

Enrolled House Bill 2191

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Sustainability and Economic Development)

CHAPTER

AN ACT

Relating to paint stewardship; creating new provisions; amending section 7, chapter 777, Oregon Laws 2009; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 7, chapter 777, Oregon Laws 2009, is amended to read:

Sec. 7. *[The Department of Environmental Quality may not disclose data reported by a stewardship organization under section 6 of this 2009 Act. The department may disclose information contained in the records obtained by the department under section 6 of this 2009 Act in aggregate form.]*

(1)(a) Except for the financial, cost, production or sales data and records specified in paragraph (b) of this subsection, the Department of Environmental Quality may not disclose any financial, cost, production or sales data and records of a stewardship organization, or of a specific producer, obtained by the department as part of the approval of a plan for a statewide architectural paint stewardship pilot program pursuant to section 4, chapter 777, Oregon Laws 2009, or as part of an annual report submitted pursuant to section 6, chapter 777, Oregon Laws 2009.

(b) If the Department of Environmental Quality determines that disclosure is necessary for the public to adequately understand the derivation of the architectural paint stewardship assessment described in section 4, chapter 777, Oregon Laws 2009, the level of the services or associated costs that are anticipated under the assessment or the services or associated costs that are delivered under the assessment, the department may disclose, in aggregate form, information contained in the financial, cost, production or sales data and records related to the level of service and associated costs for the following services offered by the statewide architectural paint stewardship pilot program:

- (A) Collection, reuse, transportation, recycling, energy recovery, disposal and other processing of waste paint;**
- (B) Waste reduction efforts;**
- (C) Education and promotion; and**
- (D) Administration.**

(2) The Department of Environmental Quality may not disclose the names of brands by specific producers obtained by the department as part of the approval of a plan for a statewide architectural paint stewardship pilot program pursuant to section 4, chapter 777, Oregon Laws 2009. The department may disclose separate lists indicating participating pro-

ducers and participating brands of the statewide architectural paint stewardship pilot program.

(3) Nothing in this section shall impose additional reporting obligations on a stewardship organization beyond those specified in sections 1 to 10, chapter 777, Oregon Laws 2009.

SECTION 2. (1) The amendments to section 7, chapter 777, Oregon Laws 2009, by section 1 of this 2011 Act apply to all financial, cost, production or sales data and records obtained by the Department of Environmental Quality as part of the approval of a plan for a statewide architectural paint stewardship pilot program pursuant to section 4, chapter 777, Oregon Laws 2009, before, on or after the effective date of this 2011 Act.

(2) The amendments to section 7, chapter 777, Oregon Laws 2009, by section 1 of this 2011 Act apply to all financial, cost, production or sales data and records obtained by the Department of Environmental Quality as part of an annual report submitted pursuant to section 6, chapter 777, Oregon Laws 2009, before, on or after the effective date of this 2011 Act.

(3) The amendments to section 7, chapter 777, Oregon Laws 2009, by section 1 of this 2011 Act apply to the names of brands by specific producers obtained by the Department of Environmental Quality as part of the approval of a plan for a statewide architectural paint stewardship pilot program pursuant to section 4, chapter 777, Oregon Laws 2009, before, on or after the effective date of this 2011 Act.

SECTION 3. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

Passed by House April 7, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate May 12, 2011

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2011

Approved:

.....M.,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2011

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Kate Brown, Secretary of State