

HB 3162

Relating to high priority chemicals of concern for children's health

House Bill 3162 requires the Oregon Health Authority to maintain a list of high priority chemicals of concern for children's health used in children's products. This list must be maintained on the agency's website, and must include information regarding the known health impacts associated with exposure to these chemicals. OHA must review and revise this list every three years, removing and adding chemicals as necessary. In addition, the bill requires manufacturers of children's products sold or offered for sale in Oregon to provide notice, every two years, to OHA if these products contain a chemical on this list. The bill allows OHA to enter into data-sharing agreements with other states. The bill also authorizes OHA to conduct testing of children's products sold or offered for sale in Oregon to ensure manufacturer's compliance with the provisions of this bill. OHA may establish fees paid by manufacturers to administer this program. OHA may establish civil penalty for violation of any provisions of this bill. The bill allows OHA to participate in the Interstate Chemicals Clearinghouse in cooperation with other states and government entities to assist the agency in carrying out the provisions of this bill. OHA must report to a Legislative Assembly once every two years regarding the implementation of this bill.

The Subcommittee on Human Services recommends HB 3162 be amended and reported out do pass as amended.

**77th OREGON LEGISLATIVE ASSEMBLY – 2013 Session
BUDGET REPORT AND MEASURE SUMMARY**

JOINT COMMITTEE ON WAYS AND MEANS

MEASURE: HB 3162-B

**Carrier – House: Rep. Keny-Guyer
Carrier – Senate: Sen. Steiner Hayward**

Action: Do Pass the A-Engrossed Measure as Amended and be Printed B-Engrossed

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

Prepared By: Dustin Ball, Department of Administrative Services

Reviewed By: Kim To, Legislative Fiscal Office

Meeting Date: June 6, 2013

Agency

Oregon Health Authority

Biennium

2013-15

Budget Summary*

	<u>2011-13 Legislatively Approved Budget ⁽¹⁾</u>	<u>2013-15 Current Service Level</u>	<u>2013-15 Committee Recommendation</u>	<u>Committee Change from 2011-13 Leg. Approved</u>	
				<u>\$\$ Change</u>	<u>% Change</u>
Other Funds	\$ 0	\$ 0	\$ 57,046	\$ 57,046	100.0%
Total	\$ 0	\$ 0	\$ 57,046	\$ 57,046	100.0%

Position Summary

Authorized Positions	0	0	1	0
Full-time Equivalent (FTE) positions	0.00	0.00	0.25	0.25

(1) Includes adjustments through December 2012.

* Excludes Capital Construction expenditures

Summary of Revenue Changes

House Bill 3162 authorizes the Oregon Health Authority (OHA) to establish a schedule of fees for manufacturers based on the costs to administer this program and to establish civil penalties for violations of any provisions of the bill. The Sub-committee authorized the establishment of the High Priority Chemicals of Concern for Children’s Health Fund and continuously appropriated moneys in the fund to OHA. Other Funds revenue from fees paid by manufacturers for the 2013-15 biennium is forecasted at \$57,046.

Summary of Human Services Subcommittee Action

House Bill 3162 requires the Oregon Health Authority to maintain a list of high priority chemicals of concern for children’s health used in children’s products. This list (which must include information regarding the known health impacts associated with exposure to these chemicals) must be maintained on the agency’s website. OHA must review and revise this list every three years, removing and adding chemicals as necessary. In addition, the bill requires manufacturers of children’s products sold or offered for sale in Oregon to provide notice, every two years, to OHA if these products contain a chemical on the list. The first notice must be provided to OHA no later than July 1, 2015.

This bill includes \$57,046 Other Funds and one Program Analyst positions (0.25 FTE) starting January 2015 to manage manufacturer notices, assessments and waiver requests. Personal Services, and related Services and Supplies for this additional workload is estimated at \$57,046 for six months of the 2013-15 biennium and is forecasted at \$189,280 for the full 24 months of the 2015-17 biennium.

Summary of Performance Measure Action

There is no performance measure established related to HB 3162.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 3162-B

Oregon Health Authority
Dustin Ball -- 503-378-3119

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2011-13 Legislatively Approved Budget at Dec 2012 *	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	0	0.00
2013-15 ORBITS printed Current Service Level (CSL)*	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	0	0.00
SUBCOMMITTEE ADJUSTMENTS (from CSL)									
SCR 020-04 - Public Health									
Personal Services	\$ 0	\$ 0	\$41,067	\$ 0	\$ 0	\$ 0	\$41,067	1	0.25
Services and Supplies	\$ 0	\$ 0	\$3,247	\$ 0	\$ 0	\$ 0	\$3,247	0	0.00
SCR 010-45 - Shared Services									
Services and Supplies	\$ 0	\$ 0	\$12,732	\$ 0	\$ 0	\$ 0	\$12,732	0	0.00
TOTAL ADJUSTMENTS	\$ 0	\$ 0	\$ 57,046	\$ 0	\$ 0	\$ 0	\$ 57,046	1	0.25
SUBCOMMITTEE RECOMMENDATION *	\$ 0	\$ 0	\$ 57,046	\$ 0	\$ 0	\$ 0	\$ 57,046	1	0.25
% Change from 2011-13 Leg Approved Budget	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
% Change from 2013-15 Current Service Level	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3162**

1 On page 1 of the printed A-engrossed bill, line 2, after “money;” insert
2 “limiting expenditures;”.

3 On page 2, after line 16, insert:

4 “(F) Items designed or intended by the manufacturer to facilitate the
5 feeding of a child under three years of age, including dishes, cups, food
6 utensils, reusable food storage containers and other feeding accessories.”.

7 In line 17, delete “(F)” and insert “(G)” and delete “(E)” and insert
8 “(F)”.

9 After line 40, insert:

10 “(Q) Food and food packaging regulated by the United States Food and
11 Drug Administration.”.

12 On page 10, after line 16, insert:

13 **“SECTION 17. Notwithstanding any other law limiting expenditures,
14 the amount of \$57,046 is established for the biennium beginning July
15 1, 2013, as the maximum limit for payment of expenses from fees,
16 moneys or other revenues, including Miscellaneous Receipts, but ex-
17 cluding lottery funds and federal funds, collected or received by the
18 Oregon Health Authority for carrying out the duties of the authority
19 under sections 1 to 15 of this 2013 Act.”.**

20 In line 17, delete “17” and insert “18”.

21 In line 23, delete “18” and insert “19”.