

SECTION 11. AND BE IT FURTHER ENACTED, That authorization is hereby granted to transfer to the State Department of Education, by approved budget amendment, that portion of the appropriations to the various State Hospital Centers and Juvenile Residential Institutions of the Department of Health and Mental Hygiene which represents the operation of educational programs in accordance with the provisions of Title 22 of the Education Article as enacted by Chapter 22 of the Acts of 1978 of the General Assembly.

SECTION 12. AND BE IT FURTHER ENACTED, That an amount not to exceed \$6,314,000 may be transferred, by approved budget amendment, from Personnel Benefits Contribution - Social Security Contributions (26.01.05.01) to Aid to Education - State Share of Basic Current Expenses (36.01.02.01) provided that legislation is enacted requiring local payment of a share of the employer's obligation for Social Security contributions for elementary and secondary local school teachers and selected other employees of local Boards of Education and providing an additional entitlement under Title V of the Education Article.

SECTION 13. AND BE IT FURTHER ENACTED, That immediately following the close of each fiscal year, the Secretary of Budget and Fiscal Planning shall determine the total number of State positions that are authorized as of the last day of the fiscal year. Authorized positions shall include all budget positions as shown in the personnel detail of the annual budget for the ensuing fiscal year including nonbudgeted programs, the Mass Transit Administration, the University of Maryland self-supported activities, and the State Use Industries. The Board of Public Works, in exercising its authority to create additional positions pursuant to Section 16B of Article 78A, may authorize, during any fiscal year, up to two hundred (200) positions in excess of the total number of authorized State positions as determined by the Secretary of Budget and Fiscal Planning on the last day of any fiscal year. Provided, however, that if the imposition of this ceiling causes undue hardship in any particular department, agency, board, or commission, the Board of Public Works may authorize additional positions for such department, agency, board or commission, upon the elimination of an equal number of authorized positions in another department, agency, board, or commission, and said action shall be exempt from the aforementioned ceiling of two hundred (200). And that the aforementioned ceiling of two hundred (200) does not apply with respect to any positions created by the Board of Public Works during fiscal year 1981 which are fully funded by the Federal government under the Comprehensive Employment and Training Act of 1973 as amended, and any other Federal manpower statutes; which are fully Federally funded positions for which the State receives Federal funds in
