

**STATE STATUTES ACCEPTED OR AVOIDED
OF BY THE TOWN**

- 1881 G.S. Ch. 45, §7 & 8 (See G.L. Ch. 83, §5, 25 & 26): establishing and grading sidewalks. Ch. 114, Acts 1863 (See G.L. Ch. 85, §5): removal of snow and ice from sidewalks. Ch. 302, Acts 1872; Ch. 107, Acts, 1874.
- 1886 P.S. Ch. 27, §64-68 (Ch. 255, Acts 1878, §1-5): manner of electing selectmen and assessors.
- 1891 P.S. Ch. 58: slaughtering inspector. P.S. Ch. 36, Sec. 29 (Ch. 178, Acts 1863, now G.L. Ch. 49, §28): pounds, pound keepers, impounding cattle.
- 1895 *Ch. 186, Acts 1895 (See G.L. Ch. 40, §16-18): street sprinkling.
- 1896 Ch. 417, Acts 1893, §267 & 268 (See G.L. Ch. 41, §2): election of selectmen and assessors.
- 1897 *Ch. 423, Acts 1893, §25 (See G.L. Ch. 41, Sec. 64): fixing compensation of superintendent of streets.
- 1898 Ch. 374, Acts 1895 (See G.L. Ch. 41, §62): a single highway surveyor in exclusive control of repairs; rescinded 1917.
- 1900 Ch. 264, Acts 1890 (See G.L. Ch. 114, §22-26): election of cemetery commissioners.
- 1904 Ch. 40, Acts 1902, §1 & 2 (Now G. L. Ch. 40, Sec. 7): removal of snow and ice from sidewalks.
- 1909 R.L. Ch. 103 (See G.L. 142, §1-6, 11-16): plumbing inspection.
- 1912 Ch. 624, Acts 1910 (See G.L. Ch. 41, §55): town accountant.
- 1913 Ch. 484, Acts 1912: special act for Amherst sewer system construction.
*Ch. 347, Acts 1912 (See G.L. Ch. 40, §63): establishment of a reserve fund.
- 1914 *Ch. 130, Acts 1910 (See G.L. Ch. 39, §16): establishment of finance committee and reserve fund under Ch. 347, Acts 1912 and Ch. 645, Acts 1913 (Now G.L. Ch. 40, §6).
Ch. 807, Acts 1913 (See G.L. Ch. 152, Sec. 69): workmen's compensation.
- 1915 *Ch. 283, Acts 1914 (See G.L. Ch. 41, §70): establishment of planning board.
- 1916 Ch. 284, Acts 1915 (See G.L. Ch. 39, §23): town election on different date from town meeting. Rescinded 1919; see also vote, Art. 11, town meeting March 20, 1939; Rescinded 10/28/68; See also §1 & 5 of Town Meeting Act.
- 1917 *Ch. 835, Acts 1913, §397 (See G.L. Ch. 39, §14): election of moderator.
*G.L. Ch. 41, §21: selectmen put in charge of highways, sidewalks and bridges.
- 1918 R.L. Ch. 28, §1-14 (See G.L. Ch. 45, §2-10): laying out of public parks.
- 1921 *G.L. Ch. 41, §45: establishment of board of trust fund commissioners.
G.L. Ch. 136, §21-25: permitting sports on the Lord's Day.
- 1925 G.L. Ch. 136, §6 & 7: licensing sale of certain items on the Lord's Day.
Ch. 496, Acts 1924, §2 (See G.L. Ch. 94, §120A): additional fees paid by slaughter house licensees.
- 1928 G.L. Ch. 48, §42-44: appointment and duties of chief of fire department.
*G.L. Ch. 143, §6-13: building inspector.
- 1929 Ch. 153, Acts 1929: Amherst Water Company Act amended.
- 1938 Ch. 10, Acts 1936: representative town meeting.
- 1939 G.L. Ch. 243, §3: regulating construction of buildings; rescinded 11/16/64.

- 1941 *G.L. Ch. 41, §91A: selectmen to appoint constables.
G.L. Ch. 40, §42R-42F: segregation of water revenues.
*G.L. Ch. 91, §29 and Ch. 513, Acts 1939: assumption of liability for damages by acts of state department of public works on rivers and streams.
- 1943 G.L. Ch. 41, §38A: tax collector to collect accounts due town. Rescinded April 6, 1943; resumed 1955.
- 1944 G.L. Ch. 54, §103A: absentee voting at town elections.
- 1946 Ch. 723, Acts 1945: establishment of department to aid veterans.
- 1947 *G.L. Ch. 53, §121: town caucus; superseded 1956 on acceptance of Ch. 149, Acts 1955.
- 1949 G.L. Ch. 136, §4B: licensing bowling alleys to operate on the Lord's Day.
*G.L. Ch. 40, §22A: parking meters.
- 1950 Ch. 529, Acts 1949 (G.L. Ch. 166, §32): inspector of wires.
- 1951 G.L. Ch. 41, §81A-81Y: planning board with power over land subdivision.
Ch. 820, Acts 1950: increase of pensions.
*G.L. Ch. 41, §108A: job classification and pay scales.
- 1952 Ch. 781, Acts 1951: increase of pensions.
- 1953 Ch. 537, Acts 1951 (G.L. Ch. 31, §47E): step pay increases for welfare personnel; superseded 1968 by State assumption of welfare.
G.L. Ch. 71, §16-161: regional school district with Pelham.
Ch. 11, Acts 195 1: town manager government.
- 1955 G.L. Ch. 40, §6B: appropriations for police and fire uniforms.
G.L. 40, §38A: tax collector to collect amounts due town.
- 1956 Ch. 149, Acts 1955: nominations procedure in town elections.
*G.L. Ch. 32B: contributory group insurance for town employees.
G.L. Ch. 40, §42G-42I: assessments for laying water pipes; rescinded 1957.
G.L. Ch. 40, §13A: workmen's compensation for town employees.
- 1958 Ch. 427, Acts 1957: increase of pensions for retired policemen.
G.L. Ch. 41, §100A: indemnification of operators of town vehicles.
Ch. 40 1, Acts 1956: indemnification of Civil Defense volunteers operating town vehicles.
- 1959 *G.L. Ch. 121, §26K: housing for elderly persons.
- 1960 Ch. 49, Acts 1959: limiting size of town meeting.
- 1960 G.L. Ch. 40, §8A: establishment of Development and Industrial Commission.
G.L. Ch. 147, §17A: paid holidays for policemen.
- 1961 G.L. Ch. 48, §57A: paid holidays for firemen.
*G.L. Ch. 78, §19A-19C: library aid.
- 1962 G.L. Ch. 40, §22D: tow-away authority.
G.L. Ch. 40, §8C: establishment of conservation commission.
- 1963 G.L. Ch. 90, §18A: regulating pedestrians.
Ch. 403, Acts 1936 (See G.L. Ch. 152, §69): extending workmen's compensation.
*G.L. Ch. 40, §4: appraisal of real estate (revaluation).
- 1964 Ch. 54, Acts 1963: nominations for town offices.
Ch. 478, Acts 1963: increasing certain pensions.
Ch. 48, Acts 1964: special sewer charges.
G.L. Ch. 25, §12H: gas inspector.
- 1966 G.L. Ch. 40B: Lower Pioneer Valley Regional Planning District.

- 1968 G.L. Ch. 40, §42A-42F: water liens on real estate. (Rate change voted 3/4/68).
G.L. Ch. 90, §20C: parking fines.
G.L. Ch. 32B, §9A, 9D, 11B: contributory group insurance (extending benefits).
- 1969 G.L. Ch. 32B, §7A(d), 9E: contributory group insurance (extending benefits).
- 1971 G.L. Ch. 121B: redevelopment authority.
- 1972 G.L. Ch. 32B, §11c: retired teachers group insurance transferred to State.
Ch. 512, Acts 1972: Jones Library.
G.L. Ch. 40, §8D: historical commission.
- 1973 G.L. Ch. 44, §53C: payment of police officers for off-duty work detail.
Ch. 631, Acts 1973: amends §10, Ch. 53 G.L. requiring incumbent town meeting members to file nomination papers.
Ch. 814, Acts 1973: public works, land acquisition for highways.
- 1974 G.L. Ch. 41, §108A: Establish Classification/Compensation Plan
- 1975 G.L. Ch. 40, §8G: police department, mutual aid programs with other municipalities.
- 1978 G.L. Ch. 44, §53: revolving fund for recreation.
G.L. Ch. 83, 16A-16F: unpaid sewer charges to become lien on real property.
G.L. Ch. 40, §5E: establish & maintain unemployment compensation fund.
G.L. Ch. 148, §26C (as amended by Ch. 962, Acts of 1977): smoke detectors, apartment houses.
- 1979 G.L. Ch. 48, §59A: firefighting aid to other municipalities.
- 1980 Ch. 117, Acts 1980: filling vacancies in Town Meeting membership.
G.L. Ch. 71, §71E: to allow deposit of receipts from Adult Education to revolving account for school use.
G.L. Ch. 40, §4G: increase bid ceiling to \$4,000 for town contracts.
- 1981 G.L. Ch. 90, §20A, 20C, 20D, 20E, and Ch. 351, §121, Acts 1981: parking tickets.
- 1982 Ch. 743, Acts 1981: real estate tax exemptions for elderly.
Ch. 40, §5D: establishment of retirement fund.
- 1983 G.L. Ch. 59, §5(37A): property tax exemption - blind.
G.L. Ch. 59, §5(41B): increased limit, property tax exemption, elderly.
G.L. Ch. 60A (as amended by Ch. 597, Acts 1982): motor vehicle excise tax exemption, ex prisoners of war.
G.L. Ch. 71, §71E: revolving fund, adult & continuing education programs.
G.L. Ch. 59, §5, Clause 37A: increase to \$500.00 the property tax exemption for the blind.
G.L. Ch. 59, §5, Clause 41B: increase minimum income tax assets limits for a \$500.00 property tax exemption for the elderly.
G. L. Ch. 60A (amended by Ch. 597 of the Acts of 1982): exempt motor vehicle tax to former prisoners of war.
G.L. Ch. 71, §71E: establish a revolving fund for adult education and continuing education programs.
Petition General Court/Special Act: establishment of a revolving fund for adult education and continuing education programs.
G.L. Ch. 41, §108L: Police career incentive pay program.
- 1985 G.L. Ch. 188, §13: Professional development grant program.
G.L. Ch. 71, §40: Minimum teacher salary.
- 1986 G.L. Ch. 900, Acts of 1977, §3A, amending Ch.32B: Establish a claims trust fund.

- G.L. Ch. 59, §5, Clauses 17D & 41C: Personal Exemption.
 G.L. Ch. 41, §41B: Authorize payment of public employees by direct bank credits.
- 1987 G.L. Ch. 40, §39K: Establish enterprise funds for Town's water, sewer & solid waste facilities and operations
- 1988 G.L. Ch. 64G, §3A: Local room occupancy excise 4%.
 G.L. Ch. 140, §147A: Allow town to enact by-laws for the regulation of dogs.
 G.L. Ch. 40, §58: Municipal charges lien on real estate for unpaid refuse fees.
- 1989 G.L. Ch. 40, §39K: Establish Municipal Golf Course service enterprise fund.
 G.L. Ch. 140, §2 also 49d; fee for licenses granted to innholders, common victuallers and lunch carts.
 G.L. Ch. 262, §34, Clauses 1-79: Changes to Town Clerk fees.
- 1990 G.L. Ch.653 §40, Acts of 1989: Assessment date change from Jan. 1 to July 1 for inclusion of new growth in the levy.
 G.L. Ch. 148, §26E, 26G, 26H, 26I: Smoke detectors, automatic sprinkles.
 G.L. Ch. 40, §57: Denial, revocation or suspension of local licenses or permits for failure to pay municipal taxes or charges.
- 1991 G.L. Ch. 59, §57C: Assessment of property taxes on a quarterly basis.
 G.L. Ch. 291, Acts of 1990: Enhanced 911 service.
- 1992 G.L. Ch. 40, §22F: Empower the town to fix and retain fees for permits and services.
 G.L. Ch. 59, §57B: To bill and collect tax bill for \$50 or less.
 G.L. Ch. 59, §17D, 22, 37A, 41C: Maximum exemption increase of 40%.
- 1993 G.L. Ch. 59, § 17D, 22, 37A, 41C: Maximum exemption of 100%.
 G.L. Ch. 59, §5, Clauses 22, 22A, 22B, 22C, 22D, 22E (Ch. 110, §110 of FY94 State Budget): Reduces from 5 to 1 the number of years a person must have been a Mass. resident to qualify for veteran exemption.
- 1994 Chapter 71, §83, Acts of 1993: Mass. Early Retirement Incentive Program for public school employees belonging to Mass. Teachers' Retirement System.
 G.L. Ch. 40, §21D: G.L. Ch. 270, §16: Non-criminal disposition of violations.
 G.L. Ch 44, §53F: Authorize the Treasurer to enter into written agreements with banking institutions. Agree to maintain funds on deposit in exchange for banking services.
- 1995 G.L. Ch. 59, §5, Cl. 50: Property tax exemption for residential improvements to provide elderly housing.
- 1996 G.L. Ch 44, §53F: Authorize the Treasurer to enter into written agreements with banking institutions. Agree to maintain funds on deposit in exchange for banking services.
 G.L. Ch. 138, §12: Issuing of Cordial and Liqueurs licenses.
- 1997 Ch. 448, Sec. 2, Acts of 1996. Allow voice vote to stand unless questioned in matters requiring a 2/3 vote by statute.
- 1997 G.L. Ch. 23A §3A – 3H: Designate the East Amherst Economic Opportunity Area (East Amherst EOA), to provide property tax relief to certified projects located within the EOA in the form of Tax Increment Financing.
- 1998 G. L. Ch. 41, Sec. 110A and Ch.4. Sec. 9. Saturday shall be considered legal holidays for the purpose of transacting business with municipal offices.
- 1999 G.L. Ch 44, §53F: Authorize the Treasurer to enter into written agreements with banking institutions. Agree to maintain funds on deposit in exchange for banking services.
- 2000 G.L. Ch 44, §53F: Authorize the Treasurer to enter into written agreements with banking institutions. Agree to maintain funds on deposit in exchange for banking services.

- G.L. Ch 44, §53F1/2: Establish a Transportation Enterprise Fund.
- 2001 G.L. Ch. 44B, Sections 3-7: Community Preservation Act which establishes a special “Community Preservation Fund”.
- 2001 G.L. Ch. 44B, §5: Establish a Community Preservation Committee.
- 2001 G.L. Ch 44, §53F: Authorize the Treasurer to enter into written agreements with banking institutions. Agree to maintain funds on deposit in exchange for banking services.
- 2001 G.L. Ch. 59, Sec. 17D, 22, 37A, and 41C: Maximum exemption of 100 percent.
- 2002 G.L. Ch. 44, §53F: Authorize the Treasurer to enter into written agreements with banking institutions pursuant to which the Treasurer agrees to maintain funds on deposit in exchange for banking services.
- 2002 Ch. 73, §4, Acts of 1986: Authorize a maximum additional exemption of up to 100 percent for qualifying taxpayers.
- 2002 G.L. Ch. 59, §5K: Reduction in property tax liability in exchange for volunteer services by persons over age 60.
- 2002 Ch. 184, §51, Acts of 2002: Amend G.L. Ch. 59, §5 (41C), for Fiscal Year 2003, by decreasing the eligibility age for senior tax exemptions and by increasing the exemption amount, the gross receipts limit, the whole estate limit, and the whole estate exclusion.
- 2002 G.L. Ch. 40, §21D: Authorize the non-criminal disposition method of enforcing Town Bylaw, Article II, Handicapped Parking.
- 2002 G.L. Ch. 59, §5(41c): Decrease eligibility age for senior tax exemptions from 70 to 65, by increasing the amount of the exemption by 20%, by increasing the gross receipts limit from \$13,000 to \$20,000 if single and from \$15,000 to \$30,000 if married, by increasing the whole estate limit from \$28,000 to \$40,000 if single and from \$30,000 to \$55,000 if married, and by increasing the whole estate exclusion for the value of the applicant’s domicile from no more than two units in addition to the unit occupied by the applicant to no more than three additional units.
- 2003 G.L. Ch. 184, §31: Accept a permanent Affordable Housing Restriction on lots 1 and 7 of Parcels 4 and 7 on Assessor’s Map 21B.
- 2003 G.L. Ch. 40, §8C, Ch. 132A, §11, and Ch. 184: Simmons Property Conservation Restriction.
- 2003 G.L. Ch. 44, §53F: Authorize the Treasurer to enter into written agreements with banking institutions pursuant to which the Treasurer agrees to maintain funds on deposit in exchange for banking services.
- 2003 G.L. Ch. 59, §5, Clauses 17D, 22, 37A, and 41C: Authorize a maximum additional exemption of 100 percent.
- 2003 G.L. Ch. 23A, §3A-3H: Designate Economic Opportunity Area (“Atkins Corner EOA”) and Tax Increment Financing Zone for a term of not more than twenty years.
- 2003 G.L. Ch. 23A and Ch. 40, §59: Authorize the Select Board to enter into Tax Increment Financing Agreements.
- 2004 G.L. Ch. 59, §5, Clauses 17D, 22, 37A, or 41C: Authorize a maximum additional exemption of up to 100 percent for qualifying taxpayers.
- 2004 G.L. Ch. 44, §53F: Authorize the Treasurer to enter into written agreements with banking institutions pursuant to which the Treasurer agrees to maintain funds on deposit in exchange for banking services.
- 2004 G.L. Ch. 44, §7(5): Authorize the Treasurer to borrow \$250,000 for Town Center Improvements.

- 2004 G.L. Title XIV, Ch. 90, §16A: Resolution to enforce law pertaining to unnecessary vehicle idling.
- 2004 G.L. Ch. 59, §5 (added by statute 1995, Ch. 181, §1), final paragraph: Increase property tax exemption allowed to certain senior citizens, surviving spouses and minors by amount of the annual cost of living adjustment (COLA).
- 2004 G.L. Ch. 59, §5, Clause 41D: Allow the income and assets certain senior citizens may have to qualify for an exemption to increase by the COLA amount.
- 2007 G.L. Ch. 59, §5, Clause 5B: Exempt from taxation the real and personal estate belonging to or held in trust for the benefit of incorporated organizations of veterans of any war in which the United States has been engaged, to the extent of \$700,000 if used and occupied by such association.
- 2009 G.L. Ch. 39, §23D. Provides for a member of the Planning Board, Conservation Commission, Historical Commission and Select Board not be disqualified from voting in the matter of an adjudicatory hearing providing that certain conditions as established by statute are met.
- 2009 G.L. Ch. 32B, §18A. Allows the town to enroll eligible municipal retirees into Medicare without penalty.
- 2009 G.L. Ch. 64L, §2(a): To impose a local meals excise.
- 2010 G.L. Ch. 32B, §20. Allows the town to establish a separate fund, to be known as an Other Post Employment Benefits Liability Trust Fund.
- 2011 G.L. Ch. 59, §5K: Adjust exemption by allowing an approved representative, for persons physically unable, to provide services to the Town.
- 2011 G.L. Ch. 200A, §9A, as amended by section 65 of Chapter 188 of the Acts of 2010: New notice requirements and provides an alternative procedure for the Town to follow for managing abandoned funds (unclaimed checks or “tailings”).
- 2013 G.L. Ch. 59, §5N: To allow a reduction of a veterans property tax obligation in exchange for volunteer services.
- 2014 G.L. Ch. 44, §55C: To establish a Municipal Affordable Housing Trust Fund to be known as the Amherst Affordable Housing Trust Fund.
- 2016 G.L. Ch. 59, §5, Clauses 17D, 22, 37A, or 41C: To authorize a maximum additional exemption of up to 100 percent for taxpayers qualifying for exemption.
- 2017 G.L. Ch. 59, §5 (54): Exempt personal property from taxation up to \$10,000 of value.
- 2017 G.L. Ch. 40, §13E: To create a Special Education Reserve Fund, consistent with the vote of the Amherst School Committee, for future payments of unanticipated or unbudgeted costs of special education, out of district tuition or transportation, provided, however, that the monies in such fund shall be expended only with the approval of the Amherst School Committee and the Select Board; and 2) to transfer \$150,000 from Free Cash for the Special Education Reserve Fund for the Amherst Public Schools.
- 2017 G.L. Ch. 40, §13E: To create a Special Education Reserve Fund consistent with the vote of the Regional School Committee, for future payments of unanticipated or unbudgeted costs of special education, out of district tuition or transportation, provided, however, that the monies in such fund shall be expended only with the approval of the Regional School Committee and of a majority of the Select Boards in the district.

- 2017 G.L. Ch. 71, §§ 14, 14A and 14B: To form a Regional School District Planning Committee (RSDPC), consisting of three (3) members, appointed by the Town Moderator, one of whom must be a member of the Amherst School Committee. The RSDPC may join with a corresponding Committee from another town to form a Regional School District Planning Board to perform a detailed exploration of and make a recommendation as to forming a regional school district for students in grades pre-kindergarten through six.
- 2017 G.L. c.64N, Section 3(a), as recently amended by Section 13 of Chapter 55 of the Acts of 2017, and impose a sales tax upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town to anyone other than a marijuana establishment, at the rate of 3 percent of the total sales price received by the marijuana retailer as a consideration for the sale of marijuana or marijuana products.
- 2017 G.L. Chapter 71, Sections 14, 14A and 14B, consisting of three (3) members, appointed by the Town Moderator, one of whom must be a member of the Amherst School Committee. The RSDPC may join with a corresponding Committee from another town to form a Regional School District Planning Board to perform a detailed exploration of and make a recommendation as to forming a regional school district for students in grades pre-kindergarten through six.

*Statutes not accepted but availed of by the town: town meeting vote not required

