



OREGON PUBLIC HEALTH DIVISION  
Health Promotion & Chronic Disease Prevention Section

Kate Brown, Governor

Oregon  
**Health**  
Authority

800 NE Oregon Street, Suite 730  
Portland, OR 97232  
Voice: 971-673-0984  
FAX: 971-673-0994  
TTY: 971-673-0372

May 27, 2015

TO: The Honorable Alan Bates, Co-Chair  
The Honorable Nancy Nathanson, Co-Chair  
Joint Committee on Ways and Means SubCommittee on  
Human Services

FROM: Karen Girard, Manager  
Health Promotion and Chronic Disease Prevention Program  
Center for Prevention and Health Promotion  
Public Health Division  
Oregon Health Authority

SUBJECT: SB 416, Imposition of Fees on Entities Subject to the Oregon Indoor  
Clean Air Act

Co-Chair Bates and Nathanson and members of the committee; I am Karen Girard, the Health Promotion and Chronic Disease Prevention Manager for the Oregon Health Authority.

I am here today to present information related to SB 416, concerning the imposition of fees on entities subject to the Oregon Indoor Clean Air Act.

Oregon's Smokefree Workplace Law protects nearly every Oregon employee from the health risks of secondhand smoke by prohibiting smoking in most public places and workplaces. There are a few exceptions that continue to expose Oregonians to secondhand smoke. Exemptions to the law include certified smoke shops and cigar bars.

Cigar bars and smoke shops do not pay a fee to cover the costs of certification or re-certification. Instead, the cost of certification is funded using funds dedicated for tobacco prevention and education by the 1996 Ballot Measure 44.

Administering the certification process requires staff time to respond to smoke shop inquiries, answer questions from potential smoke shop owners, and follow up with applicants during the application review process. There are also legal costs for clarifying rules and responding to legal challenges brought by businesses that are denied certification. The process for smoke shop certification also includes creating training and educational materials for local tobacco prevention coordinators who inspect these smoke shops annually.

This bill requires the Oregon Health Authority to impose a reasonable fee to cover the costs of smoke shop certification. As currently written, the Public Health Division has no concerns with SB 416 and can calculate the costs associated with smoke shop certification based on prior experience.

Thank you for the opportunity to testify today. I am available to answer questions about the Indoor Clean Air Act.