

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

---

---

# ONE HUNDRED AND FIRST LEGISLATURE

---

---

**Legislative Document**

**No. 762**

---

---

H. P. 546

House of Representatives, January 29, 1963

Referred to Committee on Municipal Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Nadeau of Biddeford by request.

---

---

## STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-THREE

---

---

**AN ACT to Increase the Term of Office of the Mayor, City Council, Board of Police and Board of Education, Warden and Ward Clerk for City of Biddeford.**

---

---

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

**Sec. 1. P. & S. L., 1933, c. 66, § 4, amended.** The 3rd sentence of section 4 of chapter 66 of the private and special laws of 1933, as repealed and replaced by section 7 of chapter 84 of the private and special laws of 1941, is repealed and the following enacted in place thereof:

**'All subordinate officers appointed by the mayor, with the exception of assessors and chief engineer, after the effective date of this amendment, shall hold their office only until the first day of January following.'**

**Sec. 2. P. & S. L., 1933, c. 66, § 15, amended.** The 2nd sentence of section 15 of chapter 66 of the private and special laws of 1933, as amended by section 8 of chapter 85 of the private and special laws of 1935, is repealed and the following enacted in place thereof:

**'In each of said wards, following passage and acceptance of this amendment, on the 3rd Monday of December and every 2 years thereafter, be chosen by ballot, a warden and clerk who shall hold their offices for 2 years, and until others shall have been chosen and qualified in their places.'**

**Sec. 3. P. & S. L., 1933, c. 66, § 16, repealed and replaced.** Section 16 of chapter 66 of the private and special laws of 1933, as repealed and replaced by section 9 of chapter 84 of the private and special laws of 1941, is repealed and the following enacted in place thereof:

'Sec. 16. Elections. Following the passage and acceptance of this amendment, the mayor shall be elected from the citizens at large by the inhabitants of the city voting in their respective wards and shall hold his office for 2 years from the first day of January following his election. One councilman shall be elected by each ward, being a resident in the ward where elected. Four councilmen-at-large shall be elected from the citizens by the inhabitants of the city. Said officers shall be elected by ballot by a plurality of the votes given, and they shall hold their office for 2 years from the first day of January following their election in December, and until others shall be elected and qualified in their stead. On the 3rd Monday of December and every 2nd year thereafter, following the passage and acceptance of this amendment, the qualified electors of each ward shall ballot for a warden and ward clerk, one councilman, all inhabitants of said ward; a mayor and 4 councilmen-at-large; 2 members of the board of education whose term of office shall be for 4 years, and 2 members of the board of police, whose term of office shall be for 4 years. Vacancies in the office of mayor or city council may also be filled at a special election, duly called by law therefor.'

Sec. 4. P. & S. L., 1933, c. 66, § 17, amended. The first sentence of section 17 of chapter 66 of the private and special laws of 1933, as repealed and replaced by section 10 of chapter 84 of the private and special laws of 1941, is repealed and the following enacted in place thereof:

'On the 3rd Monday of December, after the passage and acceptance of this amendment, and every 2nd year thereafter, the qualified electors of each ward shall ballot for a mayor, 4 councilmen-at-large from the city and one councilman, a resident of the ward, 2 members of board of education, whose term shall be for 4 years, 2 members of the board of police, whose term shall be for 4 years, warden and ward clerk.'

Sec. 5. P. & S. L., 1933, c. 66, § 17, amended. The 6th and 7th sentences of section 17 of chapter 66 of the private and special laws of 1933, as repealed and replaced by section 10 of chapter 84 of the private and special laws of 1941, are repealed and the following enacted in place thereof:

'In balloting for mayor, members of the board of education, members of the board of police, and 4 councilmen-at-large, the persons receiving the highest number of votes given in all wards shall be declared elected. On the 3rd Monday of December, biennially, following the first election held hereunder, the qualified electors of each ward shall ballot for a mayor, members of the board of education, members of the board of police, 4 councilmen-at-large, warden and ward clerk, and councilman for that particular ward.'

Sec. 6. P. & S. L., 1933, c. 66, § 27, repealed and replaced. Section 27 of chapter 66 of the private and special laws of 1933, as last repealed and replaced by section 1 of chapter 84 of the private and special laws of 1941, is repealed and the following enacted in place thereof:

'Sec. 27. Board of police. The administration of the police department of the City of Biddeford shall be under the jurisdiction of a board of police consisting of 4 citizens of the City of Biddeford which will constitute a board of

police of said Biddeford and who shall be sworn before entering upon the duties of their office. The term of office of said members of board of police shall be 4 years. All nominations shall be made and elections held under the laws which govern the nomination and election of mayor and councilmen of said City of Biddeford. The term of office of the present one-year member of the board of police shall expire on the first Monday of January after the passage and acceptance of this amendment, and the term of office of the 2-year and 3-year members of the present board of police shall expire on the first day of the 2nd and 3rd January following thereafter. Two members of the board of police shall be elected every 2nd year commencing with the first election after the passage and acceptance of this amendment. Vacancies in said board shall be temporarily filled by the city council and the member so chosen to fill said vacancy shall hold office until the first Monday of the January following, or to the next biennial municipal election occurring after said vacancy exists some citizen shall be elected to serve during the remainder of that term. The board shall annually elect one of their number chairman and one of their number clerk, who shall be sworn and shall keep a record of all proceedings, issue all notices, and attest all such papers and orders as the board directs.'

Sec. 7. P. & S. L., 1933, c. 66, § 31, repealed and replaced. Section 31 of chapter 66 of the private and special laws of 1933 is repealed and the following enacted in place thereof :

'Sec. 31. Board of education. The education department of the City of Biddeford shall be administered by a board of education, consisting of the mayor who shall be ex officio, chairman of the board, and 4 other persons, 2 of whom shall be elected every 2nd year for a term of 4 years after the passage and acceptance of this amendment, at the next municipal election. The term of office of the 2-year member of said board shall terminate on the first day of January of the 2nd year following the passage and acceptance of this amendment and during his last term in office, he shall be a member ex officio, and the term of office of the 3rd and 4th year members shall terminate on the first day of the 3rd and 4th January thereafter, respectively. The terms of office of the members of the board of education shall be for a period of 4 years. They shall be nominated and elected in the manner provided by law for the nomination and election of mayor of the city. Not more than one resident in any ward, exclusive of the mayor, shall be elected a member of the board of education, by the same political party.'

Sec. 8. P. & S. L., 1933, c. 66, § 32, amended. Section 32 of chapter 66 of the private and special laws of 1933 is amended to read as follows :

'Sec. 32. Vacancies; how filled. In the event of a vacancy in said board, other than in the position of mayor, from any cause, such vacancy shall be filled by the city council until the next ~~annual~~ biennial municipal election, when an election shall be held for said unexpired term.'