

option of receiving either the death benefit under Title 29, Subtitle 2 of the State Personnel and Pensions Article, including, if the designated beneficiary is eligible for an Option 2 allowance, an Option 2 allowance based on a retirement allowance computed as provided under this Act, or the retirement benefit based on the retirement allowance that the designated beneficiary would otherwise be entitled to receive in accordance with the member's application for retirement.

~~(11)~~ (12) Notwithstanding any other provision of law, if an employee whose retirement date is delayed under Section 7 of this Act becomes disabled before the effective date of retirement, then the employee shall have the option of revoking the employee's application to retire under this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(1) A member of the Employees' Retirement System or the Employees' Pension System who retires under this Act may not become reemployed in a temporary or contractual position with the Executive Branch of the State government unless the reemployment is approved by the Board of Public Works.

(2) No more than 2% of the total number of members of the Employees' Retirement System and the Employees' Pension System who elect to retire under this Act may be reemployed in a contractual or temporary position in any branch of State government.

(3) The Board of Public Works may not approve the reemployment in a temporary or contractual position in the Executive Branch of State government of a member of the Employees' Retirement System or the Employees' Pension System who retires under this Act, if that reemployment would result in more than 2% of such members who retired under this Act being reemployed in a temporary or contractual position with the State.

SECTION 4. AND IT BE FURTHER ENACTED, That:

(1) On or before November 1, 1998, the Board of Public Works shall eliminate the number of positions from the Fiscal Year 1999 State budget that is equivalent to at least 60% of the number of positions in the State budget of the University System of Maryland that are vacated by individual members of the Employees' Retirement System or the Employees' Pension System who retire on October 1, 1998 under Section 2(1) of this Act, and shall eliminate a number of positions from the proposed Fiscal Year 2000 State budget that is equivalent to at least 60% of the number of positions in the State budget of the University System of Maryland to be vacated by individual members of the Employees' Retirement System or the Employees' Pension System who retire after October 1, 1998 under Section 2(1) of this Act.

(2) On or before December 1, 1998, the Chancellor of the University System of Maryland shall determine and certify to the Department of Budget and Management which positions are to be eliminated from the University System of Maryland administration and from each constituent institution of the University System of Maryland.