

MAINE STATE LEGISLATURE

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Date: 4/12/26

(Filing No. S-670)

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STATE OF MAINE
SENATE
132ND LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 260, L.D. 579, "An Act to Include Certain Mental Health Workers Under the 1998 Special Plan for Retirement"

Amend the amendment by striking out everything after the title and inserting the following:

'Amend the bill by striking out the title and substituting the following:
'An Act to Include Certain Nurses Under the 1998 Special Plan for Retirement'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 5 MRSA §17851-A, sub-§1, ¶T, as enacted by PL 2025, c. 650, Pt. FFFF, §3, is amended to read:

T. Employees of the Office of Chief Medical Examiner within the Department of the Attorney General on August 1, 2026 or hired thereafter; and

Sec. 2. 5 MRSA §17851-A, sub-§1, ¶U, as enacted by PL 2025, c. 650, Pt. FFFF, §4, is amended to read:

U. Persons in the employment of the Department of Health and Human Services on August 1, 2026 or hired thereafter who provide crisis outreach and crisis services to adults with developmental disabilities or intellectual disabilities in a community-based or residential setting and who have the job classification of Community Response Worker; and

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

V. Persons in the employment of the Department of Health and Human Services on October 1, 2026 or hired thereafter who have the job classification of Nurse I, Nurse III, Hospital Nurse II, Hospital Nurse III, Hospital Nurse IV or Licensed Practical Nurse.

Sec. 4. 5 MRSA §17851-A, sub-§2, as amended by PL 2025, c. 650, Pt. FFFF, §5, is further amended to read:

2. Qualification for benefits. A member employed in any one or a combination of the capacities specified in subsection 1 after June 30, 1998 and before September 1, 2002

SENATE AMENDMENT

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SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 260, L.D. 579 (S670)

1 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for
2 employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for
3 employees identified in subsection 1, paragraphs I to K; any employee identified in
4 subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection 1,
5 paragraphs N to P; after September 30, 2021 for employees identified in subsection 1,
6 paragraph Q; after September 30, 2025 for employees identified in subsection 1, paragraph
7 R; after July 31, 2026 for employees identified in subsection 1, paragraph S; any employee
8 identified in subsection 1, paragraph T; after July 31, 2026 for employees identified in
9 subsection 1, paragraph U; after September 30, 2026 for employees identified in subsection
10 1, paragraph V; and any employee identified in subsection 1, paragraph L, qualifies for a
11 service retirement benefit if that member either:

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

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

18 **Sec. 5. 5 MRSA §17851-A, sub-§3, ¶A**, as amended by PL 2025, c. 650, Pt. FFFF,
19 §6, is further amended by amending subparagraph (1) to read:

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

31 **Sec. 6. 5 MRSA §17851-A, sub-§4, ¶A**, as amended by PL 2025, c. 650, Pt. FFFF,
32 §7, is further amended to read:

33 A. If all of the member's creditable service in any one or a combination of the
34 capacities specified in subsection 1 was earned after June 30, 1998 and before
35 September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after
36 June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after
37 December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after
38 December 31, 2001 for employees identified in subsection 1, paragraph L; after June
39 30, 2002 for employees identified in subsection 1, paragraph M; after June 30, 2020
40 for employees identified in subsection 1, paragraphs N to P; after September 30, 2021
41 for employees identified in subsection 1, paragraph Q; after September 30, 2025 for
42 employees identified in subsection 1, paragraph R; ~~and~~ after July 31, 2026 for
43 employees identified in subsection 1, paragraphs S to U; and after September 30, 2026
44 for employees identified in subsection 1, paragraph V; if service credit was purchased
45 by repayment of an earlier refund of accumulated contributions for service in any one

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1 or a combination of the capacities specified in subsection 1 after June 30, 1998 and
 2 before September 1, 2002 for employees identified in subsection 1, paragraphs A and
 3 B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H;
 4 after December 31, 1999 for employees identified in subsection 1, paragraphs I to K;
 5 after December 31, 2001 for employees identified in subsection 1, paragraph L; after
 6 June 30, 2002 for employees identified in subsection 1, paragraph M; after June 30,
 7 2020 for employees identified in subsection 1, paragraphs N to P; after September 30,
 8 2021 for employees identified in subsection 1, paragraph Q; after September 30, 2025
 9 for employees identified in subsection 1, paragraph R; and after July 31, 2026 for
 10 employees identified in subsection 1, paragraphs S to U; and after September 30, 2026
 11 for employees identified in subsection 1, paragraph V; or if service credit was
 12 purchased by other than the repayment of an earlier refund and eligibility to make the
 13 purchase of the service credit, including, but not limited to, service credit for military
 14 service, was achieved after June 30, 1998 and before September 1, 2002 for employees
 15 identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees
 16 identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees
 17 identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees
 18 identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in
 19 subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection
 20 1, paragraphs N to P; after September 30, 2021 for employees identified in subsection
 21 1, paragraph Q; after September 30, 2025 for employees identified in subsection 1,
 22 paragraph R; and after July 31, 2026 for employees identified in subsection 1,
 23 paragraphs S to U; and after September 30, 2026 for employees identified in subsection
 24 1, paragraph V, the benefit must be computed as provided in section 17852, subsection
 25 1, paragraph A.

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

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

32 **Sec. 7. 5 MRSA §17851-A, sub-§4, ¶B,** as amended by PL 2025, c. 650, Pt. FFFF,
 33 §8, is further amended to read:

34 B. Except as provided in paragraphs D, E, F, G, H, I ~~and~~ J and K, if some part of the
 35 member's creditable service in any one or a combination of the capacities specified in
 36 subsection 1 was earned before July 1, 1998 for employees identified in subsection 1,
 37 paragraphs A to H; before January 1, 2000 for employees identified in subsection 1,
 38 paragraphs I to K; before January 1, 2002 for employees identified in subsection 1,
 39 paragraph L; before July 1, 2002 for employees identified in subsection 1, paragraph
 40 M; before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
 41 before October 1, 2021 for employees identified in subsection 1, paragraph Q; before
 42 October 1, 2025 for employees identified in subsection 1, paragraph R; and before
 43 August 1, 2026 for employees identified in subsection 1, paragraphs S to U; and before
 44 October 1, 2026 for employees identified in subsection 1, paragraph V and some part
 45 of the member's creditable service in any one or a combination of the capacities
 46 specified in subsection 1 was earned after June 30, 1998 and before September 1, 2002

SENATE AMENDMENT

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1 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for
 2 employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for
 3 employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for
 4 employees identified in subsection 1, paragraph L; after June 30, 2002 for employees
 5 identified in subsection 1, paragraph M; after June 30, 2020 for employees identified
 6 in subsection 1, paragraphs N to P; after September 30, 2021 for employees identified
 7 in subsection 1, paragraph Q; after September 30, 2025 for employees identified in
 8 subsection 1, paragraph R; and after July 31, 2026 for employees identified in
 9 subsection 1, paragraphs S to U; and after September 30, 2026 for employees identified
 10 in subsection 1, paragraph V, then the member's service retirement benefit must be
 11 computed in segments and the amount of the member's service retirement benefit is the
 12 sum of the segments. The segments must be computed as follows:

13 (1) The segment or, if the member served in more than one of the capacities
 14 specified in subsection 1 and the benefits related to the capacities are not
 15 interchangeable under section 17856, segments that reflect creditable service
 16 earned before July 1, 1998 for employees identified in subsection 1, paragraphs A
 17 to H; before January 1, 2000 for employees identified in subsection 1, paragraphs
 18 I to K; before January 1, 2002 for employees identified in subsection 1, paragraph
 19 L; before July 1, 2002 for employees identified in subsection 1, paragraph M;
 20 before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
 21 before October 1, 2021 for employees identified in subsection 1, paragraph Q;
 22 before October 1, 2025 for employees identified in subsection 1, paragraph R; and
 23 before August 1, 2026 for employees identified in subsection 1, paragraphs S to U;
 24 and before October 1, 2026 for employees identified in subsection 1, paragraph V
 25 or purchased by repayment of an earlier refund of accumulated contributions for
 26 service before July 1, 1998, for employees identified in subsection 1, paragraphs
 27 A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs
 28 I to K; before January 1, 2002 for employees identified in subsection 1, paragraph
 29 L; before July 1, 2002 for employees identified in subsection 1, paragraph M;
 30 before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
 31 before October 1, 2021 for employees identified in subsection 1, paragraph Q;
 32 before October 1, 2025 for employees identified in subsection 1, paragraph R; and
 33 before August 1, 2026 for employees identified in subsection 1, paragraphs S to U;
 34 and before October 1, 2026 for employees identified in subsection 1, paragraph V
 35 in a capacity or capacities specified in subsection 1 or purchased by other than the
 36 repayment of a refund and eligibility to make the purchase of the service credit,
 37 including, but not limited to, service credit for military service, was achieved
 38 before July 1, 1998 for employees identified in subsection 1, paragraphs A to H;
 39 before January 1, 2000 for employees identified in subsection 1, paragraphs I to K;
 40 before January 1, 2002 for employees identified in subsection 1, paragraph L;
 41 before July 1, 2002 for employees identified in subsection 1, paragraph M; before
 42 July 1, 2020 for employees identified in subsection 1, paragraphs N to P; before
 43 October 1, 2021 for employees identified in subsection 1, paragraph Q; before
 44 October 1, 2025 for employees identified in subsection 1, paragraph R; and before
 45 August 1, 2026 for employees identified in subsection 1, paragraphs S to U; and
 46 before October 1, 2026 for employees identified in subsection 1, paragraph V, must

SENATE AMENDMENT

1 be computed under section 17852, subsection 1, paragraph A. If the member is
2 qualified under subsection 2, paragraph B and:

3 (a) Had 10 years of creditable service on July 1, 1993, the amount of the
4 segment or segments must be reduced as provided in section 17852, subsection
5 3, paragraphs A and B; or

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

9 (2) The segment that reflects creditable service earned after June 30, 1998 and
10 before September 1, 2002 for employees identified in subsection 1, paragraphs A
11 and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C
12 to H; after December 31, 1999 for employees identified in subsection 1, paragraphs
13 I to K; after December 31, 2001 for employees identified in subsection 1, paragraph
14 L; after June 30, 2002 for employees identified in subsection 1, paragraph M; after
15 June 30, 2020 for employees identified in subsection 1, paragraphs N to P; after
16 September 30, 2021 for employees identified in subsection 1, paragraph Q; after
17 September 30, 2025 for employees identified in subsection 1, paragraph R; and
18 after July 31, 2026 for employees identified in subsection 1, paragraphs S to U;
19 and after September 30, 2026 for employees identified in subsection 1, paragraph
20 V or purchased by repayment of an earlier refund of accumulated contributions for
21 service after June 30, 1998 and before September 1, 2002 for employees identified
22 in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified
23 in subsection 1, paragraphs C to H; after December 31, 1999 for employees
24 identified in subsection 1, paragraphs I to K; after December 31, 2001 for
25 employees identified in subsection 1, paragraph L; after June 30, 2002 for
26 employees identified in subsection 1, paragraph M; after June 30, 2020 for
27 employees identified in subsection 1, paragraphs N to P; after September 30, 2021
28 for employees identified in subsection 1, paragraph Q; after September 30, 2025
29 for employees identified in subsection 1, paragraph R; and after July 31, 2026 for
30 employees identified in subsection 1, paragraphs S to U; and after September 30,
31 2026 for employees identified in subsection 1, paragraph V in any one or a
32 combination of the capacities specified in subsection 1, or purchased by other than
33 the repayment of a refund and eligibility to make the purchase of the service credit,
34 including, but not limited to, service credit for military service, was achieved after
35 June 30, 1998 and before September 1, 2002 for employees identified in subsection
36 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection
37 1, paragraphs C to H; after December 31, 1999 for employees identified in
38 subsection 1, paragraphs I to K; after December 31, 2001 for employees identified
39 in subsection 1, paragraph L; after June 30, 2002 for employees identified in
40 subsection 1, paragraph M; after June 30, 2020 for employees identified in
41 subsection 1, paragraphs N to P; after September 30, 2021 for employees identified
42 in subsection 1, paragraph Q; after September 30, 2025 for employees identified in
43 subsection 1, paragraph R; and after July 31, 2026 for employees identified in
44 subsection 1, paragraphs S to U; and after September 30, 2026 for employees
45 identified in subsection 1, paragraph V must be computed under section 17852,

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1 subsection 1, paragraph A. If the member is qualified under subsection 2,
2 paragraph B and:

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

7 (b) Had fewer than 10 years of creditable service on July 1, 1993, the segment
8 amount must be reduced by 6% for each year that the member's age precedes
9 55 years of age.

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

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

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

20 (2) If the member had fewer than 10 years of creditable service on July 1, 1993,
21 the benefit must be reduced by 6% for each year that the member's age precedes
22 55 years of age.

23 **Sec. 9. 5 MRSA §17851-A, sub-§5, as amended by PL 2025, c. 650, Pt. FFFF,**
24 **§11, is further amended to read:**

25 **5. Contributions.** Notwithstanding any provision of subchapter 3 to the contrary,
26 after June 30, 1998 and before September 1, 2002 for employees identified in subsection
27 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1,
28 paragraphs C to H; after December 31, 1999 for employees identified in subsection 1,
29 paragraphs I to K; after December 31, 2001 for employees identified in subsection 1,
30 paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M;
31 after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; after
32 September 30, 2021 for employees identified in subsection 1, paragraph Q; after September
33 30, 2025 for employees identified in subsection 1, paragraph R; and after July 31, 2026 for
34 employees identified in subsection 1, paragraphs S to U; and after September 30, 2026 for
35 employees identified in subsection 1, paragraph V, a member in the capacities specified in
36 subsection 1 must contribute to the State Employee and Teacher Retirement Program or
37 have pick-up contributions made at the rate of 8.65% of earnable compensation until the
38 member has completed 25 years of creditable service as provided in this section and at the
39 rate of 7.65% thereafter.

40 **Sec. 10. Transfer from Maine Budget Stabilization Fund; General Fund.**
41 Notwithstanding any provision of law to the contrary, on or before June 30, 2027, the State
42 Controller shall transfer \$4,311,605 from the Maine Budget Stabilization Fund within the
43 Department of Administrative and Financial Services to the unappropriated surplus of the
44 General Fund.

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1 **Sec. 11. Appropriations and allocations.** The following appropriations and
2 allocations are made.

3 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

4 **Dorothea Dix Psychiatric Center Z222**

5 Initiative: Allocates ongoing funds for the prospective costs of certain employees within
6 the Department of Health and Human Services being allowed to participate in the 1998
7 Special Plan effective October 1, 2026.

8	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
9	Personal Services	\$0	\$129,202
10			
11	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$129,202</u>

12 **Mental Health Services - Children Z206**

13 Initiative: Provides ongoing funds for the prospective costs of certain employees within the
14 Department of Health and Human Services being allowed to participate in the 1998 Special
15 Plan effective October 1, 2026.

16	GENERAL FUND	2025-26	2026-27
17	Personal Services	\$0	\$1,568
18			
19	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,568</u>

20 **Riverview Psychiatric Center Z219**

21 Initiative: Allocates ongoing funds for the prospective costs of certain employees within
22 the Department of Health and Human Services being allowed to participate in the 1998
23 Special Plan effective October 1, 2026.

24	OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
25	Personal Services	\$0	\$87,156
26			
27	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$87,156</u>

29 **HEALTH AND HUMAN SERVICES,
30 DEPARTMENT OF
31 DEPARTMENT TOTALS**

32		2025-26	2026-27
33	GENERAL FUND	\$0	\$1,568
34	OTHER SPECIAL REVENUE FUNDS	\$0	\$216,358
35			
36	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$217,926</u>

37 **RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES**

38 **Retirement System - Retirement Allowance Fund 0085**

39 Initiative: Provides one-time funds for the increase in the unfunded actuarial liability as a
40 result of allowing the service retirement benefits for certain employees within the
41 Department of Health and Human Services earned under the regular state employee and
42 teacher plan to be calculated under the 1998 Special Plan effective October 1, 2026.

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SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 260, L.D. 579 (S-670)

1	GENERAL FUND	2025-26	2026-27
2	All Other	\$0	\$4,310,037
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$4,310,037</u>
5			
6	RETIREMENT SYSTEM, MAINE PUBLIC		
7	EMPLOYEES		
8	DEPARTMENT TOTALS	2025-26	2026-27
9			
10	GENERAL FUND	\$0	\$4,310,037
11			
12	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$4,310,037</u>
13			
14	SECTION TOTALS	2025-26	2026-27
15			
16	GENERAL FUND	\$0	\$4,311,605
17	OTHER SPECIAL REVENUE FUNDS	\$0	\$216,358
18			
19	SECTION TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$4,527,963</u>
20	"		

21 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or
22 section number to read consecutively.

23 **SUMMARY**

24 This amendment changes workers participating in the 1998 Special Plan for retirement
25 by adding certain designated nurses, pushes implementation back by one year, makes
26 technical changes and replaces the appropriations and allocations section.

27 **SPONSORED BY:** Rotundo SR

28 (Senator ROTUNDO, M.)

29 **COUNTY:** Androscoggin

FISCAL NOTE REQUIRED
(See attached)

SENATE AMENDMENT



132nd MAINE LEGISLATURE

LD 579

LR 1673(04)

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

Fiscal Note for Senate Amendment "A" to Committee Amendment "A" (S. 670)
 Sponsor: Sen. Rotundo of Androscoggin
 Fiscal Note Required: Yes

Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
Net Cost (Savings)				
General Fund	(\$2,856,290)	(\$779)	\$820	\$852
Appropriations/Allocations				
General Fund	(\$2,856,290)	\$4,310,826	\$820	\$852
Other Special Revenue Funds	(\$59,364)	\$135,623	\$140,911	\$146,408
Transfers				
General Fund	\$0	\$4,311,605	\$0	\$0

Fiscal Detail and Notes

This amendment removes Mental Health Worker I, Mental Health Worker II, Mental Health Worker III and Mental Health Worker IV positions in the Department of Health and Human Services (DHHS) from being added to the 1998 Special Plan and adds several nursing positions to the 1998 Special Plan effective October 1, 2026.

This bill removes the one-time General Fund appropriation of \$2,855,717 in fiscal year 2025-26 to the Retirement Allowance Fund within the Maine Public Employees Retirement System for the increase in the unfunded actuarial liability created as a result of the retroactive provisions in this bill and provides a one-time General Fund appropriation of \$4,310,037 in fiscal year 2026-27 to the same account for the increase in the unfunded actuarial liability as a result of the newly added nursing positions. Pursuant to the Constitution of Maine, Article IX, Section 18-A, unfunded liabilities may not be created except those that result from experience losses. A General Fund appropriation of \$1,568 and Other Special Revenue Funds allocations of \$216,358 in fiscal year 2026-27 are provided to various programs within DHHS for the increase in the employer's retirement contributions on a prospective basis.

The amendment would also transfer \$4,311,605 in fiscal year 2026-27 from the Maine Budget Stabilization Fund to the unappropriated surplus of the General Fund; General Fund.