

Fiscal: No fiscal impact

Revenue: No Revenue Impact

Action Date: 02/03/16

Action: Do Pass With Amendments. (Printed A-Eng.)

Meeting Dates: 02/03

Vote:

Yeas: 11 - Barreto, Barton, Doherty, Esquivel, Evans, Fagan, Heard, Holvey, Kennemer, Nosse, Weidner

Prepared By: Jan Nordlund, Committee Administrator

WHAT THE MEASURE DOES:

Permits shareholders and members of cooperative corporation to vote by electronic means. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Request of Ashland Co-op to clarify that elections can occur via email
- Member must give permission in order to receive ballot electronically

EFFECT OF COMMITTEE AMENDMENT:

Requires that in addition to the bylaws allowing a ballot to be sent by mail or email, the member must also consent to voting by such means.

BACKGROUND:

The statutes that set forth the voting requirements for cooperative corporations set requirements for shareholders separate from members. In 2015, Senate Bill 35 was enacted to allow members of cooperatives to vote electronically, if the bylaws provide for such. Shareholder voting requirements were not addressed in Senate Bill 35.

House Bill 4038-A allows shareholders to vote by electronic means as long as the method complies with Oregon's Uniform Electronic Transactions Act. The measure also clarifies a member's ability to vote by electronic means, if the bylaws so allow and the member consents to receiving an electronic ballot.