

**PROPOSED AMENDMENTS TO
SENATE BILL 633**

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

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

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

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

8 **“(a) The production and use of agricultural seed, flower seed,**
9 **nursery seed and vegetable seed and products of agricultural seed,**
10 **flower seed, nursery seed and vegetable seed are of substantial eco-**
11 **nomical benefit to this state;**

12 **“(b) The economic benefits resulting from agricultural seed, flower**
13 **seed, nursery seed and vegetable seed and seed product industries in**
14 **this state make the protection, preservation and promotion of those**
15 **industries a matter of statewide interest that warrants reserving ex-**
16 **clusive regulatory power over agricultural seed, flower seed, nursery**
17 **seed and vegetable seed and products of agricultural seed, flower seed,**
18 **nursery seed and vegetable seed to the state; and**

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

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

1 “(a) ‘Local government’ has the meaning given that term in ORS
2 174.116.

3 “(b) ‘Nursery seed’ means any propagant of nursery stock as de-
4 fined in ORS 571.005.

5 “(2) Except as provided in subsection (3) of this section, a local
6 government may not enact or enforce a local law or measure, includ-
7 ing but not limited to, an ordinance, regulation, control area or
8 quarantine, to inhibit or prevent the production or use of agricultural
9 seed, flower seed, nursery seed or vegetable seed or products of agri-
10 cultural seed, flower seed, nursery seed or vegetable seed. The prohi-
11 bition imposed by this subsection includes, but is not limited to, any
12 local laws or measures for regulating the display, distribution, grow-
13 ing, harvesting, labeling, marketing, mixing, notification of use,
14 planting, possession, processing, registration, storage, transportation
15 or use of agricultural seed, flower seed, nursery seed or vegetable seed
16 or products of agricultural seed, flower seed, nursery seed or vegetable
17 seed.

18 “(3) Subsection (2) of this section does not prohibit a local govern-
19 ment from enacting or enforcing a local law or measure to inhibit or
20 prevent the production or use of agricultural seed, flower seed, nurs-
21 ery seed or vegetable seed or products of agricultural seed, flower seed,
22 nursery seed or vegetable seed on property owned by the local gov-
23 ernment.”.

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