

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1298

H. P. 996

House of Representatives, March 11, 1969

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Fecteau of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Revising the Charter of the City of Biddeford.

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

Sec. 1. 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the private and special laws of 1933, as amended by section 8 of chapter 85 of the private and special laws of 1935, is repealed and the following enacted in place thereof: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 first Monday of December and every 2 years thereafter, shall be chosen by ballot, a warden and ward clerk who shall hold offices for 2 years, and until others have been chosen and qualified in their places.

Sec. 2. P. & S. L., 1933, c. 66, § 16, repealed and replaced. Section 16 of chapter 66 of the private and special laws of 1933, as repealed and replaced by section 9 of chapter 84 of the private and special laws of 1941, is repealed and the following enacted in place thereof: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 first 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; 2 members of the board of police whose term of office shall be for 4 years. Vacancies in the office of the mayor or city council may also be filled at a special election duly called by law therefor.

Sec. 3. 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 first 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 the board of education whose term shall be for 4 years and 2 members of the board of police whose term shall be for 4 years, warden and ward clerk.

Sec. 4. 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 first 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. 5. 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 educational 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 following the passage and acceptance of this Act. The term of office of the present one year member of said board shall terminate on the first day of January following the passage and acceptance of this Act, and the terms of office of the 2nd, 3rd, and 4th year members presently serving shall terminate on the first day of the 2nd, 3rd and 4th January thereafter, respectively. The members of the board of education 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. 6. P. & S. L., 1933, c. 66 § 32, repealed and replaced. Section 32 of chapter 66 of the private and special laws of 1933 is repealed and the following enacted in place thereof:

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 biennial municipal election, when an election shall be held for said unexpired term.

Sec. 7. 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 the mayor, who shall be ex officio chairman of the board, and 4 other persons who shall constitute a board of police 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 day of January after the passage and acceptance of this Act, and the terms of office of the 2-year and 3-year members of the present board of police shall expire on the first day of January of the 2nd and 3rd January following thereafter. Two members of the board of police shall be elected biennially at the municipal election. 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 day of January following the next biennial municipal election, when some citizen shall be elected to serve during the remainder of that term. The board shall biennially elect 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.