

the budget bill as approved by the General Assembly. Further provided that during fiscal 2007 the Department of Budget and Management (DBM) shall develop policies and procedures to minimize reliance on budget amendments for appropriations that could be included in a deficiency appropriation. DBM shall submit a report to the General Assembly by January 15, 2007, which explains the policies and procedures that have been developed and the degree to which those policies and procedures have limited the number and value of budget amendments submitted and the number and value of amendments approved.

SECTION 38. AND BE IT FURTHER ENACTED, That no funds in this budget may be expended to pay the salary of a Secretary or Acting Secretary of any department whose nomination as Secretary has been rejected by the Senate or an Acting Secretary who was serving in that capacity prior to the 2006 session whose nomination for the Secretary position was not put forward and approved by the Senate during the 2006 session.

SECTION 39. AND BE IT FURTHER ENACTED, That:

- (1) For fiscal 2007 the total number of full-time equivalent (FTE) regular positions may not exceed ~~52,148~~ ~~52,168~~ 52,432 in Executive Branch agencies and the number of FTE contractual positions, as reported in the State Budget Books, may not exceed 2,797 in Executive Branch agencies. For the purposes of this section, Executive Branch agencies shall exclude the University System of Maryland, St. Mary's College of Maryland, Morgan State University, Baltimore City Community College, the Maryland Aviation Administration, and the Maryland Port Administration.
- (2) The Governor shall submit to the Board of Public Works not later than June 15, 2006, a schedule for aligning the authorizations in Section 1 of this Act to the levels established in paragraph (1) of this section, and shall take such actions as necessary to implement any necessary reductions. This schedule may only alter position authorizations for agencies of the Executive Branch, excluding the University System of Maryland, St. Mary's College of Maryland, Morgan State University, Baltimore City Community College, the Maryland Aviation Administration, and the Maryland Port Administration.
- (3) In implementing this section, the Governor shall abolish the number of vacant positions in Executive Branch agencies, excluding the University System of Maryland, St. Mary's College of Maryland, Morgan State University, Baltimore City Community College, the Maryland Aviation Administration, and the Maryland Port Administration, necessary to reach the limit.
- (4) Notwithstanding any other provisions of this budget, positions shall not be created in the executive service, management service, or commission plan nor shall existing positions be reclassified into or transferred from one agency, office, or department to another for the purpose of increasing,