

SENATE AMENDMENTS TO SENATE BILL 633

By COMMITTEE ON RURAL COMMUNITIES AND ECONOMIC DEVELOPMENT

April 25

1 On page 1 of the printed bill, delete lines 4 through 30 and delete page 2 and insert:

2 **“SECTION 1. Sections 2 and 3 of this 2013 Act are added to and made a part of ORS**
3 **633.511 to 633.750.**

4 **“SECTION 2. (1) As used in this section, ‘nursery seed’ means any propagant of nursery**
5 **stock as defined in ORS 571.005.**

6 **“(2) The Legislative Assembly finds and declares that:**

7 **“(a) The production and use of agricultural seed, flower seed, nursery seed and vegetable**
8 **seed and products of agricultural seed, flower seed, nursery seed and vegetable seed are of**
9 **substantial economic benefit to this state;**

10 **“(b) The economic benefits resulting from agricultural seed, flower seed, nursery seed**
11 **and vegetable seed and seed product industries in this state make the protection, preserva-**
12 **tion and promotion of those industries a matter of statewide interest that warrants reserv-**
13 **ing exclusive regulatory power over agricultural seed, flower seed, nursery seed and**
14 **vegetable seed and products of agricultural seed, flower seed, nursery seed and vegetable**
15 **seed to the state; and**

16 **“(c) The agricultural seed, flower seed, nursery seed and vegetable seed and seed product**
17 **industries in this state will be adversely affected if those industries are subject to a**
18 **patchwork of local regulations.**

19 **“SECTION 3. (1) As used in this section:**

20 **“(a) ‘Local government’ has the meaning given that term in ORS 174.116.**

21 **“(b) ‘Nursery seed’ means any propagant of nursery stock as defined in ORS 571.005.**

22 **“(2) Except as provided in subsection (3) of this section, a local government may not**
23 **enact or enforce a local law or measure, including but not limited to, an ordinance, regu-**
24 **lation, control area or quarantine, to inhibit or prevent the production or use of agricultural**
25 **seed, flower seed, nursery seed or vegetable seed or products of agricultural seed, flower**
26 **seed, nursery seed or vegetable seed. The prohibition imposed by this subsection includes,**
27 **but is not limited to, any local laws or measures for regulating the display, distribution,**
28 **growing, harvesting, labeling, marketing, mixing, notification of use, planting, possession,**
29 **processing, registration, storage, transportation or use of agricultural seed, flower seed,**
30 **nursery seed or vegetable seed or products of agricultural seed, flower seed, nursery seed**
31 **or vegetable seed.**

32 **“(3) Subsection (2) of this section does not prohibit a local government from enacting or**
33 **enforcing a local law or measure to inhibit or prevent the production or use of agricultural**
34 **seed, flower seed, nursery seed or vegetable seed or products of agricultural seed, flower**
35 **seed, nursery seed or vegetable seed on property owned by the local government.”.**

