

dhs-21

Bill No. CS/HB 1855

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Lacasa offered the following:

Amendment (with title amendment)

On page 44, between lines 19 and 20, of the bill

insert:

Section 16. Section 581.1841, Florida Statutes, is created to read:

581.1841 Emergency procedures for citrus canker removal in residential properties.--

(1) To carry out its duties with respect to emergency responses to citrus canker when such activities involve entry onto private residential properties in an urban area to achieve detection and elimination of host plants, or other regulated articles, infected or suspected of harboring citrus canker bacteria, the department shall:

(a) Develop and provide a system for dissemination of information to the public concerning bacterial citrus canker and the methods used for its eradication or control. The information disseminated must specify the characteristics of the disease, the products and procedures to be used, any

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1 expected effects on the human population and the environment
2 in the area in which the program is to be carried out, and any
3 recommended safety precautions as well as any alternative
4 methods of responding to the disease.

5 (b) Use products that comply with all applicable state
6 and federal laws and rules.

7 (c) Ensure that its emergency procedures for citrus
8 canker removal in residential properties are reviewed and
9 approved by scientific experts selected by the department and
10 found to be biologically sound and in compliance with the
11 National Plant Board Principles of Plant Quarantine.

12 (2) The department shall give notice in writing to
13 each property owner, or his or her authorized representative,
14 not less than 3 days prior to entering the property for the
15 purpose of surveying for bacterial citrus canker. The notice
16 must be in the form of a written statement outlining the
17 purpose of the survey and the potential results of the survey.
18 In addition, the department shall post a sign centrally
19 located in each neighborhood where a citrus canker survey is
20 being conducted. The sign shall state in bold lettering
21 "CITRUS CANKER SURVEY IN PROGRESS."

22 (3) If after the survey is completed the department
23 suspects that citrus canker is present, a department plant
24 pathologist must inspect the suspect property and conduct a
25 visual diagnosis. Upon determination of a citrus canker
26 positive or exposed host tree, the department shall notify the
27 property owners or their authorized representatives, in
28 writing, of the action to be taken. Such notice must be in the
29 form of an immediate final order and must be delivered to the
30 property owner within 30 working days after diagnosis. The
31 property owner must be given 5 working days from the delivery

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1 of the immediate final order to review it. Delivery must be in
 2 the form of personal delivery or by certified mail. If the
 3 owner refuses delivery or fails to pick up the certified mail,
 4 the notice shall be posted on the affected property. The
 5 department shall implement its order to remove
 6 citrus-canker-affected host plants, and other articles, after
 7 10 working days from the date of the delivery of the order or
 8 sooner if the property owner signs a waiver agreeing to such
 9 action.

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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

On page 3, line 31, after the semicolon

insert:

creating s. 581.1841, F.S.; requiring the
 Department of Agriculture and Consumer Services
 to establish emergency procedures for citrus
 canker removal in residential areas;