

Enrolled
Senate Bill 121

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CHAPTER

AN ACT

Relating to seed sellers; amending ORS 633.700.

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

SECTION 1. ORS 633.700 is amended to read:

633.700. (1) A person may not sell, offer or expose for sale in this state any agricultural or vegetable seeds unless the person holds an unsuspended license issued by the State Department of Agriculture. A person selling, offering or exposing for sale only flower seeds at retail must hold an unsuspended license issued by the department. However, any person selling seeds of the person's own production exclusively, and persons selling only flower or vegetable seeds at retail, in packages weighing not in excess of one-half pound, as prepared for such trade by other seed companies, if the seed company preparing such packaged seed for sale, has a license in force for the sale of such seed in this state, is not required to secure such license. For the purposes of this section, persons operating more than one branch, plant or warehouse where seeds are sold, offered or exposed for sale shall secure a separate license for each such branch, plant or warehouse.

(2) Any person desiring to sell, offer or expose for sale in this state any agricultural, flower or vegetable seeds, for planting purposes, except as provided in this section, shall make application to the director for a license for this purpose. The application shall be signed by the applicant or the authorized agent of the applicant and shall be in a form approved by the director. Upon presentation of such signed application for a license and the tendering of the license fee established by the department pursuant to subsection (3) of this section, the department shall issue the license to the applicant. The license shall expire on June 30 next following the date of issuance or on such date as may be specified by department rule.

(3) The department shall establish annual license fees, not to exceed [~~\$40~~] **\$75** for a retailer's license and not to exceed [~~\$400~~] **\$750** for a wholesaler's license. Only one license shall be required for one person's operation at one location.

Passed by Senate May 19, 2011

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 1, 2011

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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Kate Brown, Secretary of State