

**CHAPTER 89****(HB 387)**

AN ACT relating to occupational safety and health standards.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

Section 1. KRS 338.051 is amended to read as follows:

- (1) There is hereby established the Kentucky Occupational Safety and Health Standards Board consisting of the commissioner and twelve (12) members equally representing industry, labor, agriculture and the safety and health profession. The members shall be appointed by the Governor for terms of three (3) years and until their successors are appointed and qualified, from lists of nominees submitted by bona fide associations representative of industry, labor, agriculture and the safety and health profession. Members shall receive twenty-five dollars (\$25) per day for attending each meeting and shall be reimbursed for actual expenses incurred in carrying out their duties. The commissioner shall act as chairman of the board. No member of the board may have a concurrent term on the review commission.
- (2) The board shall hold ~~annual~~~~semiannual~~ meetings and additional meetings as needed. A majority of the board constitutes a quorum for the transaction of business.
- (3) The board shall adopt and promulgate occupational safety and health rules, regulations, *and* standards, *except that the chairman of the board may adopt established federal standards without board approval if necessary to meet federal time requirements. The board shall*~~and~~ secure all expertise, testimony, and evidence necessary to accomplish the purposes of this chapter.
- (4) The board shall be attached to the Department of Labor for administrative purposes.

Section 2. KRS 338.061 is amended to read as follows:

- (1) Occupational safety and health standards may be adopted, modified, or repealed by the board as it shall deem necessary.
- (2) Established federal standards and national consensus standards may be adopted ~~by the board~~ by reference.

**Approved March 28, 2006.**