

108TH CONGRESS
1ST SESSION

S. 247

To reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2003

Ms. SNOWE (for herself and Mr. BREAUX) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To reauthorize the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Harmful Algal Bloom
5 and Hypoxia Amendments Act of 2003”.

6 **SEC. 2. RETENTION OF TASK FORCE.**

7 Section 603 of the Harmful Algal Bloom and Hy-
8 poxia Research and Control Act of 1998 (16 U.S.C. 1451
9 nt) is amended by striking subsection (e).

1 **SEC. 3. PREDICTION AND RESPONSE PLAN.**

2 Section 603 of such Act, as amended by section 2,
3 is further amended by adding at the end the following:

4 “(e) PREDICTION AND RESPONSE PLAN.—

5 “(1) DEVELOPMENT OF PLAN.—Not later than
6 12 months after the date of enactment of the Harm-
7 ful Algal Bloom and Hypoxia Amendments Act of
8 2003, the President, in conjunction with the chief
9 executive officers of the States, shall develop and
10 submit to the Congress a plan to protect environ-
11 mental and public health from impacts of harmful
12 algal blooms. In developing the plan, the President
13 shall consult with the Task Force, the coastal
14 States, Indian tribes, local governments, industry,
15 academic institutions, and non-governmental organi-
16 zations with expertise in coastal zone management.

17 “(2) PLAN REQUIREMENTS.—The plan shall—

18 “(A) review techniques for prediction of
19 the onset, course, and impacts of harmful algal
20 blooms including evaluation of their accuracy
21 and utility in protecting environmental and
22 public health and provisions for implementation;

23 “(B) identify innovative response measures
24 for the prevention, control, and mitigation of
25 harmful algal blooms and provisions for their
26 development and implementation; and

1 “(C) include incentive-based partnership
2 approaches where practicable.

3 “(3) PUBLICATION AND OPPORTUNITY FOR
4 COMMENT.—At least 90 days before submitting the
5 plan to the Congress, the President shall cause a
6 summary of the proposed plan to be published in the
7 Federal Register for a public comment period of not
8 less than 60 days.

9 “(4) FEDERAL ASSISTANCE.—The Secretary of
10 Commerce, in coordination with the Task Force and
11 to the extent of funds available, shall provide for
12 Federal cooperation with and assistance to the
13 coastal States, Indian tribes, and local governments
14 in implementing measures in paragraph (2), as re-
15 quested.”.

16 **SEC. 4. LOCAL AND REGIONAL ASSESSMENTS.**

17 Section 603 of such Act, as amended by section 3,
18 is further amended by adding at the end the following:

19 “(f) LOCAL AND REGIONAL ASSESSMENTS.—

20 “(1) IN GENERAL.—The Secretary of Com-
21 merce, in coordination with the Task Force and to
22 the extent of funds available, shall provide for local
23 and regional assessments of hypoxia and harmful
24 algal blooms, as requested by coastal States, Indian
25 tribes, and local governments.

1 “(2) PURPOSE.—Local and regional assess-
2 ments may examine—

3 “(A) the causes of hypoxia or harmful
4 algal blooms in that area;

5 “(B) the ecological and economic impacts
6 of hypoxia or harmful algal blooms;

7 “(C) alternatives to reduce, mitigate, and
8 control hypoxia and harmful algal blooms; and

9 “(D) the social and economic benefits of
10 such alternatives.”.

11 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

12 Section 605 of such Act is amended—

13 (1) by striking “and” after “2000,” in the first
14 sentence and in the paragraphs (1), (2), (3), and
15 (5);

16 (2) by inserting “\$26,000,000 for fiscal year
17 2004, \$26,500,000 for fiscal year 2005, and
18 \$27,000,000 for fiscal year 2007” after “2001,” in
19 the first sentence;

20 (3) by inserting “and \$2,500,000 for each of
21 fiscal years 2004, 2005, and 2006” after “2001” in
22 paragraph (1);

23 (4) by inserting “and \$5,500,000 for each of
24 fiscal years 2004, 2005, and 2006” after “2001” in
25 paragraph (2);

1 (5) by striking “2001” in paragraph (3) and in-
2 serting “2001, \$2,000,000 for fiscal year 2004,
3 \$3,000,000 for fiscal year 2005, and \$3,000,000 for
4 fiscal year 2006”;

5 (6) by striking “blooms;” in paragraph (3) and
6 inserting “blooms and to implement section
7 603(e);”;

8 (7) by striking “2001” in paragraph (4) and in-
9 serting “2001, and \$6,000,000 for each of fiscal
10 years 2004, 2005, and 2006,”;

11 (8) by striking “and” after the semicolon in
12 paragraph (4);

13 (9) by striking “2001” in paragraph (5) and in-
14 serting “2001, \$5,000,000 for fiscal year 2004,
15 \$5,500,000 for fiscal year 2005, and \$6,600,000 for
16 fiscal year 2006”;

17 (10) by striking “Administration.” in para-
18 graph (5) and inserting “Administration; and”; and

19 (11) by adding at the end the following:

20 “(6) \$3,000,000 for each of fiscal years 2004,
21 2005, and 2006 to carry out section 603(f).”.

○