



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

August 4, 2023

Margaret Wang, Town Clerk
Town of Carlisle
66 Westford Street
Carlisle, MA 01741

**Re: Carlisle Annual Town Meeting of May 8, 2023 -- Case # 10982
Warrant Articles # 19 and 20 (General)**

Dear Ms. Wang:

Article 19 - We approve Article 19 from the May 8, 2023 Carlisle Annual Town Meeting.

Article 20 - Article 20 amends Section 3.25, "Personnel Board," (adopted under the authority of G.L. c. 41, § 108C) and Section 15.1 of Article XV, "Personnel Bylaw," to delete references to the Personnel Board. We take no action on Article 20 because personnel bylaws are not subject to Attorney General review and approval.

In G.L. c. 41, § 108A the Legislature authorized towns to adopt by-laws to establish employment classification plans but exempted such by-laws from the Attorney General's review and approval mandated by G.L. c. 40, § 32: "Any by-law adopted under the provisions of this section shall not be subject to section thirty-two of chapter forty." Similarly, in G.L. c. 41, § 108C the Legislature authorized towns to adopt consolidated personnel by-laws, including compensation provisions, but exempted such by-laws from Attorney General review and approval: "[S]uch consolidated by-law shall not be subject to the approval of the attorney general as provided in section thirty-two of chapter forty."

Because the Legislature has determined that personnel by-laws are not subject to Attorney General review and approval we take no action on Article 20. The Town should consult with Town Counsel with any questions on this issue.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date 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 approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

Nicole B. Caprioli

By: Nicole B. Caprioli
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 ext. 4418

cc: Town Counsel Thomas J. Harrington