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MEMORANDUM

To: House Committee on Government Efficiency  
From: Renae Jefferies, Assistant Revisor  
Date: February 16, 2012  
Subject: HB 2673 - Repeals K.S.A. 44-611, 44-621 and 44-624.

HB 2673 concerns powers and duties of the Secretary of Labor. These particular statutes are being repealed because they are duplicitous of federal law, specifically the federal OSHA laws and the National Labor Relations Act.

Should this bill be enacted, it would go into effect upon publication in the statute book.

**44-611. Powers in investigations.** The secretary of labor shall have the power and authority to issue summons and subpoenas and compel the attendance of witnesses and parties and to compel the production of the books, correspondence, files, records, and accounts of any industry, employment, utility or common carrier, or of any person, corporation, association or union of employees affected, and to make any and all investigations necessary to ascertain the truth in regard to the controversy. In case any person shall fail or refuse to obey any summons or subpoena issued by the secretary after due service then and in that event the secretary is hereby authorized and empowered to take proper proceedings in any court of competent jurisdiction to compel obedience to such summons or subpoena.

History: L. 1920, ch. 29, § 11; R.S. 1923, 44-611; L. 1976, ch. 370, § 30; L. 2004, ch. 179, § 29; July 1.

44-621. Controversies between employer and employee; authority of secretary. When any controversy shall arise between employer and employee as to wages, hours of employment, or working or living conditions, in any industry not hereinbefore specified, the parties to such controversy may, by mutual agreement, and with the consent of the secretary of labor, refer the same to the secretary for findings and orders. Such agreement of reference shall be in writing, signed by the parties thereto; whereupon the secretary shall proceed to investigate, hear, and

determine the controversy as in other cases, and in such case the findings and orders of the secretary as to the controversy shall have the same force and effect as though made in any essential industry as herein provided.

History: L. 1920, ch. 29, § 21; R.S. 1923, 44-621; L. 1976, ch. 370, § 38; L. 2004, ch. 179, § 37; July 1.

44-624. Industrial conditions and relations; investigations, inquiries. With the consent of the governor, the secretary of labor is hereby authorized and empowered to make, or cause to be made, within this state or elsewhere, such investigations and inquiries as to industrial conditions and relations as may be profitable or necessary for the purpose of becoming familiar with industrial problems such as may arise under the provisions of this act.

History: L. 1920, ch. 29, § 24; R.S. 1923, 44-624; L. 1976, ch. 370, § 41; L. 2004, ch. 179, § 40; July 1.