



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

WESTERN MASSACHUSETTS DIVISION
1350 MAIN STREET
SPRINGFIELD, MASSACHUSETTS 01103-1629

MARTHA COAKLEY
ATTORNEY GENERAL

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January 16, 2008

Diane Crory, Town Clerk
37 Shattuck Street
Littleton, MA 01460

**RE: Littleton Special Town Meeting of November 14, 2006 – Case # 4609
Warrant Article # 6 (General)**

Dear Ms. Crory:

Article 6 - I return the amendments to the town by-laws adopted under this Article with no action by this Office. Pursuant to G.L. c. 41, §§ 108A and 108C, personnel by-laws and amendments thereto are not subject to the approval of the Attorney General.

In the materials submitted to us, you provided us with a copy of the amended Personnel By-Law, including Section 33-1, which provides that the by-law is adopted pursuant to the authority contained in G.L. c. 41, §§ 108A and 108C. On the basis of the foregoing, we conclude that the relevant sections of the Town's Code serve as a "personnel by-law" of the sort expressly exempted by G.L. c. 41, §§ 108A and 108C, and thus we take no action on that vote.

Note: Under G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of this section. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.

If the Attorney General has disapproved and deleted one or more portions of any by-law or by-law amendment submitted for approval, only those portions approved are to be posted and published pursuant to G.L. c. 40, § 32. We ask that you forward to us a copy of the final text of the by-law or by-law amendments reflecting any such deletion. It will be sufficient to send us a copy of the text posted and published by the Town Clerk pursuant to this statute.

Nothing in the Attorney General's approval authorizes an exemption from any applicable state law or regulation governing the subject of the by-law submitted for approval.

Very truly yours,

MARTHA COAKLEY
ATTORNEY GENERAL

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enc.
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