A-Bill for an Act

Relating to harmful algal blooms; and declaring an emergency.

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

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

(2) The department shall purchase one nutrient analyzer system instrument. The department shall acquire any services and supplies necessary for the operation of the instrument described in this subsection.

(3) The department shall create, fill and utilize two positions within the department to assist with the analysis of water samples for cyanotoxins and to collect water samples during peak periods.

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

(2) Subject to the conditions described in subsection (3) of this section, the Department of Environmental Quality shall make the cyanotoxin autoanalyzer system instrument purchased under section 1 of this 2021 Act available to institutions of higher education for purposes of education, training or research. The department may assist with or participate in the education, training or research activities conducted by institutions of higher education under this section.

(3) The department shall make the cyanotoxin autoanalyzer system instrument purchased under section 1 of this 2021 Act available to institutions of higher education if:

(a) The instrument is not needed by the department to analyze water samples for cyanotoxins at that time; and
(b) It is reasonably practicable for the department to make the instrument available.

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

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

(a) Preparations by the department to coordinate the use of the cyanotoxin autoanalyzer system instrument by institutions of higher education, as described in section 2 of this 2021 Act; and

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

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

(1) $160,000 for the purpose of carrying out the provisions of section 1 (1) of this 2021 Act;

(2) $65,000 for the purpose of carrying out the provisions of section 1 (2) of this 2021 Act; and

(3) $363,005 for the purpose of carrying out the provisions of section 1 (3) of this 2021 Act.

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