

**2013 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB81)**

Received: **5/3/2013** Received By: **mkunkel**  
Wanted: **As time permits** Same as LRB: **a0346**  
For: **Scott Krug (608) 266-0215** By/Representing: **Amy Harriman (Sen. Olsen)**  
May Contact: Drafter: **mkunkel**  
Subject: **Trade Regulation - other** Addl. Drafters:  
Extra Copies: **MPG**

Submit via email: **YES**  
Requester's email: **Rep.Krug@legis.wisconsin.gov**  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Knowledge of insurance claim, denial of claims, and failure to comply

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mkunkel 5/3/2013	scalvin 5/3/2013	rschluet 5/3/2013	_____	srose 5/3/2013	srose 5/3/2013	

FE Sent For:

<END>

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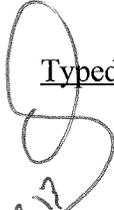
**Topic:**

Knowledge of insurance claim, denial of claims, and failure to comply ✓

**Instructions:**

See attached

**Drafting History:**

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FE Sent For:

<END>

## **Kunkel, Mark**

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**From:** Harriman, Amy  
**Sent:** Friday, May 03, 2013 3:03 PM  
**To:** Kunkel, Mark  
**Subject:** RE: Simple Amendment to Sub-Amendment

Rep. Krug will need the companion amendment to this amendment with the last addition of language relating to page 6.

Thanks,

Amy Harriman

### **Senator Luther Olsen**

14<sup>th</sup> Senate District  
608-266-0751  
[amy.harriman@legis.wisconsin.gov](mailto:amy.harriman@legis.wisconsin.gov)

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**From:** Kunkel, Mark  
**Sent:** Friday, May 03, 2013 3:00 PM  
**To:** Harriman, Amy  
**Subject:** RE: Simple Amendment to Sub-Amendment

Ok, no problem.

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**From:** Harriman, Amy  
**Sent:** Friday, May 03, 2013 3:00 PM  
**To:** Kunkel, Mark  
**Subject:** RE: Simple Amendment to Sub-Amendment

It was one of those where I was looking at too many emails at the same time. I apologize. I truly owe you big time!

Just sent you language we need added. Ugh. I'll send the stripes back to you.

Thanks,

Amy Harriman

### **Senator Luther Olsen**

14<sup>th</sup> Senate District  
608-266-0751  
[amy.harriman@legis.wisconsin.gov](mailto:amy.harriman@legis.wisconsin.gov)

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**From:** Kunkel, Mark  
**Sent:** Friday, May 03, 2013 2:58 PM  
**To:** Harriman, Amy  
**Subject:** RE: Simple Amendment to Sub-Amendment

It's included under item 5 of the amendment, which deletes lines 13 to 10 on page 4 of the sub, and inserts new text. So, the text you want deleted is deleted by item 5.

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**From:** Harriman, Amy  
**Sent:** Friday, May 03, 2013 2:55 PM  
**To:** Kunkel, Mark  
**Subject:** FW: Simple Amendment to Sub-Amendment

Hey-

Just realized that #3 isn't in there?

Thanks,

Amy Harriman

**Senator Luther Olsen**  
14<sup>th</sup> Senate District  
608-266-0751  
[amy.harriman@legis.wisconsin.gov](mailto:amy.harriman@legis.wisconsin.gov)

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**From:** Kunkel, Mark  
**Sent:** Friday, May 03, 2013 8:25 AM  
**To:** Harriman, Amy  
**Subject:** RE: Simple Amendment to Sub-Amendment

I will take care of this later this morning. Don't know if I have questions yet, but will get in touch if I do.

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**From:** Harriman, Amy  
**Sent:** Thursday, May 02, 2013 5:07 PM  
**To:** Kunkel, Mark  
**Subject:** RE: Simple Amendment to Sub-Amendment

I forgot to mention that Rep Petersen, Chair of the Insurance Committee would like to hold an exec on this bill at 8am on Wednesday and therefore it needs to be introduced tomorrow. I apologize for the rush.

Again, let me know if you have any thoughts or concerns.

Thanks,

Amy Harriman

**Senator Luther Olsen**  
14<sup>th</sup> Senate District  
608-266-0751  
[amy.harriman@legis.wisconsin.gov](mailto:amy.harriman@legis.wisconsin.gov)

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**From:** Harriman, Amy  
**Sent:** Thursday, May 02, 2013 5:05 PM  
**To:** Kunkel, Mark  
**Subject:** Simple Amendment to Sub-Amendment

Mark-

A Public Hearing was held on AB 81 and SB79 and the Sub-Amendments. The following items were requested to be changed in a simple amendment to the sub:

- 1- Page 3, line 18
  - a. At the beginning of that line, insert something along the lines of: Please indicate whether the work contemplated by this contract is to the best of your knowledge related to an insurance claim.
  - b. We would like to stipulate that within the contract, there must be a check box for the consumer to check yes or no about their knowledge
  - c. We would like it to be necessary for the contractor and the consumer to both sign and date that they acknowledge this section notifying that insurance may or may not be covering the costs of the contract.
- 2- Can we switch the phrase "all or any part of the claim or contract is not a covered loss" for the phrase "the claim has been denied in whole or in part"
- 3- Page 4, line 18: Delete the last sentence in subsection 4 that reads: "Failure to comply with this subsection does not affect a consumer's rights"

If you have any thoughts or concerns, please let me know.

Thanks,

Amy Harriman

**Senator Luther Olsen**

14<sup>th</sup> Senate District

608-266-0751

[amy.harriman@legis.wisconsin.gov](mailto:amy.harriman@legis.wisconsin.gov)



now

a 034811

**SENATE AMENDMENT ,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO SENATE BILL 79**

AA to  
ASA1 to  
AB 81

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 3, line 17: after that line insert:
- 3 "Please indicate whether, to the best of your knowledge, the work contemplated
- 4 by this contract is related to a claim under a property insurance policy:
- 5 .... YES, to the best of my knowledge, the work contemplated by this contract
- 6 is related to a claim under a property insurance policy.
- 7 .... NO, to the best of my knowledge, the work contemplated by this contract is
- 8 not related to a claim under a property insurance policy.
- 9 Date ....
- 10 Customer's signature ....
- 11 Residential contractor's signature ....".
- 12 **2.** Page 3, line 19: delete "all or any part of".



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBa0348/1dn

MDK:j:....

*SUC*

*-date-*

Rep. Krug:

This is a companion to LRBa0346/2. ✓

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: mark.kunkel@legis.wisconsin.gov

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa0348/1dn  
MDK:sac:rs

May 3, 2013

Rep. Krug:

This is a companion to LRBa0346/2.

Mark D. Kunkel  
Senior Legislative Attorney  
Phone: (608) 266-0131  
E-mail: [mark.kunkel@legis.wisconsin.gov](mailto:mark.kunkel@legis.wisconsin.gov)