

CONFERENCE COMMITTEE AMENDMENT

Bill No. HB 1853

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 The Conference Committee on HB 1853 offered the following:

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3 **Conference Committee Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Subsection (2) of section 581.184, Florida
6 Statutes, is amended to read:

7 581.184 Adoption of rules; citrus canker eradication;
8 voluntary destruction agreements.--

9 (2)~~(a)~~ The department shall remove and destroy all
10 infected citrus trees and all citrus trees exposed to infection.
11 Notice of the removal of such trees, by immediate final order,
12 shall ~~may~~ be provided to the owner of the property on which such
13 trees are located. An immediate final order issued by the
14 department pursuant to this section shall notify the property
15 owner that the citrus trees that are the subject of the
16 immediate final order will be removed and destroyed unless the

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17 property owner, no later than 10 days after delivery of the
18 immediate final order pursuant to subsection (3), requests and
19 obtains a stay of the immediate final order from the district
20 court of appeal with jurisdiction to review such requests. The
21 property owner shall not be required to seek a stay of the
22 immediate final order by the department prior to seeking the
23 stay from the district court of appeal.

24 ~~(b) Notwithstanding the provisions of paragraph (a), and~~
25 ~~for the 2003-2004 fiscal year only, notice of the removal of~~
26 ~~infected citrus trees and citrus trees exposed to infection, by~~
27 ~~immediate final order, shall be provided to the owner of the~~
28 ~~property on which such trees are located. This paragraph expires~~
29 ~~July 1, 2004.~~

30 Section 2. Subsections (2), (3), and (6) of section
31 581.1845, Florida Statutes, are amended to read:

32 581.1845 Citrus canker eradication; compensation to
33 homeowners whose trees have been removed.--

34 (2)(a) To be eligible to receive compensation under the
35 program, a homeowner must:

36 ~~(a)1.~~ Be the homeowner of record on the date the trees
37 were removed from the effective date of this act for residential
38 property ~~where one or more citrus trees have been removed as~~
39 part of a citrus canker eradication program;

40 ~~(b)2.~~ Have had one or more citrus trees removed from the
41 property by a tree-cutting contractor as part of a citrus canker
42 eradication program on or after January 1, 1995; and

43 ~~(c)3.~~ Have received no commercial compensation and is not
44 eligible to receive commercial compensation from the United

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45 States Department of Agriculture for citrus trees removed as
46 part of a citrus canker eradication program.

47 ~~(b) Notwithstanding subparagraph (a)1., and for~~
48 ~~compensation during the 2003-2004 fiscal year only, to be~~
49 ~~eligible to receive compensation under the program for~~
50 ~~residential property where one or more citrus trees have been~~
51 ~~removed on or after July 1, 2001, as part of a citrus canker~~
52 ~~eradication program, a homeowner must be the homeowner of record~~
53 ~~on the date the trees were removed. This paragraph expires July~~
54 ~~1, 2004.~~

55 (3) The amount of compensation for each tree removed from
56 residential property by the citrus canker eradication program
57 shall be \$55 ~~\$100~~ per tree. If the homeowner's property is
58 eligible for a Shade Dade or a Shade Florida Card, the homeowner
59 may not receive compensation under this section for the first
60 citrus tree removed from the property as part of a citrus canker
61 eradication program.

62 ~~(6) For the 2003-2004 fiscal year only, and~~
63 ~~notwithstanding the \$100 compensation amount specified in~~
64 ~~subsection (3), the amount of compensation for each tree removed~~
65 ~~from residential property by the citrus canker eradication~~
66 ~~program shall be \$55. This subsection expires July 1, 2004.~~

67 Section 3. This act shall take effect July 1, 2004.

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

71 Remove the entire title and insert:

72 A bill to be entitled

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73 | An act relating to citrus canker; amending s. 581.184,
74 | F.S.; requiring the Department of Agriculture and Consumer
75 | Services to provide notice to property owners of the
76 | removal of citrus trees infected with or exposed to citrus
77 | canker; amending s. 581.1845, F.S.; revising eligibility
78 | for compensation and the compensation amount for citrus
79 | trees removed through a citrus canker eradication program;
80 | providing an effective date.

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