

A-Engrossed
Senate Bill 789

Ordered by the House June 21
Including House Amendments dated June 21

Sponsored by Senator GELSER BLOUIN; Senator PATTERSON, Representative HOLVEY

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.

[Makes permanent] **Extends sunset on** certain restrictions on growing canola within Willamette Valley Protected District **to July 1, 2024.**

Instructs State Department of Agriculture to report to committee or interim committee of House of Representatives related to agriculture on recommendations for legislation related to seed crops of genus Brassica.

Declares emergency, effective July 1, 2023.

A BILL FOR AN ACT

1
2 Relating to canola production; and declaring an emergency.

3 Whereas Oregonians will benefit from prohibiting canola production within the Willamette Val-
4 ley Protected District; and

5 Whereas the Willamette Valley will benefit from prohibiting local canola production; now,
6 therefore,

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

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

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

10 (A) **In which seeds having a high oil content are the primary economically valuable**
11 **product; and**

12 (B) **That have a high erucic acid content suitable for industrial uses or a low erucic acid**
13 **content suitable for edible oils.**

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

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

22 (3) **The department may:**

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

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 of the genus Brassica and other crops.

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

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

6 **SECTION 2.** The Legislative Assembly intends that if this 2023 Act becomes law after
7 July 1, 2023, section 1 of this 2023 Act operates retroactively to July 1, 2023. All canola
8 planted within the Willamette Valley Protected District after July 1, 2023, and prior to the
9 effective date of this 2023 Act is subject to the requirements set forth in section 1 of this 2023
10 Act. Any lawful action described in section 1 of this 2023 Act that is taken by the State De-
11 partment of Agriculture after July 1, 2023, and prior to the effective date of this 2023 Act is
12 hereby ratified and approved.

13 **SECTION 3.** (1) As used in this section, “canola” and “Willamette Valley Protected Dis-
14 trict” have the meanings given those terms in section 1 of this 2023 Act.

15 (2) On or before September 30, 2023, the State Department of Agriculture shall report,
16 in the manner prescribed in ORS 192.245, to a committee or interim committee of the House
17 of Representatives related to agriculture on recommendations for legislation to establish a
18 program that identifies fields in the Willamette Valley Protected District that produce seed
19 crops of the genus Brassica in order to mitigate conflicts related to the production of seed
20 crops of the genus Brassica.

21 (3) The report may include, but need not be limited to:

22 (a) A discussion of a pinning map of the production of seed crops of the genus Brassica
23 in the Willamette Valley Protected District that is operated by the department and accessible
24 to the public, including a discussion of the potential costs for the implementation and ongo-
25 ing management of the pinning map.

26 (b) Recommendations for geographic or acreage limitations on the production of seed
27 crops of the genus Brassica in the Willamette Valley Protected District.

28 (c) Any changes to provisions of law, or new provisions of law, including provisions con-
29 cerning the department’s authority, that are needed to implement the recommendations.

30 (4) To help inform the report, the department shall convene a work group of relevant
31 stakeholders, including, but not limited to:

32 (a) Organic, specialty and other producers of seed crops of the genus Brassica;

33 (b) Canola growers; and

34 (c) Subject matter experts connected to research and technical assistance at Oregon
35 State University.

36 **SECTION 4.** Sections 1 and 3 of this 2023 Act are repealed on July 1, 2024.

37 **SECTION 5.** This 2023 Act being necessary for the immediate preservation of the public
38 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect
39 on July 1, 2023.

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