

# House Bill 3102

Sponsored by COMMITTEE ON WATER (at the request of 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 **as introduced**.

Directs Department of Environmental Quality to purchase cyanotoxin autoanalyzer system instrument and associated supplies and services. Directs department to create, fill and utilize seasonal position to assist with cyanotoxin analysis.

Appropriates moneys from General Fund to department to purchase equipment and 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 2021 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 2021 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**

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

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

26 **(2) No later than November 30, 2021, the Department of Environmental Quality shall**  
27 **provide a report to an interim committee of the Legislative Assembly related to water, in the**  
28 **manner provided in ORS 192.245, describing:**

29 **(a) Preparations by the department to coordinate the use of the cyanotoxin autoanalyzer**

**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 system instrument by institutions of higher education, as described in section 2 of this 2021  
2 Act; and

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

6 SECTION 4. In addition to and not in lieu of any other appropriation, there is appropri-  
7 ated to the Department of Environmental Quality, for the biennium beginning July 1, 2021,  
8 out of the General Fund, the following amounts:

9 (1) \$\_\_\_\_\_ for the purpose of carrying out the provisions of section 1 (1) of this 2021  
10 Act; and

11 (2) \$\_\_\_\_\_ for the purpose of carrying out the provisions of section 1 (2) of this 2021  
12 Act.

13 SECTION 5. This 2021 Act being necessary for the immediate preservation of the public  
14 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect  
15 on its passage.  
16 \_\_\_\_\_