

**SB**

**260**

A M E N D M E N T

OFFERED IN THE SENATE

BY SENATOR FRENCH

TO: SB 260

1 Page 1, line 9, following "cooperative":

2 Insert "except that electronic transmission may not be the only allowed option  
3 for voting"

4

5 Page 2, line 18, following "cooperative":

6 Insert "except that electronic transmission may not be the only allowed option  
7 for voting"

8

9 Page 3, line 3, following "cooperative":

10 Insert "except that electronic transmission may not be the only allowed option  
11 for voting"



# Homer Electric Association, Inc.

Corporate Office  
1000 1st St.  
Juneau, Alaska 99801  
907-586-1111

Central Peninsula Service Center  
1000 1st St.  
Ketchikan, Alaska 99901  
907-535-1111

February 25, 2010

Senator Linda Menard  
Alaska State Legislature  
State Capitol Room 9  
Juneau, Alaska 99801

RE: Support for Senate Bill 260 – Permitting Electronic Voting for Cooperatives

Honorable Senator Menard:

Homer Electric Association, Inc. (HEA) would like to join several other cooperatives in support of SB 260. The ability for cooperatives to use the Internet to improve member participation is a worthwhile goal.

HEA appreciates that the language in SB 260 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

# Alaska State Legislature

**Senator Linda Menard, Chair**  
State Capitol, Room 9  
Juneau, Alaska 99801  
Phone: (907) 465-6600  
Fax: (907) 465-3805



**Committee Members:**  
Senator Albert Kookesh  
Senator Hollis French  
Senator Joe Paskvan  
Senator Kevin Meyer

## Senate State Affairs Committee

### SPONSOR STATEMENT: Senate Bill 260

Senate Bill 260 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.

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 This method, however, is outdated and could be having a negative impact on member participation in elections and other important matters.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.

There is a zero fiscal note with this bill, and 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 SB 260.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

February 16, 2010

**SUBJECT:** Sectional summary of SB 260 (Work Order No. 26-LS1359AR)

**TO:** Senator Linda Menard  
Chair of the Senate State Affairs Committee  
Attn: Michael Rovito

**FROM:** Brian J. Kane *BJK*  
Legislative Counsel

You have requested a sectional summary of SB 260, a bill relating to electronic voting procedures for electric and telephone cooperatives.

Please note that a sectional summary of a bill is not an authoritative interpretation of a bill. The bill itself is the best statement of its contents.

**Section 1** of the bill allows for members of electric or telephone cooperatives to vote on matters by electronic transmission if the bylaws so provide.

**Section 2** of the bill adds an electronic transmission option for determining a record date for notice to members of an electric or telephone cooperative.

**Section 3** of the bill adds electronic transmission to the prohibited means of voting for a member or district delegate at a meeting and allows for voting for the district directors by electronic transmission.

**Section 4** of the bill allows for electronic voting as an option for voting on an amendment to the articles of incorporation for an electric or telephone cooperative.

**Section 5** of the bill provides for an immediate effective date.

BJK:plm  
10-074.plm

February 15, 2010

Senator Linda Menard, Chair  
Senate State Affairs Committee  
State Capitol, Room 9  
Juneau, Alaska 99801

Dear Senator Menard:

I am writing to express Chugach Electric Association's support for SB 260. 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, SB 260 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 SB 260.

Sincerely,



Bradley W. Evans  
Chief Executive Officer



**Sent Via Email: [Sen.Linda.Menard@legis.state.ak.us](mailto:Sen.Linda.Menard@legis.state.ak.us)**  
**Sent Via Fax: 907.465.3805**

February 12, 2010

Honorable Linda Menard  
 Alaska State Capitol, Room #9  
 Juneau, AK 99801

RE: SB 260 – Electric/Telephone Cooperatives Voting

Dear Senator Menard:

I'm writing to ask for your support on SB 260 "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 Senate Bill 260 to allow electronic voting for our members.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Berberich", written over a horizontal line.

Greg Berberich  
 Chief Executive Officer

Matanuska Telephone Association Inc.  
 1740 South Chugach Street  
 Palmer, Alaska 99845

907.745.3211  
 900.478.3211 (in Alaska)

[www.mtsolutions.com](http://www.mtsolutions.com)

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Alaska Power Association  
703 West Tudor Road, Suite 200  
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Fax: 907-561-5547  
www.alaskapower.org

February 12, 2010

Senator Linda Menard, Chair  
Senate State Affairs Committee  
Alaska State Legislature  
Capitol Building Room 9  
Juneau, Alaska 99801

Re: Support for SB 260: Permitting Electronic Voting for Cooperatives

Dear Senator Menard:

Alaska Power Association supports Senate Bill 260, 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



February 10, 2010

Mr. Michael Rovito  
Office of Sen. Linda Menard  
Capitol Building Room 9  
Juneau, Alaska 99801

Re: Support for SB 260 – Permitting Electronic Voting for Cooperatives

Dear Mr. Rovito,

Please convey to Sen. Menard and the Senate State Affairs Committee Alaska Village Electric Cooperative's strongest support for SB 260.

The language in SB 260 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

# GVEA

Golden Valley Electric Association

PO Box 71219, Fairbanks, AK 99707-1219 • (907) 452-1151 • www.gvea.com

Your Touchstone Energy Cooperative 

February 16, 2010

The Honorable Linda Menard  
Chair, Senate Affairs Committee  
Alaska State Legislature  
State Capitol, Room 9  
Juneau, Alaska 99801

Subject: Support for SB 260 – permitting electronic voting for cooperatives

Honorable Menard:

Golden Valley Electric Association, Inc. supports Senate Bill 260. 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 17, 2010

Via Facsimile No. 465-3805 and First Class Mail

Senator Linda Menard  
Chair, Senate State Affairs  
State Capitol  
Juneau AK 99801

Dear Senator Menard:

Thank you for the opportunity to provide a letter of support for SB 260, **Electric and Telephone Cooperatives' Voting**.

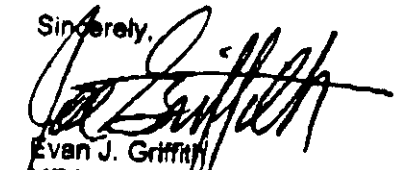
Matanuska Electric Association, Inc. (MEA) is the oldest and second largest electric utility cooperative in the state. MEA serves more than 54,000 customers in the Matanuska-Susitna Valley and Chugiak-Eagle River areas of Alaska.

MEA supports SB 260 which specifies in state law that telephone and electric co-ops would be permitted to provide for electronic voting in their elections. MEA is currently working on a bylaw amendment to allow electronic voting, as well as analyzing the internal processes and procedures required to implement an electronic voting system.

While this bill will not require co-ops to provide electronic voting procedures, it will permit co-ops to voluntarily implement such procedures. It is important for each co-op to individually determine if electronic elections are practical and beneficial to their membership.

If you would like more information from MEA, please contact me directly at (907) 761-9212.

Sincerely,

  
Evan J. Griffith  
MEA General Manager

# Senator Linda Menard

**Session**

State Capitol, Room 9  
Juneau, Alaska 99801  
Phone: (907) 465-6600  
Fax: (907) 465-3805

**Interim**

600 E. Railroad Ave.  
Wasilla, Alaska 99654  
Phone: (907) 376-3370  
Fax: (907) 376-3157

## Alaska State Legislature

To: Senator Hollis French  
Senate Judiciary Committee

From: Senator Linda Menard

Date: February 18, 2010

Re: Request for hearing of SB 260

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Honorable Senator Hollis French

I respectfully request a hearing of Senate Bill No. 260 before the Senate Judiciary Committee.

Senate Bill 260 is an act relating to electronic voting procedures for electric and telephone cooperatives.

Thank you for your consideration.