

SENATE No. 390

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to protect the Commonwealth's hemlock trees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cynthia Stone Creem	First Middlesex and Norfolk
Bruce E. Tarr	First Essex and Middlesex
Richard J. Ross	9th Norfolk
Elizabeth A. Malia	11th Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00496 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO PROTECT THE COMMONWEALTH'S HEMLOCK TREES.

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

1 SECTION 1. Section 1 of Chapter 142A of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by striking out lines 9-13 inclusive and inserting in place
3 thereof the following -

4 “Claimant” an owner and resident of a residential building, containing at least one but not more
5 than four dwelling units, or an owner and resident of a single condominium unit in a residential
6 building, who has entered into a construction contract with a contractor to carry out construction
7 work on said building, or, for a condominium owner, who has entered into a construction
8 contract with a contractor to carry out construction work on an area of said building under that
9 owner's exclusive control, and who is making a claim against said contractor for failure of
10 performance under said contract.

11 SECTION 2. This act shall be effective retroactively to January 1, 1996. Any claim
12 which would otherwise be foreclosed under the provisions of section 7 of this chapter shall be

13 considered timely filed with regard to said section 7 if filed within six months of the enactment
14 of this act.