INDIANA PERSONNEL BOARD: Whether employees of old Board continue until new Board is fully organized.

Indiana Personnel Board, Indianapolis, Indiana.

Gentlemen:

I have before me your request for an official opinion with respect to the effect of Chapter 101 of the Acts of 1943 upon officers and appointees of the State Personnel Board as formerly organized.

The Act to which you refer was approved March 3, 1943 and contains an emergency clause providing that the Act should be in “full force and effect from and after its passage.” The effect of this legislation is to abolish the former board, as well as all appointments and employments under the prior law. In accomplishing this purpose, it will be observed that the Legislature effectuates this result “upon the taking effect of this Act.” Therefore, all personnel, including appointments and employments under the previous Act, ceased as of March 3, 1943.

I desire to say also that any re-appointment or re-employment of such personnel would have no retroactive effect and such re-appointment or re-employment would operate only from the date when such re-appointment or re-employment actually takes place.

PUBLIC INSTRUCTION: School book adoption, when made by local units.

Hon. Clement T. Malan, State Superintendent of Public Instruction, Indianapolis, Indiana.

Dear Dr. Malan:

I am in receipt of your letter of March 10 requesting a written opinion relative to the following question: