

## HOUSE BILL No. 2299

By Committee on Appropriations

2-11

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1 AN ACT concerning workplace safety; directing the secretary of labor to  
2 enter into an agreement regarding state enforcement of federal  
3 occupational safety and health act standards.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) In accordance with the provisions of §18 of the federal  
7 occupational safety and health act of 1970, 29 U.S.C. § 667, the secretary  
8 of labor is hereby directed and authorized to:

9 (1) No later than September 1, 2015, submit a state plan for the state,  
10 reference as the subject of a preliminary study by the secretary of labor  
11 under the provisions of K.S.A. 2014 Supp. 75-5744, that provides for safe  
12 and healthful employment by the adoption of standards and means for  
13 enforcement of the standards that are at least as effective as those  
14 standards and means for enforcement of the standards as are provided by  
15 the federal occupational safety and health act of 1970, compiled in 29  
16 U.S.C. §§ 651-678;

17 (2) enter into agreements necessary to carry out the purposes of this  
18 subsection;

19 (3) make agreements with other states and with the United States  
20 government, or its agencies, and to accept funds from the federal  
21 government, or its agencies, or any other source for research studies,  
22 investigation, planning and other purposes related to the duties of the  
23 secretary pursuant to this subsection; and any funds so received shall be  
24 remitted to the state treasurer in accordance with the provisions of K.S.A.  
25 75-4215, and amendments thereto. Upon receipt of each such remittance,  
26 the state treasurer shall deposit the entire amount in the state treasury to  
27 the credit of the occupational health and safety - federal fund or used in  
28 accordance with or at the direction of the contributing federal agencies.  
29 Expenditures from such fund may be made for any purpose in keeping  
30 with the responsibilities, functions and authority of the secretary. Warrants  
31 on such fund shall be drawn in the same manner as required of other state  
32 agencies upon vouchers signed by the secretary; and

33 (4) cooperate with the federal government in ways that are reasonably  
34 designed to carry out the purposes of this subsection.

35 (b) The secretary of labor shall submit to the president of the senate  
36 and to the speaker of the house of representatives on or before January 11,

1 2016, and on or before the second Monday of January of each subsequent  
2 year until a cooperative agreement contemplated by subsection (a) (1) that  
3 is ready to be executed has been submitted to the legislature by the  
4 secretary of labor for approval as provided by section 2, and amendments  
5 thereto, a report including the following information pertaining to the state  
6 plan referenced in subsection (a):

7 (1) The state plan submitted pursuant to subsection (a) and any terms  
8 of the cooperative agreement contemplated by subsection (a) negotiated by  
9 the secretary of labor;

10 (2) a list of changes in statutes and rules and regulations required by  
11 the federal government as part of the state plan;

12 (3) a list of additional staff and positions required to implement the  
13 state plan;

14 (4) a projected date by which a cooperative agreement contemplated  
15 by subsection (a)(1) will be ready to be executed;

16 (5) receipts and expenditures of funds pursuant to subsection (a)(3);

17 (6) an update on progress made toward the cooperative agreement  
18 contemplated by subsection (a)(1); and

19 (7) any agreements entered into by the secretary of labor pursuant to  
20 subsection (a)(2), (a)(3) or (a)(4).

21 Sec. 2. No cooperative agreement contemplated by section 1(a)(1),  
22 and amendments thereto, shall be executed except upon the express  
23 approval of the legislature pursuant to a bill duly enacted into law at such  
24 time as the cooperative agreement is ready to be executed.

25 Sec. 3. This act shall take effect and be in force from and after its  
26 publication in the statute book.