${\bf By}$ 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; requiring the Department of Agriculture and 3 4 Consumer Services to administer a residential 5 citrus canker compensation program; providing for sources of funds; providing for homeowners 6 7 to receive compensation for citrus trees removed on or after a specified date as part of 8 9 a citrus canker eradication program; providing eligibility criteria for receiving 10 compensation; specifying the amount of 11 12 compensation provided under the program, subject to availability of funds; requiring 13 that the department notify homeowners of the 14 program and develop a dispute-resolution 15 process; providing an effective date. 16 17 Be It Enacted by the Legislature of the State of Florida: 18 19 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 canker eradication program. Funds to pay this compensation may 23 be derived from both state and federal matching sources, and 24 25 shall be specifically appropriated by law. Eligible homeowners shall be compensated subject to the availability of 26 27 appropriated funds. 2.8 To be eligible to receive compensation under the 29 program, a homeowner must: 30 (a) Be the homeowner of record on the effective date

trees have been removed as part of a citrus canker eradication
program;

- (b) Have had one or more citrus trees removed from the property by a tree-cutting contractor as part of a citrus canker eradication program on or after January 1, 1995; and
- (c) Have received no commercial compensation and is not eligible to receive commercial compensation from the United States Department of Agriculture for citrus trees removed as part of a citrus canker eradication program.
- (3) The amount of compensation for each tree removed from residential property by the citrus canker eradication program shall be \$100 per tree. If the homeowner's property is eligible for a Shade Dade or a Shade Florida Card, the homeowner may not receive compensation under this section for the first citrus tree removed from the property as part of a citrus canker eradication program.
- (4) The specification of a per-tree amount paid for the residential citrus canker compensation program does not limit the amount of any other compensation that may be paid by another entity or pursuant to court order for the removal of citrus trees as part of a citrus canker eradication program.
- (5) Of the funds appropriated to the department under this section, the department may use up to \$500,000 to administer the residential citrus canker compensation program. Specifically, the department shall:
- (a) Take reasonable steps to identify and notify owners of citrus trees removed as part of a citrus canker eradication program of the availability of the compensation program.
- (b) Notify homeowners of the manner in which the owner may request funding.

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.
6	Section 2. This act shall take effect upon becoming a
7	law.
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9	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR CS for SB 170
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12	Removes the specific appropriation of funds from the General Revenue Fund and the Florida Citrus Advertising Trust Fund for the citrus canker compensation program.
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14	Defines eligible homeowners as those homeowners of record as
15	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.
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17	Prohibits compensation for the first citrus tree cut for those homeowners who are eligible for a Shade Dade or Shade Florida Card.
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19	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 costs.
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