

**H. B. 2062**

(By Delegates Caputo and Manchin)

[Introduced January 15, 2015; referred to the

Committee on Industry and Labor then the Judiciary.]

**FISCAL  
NOTE**

A BILL to amend of the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §22C-13-1, relating to establishing the Legislative Oversight Commission on Energy Workers Safety; directing the commission to study workers safety; and establishing reporting requirements for boards and agencies that regulate and otherwise oversee workers safety.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §22C-13-1, to read as follows:

**ARTICLE 13. Energy Workers Safety.**

**§22C-13-1. Legislative Oversight Commission on Energy Workers Safety.**

(a) The Legislature finds:

(1) That coal and natural gas extraction industries have specialized hazards unique to those industries;

1           (2) The workers in these industries are the most critical component to economic success of  
2 those industries;

3           (3) That scientific and technology advancements in these industries are perpetually evolving,  
4 requiring constant review and modification of safety requirements to assure worker safety;

5           (4) As many citizens of West Virginia work in these occupations, the Legislature has a moral  
6 imperative to do everything possible to develop an appropriate framework that provides them with  
7 a safe and healthy work environment; and

8           (5) It must be ever diligent in monitoring and implementing reforms to assure the workers  
9 in these industries are working in the most safe and healthy environment possible.

10          (b) The Legislative Oversight Commission on Energy Workers Safety is created. The  
11 purpose of this commission is to require state agencies responsible for worker safety to report  
12 quarterly or as otherwise directed by a majority of the commission on accident investigations and  
13 newly identified safety issues and their actions relating the safety issues. The commission shall also  
14 study and initiate proposals intended to enhance worker safety, including any matters the commission  
15 considers relevant to the promotion and advancement of energy workers safety.

16          (c) The President of the Senate and the Speaker of the House of Delegates shall each  
17 designate five members of their respective houses, at least one of whom shall be a member of the  
18 minority party, to serve on the commission. The expenses of the commission incurred in the  
19 employment of legal, technical, investigative, clerical, stenographic, advisory and other personnel,  
20 are required to be approved by the Joint Committee on Government and Finance and paid from  
21 legislative appropriations.

22          (d)(1) The Board of Coal Miners Health and Safety shall provide, at a minimum, quarterly

1 reports on injuries, fatalities and any initiatives in the coal industry to revise and improve state safety  
2 requirements to the commission. The board shall designate a member representing the viewpoint  
3 of coal mine operators and a member representing the viewpoint of working miners in this state to  
4 represent the board before the commission.

5 (2) The Board of Miner Training, Education and Certification, Office of Miners' Health,  
6 Safety and Training and the Mine Safety Technology Task Force shall report to the commission no  
7 less than annually and as otherwise directed by vote of the commission.

8 (3) The Department of Environmental Protection's Office of Oil and Gas shall report to the  
9 commission quarterly. The reports shall provide, at a minimum, information on injuries, fatalities  
10 and any initiatives to revise and improve state safety requirements for the natural gas extraction  
11 industry.

12 (e) The commission shall study, review and examine the boards and agencies activities,  
13 including, but not limited to, all rules, policies or other proposals. The commission shall review and  
14 make recommendations to the Legislature regarding any plan, policy or rule proposed by any of the  
15 boards or agencies, and any recommendations relating to enacting laws or rules that will enhance  
16 workers safety.

17 (f) The commission shall undertake a study and periodically report to the Joint Committee  
18 on Government and Finance, its recommendations regarding the need for additional safety  
19 regulations, inspections and enforcement mechanisms for energy workers, and specifically whether  
20 the existing safety regulatory scheme for the natural gas industry, to ascertain whether existing state  
21 and federal regulations and enforcement mechanisms are adequate to protect the workers in the  
22 state's natural gas extraction industry.

NOTE: The purpose of this bill is to establish a Legislative Oversight Commission on Energy Workers Safety to:

(1) Direct certain state agencies and boards to report regularly to the commission; to direct the commission to study worker safety in the mining and gas extraction industries;

(2) Provide a mechanism for the Legislature to be kept informed and to study and identify issues and solutions for workers safety; and

(3) Require the commission to study and report on whether a need exists for expansion of safety regulations within the gas extraction industry.

This section is new; therefore, it has been completely underscored.