

# D R A F T

## SUMMARY

Extends program limiting canola production in Willamette Valley Protected District.

Declares emergency, effective on passage.

### A BILL FOR AN ACT

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

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

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

**(a) “Canola” means plants of the genus Brassica:**

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

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

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

**(2) A person growing canola within the Willamette Valley Protected District must receive prior approval by license from the State De-**

1 **partment of Agriculture.**

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

3 **(a) Authorize a person to grow canola within the Willamette Valley**  
4 **Protected District only in a manner determined to be compatible with**  
5 **the growing of other crops, including but not limited to the mainte-**  
6 **nance of isolation distances between canola and other crops that**  
7 **equals or exceeds the industry-recommended isolation distance be-**  
8 **tween specialty seed crops of the genus Brassica and other crops.**

9 **(b) Authorize canola production within the Willamette Valley Pro-**  
10 **TECTED District, not to exceed 500 acres per year.**

11 **(4) The department shall develop recommendations regarding means**  
12 **for ensuring the coexistence of the production of canola and the pro-**  
13 **duction of other agricultural crops. The recommendations shall in-**  
14 **clude, but need not be limited to, means for providing protections**  
15 **adequate to maintain the unique attributes of the specialty seed in-**  
16 **dustry in this state. The department shall develop the recommen-**  
17 **dations based upon consultation with the College of Agricultural**  
18 **Sciences of Oregon State University.**

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

22 **SECTION 2. (1) The Legislative Assembly intends that if this 2019**  
23 **Act becomes law after July 1, 2019, section 1 of this 2019 Act operates**  
24 **retroactively to July 1, 2019. All canola planted within the Willamette**  
25 **Valley Protected District after July 1, 2019, and before the effective**  
26 **date of this 2019 Act is subject to the requirements set forth in section**  
27 **1 of this 2019 Act. Any lawful action described in section 1 of this 2019**  
28 **Act that is taken by the State Department of Agriculture after July**  
29 **1, 2019, and prior to the effective date of this 2019 Act is hereby ratified**  
30 **and approved.**

31 **(2) This 2019 Act does not affect application of sections 1 to 3,**

1 **chapter 638, Oregon Laws 2015, to canola planted within the**  
2 **Willamette Valley Protected District on or before July 1, 2019.**

3 **SECTION 3. This 2019 Act being necessary for the immediate pres-**  
4 **ervation of the public peace, health and safety, an emergency is de-**  
5 **clared to exist, and this 2019 Act takes effect on its passage.**

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