HOUSE BILL No. 2299

By Committee on Appropriations

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

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

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

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

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

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

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

(b) The secretary of labor shall submit to the president of the senate and to the speaker of the house of representatives on or before January 11,
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2016, and on or before the second Monday of January of each subsequent
year until a cooperative agreement contemplated by subsection (a)(1) that
is ready to be executed has been submitted to the legislature by the
secretary of labor for approval as provided by section 2, and amendments
thereto, a report including the following information pertaining to the state
plan referenced in subsection (a):

(1) The state plan submitted pursuant to subsection (a) and any terms
of the cooperative agreement contemplated by subsection (a) negotiated by
the secretary of labor;
(2) a list of changes in statutes and rules and regulations required by
the federal government as part of the state plan;
(3) a list of additional staff and positions required to implement the
state plan;
(4) a projected date by which a cooperative agreement contemplated
by subsection (a)(1) will be ready to be executed;
(5) receipts and expenditures of funds pursuant to subsection (a)(3);
(6) an update on progress made toward the cooperative agreement
contemplated by subsection (a)(1); and
(7) any agreements entered into by the secretary of labor pursuant to
subsection (a)(2), (a)(3) or (a)(4).

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

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