

# 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

### **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, 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.