SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

CS/SB 1244			
Agriculture and Consumer Services Committee and Senator Geller			
Citrus Canker Com	pensation Trust Fund		
March 22, 2001	REVISED:		
NALYST	STAFF DIRECTOR	REFERENCE	ACTION
	Poole	AG AGG AP	Favorable/CS
	Agriculture and Co Citrus Canker Com March 22, 2001	Agriculture and Consumer Services Committee Citrus Canker Compensation Trust Fund March 22, 2001 REVISED: NALYST STAFF DIRECTOR	Agriculture and Consumer Services Committee and Senator Gelle Citrus Canker Compensation Trust Fund March 22, 2001 REVISED: NALYST STAFF DIRECTOR REFERENCE Poole AG AGG

I. Summary:

This bill creates the Citrus Canker Compensation Trust Fund within the Department of Agriculture and Consumer Services. As required by s. 19(f), Art. III, State Constitution, a trust fund may only be created by a separate bill with a favorable three-fifths vote of the membership of each house of the Legislature. Separate legislation specifying a funding source for this trust fund is contained in Senate Bill 170. The purpose of the trust fund is to pay compensation to claimants for citrus trees destroyed as part of the Citrus Canker Eradication Program.

This bill creates an as yet unnumbered section of the Florida Statutes.

II. Present Situation:

Citrus canker is a bacterial disease of citrus that causes premature leaf and fruit drop. It is highly contagious and can be spread rapidly by windborne rain, equipment, animals and birds, people carrying infection on their hands or clothing, or by moving infected or exposed plants or plant parts. Citrus canker was discovered on residential properties in Broward, Miami-Dade, and Manatee counties in 1995, causing the Department of Agriculture and Consumer Services (department) to implement emergency procedures for citrus canker removal. Since that time, the Citrus Canker Eradication Program, organized and implemented through the department, has cut approximately 600,000 residential trees across South Florida.

Legislation passed in 1999 to authorize the department to establish the Shade Florida program. The program provides each resident, regardless of the number of trees destroyed on their property, with a \$100 voucher redeemable at Wal-Mart Garden Centers. The voucher may be used towards the purchase of any non-citrus trees, plants, or garden supplies, and is valid for one year from the date of purchase. This \$100 voucher program is not meant to be compensation. It

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is an effort to help residents restore some of the greenery to their communities and the department's way of thanking them for their sacrifices.

Separate legislation specifying a funding source for this trust fund is contained in Senate Bill 170. It appropriates \$40 million from the General Revenue Fund and \$10 million from the Florida Citrus Advertising Trust Fund to compensate owners \$100 for each tree removed.

III. Effect of Proposed Changes:

Section 1. Creates the Citrus Canker Compensation Trust Fund (trust fund) within the Department of Agriculture and Consumer Services. Specifies that funds credited to the trust fund shall consist of moneys specifically transferred or appropriated for transfer to the trust fund in the General Appropriations Act. Provides that it shall be used to compensate claimants for citrus trees destroyed on residential property as part of the state's eradication of citrus canker, for administering the compensation program, or as otherwise provided for in the General Appropriations Act. Requires any balance at the end of any fiscal year to remain in the trust fund to be available for carrying out the purposes of the trust fund. Provides for future review of the trust fund. Provides a termination date of July 1, 2005, unless terminated sooner.

Section 2. Provides that this act shall take effect on the date that Senate Bill 170, relating to citrus canker compensation, or similar legislation takes effect, but it shall not take effect unless it is enacted by at least a three-fifths vote of the membership of each house of the Legislature.

IV. Constitutional Issues:

Α.	Municipality/County Mandates Restrictions:
	None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

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C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

None.