

**12.070 Appointments to boards and commissions -- Minority representation -- Reimbursement for expenses when compensation not provided.**

- (1) For the purpose of this section, "minority" means American Indian; Alaskan native; African-American; Hispanic, including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin; Pacific islander; or other ethnic group underrepresented on state boards and commissions.
- (2) Except as otherwise expressly provided by law, the members of each administrative board or commission shall be citizens of Kentucky appointed by the Governor from the state at large on the basis of their interests in public affairs, their good judgment, and their knowledge and ability in the field of action of the department for which appointed, with a view to providing diversity of interests and points of view in the membership and without regard to their political or religious opinions or affiliations.
- (3) Where appointments to administrative boards and commissions are made from lists submitted to him, the Governor may reject the list and require that other lists be submitted. Notwithstanding any provision to the contrary, in the event the current membership of a board or commission reflects a proportion of the minority group less than the proportion of the minority group in the total population of the Commonwealth, then the Governor may appoint a member of the minority group even if the list of nominees for a vacancy does not include a member of the minority group.
- (4) Before entering upon the duties of their office, all members of administrative boards and commissions shall take the oath of office prescribed by Section 228 of the Constitution.
- (5) When a board, commission, or similar administrative body is established and no provision is made for compensation of members, members shall serve without pay, but may receive reimbursement for their actual and necessary expenses.

**Effective:** July 15, 1994

**History:** Amended 1994 Ky. Acts ch. 359, sec. 1, effective July 15, 1994. -- Amended 1962 Ky. Acts ch. 106, Art. I, sec. 10. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4618-120, 4618-156.

**Legislative Research Commission Note.** Acts, 1976, ch. 206, sec. 1, provides: "Appointments of citizen at large members of boards and commissions covered by Acts 1976, ch. 206, shall be made when a vacancy occurs upon the board or commission. The governor may, in cases where he deems necessary, delay making a citizen at large appointment until a second vacancy occurs on the board or commission or a second vacancy occurs in a particular category of membership, but in no case shall he delay beyond a second vacancy the making of such appointments."