

HOUSE No. 3028

The Commonwealth of Massachusetts

PRESENTED BY:

Garrett J. Bradley

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 adoption of the accompanying bill:

An Act relative to owner-controlled insurance.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Garrett J. Bradley</i>	<i>3rd Plymouth</i>	<i>1/21/2011</i>

HOUSE No. 3028

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 3028) of Garrett J. Bradley for legislation authorizing certain agencies to implement competitively procured owner controlled insurance programs. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to owner-controlled insurance.

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 30 of the General Laws is hereby amended by inserting after section 39S the
2 following section:

3 Section 39T. Notwithstanding section 8 of chapter 268A or section 44F(c) of chapter 149
4 or section 8 of chapter 149A, the following agencies may, in their discretion, implement
5 competitively procured owner controlled insurance programs on any single project or by pooling
6 more than one project into a combined or rolling program: (a) the division of capital asset
7 management, (b) the Massachusetts Port Authority, (c) the Massachusetts Water Resources
8 Authority, (e) the Massachusetts State College Building Authority, (f) the University of
9 Massachusetts Building Authority, and (g) the Massachusetts Convention Center Authority. For
10 purposes of this section, owner controlled insurance program means that the awarding authority
11 bears the costs and benefits of procuring and administering one or more of the usual categories of
12 insurance required for such a project or projects, including but not limited to general liability,
13 completed operations, excess umbrella, and/or workers' compensation insurance covering the

- 14 awarding authority, the general contractor or construction manager at risk, the owner's project
- 15 manager, and all subcontractor performing work on site.