

Minority Report
B-Engrossed
House Bill 4059

Ordered by the Senate March 5
Including House Amendments dated February 19 and Senate Minority
Report Amendments dated March 5

Sponsored by nonconcurring members of the Senate Committee on Natural Resources and Wildfire: Senators
GIROD, SMITH DB

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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act keeps limits on producing canola in certain areas. The Act makes certain changes to the limits. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 70.4).

Extends the sunset on provisions relating to limits on Willamette Valley Protected District canola production to January 2, [2028] **2026**. [*Changes the definition of "canola."* Provides that isolation distances must equal or exceed customary isolation distances.] **Increases the acreage cap to 2,500 acres.**

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to brassica production in the Willamette Valley Protected District; amending sections 1 and
3 4, chapter 370, Oregon Laws 2023; repealing section 1, chapter 370, Oregon Laws 2023; and de-
4 claring an emergency.

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

6 **SECTION 1.** Section 1, chapter 370, Oregon Laws 2023, is amended to read:

7 **Sec. 1.** (1) As used in this section:

8 (a) "Canola" means plants of the [*genus*] **species Brassica napus and Brassica rapa:**

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

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

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

18 (2) A person growing canola within the Willamette Valley Protected District must receive prior
19 approval by [*license*] **permit** from the State Department of Agriculture.

20 (3) The department may:

21 (a) Authorize a person to grow canola within the Willamette Valley Protected District only in
22 a manner determined to be compatible with the growing of other crops, including but not limited to

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 the maintenance of isolation distances between canola and other crops that equal or exceed the
2 [*industry-recommended isolation distance*] **customary isolation distances in the Willamette Valley**
3 **Protected District** between specialty seed crops of the genus Brassica and other crops.

4 (b) Authorize canola production within the Willamette Valley Protected District, not to exceed
5 [500] **2,500** acres per year.

6 (4) The department may assess a civil penalty, not to exceed \$25,000, against a person that vi-
7 olates subsection (2) of this section or the terms of a [*license*] **permit** issued under this section.

8 **SECTION 2.** Section 4, chapter 370, Oregon Laws 2023, is amended to read:

9 **Sec. 4.** [*Sections 1 and 3 of this 2023 Act are*] **Section 3, chapter 370, Oregon Laws 2023, is**
10 **repealed on July 1, 2024.**

11 **SECTION 3.** **Section 1, chapter 370, Oregon Laws 2023, as amended by section 1 of this**
12 **2024 Act, is repealed on January 2, 2026.**

13 **SECTION 4.** **This 2024 Act being necessary for the immediate preservation of the public**
14 **peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect**
15 **on its passage.**

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