
By Mr. Kelly, a petition of Irving Levenson and others for legislation to provide for the definition of the terms "responsible charge" and "supervision" under the laws relating to public building contracts. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT PROVIDING FOR THE DEFINITION OF THE TERMS
RESPONSIBLE CHARGE AND SUPERVISION.

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

1 Chapters 1 and 2 of the General Law as most recently
2 amended is further amended by adding the following as Sec-
3 tion SS following Section S of said Chapter.

4 The term "responsible charge" as used in this chapter shall
5 mean a degree of competence and accountability acquired by
6 technical education, engineering practice and experience of a
7 professional character sufficient to qualify an individual to en-
8 gage personally and independently in the control and direction
9 of investigation, design, construction or operation of engineer-
10 ing works requiring professional skill, initiative and indepen-
11 dent judgment.

12 The term "Supervision of Construction (or works)" and
13 words of similar purport shall be construed to mean the con-
14 trol and direction of the design of structures, buildings, sys-
15 tem or works involving engineering and requiring engineer-
16 ing skill and judgment and/or the abservation with reasonable
17 care and reasonable professional skill as recognized in the
18 community of the construction of the same. The provisions
19 hereof shall not be construed to mean that the engineer shall
20 guarantee performance by the contractor or assume financial
21 liability for contruction deficiencies or defects.

22 The above definition shall also be added to Chapter 143 as
23 most recently amended, as Section 54AA.

By the same, a portion of being licensed and other the regulations to provide for the definition of the term "responsible charge" and "supervisor" under the laws relating to public building contracts, their administration.

The Commission on Administration

In the Year One thousand nine hundred and seventy

AN ACT PROVIDING FOR THE DEFINITION OF THE TERMS RESPONSIBLE CHARGE AND SUPERVISOR.

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

- 1 Chapter 1 and 2 of the General Law as most recently
- 2 amended is further amended by adding the following as Sec-
- 3 tion 25 following Section 2 of said Chapter:
- 4 The term "responsible charge," as used in this chapter shall
- 5 mean a degree of competence and accountability accorded by
- 6 technical education, engineering practice and experience of a
- 7 professional character sufficient to qualify an individual to en-
- 8 gage personally and independently in the control and direction
- 9 of investigation, design, construction or operation of engineer-
- 10 ing works requiring professional skill, initiative and independ-
- 11 ent judgment.
- 12 The term "supervisor of construction (or works)," and
- 13 words of similar import shall be construed to mean the sup-
- 14 erior and direction of the design of structures, buildings, etc.,
- 15 and or works involving engineering and requiring engineer-
- 16 ing skill and judgment and/or the supervision with responsibility
- 17 and the responsible professional skill as recognized in the
- 18 community of the construction of the same. The provisions
- 19 hereof shall not be construed to mean that the engineer shall
- 20 guarantee performance by the contractor or assume financial
- 21 liability for construction deficiencies or delays.
- 22 The above definition shall also be added to Chapter 141 as
- 23 most recently amended, as Section 35A.