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Date: (Filing No. H-)

LABOR

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

COMMITTEE AMENDMENT “ ” 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

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

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

1 subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection
2 1, paragraphs N to P; after September 30, 2021 for employees identified in subsection
3 1, paragraph Q; ~~and~~ after September 30, 2025 for employees identified in subsection
4 1, paragraph R; and after July 31, 2026 for employees identified in subsection 1,
5 paragraph S, then the member's service retirement benefit must be computed in
6 segments and the amount of the member's service retirement benefit is the sum of the
7 segments. The segments must be computed as follows:

8 (1) The segment or, if the member served in more than one of the capacities
9 specified in subsection 1 and the benefits related to the capacities are not
10 interchangeable under section 17856, segments that reflect creditable service
11 earned before July 1, 1998 for employees identified in subsection 1, paragraphs A
12 to H; before January 1, 2000 for employees identified in subsection 1, paragraphs
13 I to K; before January 1, 2002 for employees identified in subsection 1, paragraph
14 L; before July 1, 2002 for employees identified in subsection 1, paragraph M;
15 before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
16 before October 1, 2021 for employees identified in subsection 1, paragraph Q; ~~and~~
17 before October 1, 2025 for employees identified in subsection 1, paragraph R; and
18 before August 1, 2026 for employees identified in subsection 1, paragraph S or
19 purchased by repayment of an earlier refund of accumulated contributions for
20 service before July 1, 1998, for employees identified in subsection 1, paragraphs
21 A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs
22 I to K; before January 1, 2002 for employees identified in subsection 1, paragraph
23 L; before July 1, 2002 for employees identified in subsection 1, paragraph M;
24 before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
25 before October 1, 2021 for employees identified in subsection 1, paragraph Q; ~~and~~
26 before October 1, 2025 for employees identified in subsection 1, paragraph R; and
27 before August 1, 2026 for employees identified in subsection 1, paragraph S in a
28 capacity or capacities specified in subsection 1 or purchased by other than the
29 repayment of a refund and eligibility to make the purchase of the service credit,
30 including, but not limited to, service credit for military service, was achieved
31 before July 1, 1998 for employees identified in subsection 1, paragraphs A to H;
32 before January 1, 2000 for employees identified in subsection 1, paragraphs I to K;
33 before January 1, 2002 for employees identified in subsection 1, paragraph L;
34 before July 1, 2002 for employees identified in subsection 1, paragraph M; before
35 July 1, 2020 for employees identified in subsection 1, paragraphs N to P; before
36 October 1, 2021 for employees identified in subsection 1, paragraph Q; ~~and~~ before
37 October 1, 2025 for employees identified in subsection 1, paragraph R; and before
38 August 1, 2026 for employees identified in subsection 1, paragraph S, must be
39 computed under section 17852, subsection 1, paragraph A. If the member is
40 qualified under subsection 2, paragraph B and:

41 (a) Had 10 years of creditable service on July 1, 1993, the amount of the
42 segment or segments must be reduced as provided in section 17852, subsection
43 3, paragraphs A and B; or

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

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

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

41 (b) Had fewer than 10 years of creditable service on July 1, 1993, the segment
42 amount must be reduced by 6% for each year that the member's age precedes
43 55 years of age.

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

45 H. The service retirement benefit of a member to whom subsection 1, paragraph S
46 applies and who qualifies for service retirement benefits under subsection 2 must be

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

39 ,
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)