

Jermstad, Sara

From: Greg Madden [GMadden@psiusa.com]
Sent: Monday, March 27, 2000 11:07 AM
To: Rep.Sykora@legis.state.wi.us
Subject: Re: 1999 Assembly Bill 741



March 27 comment on
WI Bill.do...

Attached is a comment regarding the proposed legislation 1999 Assembly Bill 741. Please read it and get back to me. My company's Wisconsin operations would be directly affected by the legislation if it passes, as we engage in lead-based paint and asbestos abatement operations. Thank you.

Greg Madden
Associate Corporate Counsel
Professional Service Industries

*I responded to Greg
indicating that you have
decided not to pursue AB 741
until maybe next session.*

March 27, 2000

RE: Comment on 1999 Assembly Bill 741

In the proposed legislation, provision 254.176(3)(b)2 would require that a person who is required to be certified under this section provide to the Department of Health & Family Services "a policy of general liability insurance issued by an insurer authorized to do business in this state insuring the applicant in the amount of at least \$2,000,000 per occurrence because of bodily injury to or death of others or because of damage to the property of others".

Provision 254.176(3)(b)2 should be modified to expressly recognize persons who can obtain the minimum general liability insurance requirement through the policy held by the company that they work for. As the provision is written, it is unclear if this would be allowed. However, the legislature must realize that the important thing is that the individual performing the lead-based paint or asbestos activity is covered under and does have an applicable insurance policy. It does not matter if the insurance policy that the work is performed under is held in the name of the company that the individual is employed by or held in the individual's name. Furthermore, the expenses associated with individuals having to obtain per project general liability insurance in the amount of \$2,000,000 could very well be prohibitive with respect to said individuals staying in the lead-based paint and asbestos abatement business.

I would ask that the language "or the company that applicant works for" be included after the word "applicant" in provision 254.176(3)(b)2. This would serve to keep employees of companies from having to obtain insurance in their own name on a project basis for any lead-based or asbestos work in Wisconsin, where their companies already have insurance policies for that type of work in place. Thank you.

If you have any questions regarding this comment on 1999 Assembly Bill 741, please give me a call at (630) 691-1490 x388 or email me at gmadden@psiusa.com.

Very Truly Yours,

Gregory L. Madden
Associate Corporate Counsel
Professional Service Industries, Inc.