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Applied in *Alaska State-Operated School Sys. v. Mueller*, Sup. Ct. Op. No. 1157 (File No. 2138), 536 P.2d 99 (1975).

Cited in *Walker v. Alaska State Mortgage Ass'n*, Sup. Ct. Op. No. 353 (File No. 669), 416 P.2d 245 (1966); *Alaska State Housing Auth. v. Dixon*, Sup. Ct. Op. No. 793 (File No. 1529), 496 P.2d 649 (1972).

Am. Jur. 2d and ALR references. — 63 Am. Jur. 2d, Public Officers and Employees, §§ 5, 38-81, 360-413.

Conclusiveness of governor's decision in removing or suspending officers, 52 ALR 7; 92 ALR 998.

Constitutionality of statute providing for direct appeal or other review of orders and rulings of governor, 66 ALR 586.

Prohibition as means of controlling action of governor, 115 ALR 14.

Legislative power to prescribe qualifications for or conditions of eligibility to constitutional office, 34 ALR2d 155.

Sec. 39.05.065. Qualifications of members of the Board of Education. (a) Each member of the Board of Education shall be a citizen of the United States and have been a resident of Alaska for at least three years.

(b) A member of the Board of Education may also be a member of a district school board. (§ 11 ch 96 SLA 1967; am § 19 ch 26 SLA 1980)

Revisor's note. — "District" as used in subsection (b) of this section apparently means a district of the state public school system as set out in AS 14.12.010.

of members of Board of Education, see AS 14.07.085.

Effect of amendment. — The 1980 amendment, added subsection (b).

Cross reference. — As to appointment

Sec. 39.05.070. Purpose. It is the purpose of AS 39.05.070 — 39.05.110 to provide procedural uniformity in the exercise of appointive powers conferred by the legislature to eliminate, insofar as possible, recess or interim appointments except in the event of death, resignation, inability to act or other removal from office and the exercise, insofar as possible, of appointive powers only when the legislature is in session. (§ 1 ch 64 SLA 1955)

Section repugnant to tacit confirmation. — The expressed intention of this section is repugnant to tacit

confirmation of appointments. *Munson v. Territory of Alaska*, 16 Alaska 580 (1956).

Sec. 39.05.080. Procedure for all appointments. Appointments shall be made in the following manner:

(1) The appointing authority shall, within the convening of the legislature in regular session, present to the legislature for confirmation the names of the following persons: (A) persons appointed to a position or membership who have not previously been confirmed by the legislature or either house of it; (B) persons appointed by him subject to confirmation to fill an existing position or membership vacancy; (C) persons to be appointed subject to confirmation to fill a position or membership the term of which shall expire before July 2, following the session of the legislature. If an appointment is made after the deadline but while the legislature is in session, the appointing

the Department of Education, or from the department to a school district, may transfer all of the cumulative sick leave to the new employer. It is the responsibility of the employee to notify the new employer, within 90 days of commencing work, of the number of days to be transferred.

(c) The department may implement this section by regulation. (§ 1 ch 99 SLA 1974; am § 1 ch 118 SLA 1978)

Effect of amendment. — The 1978 amendment rewrote this section.

Sec. 14.14.130. Chief school administrator.

Applied in *Skagway City School Bd. v. Davis*, Sup. Ct. Op. No. 1216 (File No. 2265), 543 P.2d 218 (1975).

Sec. 14.14.140. Restriction on employment. (a) While serving on the school board, a member may not be employed by that local school board. Members of the immediate family of a school board member may not be employed by the school board except upon written approval of the commissioner.

(b) Members of the immediate family of a chief school administrator may not be employed by the chief school administrator except upon written approval of the school board.

repealed → (c) A school board member may receive compensation for time spent in the performance of his duties as a school board member if the compensation is authorized by resolution adopted by the school board. The restriction in (a) of this section does not apply to this compensation. (§ 1 ch 98 SLA 1966; am § 2 ch 29 SLA 1969; am § 5 ch 24 SLA 1979; am § 2 ch 26 SLA 1980)

Effect of amendment. — The 1979 amendment, in subsection (a), added the present first sentence, substituted "Members of the immediate family of a school board member" for "School board members, or members of their immediate families" at the beginning of the present second sentence, and inserted "written"

preceding "approval" in the present second sentence, and in subsection (b), substituted "written approval of the school board" for "approval of the commissioner."

The 1980 amendment effective May 9, 1980, and retroactive to July 1, 1978, added subsection (c).

Secs. 14.14.170—14.14.200.

Repealed by § 6 ch 24 SLA 1979.

Cross reference. — As to advisory school boards in regional educational attendance areas, see AS 14.08.115.

Editor's note. — The repealed sections derived from § 1, ch 98, SLA 1966; § 10, 11, ch 46, SLA 1970; § 12, 67, ch 32,