

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass and Be Referred to the Committee on Rules
Vote:	6 - 2 - 0
Yeas:	Bailey, Barnhart, Boone, Jenson, Smith J., Cannon
Nays:	Bentz, Gilliam
Exc.:	0
Prepared By:	Beth Patrino, Administrator
Meeting Dates:	5/5, 5/21, 5/28

WHAT THE MEASURE DOES: Expands list of brominated flame retardant chemicals designated as hazardous substances to include decabrominated diphenyl ether (decaBDE). Prohibits introduction of any product containing more than one-tenth of one percent by mass of decaBDE into commerce, unless it is replacement part for product entered into commerce before January 1, 2011. Provides exemption for manufacture, sale, repair, distribution, maintenance, refurbishment or modification of any new raw material or component part used in motor vehicle or airplane. Takes effect January 1, 2011. Authorizes Director of Human Services to adopt rules necessary to carry out Act before January 1, 2011.

ISSUES DISCUSSED:

- Legislation in Washington, Maine, and Europe addressing use of decaBDE
- Availability of safe, viable alternatives
- Cost-effectiveness of preventing contamination rather than fixing damage
- DecaPBDE classification as a persistent bioaccumulative toxin

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Polybrominated diphenyl ethers (PBDEs) are members of a broader class of brominated chemicals used as flame retardants. They are often added to products such as computers, televisions, furniture, and carpet pads to reduce the risk of fire. There are three main types of PBDEs used in consumer products: pentabromodiphenyl ether (pentaBDE), octabromodiphenyl ether (octaBDE), and decaBDE. PBDEs have been found in human blood, fat, and breast milk around the world. In 2005, the Legislative Assembly passed Senate Bill 962 that banned pentaBDE and octaBDE from being introduced into commerce. Senate Bill 596A would ban decaBDE.