

**FISCAL IMPACT OF PROPOSED LEGISLATION**

**Measure: HB 3102 - 2**

81st Oregon Legislative Assembly – 2021 Regular Session  
Legislative Fiscal Office

*Only Impacts on Original or Engrossed  
Versions are Considered Official*

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**Measure Description:**

Directs Department of Environmental Quality to purchase cyanotoxin autoanalyzer system instrument and associated supplies and services.

**Government Unit(s) Affected:**

Higher Education Coordinating Commission (HECC), Public Universities, Oregon Health Sciences University (OHSU), Community Colleges, Department of Environmental Quality (DEQ)

**Summary of Fiscal Impact:**

Costs related to the measure may require budgetary action - See analysis.

**Summary of Expenditure Impact:**

	2021-23 Biennium	2023-25 Biennium
General Fund	\$588,005	\$625,007
<b>Total Funds</b>	<b>\$588,005</b>	<b>\$625,007</b>
Positions	2	2
FTE	1.50	2.00

**Analysis:**

HB 3102 - 2 directs the Department of Environmental Quality (DEQ) to purchase a cyanotoxin autoanalyzer system instrument, and a nutrient analyzer system instrument, and any services and supplies necessary to operate them. These instruments may be used to test for harmful algal blooms in waters around the state, and to better understand harmful algal bloom formation and contributing factors.

DEQ is also directed to create, fill, and utilize two positions to help collect and analyze water samples for cyanotoxins during peak periods. DEQ is to make the cyanotoxin autoanalyzer available to institutions of higher education when the instrument is not in use. DEQ is to report to an interim committee of the Legislative Assembly related to water no later than November 30, 2021 on their coordination with higher education institutions, and any actions that may be taken to coordinate state government agencies to prepare for and respond to harmful algal blooms. This bill declares an emergency and takes effect on passage.

This measure directly appropriates to DEQ \$160,000 General Fund for a cyanotoxin autoanalyzer and associated supplies; \$65,000 General Fund for a nutrient analyzer and associated supplies; and \$363,005 General Fund for the two new positions included in this measure. The total cost of this measure is anticipated at \$588,005 General Fund in 2021-23 based on the funding included in this measure.

DEQ anticipates that the funding provided would be sufficient to purchase the cyanotoxin autoanalyzer and associated supplies, and a nutrient analyzer system and any services and supplies necessary. Based on the appropriation provided, DEQ anticipates phasing in the two positions provided by this measure in January 2022. The Department anticipates these positions to be a permanent, full-time Chemist 2 and a permanent, full-time

Natural Resource Specialist 1 (both 0.75 FTE in 2021-23, and both 1.00 FTE in 2023-25). Personal Services costs are estimated to be \$249,175 with \$113,830 in additional Services and Supplies costs in 2021-23.

In 2023-25, the total costs of this measure are estimated at \$625,007 General Fund, which includes \$332,237 in Personal Services costs, and \$292,770 in Services and Supplies costs. Services and Supplies costs includes position-related Services and Supplies, as well as the costs of supplies to operate the cyanotoxin autoanalyzer and nutrient analyzer. While the measure provides one-time General Fund intended to fund positions and equipment in 2021-23, this fiscal includes the estimated costs of continuing this program into the 2023-25 biennium.

The Legislative Fiscal Office notes that the estimated fiscal impact to DEQ may not align with the General Fund appropriations provided. This measure does not specify if the new positions at DEQ are intended to be permanent or temporary, but positions related to water sampling and analysis may only be needed during the March to October period when harmful algal blooms are more likely to be present and it is unknown how much sampling and testing may be needed in any given year. Based on the emergency clause, DEQ may also be able to purchase equipment and begin water sampling and testing in summer 2021, instead of the assumed start date of January 2022 provided by the agency, which would change the total fiscal impact of this measure.

There is no impact on the Higher Education Coordinating Commission or any state higher education institutions.