

**A-Engrossed**  
**House Bill 2427**

Ordered by the House April 22  
Including House Amendments dated April 22

Sponsored by Representative GELSER, Senator EDWARDS, Representative HOYLE; Representatives BARNHART, HOLVEY, NATHANSON, TOMEI (Presession filed.)

**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.

Prohibits raising canola within Willamette Valley. Makes violation subject to civil penalty, not to exceed \$25,000. Prohibits State Department of Agriculture designation of control area allowing raising of canola within Willamette Valley. Applies to canola planted on or after effective date of Act.

**Sunsetts statutory prohibitions January 2, 2018.**

**Requires Oregon State University to conduct study of canola, including relative potential for cross-pollination, occurrence in fields previously growing canola, potential for off-field movement, disease and insect assessment and economic impacts. Requires university to report results of study no later than November 1, 2016, to legislative committee dealing with agriculture.**

**Creates exception to prohibition against growing canola within Willamette Valley to extent necessary for Oregon State University to carry out required canola study. Terminates statutory prohibition against growing canola within Willamette Valley and prohibition against designation of control area to allow raising of canola within Willamette Valley 31 days after adjournment sine die of 2013 session of Legislative Assembly if funding has not been authorized for Oregon State University study of canola.**

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to canola; 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) "Raising" means personal or commercial growing for oil, seed, forage, cover crop or**  
11 **other use.**

12 **(c) "Willamette Valley" means Clackamas, Linn, Marion, Multnomah, Polk, Washington**  
13 **and Yamhill Counties and the portion of Benton and Lane Counties lying east of the summit**  
14 **of the Coast Range.**

15 **(2) Subject to subsection (4) of this section:**

16 **(a) A person may not engage in raising canola within the Willamette Valley; and**

17 **(b) Notwithstanding ORS 570.450, the State Department of Agriculture may not designate**  
18 **any control area that allows the raising of canola within the Willamette Valley.**

19 **(3) The department may assess a civil penalty, not to exceed \$25,000, against a person**

**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 that raises canola in violation of subsection (2) of this section.

2 (4) The prohibitions established in subsection (2) of this section terminate 31 days after  
3 adjournment sine die of the 2013 regular session of the Seventy-seventh Legislative Assembly  
4 if funding has not been authorized by that date to allow the College of Agricultural Sciences  
5 of Oregon State University to carry out the research duties of the college under section 4  
6 of this 2013 Act.

7 **SECTION 2.** Section 1 of this 2013 Act applies to the raising of canola planted on or after  
8 the effective date of this 2013 Act.

9 **SECTION 3.** Section 1 of this 2013 Act is repealed on January 2, 2018.

10 **SECTION 4.** (1) Notwithstanding section 1 of this 2013 Act, the State Department of Ag-  
11 riculture shall authorize the growing of canola within the Willamette Valley to the extent  
12 necessary to allow the College of Agricultural Sciences of Oregon State University to carry  
13 out the research duties of the college under this section.

14 (2) The college shall conduct research to:

15 (a) Understand the cross-pollination potential of canola with Brassica specialty seed  
16 crops and compare the potential for cross-pollination from canola with the potential for  
17 cross-pollination from forage turnip seed crops and other Brassica crops;

18 (b) Conduct voluntary plant and seed bank assessments in fields that have grown canola  
19 in previous seasons;

20 (c) Examine the potential for the off-field movement of canola, including but not limited  
21 to movement in waterways;

22 (d) Conduct disease and insect assessment for canola crops and compare the assessment  
23 for canola with the disease and insect assessment for Brassica specialty seed crops, forage  
24 turnip seed crops, tillage radish seed crops and other Brassica crops; and

25 (e) Conduct an economic assessment of the potential economic impact of canola pro-  
26 duction in the Willamette Valley, giving consideration to the economic impact of canola on  
27 specialty seed crop and clover production, to the estimated value of canola production and  
28 to the value of the enhanced yield of, and quality of, grass seed and wheat production fol-  
29 lowing a canola rotation.

30 (3) All research described under subsection (2) of this section must be peer-reviewed.

31 (4) The college shall complete its research under this section and submit a report of the  
32 research results to an interim committee of the Legislative Assembly dealing with agricul-  
33 ture no later than November 1, 2016.

34 **SECTION 5.** This 2013 Act being necessary for the immediate preservation of the public  
35 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect  
36 on its passage.

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