

[(4)] (5) The Board of Public Works may not approve the reemployment in a temporary or contractual position in the Executive Branch of State government of an employee who retires under this Act, if that reemployment would result in more than 2% of the retirees who retired under this Act being reemployed in a temporary or contractual position with the State;

[(5)] (6) The President of the Senate and the Speaker of the House of Delegates may not approve the reemployment in a temporary or contractual position in the Legislative Branch of State government of an employee who retires under this Act, if that reemployment would result in more than 2% of the retirees who retired under this Act being reemployed in a temporary or contractual position with the State;

[(6)] (7) The Department of Budget and Fiscal Planning shall review the applications for reemployment as contractual or temporary employees under this Act and shall advise the Board of Public Works if the reemployment of an individual will cause the 2% limit under paragraph [(3)] (4) of this section of this Act to be exceeded; and

[(7)] (8) The Department of Fiscal Services shall review the applications for reemployment as contractual or temporary employees under this Act and shall advise the President of the Senate and the Speaker of the House of Delegates if the reemployment of an individual will cause the 2% limit under paragraph [(3)] (4) of this section of this Act to be exceeded.

Chapter 736 of the Acts of 1997

SECTION 3. AND BE IT FURTHER ENACTED, That:

(1) THIS SECTION OF THIS ACT DOES NOT APPLY TO A RETIREE OF THE EMPLOYEES' RETIREMENT SYSTEM OR THE EMPLOYEES' PENSION SYSTEM WHO IS REEMPLOYED ON A CONTRACTUAL BASIS BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AS A HEALTH CARE PRACTITIONER, AS DEFINED IN § 1-301 OF THE HEALTH OCCUPATIONS ARTICLE IN:

(I) A STATE RESIDENTIAL CENTER AS DEFINED IN § 7-101 OF THE HEALTH - GENERAL ARTICLE;

(II) A CHRONIC DISEASE CENTER SUBJECT TO TITLE 19, SUBTITLE 5 OF THE HEALTH - GENERAL ARTICLE;

(III) A STATE FACILITY AS DEFINED IN § 10-101 OF THE HEALTH - GENERAL ARTICLE; OR

(IV) A COUNTY BOARD OF HEALTH SUBJECT TO TITLE 3, SUBTITLE 2 OF THE HEALTH - GENERAL ARTICLE.

[(1)] (2) A retiree who retires under this Act may not become reemployed in a temporary or contractual position with the State, unless the reemployment is approved by the Board of Public Works;