

**SENATE . . . . . No. 3129**

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Senate, October 17, 2022 -- Substituted as a new draft (Senator Jehlen) for the Senate Bill providing for a gender-neutral charter in the City of Somerville (Senate, No. 2524).

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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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:*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

108 The executive powers of the city shall be vested solely in the mayor and may be  
109 exercised personally or through the several officers and boards in their respective departments  
110 under the mayor’s general supervision and control. If there is a vacancy in any office to which  
111 appointment is made by the mayor, the mayor may personally perform the duties of the office  
112 but shall not be entitled to receive any salary or pay attached to the office. The mayor shall hold  
113 office for the 2 municipal years beginning with the first Monday in January following the

114 mayor's election, unless sooner removed, and until a successor is elected and qualified; provided,  
115 however, that if elected to fill an existing vacancy, the newly elected mayor shall hold office  
116 only for the remainder of the unexpired term.

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

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

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

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

129 SECTION 38. Section 25 of said title 4 of said charter is hereby amended by striking out  
130 the words ", and shall cause a record of all his official acts to be kept, and for that purpose and to  
131 aid him in his official duties he may appoint a secretary and define his" and inserting in place  
132 thereof the following words:- and shall cause a record of all the mayor's official acts to be kept  
133 and, for that purpose and to aid in accomplishing the official duties, the mayor may appoint a  
134 secretary and define the secretary's.

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

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

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

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

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

148 SECTION 44. Said section 31 of said title 6 of said charter is hereby further amended by  
149 striking out the word “his”, each time it appears, and inserting in place thereof, in each instance,  
150 the following words:- the city clerk’s.

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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