

# MAINE STATE LEGISLATURE

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# 132nd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2026

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Legislative Document

No. 2067

S.P. 856

In Senate, December 17, 2025

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

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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 that reads "DAREK 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,

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.

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:

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 October 1, 2025 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 September 30, 2025 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 October 1, 2025 for employees identified in subsection 1, paragraph S or 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,

1 2025 for employees identified in subsection 1, paragraph R; and after September  
2 30, 2025 for employees identified in subsection 1, paragraph S in any one or a  
3 combination of the capacities specified in subsection 1, or purchased by other than  
4 the repayment of a refund and eligibility to make the purchase of the service credit,  
5 including, but not limited to, service credit for military service, was achieved after  
6 June 30, 1998 and before September 1, 2002 for employees identified in subsection  
7 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection  
8 1, paragraphs C to H; after December 31, 1999 for employees identified in  
9 subsection 1, paragraphs I to K; after December 31, 2001 for employees identified  
10 in subsection 1, paragraph L; after June 30, 2002 for employees identified in  
11 subsection 1, paragraph M; after June 30, 2020 for employees identified in  
12 subsection 1, paragraphs N to P; after September 30, 2021 for employees identified  
13 in subsection 1, paragraph Q; and after September 30, 2025 for employees  
14 identified in subsection 1, paragraph R; and after September 30, 2025 for  
15 employees identified in subsection 1, paragraph S must be computed under section  
16 17852, subsection 1, paragraph A. If the member is qualified under subsection 2,  
17 paragraph B and:

18 (a) Had 10 years of creditable service on July 1, 1993, the segment amount  
19 must be reduced in the manner provided in section 17852, subsection 3,  
20 paragraphs A and B for each year that the member's age precedes 55 years of  
21 age; or  
22 (b) Had fewer than 10 years of creditable service on July 1, 1993, the segment  
23 amount must be reduced by 6% for each year that the member's age precedes  
24 55 years of age.

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

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

32 (1) If the member had 10 years of service on July 1, 1993, the benefit must be  
33 reduced as provided in section 17852, subsection 3, paragraphs A and B for each  
34 year the member's age precedes 55 years of age; or  
35 (2) If the member had fewer than 10 years of creditable service on July 1, 1993,  
36 the benefit must be reduced by 6% for each year that the member's age precedes  
37 55 years of age.

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

40 **5. Contributions.** Notwithstanding any provision of subchapter 3 to the contrary,  
41 after June 30, 1998 and before September 1, 2002 for employees identified in subsection  
42 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1,  
43 paragraphs C to H; after December 31, 1999 for employees identified in subsection 1,  
44 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.

## 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.