

Defined term: "State Personnel Management System" § 1-101

1-202. ELECTED AND CONSTITUTIONAL POSITIONS EXCLUDED.

EXCEPT TO THE EXTENT OTHERWISE PROVIDED BY LAW, THE FOLLOWING POSITIONS IN STATE GOVERNMENT ARE EXCLUDED FROM THE STATE PERSONNEL MANAGEMENT SYSTEM:

(1) ANY POSITION TO WHICH AN INDIVIDUAL IS ELECTED BY POPULAR VOTE; AND

(2) ANY POSITION TO WHICH AN INDIVIDUAL'S ELECTION OR APPOINTMENT IS PROVIDED FOR BY THE MARYLAND CONSTITUTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 64A, § 3(1) and (3).

It is revised as a general exclusion from the State Personnel Management System - rather than, as formerly, from the "classified service" - for clarity. The former specific references to registers of wills, clerks of court, deputy clerks, and State's Attorneys are deleted as unnecessary in light of the broad exclusion under this section of all constitutional positions.

Article II of the Maryland Constitution provides for the election of the Governor and Lieutenant Governor and the appointment of the Secretary of State; Article V provides for the election of the Attorney General and State's Attorneys; and Article VI provides for the election of the State Comptroller and the appointment of the State Treasurer.

Article II, § 10 of the Maryland Constitution authorizes the Governor to appoint civil officers with the advice and consent of the Senate. Among numerous others, these include the secretaries of the principal departments in the executive branch of State government. See 64 Op. Att'y Gen. 246 (1979).

Article III of the Maryland Constitution provides for the election or appointment of members of the General Assembly and the appointment of members of the General Assembly Compensation Commission.

Article IV of the Maryland Constitution provides for the election or appointment of judges of the State courts, clerks of the State courts, registers of wills, sheriffs, and the Commission on Judicial Disabilities.

Defined terms: "Position" § 1-101  
"State Personnel Management System" § 1-101

1-203. POSITIONS IN THE EXECUTIVE BRANCH.

(A) IN GENERAL.