

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND THIRTY-SECOND LEGISLATURE

SECOND REGULAR SESSION
JANUARY 7, 2026 to APRIL 29, 2026

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NONEMERGENCY LAWS IS
JULY 29, 2026

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2026

2-A. Family foster homes and specialized children's homes. Family foster homes and specialized children's homes are exempt from the inspection requirement in subsection 1-A. The department shall inspect a family foster home or specialized children's home prior to placing a foster child in the home. The department shall adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A governing the fire and safety inspection of family foster homes and specialized children's homes.

Sec. 6. 22 MRSA §8104, as amended by PL 2005, c. 12, Pt. RR, §1 and c. 397, Pt. A, §28, is further amended by amending the section headnote to read:

§8104. ~~Interagency licensing~~ Licensing authority and rules

Sec. 7. 22 MRSA §8104, sub-§1, as amended by PL 2005, c. 397, Pt. A, §28, is repealed.

Sec. 8. 22 MRSA §8104, sub-§2, as enacted by PL 1981, c. 260, §5 and amended by PL 2003, c. 689, Pt. B, §6, is further amended to read:

2. Licensing authority. For the purposes of this section, the Department of Health and Human Services ~~shall have~~ has licensing authority for children's residential child care facilities. This authority ~~shall~~ does not relieve any agency of responsibility for the proper and efficient management or evaluation of programs funded by that agency.

Sec. 9. 22 MRSA §8402, sub-§3, ¶A, as amended by PL 2019, c. 154, §10 and affected by §12 and amended by PL 2025, c. 316, §3, is further amended to read:

A. The department shall adopt rules regarding the health of staff as required to protect the health and safety of the children. ~~The rules must include a requirement that every 2 years each licensee, administrator or other staff member of the nursery school who provides care for children be declared free from communicable disease by a licensed physician, nurse practitioner or physician associate.~~ Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 10. 22-A MRSA §206, sub-§5, as enacted by PL 2007, c. 539, Pt. N, §45, is amended to read:

5. Residential child Children's residential care facilities. The commissioner shall approve all programs for the provision of mental health services to children's residential child care facilities, as defined in Title 22, section 8101, subsection 4, and shall participate in licensure of these programs in accordance with Title 22, section 8104.

Sec. 11. 36 MRSA §1760, sub-§18-A, as amended by PL 2015, c. 300, Pt. A, §15, is further amended to read:

18-A. Certain children's residential child care facilities. Sales to incorporated private nonprofit children's residential child care facilities that are licensed by the Department of Health and Human Services as child care facilities.

See title page for effective date.

CHAPTER 595

H.P. 1400 - L.D. 2085

An Act to Include a Certain Emergency Communications Position at the Department of Public Safety in the 1998 Special Plan

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

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

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

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

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

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

S. Persons in the employment of the Department of Public Safety on August 1, 2026 or hired thereafter who have the job classification of emergency communications director.

Sec. 4. 5 MRSA §17851-A, sub-§2, as amended by PL 2025, c. 388, Pt. R, §4, 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 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; any employee 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; after September 30, 2025 for employees identified in subsection 1, paragraph R; after July 31, 2026 for employees identified in subsection 1, paragraph S; and any employee identified in subsection 1, paragraph L, qualifies for a service retirement benefit if that member either:

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

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

Sec. 5. 5 MRSA §17851-A, sub-§3, ¶A, as amended by PL 2025, c. 388, Pt. R, §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 July 31, 2026 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 July 31, 2026 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 July 31, 2026 for employees identified in subsection 1, paragraph S, the benefit must be computed as provided in section 17852, subsection 1, paragraph A.

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

(2) If the member had fewer than 10 years of creditable service on July 1, 1993, the benefit

under subsection 2, paragraph B must be reduced by 6% for each year that the member's age precedes 55 years of age.

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

B. Except as provided in paragraphs D, E, F ~~and G and H~~, if some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; before July 1, 2002 for employees identified in subsection 1, paragraph M; before July 1, 2020 for employees identified in subsection 1, paragraphs N to P; before October 1, 2021 for employees identified in subsection 1, paragraph Q; ~~and before October 1, 2025 for employees identified in subsection 1, paragraph R; and before August 1, 2026 for employees identified in subsection 1, paragraph S~~ and some part 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 July 31, 2026 for employees identified in subsection 1, paragraph S~~, then the member's service retirement benefit must be computed in segments and the amount of the member's service retirement benefit is the sum of the segments. The segments must be computed as follows:

(1) The segment or, if the member served in more than one of the capacities specified in subsection 1 and the benefits related to the capacities are not interchangeable under section 17856, segments that reflect creditable service earned before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; before July 1, 2002 for

employees identified in subsection 1, paragraph M; before July 1, 2020 for employees identified in subsection 1, paragraphs N to P; before October 1, 2021 for employees identified in subsection 1, paragraph Q; ~~and before October 1, 2025 for employees identified in subsection 1, paragraph R; and before August 1, 2026 for employees identified in subsection 1, paragraph S~~ or purchased by repayment of an earlier refund of accumulated contributions for service before July 1, 1998, for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; before July 1, 2002 for employees identified in subsection 1, paragraph M; before July 1, 2020 for employees identified in subsection 1, paragraphs N to P; before October 1, 2021 for employees identified in subsection 1, paragraph Q; ~~and before October 1, 2025 for employees identified in subsection 1, paragraph R; and before August 1, 2026 for employees identified in subsection 1, paragraph S~~ in a capacity or 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 before July 1, 1998 for employees identified in subsection 1, paragraphs A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I to K; before January 1, 2002 for employees identified in subsection 1, paragraph L; before July 1, 2002 for employees identified in subsection 1, paragraph M; before July 1, 2020 for employees identified in subsection 1, paragraphs N to P; before October 1, 2021 for employees identified in subsection 1, paragraph Q; ~~and before October 1, 2025 for employees identified in subsection 1, paragraph R; and before August 1, 2026 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 amount of the segment or segments must be reduced as provided in section 17852, subsection 3, paragraphs A and B; or
- (b) Had fewer than 10 years of creditable service on July 1, 1993, the amount of the segment or segments must be reduced as provided in section 17852, subsection 3-A; and

(2) The segment that reflects creditable service 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 July 31, 2026 for employees identified in subsection 1, paragraph S or purchased by repayment of an earlier refund of accumulated contributions for service 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 July 31, 2026 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 July 31, 2026 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, 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 July 31, 2026 for employees identified in subsection 1,

fied in subsection 1, paragraph S, a member in the capacities specified in subsection 1 must contribute to the State Employee and Teacher Retirement Program or have pick-up contributions made at the rate of 8.65% of earnable compensation until the member has completed 25 years of creditable service as provided in this section and at the rate of 7.65% thereafter.

Sec. 10. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Consolidated Emergency Communications Z021

Initiative: Provides funding to add the emergency communications director position to the 1998 Special Plan.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2025-26	2026-27
Personal Services	\$0	\$2,467
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL	\$0	\$2,467

See title page for effective date.

**CHAPTER 596
S.P. 817 - L.D. 2128**

**An Act to Reorganize the
Emergency Medical Services'
Board to Implement the
Recommendations of the Blue
Ribbon Commission to Study
Emergency Medical Services in
the State**

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

Sec. 1. 32 MRSA §88, sub-§1, ¶A, as amended by PL 2019, c. 370, §16, is further amended to read:

A. The board has one member representing each region, each of whom is appointed by the representative's regional council, and 42 5 persons in addition. Of the additional persons, one is ~~an emergency physician, one a representative of emergency medical dispatch providers, one a representative of the public, one a representative of for-profit ambulance services, one an emergency professional nurse, one a representative of nontransporting emergency medical services, one a representative of hospitals, one a fire chief, one a representative of a statewide association of fire chiefs, one a municipal emergency medical services provider, one a representative of not for profit ambulance services and one a representative in the field~~

~~of pediatrics. The members that represent for-profit ambulance services, nontransporting emergency medical services and not for profit ambulance services must be licensed emergency medical services persons. One of the nonpublic members must be a volunteer emergency medical services provider a representative of an emergency medical dispatch center or emergency medical dispatch provider, one is a representative of a municipal fire department administration, one is a representative of emergency medical services administrators, one is an emergency medical services paramedic licensed in the State and one is an emergency medical technician or advanced emergency medical technician licensed in the State.~~ Appointments are for 3-year terms. Members, ~~except the regional representatives and ex officio members~~, are appointed by the Governor. The statewide emergency medical services medical director ~~and, the statewide associate emergency medical services medical director and the commissioner or the commissioner's designee~~ are ex officio nonvoting members of the board.

Sec. 2. 32 MRSA §88, sub-§1, ¶B, as amended by PL 1991, c. 588, §16, is further amended to read:

B. The board shall elect its own chair to serve for a 2-year term. The board may adopt internal rules that may include, but are not limited to, termination of board membership as a consequence of irregular attendance. If a board member appointed by the Governor does not serve a full term of appointment, the Governor shall appoint a successor to fill the vacancy for the remainder of the term. If a board member appointed by a regional council does not serve a full term of appointment, the regional council that appointed the board member shall appoint a successor to fill the vacancy for the remainder of the term. Any board member may be removed by the Governor for cause. The board may have a common seal. The board may establish subcommittees as it determines appropriate.

Sec. 3. 32 MRSA §88, sub-§1, ¶C, as amended by PL 1991, c. 588, §16, is further amended to read:

C. The board shall meet at least quarterly, and at the call of its chair or at the request of 7 5 members. When the board meets, members are entitled to compensation according to the provisions of Title 5, chapter 379.

Sec. 4. 32 MRSA §88, sub-§2, ¶M is enacted to read:

M. The board shall by January 1st annually submit a report to the joint standing committee of the Legislature having jurisdiction over emergency medical services matters and the joint standing committee of the Legislature having jurisdiction over emergency medical services personnel licensing matters with any recommendations for changes to