



638388

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/11/2016	.	
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The Committee on Agriculture (Galvano) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 553 and 554  
insert:

Section 21. Effective upon becoming a law, section 581.189, Florida Statutes, is created to read:

581.189 Grove Removal or Vector Elimination (GROVE) Program.—

(1) There is created within the Department of Agriculture and Consumer Services the Grove Removal or Vector Elimination



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11 Program, a cost-sharing program for the removal or destruction  
12 of abandoned citrus groves to eliminate the material harboring  
13 the citrus disease Huanglongbing, also known as citrus greening,  
14 and the vectors that spread the disease.

15 (2) For purposes of this section, the term:

16 (a) "Abandoned citrus grove" means a citrus grove that has  
17 minimal or no production value and is no longer economically  
18 viable as a commercial citrus grove.

19 (b) "Applicant" means the person who owns an abandoned  
20 citrus grove.

21 (c) "Eligible costs" means the costs, incurred after an  
22 application is selected for funding, of the removal or  
23 destruction the citrus trees and the elimination of any citrus  
24 greening vectors, as described in the removal or destruction  
25 plan in the funded application.

26 (d) "Funded application" means an application selected for  
27 cost-share funding pursuant to this section and rules adopted by  
28 the department.

29 (e) "Program" means the Grove Removal or Vector Elimination  
30 Program.

31 (3) The department shall adopt by rule the standards to be  
32 used in reviewing and ranking applications for cost-share  
33 funding under the program based on the following factors:

34 (a) The length of time the citrus groves have been  
35 abandoned.

36 (b) Whether the citrus groves are located within a Citrus  
37 Health Management Area.

38 (c) The proximity of the abandoned citrus groves to other  
39 citrus groves currently in production.



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40           (4) An applicant may submit multiple applications for the  
41 program, but is eligible only for a maximum of \$125,000 in  
42 program cost-share funding in a given fiscal year. The  
43 department may award to each funded application a cost-share of  
44 up to 80 percent of eligible costs. The total amount of cost-  
45 share allocated under the program in each fiscal year may not  
46 exceed the amount specifically appropriated for the program for  
47 the fiscal year.

48           (5) An applicant seeking cost-share assistance under the  
49 program must submit an application to the department by a date  
50 determined by department rule. The application must include, at  
51 minimum:

52           (a) The applicant's plan to remove or destroy citrus trees  
53 and any citrus greening vectors in the abandoned citrus grove.

54           (b) An affidavit from the applicant certifying that all  
55 information contained in the application is true and correct.

56           (c) All information determined by rule to be necessary for  
57 the department to determine eligibility for the program and rank  
58 applications.

59           (6) If the department determines an application to be  
60 incomplete, it may require the applicant to submit additional  
61 information within 10 days after such determination is made.

62           (7) Each fiscal year, the department shall review all  
63 complete applications received in accordance with its rules  
64 adopted pursuant to subsection (5). For each such complete  
65 submitted application, the department must rank the applications  
66 in accordance with the factors specified in subsection (3) and,  
67 before selecting an application for funding, must conduct an  
68 inspection of the abandoned citrus grove that is the subject of



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69 the application.

70 (8) The department may deny an application pursuant to  
71 chapter 120 for failure to comply with this section and  
72 department rules.

73 (9) If an application is selected for funding, the  
74 applicant must initiate and complete the removal or destruction  
75 of the citrus trees identified in the application within the  
76 timeframe specified by department rule. The applicant's failure  
77 to initiate and complete the removal or destruction of the  
78 identified citrus trees within the time specified by the  
79 department results in the forfeiture of the cost-share funding  
80 approved based on the application. Upon such occurrence, the  
81 department shall notify the next eligible applicant, based upon  
82 its ranking of applicants for the fiscal year, of the  
83 availability of cost-share funding. Such applicant, upon  
84 acceptance, may be awarded cost-share funding pursuant to this  
85 section, subject to available program funds.

86 (10) Upon completion of the removal or destruction of the  
87 citrus trees identified in the funded application, the applicant  
88 shall present proof of payment of removal or destruction costs  
89 to the department. Upon receipt of satisfactory proof of payment  
90 and satisfactory proof of the removal or destruction of the  
91 trees identified in the funded application, the department may  
92 issue payment to the applicant for the previously approved cost-  
93 share amount.

94 (11) The department may adopt rules to implement and  
95 administer this section, including an application process and  
96 requirements, an application ranking process that is consistent  
97 with the factors specified in subsection (3), and the



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98 administration of cost-share funding.

99 (12) The annual awarding of funding through the program is  
100 subject to specific legislative appropriation for this purpose.

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

102 And the title is amended as follows:

103 Delete line 64

104 and insert:

105 products; creating s. 581.189, F.S.; creating the  
106 Grove Removal or Vector Elimination (GROVE) Program;  
107 specifying the purpose of the program; defining terms;  
108 requiring the department to adopt rules for reviewing  
109 and ranking applications for cost-share funding to  
110 removal or destroy abandoned citrus groves;  
111 establishing per applicant award maximums; specifying  
112 that the total funds awarded in a fiscal year cannot  
113 exceed the amount specifically appropriated for the  
114 program; specifying application requirements;  
115 specifying how the department must process  
116 applications; specifying that noncompliance will  
117 result in forfeiture of cost-share funds; requiring  
118 the department to rank and review applications and to  
119 conduct a certain inspection; specifying grounds for  
120 denial of an application; requiring applicants  
121 selected for funding to timely initiate and complete  
122 the removal of identified citrus trees in accordance  
123 with their respective applications; providing the  
124 process for making payments to applicants; authorizing  
125 the department to adopt rules; specifying that funding  
126 for the program is contingent upon specific



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127        appropriation by the Legislature; amending s. 582.01,  
128        F.S.; redefining terms