature amends the statute to allow these coops to do so.

Please help me in facilitating the quick passage of HB 336.

# FISCAL NOTE

**STATE OF ALASKA**  
**2010 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 336  
 () Publish Date: \_\_\_\_\_

Identifier (file name): HB336-CED-RCA-3-3-10 Dept. Affected: DCCED  
 Title Electric & Telephone Cooperatives' Voting RDU Regulatory Commission of Alaska (399)  
 Component Regulatory Commission of Alaska  
 Sponsor House State Affairs  
 Requester House Community and Regional Affairs Component Number 2417

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>OPERATING EXPENDITURES</b>								
Personal Services	0.0		0.0		0.0		0.0	
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>		<b>0.0</b>		<b>0.0</b>		<b>0.0</b>	
<b>CAPITAL EXPENDITURES</b>								
<b>CHANGE IN REVENUES ( )</b>								

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	<b>0.0</b>		<b>0.0</b>		<b>0.0</b>		<b>0.0</b>

Estimate of any current year (FY2010) cost: 0.0

**POSITIONS**

Full-time							
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)

This proposed legislation would amend voting procedures in AS 10.25 for electric and telephone cooperatives to authorize electronic voting.

(ANALYSIS CONTINUED)

Prepared by: Robert M. Pickett, Chairman Phone 907.276.6222  
 Division Regulatory Commission of Alaska Date/Time 2/26/10 12:30 p.m.  
 Approved by: Emil R. Notti, Commissioner Date 3/3/2010  
Commerce, Community, and Economic Development

FISCAL NOTE

STATE OF ALASKA  
2010 LEGISLATIVE SESSION

BILL NO. SB 260

**ANALYSIS CONTINUATION**

The Regulatory Commission of Alaska (RCA) has limited jurisdiction that includes regulating the rates and services of non-exempt electric and telephone cooperatives. See AS 42.05.141. With the exception of deregulation elections governed by AS 42.05.712, RCA jurisdiction does not extend to membership voting procedures. Members of electric and telephone cooperatives seeking to enforce the electronic voting procedures proposed by this legislation would need to pursue judicial recourse rather than RCA intervention.

Since the RCA will not be involved in enforcing the amended voting procedures, it will not experience any increase in workload based on the passage of HB 336.



# Homer Electric Association, Inc.

Corporate Office  
3977 Lake Street  
Homer, Alaska 99603-7680  
Phone (907) 235-8551  
FAX (907) 235-3313

Central Peninsula Service Center  
280 Airport Way  
Kenai, Alaska 99611-5280  
Phone (907) 283-5831  
FAX (907) 283-7122

February 22, 2010

Representative Bob Lynn  
Alaska State Legislature  
State Capitol, Room 104  
Juneau, Alaska 99801

RE: Support for HB 336 – Permitting Electronic Voting for Cooperatives

Honorable Representative Lynn:

Homer Electric Association, Inc. (HEA) would like to join several other cooperatives in support of HB 336. The ability for cooperatives to use the Internet to improve member participation is a worthwhile goal.

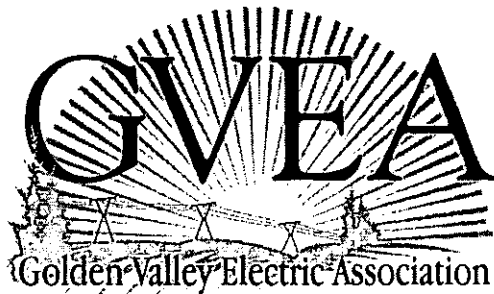
HEA appreciates that the language in HB 336 is not mandatory, but rather provides the option to institute electronic voting should our members decide to move in that direction. Member participation is crucial to the success of our cooperative and it is possible that allowing electronic voting will improve the ability of our members to cast their vote during elections.

I urge support of this bill and its passage from your committee at the earliest time.


If you have any questions, please feel free to contact me at any time.

Sincerely,

Bradley P. Janorschke  
General Manager



PO Box 71249, Fairbanks, AK 99707-1249 • (907) 452-1151 • www.gvea.com

Your Touchstone Energy® Cooperative 

February 23, 2010

The Honorable Bob Lynn  
Alaska State Legislature  
State Capitol, Room 104  
Juneau, Alaska 99801-1182

Subject: Support for HB 336 – permitting electronic voting for cooperatives

Dear Representative Lynn:

Golden Valley Electric Association, Inc. supports House Bill 336. Golden Valley is in favor of AS 10.25 being changed to allow cooperatives the option of electronic voting in their co-op elections.

Currently, Golden Valley is in the process of conducting a membership bylaw election which will amend our bylaws to permit electronic voting. Allowing this option acknowledges that the Internet has become a universal platform for sharing information. It offers co-op members a choice in submitting their ballot. Electronic submission will also save on cooperative mailing & handling costs.

Using the Internet as a universal medium to conduct business does not preclude our traditional means of operating and communicating with our members, but offers an additional option. I look forward to your support of this bill and its passage from your committee. If you have any questions, please feel free to contact me.

Sincerely,



Brian Newton  
President and CEO



February 22, 2010

Representative Bob Lynn  
State Capitol, Room 104  
Juneau, AK 99801-1182

Re: Support for HB 336 – Permitting Electronic Voting for Cooperatives

Honorable Representative Lynn,

Please convey to the House State Affairs Committee Alaska Village Electric Cooperative's strongest support for HB 336.

The language in HB 336 is not mandatory, but rather permissive, allowing cooperatives that have been so directed by their members, through their bylaws, to institute electronic voting on matters that may come before the membership.

In this modern age, where communication via the postal service has become almost archaic, it is only logical that the communication channels that are most used by most individuals should be permitted for the conduct of commerce. Indeed, it is now impossible to deal with some state agencies, such as APOC, by any other method, since it is simply not allowed!

I urge support of this bill and its passage from your committee at the earliest time.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Meera Kohler".

Meera Kohler  
President and CEO

February 22, 2010

Honorable Bob Lynn  
Alaska State Capitol, Room #104  
Juneau, AK 99801-1182

RE: HB 336 – Electronic Voting for Telephone Cooperatives

Dear Representative Lynn:

I'm writing to ask for your support on HB 336 "An Act relating to electronic voting procedures for electric and telephone cooperatives; and providing for an effective date".

As you know, the internet has changed forever the way we communicate and do business. Alaskans have more than embraced this new world and currently lead the country as the most Internet-connected state in America. Matanuska Telephone Association (MTA) is very proud of the work we have done, to bring the future to those we serve, by building a state-of-the-art telecommunications network capable of providing a high speed broadband connection to 98% of our member/owners.

Given this connectivity and the efficiency and effectiveness it can bring, MTA proactively presented to its membership in 2007 a proposed bylaw change to allow electronic voting and to send and receive documents electronically. In the balloting process, we explained that before implementation could take place, the Alaska Legislature would need to amend State cooperative law to allow for electronic voting. Our membership voted overwhelmingly to adopt the new bylaw allowing electronic voting, as determined by MTA's Board of Directors.

It goes without saying that electronic voting can be faster and more efficient for MTA and its members. It will also save considerable postage costs, make counting votes in our elections more efficient and help reduce wasted paper. But, more importantly, MTA believes this method of balloting promotes members ability to have every option available to them to participate in their cooperative elections.

On behalf of MTA's membership and our Board, I ask for your support of the House Bill 336 to allow electronic voting for our members.

Thank you for your consideration.

Sincerely,

Greg Berberich  
Chief Executive Officer

February 22, 2010

Representative Bob Lynn, Chair  
House State Affairs Committee  
State Capitol, Room 104  
Juneau, Alaska 99801

Dear Representative Lynn:

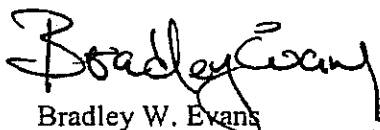
I am writing to express Chugach Electric Association's support for HB 336. Chugach is very much in favor of AS 10.25 being changed to allow cooperatives the option of electronic voting in their co-op elections.

As drafted, HB 336 makes electronic transmission of a ballot optional for those cooperatives whose members vote to change their bylaws to permit it. Chugach agrees making this voting method optional and member driven is the right approach. It is also important to note the bill allows each cooperative to determine voting procedures that are appropriate for their organization, thereby providing the flexibility for each co-op to decide how best to implement electronic voting. Once again, we think that is the right way to proceed. We understand that not all cooperatives might want to offer electronic voting, and those that do might want to limit the means of transmission in order to ensure a secure and efficient election process.

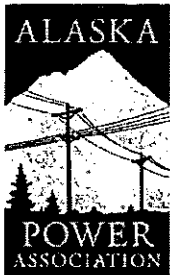
Electronic voting is a choice that we believe many members will appreciate. Chugach members already voted several years ago to change the bylaws to permit electronic voting when state law is changed.

Chugach urges legislative support of HB 336.

Sincerely,



Bradley W. Evans  
Chief Executive Officer



Alaska Power Association  
703 West Tudor Road, Suite 200  
Anchorage, Alaska 99503-6650  
907-561-6103  
Fax: 907-561-5547  
[www.alaskapower.org](http://www.alaskapower.org)

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February 19, 2010

Representative Bob Lynn, Chair  
House State Affairs Committee  
Alaska State Legislature  
State Capitol, Room 104  
Juneau, Alaska 99801-1182

Re: Support for HB 336: Permitting Electronic Voting for Cooperatives

Dear Representative Lynn:

Alaska Power Association supports House Bill 336, electronic voting for electric and telephone cooperatives. Alaska Power Association is the statewide trade association for the electric utilities that supply power to more than a half-million Alaskans in communities from Barrow to Unalaska and down the Inside Passage.

Member representation through the exercise of voting rights is a cornerstone of the principles of cooperatives. Voting is permitted under the cooperative statute in person and by U.S. mail if the cooperative's bylaws allow it. The Internet has made it possible for secure and private activity to be conducted via electronic means.

Alaska Power Association urges and supports amendments to the Alaska Statutes that would allow cooperative members to exercise their voting rights via the Internet if their bylaws so allow.

We urge support of this bill and its passage from your committee at the earliest time.

Sincerely,

Marilyn Leland  
Executive Director

(7)

Date Referred to Committee: February 10, 2010

FURTHER REFERRALS: State Affairs

Date of Committee Action: 3.9.10

The COMMUNITY AND REGIONAL AFFAIRS Committee considered:

HOUSE BILL NO. 336

"An Act relating to electronic voting procedures for electric and telephone cooperatives; and providing for an effective date."

HB 336-ELECTRIC & TELEPHONE COOPERATIVES' VOTING

Recommends it be replaced with  HCS or  CS for \_\_\_\_\_ (\_\_\_\_\_)
For Senate Bills with new title:  Technical Title  New Title: HCR \_\_\_\_\_  Same Title  New Title

- attach amendments
 add new referral to \_\_\_\_\_ Committee
 Letter of Intent \_\_\_\_\_ Committee

List of Abbrev for Depts.: ADM, CED, COR, CRT, EED, DEC, DFG, GOV, DHS, LWF, LAW, LEG, MVA, DNR, DPS, REV, DOT, UA

NEW FISCAL NOTES
\*Assigned by Chief Clerk's Office
Table with columns: List by Dept(s), \*FN#, Fiscal, Indet., Zero. Row 1: CED, X

PREVIOUS FISCAL NOTES
Table with columns: List by Dept(s), FN#, Fiscal, Indet., Zero

Signing with recommendations
Table with columns: Printed Last Name, DP, DNP, NR, AM. Rows include Keller (DP checked), Munoz (DP checked), Herrera (NR checked).



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Public Safety



*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
**District 31 Anchorage**

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**"Bob Lynn's Alaska Blog"** www.RepLynnBlog.com

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February 23, 2010

**To:** Representative Munoz, Co-Chair  
Representative Herron, Co-Chair  
House Community and Regional Affairs Committee

**Fr:** Representative Bob Lynn *BL*

**Re:** HB 336 ELECTRIC & TELEPHONE COOPERATIVES' VOTING

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Please schedule HB 336 to be heard in the House Community and Regional Affairs Committee at your earliest convenience. HB 336 puts in statute the ability for telephone or electric cooperatives to allow members to vote by electronic transmission as specified by the coop's by-laws. The bill was filed at the urging of coops around the state. Thank you.

Attached Documents

Memo/Hearing Request  
Bill History/Action  
HB 336 (26-LS1458\A)  
Sponsor Statement  
Letters of Support

HB336

**CHUGACH**  
POWERING ALASKA'S FUTURE

**Phil Steyer**

DIRECTOR

GOVERNMENT RELATIONS  
CORPORATE COMMUNICATIONS

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