

CHAPTER 16
DIRECTOR ELECTION—ABSENTEE BALLOT VOTING PROCEDURE

189—16.1(533) Authority for absentee ballots.

16.1(1) A credit union must have adopted the standard bylaws as revised by the credit union division in January 1985 in order to utilize absentee ballots.

16.1(2) The board of directors may consider utilizing absentee ballots when, in the opinion of the board, it is in the best interest of the credit union and its membership.

16.1(3) The board of directors must have established written policies setting forth the election rules.

189—16.2(533) Notice of voting members.

16.2(1) At least 30 days prior to the mailing of the annual meeting notice the membership must be informed that interested persons may submit their names to the nominating committee for consideration as candidates for election.

16.2(2) The membership must be informed that printed ballots will be used for the election and there will be no nominations from the floor.

16.2(3) The annual meeting notice shall be issued as authorized by bylaw section 4.1.

16.2(4) The notice must inform the membership that they may vote either in person at the annual meeting, or if they meet the criteria established by the board, by absentee ballot.

16.2(5) The notice must state the conditions which allow the member to vote by absentee ballot and how a ballot may be obtained.

189—16.3(533) Balloting procedure.

16.3(1) Ballots shall be mailed to those voting members who meet the criteria established by the board, and who contact the credit union office requesting an absentee ballot.

16.3(2) Voting members who meet the criteria established by the board shall be given the opportunity to vote in person at the credit union office prior to the day of the annual meeting.

16.3(3) An envelope marked “Ballot” shall be provided to the absentee voter and the voter shall sign in the appropriate location on the outside of the envelope and seal the envelope before mailing or delivering the ballot in person to the credit union office. The envelope shall be substantially in the following form:

From	SAMPLE ENVELOPE	<i>SAMPLE</i>

_____	CONTAINS ABSENTEE BALLOT	
	TO: Election Committee	
	ABC Credit Union	
	Anytown, IA 00000	
Signature _____		

16.3(4) Ballots returned to the credit union office by mail must be received no later than the day of the annual meeting in order to be valid.

189—16.4(533) Ballot.

16.4(1) Ballots referred to in this chapter shall be substantially in the following form:

BALLOT	
Director Election	
___ Mary Adams	___ Jane Martin
___ Ben Benson	___ Sam Smith
___ Charles Cotson	___ Ann Tucker
___ John Jones	___ Pat Williams
Vote for 3 candidates only — Ballots cast for more than 3 persons will be invalid.	

SAMPLE

16.4(2) Ballots used by absentee voters and those voting at the annual meeting shall be identical.

16.4(3) Absentee ballots shall be delivered to the election committee unopened.

189—16.5(533) Appointment of election committee.

16.5(1) The board shall appoint from the membership an election committee of not less than five members to be in charge of counting the ballots. The election committee shall elect a chairperson who shall be one of the appointed committee members. No member of the board may serve on the election committee.

16.5(2) The election committee shall verify that no eligible member voted more than once by maintaining a membership register indicating which members have voted. This membership register shall also be used at the annual meeting to ensure only qualified members are provided a ballot.

189—16.6(533) Confidentiality of ballots.

16.6(1) All ballots become the property and responsibility of the election committee.

16.6(2) No director or employee or member of the election committee shall reveal the manner in which any member voted on the election.

189—16.7(533) Counting of ballots.

16.7(1) If a substantial number of absentee ballots are received prior to the date of the annual meeting the election committee chairperson may set a time prior to the annual meeting for the purpose of counting the absentee ballots on hand.

16.7(2) In the event such a meeting as described in subrule 16.7(1) is held the election committee is bound by the confidentiality requirement of subrule 16.6(2). Additionally the election committee shall not in any manner reveal the status of the vote count at any time prior to the announcement of the final results.

189—16.8(533) Preservation of ballots.

16.8(1) Immediately upon certification of the election results by the election committee the ballots shall be sealed and appropriately labeled.

16.8(2) Ballots shall be retained in the credit union for a period of 60 days from the date of the annual meeting.

189—16.9(533) Reporting the results of the election to the membership.

16.9(1) The chairperson of the election committee shall inform the membership present at the annual meeting of the results of the election.

16.9(2) The board shall inform the rest of the membership of the results of the election by conspicuously posting notice in the credit union office for a period of 60 days and by one of the following methods:

- a. Include the results in the next mailing of the member's statement of account, or
- b. Include the results in the credit union newsletter, or

- c.* Include the results in the sponsor newsletter, or
- d.* A notice in a newspaper of general circulation within the credit union area of operation.

These rules are intended to implement Iowa Code section 533.204.

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