

**12.040 Heads of departments -- Appointment of executive directors by Governor.**

- (1) The heads of departments shall have direction and control of their respective departments, and through their departments shall exercise the powers and perform the duties vested in the departments under their direction and control. Except as otherwise expressly provided by law, the heads of departments shall be appointed by the Governor for terms not exceeding four (4) years on the basis of their merit and fitness to perform the duties of their respective offices.
- (2) Each department head shall maintain a pattern of organization capable of receiving the attachment of administrative bodies that have functions related to the general function of his department.
- (3) Within the resources of his department, each department head shall provide administrative bodies in his department with such facilities and services as will enable those bodies to carry out the functions with which they are charged.
- (4) The heads of all departments shall exercise supervision over the personnel and financial records of their respective departments.
- (5) In case of a vacancy or in the absence or disability of the head of a department, the Governor may authorize the head of a division or other administrative officer to act as head of the department.
- (6) When required by statute to appoint the head of an office, the Governor shall appoint an executive director for a term not exceeding four (4) years on the basis of merit and fitness to perform the duties of the office.

**Effective:** June 25, 2009

**History:** Amended 2009 Ky. Acts ch. 13, sec. 2, effective June 25, 2009. -- Amended 1962 Ky. Acts ch. 106, Art. I, sec. 8. -- Amended 1956 (1st Extra. Sess.) Ky. Acts ch. 7, Art. I, sec. 2. -- Repealed in part 1950 Ky. Acts ch. 123, sec. 29. -- Repealed in part 1946 Ky. Acts ch. 27, sec. 18. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 4618-152, 4618-153.