

**HB**

**336**



**CS FOR HOUSE BILL NO. 336(STA)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-SIXTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE STATE AFFAIRS COMMITTEE**

**Offered:**  
**Referred:**

**Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE**

**A BILL**

**FOR AN ACT ENTITLED**

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

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

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

5 **Sec. 10.25.120. Voting.** Each member is entitled to one vote on each matter  
6 submitted to a vote of the membership. Each member of a district is entitled to one  
7 vote on each matter submitted to a vote at a district meeting. A member may not vote  
8 by proxy but may vote, if the bylaws so provide, by mail or electronic transmission,  
9 as specified by the cooperative, except that electronic transmission may not be the  
10 only allowed option for voting.

11 **\* Sec. 2.** AS 10.25.125 is amended to read:

12 **Sec. 10.25.125. Record date.** To determine the members entitled to notice of a  
13 meeting of the members or to vote on a matter that is to be submitted to a vote of the  
14 members, or for any other proper purpose, the board of directors may fix a date that

1 occurs **not** [NO] more than 30 days before the date of notice or distribution of mail **or**  
 2 **electronic** ballots as the record date for the determination. If a record date is not fixed  
 3 for the determination of members entitled to notice of a meeting or to vote on a matter,  
 4 the date on which notice of the meeting or of mail **or electronic** voting is first  
 5 **distributed** [MAILED] is the record date. When a determination of members entitled  
 6 to vote at a meeting is made, the determination applies until the meeting is adjourned  
 7 sine die.

8 \* **Sec. 3.** AS 10.25.190 is amended to read:

9 **Sec. 10.25.190. Districts.** The bylaws may provide for the division of the  
 10 territory served or to be served by a cooperative into two or more districts for any  
 11 purpose, including, without limitation, the nomination and election of directors and the  
 12 election and functioning of district delegates. These delegates, who shall be members,  
 13 may nominate and elect directors. The bylaws shall prescribe the boundaries of the  
 14 districts, or the manner of establishing the boundaries, and the manner of changing the  
 15 boundaries, and the manner in which the districts function. A [NO] member at any  
 16 district meeting and a [NO] district delegate at any meeting may **not** vote by proxy,  
 17 [OR] by mail, **or by electronic transmission.** However, the election of directors shall  
 18 be by mail **or, if the bylaws so provide, by electronic transmission, as specified by**  
 19 **the cooperative, except that electronic transmission may not be the only allowed**  
 20 **option for voting** [UNLESS THE BYLAWS PROVIDE OTHERWISE].

21 \* **Sec. 4.** AS 10.25.210 is amended to read:

22 **Sec. 10.25.210. Amendment of articles of incorporation.** A cooperative may  
 23 amend its articles of incorporation as follows, except that it may change the location of  
 24 its principal office in the manner set out in AS 10.25.230:

25 (1) the proposed amendment shall be presented to the members or  
 26 district delegates at a meeting or by written notice; if the proposed amendment is  
 27 presented at a meeting, the notice of the meeting must set out or have attached to it the  
 28 proposed amendment;

29 (2) if the proposed amendment, with any changes, is approved by the  
 30 affirmative vote of not less than two-thirds of those members or district delegates  
 31 voting on it, the presiding officer of the board of directors shall execute and

1 acknowledge articles of amendment on behalf of the cooperative and the officer  
2 designated by the board shall affix and attest to the seal of the cooperative; if the  
3 cooperative accepts ballots both at a meeting and by mail or by electronic  
4 transmission, a member may vote by mail, by electronic transmission, or at the  
5 meeting, as specified by the cooperative, except that electronic transmission may  
6 not be the only allowed option for voting.

7 \* Sec. 5. This Act takes effect immediately under AS 01.10.070(c).

prohibition against inducing a person to vote for or refrain from voting for a person and was not a corrupt practice under this section. *Dansereau v. Ulmer*, 903 P.2d 555 (Alaska 1995).

**Offer of chance drawing accompanied by nonneutral message.** — A postcard mailed to shareholders of a native regional corporation that offered

entry in a \$1,000 cash prize drawing to those who submitted a ballot stub, or a similarly sized piece of paper, and stated that the Alaska Federation of Natives endorsed a certain candidate for governor potentially violated this section because of the accompanying nonneutral message. *Dansereau v. Ulmer*, 903 P.2d 555 (Alaska 1995).

**Sec. 15.56.035. Unlawful interference with voting in the second degree.** (a) A person commits the crime of unlawful interference with voting in the second degree if the person

(1) has an official ballot in possession outside of the voting room unless the person is an election official or other person authorized by law or local ordinance, or by the director or chief municipal elections official in a local election;

(2) makes, or knowingly has in possession, a counterfeit of an official election ballot;

(3) knowingly solicits or encourages, directly or indirectly, a registered voter who is no longer qualified to vote under AS 15.05.010, to vote in an election;

(4) as a registration official

(A) knowingly refuses to register a person who is entitled to register under AS 15.07.030; or

(B) accepts a fee from an applicant applying for registration;

(5) violates AS 15.20.081(a) by knowingly supplying or encouraging or assisting another person to supply to a voter an absentee ballot application form with a political party or group affiliation indicated if the voter is not already registered as affiliated with that political party or group;

(6) knowingly designs, marks, or encourages or assists another person to design or mark an absentee ballot application in a manner that suggests choice of one ballot over another as prohibited by AS 15.20.081(a); or

(7) knowingly submits or encourages or assists another person to submit an absentee ballot application to an intermediary who could control or delay the submission of the application to the division of elections or who could gather data from the application form as prohibited by AS 15.20.081(a).

(b) Violation of (a)(3) of this section is a corrupt practice.

(c) Unlawful interference with voting in the second degree is a class A misdemeanor. (§ 205 ch 100 SLA 1980; am § 5 ch 4 SLA 2006)

**Revisor's notes.** — Enacted as AS 15.56.036. Re-numbered in 1980. effective June 4, 2006, added paragraphs (5) through (7) of subsection (a), and made minor stylistic changes in paragraphs (3) and (4).

**Effect of amendments.** — The 2006 amendment.

**Sec. 15.56.040. Voter misconduct in the first degree.** (a) A person commits the crime of voter misconduct in the first degree if the person

(1) votes or attempts to vote in the name of another person or in a name other than the person's own;

(2) votes or attempts to vote more than once at the same election with the intent that the person's vote be counted more than once;

(3) intentionally makes a false affidavit, swears falsely, or falsely affirms under an oath required by this title;

(4) knowingly votes or solicits a person to vote after the polls are closed with the intent that the vote be counted.

(b) Voter misconduct in the first degree is a class C felony. (§ 205 ch 100 SLA 1980)

**Revisor's notes.** — Enacted as AS 15.56.041. Re-numbered in 1980.

**Sec. 15.56.050. Voter misconduct in the second degree.** (a) A person commits the crime of voter misconduct in the second degree if the person

other valuable thing

thing with the intent  
in or for an election

uraging or assisting  
form with a political  
red as affiliated with  
convicted of unlawful  
a)(5);

person to design or  
vice of one ballot over  
previously convicted  
S 15.56.035(a)(6); or  
submit an absentee  
he submission of the  
the application form  
viously convicted of  
5.56.035(a)(7).

is C felony.  
thing"

er present or future  
rein the total of the  
f \$100; and

, or other identifica-  
mmittee, or organi-

at is nonpartisan in  
l to a gathering in  
group, party district

e absence of a voter

er AS 15.20.072;  
.010; and  
(§ 205 ch 100 SLA  
ch 4 SLA 2006)

is not limited to" at the  
age of paragraph (1) and  
stituted "acting as a rep-  
.072" for "acting as a  
efined in AS 15.20.071."  
tive June 4, 2006, added  
subsection (a), and made  
ragraphs (2) and (3).

to 10 gallons of gasoline  
polls did not violate the

- (1) registers to vote without being entitled to register under AS 15.07.030;
  - (2) knowingly makes a material false statement while applying for voter registration or reregistration; or
  - (3) votes or attempts to vote in an election after being disqualified under AS 15.05.030.
- (b) Voter misconduct in the second degree is a class A misdemeanor. (§ 205 ch 100 SLA 1980)

Revisor's notes. — Enacted as AS 15.56.051. Re-numbered in 1980.

**Sec. 15.56.060. Unlawful interference with an election.** (a) A person commits the crime of unlawful interference with an election if the person

- (1) induces or attempts to induce an election official to fail in the official's duty by force, threat, intimidation, or offers of reward;
  - (2) intentionally changes, attempts to change, or causes to be changed an official election document including ballots, tallies, and returns;
  - (3) intentionally delays, attempts to delay, or causes to be delayed the sending of the certificate, register, ballots, or other materials whether original or duplicate, required to be sent by AS 15.15.370; or
  - (4) is contracted or employed by the state to print or reproduce in any manner an official ballot, and the person knowingly
    - (A) personally appropriates, or gives or delivers to, or permits to be taken by anyone other than a person authorized by the director, official ballots; or
    - (B) prints or reproduces or has printed or reproduced official ballots in a form or with a content other than that prescribed by law or as directed by the director.
- (b) Unlawful interference with an election is a class C felony. (§ 205 ch 100 SLA 1980)

Revisor's notes. — Enacted as AS 15.56.061. Re-numbered in 1980.

**Sec. 15.56.070. Election official misconduct in the first degree.** (a) A person commits the crime of election official misconduct in the first degree if while an election official, the person

- (1) intentionally fails to perform an election duty or knowingly does an unauthorized act with the intent to affect an election or its results;
  - (2) knowingly permits or makes or attempts to make a false count of election returns; or
  - (3) intentionally conceals, withholds, destroys, or attempts to conceal, withhold, or destroy election returns.
- (b) Election official misconduct in the first degree is a class C felony. (§ 205 ch 100 SLA 1980)

Revisor's notes. — Enacted as AS 15.56.071. Re-numbered in 1980.

**Sec. 15.56.080. Election official misconduct in the second degree.** (a) A person commits the crime of election official misconduct in the second degree if while an election official, and while the polls are open, the person

- (1) opens a ballot received from a voter at an election, unless permitted by ordinance in a local election;
  - (2) marks a ballot by folding or otherwise so as to be able to recognize it;
  - (3) otherwise attempts to learn how a voter marked a ballot; or
  - (4) allows a person to do one of the acts prescribed by (1), (2), or (3) of this subsection.
- (b) Election official misconduct in the second degree is a class A misdemeanor. (§ 205 ch 100 SLA 1980)

Revisor's notes. — Enacted as AS 15.56.090. Re-numbered in 1980.

**Sec. 15.56.090. In crime of improper su**  
(1) signs a name o  
referendum, recall, o  
(2) knowingly sign  
one election;  
(3) signs a petition  
candidate for state or  
(4) solicits, accepts,  
signing or refraining f  
"other valuable thing"  
(b) Improper subscri  
1980; am § 6 ch 80 SL

Revisor's notes. — Enacted as AS 15.56.100. Re-numbered in 1980.  
Cross references. — For relating to the 1998 amendme § 8(d), ch. 80, SLA 1998 in the Special Acts.

**Sec. 15.56.100. Refu**  
the offense of refusal to  
employee time off for the  
deducts the time from the  
(b) An employee who h  
opening of the polls and th  
the end of that regular w  
sufficient time outside of  
(c) Refusal to allow emp

Revisor's notes. — Enacted as AS 15.56.110. Re-numbered in 1980.

**Sec. 15.56.110. Effect**  
state legislature or to mu  
whose campaign treasurer  
practice is voidable under t  
(b) If a successful candi  
treasurer of a successful car  
or borough assembly or for  
this chapter as a corrupt pr  
office to which elected shall  
(1) a member of the legisl  
(2) a member of the borou  
(3) a borough mayor unde  
(4) a member of the city co  
(5) a city mayor under AS :  
SLA 1985)

Revisor's notes. — Enacted as AS 15.56.110. Re-numbered in 1980.  
In 1988, the phrase "borough or c

# 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



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

**E-Mail:** Representative\_Bob\_Lynn@legis.state.ak.us  
**"Bob Lynn's Alaska Blog"** www.RepLynnBlog.com

**Session:**  
Alaska State Capitol, #104  
Juneau, AK 99801-1182

Phone: (907) 465-4931  
Fax: (907) 465-4316  
Toll Free: (800) 870-4391

**Interim:**  
716 W. 4<sup>th</sup> Ave., #650  
Anchorage, AK 99501-2133

Phone: (907) 269-0205  
Fax: (907) 269-0207

## **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.



## 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

# GVEA

Golden Valley Electric Association

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,

Meera Kohler  
President and CEO

**Sent Via Email: nancy\_manly@legis.state.ak.us**

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

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

# 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  
Title: Electric & Telephone Cooperatives' Voting  
Sponsor: House State Affairs  
Requester: House Community and Regional Affairs  
Dept. Affected: DCCED  
RDU: Regulatory Commission of Alaska (399)  
Component: Regulatory Commission of Alaska  
Component Number: 2417

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

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

|                               | Appropriation<br>Required | Information |            |            |            |            |            |
|-------------------------------|---------------------------|-------------|------------|------------|------------|------------|------------|
|                               |                           | 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        | 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>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> | <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

(Revised 11/6/2009 OMB)

FISCAL NOTE

STATE OF ALASKA  
2010 LEGISLATIVE SESSION

BILL NO. HB 336  
~~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.