

## **Acts (2022)**

### **Chapter 312**

#### **AN ACT PROVIDING FOR A GENDER-NEUTRAL CHARTER IN THE CITY OF SOMERVILLE**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. The second sentence of section 1 of chapter 81 of the acts of 1928 is hereby amended by striking out the word “his” and inserting in place thereof the following words:- that member’s.

SECTION 2. Section 4 of chapter 82 of the acts of 1928 is hereby amended by striking out the word “chairman”, each time it appears, and inserting in place thereof, in each instance, the following word:- chair.

SECTION 3. The second sentence of section 2 of chapter 281 of the acts of 1932 is hereby amended by striking out the word “he” and inserting in place thereof the following words:- the candidate.

SECTION 4. Section 3 of said chapter 281 is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 124 of the acts of 1943, and inserting in place thereof following paragraph:-

Any person who is qualified to vote at any regular or special

election for a candidate for any elective municipal office in said city, and who is a candidate for nomination thereto, shall be entitled to have their name as such candidate printed on the official ballot to be used at a preliminary election for nomination therefor; provided, however, that if such person is a candidate to be voted for in a single ward, they are a registered voter in the ward wherein they are a candidate; and provided further, that on or before 5 p.m. of the eighth Tuesday preceding such regular or special municipal election, there shall be submitted to the board of election commissioners, hereinafter called the board, a nomination paper prepared and issued by the board, wherein the candidate sets forth in writing their candidacy and wherein the petition is signed by voters of the city qualified to vote for a candidate for said office to the number of at least 250 for the office of mayor, 150 for the office of councilors at large and 100 for the office of ward councilor and of member of the school committee, whose signatures are certified as hereinafter provided.

SECTION 5. Said section 3 of said chapter 281, as so amended, is hereby further amended by striking out the words “(name of candidate) as a”.

SECTION 6. Said section 3 of said chapter 281, as so amended, is hereby further amended by striking out the word “him” and inserting in place thereof the following words:- said candidate.

SECTION 7. Section 5 of said chapter 281, as most recently amended by section 3 of chapter 211 of the acts of 1937, is hereby amended by striking out the word “chairman” and inserting in place thereof the following word:- chair.

SECTION 8. Said section 5 of said chapter 281, as so amended, is hereby further amended by striking out the word “he” and inserting in place thereof the following words:- the voter.

SECTION 9. Section 6 of said chapter 281 is hereby amended by striking out the word “he” and inserting in place thereof the following words:- the candidate.

SECTION 10. Said section 6 of said chapter 281 is hereby further amended by striking out the word “his” and inserting in place thereof the following words:- the candidate’s.

SECTION 11. Section 8 of said chapter 281 is hereby amended by striking out the word “his” and inserting in place thereof the following words:- the board’s.

SECTION 12. The second paragraph of section 9 of said chapter 281 is hereby amended by striking out the word “his” and inserting in place thereof the following word:- their.

SECTION 13. Section 7 of chapter 394 of the acts of 1938 is hereby amended by striking out the words “his residence on the preceding first day of January or on any subsequent day when he became a resident of said” and inserting in place thereof the following words:- their residence on the preceding first day of January or on any subsequent day when the voter became a resident of the.

SECTION 14. Said section 7 of said chapter 394 is hereby further amended by striking out the words “the place at which he was listed by said board” and inserting in place thereof the following words:- the place at which each person was listed by said board.

SECTION 15. Said section 7 of said chapter 394 is hereby further amended by striking out the words “his right to have his” and inserting in place thereof the following words:- the person’s right to have their.

SECTION 16. Said section 7 of said chapter 394 is hereby further amended by striking out the words “They shall forthwith enter in the annual register” and inserting in place thereof the following words:- The board of election commissioners shall forthwith enter in the annual register.

SECTION 17. Said section 7 of said chapter 394 is hereby further amended by striking out the words “his name has not been so entered” and inserting in place thereof the following words:- their name has not been so entered.

SECTION 18. Section 1 of chapter 397 of the acts of 1978 is hereby amended by striking out the word “his”, each time it appears, and inserting in place thereof, in each instance, the following word:- their.

SECTION 19. Said section 1 of said chapter 397 is hereby further amended by striking out the word “chairman” and inserting in place thereof the following word:- chair.

SECTION 20. Section 2 of said chapter 397, as amended by chapter 400 of the acts of 2012, is hereby amended by striking out the word “chairman”, each time it appears, and inserting in place thereof, in each instance, the following word:- chair.

SECTION 21. Said section 2 of said chapter 397 is hereby amended by striking out the word “his” and inserting in place thereof the following word:- the.

SECTION 22. The first paragraph of section 2A of said chapter 397 is hereby amended by striking out the word “his”, each time it appears, and inserting in place thereof, in each instance, the following word:- their.

SECTION 23. Said first paragraph of said section 2A of said chapter 397 is hereby further amended by striking out the word “him” and inserting in place thereof the following word:- them.

SECTION 24. Said first paragraph of said section 2A of said chapter 397 is hereby further amended by striking out the word “chairman” and inserting in place thereof the following word:- chair.

SECTION 25. Section 3 of title 1 of the charter of the city of Somerville, which is on file in the office of the archivist of the commonwealth, as provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out the word “male”, each time it appears.

SECTION 26. The second paragraph of section 7 of title 2 of said charter is hereby amended by striking out the word “chairperson”, each time it appears, and inserting in place thereof, in each instance, the following word:- chair.

SECTION 27. Section 11 of title 3 of said charter is hereby amended by striking out the word “board” and inserting in place thereof the following word:- city council.

SECTION 28. Section 13 of said title 3 of said charter is hereby amended by striking out the word “his” and inserting in place thereof the following words:- the mayor’s.

SECTION 29. Said section 13 of said title 3 of said charter is hereby further amended by striking out the word “board”, each time it appears, and inserting in place thereof, in each instance, the following word:- council.

SECTION 30. Section 16 of said title 3 of said charter is hereby amended by striking out the words “he approves thereof, he shall signify his approval by signing the same; but if not he shall return the same with his” and inserting in place thereof the following words:- the mayor approves thereof, the mayor shall signify approval by signing the ordinance, order, resolution or vote; but if not, the mayor shall return the ordinance, order resolution or vote with all.

SECTION 31. Said section 16 of said title 3 of said charter is hereby further amended by striking out the word “board” and inserting in place thereof the following words:- city council.

SECTION 32. Said section 16 of said title 3 of said charter is hereby further amended by striking out the words “He may except from his approval of any ordinance, order, resolution or vote which he” and inserting in place thereof the following words:- The mayor may except from the approval of any ordinance, order, resolution or vote that the mayor.

SECTION 33. Title 4 of said charter is hereby amended by striking out section 20 and inserting in place thereof the following section:-

The executive powers of the city shall be vested solely in the mayor and may be exercised personally or through the several officers and boards in their respective departments under the mayor’s general supervision and control. If there is a vacancy in any office to which

appointment is made by the mayor, the mayor may personally perform the duties of the office but shall not be entitled to receive any salary or pay attached to the office. The mayor shall hold office for the 2 municipal years beginning with the first Monday in January following the mayor's election, unless sooner removed, and until a successor is elected and qualified; provided, however, that if elected to fill an existing vacancy, the newly elected mayor shall hold office only for the remainder of the unexpired term.

SECTION 34. Section 23 of said title 4 of said charter is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The mayor may, in writing, suspend any executive officer and shall immediately report that action and the reason for the suspension to the city council.

SECTION 35. Section 24 of said title 4 of said charter is hereby amended by striking out the word "his" and inserting in place thereof the following words:- the mayor's.

SECTION 36. Said section 24 of said title 4 of said charter is hereby further amended by striking out the word "He", the first time it appears, and inserting in place thereof the following words:- The mayor.

SECTION 37. Said section 24 of said title 4 of said charter is hereby further amended by striking out the word "he", the second time it appears, and inserting in place thereof the following words:- the mayor.

SECTION 38. Section 25 of said title 4 of said charter is hereby amended by striking out the words " , and shall cause a record of all his official acts to be kept, and for that purpose and to aid him in his

official duties he may appoint a secretary and define his” and inserting in place thereof the following words:- and shall cause a record of all the mayor’s official acts to be kept and, for that purpose and to aid in accomplishing the official duties, the mayor may appoint a secretary and define the secretary’s.

SECTION 39. Section 28 of title 5 of said charter is hereby amended by striking out the word “chairman” and inserting in place thereof the following word:- chair.

SECTION 40. Said section 28 of said title 5 of said charter is hereby further amended by striking out the word “committeeman”, each time it appears, and inserting in place thereof, in each instance, the following words:- committee member.

SECTION 41. Section 29 of said title 5 of said charter is hereby amended by striking out the word “chairman”, each time it appears, and inserting in place thereof, in each instance, the following word:- chair.

SECTION 42. Section 31 of title 6 of said charter is hereby amended by striking out the word “He”, the first and second time it appears, and inserting in place thereof, in each instance, the following words:- The city clerk.

SECTION 43. Said section 31 of said title 6 of said charter is hereby further amended by striking out the word “he”, the third time it appears.

SECTION 44. Said section 31 of said title 6 of said charter is hereby further amended by striking out the word “his”, each time it appears, and inserting in place thereof, in each instance, the following

words:- the city clerk's.

SECTION 45. Section 32 of said title 6 of said charter is hereby amended by striking out the word "He", the first time it appears, and inserting in place thereof the following words:- The city treasurer and collector of taxes.

SECTION 46. Said section 32 of said title 6 of said charter is hereby further amended by striking out the words "prescribe; he" and inserting in place thereof the following words:- prescribe and.

SECTION 47. Subsection (a) of section 36 of said title 6 of said charter is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The chair of the board of assessors shall serve full-time and shall be nominated as chair by the mayor at the time of their appointment. The chair of the board shall also serve as the department head in the administration of the department.

SECTION 48. The second paragraph of subsection (b) of said section 36 of said title 6 of said charter is hereby amended by striking out the word "chairman" and inserting in place thereof the following word:- chair.

SECTION 49. Subsection (g) of said section 36 of said title 6 of said charter is hereby amended by striking out the word "chairman" and inserting in place thereof the following word:- chair.

SECTION 50. Said subsection (g) of said section 36 of said title 6 of said charter is hereby further amended by striking out the word "his" and inserting in place thereof the following word:- their.

SECTION 51. Clause (1) of the last paragraph of said section 36 of said title 6 of said charter is hereby amended by striking out the word “chairman” and inserting in place thereof the following word:- chair.

SECTION 52. Section 40A of said title 6 of said charter is hereby amended by striking out the word “he”, each time it appears.

SECTION 53. Section 40B of said title 6 of said charter is hereby amended by striking out the word “his” and inserting in place thereof the following words:- the mayor’s.

SECTION 54. Section 42 of said title 6 of said charter is hereby amended by striking out the word “him” and inserting in place thereof the following words:- said commissioner.

SECTION 55. Section 46 of title 7 of said charter is hereby amended by striking out the word “his” and inserting in place thereof the following words:- the mayor’s.

SECTION 56. Section 47 of said title 7 of said charter is hereby amended by striking out the word “chairman” and inserting in place thereof the following word:- chair.

SECTION 57. Said section 47 of said title 7 of said charter is hereby further amended by striking out the word “his” and inserting in place thereof the following word:- their.

SECTION 58. Section 50 of said title 7 of said charter is hereby amended by striking out the word “his”, each time it appears, and inserting in place thereof, in each instance, the following word:- their.

SECTION 59. Said section 50 of said title 7 of said charter is hereby further amended by striking out the word “him” and inserting in place thereof the following word:- the person.

SECTION 60. Section 54 of said title 7 of said charter is hereby amended by striking out the word “male”.

Approved, December 20, 2022.