

# Senate Bill 885

Sponsored by COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

## 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**.

Extends and modifies program limiting canola production in Willamette Valley Protected District.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to limits on Willamette Valley canola production; and declaring an emergency.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) "Canola" means plants of the genus *Brassica*:

6 (A) In which seeds having a high oil content are the primary economically valuable  
7 product; and

8 (B) That have a high erucic acid content suitable for industrial uses or a low erucic acid  
9 content suitable for edible oils.

10 (b) "Willamette Valley Protected District" means the area encompassed within a rec-  
11 tangle formed by the point in Tillamook County that is the northwest corner of township 1  
12 north, range 6 west, the point in Multnomah County that is the most northeastern point of  
13 township 1 north, range 2 east within Oregon, the point in Lane County that is the southeast  
14 corner of township 19 south, range 2 east and the point in Lane County that is the southwest  
15 corner of township 19 south, range 6 west.

16 (2) A person growing canola within the Willamette Valley Protected District must receive  
17 prior approval by license from the State Department of Agriculture.

18 (3) The department may:

19 (a) Authorize a person to grow canola within the Willamette Valley Protected District  
20 only in a manner determined to be compatible with the growing of other crops, including but  
21 not limited to the maintenance of isolation distances between canola and other crops that  
22 equal or exceed the industry-recommended isolation distance between specialty seed crops  
23 of the genus *Brassica* and other crops.

24 (b) Authorize canola production within the Willamette Valley Protected District, not to  
25 exceed 500 acres per year.

26 (4) The department shall develop recommendations regarding means for ensuring the  
27 coexistence of the production of canola and the production of other crops. The recommen-  
28 dations shall include, but need not be limited to, means for providing protections adequate  
29 to maintain the unique attributes of the specialty seed industry in this state.

30 (5) The department may assess a civil penalty, not to exceed \$25,000, against a person  
31 that violates subsection (2) of this section or the terms of a license issued under this section.

**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        **SECTION 2.** (1) The Legislative Assembly intends that if this 2019 Act becomes law after  
2 July 1, 2019, section 1 of this 2019 Act operates retroactively to July 1, 2019. All canola  
3 planted within the Willamette Valley Protected District after July 1, 2019, and prior to the  
4 effective date of this 2019 Act is subject to the requirements set forth in section 1 of this 2019  
5 Act. Any lawful action described in section 1 of this 2019 Act that is taken by the State De-  
6 partment of Agriculture after July 1, 2019, and prior to the effective date of this 2019 Act is  
7 hereby ratified and approved.

8        (2) This 2019 Act does not affect application of sections 1 to 3, chapter 638, Oregon Laws  
9 2015, to canola planted within the Willamette Valley Protected District on or before July 1,  
10 2019.

11        **SECTION 3.** This 2019 Act being necessary for the immediate preservation of the public  
12 peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect  
13 on its passage.

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