

Senate Bill 207

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D.)

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**.

Authorizes State Department of Agriculture to establish control areas for genetically engineered plants and other plants to avoid conflicts between growers.

A BILL FOR AN ACT

1
2 Relating to conflicts between growers of genetically engineered plants and growers of plants that
3 are not genetically engineered; creating new provisions; and amending ORS 570.450.

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

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

5
6 (a) **“Genetically engineered” means modified by recombinant Deoxyribonucleic acid tech-**
7 **niques.**

8 (b) **“Other plants” means plants that are not genetically engineered.**

9 (c) **“Plants” means fruits, vegetables, seeds, crops or other agricultural plants that are**
10 **grown as food for humans or animals or used to grow food for humans or animals.**

11 (2) **The State Department of Agriculture may establish control areas within this state to**
12 **provide separation between the growing of genetically engineered plants and the growing of**
13 **other plants if, after careful investigation, the department determines that the control areas**
14 **are necessary to avoid conflicts between growers of genetically engineered plants and**
15 **growers of other plants that may arise from cross-pollination or the inadvertent presence**
16 **of genetically engineered plants.**

17 (3) **The department shall exercise its authority under subsection (2) of this section in a**
18 **manner that is reasonable and just considering the exigencies of the particular situation, the**
19 **interests sought to be protected and the immediate and continuing effect upon the property**
20 **and the owners of the property in or near the control areas established.**

21 (4) **If the department establishes a control area under this section, the department shall**
22 **define the boundaries of the area and shall specify the character and kinds of genetically**
23 **engineered plants or other plants to be regulated or excluded, and the manner and method**
24 **of the regulation or exclusion. The Director of Agriculture and the department may take**
25 **action as provided under ORS 561.510 to 561.590 to enforce a control area established under**
26 **this section.**

SECTION 2. ORS 570.450 is amended to read:

27
28 570.450. The State Department of Agriculture may establish control areas for the production of
29 rapeseed as provided in ORS 570.405 **or section 1 of this 2015 Act**. The department may appoint
30 advisory boards to advise and counsel the department on the boundaries of the control areas, the

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 type of rapeseed species and varieties [*which*] **that** may be produced in the various control areas
2 and the enforcement of control area orders.
3 _____