

# MAINE STATE LEGISLATURE

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Seventy - Sixth Legislature

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Report of Special Joint Committee on  
Salaries and Fees

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December 1, 1914

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# SEVENTY-SEVENTH LEGISLATURE

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HOUSE

NO. 1

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*House of Representatives, Jan. 13, 1915.*

*Taken from the table by Mr. Ricker and on motion of the same gentleman tabled for printing pending reference to a committee.*

*C. C. HARVEY, Clerk.*

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## STATE OF MAINE

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### REPORT OF JOINT SPECIAL COMMITTEE ON SALARIES AND FEES.

The Joint Special Committee on Salaries and Fees created by order of the Seventy-sixth Legislature submit for reference to the next Legislature, the following report:

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This Committee was constituted in accordance with the following order passed by the Seventy-sixth Legislature:

*“Ordered,* that a Special Joint Committee of three on the part of the Senate and four on the part of the House, be appointed to inquire into the amount of compensation and services rendered by all State and County officials whose salaries are determinable by the Legislature. Said Committee is hereby authorized to sit during any recess and after the adjournment of the present session, with full power to employ a stenographer, summon, administer oaths to and examine witnesses, call for books and papers, and in general to obtain all necessary information upon which may be based Legislative action looking towards equalization

of salaries, and report in writing their findings and recommendations, which report shall be filed with the Clerk of the House, not later than December 1, 1914, and be referred to the next Legislature without further action thereon."

The Committee organized by designating Senator Wing as Chairman and Representative Sanborn as Secretary and during the period since the adjournment of the Legislature it has held at least one session in each of the sixteen counties besides giving a hearing at the State House. The scope of inquiry as set forth in the order constituting the Committee was comprehensive as to the number of offices to be inquired into but was restricted, in that it gave authority to investigate only as to the matter of compensation and services, and while the Committee are aware that they have not included in their inquiry all the officers which they were authorized to consider, they have on the other hand undertaken not to go beyond the restricted field of investigation above referred to.

For the purpose of clearness the offices will be grouped as State offices and County offices, although for convenience some deviations from the division which a correct application of these terms would imply have been made, for instance, Judges of Superior Courts which are State officials will be considered along with County officers.

Although taken up last in the field work of the Committee, we will give first place in this report to our findings in the matter of State officers.

#### STATE OFFICERS.

After gathering such information as seemed to be useful in forming our conclusions, we first undertook to determine what should be the relative amounts of the various salaries and afterward endeavored to come at a definite amount of salary for each office in accordance with the proportionate amounts previously determined, and in working out the relative importance of the various offices to be represented in terms of a salary figure, we have been far from successful in establishing in our own minds anything at all satisfactory in the way of a basis of computation. Many elements enter into the consideration of each office and few elements are common to them all. Certain con-

siderations when entertained with reference to two definite offices would indicate that the salaries should be substantially alike, while other considerations would make it appear absurd if the one salary should not be materially greater than the other. For example, two offices may each call for the entire time of an incumbent but while one of them may be filled by a man of ordinary attainments, the other may require the services of a professional man of the highest attainments; again, an office may call for the services of a highly trained individual but all the duties can be performed in a small part of the entire year, while the work of another office not only requires attention all the time, but calls for work of an exacting nature, involving much travel and prohibiting any observance of regular office hours. Another office may be far less exacting in its requirements but a due regard for its dignity and the respect in which the office is supposed to be held would seem to justify a larger salary than would otherwise be called for.

We will first take up the various executive offices.

#### GOVERNOR.

We believe that no office in the State should command a higher salary than that of the chief executive, nor do we wish to have it understood that this view is prompted by sentiment alone. The people of Maine would not be supposed to select for this office a man whose time was not worth to himself as much as the State pays to any of its servants. The field of candidates for the office ought not to be limited to those who, by reason of their wealth, and that perhaps inherited, can afford to make the sacrifice of time necessarily involved in accepting the office at the present salary. Thousands of men in Maine are earning more than \$3,000 per year who would not for a moment be considered as qualified to fill this important office. But there is a stronger reason for increasing the salary of the Governor; it has been the custom for the Governor to spend but a small part of his time at the capital, aside from the times of his regular meetings with the Council and whenever a Governor has been a man actively engaged in a business or profession, he has not thought it inconsistent with his position to give a liberal amount of his time to the pursuit of his business or the practice of his profession. For the salary paid he could not have been ex-

pected to do otherwise; but we believe that the diversity and magnitude of the interests over which the Governor should have immediate supervision are so great as to make it a genuine economy for the State to require him to have his official residence in Augusta giving his entire time to his official duties, and to pay him a salary commensurate therewith. Instances are abundant of material savings to the State occasioned by a Governor's watchful scrutiny of the State's business and the opportunity for such savings would increase with the time which a Governor might pass in the executive chamber. We therefore recommend that the salary of the Governor be fixed at \$5,000 and that he be required to maintain his official residence in Augusta during his term of office.

#### SECRETARY OF STATE.

This office is one of the utmost importance and conditions have come to be such that the administration of its affairs calls for executive ability of a high order. The evil consequences of careless work in this office would, perhaps, be greater and more far reaching than in any other State office and it seems to us that the salary should be greater than it is at the present time as well as greater than that of any of the non-professional heads of departments. Three thousand dollars is recommended as not more than a proper salary for the Secretary of State, and the deputy should receive \$1800.

#### STATE TREASURER.

While this office imposes grave responsibilities upon its incumbent and is exceedingly important, it does not necessarily demand his entire time and we think the present salary of \$2000 is adequate.

We also recommend that the office of Assistant Treasurer be created at a salary of \$1800. This will not result in any increase of expense to the State since under the plan which we recommend in connection with the subject of employees, there would result a corresponding decrease in clerk hire for this office.

## ATTORNEY GENERAL.

No reason has been presented to the Committee for changing the salary of the Attorney General from the present figure of \$4,000, but it has been made to appear to us that the salary of the assistant should be increased. Under the present division of labor, which seems likely to continue, it is necessary that the assistant attorney general spend practically all his time in Augusta and if an attorney-at-law is to leave his home thereby sacrificing his entire practice and assume the expense of establishing himself at the capital, he should be adequately compensated. We recommend that the salary of this office be fixed at \$2,000.

## BANK COMMISSIONER.

It has been urged that this office calls for the services of a person who can meet and deal with bank officials who may be men of the highest type and who may command the highest of salaries. While he meets them as their official superior he should at least be their intellectual equal and this consideration is suggested as one which would indicate a larger salary. This is true, but we believe that when such a man as seems to be called for has been found, as he is provided with a deputy who makes all the actual examinations he can discharge the duties of his office by giving somewhat less than his entire time thereto and for the time so necessarily given, we believe that the present salary of \$2,500 is sufficient, and we think that \$1,800 is a fair compensation for the work of the deputy.

## INSURANCE COMMISSIONER.

We think that the salary of this office should be \$2,000 by comparison with the other recommendations herein submitted and we believe that the deputy in this office should be paid the same as the deputies to the other departments, namely \$1800.

## COMMISSIONER OF AGRICULTURE.

The salary attached to this office appears to have been fixed under the influence of the consideration that the incumbent would be a farmer. He is very likely to be one. He certainly



should be familiar with all phases of agricultural work but he must be much more than that. Legislation in recent years tending to add to the duties and responsibilities of this office has increased tremendously so that at the present time, the administration of the laws in regard to diseases of cattle, dairying, food stuffs, fertilizers, insect pests and innumerable other subjects, devolves upon this department and the Commissioner is responsible for the work of half a dozen men each of whom might with propriety be made the head of a department himself. We therefore believe that a salary of \$2000 is none too much to attract the services of a man who is equal to the demands of the office.

#### ADJUTANT GENERAL.

There is a popular impression that this office is largely an ornamental one and if the possibility of war could be eliminated it would certainly be a superfluous one, but it is a fact that whatever of preparedness we may hope to have for the dread contingency must be made possible through the efficiency of the administration of this office and it has been made to appear to the Committee that the office has generally been filled most efficiently. Moreover custom has decreed that in his official intercourse the adjutant general should assume certain social obligations which render imperative considerable expenditures and this fact should be considered in determining his salary, which we believe should be \$2,000.

#### COMMISSIONER OF LABOR AND INDUSTRY.

We do not believe that the State should maintain any department, the administration of whose affairs should not demand and receive the services of a capable man commanding a better salary than is paid at the present time to this officer. If this department is to be continued, and we suppose no one will suggest its discontinuance, it should be presided over by a person who is worth to himself and to the State at least \$2,000 and such a man being placed in the office, he should receive the salary earned. If this observation is thought to imply any reflection it is not upon the official but upon the policy of the State. We recommend a salary of \$2,000. .

## INLAND FISH AND GAME COMMISSION.

It seems to the Committee that the work of this department could be better performed by competent subordinates acting under the direction of a single head than by a board of three commissioners as at present constituted. Under the present arrangement while the Chairman is in a general way supposed to be responsible for the efficiency of the department, there is a division of labor among the members and one member holds his position ex-officio as it were, by virtue of being the head of a co-ordinate department. A single commissioner with such subordinates as might be provided him could, we believe, perform the work more satisfactorily to himself and more to the advantage of the State, than can be done under the present arrangement, and that too, with probably less expense. We therefore recommend the abolition of the Inland Fish and Game Commission and the creation of the office of Commissioner of Inland Fish and Game, at a salary of \$2500.

## LAND AGENT AND FOREST COMMISSIONER.

The importance of this office classifies it, as we believe, with others in connection with which we have recommended a salary of \$2,500, and we recommend that the salary be so continued. We do recommend, however, that the salary of the deputy be made \$1800.

## STATE LIBRARIAN.

This official has charge of a library which takes high rank among the State Libraries of the country, a position of which the State should be proud and the attainments which a librarian should possess if he is to maintain the standard of the institution are scarcely appreciated by the ordinary citizen. We think that his salary should be \$1800. Inasmuch as the assistant may devote a portion of his time to other work of a remunerative nature we think that the present salary of \$1200 is adequate.

## COMMISSIONER OF SEA AND SHORE FISHERIES.

We think the present salary of \$2,000 is fair and recommend that it be continued.

## STATE AUDITOR.

We are not satisfied that any change in the salary of this office from the present figure, \$2500, would be of advantage.

## STATE BOARD OF CHARITIES AND CORRECTIONS.

The members of this board serve without pay and we think the present salary of the Secretary, \$2500, is as it should be.

## STATE BOARD OF HEALTH.

The members of this board draw no salary and that of the Secretary is \$2500. We fully recognize the value of the services of this department to the State and the efficiency of the present administration, and are well aware that the value of the conservation of the public health cannot be estimated in financial units. We hesitate, however, to recommend a salary for the Secretary higher than that of the heads of departments, and we accordingly recommend that it be continued at the present figure, \$2,500.

## STATE SUPERINTENDENT OF SCHOOLS.

The salary of this office has been so recently re-adjusted and under circumstances so well known to the public that we do not feel at liberty to recommend any alteration. We do, however, recommend that the salary of the deputy be made uniform with that of other deputies, namely, \$1800.

## STATE HIGHWAY COMMISSION.

This department has but just been created and we see no reason for revising the action of the Legislature which created the department, in fixing the salaries of the members and the engineers and we recommend no changes.

## PUBLIC UTILITIES COMMISSION.

The considerations raised in connection with the Highway department apply here and we would recommend no changes in the salaries of the members of the Commission or their subordinates.

## STATE ASSESSORS.

It has been proposed to the Committee that inasmuch as the State Assessors may carry on their own private business without serious interruption the present salary of \$2,000 is too high. We believe that these officials should devote to their work such a proportion of their time as measured by the natural standard for the kind of service should be worth to the State the present salary, and we recommend that it be continued.

## SUPERINTENDENT OF PUBLIC BUILDINGS.

It has not been suggested that the salary of this office is not adequate and we recommend that it be continued at the present figure, \$1200.

## SUPREME JUDICIAL COURT.

The Justices of the Supreme Court, true to the conception of proprieties which has universally marked their conduct in such matters, have not undertaken to discuss with the Committee the subject of their compensation, but it is well-known that there is a feeling more or less widespread, among members of the bar at least, that the expenditures imposed upon the Justices when holding court away from home, have operated to make the salary certainly no more than adequate, and we might be constrained to recommend some increase but for the fact that as we understand, there is a prevailing sentiment that some extension of the Superior Court system having as one of its objects some diminution in the demands made upon the Supreme Court Justices is likely to be provided for in the near future, in which case we think it might perhaps be felt that in view of the lessened burdens upon the Supreme Court and the additional expense made necessary by the enlarged Superior Court, the salary of the Justices should remain as at present, and we consequently recommend no change. We think the salaries of the stenographers which is \$1500 should also remain the same.

## •CLERKS AND EMPLOYEES IN THE VARIOUS DEPARTMENTS.

We believe that there is room for decided improvement in the method of employing and fixing the wages of the clerks and employees in the various State departments.

It appears that as each department has been created little attention has been given to legislation in regard to clerk hire. In some cases it has been left with the simple provision that the amount of clerk hire should not exceed a certain sum. In some cases it has been decided that the Governor and Council should determine the amount to be paid; in others the head of the department appears to be supreme; while in still others it is difficult to determine that there is any statutory provision directly applicable.

As a result of this condition the wages paid to the various employees, particularly female clerks and stenographers, display a total lack either of uniformity or of consideration for merit or length of service. Moreover, there is imposed upon the Governor and Council an unnecessary burden in connection with continual requests for re-adjustment of wages and many special cases in which increases either in the number or pay of employees are asked for. It is nothing short of a marvel that dissatisfaction among the employees has not attained such proportions as to seriously impair the public service, and no one familiar with the situation will question that such dissatisfaction as may exist is quite warranted. The act covering the subject, which we submit as supplemental to this report, is intended to embody in form suitable for enactment the recommendations which we make and they are in brief as follows:

Employees below the rank of deputies or other officials shall be grouped in classes to be known as chief clerks, clerks, stenographers and copyists. Chief clerkships will be filled only by males and if more than one chief clerk is assigned to a department they may be distinguished by number or other suitable method. The other classes of employees will be females and the respective qualifications will be:

For clerks, an ability not only to perform but to supervise practically all the work of a department. They will be clerks who from their experience and mental capacity are able to perform the work of the department without detailed supervision. They will possess initiative, discretion and executive ability.

They will be of the sort of whom it is sometimes said that if the head of the department were away for a month they could carry on his work.

For stenographers, the ordinary attainments possessed by stenographers and typewriters, and those skilled in book-keeping may also be included in this class. They will be employees whose work will always be done under the supervision of a superior, and they will be supposed to do work only as directed.

For copyists, an ability to write a good hand, a fair education and the capacity to understand plain directions and to put them into execution. They must be able to operate a typewriter and may be employed in tabulating figures, addressing envelopes, making up card indexes, filing and in general any office work which does not involve the taking of dictation.

The head of each department will determine how many employees of each class he requires to keep up his work. He must then satisfy the Governor and Council of the correctness of his estimate and get their approval; that is, the Governor and Council will determine the number of each class of employees to which a department shall be entitled. The head of the department will then employ his force and their compensation will be determined automatically by the following wage schedule:

CHIEF CLERKS will receive a salary of \$1,000 the first year of their employment, and their salary will increase in the sum of \$100 each consecutive year of their employment until they reach a salary of \$1500.

CLERKS will receive a wage of fifteen dollars per week the first year of their employment and this wage will increase in the sum of one dollar per week each consecutive year of their employment until they receive twenty dollars per week.

STENOGRAPHERS will receive a corresponding minimum and maximum wage of ten and fifteen dollars per week.

COPYISTS will begin at nine dollars per week with a similar increase of one dollar per week until they receive twelve dollars per week.

Vacancies occurring in the classes of stenographers and clerks may be filled by persons employed in a lower class if found to be qualified and when a person is so employed they will first receive the minimum wage of the class which they

enter provided that they shall not receive less than they have heretofore received.

This plan will insure uniformity of compensation and a suitable reward for continuous service. It will relieve both the Governor and Council and the heads of departments from embarrassment in passing upon applications for increase in wages and should result in an economy to the State.

#### SUBORDINATE OFFICERS IN THE STATE DEPARTMENTS.

Several of the departments maintain officials below the grade of deputies who could not be classified according to the scheme hereinbefore outlined and as these in most cases are technical or professional men, or persons employed in a confidential capacity, it seems to us that the Governor and Council ought to have the power to finally determine their salaries. We would, however, except from the list in this particular, the Governor's private secretary and the messenger to the Council. As to the former officer we think that his importance deserves a higher salary than is at present paid. He is the point of contact between the general public and the executive department and the tact and diplomacy which he should possess are qualities which always insure to their possessor remunerative employment. We think that the public are entitled to the services of a man at least of the grade of the deputies in the several departments and we recommend a salary of \$1800 with the requirement that he devote his entire time to the work of the office, and that he be on duty in the executive chambers at all times when not elsewhere engaged under the direction of the Governor or in the performance of some official duty.

The Messenger to the Governor's Council is employed in several capacities and his aggregate compensation for them all amounts to \$2100 per year. We think that \$2,000 would represent a fair salary for this official and we recommend that it be paid him as the salary of the Messenger to the Governor's Council, the Council determining what services he shall perform.

In the department of Agriculture, there are three dairy inspectors, a sealer of weights and measures, a person in charge of gypsy moth work, two horticulturists, a live stock sanitary

inspector, a food inspector and a person in charge of the bureau of markets. If there is any reason why one dairy inspector should be paid \$960 and another \$1500 it must be that the one devotes much less time to his work than the other and inasmuch as the demands may vary from year to year, it does not seem to us that these salaries should be fixed by statute but rather that the Governor and Council should have the authority to adapt the salary from time to time according to the value of the services. It will be seen that many of these officials are either technical or professional men and the standard of compensation for each may vary from time to time.

In the department of the Land Agent and Forest Commissioner are two professorships of forestry and a person in charge of the State Nursery at Orono.

In the Health Department are the Director of the State Laboratory of Hygiene and his subordinate; and in the Highway Department are the chief engineer and three assistants and numerous draftsmen.

We think that in the case of all these officials, for reasons above stated it should be the duty of the Governor and Council to see to it that no greater number were employed than might be for the good of the service, that none were paid more than they were reasonably worth and that the State should not lose the services of valuable servants because of no provision for such compensation as men of their class can command elsewhere.

We believe that the Governor and Council should likewise determine the wages to be paid to the various employees working under the Superintendent of Public Buildings, and should also determine their number.

#### LEGISLATIVE DEPARTMENT.

It is a matter of common knowledge that the cost of subsistence at the State Capital is higher than ever before and the sum of \$300 paid to the Legislator is certainly not commensurate with the quality of service which he should render; however, we make no recommendations, suggesting only that we think the presiding officers of the two Houses should continue to receive the same proportionate preference in salaries as hitherto.



## SECRETARY OF THE SENATE AND CLERK OF THE HOUSE.

In connection with these offices a practice has grown up which we cannot commend, a practice which has extended to practically all of the legislative employees. It has been customary to have a nominal salary, one in fact wholly inadequate to the amount of services expected, and officials have entered upon their duties well knowing that before the session should be over resolves would be passed giving them additional compensation. These resolves have been passed upon varying considerations; sometimes being on account of extra services, real or imaginary, and sometimes providing a special compensation for performing some specific duties of the official, and the whole practice has put the State and the Legislature in a false light. For instance, the regular salary of the Secretary of the Senate is \$800 and it has happened at least once that a Secretary has received \$700 in addition, by virtue of three separate resolves carrying from one hundred to three hundred dollars each. It seems clear that if \$800 is adequate compensation for performing the work of the Secretary of the Senate the Legislature was grossly profligate of the State's money in bestowing a gratuity of \$700, while if the services performed were worth \$1500 there is no reason why the salary should not be fixed at that figure. We do not understand that this is a single instance or an exaggerated case but that a similar practice has obtained for years. We recommend that the salary of the Secretary of the Senate be fixed at \$1500; that he be appointed by the President of the Senate and that he be required in addition to performing the usual work of the office during the session to prepare and index the Journal of the Senate, and to file and index all papers which have been the subject of Legislative action, and in addition thereto to devote the month of December of the year following the Legislative session to the work of making preparations for the incoming Legislature.

We recommend that the assistant secretary of the Senate be also appointed by the President of the Senate and receive a salary of \$300, his work to be performed under the direction of the Secretary of the Senate.

## CLERK OF THE HOUSE.

We recommend that the salary of the Clerk of the House be \$1200 and that he attend to the preparing and indexing of the Journal of the House. We recommend that the salary of the assistant clerk be \$300 and that both he and the Clerk be appointed by the Speaker of the House.

## SUBORDINATE OFFICIALS IN THE SENATE.

We recommend that the messenger, assistant messenger, folder, assistant folder, post-master and door-keeper each receive the sum of \$200; that the two pages receive \$200 each and that the official reporter receive \$1,000 and that no other or further compensation be paid them in consideration of their services in their respective capacities. We also recommend that these officials be appointed by the President of the Senate and work under the direction of the Secretary of the Senate.

## SUBORDINATE OFFICIALS IN THE HOUSE.

We recommend that the messenger, assistant messenger, document clerk, first folder, second folder, post-master, mail carrier and door-keeper receive each the sum of \$200. That the pages receive each the sum of \$200 and that the reporter receive the sum of \$1,000, and that no other or further compensation be paid them in consideration of their services in their respective capacities. We recommend that these officials be appointed by the Speaker of the House and work under the direction of the Clerk of the House.

We believe that the practice which has hitherto obtained of indiscriminately passing resolves in favor of the various employees of the Senate and House, supplemental to their stated salaries is not creditable to the State and that it ought to be done away with.

## LEGISLATIVE COMMITTEES.

The Seventy-fifth Legislature awarded something like \$3500 at the end of the session in resolves carrying from ten to five hundred dollars each for clerks, stenographers and messengers of the several committees. The committees selected their own

subordinates who depended upon the generous frame of mind in which the committee might be found at the end of the session to determine their compensation and the result was that there was great inequality. This practice has obtained for many years and some illustrations of the unnecessary as well as disproportionate amounts paid for clerical work to the committees may be taken from the records of the last Legislature, not because its offenses were any greater than those of former Legislatures but because the committee is in position to more conveniently cite its doings.

The Committee on Judiciary considered and reported upon two hundred sixteen matters referred to it, and as is well known, it is by far the busiest of all the committees. It employed a clerk who was paid five hundred dollars; a stenographer at one hundred fifty dollars and a messenger at one hundred fifty dollars, and we have no comment to make upon the propriety or necessity of these expenditures. They are given in order that comparisons may be made with them.

The Committee on Legal Affairs considered one hundred twenty-nine matters and their clerk was paid four hundred dollars, their stenographer one hundred fifty dollars and a messenger fifty dollars.

The Committee on Appropriations and Financial Affairs considered one hundred thirty matters. Their clerk was paid five hundred dollars, their stenographer one hundred twenty-five dollars and their messenger seventy-five dollars.

The Committee on Agriculture considered forty-four matters and they paid their clerk one hundred seventy-five dollars, a resolve for same being in favor of a person named therein for services as clerk, stenographer and messenger.

The Committee on Ways and Bridges considered one hundred twenty-one matters and their clerk was paid three hundred dollars and their stenographer fifty dollars.

The Committee on Education considered eighty-seven matters and their clerk and typewriter, the same person who served the Committee on Agriculture, received therefor the sum of one hundred seventy-five dollars.

The Committee on Sea and Shore Fisheries considered forty-nine matters and their clerk was paid one hundred fifty dollars.

These were the committees considering the largest number of matters.

Among the committees having less to do it may be noted that the Committee on Banks and Banking which considered eighteen matters paid its clerk one hundred dollars; the Committee on Interior Waters which considered thirty-seven matters paid its clerk the sum of one hundred fifty dollars; the Committee on Towns which considered fourteen matters paid its clerk the sum of seventy-five dollars; and the Committee on Labor which considered four matters paid its clerk the sum of fifty dollars.

It cannot be questioned that a few of the committees, the more important ones, require the services of a clerk and a stenographer, and the demand for a messenger even may be justified. In order to take care of an average of from three to six hearings a day, clerical help can certainly be employed to advantage, but it seems to us that a committee which does not consider an average of one bill for each working day of the session ought to be able to take care of its own clerical work without expense to the State.

We recommend legislative action authorizing the Governor and Council by a general order to be revised at the beginning of each session of the Legislature to determine which of the legislative committees may have the services of subordinates and in what capacities, and to fix the compensation to be paid to such subordinates. They should also have authority as emergencies arise during a session of the Legislature, to authorize any necessary assistance to the committees.

In making the foregoing recommendations, we have not taken up the salaries and compensation of officials and employees of the various State institutions outside of the capital. The time which would have been necessary to do this would have been more than the committee felt called upon to give and the expense involved would have been greater than would have been approved by the public.

#### COUNTY OFFICERS.

The list of offices to be considered in each county is substantially the same and the work of the committee has been to establish some basis of comparison according to which the sala-

ries of the various offices in the several counties could be equitably apportioned, and in working out results along this line we have considered population and valuation as important elements in determining the salaries of most of the county officials, while in some cases as in that of County Commissioners who are obliged to travel over their counties at their own expense in attending to their road work, territorial inequalities have been considered. Moreover in measuring the services of County Attorneys we have taken into consideration the relative foreign and native populations of the respective counties. It has been notable that in our interviews with county officials the requests for increases in salary have been remarkably few, while the demands for more clerk hire have been correspondingly numerous; consequently our determination of salaries has been comparatively easy, the net result being that there is only a nominal increase in the aggregate, no more, we think, than would be looked upon as imperative in the light of present day standards of compensation and when it is considered that salaries once fixed will be likely to remain generally undisturbed for a period of ten years, at least. We have been obliged to recommend decreases in a few instances where it has seemed to us that no basis of computation could be conceived which would in any way equalize salaries without either imposing such reductions or bringing about such large increases in other counties as would seem quite unwarranted.

#### JUDGES OF SUPERIOR COURTS.

These officials are assumed to be of the same legal standing and ability as the Judges of the Supreme Court. In Cumberland County, at least, the Judge has much more trial work than do the Supreme Court Judges, although he is not required to participate in Law Court work. We question whether his duties are much, if any, less arduous than those of the members of the Supreme Court and we have agreed upon a recommendation that his salary be \$4000.

In Kennebec County, while the standard of ability is the same, the work is materially less and the county is smaller, and we think that by comparison a salary of \$3500 is proper for this office and we so recommend.

## COUNTY COMMISSIONERS.

In determining the relative salaries to be recommended for County Commissioners for the several counties, we first prepared a composite table based upon population and valuation in a sliding scale. When this table was made up it disclosed material differences from present salaries, in some cases larger and in other cases smaller. It then became apparent that in counties where the Commissioners have supervision over many miles of highways in unorganized places, the periodical inspection of which takes much time and involves considerable expenditures of money for which the law allows no reimbursement, the resulting figures were too small. Moreover, while the alignment produced by our table seemed just and in consonance with equity, yet we have thought it proper out of deference to the standards to which the counties are already accustomed, to modify in some degree both increases and decreases which it would have wrought, and we accordingly recommend the following apportionment:

	Present Salary	Recommended Salary
Androscoggin .....	\$600	\$750
Aroostook .....	1100	1000
Cumberland .....	1050	1350
Franklin .....	350	450
Hancock .....	750	600
Kennebec .....	1000	750
Knox .....	300	500
Lincoln .....	300	400
Oxford .....	500	600
Penobscot .....	1200	1200
Piscataquis .....	500	500
Sagadahoc .....	250	400
Somerset .....	650	650
Waldo .....	400	400
Washington .....	550	650
York .....	750	850

## CLERK OF COURTS.

The method described as having been employed in determining the recommendations for salaries of County Commissioners has been used in connection with practically all the offices with such variations as the peculiar conditions surrounding the office seem to demand. The recommendations thus arrived at for the office of Clerk of Courts are as follows:

	Present Salary	Recommended Salary
Androscoggin .....	\$2000	\$1750
Aroostock .....	2000	2000
Cumberland, Clerk .....	2200	2200
Deputy .....	1500	1800
Franklin .....	1100	1200
Hancock .....	2100	1600
Kennebec .....	2200	2350
Knox .....	1300	1300
Lincoln .....	1000	1000
Oxford .....	1000	1600
Penobscot .....	2000	2200
Piscataquis .....	1000	1200
Sagadahoc .....	1600	1200
Somerset .....	1800	1600
Waldo .....	1200	1200
Washington .....	1500	1450
York .....	1800	1900

## SHERIFF

As is well known, the foundation for the present apportionment of salaries was laid ten years ago at the time the so-called fee system was abolished, and the Legislature then in fixing salaries was necessarily under the influence of the fact that the remuneration of the office of sheriff had been large and it was a question of how much reduction from the wonted income of the office should be made. The result was that the salaries of sheriffs are large by comparison with those of other offices; indeed the argument is a fair one that whatever salary is paid to the sheriff is, to a certain extent, a clear loss to the county because under the fee system the sheriff derived his income

from the service of precepts for which the public paid, while at the present time the same fees are paid to the deputies for the service of the precepts and the sheriff's salary is in addition to this amount. In other words, in the case of the sheriff, the fee system on the civil side was not abolished at all, but continued in full force and effect and a liberal salary was paid to the sheriff in addition. We have accordingly thought it unwise to recommend salaries which would result in an aggregate increase over the amount at present paid and the changes recommended are in the line of what appears to us to be an equalization, taking into consideration the size and character of the various counties, and these recommendations are as follows:

	Present Salary	Recommended Salary
Androscoggin .....	\$2500	\$2400
Aroostook .....	2000	2000
Cumberland .....	3500	3400
Franklin .....	1000	1000
Hancock .....	1600	1400
Kennebec .....	2800	2500
Knox .....	1200	1300
Lincoln .....	800	800
Oxford .....	1100	1200
Penobscot .....	2800	2800
Piscataquis .....	1000	1000
Sagadahoc .....	1200	1100
Somerset .....	1400	1300
Waldo .....	1200	1200
Washington .....	1400	1400
York .....	2500	2400

## REGISTER OF DEEDS.

The table following will show the recommendations which we make as to salaries, but in this connection we wish to say that we think certain changes ought to be made in the law governing the duties of the office. In some instances we find that a Register of Deeds has other business to which he devotes a large portion of his time, leaving the work of the office to be carried on by the clerks. It is fair to say, however, that there



is no intimation that the clerks are not both competent and faithful and probably the public is not suffering from the arrangement, but we believe that people having business to transact in the office are entitled to the personal attendance of the Register of Deeds and we believe that he should be required to be constantly in attendance at the office.

In some cases it appears that a Register of Deeds does a considerable amount of title searching for private individuals for which he is paid and the money so received lawfully belongs to him. We think this practice is capable of abuse and ought to be discontinued. We recommend that Registers of Deeds be permitted to receive no compensation whatever for any work done in connection with the office other than the stipulated fees which go to the county. He should be expected to assist the public so far as his time will admit in getting out facts contained in the records and his time should be so occupied in performing the regular duties of the office that it would not be practicable for him to act as a title searcher. We recommend legislation requiring Registers of Deeds to give their personal attendance in their office at all times and providing that all fees charged for any work performed in the office by the Register or any clerk, whether it be searching of titles, making of abstracts or furnishing copies, either attested or otherwise, be paid over to the county.

	Present Salary	Recommended Salary
Androscoggin .....	\$1200	\$1200
Aroostook, N. Dist. ....	1000	1000
S. Dist. ....	1500	1500
Cumberland .....	2500	2500
Franklin .....	1000	1100
Hancock .....	1300	1200
Kennebec .....	1500	1500
Knox .....	1000	1000
Lincoln .....	1000	1000
Oxford, E. Dist. ....	1200	1000
W. Dist. ....	450	600
Penobscot .....	1700	1700
Piscataquis .....	800	1000

Sagadahoc .....	1000	1000
Somerset .....	1500	1500
Waldo .....	1000	1000
Washington .....	1200	1200
York .....	1500	1500

## JUDGE OF PROBATE.

The apportionment of salaries for this office has been exceptionally perplexing. The character of the work makes it necessary that the Judge should be an attorney at law, and even in counties where the duties require but very little time the fact of holding the office necessarily deprives the Judge of a large amount of remunerative practice which he would otherwise be in position to carry on. Moreover, after determining the salaries on the basis of population, valuation, terms of court and the business transacted, it is apparent that in some of the counties it is the practice for the Judge to be in attendance only on term days and by special appointment, while in others a practice has grown up which virtually has the force of law for the Judge to be continually in the probate office. We have felt bound to consider these facts in making our recommendations, which are as follows:

	Present Salary	Recommended Salary
Androscoggin .....	\$1000	\$1000
Aroostook .....	1000	1000
Cumberland .....	2500	2500
Franklin .....	400	600
Hancock .....	1100	800
Kennebec .....	1500	1500
Knox .....	500	600
Lincoln .....	400	500
Oxford .....	750	850
Penobscot .....	1600	1800
Piscataquis .....	500	600
Sagadahoc .....	700	800
Somerset .....	800	800
Waldo .....	700	600
Washington .....	800	800
York .....	1100	1300

In the case of Penobscot County the computation made by the committee would have reduced rather than increased the salary of the Judge of Probate, but strong representations as to local conditions were made to the committee and among other things it was made to appear that the public would be greatly inconvenienced by two terms per month instead of one term as at present, and in connection with the recommendations made as to salary we wish to recommend that there be two terms of the Probate Court in Penobscot County each month.

#### REGISTER OF PROBATE.

The revision of salaries for this office which we have made in the interest of equalization, is as follows:

	Present Salary	Recommended Salary
Androscoggin .....	\$1200	\$1200
Aroostook .....	1000	1300
Cumberland .....	1700	1700
Franklin .....	600	800
Hancock .....	1000	1000
Kennebec .....	1200	1200
Knox .....	1000	900
Lincoln .....	900	800
Oxford .....	1000	1000
Penobscot .....	1500	1500
Piscataquis .....	600	800
Sagadahoc .....	700	800
Somerset .....	1000	1000
Waldo .....	1000	900
Washington .....	900	1000
York .....	1300	1300

#### COUNTY TREASURER.

While we found what appeared to be some inequalities in the compensation for this office, we noted that in many cases the salary paid represented a sum strikingly near to one per cent of the amount of money actually collected and paid out by the Treasurer, and it occurred to us that a table prepared upon that

basis would be equitable for all the counties. We accordingly took from the several county reports for the year 1913, a statement of the aggregate amounts handled by the several Treasurers, disregarding sums paid out in retiring notes and bonds and the like, and from the list so prepared we computed the several salaries, reducing each to the nearest multiple of fifty dollars, and the result of the computation is shown in the table following.

We think that the salaries of County Treasurers like those of all other county officials should all be determined by statute, and we also recommend that the county pay the premium on the bond of these officials.

	Present Salary	Recommended Salary
Androscoggin .....	\$1200	\$1300
Aroostook .....	600	700
Cumberland .....	1500	2100
Franklin .....	300	400
Hancock .....	450	500
Kennebec .....	1200	1400
Knox .....	400	450
Lincoln .....	300	250
Oxford .....	500	650
Penobscot .....	1200	1300
Piscataquis .....	400	300
Sagadahoc .....	350	350
Somerset .....	400	800
Waldo .....	400	350
Washington .....	400	800
York .....	750	850

#### COUNTY ATTORNEY.

The result obtained by determining the salaries for this office according to population does not seem quite fair in view of the fact that in some counties the character of the population is such as to be much more productive of crime than in others. We have accordingly considered the foreign-born population in the several counties in connection with determining our recommendations and they are as follows:

	Present Salary	Recommended Salary
Androscoggin .....	\$1000	\$1200
Aroostook .....	1000	1500
Cumberland .....	1500	1700
Assistant .....	700	900
Franklin .....	400	500
Hancock .....	750	750
Kennebec .....	1000	1400
Knox .....	600	700
Lincoln .....	400	500
Oxford .....	600	900
Penobscot .....	1000	1500
Piscataquis .....	500	600
Sagadahoc .....	500	600
Somerset .....	700	850
Waldo .....	500	500
Washington .....	800	900
York .....	1000	1200

#### PROBATION OFFICER, CUMBERLAND COUNTY.

It was made to appear to the committee that the work imposed upon this office is of sufficient magnitude and importance to warrant a salary of \$1200 and the services of an assistant at a salary of \$750, and we so recommend.

#### MUNICIPAL COURTS.

Comparatively few of the Judges of Municipal Courts came before us with statements regarding their work, and we are satisfied that if we had required their attendance, hearing and digesting the whole story connected with their work, the task would have been far beyond what we could possibly undertake in the time allowed to us. The disparity in the work of the several courts by reason of varied jurisdiction and practice is so vast that any equitable adjustment of salaries would, we think, necessarily involve a corresponding readjustment of the practice, and we have not attempted to cover this ground.

In the case, however, of such as have appeared before us, we have endeavored to form conclusions in the light of the tes-

timony heard, and as to these we submit recommendations. In the case of the others we have not received from any source information which has led us to feel warranted in recommending changes.

The Portland Municipal Court is in session for criminal purposes practically every day in the year excepting Tuesdays, which days are devoted to a voluminous civil business, and at the criminal sessions, either the County Attorney or his assistant is always in attendance, and frequently both. We think that the salary of the Judge should be \$1800 and that of the Recorder \$1500, it being understood that additional provision will be made for clerical work in connection with the Recorder's office.

We recommend that the salary of the Judge of the Piscataquis Municipal Court be \$1400 and that of the Recorder \$200.

We recommend that the salary of the Recorder of the Houlton Municipal Court be fixed at \$500.

The compensation of the Judge of the Belfast Municipal Court consists of the fees of the office. We recommend that he be given a salary of \$600, paying over the fees to the county.

We recommend that the salary of the Judge of the Eastport Municipal Court be \$850.

The Judge of the Sanford Municipal Court is now paid in fees and we recommend that instead he receive a salary of \$800, paying over his fees to the county.

We recommend that the salary of the Judge of the Caribou Municipal Court be fixed at \$1000.

We recommend that the salary of the Judge of the Millinocket Municipal Court be fixed at \$800.

We recommend that the Clerk of the Auburn Municipal Court be paid a salary of \$1000 and that the fees be paid to the county.

We recommend legislation that shall provide the sum of \$650 annually for female clerical help in the office of the Lewiston Municipal Court.

#### CLERICAL HELP IN COUNTY OFFICES.

The present method of employment and compensation of the various clerks in the county offices is most unfortunate. It works justice neither to the employees, the officials, nor to the county. The several officers in addition to their salaries are

allowed a certain sum for clerk hire and it is the practice of the County Treasurer to pay over to the several officers the entire amount of salary and clerk hire, no accounting for the disposition of the funds being required. This system would encourage an official to secure his help at the lowest possible wages in order that he might make for himself some saving out of the sum allowed him for clerks. Thus in the several offices in a given court house there may be the greatest disparity in wages paid to girls of equal ability. An instance was found where an officer by using a portion of his own salary to supplement his allowance for clerk hire was able to have not only all the work of the office done by clerks but a considerable quantity of private work for which he received compensation. Another instance was disclosed where a clerk was added to the number previously employed at a small nominal wage but who was permitted to take in private work of her own resulting in an aggregate compensation quite out of proportion to the public work she was doing and to that of her companions in office. It should be said, however, that the evils of this sort are exceedingly slight by comparison with another injustice which certainly ought not to be tolerated. In the great majority of cases the evidence before the committee made it appear that the work of the offices had so increased that the official had found himself obliged to take on additional clerks for whose compensation no provision was made and who had to be paid in whole or in part out of his own salary, and we want it to be made plain that as a whole the county officials of the State are at the present time providing at their own expense a considerable proportion of the clerical work necessary to the performance of their official duties. It cannot be expected that under these conditions clerks will generally be paid adequate wages. To remedy this situation and as well to remove all possible incentives to anything that might savor of improper conduct, we recommend a plan for the compensation of clerks similar in its nature to that recommended for the State employees. We would provide for the employment of clerks of three grades, each possessing substantially the same qualifications as set forth for State employees. We would then make it the duty of the County Commissioners to determine, after hearing the representations of the several officers, how many clerks and of what description, each county officer

might employ, they to fix the wages to be paid to the clerks of each grade, which should be uniform through all the offices in a given county and might vary in the several counties according to the standards of compensation which the County Commissioners might determine. We believe that the County Commissioners would not handicap the work in any public office by refusing the necessary help for any of the officials. Each official could make his own selection of employees and would know exactly what could be paid to them. The clerks would receive their wages directly from the County Treasurer in accordance with a pay roll furnished by the County Commissioners and all the embarrassment of the present system would be avoided.

Except in a single instance we have not attempted to draft acts calculated to carry into effect the recommendations which we have made. Such work would have been of a most exacting nature, calling for a large amount of time on the part of some member of the committee belonging to the legal profession. It is too much to expect that legislative action upon this report will result in an adoption of all its recommendations and it is reasonable to suppose that a large amount of such drafting as might have been done would have proved useless. We think that this can better be done under the direction of the Joint Standing Committee on Salaries and Fees after they have determined their own course of action.

HERBERT S. WING,  
CHARLES M. CONANT,  
LESLIE BOYNTON,  
LAUREN M. SANBORN,  
MARTIN L. DURGIN,  
AARON A. PUTNAM,  
WILLIAM H. MITCHELL.





# STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND FIFTEEN

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*House of Representatives, Jan. 13, 1915.*

*Taken from the table by Mr. Ricker and on motion of the  
same gentleman tabled for printing pending reference to a  
committee.*

*C. C. HARVEY, Clerk.*

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AN ACT to provide for the classification and compensation of  
clerical employees in State and County offices.

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

Section 1. All persons in the employ of the State of Maine  
2 or any department thereof whose salary or wages are paid  
3 out of the treasury of the State of Maine, except officials  
4 and persons employed in schools, hospitals or State institu-  
5 tions located outside the capital, shall for the purposes of  
6 their employment and for the determination of their salaries  
7 or wages, be grouped into four classes to be known as chief  
8 clerks, clerks, stenographers and copyists.

Sect. 2. Chief clerks shall be males and shall possess such  
2 qualifications for performing the work of the department in

3 which they may be employed as shall be required by the head  
4 of the department.

Sect. 3. Clerks shall be females and shall possess such  
2 qualifications for performing the work of the department in  
3 which they may be employed as shall be required by the head  
4 of the department.

Sect. 4. Stenographers shall be females and shall be skilled  
2 in stenography and typewriting, provided that persons skilled  
3 in book-keeping may be employed as clerks.

Sect. 5. Copyists shall be females and shall possess a good  
2 English education, be able to write a fair hand, and shall  
3 possess such other qualifications for the work of the depart-  
4 ment in which they may be employed as may be required  
5 by the head of the department, provided that they may not  
6 be skilled in stenography or book-keeping and that their work  
7 shall be performed under the immediate supervision of a  
8 superior.

Sect. 6. The governor and council shall determine the  
2 number of employees of each class to which each depart-  
3 ment shall be entitled and shall have power as the demands  
4 in the several departments may vary, either to increase or  
5 decrease the number.

Sect. 7. The several heads of the departments shall have  
2 authority to select their respective employees, and whenever,  
3 by order of the governor and council, the number of em-  
4 ployees in any department is to be diminished, the head of  
5 the department shall determine the particular employees  
6 whose services shall be dispensed with.

Sect. 8. The compensation of employees of the several  
2 classes shall be as follows:

For chief clerks, one thousand dollars per year for the first  
4 year of employment, this sum to be increased in the sum of  
5 one hundred dollars each consecutive year of employment,  
6 up to the sum of fifteen hundred dollars per year, the same  
7 to be paid in monthly installments equal to one-twelfth part  
8 of the annual salary.

For clerks a sum equal to fifteen dollars per week during  
10 the first year of their employment, which sum shall be in-  
11 creased by one dollar per week at the commencement of each  
12 consecutive year of their employment up to the sum of  
13 twenty dollars per week, the same to be paid every four  
14 weeks.

For stenographers sum equal to ten dollars per week dur-  
16 ing the first year of their employment, which sum shall be  
17 increased by one dollar per week at the commencement of  
18 each consecutive year of their employment up to the sum  
19 of fifteen dollars per week, the same to be paid every four  
20 weeks.

For copyists a sum equal to nine dollars per week during  
22 the first year of their employment, which sum shall be in-  
23 creased by one dollar per week at the commencement of each  
24 consecutive year of their employment up to the sum of twelve  
25 dollars per week, the same to be paid every four weeks.

Sect. 9. Persons obtaining employment in any class who  
2 have previously been employed in a lower class shall be

3 entitled to a salary or wage not less than was paid them in  
4 such lower class.

Sect. 10. At the time of the going into effect of this act  
2 persons already employed in the service of the State and  
3 continuing such employment in one of the classes herein-  
4 before provided for shall receive a salary or wage no less  
5 than that previously received, provided the same shall not  
6 be in excess of the maximum salary or wage provided for  
7 the class in which they may be so employed.

Sect. 11. The governor and council may make rules re-  
2 lating to the employment and compensation of clerical help  
3 in the state departments not inconsistent with the provisions  
4 of this act.

Sect. 12. All persons in the employ of the several counties  
2 doing clerical work in any county office including the office  
3 of county attorney and the several municipal courts, shall  
4 be grouped into classes and their qualifications shall be de-  
5 termined as provided in sections one to five hereof.

Sect. 13. The county commissioners shall determine the  
2 number of employees of each class to which each office in  
3 their respective counties shall be entitled and shall have  
4 power as the demands in the several offices may vary, either  
5 to increase or decrease the number.

Sect. 14. The several county officials shall each have au-  
2 thority to select the employees for their respective offices and  
3 whenever by order of the county commissioners the number  
4 of employees in any office is to be diminished, the official in

5 charge thereof shall determine the particular employees  
6 whose services shall be dispensed with.

Sect. 15. The county commissioners in the several coun-  
2 ties shall by general order which may be revised from time  
3 to time, as in their judgment shall seem best, fix the com-  
4 pensation for the several classes of employees which shall  
5 be uniform throughout the several offices in any county and  
6 may by such order provide for such increase in wages de-  
7 pendent upon the term of service as they may see fit, such  
8 increases to apply uniformly to all the employees of any  
9 class in any county.

Sect. 16. The county commissioners shall furnish to the  
2 county treasurer, a pay roll containing the names of all em-  
3 ployees serving under the provisions of this act with a state-  
4 ment of the weekly wage of each and such wages shall be  
5 paid by the county treasurer to such employees weekly in  
6 accordance therewith.