

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure
Vote: 4 - 0 - 1
Yeas: Hass, Prozanski, Thomsen, Dingfelder
Nays: 0
Exc.: Olsen
Prepared By: Beth Patrino, Administrator
Meeting Dates: 5/5

WHAT THE MEASURE DOES: Prohibits Department of Environmental Quality (DEQ) from disclosing financial, cost, production, or sales and data records obtained by DEQ from a stewardship organization or specific producer as part of approval of plan or annual report unless DEQ determines disclosure is necessary for public to understand assessment, level of services or costs anticipated with assessment, or services or associated costs delivered under assessment. Authorizes DEQ to disclose, in aggregate form, financial, cost, production or sales data and records related to level of service and associated costs for: collection, reuse, transportation, recycling, energy recovery, disposal and other processing of waste paint; waste reduction efforts; education and promotion; and administration. Stipulates DEQ may disclose names of producers and participating brands only on separate lists, and may not identify any brand by its producer. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Concern that public records request may involve proprietary information
- PaintCare program

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Oregon was the first state to enact a paint product stewardship law. House Bill 3037 (2009) created the architectural paint stewardship pilot program by establishing a standard assessment on all containers of architectural paint sold in the state. The assessment funds the collection and disposal of paint as well as education and outreach activities. The program is administered by PaintCare, a not-for-profit industry association. In addition to collecting the assessment, PaintCare collects information from each producer on the quantity, type and size of products sold. PaintCare utilizes this information to generate reports for DEQ, which supervises the program on behalf of the state. House Bill 2191 A would prohibit DEQ from disclosing certain information received from a stewardship organization or specific producer.