

Sec. 39.05.100. Qualifications for appointment.

(a) A person appointed to a board or commission of the state government shall be and have been before the last general election, (1) a registered voter in the state, if the appointment is made at large or (2) a registered voter from the judicial district, if the appointment is made from a specific judicial district. The student member of the Board of Regents of the University of Alaska appointed under AS 14.40.150(b), the student member of the Alaska Commission on Postsecondary Education appointed under AS 14.42.015(d), and a member of the Alaska Human Relations Commission appointed under AS 44.19.600, are exempt from the requirement of this subsection if the member was not old enough to be a registered voter in the last general election.

(b) A member of a board or commission of the state government who ceases to reside in the state during the member's term terminates membership on the board or commission. For the purposes of this section, the acceptance of employment outside the state for a six-month period or longer, or physical absence from the state for one year or longer, or registration as a voter in a municipal, county, district, state, or national election in a voting precinct outside the state is considered as discontinuing residence in the state.

History -

(Sec. 5 ch 64 SLA 1955; am Sec. 1 ch 167 SLA 1957; am Sec. 68 ch 14 SLA 1987; am Sec. 10, 11 ch 16 SLA 1990; am E.O. No. 84 Sec. 6 (1993))

Revisors Notes -

In 2008, in subsection (a), "AS 14.42.015(d)" was substituted for "AS 14.42.015(e)" to reflect the 2008 relettering of AS 14.42.015(e).

AG Opinions -

An individual is eligible for appointment to a state board or commission where his voter registration was administratively cancelled and he has not reregistered to vote. 1987 Alaska AG Lexis 255; 1987-1 Op (Inf.) Atty Gen. Alas 367.

Where the governor has appointed a person to a state board or commission and that appointee has been confirmed by the legislature, that person is in fact a member of the board or commission even though the appointee's voter registration was administratively cancelled. 1987 Alaska AG Lexis 255; 1987-1 Op (Inf.) Atty Gen. Alas 367.

Collateral Refs -

63C Am. Jur. 2d, Public Officers and Employees, Sec. 48 to 84.