

House Bill 3382

Sponsored by Representatives WITT, CLEM; Representatives HUFFMAN, KRIEGER, REARDON, SPRENGER, WHISNANT, Senators HANSELL, ROBLAN, THOMSEN

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 **as introduced**.

Extends sunset from January 2, 2019, to July 1, 2019, for law imposing general prohibition on growing of canola in Willamette Valley Protected District. Requires State Department of Agriculture to authorize limited commercial growing of canola on qualifying acreages in district during part of general prohibition period.

Authorizes civil penalty, not to exceed \$25,000, for improper growing of canola in district.

Provides for College of Agricultural Sciences of Oregon State University to include acreage used for commercial growing of canola in district and adjacent lands as part of canola field monitoring study.

A BILL FOR AN ACT

1
2 Relating to canola in the Willamette Valley Protected District; creating new provisions; and
3 amending sections 3 and 5, chapter 724, Oregon Laws 2013.

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

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

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

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

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

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

17 (2) **Notwithstanding sections 1, 2 and 4, chapter 724, Oregon Laws 2013, the State De-**
18 **partment of Agriculture may authorize the growing of canola within the Willamette Valley**
19 **Protected District for commercial purposes as provided in this section. The amount of canola**
20 **planted under this section within the Willamette Valley Protected District may not exceed**
21 **500 acres per year.**

22 (3) **The College of Agricultural Sciences of Oregon State University shall use the results**
23 **of research and field monitoring conducted under sections 4 and 5, chapter 724, Oregon Laws**
24 **2013, and any information or recommendations developed under those sections, to identify**
25 **acreages on which canola may be grown within the Willamette Valley Protected District in**
26 **a manner that is compatible with the growing of other crops, including but not limited to,**
27 **the maintenance of isolation distances between the canola and other crops that equals or**

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 exceeds the industry-recommended isolation distance between specialty seed crops of the
 2 genus Brassica and other crops.

3 (4) Any growing of canola within the protected district is subject to prior approval by the
 4 department. The department may authorize the growing of canola only on acreages identified
 5 by the college under this section and in a manner that the college has determined to be
 6 compatible with the growing of other crops.

7 (5) Any authorization for the growing of canola under this section must be limited to
 8 canola crop production cycles that begin on or after July 1, 2016, and are completed no later
 9 than December 31, 2019. The growing of canola in a canola crop production cycle that begins
 10 after July 1, 2019, is not subject to this section.

11 (6) The department may assess a civil penalty, not to exceed \$25,000, against a person
 12 that raises canola in violation of the terms of any authorization issued to the person under
 13 this section.

14 **SECTION 2.** Section 1 of this 2015 Act is repealed January 2, 2020.

15 **SECTION 3.** Section 3, chapter 724, Oregon Laws 2013, is amended to read:

16 **Sec. 3.** Section 1 [*of this 2013 Act*], **chapter 724, Oregon Laws 2013**, is repealed on [*January*
 17 *2*] **July 1, 2019.**

18 **SECTION 4.** Section 5, chapter 724, Oregon Laws 2013, is amended to read:

19 **Sec. 5. (1)** To the extent that the College of Agricultural Sciences of Oregon State University
 20 deems practicable, the college shall conduct field monitoring:

21 (a) On the acreage that has been used to grow canola for purposes of research under section
 22 4 [*of this 2013 Act, and*], **chapter 724, Oregon Laws 2013**;

23 (b) **On the acreage that has been used to grow canola for commercial purposes under**
 24 **section 1 of this 2015 Act; and**

25 (c) On [*adjacent*] lands **adjacent to acreage** used for the research **under section 4, chapter**
 26 **724, Oregon Laws 2013 or used for commercial purposes under section 1 of this 2015 Act**, for
 27 a period of five years after completing the research **under section 4, chapter 724, Oregon Laws**
 28 **2013.**

29 (2) Monitored areas adjacent to the acreage that has been used to grow canola must include,
 30 but need not be limited to, fields planted in forage turnip seed crops, tillage radish seed crops and
 31 Brassica specialty seed crops. Any monitoring of acreage that has been used to grow canola or of
 32 fields planted in forage turnip seed and radish seed crops must include monitoring for volunteer
 33 plants, diseases and insects. Any monitoring of fields planted with Brassica specialty seed crops,
 34 other than acreage that has been used to grow canola, must include monitoring for diseases and
 35 insects.