

**A-Engrossed**  
**House Bill 4071**

Ordered by the House February 14  
Including House Amendments dated February 14

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Water for Representative Ken Helm)

**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.

Directs Department of Environmental Quality to purchase cyanotoxin autoanalyzer system and associated supplies and services. Directs department to create, fill and utilize seasonal position to assist with cyanotoxin analysis. **Directs department to make system available to institutions of higher education, subject to certain conditions. Requires department to report to Legislative Assembly, on or before November 30, 2020, on preparations to coordinate use of system and on actions that may be taken to coordinate state government agency responses to harmful algal blooms.**

Directs Oregon Health Authority to create, fill and utilize small utility outreach coordinator.

Appropriates moneys to department to purchase equipment and support increased staffing level. Appropriates moneys to authority to support increased staffing level.

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to harmful algal blooms; and declaring an emergency.

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

4 **SECTION 1. (1) The Department of Environmental Quality shall purchase one cyanotoxin**  
5 **autoanalyzer system instrument to be used to analyze water samples for cyanotoxins. The**  
6 **department shall acquire any services and supplies necessary for the operation of the in-**  
7 **strument described in this subsection.**

8 **(2) The department shall create, fill and utilize at least one seasonal position within the**  
9 **department to assist with the analysis of water samples for cyanotoxins and to collect water**  
10 **samples during peak periods.**

11 **SECTION 2. (1) As used in this section, "institution of higher education" has the meaning**  
12 **given that term in ORS 238.005.**

13 **(2) Subject to the conditions described in subsection (3) of this section, the Department**  
14 **of Environmental Quality shall make the cyanotoxin autoanalyzer system instrument pur-**  
15 **chased under section 1 of this 2020 Act available to institutions of higher education for pur-**  
16 **poses of education, training or research. The department may assist with or participate in**  
17 **the education, training or research activities conducted by institutions of higher education**  
18 **under this section.**

19 **(3) The department shall make the instrument purchased under section 1 of this 2020 Act**  
20 **available to institutions of higher education if:**

21 **(a) The instrument is not needed by the department to analyze water samples for**  
22 **cyanotoxins at that time; and**

**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 (b) It is reasonably practicable for the department to make the instrument available.

2 **SECTION 3.** (1) As used in this section, “institution of higher education” has the meaning  
3 given that term in ORS 238.005.

4 (2) No later than November 30, 2020, the Department of Environmental Quality shall  
5 provide a report to an interim committee of the Legislative Assembly related to water, in the  
6 manner provided in ORS 192.245, describing:

7 (a) Preparations by the department to coordinate the use of the cyanotoxin autoanalyzer  
8 system instrument by institutions of higher education, as described in section 2 of this 2020  
9 Act; and

10 (b) Actions that may be taken by the department or the Legislative Assembly to coordi-  
11 nate state government agencies in their preparation for and response to harmful algal  
12 blooms.

13 **SECTION 4.** The Oregon Health Authority shall create, fill and utilize the position of  
14 small utility outreach coordinator to provide outreach to small water suppliers and water  
15 suppliers that depend on a vulnerable water body to ensure that water suppliers have the  
16 plans, tools and training needed to respond to cyanobacterial harmful algal blooms and other  
17 water-related emergencies.

18 **SECTION 5.** In addition to and not in lieu of any other appropriation, there is appropri-  
19 ated to the Department of Environmental Quality, for the biennium ending June 30, 2021, out  
20 of the General Fund, the following amounts:

21 (1) \$95,000 for the purpose of carrying out the provisions of section 1 (1) of this 2020 Act;  
22 and

23 (2) \$215,000 for the purpose of carrying out the provisions of section 1 (2) of this 2020 Act.

24 **SECTION 6.** In addition to and not in lieu of any other appropriation, there is appropri-  
25 ated to the Oregon Health Authority, for the biennium ending June 30, 2021, out of the  
26 General Fund, the amount of \$100,000, which may be expended for the purpose of carrying  
27 out the provisions of section 4 of this 2020 Act.

28 **SECTION 7.** This 2020 Act being necessary for the immediate preservation of the public  
29 peace, health and safety, an emergency is declared to exist, and this 2020 Act takes effect  
30 on its passage.

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