



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.

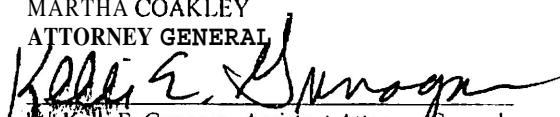
Note: Under G.L. c. 40, § 32, **neither general nor zoning** by-laws take effect unless the town **has first satisfied the posting/publishing requirements** of this section. Once **this statutory** duty is fulfilled, **(1) general** by-laws and **amendments** take effect on the **date that these posting 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

  
By: Kelli E. Gunagan, Assistant Attorney General  
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enc.  
pc:

Town Counsel

