

(a) ~~[This]~~ ~~EXCEPT AS PROVIDED IN SUBSECTION (C)(2) OF THIS SECTION, THIS~~ section does not apply to those units of State government with an independent personnel system.

(b) In the State Personnel Management System the Secretary shall:

- (1) establish classes;
- (2) assign a rate of pay to each class;
- (3) ensure that each class comprises one or more positions:
 - (i) that are similar in their duties and responsibilities;
 - (ii) that are similar in the general qualifications required to perform those duties and responsibilities;
 - (iii) to which the same standards and, if required, tests of fitness can be applied; and
 - (iv) to which the same rates of pay can be applied;
- (4) give each class a descriptive classification title;
- (5) prepare a description of each class; and
- (6)
 - (i) create additional classes; and
 - (ii) abolish, combine, or modify existing classes.

(c) The Secretary shall:

- (1) assign a class to the skilled service, professional service, management service, or executive service, as appropriate; and
- (2) designate **SPECIAL APPOINTMENT** positions [that are filled by special appointment] **IN THE STATE PERSONNEL MANAGEMENT SYSTEM OR COMPARABLE POSITIONS IN AN INDEPENDENT PERSONNEL SYSTEM IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT THAT:**

(I) MUST BE FILLED WITHOUT REGARD TO POLITICAL AFFILIATION, BELIEF, OR OPINION; OR