Florida Senate - 2001

By the Committees on Appropriations; Agriculture and Consumer Services; and Senators Geller and Dawson

	309-1817-01
1	A bill to be entitled
2	An act relating to citrus canker compensation;
3	requiring the Department of Agriculture and
4	Consumer Services to administer a residential
5	citrus canker compensation program; providing
6	for sources of funds; providing for homeowners
7	to receive compensation for citrus trees
8	removed on or after a specified date as part of
9	a citrus canker eradication program; providing
10	eligibility criteria for receiving
11	compensation; specifying the amount of
12	compensation provided under the program,
13	subject to availability of funds; requiring
14	that the department notify homeowners of the
15	program and develop a dispute-resolution
16	process; providing an effective date.
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18	Be It Enacted by the Legislature of the State of Florida:
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20	Section 1. (1) The Department of Agriculture and
21	Consumer Services shall provide compensation to eligible
22	homeowners whose citrus trees have been removed under a citrus
23	canker eradication program. Funds to pay this compensation may
24	be derived from both state and federal matching sources, and
25	shall be specifically appropriated by law. Eligible homeowners
26	shall be compensated subject to the availability of
27	appropriated funds.
28	(2) To be eligible to receive compensation under the
29	program, a homeowner must:
30	(a) Be the homeowner of record on the effective date
31	of this act for residential property where one or more citrus
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1 trees have been removed as part of a citrus canker eradication 2 program; 3 (b) Have had one or more citrus trees removed from the 4 property by a tree-cutting contractor as part of a citrus 5 canker eradication program on or after January 1, 1995; and б (c) Have received no commercial compensation and is 7 not eligible to receive commercial compensation from the 8 United States Department of Agriculture for citrus trees 9 removed as part of a citrus canker eradication program. 10 (3) The amount of compensation for each tree removed 11 from residential property by the citrus canker eradication program shall be \$100 per tree. If the homeowner's property is 12 eligible for a Shade Dade or a Shade Florida Card, the 13 homeowner may not receive compensation under this section for 14 the first citrus tree removed from the property as part of a 15 citrus canker eradication program. 16 17 (4) The specification of a per-tree amount paid for the residential citrus canker compensation program does not 18 19 limit the amount of any other compensation that may be paid by another entity or pursuant to court order for the removal of 20 citrus trees as part of a citrus canker eradication program. 21 Of the funds appropriated to the department under 22 (5) this section, the department may use up to \$500,000 to 23 administer the residential citrus canker compensation program. 24 25 Specifically, the department shall: Take reasonable steps to identify and notify 26 (a) 27 owners of citrus trees removed as part of a citrus canker 28 eradication program of the availability of the compensation 29 program. 30 (b) Notify homeowners of the manner in which the owner 31 may request funding.

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1 (c) Develop a compensation request form and make it 2 available to eligible homeowners. 3 (d) Develop a process to resolve disputes relating to 4 compensation. The department's decision is final and is not 5 subject to chapter 120, Florida Statutes. б Section 2. This act shall take effect upon becoming a 7 law. 8 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR 9 10 CS for SB 170 11 Removes the specific appropriation of funds from the General Revenue Fund and the Florida Citrus Advertising Trust Fund 12 13 for the citrus canker compensation program. Defines eligible homeowners as those homeowners of record as of the effective date of the bill who have had citrus trees removed from their property since January 1, 1995 and are not eligible for commercial compensation from the United States Department of Agriculture. 14 15 16 Prohibits compensation for the first citrus tree cut for those homeowners who are eligible for a Shade Dade or Shade Florida 17 18 Card. Directs the Department of Agriculture and Consumer Services to identify and notify eligible homeowners of the program, develop forms and procedures for application for compensation and to resolve disputes. The department may use up to \$500,000 from the funds appropriated to the program for administrative 19 20 21 costs. 22 23 24 25 26 27 28 29 30 31 3

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