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26 | documenting the toxicity of arsenic exposure when arsenic is
27 | used to treat wood, and

28 | WHEREAS, employees at the Fairfax Street Wood Treaters site
29 | were injured by excessive, persistent, and prolonged exposure to
30 | toxic levels of arsenic while performing their work duties, and

31 | WHEREAS, a catastrophic failure of the State of Florida to
32 | enforce measures designed to protect employees from toxic
33 | substances in the workplace resulted in the employees' exposure
34 | to arsenic, and

35 | WHEREAS, over the course of its operating life, Wood
36 | Treaters, LLC treated thousands of wood products, employed
37 | hundreds of individuals at the Fairfax Street Wood Treaters
38 | location, and was known to government regulators due to its
39 | reckless and grossly negligent use and mismanagement of arsenic,
40 | and

41 | WHEREAS, the Department of Environmental Protection, the
42 | Department of Financial Services, and the Department of Health
43 | ignored the hazardous conditions that employees at the Fairfax
44 | Street Wood Treaters site were working in, which were
45 | exacerbated by employees receiving no training, protective gear,
46 | or warnings and no guidance alerting them to the risks posed to
47 | their health and safety by exposure to arsenic, and

48 | WHEREAS, the State of Florida recognizes an equitable
49 | obligation to redress the injuries and damages employees
50 | sustained from exposures to arsenic as a result of the

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51 catastrophic failure of the Department of Environmental
52 Protection, the Department of Financial Services, and the
53 Department of Health to exercise their duties, NOW, THEREFORE,
54

55 Be It Enacted by the Legislature of the State of Florida:
56

57 Section 1. The facts stated in the preamble to this act
58 are found and declared to be true.

59 Section 2. The Department of Health is directed to
60 collaborate with the National Institute for Occupational Safety
61 and Health to develop accurate and reliable data on the exposure
62 levels and the duration and frequency of exposures to arsenic
63 for all former employees of Wood Treaters, LLC who worked at the
64 Fairfax Street Wood Treaters site, so as to ascertain the risks
65 to their health posed by such exposure.

66 Section 3. The sum of \$10 million is appropriated from the
67 General Revenue Fund to the Office of the Attorney General for
68 the relief of former employees of Wood Treaters, LLC who
69 demonstrate personal injuries and damages resulting from
70 excessive, persistent, and prolonged exposure to arsenic as a
71 result of the work environment at the Fairfax Street Wood
72 Treaters site, and who demonstrate that such injuries and
73 damages were sustained as a result of the failure of state
74 agencies to exercise their statutory duties to control the
75 unlawful release of arsenic. The Attorney General shall

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76 compensate each eligible former employee in the amount of
77 \$100,000.

78 Section 4. The amount awarded under this act is intended
79 to provide the sole compensation for all present and future
80 claims arising out of the factual situation described in this
81 act which resulted in injuries and damages to former employees
82 of Wood Treaters, LLC. The total amount paid for attorney fees
83 relating to this claim may not exceed 25 percent of the amount
84 awarded under this act.

85 Section 5. This act shall take effect upon becoming a law.