

[1-404.

(a) Except as provided in subsection (b) of this section, a position in the Executive Pay Plan is in the unclassified service.

(b) If a position held by a classified service employee is transferred to the Executive Pay Plan, the position remains a classified service position until the position becomes vacant.]

[1-405.

A position assigned to the Executive Mansion is in the unclassified service.]

[1-406.

The unclassified service includes any other position that is specified by law to be in the unclassified service.]

6-402.

(A) EXCEPT AS OTHERWISE PROVIDED BY LAW, A POSITION IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT IS IN THE PROFESSIONAL SERVICE IF THE POSITION:

(1) REQUIRES KNOWLEDGE OF AN ADVANCED TYPE IN A FIELD OF SCIENCE OR LEARNING CUSTOMARILY ACQUIRED BY A COURSE OF SPECIALIZED INTELLECTUAL INSTRUCTION AND STUDY; AND

(2) NORMALLY REQUIRES A PROFESSIONAL LICENSE, ADVANCED DEGREE, OR BOTH.

(B) THE PROFESSIONAL SERVICE INCLUDES ANY OTHER POSITION THAT IS DETERMINED BY THE SECRETARY TO BE IN THE PROFESSIONAL SERVICE.

6-403.

(A) EXCEPT AS OTHERWISE PROVIDED BY LAW, A POSITION IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT IS IN THE MANAGEMENT SERVICE IF THE POSITION:

(1) PRIMARILY INVOLVES DIRECT RESPONSIBILITY FOR THE OVERSIGHT AND MANAGEMENT OF PERSONNEL AND FINANCIAL RESOURCES;

(2) REQUIRES THE EXERCISE OF DISCRETION AND INDEPENDENT JUDGMENT; AND

(3) IS NOT IN THE EXECUTIVE SERVICE.

(B) THE MANAGEMENT SERVICE INCLUDES ANY OTHER POSITION THAT IS DETERMINED BY THE SECRETARY TO BE IN THE MANAGEMENT SERVICE.