

The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

TIMOTHY J. TOOMEY, JR.
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Chairman
Committee on Public Service
ROOM 39, STATE HOUSE

March 18, 1998

To The Honorable, The City Council:

I am pleased to inform you that the following city of Cambridge home-rule petitions have recently been signed into law by His Honor the Lt. Governor, Acting Governor Cellucci.

"An Act Authorizing the Board of License Commissioners to Decrease the Hours of Operation of Certain Licensees Authorized to Sell Alcoholic Beverages Not to be Drunk on the Premises in the City of Cambridge" has become Chapter 31 of the Acts of 1998.

"An Act Relative to Certain Railroad Crossings in the City of Cambridge" has become Chapter 51 of the Acts of 1998.

Copies of both Acts are attached. If you have any questions, please contact me directly at 722-2240.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy J. Toomey, Jr.", written in a cursive style.

TIMOTHY J. TOOMEY, JR.
Chairman
Joint Committee on Public Service

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Ninety-eight

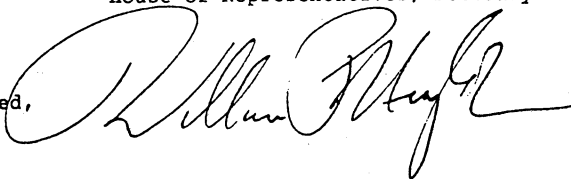
AN ACT AUTHORIZING THE BOARD OF LICENSE COMMISSIONERS TO DECREASE THE HOURS OF OPERATION OF CERTAIN LICENSEES AUTHORIZED TO SELL ALCOHOLIC BEVERAGES NOT TO BE DRUNK ON THE PREMISES IN THE CITY OF CAMBRIDGE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Notwithstanding the provisions of section 15 of chapter 138 of the General Laws, the board of license commissioners of the city of Cambridge may decrease the hours during which sales of alcoholic beverages not to be drunk on the premises may be made; provided, however, that said board shall hold a public hearing concerning the public need for such decrease; provided, further, that any licensee affected by such decrease shall be given two weeks notice of such public hearing; and provided further, that no licensee authorized to make sales of alcoholic beverages not to be drunk on the premises shall be prohibited from making such sales after 10 o'clock ante meridiem and before 11 o'clock post meridiem. A licensee whose hours are decreased pursuant to the provisions of this act may not be barred from opening the premises between the hours of 8 o'clock ante meridiem and 10 o'clock ante meridiem provided that no sales of alcoholic beverages shall be made during the hours when such sales are prohibited by said board. Subject to the provisions of this act, said board shall have discretion to affect the hours of (i) an individual licensee authorized to sell alcoholic beverages not to be drunk on the premises; or (ii) all licensees authorized to sell alcoholic beverages not to be drunk on the premises. A licensee aggrieved by any such decrease in hours may bring a civil action in the nature of certiorari against said board pursuant to section 4 of chapter 249 of the General Laws.

House of Representatives, February 9, 1998.

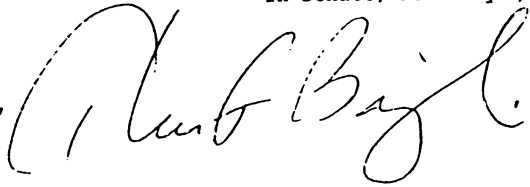
Passed to be enacted,



Acting
Speaker.

In Senate, February 12, 1998.

Passed to be enacted,

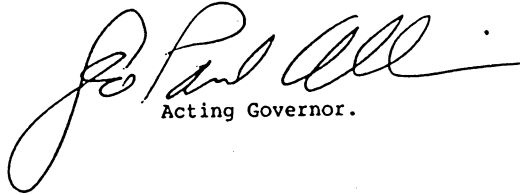


, President.

February 20, 1998.

Approved,

at 11:10 AM



Acting Governor.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Ninety-eight

AN ACT RELATIVE TO CERTAIN RAILROAD CROSSINGS IN THE CITY OF CAMBRIDGE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of chapter 160 of the General Laws or any other general or special law, rule or regulation to the contrary, a railroad corporation, including the Massachusetts Bay Transportation Authority, shall not permit a locomotive engine passing on its railroad over Binney street, Cambridge street and Gore street in the city of Cambridge to sound a whistle at any of said grade crossings which has the following safety features: flashing lights in each direction which are caused to be automatically activated by an approaching train; two gates, one on each side of the crossing, both of which are caused to be automatically lowered by an approaching train and each of which extends across approximately half the width of the lanes of traffic at said crossing so that the entire width of the lanes of traffic at said crossing is blocked when said gates are lowered; a bell that is caused to be automatically activated by an approaching train; overhead street lights; signs posted before the grade crossing in each direction warning motorists and pedestrians of the crossing ahead; posted speed limits for traffic of not more than 40 miles per hour, and not more than two lanes of vehicular traffic in each direction at the grade crossing. Notwithstanding the provisions of this section, the whistle of a locomotive shall be sounded in the event of an emergency.

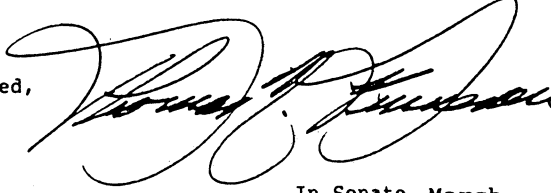
SECTION 2. The department of telecommunications and energy shall require that whistle markers on the railroad right-of-way on the approach to each grade crossing referred to in section 1 shall be replaced with bell markers within 90 days of the effective date of this act.

SECTION 3. The department of telecommunications and energy shall notify the Massachusetts Bay Transportation Authority and all other railroad corporations operating locomotive engines over the grade crossing referred to in sec-

tion 1 in the city of Cambridge of the provisions of this act within 30 days after the effective date.

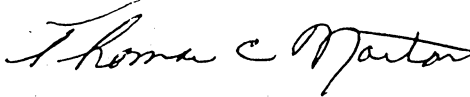
House of Representatives, February 25, 1998.

Passed to be enacted,

 Speaker.

In Senate, March 2, 1998.

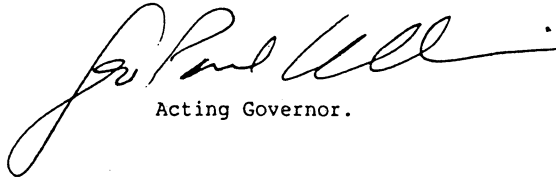
Passed to be enacted,

 Acting President.

March 12, 1998.

Approved,

at 2:55 PM

 Acting Governor.

Comm. & Rpts from Other
Officers #4

S-197

Communication was received from
Timothy J. Toomey, Jr., Chairman,
Joint Committee on Public Service,
transmitting a letter relative to
a home rule petition signed
into law "An Act authorizing the
board of license Commissioners to
Decrease the Hours of Operation of
Certain Licensees Authorized to Sell
Alcoholic Beverages Not to be
Drunk on the Premises in the City.

In City Council March 23, 1998

4a. Referred to
License Comm. + City Solicitor

4b.

PLACED ON FILE