

# MAINE STATE LEGISLATURE

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L.D. 2085

Date: 3/4/26

MAJORITY

(Filing No. H-836)

LABOR

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1400, L.D. 2085, "An Act to Modify Service Retirement Provisions to Include Additional Emergency Communications Positions in the 1998 Special Plan"

Amend the bill by striking out the title and substituting the following:

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

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

**'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:**

**COMMITTEE AMENDMENT**

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1           **2. Qualification for benefits.** A member employed in any one or a combination of  
2 the capacities specified in subsection 1 after June 30, 1998 and before September 1, 2002  
3 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for  
4 employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for  
5 employees identified in subsection 1, paragraphs I to K; any employee identified in  
6 subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection 1,  
7 paragraphs N to P; after September 30, 2021 for employees identified in subsection 1,  
8 paragraph Q; after September 30, 2025 for employees identified in subsection 1, paragraph  
9 R; after July 31, 2026 for employees identified in subsection 1, paragraph S; and any  
10 employee identified in subsection 1, paragraph L, qualifies for a service retirement benefit  
11 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. 388, Pt. R,  
19 §5, 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 ~~and~~ R and S regardless of when performed; and

31           **Sec. 6. 5 MRSA §17851-A, sub-§4, ¶A,** as amended by PL 2025, c. 388, Pt. R,  
32 §6, 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; ~~and~~ after September 30, 2025  
42 for employees identified in subsection 1, paragraph R; and after July 31, 2026 for  
43 employees identified in subsection 1, paragraph S; if service credit was purchased by  
44 repayment of an earlier refund of accumulated contributions for service in any one or  
45 a combination of the capacities specified in subsection 1 after June 30, 1998 and before

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

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

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

29 **Sec. 7. 5 MRSA §17851-A, sub-§4, ¶B**, as amended by PL 2025, c. 388, Pt. R,  
 30 §7, is further amended to read:

31 B. Except as provided in paragraphs D, E, F ~~and~~ G and H, if some part of the member's  
 32 creditable service in any one or a combination of the capacities specified in subsection  
 33 1 was earned before July 1, 1998 for employees identified in subsection 1, paragraphs  
 34 A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I  
 35 to K; before January 1, 2002 for employees identified in subsection 1, paragraph L;  
 36 before July 1, 2002 for employees identified in subsection 1, paragraph M; before July  
 37 1, 2020 for employees identified in subsection 1, paragraphs N to P; before October 1,  
 38 2021 for employees identified in subsection 1, paragraph Q; ~~and~~ before October 1,  
 39 2025 for employees identified in subsection 1, paragraph R; and before August 1, 2026  
 40 for employees identified in subsection 1, paragraph S and some part of the member's  
 41 creditable service in any one or a combination of the capacities specified in subsection  
 42 1 was earned after June 30, 1998 and before September 1, 2002 for employees  
 43 identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees  
 44 identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees  
 45 identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees  
 46 identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in

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subsection I, 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

# COMMITTEE AMENDMENT

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(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

# COMMITTEE AMENDMENT

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1 computed under section 17852, subsection 1, paragraph A on the basis of all of the  
2 member's creditable service in the capacity specified in subsection 1, paragraph S,  
3 regardless of when that creditable service was earned, except that for a member  
4 qualifying under subsection 2, paragraph B;

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

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

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

13 **5. Contributions.** Notwithstanding any provision of subchapter 3 to the contrary,  
14 after June 30, 1998 and before September 1, 2002 for employees identified in subsection  
15 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection 1,  
16 paragraphs C to H; after December 31, 1999 for employees identified in subsection 1,  
17 paragraphs I to K; after December 31, 2001 for employees identified in subsection 1,  
18 paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M;  
19 after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; after  
20 September 30, 2021 for employees identified in subsection 1, paragraph Q; and after  
21 September 30, 2025 for employees identified in subsection 1, paragraph R; and after July  
22 31, 2026 for employees identified in subsection 1, paragraph S, a member in the capacities  
23 specified in subsection 1 must contribute to the State Employee and Teacher Retirement  
24 Program or have pick-up contributions made at the rate of 8.65% of earnable compensation  
25 until the member has completed 25 years of creditable service as provided in this section  
26 and at the rate of 7.65% thereafter.

27 **Sec. 10. Appropriations and allocations.** The following appropriations and  
28 allocations are made.

29 **PUBLIC SAFETY, DEPARTMENT OF**

30 **Consolidated Emergency Communications Z021**

31 Initiative: Provides funding to add the emergency communications director position to the  
32 1998 Special Plan.

33 <b>CONSOLIDATED EMERGENCY</b>	<b>2025-26</b>	<b>2026-27</b>
34 <b>COMMUNICATIONS FUND</b>		
35 Personal Services	\$0	\$2,467
36		
37 CONSOLIDATED EMERGENCY	\$0	\$2,467
38 COMMUNICATIONS FUND TOTAL		

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40 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
41 number to read consecutively.

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**SUMMARY**

This amendment replaces the bill and changes the title. The amendment provides that a person in the employment of the Department of Public Safety on August 1, 2026 or hired thereafter who has the job classification of emergency communications director is eligible for retirement benefits under the 1998 Special Plan.

The amendment also includes an allocation of \$2,467 from the Consolidated Emergency Communications Fund to the department in fiscal year 2026-27 to add the position to the 1998 Special Plan.

**FISCAL NOTE REQUIRED**

(See attached)



# 132nd MAINE LEGISLATURE

**LD 2085**

**LR 2880(02)**

## An Act to Modify Service Retirement Provisions to Include Additional Emergency Communications Positions in the 1998 Special Plan

Fiscal Note for Bill as Amended by Committee Amendment "A" (H-830)

Committee: Labor

Fiscal Note Required: Yes

### Fiscal Note

	FY 2025-26	FY 2026-27	Projections FY 2027-28	Projections FY 2028-29
<b>Appropriations/Allocations</b>				
Consolidated Emergency Communications Fund	\$0	\$2,467	\$2,555	\$2,647

#### Fiscal Detail and Notes

The bill includes a Consolidated Emergency Communications Fund allocation of \$2,467 in fiscal year 2026-27 to the Department of Public Safety to add the emergency communications director position to the 1998 Special Plan.

Any additional costs to the Maine Public Employees Retirement System from the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.