

SB 789 A STAFF MEASURE SUMMARY**Carrier:** Rep. Helm**House Committee On Rules****Action Date:** 06/20/23**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 7-0-0-0**Yeas:** 7 - Breese-Iverson, Fahey, Kropf, Nosse, Scharf, Valderrama, Wallan**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Anna Glueder**Meeting Dates:** 6/20**WHAT THE MEASURE DOES:**

Defines "canola" and the "Willamette Valley Protected District" (District). Requires a person growing canola in the District to receive prior approval by license from the Oregon Department of Agriculture (ODA). Permits ODA to authorize a person to grow canola in the District only in a manner determined to be compatible with the growing of other crops, and to authorize a maximum of 500 acres of canola production in the District per year. Authorizes ODA to assess a civil penalty, not to exceed \$25,000, against a person who grows canola in the District without a license or in violation of the terms of their license. Applies retroactively to July 1, 2023. Directs ODA to report to an agriculture-related committee of the House of Representatives by September 30, 2023, on recommendations for legislation to establish a program that identifies fields in the District that produce Brassica seed crops to mitigate production conflicts. Authorizes the report to include a discussion of a publicly accessible pinning map operated by ODA, recommendations for geographic or acreage limitations of Brassica seed crop production within the District, and any changes to law that may be needed to implement the recommendations. Directs ODA to convene a work group of relevant stakeholders to help inform the report, including organic, specialty, and other Brassica seed crop producers; canola growers; and subject matter experts at Oregon State University. Reinstates a sunset on canola production restrictions within the District for July 1, 2024. Declares emergency, effective July 1, 2023.

ISSUES DISCUSSED:

- Intended participants of the proposed work group
- Intended outcomes of the proposed work group
- Legislative history of canola regulation in the Willamette Valley

EFFECT OF AMENDMENT:

Directs the Oregon Department of Agriculture (ODA) to report to an agriculture-related committee of the House of Representatives by September 30, 2023, on recommendations for legislation to establish a program that identifies fields in the Willamette Valley Protected District (District) that produce Brassica seed crops to mitigate production conflicts. Authorizes the report to include a discussion of a publicly accessible pinning map operated by ODA, recommendations for geographic or acreage limitations of Brassica seed crop production within the District, and any changes to law that may be needed to implement the recommendations. Directs ODA to convene a work group of relevant stakeholders to help inform the report, including organic, specialty, and other Brassica seed crop producers; canola growers; and subject matter experts at Oregon State University. Reinstates a sunset on canola production restrictions within the District for July 1, 2024.

BACKGROUND:

All provisions of this measure are currently law in Oregon, and are set to expire on June 30, 2023.

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In 2013, the Legislative Assembly passed House Bill 2427 directing the College of Agricultural Sciences at Oregon State University to study canola and report the results to an interim committee of the Legislative Assembly by November 1, 2017. The measure also prohibited the growing of canola in the Willamette Valley with an exception for the 500 acres necessary to conduct the study. In 2015, House Bill 3382 amended that law allowing the Oregon Department of Agriculture (ODA) to authorize up to 500 acres for the commercial production of canola in the Willamette Valley Protected District (District) with certain restrictions, and required ODA to develop coexistence recommendations for a 2018 legislative report. The measure also extended the sunset prohibiting the growing of canola in the District to January 2, 2020. In 2019, Senate Bill 885 extended the 500-acre authorization to June 30, 2023.

Senate Bill 789 A would extend the sunset on restrictions on growing canola within the Willamette Valley Protected District, including the 500-acre limit on canola production, to July 1, 2024 and direct ODA to report to the legislature on a discussion of a publicly accessible pinning map operated by ODA, recommendations for geographic or acreage limitations of Brassica seed crop production within the District, and any changes to law that may be needed to implement the recommendations.