

House Commerce Committee

Testimony in Opposition to HB 2299

Presented by Tom Burgess on behalf of the
American Subcontractors Association, Kansas City Chapter
February 18, 2015

Mr. Chairman and members of the committee,

Thanks for the opportunity to share our thoughts in opposition to HB 2299.
We oppose this bill for many reasons including but not limited to:

- 1) A state run OSHA has to be no less restrictive than the Federal OSHA program which most likely makes it more restrictive than the Federal plan and in turn, very likely more punitive.
- 2) The US Dept. of Labor closely monitors state run programs which requires the states to provide detailed reporting and failure to maintain rigid standards could result in defunding and a Federal take-over of the program or the threat of defunding and a Federal take-over.
- 3) A state run program includes all industries, not just construction, which would require a very large and cumbersome bureaucracy that would be very expensive to create and maintain.
- 4) We know what we have with Federal OSHA and are able to work with it. Who knows what we could wind up with in a state run plan.
- 5) We do not need any more challenges for businesses in Kansas. We have enough problems without creating another that would take millions of dollars and years to implement.

There are a few questions that should be answered before this bill moves forward. Where would the funding come from? How much will it actually cost? Other states have funded state run programs through increased work comp premiums, how much will work comp premiums increase to fund this bureaucracy? Who would be responsible for determining the penalties for violations? Would this be another deterrent for businesses planning to relocate in Kansas? Is this the best time to spend millions of dollars on a new state program when the budget needs cuts, not more bureaucracy, increased spending and higher taxes on businesses? Does Kansas really need another agency that is only accountable to themselves like the KCC? What problem are we trying to fix?

There was a plan to create a state run OSHA back in 2003, but the plan failed to gain legislative approval. We believe the 2003 legislature made the right decision and hope that this committee will make the same decision to let this idea end here in committee. We had several members that would have liked to be here to testify against this bill but their schedules did not allow them to be here.