

A-Engrossed
House Bill 3403

Ordered by the House April 19
Including House Amendments dated April 19

Sponsored by Representative KENY-GUYER; Representatives FREDERICK, THOMPSON, Senators DINGFELDER, MONNES ANDERSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Establishes **Healthy Vending Task Force to study matters related to** nutritional requirements for food and beverage items sold in public buildings. **Directs task force to submit reports to Legislative Assembly on or before specified dates.**

Sunsets task force on date of convening of 2015 regular session of Legislative Assembly.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to vending machines located in public buildings; and declaring an emergency.

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

4 **SECTION 1. (1) The Healthy Vending Task Force is established, consisting of 15 members**
5 **appointed as follows:**

6 (a) **The President of the Senate shall appoint one member from among members of the**
7 **Senate.**

8 (b) **The Speaker of the House of Representatives shall appoint one member from among**
9 **members of the House of Representatives.**

10 (c) **The Director of the Oregon Health Authority shall appoint the following 13 members:**

11 (A) **One member who represents the Oregon Health Authority Public Health Division;**

12 (B) **One member who represents the Commission for the Blind;**

13 (C) **One member who represents the Commission for the Blind Business Enterprise Pro-**
14 **gram;**

15 (D) **One member who represents the Commission for the Blind Business Enterprise**
16 **Consumer Committee of Oregon;**

17 (E) **One member who represents the vending machine industry;**

18 (F) **One member who represents the Public Employees' Benefit Board;**

19 (G) **One member who represents labor organizations that represent public employees;**

20 (H) **One member who represents the Oregon Department of Administrative Services;**

21 (I) **One member who represents the office of the Governor;**

22 (J) **One member who represents public health advocacy organizations;**

23 (K) **One member who represents the interests of local governments as those interests**
24 **relate to healthy food and beverage vending machine programs in public buildings;**

25 (L) **One member who is a registered dietitian; and**

26 (M) **One member of the public.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 **(2) The task force shall:**

2 **(a) Explore current local and state initiatives to promote and evaluate government-based,**
3 **work site nutrition initiatives, including work led by the Public Employees' Benefit Board;**

4 **(b) Review evidence-based research on the nutritional standards for current programs for**
5 **offering healthy food and beverage vending machine programs in public buildings;**

6 **(c) Study the current practices and economics of food and beverage vending machine**
7 **programs in public buildings;**

8 **(d) Review studies from previous efforts by the Commission for the Blind Business En-**
9 **terprise Program and by state and local jurisdictions that have passed healthy vending ma-**
10 **chine regulations to learn about the challenges to, barriers to and successes in implementing**
11 **healthy food and beverage vending machine programs in public buildings;**

12 **(e) Explore strategies for increasing the sales of healthy food and beverages in vending**
13 **machines that may include, but not be limited to, gathering public employee input, developing**
14 **marketing and promotional materials, developing appropriate pricing for products and re-**
15 **searching strategic placement of products in vending machines;**

16 **(f) Explore the training and technical assistance that may be necessary to support Com-**
17 **mission for the Blind Business Enterprise Program vendors and local and state government**
18 **agencies in transitioning to offering healthy food and beverage vending machine programs**
19 **in public buildings; and**

20 **(g) Research funding strategies and identify sources of funding to provide training,**
21 **transitional support, marketing and promotional support, subsidies and incentives to assist**
22 **in the implementation of pilot programs or full-scale programs for offering healthy food and**
23 **beverage vending machine programs in public buildings.**

24 **(3) A majority of the members of the task force constitutes a quorum for the transaction**
25 **of business.**

26 **(4) Official action by the task force requires the approval of a majority of the members**
27 **of the task force.**

28 **(5) The task force shall elect one of its members to serve as chairperson.**

29 **(6) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
30 **ment to become immediately effective.**

31 **(7) The task force shall meet at times and places specified by the call of the chairperson**
32 **or of a majority of the members of the task force.**

33 **(8) The task force may adopt rules necessary for the operation of the task force.**

34 **(9) The task force shall submit to the Legislative Assembly, in the manner provided by**
35 **ORS 192.245, a progress report that may include recommendations for legislation, no later**
36 **than December 15, 2013. The task force shall submit to the Legislative Assembly, no later**
37 **than September 1, 2014, a final report that may include recommendations on issues including,**
38 **but not limited to, nutrition standards for food and beverages offered in vending machines**
39 **in public buildings, contract stipulations for vending machine programs and opportunities for**
40 **the use of funds from the Public Employees' Benefit Board and other sources to support**
41 **healthy food and beverage vending machine programs in public buildings.**

42 **(10) The Oregon Health Authority shall provide staff support to the task force.**

43 **(11) Members of the task force who are not members of the Legislative Assembly are not**
44 **entitled to compensation, but may be reimbursed for actual and necessary travel and other**
45 **expenses incurred by them in the performance of their official duties in the manner and**

1 amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions
2 of the task force shall be paid out of funds appropriated to the authority for purposes of the
3 task force.

4 (12) All agencies of state government, as defined in ORS 174.111, are directed to assist
5 the task force in the performance of its duties and, to the extent permitted by laws relating
6 to confidentiality, to furnish such information and advice as the members of the task force
7 consider necessary to perform their duties.

8 SECTION 2. Section 1 of this 2013 Act is repealed on the date of the convening of the 2015
9 regular session of the Legislative Assembly as specified in ORS 171.010.

10 SECTION 3. This 2013 Act being necessary for the immediate preservation of the public
11 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
12 on its passage.
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