

Testimony of Beth White

Maine Service Employees Association, SEIU Local 1989

**Before the Joint Standing Committee on Appropriations and Financial Affairs
and the Joint Standing Committee on Judiciary,**

1pm Tuesday, February 11, 2025, State House Room 228 and Electronically

**LD 210, An Act Making Unified Appropriations and Allocations from the General Fund and Other Funds
for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to
the Proper Operations of State Government for the Fiscal Years Ending June 30, 2025, June 30, 2026
and June 30, 2027, (Emergency) (Governor's Bill),
Sponsored by Representative Drew Gattine**

Senator Rotundo, Representative Gattine and members of the Committee on Appropriations and Financial Affairs, and Senator Carney, Representative Kuhn, and members of the Committee on Judiciary, I'm Beth White, director of politics and legislation for the Maine Service Employees Association, Local 1989 of the Service Employees International Union. We are a labor union representing over 13,000 Maine workers, including workers in the Judicial Branch of Maine State Government and the Office of the Maine Attorney General, including workers at the Office of the Chief Medical Examiner.

First, we support the numerous reclassifications, reorganizations, and range changes for Executive and Judicial branch employees in the proposed biennial budget, some of which fall outside of MSEA bargaining units. We also support the creation of new positions within both the Judicial Branch and the Office of the Attorney General.

We're also encouraged that the proposed budget contains dedicated funding for a market-pay study in the Judicial Branch. We support the proposal to use up to \$80,000 from the Personal Services line category of the Courts to fund a market pay study (Language Part AAAA). We hope this study will identify how wages of State of Maine Judicial Branch workers compare to their public and private sector counterparts doing comparable work in Maine and throughout New England.

As for the Office of the Chief Medical Examiner, we are encouraged by the proposed addition of two Medical Examiner positions, two OCME planning and research associate 1 positions, and one medicolegal death investigator 1 position. These proposed positions are needed to address the impossible workloads of the staff of the Office of Chief Medical Examiner. Understaffing has been an ongoing concern across state government for many years, impacting both the workers providing critical services and the Mainers who rely on these services.

As many of you may know, in the 2024 short session of the Maine Legislature, the Appropriations Committee funded, through the Special Appropriations Table, the inclusion of OCME workers in the 1988 Special Plan (LD 610). That funding also was approved by the Senate but died in the House on veto day. The issue of who is included, and who is excluded from the 1988 Special Plan, impacts many public servants in our Great State of Maine, and it must be addressed immediately for the State to recruit and retain qualified workers. Along those lines, we look forward to tomorrow's hearing on the standalone legislation on LD 137, An Act to Expand the 1998 Special Retirement Plan to Include Employees Who Work for the Office of Chief Medical Examiner, sponsored by Senator Craig Hickman. The workers in the Office of Chief Medical Examiner do exceedingly difficult work in their service to all Maine people. The

job of these workers is to work with the bodies of death victims and to be in contact with their families. This is traumatic work that impacts not only their professional lives, but their personal lives as well. It's past time for them to become eligible for the Special Plan. The inclusion of funding for LD 137 would be appropriate for the proposed budget and respectfully ask for it to be included.

We'd also like to share that we remain extremely concerned about the Governor's proposal to remove nearly \$44 million from the State's personnel budget and transfer that amount into the General Fund, where it would be used for other purposes. The administration proposes to more than triple the state employee attrition rate, from 1.6% to 5%, in both the Executive and Judicial branches of Maine State Government, in order to justify this proposed financial maneuver. Understaffing throughout all departments of state government remains a serious problem often with devastating consequences on both state workers and Maine people who rely on their services. The State's own studies show that state workers remain substantially underpaid compared to their public and private sector counterparts throughout Maine and New England. Please see the related memo, attached to my testimony, that we presented to this committee on Oct. 8, 2024, detailing our response to the State's Market Pay Report dated Sept. 30, 2024.

The money in the State's Salary Plan is there to fund budgeted positions and to close the state employee pay gap, and it shouldn't be used as a piggybank to fund other priorities. We'd like to respectfully remind you that Part PPP of the Supplemental Budget passed by the Legislature and signed into law on April 22, 2024, expressly authorizes the administration to use all funds in the State's Salary Plan to negotiate with us over the implementation of a new compensation and classification system for Executive Branch workers—and those negotiations are ongoing. The administration's proposal to transfer nearly \$44 million from the State's personnel budget into the General Fund appears to be an attempt to end run Part PPP. We ask that you reject this change and ensure these resources are used to address these serious recruitment and retention issues.

We look forward to working with you, your fellow members of the 132nd Legislature and the administration to develop and pass a two-year State Budget that truly meets the needs of all Maine people. Thank you and I'd be glad to answer any questions.



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 137

S.P. 73

In Senate, January 8, 2025

An Act to Expand the 1998 Special Retirement Plan to Include Employees Who Work for the Office of Chief Medical Examiner

Reference to the Committee on Labor suggested 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 HICKMAN of Kennebec.
Cosponsored by Representative HASENFUS of Readfield and
Senator: TIPPING of Penobscot, Representative: 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, ¶P**, as amended by PL 2021, c. 474, §4, is
3 further amended to read:

4 P. Detectives in the employment of the Office of the Attorney General on July 1, 2020
5 who elect to participate in the 1998 Special Plan or hired thereafter; ~~and~~

6 **Sec. 2. 5 MRSA §17851-A, sub-§1, ¶Q**, as amended by PL 2023, c. 412, Pt. IIII,
7 §1, is further amended to read:

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

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

13 R. Employees of the Office of Chief Medical Examiner within the Department of the
14 Attorney General on October 1, 2025 or hired thereafter.

15 **Sec. 4. 5 MRSA §17851-A, sub-§2**, as amended by PL 2021, c. 474, §6, is further
16 amended to read:

17 **2. Qualification for benefits.** A member employed in any one or a combination of
18 the capacities specified in subsection 1 after June 30, 1998 and before September 1, 2002
19 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for
20 employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for
21 employees identified in subsection 1, paragraphs I to K; any employee identified in
22 subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection 1,
23 paragraphs N to P; after September 30, 2021 for employees identified in subsection 1,
24 paragraph Q; any employee identified in subsection 1, paragraph R; and any employee
25 identified in subsection 1, paragraph L, qualifies for a service retirement benefit if that
26 member either:

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

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

33 **Sec. 5. 5 MRSA §17851-A, sub-§3, ¶A**, as amended by PL 2021, c. 474, §7, is
34 further amended by amending subparagraph (1) to read:

35 (1) Service credit purchased by repayment of an earlier refund of accumulated
36 contributions following termination of service is included only to the extent that
37 time to which the refund relates was served after June 30, 1998 and before
38 September 1, 2002 for employees identified in subsection 1, paragraphs A and B;
39 after June 30, 1998 for employees identified in subsection 1, paragraphs C to H;
40 after December 31, 1999 for employees identified in subsection 1, paragraphs I to
41 K; after June 30, 2020 for employees identified in subsection 1, paragraphs N to P;
42 and after September 30, 2021 for employees identified in subsection 1, paragraph

1 Q in any one or a combination of the capacities specified in subsection 1. Service
2 credit may be purchased for service by an employee identified in subsection 1,
3 paragraphs L ~~and~~, M ~~and~~ R regardless of when performed; and

4 **Sec. 6. 5 MRSA §17851-A, sub-§4, ¶A**, as amended by PL 2021, c. 474, §8, is
5 further amended to read:

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

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

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

44 **Sec. 7. 5 MRSA §17851-A, sub-§4, ¶B**, as amended by PL 2021, c. 474, §9, is
45 further amended to read:

1 B. Except as provided in paragraphs D, E ~~and~~ F ~~and~~ G, if some part of the member's
2 creditable service in any one or a combination of the capacities specified in subsection
3 1 was earned before July 1, 1998 for employees identified in subsection 1, paragraphs
4 A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I
5 to K; before January 1, 2002 for employees identified in subsection 1, paragraph L;
6 before July 1, 2002 for employees identified in subsection 1, paragraph M; before July
7 1, 2020 for employees identified in subsection 1, paragraphs N to P; ~~and~~ before October
8 1, 2021 for employees identified in subsection 1, paragraph Q; and before October 1,
9 2025 for employees identified in subsection 1, paragraph R and some part of the
10 member's creditable service in any one or a combination of the capacities specified in
11 subsection 1 was earned after June 30, 1998 and before September 1, 2002 for
12 employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for
13 employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for
14 employees identified in subsection 1, paragraphs I to K; after December 31, 2001 for
15 employees identified in subsection 1, paragraph L; after June 30, 2002 for employees
16 identified in subsection 1, paragraph M; after June 30, 2020 for employees identified
17 in subsection 1, paragraphs N to P; ~~and~~ after September 30, 2021 for employees
18 identified in subsection 1, paragraph Q; and after September 30, 2025 for employees
19 identified in subsection 1, paragraph R, then the member's service retirement benefit
20 must be computed in segments and the amount of the member's service retirement
21 benefit is the sum of the segments. The segments must be computed as follows:

22 (1) The segment or, if the member served in more than one of the capacities
23 specified in subsection 1 and the benefits related to the capacities are not
24 interchangeable under section 17856, segments that reflect creditable service
25 earned before July 1, 1998 for employees identified in subsection 1, paragraphs A
26 to H; before January 1, 2000 for employees identified in subsection 1, paragraphs
27 I to K; before January 1, 2002 for employees identified in subsection 1, paragraph
28 L; before July 1, 2002 for employees identified in subsection 1, paragraph M;
29 before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
30 ~~and~~ before October 1, 2021 for employees identified in subsection 1, paragraph Q;
31 and before October 1, 2025 for employees identified in subsection 1, paragraph R
32 or purchased by repayment of an earlier refund of accumulated contributions for
33 service 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
35 I to K; before January 1, 2002 for employees identified in subsection 1, paragraph
36 L; before July 1, 2002 for employees identified in subsection 1, paragraph M;
37 before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
38 ~~and~~ before October 1, 2021 for employees identified in subsection 1, paragraph Q;
39 and before October 1, 2025 for employees identified in subsection 1, paragraph R
40 in a capacity or capacities specified in subsection 1 or purchased by other than the
41 repayment of a refund and eligibility to make the purchase of the service credit,
42 including, but not limited to, service credit for military service, was achieved
43 before July 1, 1998 for employees identified in subsection 1, paragraphs A to H;
44 before January 1, 2000 for employees identified in subsection 1, paragraphs I to K;
45 before January 1, 2002 for employees identified in subsection 1, paragraph L;
46 before July 1, 2002 for employees identified in subsection 1, paragraph M; before
47 July 1, 2020 for employees identified in subsection 1, paragraphs N to P; ~~and~~ before

1 October 1, 2021 for employees identified in subsection 1, paragraph Q; and before
2 October 1, 2025 for employees identified in subsection 1, paragraph R must be
3 computed under section 17852, subsection 1, paragraph A. If the member is
4 qualified under subsection 2, paragraph B and:

5 (a) Had 10 years of creditable service on July 1, 1993, the amount of the
6 segment or segments must be reduced as provided in section 17852, subsection
7 3, paragraphs A and B; or

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

11 (2) The segment that reflects creditable service earned after June 30, 1998 and
12 before September 1, 2002 for employees identified in subsection 1, paragraphs A
13 and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C
14 to H; after December 31, 1999 for employees identified in subsection 1, paragraphs
15 I to K; after December 31, 2001 for employees identified in subsection 1, paragraph
16 L; after June 30, 2002 for employees identified in subsection 1, paragraph M; after
17 June 30, 2020 for employees identified in subsection 1, paragraphs N to P; and
18 after September 30, 2021 for employees identified in subsection 1, paragraph Q;
19 and after September 30, 2025 for employees identified in subsection 1, paragraph
20 R or purchased by repayment of an earlier refund of accumulated contributions for
21 service after June 30, 1998 and before September 1, 2002 for employees identified
22 in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified
23 in subsection 1, paragraphs C to H; after December 31, 1999 for employees
24 identified in subsection 1, paragraphs I to K; after December 31, 2001 for
25 employees identified in subsection 1, paragraph L; after June 30, 2002 for
26 employees identified in subsection 1, paragraph M; after June 30, 2020 for
27 employees identified in subsection 1, paragraphs N to P; and after September 30,
28 2021 for employees identified in subsection 1, paragraph Q; and after September
29 30, 2025 for employees identified in subsection 1, paragraph R in any one or a
30 combination of the capacities specified in subsection 1, or purchased by other than
31 the repayment of a refund and eligibility to make the purchase of the service credit,
32 including, but not limited to, service credit for military service, was achieved after
33 June 30, 1998 and before September 1, 2002 for employees identified in subsection
34 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection
35 1, paragraphs C to H; after December 31, 1999 for employees identified in
36 subsection 1, paragraphs I to K; after December 31, 2001 for employees identified
37 in subsection 1, paragraph L; after June 30, 2002 for employees identified in
38 subsection 1, paragraph M; after June 30, 2020 for employees identified in
39 subsection 1, paragraphs N to P; and after September 30, 2021 for employees
40 identified in subsection 1, paragraph Q; and after September 30, 2025 for
41 employees identified in subsection 1, paragraph R must be computed under section
42 17852, subsection 1, paragraph A. If the member is qualified under subsection 2,
43 paragraph B and:

44 (a) Had 10 years of creditable service on July 1, 1993, the segment amount
45 must be reduced in the manner provided in section 17852, subsection 3,

1 paragraphs A and B for each year that the member's age precedes 55 years of
2 age; or

3 (b) Had fewer than 10 years of creditable service on July 1, 1993, the segment
4 amount must be reduced by 6% for each year that the member's age precedes
5 55 years of age.

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

7 G. The service retirement benefit of a member to whom subsection 1, paragraph R
8 applies and who qualifies for service retirement benefits under subsection 2 must be
9 computed under section 17852, subsection 1, paragraph A on the basis of all of the
10 member's creditable service in the capacity specified in subsection 1, paragraph R,
11 regardless of when that creditable service was earned, except that for a member
12 qualifying under subsection 2, paragraph B:

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

16 (2) If the member had fewer than 10 years of creditable service on July 1, 1993,
17 the benefit must be reduced by 6% for each year that the member's age precedes
18 55 years of age.

19 **Sec. 9. 5 MRSA §17851-A, sub-§5,** as amended by PL 2021, c. 474, §10, is further
20 amended to read:

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

34 SUMMARY

35 This bill provides that the 1998 Special Retirement Plan of the Maine Public
36 Employees Retirement System applies to employees in the employment of the Office of
37 Chief Medical Examiner within the Department of the Attorney General. Under that plan,
38 a person may retire at 55 years of age with 10 years of creditable service or may retire
39 before 55 years of age with 25 years of creditable service. It also provides that the service
40 retirement benefit for an employee in the office must be computed on the basis of all of the
41 member's creditable service, regardless of when that service was earned.



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 610

H.P. 387

House of Representatives, February 14, 2023

**An Act to Expand the 1998 Special Retirement Plan to Include
Employees Who Work for the Office of Chief Medical Examiner**

Reference to the Committee on Labor and Housing suggested and ordered printed.

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative HASENFUS of Readfield.
Cosponsored by Senator HICKMAN of Kennebec.

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

2 **Sec. 1. 5 MRSA §17851-A, sub-§1, ¶P**, as amended by PL 2021, c. 474, §4, is
3 further amended to read:

4 P. Detectives in the employment of the Office of the Attorney General on July 1, 2020
5 who elect to participate in the 1998 Special Plan or hired thereafter; ~~and~~

6 **Sec. 2. 5 MRSA §17851-A, sub-§1, ¶Q**, as enacted by PL 2021, c. 474, §5, is
7 amended to read:

8 Q. Civilian employees whose job responsibilities include the handling, examination or
9 analysis of digital or physical evidence in the employment of the Department of Public
10 Safety, Maine State Police Crime Laboratory or computer crimes unit on October 1,
11 2021 who elect to participate in the 1998 Special Plan or hired thereafter; and

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

13 R. Employees of the Office of Chief Medical Examiner within the Department of the
14 Attorney General on July 1, 2022 or hired thereafter.

15 **Sec. 4. 5 MRSA §17851-A, sub-§2**, as amended by PL 2021, c. 474, §6, is further
16 amended to read:

17 **2. Qualification for benefits.** A member employed in any one or a combination of
18 the capacities specified in subsection 1 after June 30, 1998 and before September 1, 2002
19 for employees identified in subsection 1, paragraphs A and B; after June 30, 1998 for
20 employees identified in subsection 1, paragraphs C to H; after December 31, 1999 for
21 employees identified in subsection 1, paragraphs I to K; any employee identified in
22 subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection 1,
23 paragraphs N to P; after September 30, 2021 for employees identified in subsection 1,
24 paragraph Q; any employee identified in subsection 1, paragraph R; and any employee
25 identified in subsection 1, paragraph L, qualifies for a service retirement benefit if that
26 member either:

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

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

33 **Sec. 5. 5 MRSA §17851-A, sub-§3, ¶A**, as amended by PL 2021, c. 474, §7, is
34 further amended by amending subparagraph (1) to read:

35 (1) Service credit purchased by repayment of an earlier refund of accumulated
36 contributions following termination of service is included only to the extent that
37 time to which the refund relates was served after June 30, 1998 and before
38 September 1, 2002 for employees identified in subsection 1, paragraphs A and B;
39 after June 30, 1998 for employees identified in subsection 1, paragraphs C to H;
40 after December 31, 1999 for employees identified in subsection 1, paragraphs I to
41 K; after June 30, 2020 for employees identified in subsection 1, paragraphs N to P;
42 and after September 30, 2021 for employees identified in subsection 1, paragraph

1 Q in any one or a combination of the capacities specified in subsection 1. Service
2 credit may be purchased for service by an employee identified in subsection 1,
3 paragraphs L ~~and~~ M ~~and~~ R regardless of when performed; and

4 **Sec. 6. 5 MRSA §17851-A, sub-§4, ¶A**, as amended by PL 2021, c. 474, §8, is
5 further amended to read:

6 A. If all of the member's creditable service in any one or a combination of the
7 capacities specified in subsection 1 was earned after June 30, 1998 and before
8 September 1, 2002 for employees identified in subsection 1, paragraphs A and B; after
9 June 30, 1998 for employees identified in subsection 1, paragraphs C to H; after
10 December 31, 1999 for employees identified in subsection 1, paragraphs I to K; after
11 December 31, 2001 for employees identified in subsection 1, paragraph L; after June
12 30, 2002 for employees identified in subsection 1, paragraph M; after June 30, 2020
13 for employees identified in subsection 1, paragraphs N to P; ~~and~~ after September 30,
14 2021 for employees identified in subsection 1, paragraph Q; and after June 30, 2022
15 for employees identified in subsection 1, paragraph R; if service credit was purchased
16 by repayment of an earlier refund of accumulated contributions for service in any one
17 or a combination of the capacities specified in subsection 1 after June 30, 1998 and
18 before September 1, 2002 for employees identified in subsection 1, paragraphs A and
19 B; after June 30, 1998 for employees identified in subsection 1, paragraphs C to H;
20 after December 31, 1999 for employees identified in subsection 1, paragraphs I to K;
21 after December 31, 2001 for employees identified in subsection 1, paragraph L; after
22 June 30, 2002 for employees identified in subsection 1, paragraph M; after June 30,
23 2020 for employees identified in subsection 1, paragraphs N to P; ~~and~~ after September
24 30, 2021 for employees identified in subsection 1, paragraph Q; and after June 30, 2022
25 for employees identified in subsection 1, paragraph R; or if service credit was
26 purchased by other than the repayment of an earlier refund and eligibility to make the
27 purchase of the service credit, including, but not limited to, service credit for military
28 service, was achieved after June 30, 1998 and before September 1, 2002 for employees
29 identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees
30 identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees
31 identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees
32 identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in
33 subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection
34 1, paragraphs N to P; ~~and~~ after September 30, 2021 for employees identified in
35 subsection 1, paragraph Q; and after June 30, 2022 for employees identified in
36 subsection 1, paragraph R, the benefit must be computed as provided in section 17852,
37 subsection 1, paragraph A.

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

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

44 **Sec. 7. 5 MRSA §17851-A, sub-§4, ¶B**, as amended by PL 2021, c. 474, §9, is
45 further amended to read:

1 B. Except as provided in paragraphs D, E ~~and~~ F ~~and~~ G, if some part of the member's
2 creditable service in any one or a combination of the capacities specified in subsection
3 1 was earned before July 1, 1998 for employees identified in subsection 1, paragraphs
4 A to H; before January 1, 2000 for employees identified in subsection 1, paragraphs I
5 to K; before January 1, 2002 for employees identified in subsection 1, paragraph L;
6 before July 1, 2002 for employees identified in subsection 1, paragraph M; before July
7 1, 2020 for employees identified in subsection 1, paragraphs N to P; ~~and~~ before October
8 1, 2021 for employees identified in subsection 1, paragraph Q; and before July 1, 2022
9 for employees identified in subsection 1, paragraph R and some part of the member's
10 creditable service in any one or a combination of the capacities specified in subsection
11 1 was earned after June 30, 1998 and before September 1, 2002 for employees
12 identified in subsection 1, paragraphs A and B; after June 30, 1998 for employees
13 identified in subsection 1, paragraphs C to H; after December 31, 1999 for employees
14 identified in subsection 1, paragraphs I to K; after December 31, 2001 for employees
15 identified in subsection 1, paragraph L; after June 30, 2002 for employees identified in
16 subsection 1, paragraph M; after June 30, 2020 for employees identified in subsection
17 1, paragraphs N to P; ~~and~~ after September 30, 2021 for employees identified in
18 subsection 1, paragraph Q; and after June 30, 2022 for employees identified in
19 subsection 1, paragraph R, then the member's service retirement benefit must be
20 computed in segments and the amount of the member's service retirement benefit is the
21 sum of the segments. The segments must be computed as follows:

22 (1) The segment or, if the member served in more than one of the capacities
23 specified in subsection 1 and the benefits related to the capacities are not
24 interchangeable under section 17856, segments that reflect creditable service
25 earned before July 1, 1998 for employees identified in subsection 1, paragraphs A
26 to H; before January 1, 2000 for employees identified in subsection 1, paragraphs
27 I to K; before January 1, 2002 for employees identified in subsection 1, paragraph
28 L; before July 1, 2002 for employees identified in subsection 1, paragraph M;
29 before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
30 ~~and~~ before October 1, 2021 for employees identified in subsection 1, paragraph Q;
31 and before July 1, 2022 for employees identified in subsection 1, paragraph R or
32 purchased by repayment of an earlier refund of accumulated contributions for
33 service 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
35 I to K; before January 1, 2002 for employees identified in subsection 1, paragraph
36 L; before July 1, 2002 for employees identified in subsection 1, paragraph M;
37 before July 1, 2020 for employees identified in subsection 1, paragraphs N to P;
38 ~~and~~ before October 1, 2021 for employees identified in subsection 1, paragraph Q;
39 and before July 1, 2022 for employees identified in subsection 1, paragraph R in a
40 capacity or capacities specified in subsection 1 or purchased by other than the
41 repayment of a refund and eligibility to make the purchase of the service credit,
42 including, but not limited to, service credit for military service, was achieved
43 before July 1, 1998 for employees identified in subsection 1, paragraphs A to H;
44 before January 1, 2000 for employees identified in subsection 1, paragraphs I to K;
45 before January 1, 2002 for employees identified in subsection 1, paragraph L;
46 before July 1, 2002 for employees identified in subsection 1, paragraph M; before
47 July 1, 2020 for employees identified in subsection 1, paragraphs N to P; ~~and~~ before

1 October 1, 2021 for employees identified in subsection 1, paragraph Q; and before
2 July 1, 2022 for employees identified in subsection 1, paragraph R, must be
3 computed under section 17852, subsection 1, paragraph A. If the member is
4 qualified under subsection 2, paragraph B and:

5 (a) Had 10 years of creditable service on July 1, 1993, the amount of the
6 segment or segments must be reduced as provided in section 17852, subsection
7 3, paragraphs A and B; or

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

11 (2) The segment that reflects creditable service earned after June 30, 1998 and
12 before September 1, 2002 for employees identified in subsection 1, paragraphs A
13 and B; after June 30, 1998 for employees identified in subsection 1, paragraphs C
14 to H; after December 31, 1999 for employees identified in subsection 1, paragraphs
15 I to K; after December 31, 2001 for employees identified in subsection 1, paragraph
16 L; after June 30, 2002 for employees identified in subsection 1, paragraph M; after
17 June 30, 2020 for employees identified in subsection 1, paragraphs N to P; and
18 after September 30, 2021 for employees identified in subsection 1, paragraph Q;
19 and after June 30, 2022 for employees identified in subsection 1, paragraph R or
20 purchased by repayment of an earlier refund of accumulated contributions for
21 service after June 30, 1998 and before September 1, 2002 for employees identified
22 in subsection 1, paragraphs A and B; after June 30, 1998 for employees identified
23 in subsection 1, paragraphs C to H; after December 31, 1999 for employees
24 identified in subsection 1, paragraphs I to K; after December 31, 2001 for
25 employees identified in subsection 1, paragraph L; after June 30, 2002 for
26 employees identified in subsection 1, paragraph M; after June 30, 2020 for
27 employees identified in subsection 1, paragraphs N to P; and after September 30,
28 2021 for employees identified in subsection 1, paragraph Q; and after June 30,
29 2022 for employees identified in subsection 1, paragraph R in any one or a
30 combination of the capacities specified in subsection 1, or purchased by other than
31 the repayment of a refund and eligibility to make the purchase of the service credit,
32 including, but not limited to, service credit for military service, was achieved after
33 June 30, 1998 and before September 1, 2002 for employees identified in subsection
34 1, paragraphs A and B; after June 30, 1998 for employees identified in subsection
35 1, paragraphs C to H; after December 31, 1999 for employees identified in
36 subsection 1, paragraphs I to K; after December 31, 2001 for employees identified
37 in subsection 1, paragraph L; after June 30, 2002 for employees identified in
38 subsection 1, paragraph M; after June 30, 2020 for employees identified in
39 subsection 1, paragraphs N to P; and after September 30, 2021 for employees
40 identified in subsection 1, paragraph Q; and after June 30, 2022 for employees
41 identified in subsection 1, paragraph R must be computed under section 17852,
42 subsection 1, paragraph A. If the member is qualified under subsection 2,
43 paragraph B and:

44 (a) Had 10 years of creditable service on July 1, 1993, the segment amount
45 must be reduced in the manner provided in section 17852, subsection 3,

1 paragraphs A and B for each year that the member's age precedes 55 years of
2 age; or

3 (b) Had fewer than 10 years of creditable service on July 1, 1993, the segment
4 amount must be reduced by 6% for each year that the member's age precedes
5 55 years of age.

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

7 G. The service retirement benefit of a member to whom subsection 1, paragraph R
8 applies and who qualifies for service retirement benefits under subsection 2 must be
9 computed under section 17852, subsection 1, paragraph A on the basis of all of the
10 member's creditable service in the capacity specified in subsection 1, paragraph R,
11 regardless of when that creditable service was earned, except that for a member
12 qualifying under subsection 2, paragraph B:

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

16 (2) If the member had fewer than 10 years of creditable service on July 1, 1993,
17 the benefit must be reduced by 6% for each year that the member's age precedes
18 55 years of age.

19 **Sec. 9. 5 MRSA §17851-A, sub-§5,** as amended by PL 2021, c. 474, §10, is further
20 amended to read:

21 **5. Contributions.** Notwithstanding any other provision of subchapter 3, after June
22 30, 1998 and before September 1, 2002 for employees identified in subsection 1,
23 paragraphs A and B; after June 30, 1998 for employees identified in subsection 1,
24 paragraphs C to H; after December 31, 1999 for employees identified in subsection 1,
25 paragraphs I to K; after December 31, 2001 for employees identified in subsection 1,
26 paragraph L; after June 30, 2002 for employees identified in subsection 1, paragraph M;
27 after June 30, 2020 for employees identified in subsection 1, paragraphs N to P; ~~and~~ after
28 September 30, 2021 for employees identified in subsection 1, paragraph Q; and after June
29 30, 2022 for employees identified in subsection 1, paragraph R, a member in the capacities
30 specified in subsection 1 must contribute to the State Employee and Teacher Retirement
31 Program or have pick-up contributions made at the rate of 8.65% of earnable compensation
32 until the member has completed 25 years of creditable service as provided in this section
33 and at the rate of 7.65% thereafter.

34 SUMMARY

35 This bill provides that the 1998 Special Retirement Plan of the Maine Public
36 Employees Retirement System applies to employees in the employment of the Office of
37 Chief Medical Examiner within the Department of the Attorney General. It also provides
38 that the service retirement benefit for an employee in the office must be computed on the
39 basis of all of the member's creditable service, regardless of when that service was earned.



Approved: 06/01/23 *MAC*

131st MAINE LEGISLATURE

LD 610

LR 377(02)

An Act to Expand the 1998 Special Retirement Plan to Include Employees Who Work for the Office of Chief Medical Examiner

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Labor and Housing

Fiscal Note Required: Yes

Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$370,404	\$33,191	\$34,386	\$35,624
Appropriations/Allocations				
General Fund	\$370,404	\$33,191	\$34,386	\$35,624
Federal Expenditures Fund	\$923	\$1,244	\$1,289	\$1,335

Fiscal Detail and Notes

This bill includes General Fund appropriations of \$370,404 in fiscal year 2023-24 and \$33,191 in fiscal year 2024-25 and Federal Expenditures Fund allocations of \$923 in fiscal year 2023-24 and \$1,244 in fiscal year 2024-25 for the costs of allowing employees of the Office of Chief Medical Examiner to participate in the 1998 Special Plan. Of these amounts, a one-time General Fund appropriation of \$346,502 in fiscal year 2023-24 is provided to the Retirement System - Retirement Allowance Fund within the Maine Public Employees Retirement System for the unfunded actuarial liability created as a result of allowing service retirement benefits for these employees earned under the regular state employee and teacher plan to be calculated under the 1998 Special Plan. Additionally, ongoing General Fund appropriations of \$23,902 and \$33,191 and Federal Expenditures Fund allocations of \$923 and \$1,244 in fiscal years 2023-24 and 2024-25, respectively, is provided to the Office of Chief Medical Examiner within the Department of the Attorney General for the prospective costs of moving the positions to the 1998 Special Plan effective October 1, 2023.

March 3, 2023

To: Joint Standing Committee on Labor and Housing

From: Erik Hyatt

Re: SUPPORT OF LD610 "An Act To Expand the 1998 Special Retirement Plan To Include Employees Who Work for the Office of Chief Medical Examiner"

Senator Tipping, Representative Roeder, and the members of the Joint Standing Committee on Labor and Housing. Good afternoon, my name is Erik Hyatt I am the Director of Laboratory and Mortuary Operations and a 21 year employee of the State of Maine.

There are many studies out there on Depression and PTSD for first responders about how the traumas they experience directly and vicariously affect them. They have systems in place to help mitigate the negative effects, peer group counseling, debriefings, and so forth.

The "Work-Related Trauma, Alienation, and Posttraumatic and Depressive Symptoms in Medical Examiner Employees." study, conducted in 2017 by St. John's University is the one study we have to tell us: "workplace stressors have specific, identifiable effects on social-cognitive processes that contribute to mental health risks. Both primary and vicarious exposures were associated with the development of negative cognitions (sic)" In layperson terms, what we see and do has a negative effect on our health and welfare. It also told us that those of us who deal with death; "It is a stigmatized occupation." (Thompson).

The first responders call their witnessed trauma of death into our office where one of 7 people who answer the phone, among their other duties, take all the demographic information, the details of the case, and all pertinent information to then make a determination as to how we are going to process it. Then they gather records, upload the pictures that are sent to us, inform who needs to be informed to get the work done, schedule transport, and then answer another call from a family member of a totally different case to help them process their trauma by providing answers.

Last year they did this 4217 times.

Each call had to be heard and a determination made. Each of those calls were reviewed in a morning meeting by the entire staff of 10 people and 2 Doctors. 2503 of those cases needed something more. 601 became an in depth record review. 1522 of them became external exams with blood draws and pictures to upload. 597 of them came into the OCME to be cared for by a staff of 2 Medical Examiner Assistants and me.

95 of those were exams. Exams most times because they were too decomposed for an autopsy to be conclusive, but still needing xrays, samples taken, and to be respectfully cleaned of infestation. And yes, the upstairs can smell it too.

403 Autopsies. 43 Homicides, all 10 of us involved directly or vicariously to maybe the worst thing one can do to another. 48 under the age of 18 and 22 of those under the age of 1, the worst thing for this father and grandfather. 311 other human beings whose family and society need answers for. All of them, when we're done, stitched closed, washed, and respectfully stored till they can rest.

We also ran toxicology on 1619 cases to determine cause of death and help track the Opioid Pandemic. While three of us processed and shipped these cases it was the 7 upstairs that made all the arrangements to get the samples to us.

We are the last responders. We 10, care for the dead of Maine, in some cases we are the last dignity they will see. We reach out for the unidentified and forgotten trying to find them rest. More than that we care for the living left behind wanting answers.

Please support LD610 and give us a chance to retire and rest.

Thank you,

A handwritten signature in black ink, appearing to read "Erik M Hyatt". The signature is fluid and cursive, with the first name "Erik" and last name "Hyatt" clearly distinguishable.

Erik M Hyatt

Farmingdale

207-593-6346

Senator Tipping, Representative Roeder, and the members of the Joint Standing Committee on Labor and Housing:

I am submitting this testimony in support of LD610 "An Act To Expand the 1998 Special Retirement Plan To Include Employees Who Work for the Office of Chief Medical Examiner"

I am the spouse of Erik Hyatt, who works for the OCME. I am also a registered nurse with over 27 years' experience. I can say in all honesty, even with my experience in illness, trauma and death, I would not have the fortitude to deal with what my husband and his co-workers deal with on a daily basis. In my work, we have good days, with some positive aspect of the job- sending someone home, successfully administering life saving measures. Even his "good days" involve tragedy- like identifying a J. Doe or someone's skeletal remains so a family can finally have closure.

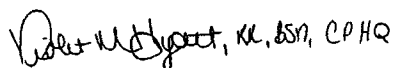
This office sees the absolute worst that humanity can do to each other. Every questionable death in the State of Maine is investigated by their office. Imagine being the person who had to autopsy a child, to discover that they suffered years of abuse and died at the hands of those abusers. They then have to take pictures of and record every injury. EVERY injury.

One child they autopsied had 40 and 50 "distinct blunt-force injuries" per the court testimony quoted in the newspaper. Another died of blunt force trauma and had a fractured spine, ruptured bowel, a brain injury, in addition to other injuries per the news report. My husband had been part of many cases like this, and I say with all honesty, he was NOT "okay" after. But he still does his best for the people of Maine every day, as does everyone he works with.

I'm not privy to all the workings of their office but I have interacted with all the employees at outside events. I have extensive mental health experience, and while diagnosing is outside my scope of practice, I can clearly see the signs and symptoms of Post-Traumatic Stress Syndrome or Post-Traumatic Stress Disorder. I've seen them try to not react when curious citizens ask them about their job with questions like "What's the weirdest death you've ever had". Worse is when asked "Did you have to do the autopsy on so-and-so? That was so sad wasn't it".

In closing, I thank you for considering my written testimony and your support of these diligent workers for the citizens of the State of Maine.

Sincerely,

 Violet M. Hyatt, RN, BSN, CPHQ

Violet.m.hyatt@maine.gov

Office of Chief Medical Examiner

30 Hospital Street

Augusta, ME 04330

February 20, 2023

Joint Standing Committee on Labor and Housing

100 State House Station

Augusta, ME 04330

To: Senate Chair, Senator Michael Tipping, House Chair, Representative Amy Roeder; and The Members of the Joint Standing Committee on Labor and Housing.

Good Afternoon; I am Ryan Eagles, a Medical Examiner's Assistant for the Office of Chief Medical Examiner. I appreciate this opportunity to speak before you today in support of this bill.

25 years of service to your state is an amazing feat. 25 years of service to the state in a capacity where one sees, hears, feels and smells trauma, multiple times a day is even more incredible. In my opinion, the special retirement plan was initiated to minimize one's time working a highly stressful and traumatic job; one such as working at the Office of Chief Medical Examiner. Other job fields that have been granted the special retirement package are police, fire, emergency medical technicians among other front-line workers.

To illustrate how much trauma we endure daily, let's look at some numbers. Since the new year, we have autopsied 5 babies less than one year old. In 2022 we autopsied 22 babies less than one year old. In 2022 we also autopsied 43 people where the pathologist has ruled the death a homicide. Often these cases are difficult due to the horrific state the body is in. We have people come to our office in pieces that have been hit by trains, run over by vehicles or crushed by equipment. All of which we must process which includes photos, x-rays and sample draws. This is before making the Y incision to eviscerate the body for the doctor to examine the organs.

To further exemplify how each staff person at OCME is affected by death day in and day out, allow me to explain the process of how our office works. It often starts with a 911 call reporting a death to the police. When they arrive and gather some information, they call our office, where an administrative staff person takes the call. They ask questions to determine circumstances of death, the state of the body, and detail injuries. All this information is shared with a death investigator and then a doctor who decides how the case will proceed. If the person needs an exam by a Field Medical Examiner, staff will schedule them to do so, or if the body is needed to come to our office for further studies, staff may schedule a funeral home to bring them to us.

As you can see, every single person in our office hears about death, reviews photos of death scenes and uploads them into our computer system, talks with family members about their loved ones, speaks to law enforcement about their investigation and works with funeral homes and doctors in hospitals to assist with completing a death certificate. Our office is an open floor plan with low walled cubicles which means everyone is exposed to each call even if they did not receive the call themselves. We all communicate about the progress of cases, so we are all aware of what was done and/or needs to be done.

In addition to these duties, the office takes calls of missing people and arranges for DNA to be collected should the person be found and is not identifiable. We examine people who are decomposed past the point of making a positive visual identification. Often the body is accompanied by bugs and leaking fluid. Again, we use DNA to identify these people, often having to cut a piece of muscle or bone for the lab to extract DNA.

Given that this is a high stress, traumatic job, mental health plays a big role in coping with our jobs. We attempt to practice self-care through therapists, integrated medicine, meditation, yoga, strength training and talking with coworkers.

When we stop caring for ourselves tragic things happen. Patrick Toman was employed as a Medical Examiner's Assistant at our office for 16 years. No one knew how much Patrick was hurting until he committed suicide, in the office, on January 4, 1995.

I enjoy my job and the work I perform. It is important work and often leads to closure for the family. I take my work seriously executed with compassion and dignity for our patients. I am in support of LD610 and believe that after 25 years of service to the people of this great state that I should have the flexibility to pursue other endeavors.

Thank you all for your time and consideration of this bill.

Sincerely,

Ryan Eagles

March 2, 2023

To: Joint Standing Committee on Labor and Housing

From: Lindsey Chasteen, MBA

Office Administrator with Maine Office of Chief Medical Examiner

Re: LD 610 "An Act to Expand the 1998 Special Retirement Plan to Include Employees Who Work for the Office of Chief Medical Examiner"

Senator Tipping, Representative Roeder, and Committee Members, thank you for taking the time to listen to testimony regarding this bill.

I am Lindsey Chasteen, Office Administrator with the Office of Chief Medical Examiner and I am in favor of this bill. I have worked for the State of Maine for almost nine (9) years, and have been at the OCME for the past eight (8) years.

Imagine if you will, the aftermath of a tragic event. Maybe it's a car accident, a shooting, or a natural disaster. In the midst of the chaos, there is often one question that haunts the loved ones left behind: what happened?

The Medical Examiner's Office is tasked with answering that question. We have the statutory responsibility to investigate deaths in Maine; to determine the cause and manner of death that will be listed on a death certificate, communicated to families, and used by law enforcement to prosecute crimes.

You hear in the news that the Medical Examiner's Office is investigating, or the Medical Examiner's Office is conducting an autopsy. My office does so much more than anyone realizes. We corroborate law enforcement's theories with physical evidence, we provide genetic information to families who lose a child too soon, we confirm the identities of missing people and return them home.

Across the country Medical Examiner offices are undervalued and underfunded. However, when death occurs, we are the ones there. We are the ones discussing death scenes with law enforcement while a mother cries and screams in the background because she just found her child dead. We are the ones reading a teenager's suicide note to see if they mentioned whether they were bullied at school, so we can notify the school and maybe prevent the death of someone else's child. We are the ones explaining to a daughter how her father died and providing the autopsy report to her primary care physician, so they understand the family history. When everyone else is offering condolences and is unsure what to say to a widower, we are there. We are there to provide answers, educate on next steps, and sometimes, just there to listen.

The American Psychiatric Association defines "vicarious trauma" as part of a cluster of trauma and stressor-related disorders. It is the emotional residue to traumatic events and experiences of others. We are exposed to vicarious trauma every day, and keep showing up. We show up for the dead, we show up for their loved ones, and we show up for each other. People have sought therapy because of what they've

been exposed to while working at the OCME and been asked to find a different therapist because the therapist couldn't handle what that person had to say. How isolating that must be; to seek help and be told what you've experienced is too traumatic for the person who is supposed to help you. What we do is not easy, yet I have never worked with a more compassionate and dedicated group of people.

Some cases are easier to handle than others, but everyone has their "tough cases". For me, it's young girls. I have an eight (8) year old daughter, with blonde hair like her dad. Seeing a seven (7) year old girl with blonde hair who died in a house fire has haunted me. That could have been my daughter. We must compartmentalize our work, or it will destroy us. Yet, this is how we choose to serve our communities.

I am encouraging you to support LD610, expanding Maine's special retirement to include the Office of Chief Medical Examiner, in acknowledgement and understanding that most people don't want to think about what happens to the dead, let alone do our jobs.

To The Joint Committee on Labor and Housing,

I wanted to send you a letter to give you a view of the Office of Chief Medical Examiner (OCME) from an administrative standpoint and why we should be eligible for special retirement.

I have worked at OCME for almost seven (7) years, and I take pride in my work and helping families during the one of most difficult times of their lives. If we are approved for special retirement, I will still have another 18 years to work at the OCME. There are many rewarding aspects of this job but there are also many sides to this job that are mentally and emotionally taxing. There are only four (4) administrative staff at the OCME that handle all incoming phone calls, death reports, photos, and visitors to the OCME, along with all other administrative duties. We review every case that gets reported and make sure that we have all the information and supporting documents necessary to make a decision on that case. We are also the state clearinghouse for all missing and unidentified people. That includes monitoring all people that are reported missing in the state of Maine and making sure that we have all the information (DNA, fingerprints, dental records, etc.) so that in the event that unidentifiable remains are located, a quick identification can be made. We work diligently following up on new science or ideas for identifying our unidentified individuals. The amount of work the OCME produces, for how few staff there are, is astounding.

There are days when you take phone call after phone call where family is distraught or angry and need you to be an outlet for them. You understand their grief and do your best in every situation to make them know that their loved ones mattered. Sometimes you do not have a minute between phone calls to process and re-group; it's on to another phone call and you need to push those feelings aside and move on to help the next family. It's replaying these conversations in your head on your way home and wishing that you had said or done something different to make it easier for them. It's trying to shut it all off so that you do not bring it home to your family.

It's the days where you take the report of a child death, and it reminds you of a child in your life. Maybe they were bullied in school or at home and decided that killing themselves was their only option. You cannot take that report, see those photos, and read their suicide note and not have that impact your life.

Our office staff processes every photo of a dead body at a scene or exam, and we often use these photos to get details of a scene that were not relayed to us in the initial report. We use these photos to talk with families about the injuries that their loved one suffered. Or maybe it was a fire and there is little left of that person, try to imagine explaining this to a family member. You cannot just decide that you are not going to look at them anymore, it's part of the job.

I have taken the report on a friend that died and processed the photos of their death. I have heard many phone calls where my heart stopped because I thought it was a report of death on someone I knew, and sometimes it was. I have held the hand of a best friend's deceased child after their autopsy, and that was one of the hardest things that I have done in my life. This was a life changing moment for me and something that I will always carry with me.

This job changes you, whether you believe it does or not. I went several years thinking that this was just a job and that I would be able to block it all out and not let it impact my life, but that certainly is not the case. The cumulative trauma, transference, worry, and stress of this job is something that needs to be

recognized. It is seeing death every. single. day. It is a job that makes you hyper-aware of how fragile life is. It also makes you angry because you see the awful things that people do to each other.

Our office took 4,217 reports of death in 2022. That is on average, 11.5 deaths reported to our office every day. That is the potential for 11 families to call, 11 sets of scene photos to process, and 11 opportunities for it to be someone you love or remind you of someone you love.

I am not looking for sympathy or recognition for doing the job I was hired to do; I simply want you all to take another look at the impact this job has on us and to consider approving early retirement. The amount of institutional knowledge from those that have been here for several years has proved to be invaluable. Giving incentive to keep those people on long-term and be able to have that knowledge is irreplaceable in this line of work. Working at the OCME is not just another state office job; we handle the dead, and the circumstances of their deaths, working intimately with state and local law enforcement to ensure Maine's death investigations are held to the highest national standard.



Tavis Hasenfus

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HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002
(207) 287-1400
TTY: MAINE RELAY 711

March 2, 2023

Testimony of Rep. Tavis Hasenfus introducing
**LD 610, An Act to Expand the 1998 Special Retirement Plan to Include
Employees Who Work for the Office of Chief Medical Examiner
Before the Labor and Housing Committee**

Good afternoon, Senator Tipping, Representative Roeder and members of the Labor and Housing Committee. My name is Tavis Hasenfus, and I represent House District 57, which is the communities of Readfield and Winthrop. I am here before you today to introduce **LD 610, An Act to Expand the 1998 Special Retirement Plan to Include Employees Who Work for the Office of Chief Medical Examiner.**

Last session, a version of this bill was supported in committee and passed both the House and Senate in almost an identical form to what is presented to you today. Unfortunately, that bill was unable to receive funding prior to the end of the session and never came off of the appropriations table.

The bill before you simply provides that the 1998 Special Retirement Plan of the Maine Public Employees Retirement System applies to employees who work for the Office of the Chief Medical Examiner with the Department of the Attorney General. For those of you who are not familiar with the plan, it allows specific public employees to retire at age 55 when they have 10 years of creditable service. Employees covered in this special retirement plan include law enforcement officers employed by the Department of Marine Resources and the Department of Inland Fisheries and Wildlife, forest rangers employed by the Department of Agriculture, Conservation and Forestry, staff of the Office of the State Fire Marshall and others.

The office of the state medical examiner has the responsibility of investigating all suspicious and accidental deaths within the state. This includes homicides, accidents and deaths from natural causes. The office responsibilities also include fielding and investigating missing persons cases. This office performs more than 300 autopsies annually. You'll see in the testimony from one staffer that they processed 4,217 reports of death last year, which averages to 11.5 deaths each day.

I share this with you because the employees within the Chief Medical Examiner's Office are tasked with performing incredibly difficult work. Not only do they require specialized skills, but

routinely identifying, gathering and handling human remains, sometimes those of people they know personally. This creates emotional stress and unquestionably significant trauma. You'll read of the experiences of these workers in their written testimony.

We should recognize these employees for their service on behalf of the state the way we do many others by allowing them early retirement. I ask this committee to once again support this legislation and provide these deserving employees with a fair retirement plan.

Testimony of Jeff McCabe
Maine Service Employees Association, SEIU Local 1989

Before the Joint Standing Committee on Labor and Housing

In Support of LD 610, An Act To Expand the 1998 Special Retirement Plan To Include Employees Who
Work for the Office of Chief Medical Examiner (Emergency)
Sponsored by Representative Hasenfus

March 2, 2023, Cross Office Building Room 202, and Electronically

Senator Tipping, Representative Amy Roeder, members of the Committee on Labor and Housing, my name is Jeff McCabe, Director of Politics and Legislation for the Maine Service Employees Association, Local 1989 of the Service Employees International Union. The Maine Service Employees Association represents over 13,000 public sector and publicly funded workers across the state, including workers in the Office of Chief Medical Examiner within the Maine Office of Attorney General. We're here in support of LD 610.

We appreciate the introduction of this legislation on behalf of the workers in the Office of Chief Medical Examiner. The issue of who is currently included in the 1998 Special Plan and who is currently excluded from it is a real one. It impacts many public servants in our Great State of Maine, and it must be addressed immediately for the State to recruit and retain qualified workers. We also appreciate this committee's diligence on this overall issue. Over the past three, members of this committee have heard testimony from other state workers seeking inclusion in the 1998 Special Plan. Those workers are employed in the Maine State Police Crime Lab and the Computer Crimes Unit within the Maine Department of Public Safety. They have asked to be included in the 1998 Special Plan due to the exceedingly difficult work they do in service to Maine people.

LD 610, the subject of this hearing, is similar in intent, but it seeks to include in the 1998 Special Plan another group of State employees: those who work in the Office of Chief Medical Examiner. Like their colleagues in the State Police Crime Lab and in the Computer Crimes Unit, the workers in the Office of Chief Medical Examiner also do exceedingly difficult work in their service to all Maine people. The job of these workers is to work with the bodies of death victims and to be in contact with their families. This is traumatic work, so it's past time for them to become eligible for the Special Plan. We would welcome an amendment to ensure this legislation applies not just to future hires but to any and all workers currently employed in this particular office.

The current exclusion of workers in the Office of Chief Medical Examiner from the Special Plan is a contributing factor to the recruitment and retention problem in this particular state office; it's emblematic of the recruitment and retention problem throughout Maine State Government. Members of this Committee also may be aware our union continues to demand immediate progress on addressing the low-wages the State of Maine pays to state employees. On average, State employees make 15% less than their counterparts throughout New England, even after adjusting for regional pay differences, according to the State of Maine Market Study Report dated Nov. 20, 2020. In order to recruit and retain

qualified employees, the State of Maine must respect them, protect them and pay them fairly for their work.

Passing LD 610 would be an important step toward showing the workers in the Office of Chief Medical Examiner the respect they have earned. I would ask that the committee consider allowing MainePERS and MSEA employees in the Office of Chief Medical Examiner to craft the language that is needed before the committee takes its vote. We feel that MainePERS has the most up-to-date language needed and you have heard from MainePERS already this session that they are committed to the members they serve. We feel committed to working with them to make sure we also are serving our members the best we can.

We bring a number of these bills to this committee knowing that funding will depend on available financial resources and we have seen in years past bills similar to this be funded by department resources or even special revenue sources. This bill is prime for receiving funding from settlement funds via the Office of the Maine Attorney General or other financial resources.

Thank you and I would be glad to answer any questions.

LD2214 Testimony

Senator Rotundo, Senator Sachs, and members of the Appropriations and Financial Affairs committee, my name is Erik Hyatt, and I am the Director of Mortuary and Laboratory Operations for the Office of the Chief Medical Examiner. Thank you for your valuable time and letting me speak to the three budget initiatives on page A-22 of LD2214 that affect the OCME.

The OCME does work that is integral to the safety and well-being of the citizens of Maine. Beyond what has been popularized on many crime-shows, we also provide answers to families that don't understand why someone would suddenly pass on with no previous medical concerns; we can screen for genetic issues that can save other family members. We track all the missing individuals in the State of Maine and hope they never make it to our office, but if they sadly do we have the means to identify and return them to their families. We provide and correlate the data to try and help combat the opioid pandemic. We helped to develop a program to track all drugs in fatal motor vehicle accidents for a more accurate picture of the safety of our roadways. We educate students from high school upward interested in forensics who want to know what we really do and how we do it.

We also see some of the worst things that can happen to people: Three Maine Maritime students, 2 plane crash victims, 46 homicides just last year, and Lewiston.

These were 70 people of the 507 that came through our doors last year, the 2,507 we took jurisdiction of and the 4,122 calls we took as an office of 12 people.

We weren't prepared for Lewiston. We adapted and overcame. Four of us went to the scene. When we returned, the two Medical Examiner Assistants, who have to split being available 24/7 365, and I processed every victim with help from New Hampshire and Maine State Police Evidence Recovery Teams and the latent print specialist from our Maine State Police Crime Lab. From that first notification until all the victims were returned to their families was 132 hours.

The office personnel made sure we had everything we needed during this time along with all the calls from outside agencies and organizations who needed information. They also took eighty more cases during that time period. Still serving all the people of Maine.

It seems gauche to have to talk about operational costs in the wake of such a tragedy, but we have to.

As an office of 12 working with a 2.6-million-dollar budget that covers payroll to supplies we are at wit's end. According to the National Association of Medical Examiners, we operate on about half of the national average. I order the operational supplies, and I'm having to order some of them on Amazon to try and keep the budget balanced and maintain our NAME accreditation. To do our jobs, to serve Maine, we need to be able to pay our staff and provide them with the proper safe tools to do it.

Please. My people are burned. Support them. These initiatives will help remove the worry of whether they will get paid and if they'll have the equipment to do an already harrowing job safely. These twelve people are of service to the People of Maine in a job that no one wants to talk about or see what they see on a daily basis. I will also ask for the approval of LD610 bringing the OCME into the 1998 Special retirement just like all the responders to that day already have.

Erik Hyatt

Senator Rotundo, Representative Sachs, and members of the Appropriations and Financial Affairs committee, thank you for hearing testimony regarding LD2214, specifically the budget initiatives that affect the Office of Chief Medical Examiner (OCME).

I am Lindsey Chasteen, Office Administrator for the OCME. I have been a state employee for almost ten (10) years, and a member of the OCME for close to nine of those years.

We have three budget initiatives in the Governor's supplemental budget, as noted on page A-22. I am not going to separate out each of our initiatives, I will speak to them as a whole, as it's one agency, a team of twelve (12) people for the entire state.

On October 25th, around 8pm, I was notified it appeared we had a mass fatality event unfolding, and the OCME would need to respond. We knew we didn't have the storage space needed, a scene response was necessary, and that we had long days ahead of us. We handled it with grace and professionalism.

However, with a general fund budget of \$2.6M (including salaries and benefits), an ever-increasing workload (think homicides, drug deaths, and motor vehicle accidents) and the cost of everyday supplies continually increasing, how were we going to pay for the refrigerated trailer, the additional forensic pathologist, the overtime??

During this time, we had the Governor's Office letting us know they'd provide whatever we needed. I received a phone call, on my cellphone, at 1:15 in the morning from the United States Department of Health – Office of Emergency Management and Medical Operations advising that the President of the United States had advised his team to provide the OCME with whatever we needed.

That sounds great, but when you get down to brass tacks, it was all just lip-service. We don't have the space for more personnel, we don't have the space for another x-ray machine. What we needed was financial support.

The red tape associated with providing needed resources is not something considered in the midst of an emergency. The federal government could not provide financial assistance because Maine did not declare this event a disaster. The federal grant to provide financial reimbursement has a 27 month, yes 27 MONTH turnaround. The current OCME budget cannot absorb the financial impact of a mass fatality event.

Governor Mills has requested this funding be included in the Supplemental budget as a way to make good on her office's assurance that the OCME would have what they needed.

Our additional requests for funding allow the OCME to provide the agreed upon stipends and compensation per contract and collective bargaining agreement, and allow the OCME to operate 24/7 when necessary. The OCME has two Medical Examiner Assistants and they rotate weekends. They are the staff who conduct autopsies alongside the forensic pathologist.

Tying into these initiatives, I would ask that the Appropriations Committee take up LD610 and approve funding for that bill; allowing the OCME to take part in Maine's 1998 Special Retirement plan, just like the dispatchers, state police, crime lab, and computer crimes teams who also worked on the Lewiston mass fatality event.

Thank you.

A handwritten signature in black ink, appearing to read "Lindsey Chasteen". The signature is fluid and cursive, with the first name "Lindsey" written in a larger, more prominent script than the last name "Chasteen".

**Testimony of Beth White
Maine Service Employees Association, SEIU Local 1989**

On LD 2214, An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025 (Emergency) (Governor's Bill) Sponsored by Representative Melanie Sachs

**Before the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Judiciary
2pm Wednesday, February 28, 2024, State House Room 228 and Electronically**

Senator Rotundo, Representative Sachs and members of the Committee on Appropriations and Financial Affairs, Senator Carney, Representative Moonen, and members of the Committee on Judiciary, I'm Beth White, Director of Politics & Legislation for the Maine Service Employees Association, Local 1989 of the Service Employees International Union. We are a labor union representing over 13,000 Maine workers, including workers in the Judicial Branch and at the Office of the Attorney General.

First, we support all proposed reclassifications, reorganizations, and range changes that appear in the proposed supplemental budget, some of which are outside of MSEA bargaining units. We also support the one-time funding for a volume increase in guardian ad litem, interpreter, and mental health examiner services within the courts system. These investments in our courts system should help with the backlog of cases and impossible workloads that many Judicial Branch employees are facing.

As you heard during Maine Supreme Court Chief Justice Valerie Stanfill's State of the Judiciary speech on February 21, our judicial system is in a better place than last year, but there are still improvements to be made. She reported that more staff and funding for modern technology are needed, and we agree, as there are 40 to 45 percent more pending criminal cases in the judicial system right now than in 2019 prior to the COVID pandemic.

Workers in the Judicial Branch care immensely about the work they do and recognize the significance that the court system plays in the lives of Maine citizens. They're doing their best to provide services with the resources they have. One of our judicial branch members provided testimony during the 2023 biennial budget hearings, which [you can view here](#). Even with the initiatives enacted under the biennial budget, the problem has not been solved, and further investments in our judicial system are necessary.

We also strongly support the initiatives in the supplemental budget related to costs incurred by the Office of the Chief Medical Examiner (OCME) after the Lewiston tragedy. Staff from the OCME were on the scene soon after the tragic events unfolded. They worked

long, traumatic hours alongside their fellow first responders. The current budget for the office is \$2.6 million, including salaries & benefits; the funding included in the supplemental budget proposal is essential to cover the additional costs incurred while responding in Lewiston, especially since the overall workload at the OCME has increased and they already operate on a budget that is about half of the national average. You will hear from OCME workers today about their experiences and the need for this funding in more detail. We would also like to take this opportunity to say thank you to not only the workers at the OCME, but to all the Mainers who responded to Lewiston and served our state during one of its most tragic moments.

We would also like to ask this committee to fund LD 610, “An Act to Expand the 1998 Special Retirement Plan to Include Employees Who Work for the Office of the Chief Medical Examiner” in the supplemental budget. This legislation, currently on the Special Appropriations Table, would move employees at the Office of the Chief Medical Examiner (OCME) into the 1998 Special Plan. The 1998 Special Plan allows workers to retire at age 55 with 25 years of service; the workers eligible for this special plan do work that is high risk, high stress, and often traumatic. OCME workers have difficult jobs and are constantly exposed to trauma, which impacts themselves and their families. They were the only first responders to the Lewiston tragedy who do not have some type of special retirement plan. Including funding for LD 610 in the supplemental budget would help recruit and retain staff and show thanks and appreciation for the twelve Mainers who do this challenging and critically important work. Many workers from the OCME spoke in support of LD 610 during a public hearing on March 3, 2023 – you can [view their testimonies here](#).

Thank you and I would be happy to answer any questions.

News Coverage Related to Judicial Branch:

Portland Press Herald, “High court chief justice says Maine must invest in tech and staff to solve system’s backlog, 2/21/24: <https://www.pressherald.com/2024/02/21/supreme-justice-says-maine-needs-to-invest-in-tech-staff-to-solve-continued-backlog/>

Portland Press Herald, “New study says Maine courts need more staff to reduce a rising backlog, 6/5/23: <https://www.pressherald.com/2023/06/05/new-study-says-maine-courts-need-more-staff-to-reduce-a-rising-case-backlog/>