

SENATE No. 2807

Senate, July 9, 2020 -- Substituted by amendment by the Senate (Senator Feeney) as a new draft for Senate, No. 2458.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act providing for a gender-neutral charter in the town of Walpole.

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

1 SECTION 1. Subsection (C) of section 2-2 of article II of the charter of the town of
2 Walpole, which is on file in the office of the archivist of the commonwealth, as provided in
3 section 12 of chapter 43B of the General Laws, is hereby amended by striking out the words
4 “Board of Selectmen” and inserting in place thereof the following words:- select board.

5 SECTION 2. Subsection (F) of said section 2-2 of said article II of said charter is hereby
6 amended by striking out the words “he or she” and inserting in place thereof the following
7 words:- the town meeting representative.

8 SECTION 3. Subsection (G) of said section 2-2 of said article II of said charter is hereby
9 amended by striking out the words “he or she” and inserting in place thereof the following
10 words:- the citizen.

11 SECTION 4. Subsection (A) of section 2-4 of said article II of said charter is hereby
12 amended by striking out the words “Board of Selectman” and inserting in place thereof the
13 following words:- select board.

14 SECTION 5. Subsection (A) of section 2-5 of said article II of said charter is hereby
15 amended by striking out the words “Board of Selectmen” and inserting in place thereof the
16 following words:- select board.

17 SECTION 6. Subsection (C) of said section 2-5 of said article II of said charter is hereby
18 amended by striking out the word “Selectmen” and inserting in place thereof the following
19 words:- select board.

20 SECTION 7. Subsection (D) of said section 2-5 of said article II of said charter is hereby
21 amended by striking out the words “Board of Selectmen” and inserting in place thereof the
22 following words:- select board.

23 SECTION 8. Subsection (A) of section 2-6 of said article II of said charter is hereby
24 amended by striking out the words “he or she” and inserting in place thereof the following
25 words:- the registered voter.

26 SECTION 9. Paragraph (2) of subsection (B) of said section 2-6 of said article II of said
27 charter is hereby amended by striking out the words “his/her” and inserting in place thereof the
28 following words:- the town meeting representative’s.

29 SECTION 10. Paragraph (5) of subsection (B) of section 2-7 of said article II of said
30 charter is hereby amended by striking out the words “his/her” and inserting in place thereof the
31 following words:- the candidate’s.

32 SECTION 11. Subsection (C) of section 2-8 of said article II of said charter is hereby
33 amended by striking out the words “him or her” and inserting in place thereof the following
34 words:- the moderator.

35 SECTION 12. Subsection (B) of section 2-9 of said article II of said charter is hereby
36 amended by striking out the words “Board of Selectmen” and inserting in place thereof the
37 following words:- select board.

38 SECTION 13. Subsection (C) of said section 2-9 of said article II of said charter is
39 hereby amended by striking out the words “Board of Selectmen” and inserting in place thereof
40 the following words:- select board.

41 SECTION 14. Paragraph (2) of subsection (E) of said section 2-9 of said article II of said
42 charter is hereby amended by striking out the word “chairman” and inserting in place thereof the
43 following word:- chair.

44 SECTION 15. Subsection (C) of section 2-10 of said article II of said charter is hereby
45 amended by striking out the words “Board of Selectmen” and inserting in place thereof the
46 following words:- select board.

47 SECTION 16. Subsection (B) of section 2-11 of said article II of said charter is hereby
48 amended by striking out the word “Selectmen” and inserting in place thereof the following
49 words:- select board.

50 SECTION 17. Subsection (C) of said section 2-11 of said article II of said charter is
51 hereby amended by striking out the word “Selectmen” and inserting in place thereof the
52 following words:- select board.

53 SECTION 18. The first paragraph of section 2-12 of said article II of said charter is
54 hereby amended by striking out the words “Board of Selectmen” and inserting in place thereof
55 the following words:- select board.

56 SECTION 19. Clause (1) of subsection (D) of section 2-13 of said article II of said
57 charter is hereby amended by striking out the words “his/her” and inserting in place thereof the
58 following words:- the town clerk’s.

59 SECTION 20. Said subsection (D) of section 2-13 of said article II of said charter is
60 hereby further amended by striking out the word “Selectmen”, each time it appears, and inserting
61 in place thereof, in each instance, the following words:- select board.

62 SECTION 21. Subsection (A) of section 3-1 of article III of said charter is hereby
63 amended by striking out the words “board of selectmen” and inserting in place thereof the
64 following words:- select board.

65 SECTION 22. Section 3-2 of said article III of said charter is hereby amended by striking
66 out the heading and inserting in place thereof the following heading:- Select Board.

67 SECTION 23. Subsection (A) of said section 3-2 of said article III of said charter is
68 hereby amended by striking out the words “board of selectmen” and inserting in place thereof the
69 following words:- select board.

70 SECTION 24. Subsection (B) of said section 3-2 of said article III of said charter is
71 hereby amended by striking out paragraph (1) and inserting in place thereof the following
72 paragraph:-

73 (1) All executive authority of the town government shall be vested in a select board. The
74 select board shall have all of the powers and duties conferred upon boards of selectmen under the
75 constitution and general and special laws of the commonwealth as determined by the town by-
76 laws and this charter. The select board shall provide executive policies and procedures to be
77 carried out by the town administrator. The select board shall require all offices and municipal
78 agencies to administer and enforce the laws equally among the public to protect the general
79 welfare and the select board may bring suit against any office or municipal agency if necessary
80 to carry out the law.

81 SECTION 25. Paragraph (2) of said subsection (B) of said section 3-2 of said article III
82 of said charter is hereby amended by striking out the words “Board of Selectmen” and inserting
83 in place thereof the following words:- select board.

84 SECTION 26. Paragraph (3) of said subsection (B) of said section 3-2 of said article III
85 of said charter is hereby amended by striking out the word “Selectmen”, each time it appears,
86 and inserting in place thereof, in each instance, the following words:- select board.

87 SECTION 27. The last sentence of said paragraph (3) of said subsection (B) of said
88 section 3-2 of said article III of said charter is hereby amended by striking out the words “they so
89 deem” and inserting in place thereof the following word:- it deems.

90 SECTION 28. Paragraph (4) of said subsection (B) of said section 3-2 of said article III
91 of said charter is hereby amended by striking out the word “Selectmen”, the first time it appears,
92 and inserting in place thereof the following words:- select board.

93 SECTION 29. Clause (c) of said paragraph (4) of said subsection (B) of said section 3-2
94 of said article III of said charter is hereby amended by striking out the words “Board of
95 Selectmen” and inserting in place thereof the following words:- select board.

96 SECTION 30. Clause (d) of said paragraph (4) of said subsection (B) of said section 3-2
97 of said article III of said charter is hereby amended by striking out the words “Board of
98 Selectmen” and inserting in place thereof the following words:- select board.

99 SECTION 31. Paragraph (5) of said subsection (B) of said section 3-2 of said article III
100 of said charter is hereby amended by striking out the words “Board of Selectmen” and inserting
101 in place thereof the following words:- select board.

102 SECTION 32. Paragraph (6) of said subsection (B) of said section 3-2 of said article III
103 of said charter is hereby amended by striking out the word “Selectmen” and inserting in place
104 thereof the following words:- select board.

105 SECTION 33. Paragraph (7) of said subsection (B) of said section 3-2 of said article III
106 of said charter is hereby amended by striking out the word “Selectmen”, each time it appears,
107 and inserting in place thereof, in each instance, the following words:- select board.

108 SECTION 34. Paragraph (8) of said subsection (B) of said section 3-2 of said article III
109 of said charter is hereby amended by striking out the words “Board of Selectmen” and inserting
110 in place thereof the following words:- select board.

111 SECTION 35. Paragraph (4) of subsection (B) of section 3-5 of said article III of said
112 charter is hereby amended by striking out the words “Board of Selectmen” and inserting in place
113 thereof the following words:- select board.

114 SECTION 36. Paragraph (1) of subsection (B) of section 3-7 of said article III of said
115 charter is hereby amended by striking out the words “Board of Selectmen” and inserting in place
116 thereof the following words:- select board.

117 SECTION 37. Section 3-10 of said article III of said charter is hereby amended by
118 striking out clause (A) and inserting in place the following clause:-

119 (A) In the office of the select board, the remaining members of the select board
120 may call a special election to fill the vacancy and shall call such election upon the request, in
121 writing, of the lesser of: (i) 200 registered voters of the town; or (ii) 20 per cent of the total
122 number of registered voters of the town; provided, however, that any such request shall be filed
123 with the remaining members of the select board not less than 100 days before the date of the next
124 annual election.

125 SECTION 38. Clause (B) of said section 3-10 of said article III of said charter is hereby
126 amended by striking out the word “Selectmen”, each time it appears, and inserting in place
127 thereof, in each instance, the following words:- select board.

128 SECTION 39. The first paragraph of section 4-1 of article IV of said charter is hereby
129 amended by striking out the words “Board of Selectmen” and inserting in place thereof the
130 following words:- select board.

131 SECTION 40. Said first paragraph of said section 4-1 of said article IV of said charter is
132 hereby further amended by striking out the words “his/her” and inserting in place thereof the
133 following words:- the town administrator’s.

134 SECTION 41. The first paragraph of section 4-2 of said article IV of said charter is
135 hereby amended by striking out the words “his/her”, each time they appear, and inserting in
136 place thereof, in each instance, the following words:- such person’s.

137 SECTION 42. Said first paragraph of said section 4-2 of said article IV of said charter is
138 hereby further amended by striking out the words “He or she” and inserting in place thereof the
139 following words:- The town administrator.

140 SECTION 43. The second paragraph of said section 4-2 of said article IV of said charter
141 is hereby amended by striking out the words “his/her”, each time they appear, and inserting in
142 place thereof, in each instance, the following words:- the town administrator’s.

143 SECTION 44. Said second paragraph of said section 4-2 of said article IV of said charter
144 is hereby further amended by striking out the words “Board of Selectmen” and inserting in place
145 thereof the following words:- select board.

146 SECTION 45. The third paragraph of said section 4-2 of said article IV of said charter is
147 hereby amended by striking out the words “his/her” and inserting in place thereof the following
148 words:- the town administrator’s.

149 SECTION 46. Said third paragraph of said section 4-2 of said article IV of said charter is
150 hereby further amended by striking out the words “Board of Selectmen” and inserting in place
151 thereof the following words:- select board.

152 SECTION 47. The fourth paragraph of said section 4-2 of said article IV of said charter is
153 hereby amended striking out the word “Board” and inserting in place thereof the following
154 words:- select board.

155 SECTION 48. Said fourth paragraph of said section 4-2 of said article IV of said charter
156 is hereby further amended by striking out the words “his/her” and inserting in place thereof the
157 following words:- the town administrator’s.

158 SECTION 49. Said fourth paragraph of said section 4-2 of said article IV of said charter
159 is hereby further amended by striking out the word “Selectmen” and inserting in place thereof
160 the following words:- select board.

161 SECTION 50. The fifth paragraph of said section 4-2 of said article IV of said charter is
162 hereby amended by striking out the word “Selectmen” and inserting in place thereof the
163 following words:- select board.

164 SECTION 51. Section 4-3 of said article IV of said charter is hereby amended by striking
165 out the words “Board of Selectmen”, each time they appear, and inserting in place thereof, in
166 each instance, the following words:- select board.

167 SECTION 52. Said section 4-3 of said article IV of said charter is hereby further
168 amended by striking out the words “his/her”, each time they appear, and inserting in place
169 thereof, in each instance, the following words:- the town administrator’s.

170 SECTION 53. Said section 4-3 of said article IV of said charter is hereby further
171 amended by striking out the words “him or her”, each time they appear, and inserting in place
172 thereof, in each instance, the following words:- the town administrator.

173 SECTION 54. Paragraph (B) of said section 4-3 of said article IV of said charter is
174 hereby amended by striking out the word “Selectmen”, the third time it appears, and inserting in
175 place thereof, in each instance, the following words:- select board.

176 SECTION 55. Paragraph (H) of said section 4-3 of said article IV of said charter is
177 hereby amended by striking out the word “Board”, the second time it appears, and inserting in
178 place thereof, in each instance, the following words:- select board.

179 SECTION 56. Said paragraph (H) of said section 4-3 of said article IV of said charter is
180 hereby amended by striking out the words “he or she” and inserting in place thereof the
181 following words:- the town administrator.

182 SECTION 57. Paragraph (I) of said section 4-3 of said article IV of said charter is hereby
183 amended by striking out the word “Selectmen”, the second time it appears, and inserting in place
184 thereof the following words:- select board.

185 SECTION 58. Said section 4-3 of said article IV of said charter is hereby further
186 amended by striking out the word “Selectmen’s”, each time it appears, and inserting in place
187 thereof, in each instance, the following words:- select board’s.

188 SECTION 59. Subsection (D) of section 4-4 of said article IV of said charter is hereby
189 amended by striking out the words “Board of Selectmen” and inserting in place thereof the
190 following words:- select board.

191 SECTION 60. The introductory paragraph of section 4-5 of said article IV of said charter
192 is hereby amended by striking out the words “Board of Selectmen” and inserting in place thereof
193 the following words:- select board.

194 SECTION 61. Clause (A) of said section 4-5 of said article IV of said charter is hereby
195 amended by striking out the words “Board of Selectmen” and inserting in place thereof the
196 following words:- select board.

197 SECTION 62. Said clause (A) of said section 4-5 of said article IV of said charter is
198 hereby further amended by striking out the word “Board”, the second time it appears, and
199 inserting in place thereof the following words:- select board.

200 SECTION 63. Clause (B) of said section 4-5 of said article IV of said charter is hereby
201 amended by striking out the word “Board”, each time it appears, and inserting in place thereof, in
202 each instance, the following words:- select board.

203 SECTION 64. Clause (C) of said section 4-5 of said article IV of said charter is hereby
204 amended by striking out the words “Board of Selectmen” and inserting in place thereof the
205 following words:- select board.

206 SECTION 65. Said clause (C) of said section 4-5 of said article IV of said charter is
207 hereby further amended by striking out the word “Board”, the second time it appears, and
208 inserting in place thereof the following words:- select board.

209 SECTION 66. Clause (D) of said section 4-5 of said article IV of said charter is hereby
210 amended by striking out the words “Board of Selectmen” and inserting in place thereof the
211 following words:- select board.

212 SECTION 67. Said clause (D) of said section 4-5 of said article IV of said charter is
213 hereby further amended by striking out the word “Board”, the second and third times it appears,
214 and inserting in place thereof, in each instance, the following words:- select board.

215 SECTION 68. Clause (E) of said section 4-5 of said article IV of said charter is hereby
216 amended by striking out the word “Board” and inserting in place thereof the following word:-
217 select board.

218 SECTION 69. Clause (F) of said section 4-5 of said article IV of said charter is hereby
219 amended by striking out the words “he or she”, each time they appear, and inserting in place
220 thereof, in each instance, the following words:- the town administrator.

221 SECTION 70. Said clause (F) of said section 4-5 of said article IV of said charter is
222 hereby further amended by striking out the words “his or her” and inserting in place thereof the
223 following words:- the town administrator’s.

224 SECTION 71. Said clause (F) of said section 4-5 of said article IV of said charter is
225 hereby further amended by striking out the word “Board” and inserting in place thereof the
226 following words:- select board.

227 SECTION 72. Section 4-6 of said article IV of said charter is hereby amended by striking
228 out the words “Board of Selectmen”, each time they appear, and inserting in place thereof, in
229 each instance, the following words:- select board.

230 SECTION 73. Said section 4-6 of said article IV of said charter is hereby amended by
231 striking out the word “Selectmen”, the second time it appears, and inserting in place thereof the
232 following words:- select board.

233 SECTION 74. Said section 4-6 of said article IV of said charter is hereby further
234 amended by striking out the words “his/her”, each time they appear, and inserting in place
235 thereof, in each instance, the following words:- the town administrator’s.

236 SECTION 75. Section 5-1 of article V of said charter is hereby amended by striking out
237 the words “Board of Selectmen”, each time they appear, and inserting in place thereof, in each
238 instance, the following words:- select board.

239 SECTION 76. Said section 5-1 of said article V of said charter is hereby further amended
240 by striking out the word “Selectmen”, the fifth time it appears, and inserting in place thereof the
241 following words:- select board.

242 SECTION 77. Section 5-2 of said article V of said charter hereby amended by striking
243 out the words “Board of Selectmen” and inserting in place thereof the following words:- select
244 board.

245 SECTION 78. Section 6-2 of article VI of said charter is hereby amended by striking out
246 the words “Board of Selectmen” and inserting in place thereof the following words:- select
247 board.

248 SECTION 79. Said section 6-2 of said article VI of said charter is hereby further
249 amended by striking out the words “his/her” and inserting in place thereof the following words:-
250 the town administrator’s.

251 SECTION 80. Section 6-3 of said article VI of said charter is hereby amended by striking
252 out the word “Selectmen” and inserting in place thereof the following words:- select board.

253 SECTION 81. Section 6-4 of said article VI of said charter is hereby amended by striking
254 out the words “Board of Selectmen” and inserting in place thereof the following words:- select
255 board.

256 SECTION 82. Said section 6-4 of said article VI of said charter is hereby further
257 amended by striking out the words “his/her” and inserting in place thereof the following words:-
258 the town administrator’s.

259 SECTION 83. Section 6-7 of said article VI of said charter hereby amended by striking
260 out the words “Board of Selectmen”, each time they appear, and inserting in place thereof, in
261 each instance, the following words:- select board.

262 SECTION 84. Section 6-8 of said article VI of said charter is hereby amended by striking
263 out the words “Board of Selectmen” and inserting in place thereof the following words:- select
264 board.

265 SECTION 85. Subsection (A) of section 6-9 of said article VI of said charter is hereby
266 amended by striking out the words “Board of Selectmen” and inserting in place thereof the
267 following words:- select board.

268 SECTION 86. Subsection (B) of said section 6-9 of said article VI of said charter is
269 hereby amended by striking out the word “Selectmen” and inserting in place thereof the
270 following words:- select board.

271 SECTION 87. Said subsection (B) of said section 6-9 of said article VI of said charter is
272 hereby further amended by striking out the words “they deem” and inserting in place thereof the
273 following words:- that it deems.

274 SECTION 88. Section 6-10 of said article VI of said charter is hereby amended by
275 striking out the words “Board of Selectmen” and inserting in place thereof the following words:-
276 select board.

277 SECTION 89. The first paragraph of section 7-6 of article VII of said charter is hereby
278 amended by striking out the words “his/her” and inserting in place thereof the following words:-
279 such elected officer’s.

280 SECTION 90. Paragraph (1) of subsection (A) of said section 7-6 of said article VII of
281 said charter is hereby amended by striking out the words “his/her”, each time they appear, and
282 inserting in place thereof, in each instance, the following words:- the town clerk’s.

283 SECTION 91. Paragraph (2) of said subsection (A) of said section 7-6 of said article VII
284 of said charter is hereby amended by striking out the words “he or she” and inserting in place
285 thereof the following words:- such town meeting representative.

286 SECTION 92. Subsection (B) of said section 7-6 of said article VII of said charter is
287 hereby amended by striking out the word “Selectmen”, each time it appears, and inserting in
288 place thereof, in each instance, the following words:- select board.

289 SECTION 93. Paragraph (5) of said subsection (B) of said section 7-6 of said article VII
290 of said charter is hereby amended by striking out the words “his/her” and inserting in place
291 thereof the following words:- such officer’s.

292 SECTION 94. Paragraph (7) of said subsection (B) of said section 7-6 of said article VII
293 of said charter is hereby amended by striking out the words “him or her” and inserting in place
294 thereof the following words:- such person.

295 SECTION 95. The first paragraph of section 7-7 of said article VII of said charter is
296 hereby amended by striking out the words “his or her” and inserting in place thereof the
297 following words:- such officer’s or employee’s.

298 SECTION 96. Clause (B) of the fourth paragraph of said section 7-7 of said article VII of
299 said charter is hereby amended by striking out the words “he or she” and inserting in place
300 thereof the following words:- such officer or employee.

301 SECTION 97. Clause (C) of said fourth paragraph of said section 7-7 of said article VII
302 of said charter is hereby amended by striking out the words "him or her" and inserting in place
303 thereof the following words:- such officer or employee.

304 SECTION 98. Said section 7-7 of said article VII of said charter is hereby further
305 amended by striking out the words "his/her", each time they appear, and inserting in place
306 thereof, in each instance, the following words:- such officer's or employee's.

307 SECTION 99. Section 8-3 of article VIII of said charter is hereby amended by striking
308 out the words "his/her", each time they appear, and inserting in place thereof, in each instance,
309 the following words:- such officer's or employee's.

310 SECTION 100. Subsection (D) of section 8-8 of said article VIII of said charter is hereby
311 amended by striking out the words "Board of Selectmen", each time they appear, and inserting in
312 place thereof, in each instance, the following words:- select board.

313 SECTION 101. This act shall take effect upon its passage."