

(b) Article 64A, § 35 of the Code is inapplicable when positions are deleted from the budget:

(1) By the Governor's decision to omit an appropriation for a position from the budget bill as evidenced in the supporting documentation submitted with the budget;

(2) By the General Assembly's decision to strike out an appropriation for a position as evidenced in the budget bill or in the report of the budget committees; or

(3) By the Governor's decision pursuant to § 7-213 of the State Finance and Procurement Article, with the approval of the Board of Public Works, to reduce an appropriation for a position included in the budget bill as enacted, as evidenced in the supporting documentation submitted to the Board.

SECTION 7. AND BE IT FURTHER ENACTED, That Section 5 of this Act shall be contingent upon the enactment of legislation increasing the motor fuel tax rate by at least 5 cents per gallon beginning no later than May 1, 1992, and if such legislation is not enacted, Section 5 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 7. AND BE IT FURTHER ENACTED, That the Maryland Transportation Authority is authorized to accelerate at least \$15,000,000 of its planned Fiscal Year 1993 transfer of \$25,000,000 to the Transportation Trust Fund prior to June 30, 1992.

SECTION 4. AND BE IT FURTHER ENACTED, That, except for Section 3(a)(2) of this Act which shall take effect upon the date on which this Act becomes law, this Act shall take effect February 1, 1992.

SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) Any salary or hours lost due to a mandatory furlough plan shall be included in the calculation of earnable compensation and service credits by the Maryland State Retirement and Pension Systems for the purpose of determining retirement benefits; and

(b) The Board of Trustees of the Maryland State Retirement and Pension Systems may adopt any policies and procedures necessary to carry out the provisions of this section.

SECTION 6. 9. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~March April~~ May 1, 1992.

Approved April 7, 1992.