

HB 2427
Relating to canola

House Bill 2427 allows the Department of Agriculture to authorize the planting of up to 500 acres of canola in the Willamette Valley Protected Area to allow the College of Agricultural Sciences at Oregon State University to conduct a peer-reviewed study on the risks of growing such crops. The bill prohibits raising canola within the Willamette Valley Protected District until 2019, unless it is as part of the study. Oregon State University is directed to report study results to an interim committee of the Legislative Assembly by November 1, 2017. The bill includes a \$679,000 General Fund appropriation to Oregon State University to support three years of research work by the College of Agricultural Sciences.

Your Natural Resources Subcommittee recommends HB 2427 be amended and reported out do pass, as amended.

**77th OREGON LEGISLATIVE ASSEMBLY – 2013 Session
BUDGET REPORT AND MEASURE SUMMARY**

JOINT COMMITTEE ON WAYS AND MEANS

MEASURE: HB 2427-B

Carrier – House: Rep. Unger

Carrier – Senate: Sen. Edwards

Action: Do Pass the A-Engrossed Measure as Amended and be Printed B-Engrossed

Vote:

House

Yeas:

Nays:

Exc:

Senate

Yeas:

Nays:

Exc:

Prepared By: Bill McGee, Department of Administrative Services

Reviewed By: Paul Seibert, Legislative Fiscal Office

Meeting Date: June 21, 2013

Agency

Oregon University System

Biennium

2013-15

Budget Summary*

	2011-13 Legislatively Approved Budget ⁽¹⁾	2013-15 Current Service Level	2013-15 Committee Recommendation	Committee Change from 2011-13 Leg. Approved	
				\$ Change	% Change
General Fund	\$ 0	\$ 0	\$ 679,000	\$ 679,000	100.0%

Position Summary

Authorized Positions	0	0	0	0
Full-time Equivalent (FTE) positions	0.00	0.00	0.00	0.00

Summary of Revenue Changes

The research activities to be conducted by Oregon State University regarding raising canola in the Willamette Valley are funded with a General Fund appropriation.

Summary of Natural Resources Subcommittee Action

House Bill 2427 allows the Department of Agriculture to authorize the planting of up to 500 acres of canola to allow the Oregon State University (OSU) College of Agricultural Sciences to conduct a peer-reviewed study on the risks of growing such crops. Otherwise, the bill prohibits raising canola within the Willamette Valley Protected Area until 2019. OSU is directed to report study results to an interim committee of the Legislative Assembly by November 1, 2017. The bill includes \$679,000 General Fund to support three years of research work at OSU. A civil penalty of not more than \$25,000 is established for canola planted in violation of this bill on or after the effective date of the bill.

With the passage of SB 242 (2011), which changed the Oregon University System (OUS) from a state agency to a public university system, OUS is no longer eligible for direct appropriation from the General Fund. Instead, SB 242 directs that all appropriations for use by OUS and public universities under its jurisdiction are to be made to the Department of Administrative Services, for transfer to OUS.

DETAIL OF JOINT COMMITTEE ON WAYS AND MEANS ACTION

HB 2427-B

Oregon University System
 Bill McGee 503-378-2078

DESCRIPTION	GENERAL FUND	LOTTERY FUNDS	OTHER FUNDS		FEDERAL FUNDS		TOTAL ALL FUNDS	POS	FTE
			LIMITED	NONLIMITED	LIMITED	NONLIMITED			
2011-13 Legislatively Approved Budget at Dec 2012 *	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	0	0.00
2013-15 ORBITS printed Current Service Level (CSL)*	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	0	0.00
SUBCOMMITTEE ADJUSTMENTS (from CSL)									
SCR 005 State Programs									
Special Payments Other Special Payments	\$ 679,000		\$ 0	\$ 0	\$ 0	\$ 0	\$ 679,000		
TOTAL ADJUSTMENTS	\$ 679,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 679,000	0	0.00
SUBCOMMITTEE RECOMMENDATION *	\$ 679,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 679,000	0	0.00
% Change from 2011-13 Leg Approved Budget	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
% Change from 2013-15 Current Service Level	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	

*Excludes Capital Construction Expenditures

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2427**

1 On page 1 of the printed A-engrossed bill, line 2, after the semicolon in-
2 sert “appropriating money;”.

3 Delete lines 4 through 19 and delete page 2 and insert:

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 eco-
7 nomically valuable product; and**

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

10 **“(b) ‘Raising’ means personal or commercial growing for oil, seed,
11 forage, cover crop or other use.**

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

20 **“(2) The amount of canola planted per year within the Willamette
21 Valley Protected District may not exceed 500 acres. Any canola grown
22 within the protected district must be grown for the purpose of allowing**

1 the College of Agricultural Sciences of Oregon State University to
2 carry out the research duties of the college under section 4 of this 2013
3 Act. Any growing of canola within the protected district is subject to
4 prior approval by the State Department of Agriculture.

5 “(3) The department may assess a civil penalty, not to exceed
6 \$25,000, against a person that raises canola in violation of subsection
7 (2) of this section.

8 “SECTION 2. Section 1 of this 2013 Act applies to the growing of
9 canola planted on or after the effective date of this 2013 Act.

10 “SECTION 3. Section 1 of this 2013 Act is repealed on January 2,
11 2019.

12 “SECTION 4. (1) As used in this section, ‘Willamette Valley Pro-
13 tected District’ has the meaning given that term in section 1 of this
14 2013 Act.

15 “(2) Subject to the Willamette Valley Protected District production
16 cap established in section 1 (2) of this 2013 Act, the State Department
17 of Agriculture may authorize the growing of canola to allow the Col-
18 lege of Agricultural Sciences of Oregon State University to carry out
19 the research duties of the college under this section. Any authori-
20 zation for the growing of canola under this section must be limited to
21 canola crop production cycles that are completed prior to January 1,
22 2017.

23 “(3) Canola may be grown for purposes of research under this sec-
24 tion only if the isolation distance between the canola and other crops
25 equals or exceeds the industry-recommended isolation distance be-
26 tween Brassica specialty seed crops and other crops.

27 “(4)(a) The college shall use field monitoring and other research to
28 develop information and recommendations regarding whether, and
29 under what conditions, canola growing in the Willamette Valley Pro-
30 tected District is compatible with the growing of other crops. The in-

1 formation must include, but not be limited to, a comparison of the
2 compatibility of canola with the growing of other crops to the com-
3 patibility of other Brassica seed with the growing of other crops. The
4 assessment shall include, but not be limited to, a review of available
5 published materials and historical data on canola and Brassica spe-
6 cialty seed production.

7 “(b) In addition to any other required content, the information and
8 recommendations described in paragraph (a) of this subsection must
9 include, but not be limited to, a map of the Willamette Valley Pro-
10 tected District showing the places within the district where plants of
11 the genus Brassica could be grown while maintaining typical isolation
12 distances from vegetables, vegetable seeds and other crops.

13 “(5) All research described in subsection (4) of this section must be
14 peer reviewed.

15 “(6) The college shall complete its research under this section and
16 submit a report containing information and recommendations as de-
17 scribed in subsection (4) of this section to an interim committee of the
18 Legislative Assembly dealing with agriculture no later than November
19 1, 2017.

20 “SECTION 5. To the extent that the College of Agricultural Sci-
21 ences of Oregon State University deems practicable, the college shall
22 conduct field monitoring on the acreage that has been used to grow
23 canola for purposes of research under section 4 of this 2013 Act, and
24 on adjacent lands used for the research, for a period of five years after
25 completing the research. Monitored areas adjacent to the acreage that
26 has been used to grow canola must include, but need not be limited
27 to, fields planted in forage turnip seed crops, tillage radish seed crops
28 and Brassica specialty seed crops. Any monitoring of acreage that has
29 been used to grow canola or of fields planted in forage turnip seed and
30 radish seed crops must include monitoring for volunteer plants, dis-

1 eases and insects. Any monitoring of fields planted with Brassica spe-
2 cialty seed crops, other than acreage that has been used to grow
3 canola, must include monitoring for diseases and insects.

4 **“SECTION 6.** In addition to and not in lieu of any other appropri-
5 ation, there is appropriated to the Oregon Department of Administra-
6 tive Services for allocation to the Oregon University System, for the
7 biennium beginning July 1, 2013, out of the General Fund, the amount
8 of \$679,000, which may be expended for carrying out the duties of the
9 College of Agricultural Sciences of Oregon State University under
10 sections 4 and 5 of this 2013 Act.

11 **“SECTION 7.** This 2013 Act being necessary for the immediate
12 preservation of the public peace, health and safety, an emergency is
13 declared to exist, and this 2013 Act takes effect on its passage.”.

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