

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years
1951 - 1954

December 28, 1953

To Col. Harry A. Mapes, Director, Civil Defense & Public Safety
Re: Loyalty Oaths

We are in receipt of your memo of December 10, 1953, in the following tenor:

“A man and his wife who are both Canadian citizens have been and are now members of a Ground Observer Corps Post here in Maine doing a reliable job, both from the standpoint of performance and character — (1) Must these Canadians sign a loyalty oath? If so, in what form so as not to affect their Canadian citizenship? (2) Can they continue as observers without signing the oath?”

Section 14 of Chapter 298 of the Public Laws of 1949 reads as follows:

“Each person who is appointed (to any capacity in any Civil Defense and Public Safety organization established under the provisions of this chapter) shall, before entering upon his duties, take an oath . . . substantially as follows . . .”

We interpret the above quoted section of the law to make it mandatory upon those who are appointed to such positions to take an oath substantially the same as that set out in Section 14. We cannot conceive how a Canadian can take such an oath or a substantially similar oath without prejudicing or renouncing his Canadian citizenship.

While we appreciate the services of those Canadians who are performing an adequate function in the Civil Defense set-up, we cannot reconcile their remaining in such service without taking an oath. The statute contemplates an oath on the part of every person, and because there is a person who is not a citizen working for your agency, we do not think an exception should be made.

JAMES G. FROST
Deputy Attorney General

December 29, 1953

To Harlan H. Harris, Controller
Re: Electricians Examining Board — Per Diem

Chapter 307 of the Public Laws of 1953 establishes an Electricians Examining Board, the membership of said board being comprised of an executive secretary who shall be either the Insurance Commissioner or a representative from the Insurance Department delegated by the Insurance Commissioner, and four other members to be appointed by the Governor with the advice and consent of the Council.

The last sentence of Section 3 of Chapter 307 states that the members of the board shall each be allowed the sum of \$10 per day and their necessary travelling expenses for actual attendance upon examination of candidates and the necessary hearings.

The Personnel Law and Rules provided that no classified employee shall receive additional compensation for added work placed upon him. You have