

comparable to a detailed committee report. On the other hand it may be inadequate and perhaps misleading and entitled to little consideration. But before this court can tell what kind of statement it is it must have the privilege of looking at it, and that is what *Flagg vs. Johansen* denied. I, for one, am for removing the blinkers. See *Winne vs. Casale*, 100 N. J. L. 291, 295 (E. & A. 1924) where Chief Justice Gummere found significance in the introducer's statement and *Schwegmann Bros. vs. Calvert Distiller's Corp.*, *supra*, where Justice Douglas remarked that 'It is the sponsors that we look to when the meaning of the statutory words is in doubt.' In construing particular statutory phraseology such as that embodied in L. 1948, c. 268 we must, unless we are to usurp functions of the other branches of government, seek to ascertain and effectuate the legislative meaning rather than our own. To that task we should bring minds unafraid to explore."

Cognizant as I am of the limitation placed upon the statement appended to a legislative bill, as a means of ascertaining the legislative intent, nevertheless, in the spirit of Justice Jacobs' opinion, the statement attached to the statute with which we are presently concerned, namely, chapter 271, P. L. 1952, is presented for whatever weight it may have, in connection with the facts and law herein discussed, in support of the conclusion reached by this opinion that the Legislature intended that Item T 22 remain valid until July 1, 1953.

Very truly yours,

THEODORE D. PARSONS,
Attorney General.

By: DANIEL DE BRIER,
Deputy Attorney General.

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JULY 30, 1952.

HON. WILLIAM J. DEARDEN, *Acting Director,*
Division of Motor Vehicles,
State House.

FORMAL OPINION—1952. No. 20.

DEAR MR. DEARDEN:

I have your letter of July 22, 1952, in which you request an opinion as to whether or not the organization known as the "New Jersey Timing Association" in operating motor vehicle races against time over a marked track, comes within the purview of chapter 299, P. L. 1952.

The answer to this question is, "Yes."

Chapter 299, P. L. 1952 provided, in part, as follows:

"No person, partnership, association or corporation shall manage, operate or conduct a motor vehicle race or exhibition of motor vehicle driving skill except by virtue of a license to manage, operate or conduct the same first had and obtained from the Department of Law and Public Safety * * *."

Since the members of the New Jersey Timing Association are operating their cars over a measured course and are racing against time or time previously established by another driver, there can be no question in my mind but that the association is conducting both a motor vehicle race and an exhibition of motor vehicle driving skill and, therefore, comes within the provisions of chapter 299, P. L. 1952.

Very truly yours,

THEODORE D. PARSONS,
Attorney General.

By: JOHN J. KITCHEN,
Deputy Attorney General.

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JULY 10, 1952.

HONORABLE FRED V. FERBER,
Director, Division of Purchase and Property,
Department of the Treasury,
State House,
Trenton, New Jersey.

FORMAL OPINION—1952. No. 21.

DEAR MR. FERBER:

This will acknowledge receipt of your letter of July 10, 1952, wherein you request an opinion concerning workmen's compensation insurance coverage for salaried employees and the board members of the State Board of Pharmacy. The question presented in your letter is:

"Kindly advise whether or not the Board of Pharmacy may carry workmen's compensation insurance to cover not only its salaried employees but also those board members who are paid on a per diem basis."

In my opinion, the Board of Pharmacy may carry workmen's compensation insurance for its salaried employees and for those of its board members who perform services and are paid therefor upon a per diem basis.

R. S. 34:15-43 provides: "Every employee of the State * * * or any board or commission * * * who may be injured in line of duty shall be compensated under and by virtue of the provisions of this article and article two of this chapter * * * but no person holding an elective office shall be entitled to compensation." It clearly appears to be the intention of this section to provide broad coverage for all persons except elective officials, and a special provision, R. S. 34:15-43.1, was required to eliminate from coverage casual employees for whom employment was provided under a relief plan. (By chapter 317 of the Laws of 1952, approved June 19, 1952, the restriction excluding even elective officials from workmen's compensation coverage has been eliminated.)

An employee under the Workmen's Compensation Act (R. S. 34:15-36) is defined as follows: "'employee' is synonymous with servant, and includes all natural persons who perform service for another for financial consideration, exclusive of casual employments."