
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 33

Session of
1985

INTRODUCED BY NOYE, FEBRUARY 25, 1985

REFERRED TO COMMITTEE ON RULES, FEBRUARY 26, 1985

A CONCURRENT RESOLUTION

1 Urging the Insurance Department to investigate the availability
2 and the reasonableness of the cost of liability insurance
3 regarding asbestos removal and encapsulation in the public
4 schools of this Commonwealth.

5 WHEREAS, From the end of World War II until the early 1970's,
6 asbestos regularly was placed in schools throughout this
7 Commonwealth for insulation, fireproofing and sound abatement;
8 and

9 WHEREAS, Serious health hazards are posed by asbestos when it
10 is in friable form (when it can be crumbled or pulverized) in
11 that inhaled fibers can lead to diseases such as asbestosis,
12 lung cancer and mesothelioma; and

13 WHEREAS, The cost of asbestos removal and encapsulation
14 (sealing of the fibers inside walls and ceilings) is quite
15 expensive and must, in many instances, be borne entirely by
16 local school districts; and

17 WHEREAS, The cost of liability insurance coverage for
18 asbestos removal and encapsulation contractors is a significant

1 part of the overall prohibitive cost problem facing districts
2 with regard to this matter; and

3 WHEREAS, Such insurance is not readily available to
4 contractors, given the reluctance on the part of insurers to
5 insure the risks attendant to asbestos removal and given the
6 concomitant prohibitive cost of such insurance when it is
7 available for purchase; therefore be it

8 RESOLVED (the Senate concurring), That the General Assembly
9 urge the Insurance Department to investigate the availability
10 and reasonableness of the cost of premiums for insurance
11 coverage for asbestos removal contractors to determine what
12 actions are warranted in order to make such insurance more
13 readily available to such contractors; and that the department
14 specifically study the feasibility and desirability of
15 establishing a special liability insurance fund to provide
16 contractors with a means to purchase adequate liability
17 insurance at reasonable rates; and be it further

18 RESOLVED, That the Insurance Department report its findings,
19 along with any recommendations, to the General Assembly within
20 90 days; and be it further

21 RESOLVED, That copies of this resolution be transmitted to
22 the Insurance Commissioner and to the Governor.