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No. 2067

S.P. 856

In Senate, December 17, 2025

An Act to Include Certain Community Mental Health Workers Under the 1998 Special Plan for Retirement

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 15, 2025. Referred to the Committee on Labor pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator TIPPING of Penobscot.

Cosponsored by Senators: President DAUGHTRY of Cumberland, HICKMAN of Kennebec,
Representatives: DHALAC of South Portland, Speaker FECTEAU of Biddeford, RANA of
Bangor, ROEDER of Bangor.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §17851-A, sub-§1, ¶Q**, as amended by PL 2025, c. 388, Pt. R,
3 §2, is further amended to read:

4 Q. Until July 31, 2024, civilian employees whose job responsibilities include the
5 handling, examination or analysis of digital or physical evidence in the employment of
6 the Department of Public Safety, Maine State Police Crime Laboratory or computer
7 crimes unit on October 1, 2021 or hired thereafter; ~~and~~

8 **Sec. 2. 5 MRSA §17851-A, sub-§1, ¶R**, as enacted by PL 2025, c. 388, Pt. R, §3,
9 is amended to read:

10 R. Persons in the employment of the Department of Health and Human Services on
11 October 1, 2025 or hired thereafter who have the job classification of Mental Health
12 Worker I, Mental Health Worker II, Mental Health Worker III or Mental Health
13 Worker IV; and

14 **Sec. 3. 5 MRSA §17851-A, sub-§1, ¶S** is enacted to read:

15 S. Persons in the employment of the Department of Health and Human Services on
16 October 1, 2025 who provide crisis outreach and crisis services to adults with
17 developmental disabilities or intellectual disabilities in a community-based or
18 residential setting, who as of July 1, 2021 have the job classification of Community
19 Response Worker and who prior to July 1, 2021 had the job classification of Mental
20 Health Worker III.

21 **Sec. 4. 5 MRSA §17851-A, sub-§2**, as amended by PL 2025, c. 388, Pt. R, §4, is
22 further amended to read:

23 **2. Qualification for benefits.** A member employed in any one or a combination of
24 the capacities specified in subsection 1 after June 30, 1998 and before September 1, 2002
25 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for
26 employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for
27 employees identified in subsection 1, paragraphs I to K; any employee identified in
28 subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection 1,
29 paragraphs N to P; after September 30, 2021 for employees identified in subsection 1,
30 paragraph Q; after September 30, 2025 for employees identified in subsection 1, paragraph
31 R; after September 30, 2025 for employees identified in subsection 1, paragraph S; and any
32 employee identified in subsection 1, paragraph L, qualifies for a service retirement benefit
33 if that member either:

34 A. Is at least 55 years of age and has completed at least 10 years of creditable service
35 under the 1998 Special Plan in any one or a combination of the capacities; or

36 B. Has completed at least 25 years of creditable service in any one or a combination
37 of the capacities specified in subsection 1, whether or not the creditable service
38 included in determining that the 25-year requirement has been met was earned under
39 the 1998 Special Plan or prior to its establishment.

40 **Sec. 5. 5 MRSA §17851-A, sub-§3, ¶A**, as amended by PL 2025, c. 388, Pt. R,
41 §5, is further amended by amending subparagraph (1) to read:

(1) Service credit purchased by repayment of an earlier refund of accumulated contributions following termination of service is included only to the extent that time to which the refund relates was served after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; and after September 30, 2021 for employees identified in subsection 1, paragraph Q in any one or a combination of the capacities specified in subsection 1. Service credit may be purchased for service by an employee identified in subsection 1, paragraphs L, M ~~and~~, R and S regardless of when performed; and

Sec. 6. 5 MRSA §17851-A, sub-§4, ¶A, as amended by PL 2025, c. 388, Pt. R, §6, is further amended to read:

A. If all of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; after September 30, 2021 for employees identified in subsection 1, paragraph Q; ~~and~~ after September 30, 2025 for employees identified in subsection 1, paragraph R; and after September 30, 2025 for employees identified in subsection 1, paragraph S; if service credit was purchased by repayment of an earlier refund of accumulated contributions for service in any one or a combination of the capacities specified in subsection 1 after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; after September 30, 2021 for employees identified in subsection 1, paragraph Q; ~~and~~ after September 30, 2025 for employees identified in subsection 1, paragraph R; and after September 30, 2025 for employees identified in subsection 1, paragraph S; or if service credit was purchased by other than the repayment of an earlier refund and eligibility to make the purchase of the service credit, including, but not limited to, service credit for military service, was achieved after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; after September 30, 2021 for employees identified in subsection 1, paragraph Q; ~~and~~ after September 30, 2025 for employees identified in subsection 1, paragraph R; and after September 30, 2025 for employees identified in subsection 1,

1 paragraph S, the benefit must be computed as provided in section 17852, subsection 1,
2 paragraph A.

3 (1) If the member had 10 years of creditable service on July 1, 1993, the benefit
4 under subsection 2, paragraph B must be reduced as provided in section 17852,
5 subsection 3, paragraphs A and B.

6 (2) If the member had fewer than 10 years of creditable service on July 1, 1993,
7 the benefit under subsection 2, paragraph B must be reduced by 6% for each year
8 that the member's age precedes 55 years of age.

9 **Sec. 7. 5 MRSA §17851-A, sub-§4, ¶B,** as amended by PL 2025, c. 388, Pt. R,
10 §7, is further amended to read:

11 B. Except as provided in paragraphs D, E, F ~~and~~ G and H, if some part of the member's
12 creditable service in any one or a combination of the capacities specified in subsection
13 1 was earned before July 1, 1998 for employees identified in subsection 1, paragraphs
14 A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I
15 to K; before January 1, 2002 for employees identified in subsection 1, paragraph L;
16 before July 1, 2002 for employees identified in subsection 1, paragraph M; before July
17 1, 2020 for employees identified in subsection 1, paragraphs N to P; before October 1,
18 2021 for employees identified in subsection 1, paragraph Q; ~~and~~ before October 1,
19 2025 for employees identified in subsection 1, paragraph R; and before October 1, 2025
20 for employees identified in subsection 1, paragraph S and some part of the member's
21 creditable service in any one or a combination of the capacities specified in subsection
22 1 was earned after June 30, 1998 and before September 1, 2002 for employees
23 identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees
24 identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees
25 identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees
26 identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in
27 subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection
28 1, paragraphs N to P; after September 30, 2021 for employees identified in subsection
29 1, paragraph Q; ~~and~~ after September 30, 2025 for employees identified in subsection
30 1, paragraph R; and after September 30, 2025 for employees identified in subsection 1,
31 paragraph S, then the member's service retirement benefit must be computed in
32 segments and the amount of the member's service retirement benefit is the sum of the
33 segments. The segments must be computed as follows:

34 (1) The segment or, if the member served in more than one of the capacities
35 specified in subsection 1 and the benefits related to the capacities are not
36 interchangeable under section 17856, segments that reflect creditable service
37 earned before July 1, 1998 for employees identified in subsection 1, paragraphs A
38 to H; before January 1, 2000 for employees identified in subsection 1, paragraphs
39 I to K; before January 1, 2002 for employees identified in subsection 1, paragraph
40 L; before July 1, 2002 for employees identified in subsection 1, paragraph M;
41 before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
42 before October 1, 2021 for employees identified in subsection 1, paragraph Q; ~~and~~
43 before October 1, 2025 for employees identified in subsection 1, paragraph R; and
44 before October 1, 2025 for employees identified in subsection 1, paragraph S or
45 purchased by repayment of an earlier refund of accumulated contributions for

1 service before July 1, 1998, for employees identified in subsection 1, paragraphs
2 A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs
3 I to K; before January 1, 2002 for employees identified in subsection 1, paragraph
4 L; before July 1, 2002 for employees identified in subsection 1, paragraph M;
5 before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
6 before October 1, 2021 for employees identified in subsection 1, paragraph Q; ~~and~~
7 before October 1, 2025 for employees identified in subsection 1, paragraph R; and
8 before October 1, 2025 for employees identified in subsection 1, paragraph S in a
9 capacity or capacities specified in subsection 1 or purchased by other than the
10 repayment of a refund and eligibility to make the purchase of the service credit,
11 including, but not limited to, service credit for military service, was achieved
12 before July 1, 1998 for employees identified in subsection 1, paragraphs A to H;
13 before January 1, 2000 for employees identified in subsection 1, paragraphs I to K;
14 before January 1, 2002 for employees identified in subsection 1, paragraph L;
15 before July 1, 2002 for employees identified in subsection 1, paragraph M; before
16 July 1, 2020 for employees identified in subsection 1, paragraphs N to P; before
17 October 1, 2021 for employees identified in subsection 1, paragraph Q; ~~and~~ before
18 October 1, 2025 for employees identified in subsection 1, paragraph R; and before
19 October 1, 2025 for employees identified in subsection 1, paragraph S, must be
20 computed under section 17852, subsection 1, paragraph A. If the member is
21 qualified under subsection 2, paragraph B and:

22 (a) Had 10 years of creditable service on July 1, 1993, the amount of the
23 segment or segments must be reduced as provided in section 17852, subsection
24 3, paragraphs A and B; or

25 (b) Had fewer than 10 years of creditable service on July 1, 1993, the amount
26 of the segment or segments must be reduced as provided in section 17852,
27 subsection 3-A; and

28 (2) The segment that reflects creditable service earned after June 30, 1998 and
29 before September 1, 2002 for employees identified in subsection 1, paragraphs A
30 and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C
31 to H; after December 31, 1999 for employees identified in subsection 1, paragraphs
32 I to K; after December 31, 2001 for employees identified in subsection 1, paragraph
33 L; after June 30, 2002 for employees identified in subsection 1, paragraph M; after
34 June 30, 2020 for employees identified in subsection 1, paragraphs N to P; after
35 September 30, 2021 for employees identified in subsection 1, paragraph Q; ~~and~~
36 after September 30, 2025 for employees identified in subsection 1, paragraph R;
37 and after September 30, 2025 for employees identified in subsection 1, paragraph
38 S or purchased by repayment of an earlier refund of accumulated contributions for
39 service after June 30, 1998 and before September 1, 2002 for employees identified
40 in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified
41 in subsection 1, paragraphs C to H; after December 31, 1999 for employees
42 identified in subsection 1, paragraphs I to K; after December 31, 2001 for
43 employees identified in subsection 1, paragraph L; after June 30, 2002 for
44 employees identified in subsection 1, paragraph M; after June 30, 2020 for
45 employees identified in subsection 1, paragraphs N to P; after September 30, 2021
46 for employees identified in subsection 1, paragraph Q; ~~and~~ after September 30,

2025 for employees identified in subsection 1, paragraph R; and after September 30, 2025 for employees identified in subsection 1, paragraph S in any one or a combination of the capacities specified in subsection 1, or purchased by other than the repayment of a refund and eligibility to make the purchase of the service credit, including, but not limited to, service credit for military service, was achieved after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; after September 30, 2021 for employees identified in subsection 1, paragraph Q; and after September 30, 2025 for employees identified in subsection 1, paragraph R; and after September 30, 2025 for employees identified in subsection 1, paragraph S must be computed under section 17852, subsection 1, paragraph A. If the member is qualified under subsection 2, paragraph B and:

(a) Had 10 years of creditable service on July 1, 1993, the segment amount must be reduced in the manner provided in section 17852, subsection 3, paragraphs A and B for each year that the member's age precedes 55 years of age; or

(b) Had fewer than 10 years of creditable service on July 1, 1993, the segment amount must be reduced by 6% for each year that the member's age precedes 55 years of age.

Sec. 8. 5 MRSA §17851-A, sub-§4, ¶H is enacted to read:

H. The service retirement benefit of a member to whom subsection 1, paragraph S applies and who qualifies for service retirement benefits under subsection 2 must be computed under section 17852, subsection 1, paragraph A on the basis of all of the member's creditable service in the capacity specified in subsection 1, paragraph S, regardless of when that creditable service was earned, except that for a member qualifying under subsection 2, paragraph B:

(1) If the member had 10 years of service on July 1, 1993, the benefit must be reduced as provided in section 17852, subsection 3, paragraphs A and B for each year the member's age precedes 55 years of age; or

(2) If the member had fewer than 10 years of creditable service on July 1, 1993, the benefit must be reduced by 6% for each year that the member's age precedes 55 years of age.

Sec. 9. 5 MRSA §17851-A, sub-§5, as amended by PL 2025, c. 388, Pt. R, §9, is further amended to read:

5. Contributions. Notwithstanding any provision of subchapter 3 to the contrary, after June 30, 1998 and before September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees identified in subsection 1,

1 paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M;
2 after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; after
3 September 30, 2021 for employees identified in subsection 1, paragraph Q; ~~and~~ after
4 September 30, 2025 for employees identified in subsection 1, paragraph R; and after
5 September 30, 2025 for employees identified in subsection 1, paragraph S, a member in the
6 capacities specified in subsection 1 must contribute to the State Employee and Teacher
7 Retirement Program or have pick-up contributions made at the rate of 8.65% of earnable
8 compensation until the member has completed 25 years of creditable service as provided
9 in this section and at the rate of 7.65% thereafter.

10 SUMMARY

11 This bill adds to the 1998 Special Plan under the Maine Public Employees Retirement
12 System those employees of the Department of Health and Human Services employed on
13 October 1, 2025 who provide crisis outreach and crisis services to adults with
14 developmental disabilities or intellectual disabilities in a community-based or residential
15 setting, who as of July 1, 2021 have the job classification of Community Response Worker
16 and who prior to July 1, 2021 had the job classification of Mental Health Worker III.