

Accompanying the first recommendation of the Designer Selection Board (House, No. 80). State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Eight.

AN ACT TO PROVIDE CERTAIN REVISIONS TO THE DESIGNER SELECTION BOARD LAWS.

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. Paragraph (b) of section 38A 1/2 of chapter
2 seven of the General Laws, is hereby amended by striking out the
3 second paragraph and inserting in place thereof the following
4 subparagraph: —

5 “Designer”, an individual, corporation, partnership, sole pro-
6 prietorship, joint stock company, joint venture, or other entity
7 engaged in the practice of architecture, landscape architecture, or
8 engineering, which satisfies the following:

9 (i) if an individual or sole proprietorship, the individual or sole
10 proprietor is a registered architect, landscape architect or engineer
11 in the Commonwealth;

12 (ii) if a partnership, either a majority of all partners are persons
13 who are registered architects, landscape architects or engineers in
14 the Commonwealth or a majority interest in the partnership is
15 owned by persons who are so registered;

16 (iii) if a corporation, joint stock company or other entity, the
17 chief executive officer is a registered architect, landscape architect
18 or engineer in the Commonwealth and either a majority of the
19 directors are so registered or a majority of the stock is owned by
20 persons who are so registered;

21 (iv) if a joint venture, each joint venture satisfies the require-
22 ments of this section.

1 SECTION 2. Paragraph (e) of section 38C of chapter seven of
2 the General Laws, as appearing in the 1984 Official Edition, is
3 hereby amended by striking out subparagraph (e) and inserting
4 in place thereof the following paragraph: —

5 (e) Projects shall be exempt from the jurisdiction of the board
6 if the estimated construction cost is either less than fifty thousand
7 dollars or the design fee is less than five thousand dollars. For
8 those projects without an associated estimated construction cost,
9 including, but not limited to, feasibility studies, projects shall be
10 exempt from the jurisdiction of the board if the cost of the design
11 service is less than five thousand dollars.

1 SECTION 3. Section 38H of chapter seven of the General
2 Laws is hereby amended by adding the following subparagraph
3 after paragraph (e) subparagraph (iv): —

4 (v) a requirement that contract documents prepared for the
5 public agency pursuant to the contract for design services shall
6 bear the signature and registration stamp of the person in charge
7 of the project and that each engineering consultant, if any, on the
8 project shall affix his signature, registration stamp, and engineer-
9 ing discipline to each portion of the contract documents prepared
10 under the direct supervision of said consultant.