

DRAFT

SUMMARY

Extends and modifies 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 equal**
7 **or exceed the industry-recommended isolation distance between spe-**
8 **cialty 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 crops. The recommendations shall include, but need**
14 **not be limited to, means for providing protections adequate to main-**
15 **tain the unique attributes of the specialty seed industry in this state.**

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

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

28 **(2) This 2019 Act does not affect application of sections 1 to 3,**
29 **chapter 638, Oregon Laws 2015, to canola planted within the**
30 **Willamette Valley Protected District on or before July 1, 2019.**

31 **SECTION 3. This 2019 Act being necessary for the immediate pres-**

1 **ervation of the public peace, health and safety, an emergency is de-**
2 **clared to exist, and this 2019 Act takes effect on its passage.**

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