STATE OF MAINE

LEGISLATIVE RESEARCH COMMITTEE

Reports

to the

ONE HUNDRED AND FOURTH LEGISLATURE

Volume One

January, 1969

Legislative Research Committee

Publication 104-20 (Vol. I)

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JANUARY, 1969

LEGISLATIVE RESEARCH COMMITTEE

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Appointed November 20, 1968; Effective, January 1, 1969

LETTER OF TRANSMITTAL

January 1, 1969

To the Members of the 104th Legislature:

It is my honor to transmit herewith the first volume of studies authorized by the 103rd Legislature for Legislative Research Committee study and determination during this past biennium.

This volume, designated as Legislative Research Committee publication 104-20 (Vol. I), combines in a single publication the findings and recommendations developed in ten specific areas of study which are individually reported in committee publications numbered 104-1 through 104-10.

The Members of the Committee wish to express their appreciation for being chosen to participate in these assignments and sincerely hope the reports contained herein will prove of benefit to the Members of the Legislature and the people of the State of Maine.

Respectfully submitted,

Kenneth P. MacLeod

KENNETH P. MACLEOD, Chairman
Legislative Research Committee

PROPOSED BILLS TO BE SUBMITTED TO THE 104TH LEGISLATURE

C O N T E N T S

STATE OF MAINE

LEGISLATIVE RESEARCH COMMITTEE

REPORT ON

THE MUNICIPAL PUBLIC EMPLOYEES

LABOR RELATIONS LAW

to

ONE HUNDRED AND FOURTH LEGISLATURE

JANUARY, 1969

Legislative Research Committee

Publication 104-7

SUBCOMMITTEE ON COLLECTIVE BARGAINING BY MUNICIPALITIES

CHAIRMAN - Samuel A. Hinds

VICE CHAIRMAN - Kenneth P. MacLeod

Ethel B. Baker

Armand Duquette

Rodney E. Ross, Jr.

Horace A. Hildreth, Jr., Ex Officio

ORDERED, the House concurring, that the Legislative Research Committee is directed to study the subject matter of the following Bills: "An Act Establishing the Municipal Public Employees Labor Relations Law," Legislative Document No. 1797 and "An Act Providing for Dealings Between Local Education Boards and Associations Representing Teachers," Legislative Document 1865, introduced at the second special session of the 103rd Legislature, to determine whether the best interests of the State would be served by the enactment of such legislation; and be it further

ORDERED, that the Committee report its findings and recommendations to the 104th Legislature; and be it further

ORDERED, that the Committee shall have the authority to employ professional and clerical assistance within the limits of funds provided; and be it further

ORDERED, that there is appropriated to the committee from legislative appropriations the sum of $2,500 to carry out the purposes of this Order.

The Legislative Research Committee, under joint legislative order, has studied the problem of establishing a municipal public employees labor relations law for the State of Maine. In so doing, the Committee employed the professional services of Mr. Daniel T. Drummond, Jr., of Portland, Maine, to act as counsel. The Committee selection was due in part to his interest and experience in the field of collective bargaining but mainly because of his availability and willingness to do the endless research necessary to effectively accomplish the Committee's purpose. Later it became evident that the Committee had made a wise choice for his research proved to be of invaluable assistance throughout the study.

The State of Maine at the present time, with one exception, has no existing statute covering collective bargaining procedures in its municipalities. The exception mentioned is the Fire Fighters Arbitration Law as passed and enacted under chapter 396 of the public laws of 1965 by the 102nd Maine Legislature. The basic law affecting labor rights of this jurisdiction is contained in one paragraph of the arbitration and conciliation section of the Maine Revised Statutes, Title 26, section 911.

"Workers shall have full freedom of association, self organization, and designation of representatives of their own choosing, for the

purpose of negotiating the terms and conditions of their employment or other mutual aid or protection, free from interference, restraint or coercion by their employers or other persons, and it shall be the duty of the board to endeavor to settle disputes, strikes and lockouts between employers and employees."

In reporting the results of its work the Committee reexamined its earlier study and made further research and investigation into existing and proposed laws of other states. All available literature on the subject was reviewed and numerous executive workshops were held with interested persons who wished to contribute.

The Committee also throughly examined various legislative proposals specifically assigned to it and was not satisfied that such legislation conformed to actual state needs. While it is obvious that the public agrees in principal with the need for such legislation it is unable to agree as to the precise legislation required. For this reason the Committee has prepared a new draft based on extended study which it feels more clearly conforms to the State's collective bargaining requirements in the public sector. Other sources of information which broadened and tempered the Committee members views were through contacts made and literature received and to some extent active participation in the following seminars:

April 5th and 6th, 1968 NEGOTIATIONS IN PUBLIC EMPLOYMENT AND EDUCATION, sponsored by the University of Maine and the Labor Management Institute of the American Arbitration Association, Orono, Maine.

April 21st to 26th, 1968 NEGOTIATING WITH ORGANIZED PUBLIC EMPLOYEES, sponsored by the Public Personnel Association with the cooperation of International City Managers' Association, Albany, New York.

October 4, 1968 NEGOTIATIONS IN PUBLIC EMPLOYMENT, sponsored by the Bureau of Labor Education and Bureau of Public Administration in cooperation with:

Maine Municipal Association

Maine Teachers' Association

Maine School Boards' Association

Maine State Employees' Association

American Federation of State, County and Municipal Employees

Maine School Superintendents' Association

Gorham State College

Evidence presented at a public hearing held by the Committee on September 19, 1968 indicated a generally favorable acceptance of the Committee's proposal, however, following the hearing, additional research was performed justifying certain changes which

have been incorporated in the final draft as it appears in this report.

In summarizing the study it is the opinion of the Committee that legislation is necessary for the orderly improvement of employee-management relations within the municipal service of Maine and that only through such a clear statement of respective rights and obligations of municipal employers, municipal employees and their employee organizations can employees have an opportunity for meaningful participation in the formation and implementation of policies and procedures affecting the conditions of their employment. For these reasons, therefore, the Legislative Research Committee submits the following legislative proposal and recommends its adoption.

AN ACT Establishing the Municipal Public Employees Labor Relations Law.

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

Sec. 1. R. S., T. 26, c. 9-A, additional. Title 26 of the Revised Statutes is amended by adding a new chapter 9-A, to read as follows:

CHAPTER 9-A

MUNICIPAL PUBLIC EMPLOYEES LABOR RELATIONS LAW

§961. Purpose

It is declared to be the public policy of this State and it is the purpose of this chapter to promote the improvement of the relationship between public employers and their employees by providing a uniform basis for recognizing the right of public employees to join labor organizations of their own choosing and to be represented by such organizations in collective bargaining for terms and conditions of employment.

§962. Definitions

As used in this chapter the following terms shall, unless the context requires a different interpretation, have the following meanings:

1. Appeals board. "Appeals board" means the Public Employees Labor Relations Appeals Board referred to in section 968.

2. Bargaining agent. "Bargaining agent" means any lawful organization, association or individual representative of such organization or association which has as its primary purpose the representation of employees in their employment relations with employers, and which has been determined by the public employer

or the commissioner to be the choice of the majority of the unit as their representative.

3. Commissioner. "Commissioner" means the Commissioner of Labor and Industry.

4. Department. "Department" means the Department of Labor and Industry.

5. Professional employee. "Professional employee" means any employee engaged in work:

A. Predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical or physical work;

B. Involving the consistent exercise of discretion and judgment in its performance;

C. Of such a character that the output produced or the result accomplished cannot be standardized in relation to a given time period; and

D. Requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, as distinguished from a general academic education or from an apprenticeship or from training in the performance of routine mental, manual or physical processes.

6. Public employee. "Public employee" means any employee of a public employer except any person:

A. Elected by popular vote; or

B. Appointed to office pursuant to statute, ordinance or resolution for a specified term of office by the executive head or body of the public employer; or

C. Whose duties as deputy, administrative assistant or secretary necessarily imply a confidential relationship to the executive head, body, department head or division head of the applicable bargaining unit; or

D. Who is a department head or division head appointed to office pursuant to statute, ordinance or resolution for an unspecified term by the executive head or body of the public employer; or

E. Who is a superintendent or assistant superintendent of a school system; or

F. On a probationary or provisional status, or who is a temporary, seasonal, on-call or part-time employee.

7. Public employer. "Public employer" means any officer, board, commission, council, committee or other persons or body acting on behalf of any municipality or town or any subdivision thereof, or of any school, water, sewer or other district.

§963. Right of public employees to join labor organizations

No one shall directly or indirectly interfere with, intimidate, restrain, coerce or discriminate against public employees or a group of public employees in the free exercise of their rights, hereby given, voluntarily to join, form and participate in the activities of organizations of their own choosing for the purposes of representation and collective

bargaining, or in the free exercise of any other right under this chapter.

§964. Prohibited acts of public employers, public employees and public employee organizations

1. Public employer prohibitions. Public employers, their representatives and their agents are prohibited from:

A. Interfering with, restraining or coercing employees in the exercise of the rights guaranteed in section 963;

B. Encouraging or discouraging membership in any employee organization by discrimination in regard to hire or tenure of employment or any term or condition of employment;

C. Dominating or interfering with the formation, existence or administration of any employee organization;

D. Discharging or otherwise discriminating against an employee because he has signed or filed any affidavit, petition or complaint or given any information or testimony under this chapter;

E. Refusing to bargain collectively with the bargaining agent of its employees as required by section 965;

F. Blacklisting of any employee organization or its members for the purpose of denying them employment.

2. Public employee prohibitions. Public employees, public employee organizations, their agents, members and bargaining agents are prohibited from:

A. Interfering with, restraining or coercing employees in the exercise of the rights guaranteed in section 963, or a

public employer in the selection of his representative for purposes of collective bargaining or the adjustment of grievances;

B. Refusing to bargain collectively with a public employer as required by section 965;

C. Engaging in

(1) A work stoppage;

(2) A slowdown;

(3) A strike; or

(4) The blacklisting of any school system or public employer for the purpose of preventing it from filling employee vacancies.

3. Violations. Violations of this section may be enjoined upon complaint of any party affected by such violation. Sections 5 and 6 shall apply to any such injunction proceedings except that neither an allegation nor proof or unavoidable substantial and irreparable injury to the complainant's property shall be required to obtain a temporary restraining order or injunction. In connection therewith, actions may be brought by or against any unincorporated employee organization in the name by which it is known.

§965. Obligation to bargain

1. Negotiations. It shall be the obligation of the public employer and the bargaining agent to bargain collectively. "Collective bargaining" means, for the purposes of this chapter, their mutual obligation:

A. To meet at reasonable times;

B. To meet within 10 days after receipt of written notice from the other party requesting a meeting for collective bargaining purposes, provided the parties have not otherwise agreed in a prior written contract;

C. To confer and negotiate in good faith with respect to wages, hours, working conditions and contract grievance arbitration except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession and except that public employers of teachers need not confer and negotiate with respect to educational policies;

D. To execute in writing any agreements arrived at, the term of any such agreement to be subject to negotiation but shall not exceed 3 years; and

E. To participate in good faith in the fact-finding and arbitration procedures required by this section.

Whenever wages, rates of pay or any other matter requiring appropriation of money by any municipality are included as a matter of collective bargaining conducted pursuant to this chapter, it is the obligation of the bargaining agent to serve written notice of request for collective bargaining on the public employer at least 120 days before the conclusion of the current fiscal operating budget.

2. Mediation. Mediation procedures shall be followed whenever the parties jointly agree to use such services.

3. Fact-finding. If the parties, either with or without the services of a mediator, are unable to effect a settlement of their controversy, they may jointly agree either to call upon the Maine Board of Arbitration and Conciliation for fact-finding services with recommendations or to pursue some other mutually acceptable fact-finding procedure.

If the parties do not jointly agree to call upon the Maine Board of Arbitration and Conciliation or to pursue some other procedure, either party to the controversy may request the commissioner to assign a fact-finding board. If so requested, the commissioner shall appoint a fact-finding board, ordinarily of 3 members, in accordance with rules and procedures prescribed by the commissioner for making such appointment. The fact-finding board shall be appointed from a list maintained by the commissioner and drawn up after consultation with representatives of state and local government administrators, agencies with industrial relations and personnel functions and representatives of employee organizations and of employers. The fact-finding board shall not include the mediator referred to in subsection 2. The board shall hear the contending parties to the controversy. It may request statistical data and reports on its own initiative in addition to the data regularly maintained by the commissioner. The members of the fact-finding board shall submit their findings and recommendations to the parties only.

The parties shall have a period of 30 days, after the receipt

of findings and recommendations from the fact finders, in which to make a good faith effort to resolve their controversy. If the parties have not resolved their controversy by the end of said period, either party may, but not until the end of said period unless the parties otherwise jointly agree, make the fact findings and recommendations public.

4. Arbitration. In addition to the 30-day period referred to in subsection 3, the parties shall have 15 more days, making a total period of 45 days from the receipt of findings and recommendations, in which to make a good faith effort to resolve their controversy.

If the parties have not resolved their controversy by the end of said 45-day period, they may jointly agree to an arbitration procedure which will result in a binding determination of their controversy. Such determinations will be subject to review by a Justice of the Superior Court in the manner specified by section 7.

If they do not jointly agree to such an arbitration procedure within 10 days after the end of said 45-day period, then either party may, by written notice to the other, request that their differences be submitted to a board of 3 arbitrators. The bargaining agent and the public employer shall within 5 days of such request each select and name one arbitrator and shall immediately thereafter notify each other in writing of the name and address of the person so selected. The 2 arbitrators so

selected and named shall, within 10 days from such request, agree upon and select and name a neutral arbitrator. If either party shall not select its arbitrator or if the 2 arbitrators shall fail to agree upon, select and name a neutral arbitrator within said 10 days, either party may request the American Arbitration Association to utilize its procedures for the selection of the neutral arbitrator. As soon as possible after receipt of such request, the neutral arbitrator will be selected in accordance with rules and procedures prescribed by the American Arbitration Associaton for making such selection. The neutral arbitrator so selected will not, without the consent of both parties, be the same person who was selected as mediator pursuant to subsection 2 nor any member of the fact-finding board selected pursuant to subsection 3. As soon as possible after the selection of the neutral arbitrator, the 3 arbitrators or if either party shall not have selected its arbitrator, the 2 arbitrators, as the case may be, shall meet with the parties or their representatives, or both, forthwith, either jointly or separately, make inquiries and investigations, hold hearings, or take such other steps as they deem appropriate. If the neutral arbitrator is selected by utilizing the procedures of the American Arbitration Association, the arbitration proceedings will be conducted in accordance with the rules and procedures of the American Arbitration Association. The hearing shall be informal, and the rules of evidence prevailing in judicial proceedings shall not be binding. Any and all documentary evidence and other data deemed relevant by the arbitrators may be received in evidence. The arbitrators shall

have the power to administer oaths and to require by subpoena the attendance and testimony of witnesses, the production of books, records and other evidence relative or pertinent to the issues represented to them for determination.

If the controversy is not resolved by the parties themselves, the arbitrators shall proceed as follows: With respect to a controversy over salaries, pensions and insurance, the arbitrators will recommend terms of settlement and may make findings of fact; such recommendations and findings will be advisory only and will be made, if reasonably possible, within 30 days after the selection of the neutral arbitrator; the arbitrators may in their discretion, make such recommendations and findings public, and either party may make such recommendations and findings public if agreement is not reached with respect to such findings and recommendations within 10 days after their receipt from the arbitrators; with respect to a controversy over subjects other than salaries, pensions and insurance, the arbitrators shall make determinations with respect thereto if reasonably possible within 30 days after the selection of the neutral arbitrator; such determinations may be made public by the arbitrators or either party; and if made by a majority of the arbitrators, such determinations will be binding on both parties and the parties will enter an agreement or take whatever other action that may be appropriate to carry out and effectuate such binding determinations; and such determinations will be subject to review by a Justice of the Superior Court in the manner specified by

section 7.

5. Costs. The costs for the services of the mediator, the members of the fact-finding board and of the neutral arbitrator including, if any, per diem expenses, and actual and necessary travel and subsistence expenses and the costs of hiring the premises where any mediation, fact-finding or arbitration proceedings are conducted, will be shared equally by the parties to the arbitration. All other costs will be assumed by the party incurring them. The services of the members of the State of Maine's Panel of Mediators and of the Maine Board of Arbitration and Conciliation are available to the parties without cost.

§966. Bargaining unit; how determined

In the event of a dispute between the public employer and an employee or employees as to whether a supervisory or other position is included in the bargaining unit, the commissioner shall make the determination, except that anyone excepted from the definition of public employee under section 962 may not be included in a bargaining unit. In determining whether a supervisory position should be excluded from coverage under this chapter, the commissioner shall consider, among other criteria, if the principal functions of the position are characterized by performing such management control duties as scheduling, assigning, overseeing and reviewing the work of subordinate employees, or performing such duties as are distinct and dissimilar from those performed by the employees supervised, or exercising judgment in adjusting grievances, applying other established personnel

policies and procedures and in enforcing the provisions of a collective bargaining agreement or establishing or participating in the establishment of performance standards for subordinate employees and taking corrective measures to implement those standards. Nothing in this chapter is intended to require the exclusion of principals, assistant principals and other supervisory employees from school system bargaining units which include teachers.

The commissioner shall decide in each case whether, in order to insure to employees the fullest freedom in exercising the rights guaranteed by this chapter, and in order to insure a clear and identifiable community of interest among employees concerned, the unit appropriate for purposes of collective bargaining shall be the public employer unit or any subdivision thereof and no unit shall include both professional and nonprofessional employees unless a majority of such professional employees vote for inclusion in such unit, except that teachers may be included in a unit consisting of other certificated employees.

§967. Determination of bargaining agent

1. Voluntary recognition. Any public employee organization may file a request with a public employer alleging that a majority of the public employees in an appropriate bargaining unit wish to be represented for the purpose of collective bargaining between the public employer and the employees' organization. Such request shall describe the grouping of jobs or positions which constitute the unit claimed to be appropriate and shall include a demonstration

of majority support.

Such request for recognition shall be granted by the public employer unless the public employer desires that an election determine whether the organization represents a majority of the members in the bargaining unit.

2. Elections. The commissioner upon signed request of a public employer alleging that one or more public employees or public employee organizations have presented to it a claim to be recognized as the representative of a bargaining unit of public employees, or upon signed petition of at least 30% of a bargaining unit of public employees that they desire to be represented by an organization, shall conduct a secret election to determine whether the organization represents a majority of the members in the bargaining unit.

The ballot shall contain the name of such organization and that of any other organization showing written proof of at least 10% representation of the public employees within the unit, together with a choice for any public employee to designate that he does not desire to be represented by any bargaining agent. Where more than one organization is on the ballot and no one of the 3 or more choices receives a majority vote of the public employees within the bargaining unit, a run-off election shall be held. The run-off ballot shall contain the 2 choices which received the largest and second-largest number of votes. When an organization receives the majority of votes of the unit, the commissioner shall certify it as the bargaining agent. The bargaining agent certified as

representing a bargaining unit shall be recognized by the public employer as the sole and exclusive bargaining agent for all of the employees in the bargaining unit unless and until a decertification election by secret ballot shall be held and the bargaining agent declared by the commissioner as not representing a majority of the unit. Whenever 30% of the employees in a certified bargaining unit petition for a bargaining agent to be decertified, the procedures for conducting an election on the question shall be the same as for representation as bargaining agent hereinbefore set forth.

No question concerning representation may be raised within one year of a certification or attempted certification. Where there is a valid collective bargaining agreement in effect, no question of representation may be raised except during the period not more than 90 nor less than 60 days prior to the expiration date of the agreement.

The bargaining agent certified by the commissioner as the exclusive bargaining agent shall be required to represent all the public employees within the unit without regard to membership in the organization certified as bargaining agent, provided that any public employee at any time may present his grievance to the public employer and have such grievance adjusted without the intervention of the bargaining agent, if the adjustment is not inconsistent with the terms of a collective bargaining agreement then in effect and if the bargaining agent's representative has been given reasonable opportunity to be present at any meeting of the parties called for the resolution of such grievance.

All bargaining units officially recognized by public employers prior to the effective date of this Act shall be recognized as certified units and each collective bargaining agreement covering employees in any such bargaining unit shall be effective for its duration or not later than January 1, 1971.

§968. Right of appeal

Whenever any party is aggrieved by any ruling or determination of the commissioner under sections 966 and 967, such party may appeal, within 15 days after the announcement of the ruling or determination, to the Public Employees Labor Relations Appeals Board hereinafter established. This appeal will be the sole means of review of such determinations, section 7 to the contrary notwithstanding.

1. Public Employees Labor Relations Appeals Board. The Public Employees Labor Relations Appeals Board shall consist of 3 members to be appointed by the Governor, with the advice and consent of the Council. The Governor, in making his appointments, shall name one to represent public employees, one to represent public employers and school systems and the 3rd to represent the public. The term of each member shall be for a period of 4 years. The members of the appeals board shall receive necessary expenses on the approval of the Commissioner of Labor and Industry. The commissioner shall designate a member of the Department of Labor and Industry to be the permanent secretary to the appeals board, who shall maintain a record of all proceedings of the appeals board. The appeals board shall from time to time adopt

such rules of procedure as it deems necessary for the orderly conduct of its business, and shall annually, on or before the first day of July, make a report to the Governor and Council which shall be incorporated in and printed with the biennial report of the department. The appropriation for the appeals board shall be included in the department's budget and authorization for expenditures shall be the responsibility of the commissioner. The appeals board shall sit at the call of the chairman to hear and decide appeals arising from determinations of the commissioner. Decisions of the appeals board shall be subject to review by a Justice of the Superior Court in the manner specified in section 7.

The appeals board shall have the authority to recommend to the Legislature changes or additions to this chapter or of related enactments of law.

2. Summoning witnesses; production of books and records. The appeals board may summon as witnesses any employee or any person in the department who keeps records of wages earned in the business in which the controversy exists and may require the production of books which contain the record of wages paid. Summonses may be signed and oaths administered by any member of the appeals board. Witnesses summoned by the appeals board shall be allowed the same fees as are paid to witnesses in the Superior Court. These fees together with all necessary expenses of the appeals board shall be paid by the Treasurer of State on warrants drawn by the State Controller.

3. Hearings. The appeals board shall, upon receipt of an

appeal by the chairman and at the call of the chairman, hold, within 10 days, a hearing on the appeal. The chairman shall give at least 7 days' notice in writing of the time and place of hearing to each of the other 2 members, the aggrieved parties, the labor organizations or bargaining agent and the public employer.

The hearings shall be informal, and the rules of evidence prevailing in judicial proceedings shall not be binding. Any and all documentary evidence and other data deemed relevant by the appeals board may be received in evidence. The chairman shall have the power to administer oaths and to require by subpoena the attendance and testimony of witnesses, the presentation of books, records and other evidence relative or pertinent to the issues presented to them for determination.

The hearings conducted by the appeals board shall be concluded within 20 days of the time of commencement of the hearings. Within 10 days after the conclusion of the hearings the appeals board shall make written findings and a written statement upon the appeal presented, a copy of which shall be mailed or otherwise delivered to the labor organization or bargaining agent or its attorney or other designated representative and the public employer.

§969. Municipal personnel board or civil service authority

Nothing in this chapter shall diminish the authority and power of any municipal civil service commission or personnel board or its agents established by statute, charter or special

act to conduct and grade merit examinations and to rate candidates in the order of their relative excellence from which appointments or promotions may be made to positions in the competitive division of the classified service of the municipal employer served by such a civil service commission or personnel board. The conduct and the grading of merit examinations, the rating of candidates and the establishment of lists from such examinations and the appointments from such lists shall not be subject to collective bargaining. If a collective bargaining agreement between a public employer and a bargaining agent contains provisions for binding arbitration of grievances involving the following matters: The demotion, lay-off, reinstatement, suspension, removal, discharge or discipline of any public employee, such provisions shall be controlling in the event they are in conflict with any authority and power, involving such matters, of any such municipal civil service commission or personnel board or its agents.

§970. Scope of binding contract arbitration

A collective bargaining agreement between a public employer and a bargaining agent may provide for binding arbitration as the final step of a grievance procedure but the only grievances which may be taken to such binding arbitration shall be disputes between the parties as to the meaning or application of the specific terms of the collective bargaining agreement. An arbitrator with the power to make binding decisions pursuant to any such provision shall have no authority to add to, subtract from or modify the collective bargaining agreement.

§971. Rules and regulations

The commissioner may issue such rules and regulations as the commissioner may consider necessary or appropriate for carrying out the purposes of sections 966 and 967.

Sec. 2. R. S., T. 26, c. 10, repealed. Chapter 10 of Title 26 of the Revised Statutes, as enacted by chapter 396 of the public laws of 1965, is repealed.