§1. Appointment of temporary officials; removal; salary

In order to provide for the uninterrupted and orderly functioning of any agency, board, commission or department of the State Government during a vacancy in the office of the appointive or elective head thereof and whenever there is no state official, deputy, assistant or other state employee duly authorized by law to exercise the powers and perform the duties of the appointive or elective head during the vacancy, the Governor is empowered to appoint a temporary deputy commissioner to exercise the powers and perform the duties of the appointive or elective head of the office during the vacancy. The term of office of a temporary deputy commissioner so appointed is at the pleasure of the Governor and may not extend beyond the date of qualification of a successor to the office of appointive or elective head of the agency, board, commission or department or 60 days from the date of the temporary deputy commissioner's appointment, whichever occurs first. The term of office of a temporary deputy commissioner so appointed to an office to which appointments are by law subject to confirmation by the Legislature is at the pleasure of the Governor and may not extend beyond the date of qualification of a successor appointed to the office or 6 months from the date of the temporary deputy commissioner's appointment, whichever occurs first. A temporary deputy commissioner is not eligible for reappointment. A temporary deputy commissioner must be appointed from the personnel of the agency, board, commission or department in which the vacancy occurs. [PL 2025, c. 390, Pt. A, §4 (AMD).]

During the term of the temporary deputy commissioner's appointment, the temporary deputy commissioner must be paid a salary to be determined by the Governor but not to exceed that received by the appointive or elective head at the termination of the head's services with the State Government. [PL 2025, c. 390, Pt. A, §4 (AMD).]

In the event an employee in the classified service of the State Government is appointed as a temporary deputy commissioner, the employee, during the term of the employee's appointment as temporary deputy commissioner, retains all of the rights and all of the retirement benefits to which the employee may be entitled as a classified employee of the State Government. [PL 2025, c. 390, Pt. A, §4 (AMD).]

SECTION HISTORY

PL 1975, c. 771, §23 (AMD). PL 2025, c. 390, Pt. A, §4 (AMD).

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