

# Senate Commerce Committee

## Testimony in Opposition to SB 212

Presented by Tom Burgess on behalf of the  
American Subcontractors Association, Kansas City Chapter  
March 15, 2017

Madam Chairman and members of the committee,

Thanks for the opportunity to share our thoughts in **opposition to SB 212**.  
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. While the current Kansas Dept of Labor Secretary and staff are great to work with, they won't always be there and by the time this plan is figured out and \$2.7 million extra dollars located, who knows what we could wind up with years in the future.
- 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 considered before this bill moves forward. Where would the \$2.7 Million dollars to run the program come from? Other states have funded state run programs through increased work comp premiums, how much will work comp premiums increase to fund this extra 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 other budgets are being cut? What problem does this bill fix?

Creating a state run OSHA is not a new idea, but it's still a bad idea. We would ask you to **vote No on SB212**. 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.