

## CHAMBER ACTION

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1 The Fiscal Council recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5  
6 A bill to be entitled

7 An act relating to disaster preparedness response and  
8 recovery; creating s. 252.63, F.S.; creating the Florida  
9 Disaster Supplier Program Council under the Department of  
10 Community Affairs; requiring the council to make  
11 recommendations for a voluntary local program to be  
12 established as the Florida Disaster Supplier Program;  
13 providing membership and organization of the council;  
14 providing duties and responsibilities of the council;  
15 authorizing the council to recommend the assessment of an  
16 annual program membership fee; providing for certification  
17 of program participants; providing requirements with  
18 respect to collection and use of program membership fees;  
19 requiring the council to submit a report; providing for  
20 termination of the council; providing intended purposes of  
21 the program; providing that participation in the program  
22 shall be at the option of each county; providing for  
23 administration of the program by participating counties;

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24 | creating s. 526.143, F.S.; providing that each motor fuel  
25 | terminal facility and wholesaler that sells motor fuel in  
26 | the state must be capable of operating its distribution  
27 | loading racks using an alternate power source for a  
28 | specified period by a certain date; providing requirements  
29 | with respect to the operation of such equipment following  
30 | a major disaster; providing requirements with respect to  
31 | inspection of such equipment; requiring newly constructed  
32 | or substantially renovated motor fuel retail outlets to be  
33 | capable of operation using an alternate power source;  
34 | defining "substantially renovated"; providing inspection  
35 | requirements; requiring certain motor fuel retail outlets  
36 | located within a specified distance from an interstate  
37 | highway or state or federally designated evacuation route  
38 | to be capable of operation using an alternate power source  
39 | by a specified date; providing inspection and  
40 | recordkeeping requirements; providing applicability;  
41 | providing severability; creating s. 526.144, F.S.;  
42 | creating the Florida Disaster Motor Fuel Supplier Program  
43 | within the Department of Community Affairs; providing  
44 | purpose of the program; providing requirements for  
45 | participation in the program; providing that participation  
46 | in the program shall be at the option of each county;  
47 | providing for administration of the program; providing  
48 | requirements of businesses certified as State Emergency  
49 | Response Team members; providing for preemption to the  
50 | state of the regulation of and requirements for siting and  
51 | placement of an alternate power source and any related

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52 | equipment at motor fuel terminal facilities, wholesalers,  
53 | and retail sales outlets; providing for review of the  
54 | program; providing a report; amending s. 553.509, F.S.,  
55 | relating to requirements with respect to vertical  
56 | accessibility under pt. II of ch. 553, F.S., the "Florida  
57 | Americans With Disabilities Accessibility Implementation  
58 | Act"; requiring specified existing and newly constructed  
59 | residential multifamily dwellings to have at least one  
60 | public elevator that is capable of operating on an  
61 | alternate power source for emergency purposes; providing  
62 | requirements with respect to the alternate power source;  
63 | providing for verification of compliance by specified  
64 | dates; providing requirements with respect to emergency  
65 | operations plans and inspection records; requiring any  
66 | person, firm, or corporation that owns or operates  
67 | specified multistory affordable residential dwellings to  
68 | attempt to obtain grant funding to comply with the act;  
69 | requiring an owner or operator of such a dwelling to  
70 | develop an evacuation plan in the absence of compliance  
71 | with the act; providing additional inspection requirements  
72 | under ch. 399, F.S., the "Elevator Safety Act"; amending  
73 | s. 252.35, F.S.; expanding the duty of the Division of  
74 | Emergency Management to conduct a public educational  
75 | campaign on emergency preparedness issues; providing an  
76 | additional duty of the division with respect to  
77 | educational outreach concerning disaster preparedness;  
78 | providing legislative findings with respect to minimum  
79 | criteria for county emergency operations centers;

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80 specifying criteria for county emergency operations  
 81 centers; providing priority and restrictions for funding;  
 82 providing an appropriation to the Department of Community  
 83 Affairs to establish a competitive award process;  
 84 providing legislative findings with respect to improved  
 85 logistical staging and warehouse capacity for commodities;  
 86 providing uses of appropriated funds; providing an  
 87 appropriation to the Department of Community Affairs for  
 88 logistical improvements and technology; providing  
 89 legislative findings with respect to hurricane evacuation  
 90 recommendations; providing for use of appropriated funds;  
 91 providing an appropriation to the Department of Community  
 92 Affairs to update regional hurricane evacuation plans;  
 93 providing an appropriation to the Department of Community  
 94 Affairs for the Florida Disaster Supplier Program Council;  
 95 providing an appropriation to the Department of Community  
 96 Affairs for the Division of Emergency Management's public  
 97 awareness campaign; providing an effective date.

98  
 99 Be It Enacted by the Legislature of the State of Florida:

100  
 101 Section 1. Section 252.63, Florida Statutes, is created to  
 102 read:

103 252.63 Florida Disaster Supplier Program Council; Florida  
 104 Disaster Supplier Program.--

105 (1) FLORIDA DISASTER SUPPLIER PROGRAM COUNCIL.--

106 (a) The Florida Disaster Supplier Program Council is  
 107 created under the Department of Community Affairs. The council

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108 | shall make recommendations for a voluntary local program to be  
109 | established as the Florida Disaster Supplier Program. The  
110 | council shall make recommendations for the effective and  
111 | efficient administration of the Florida Disaster Supplier  
112 | Program.

113 | (b)1. The council shall consist of seven members,  
114 | comprised of the county emergency management directors from each  
115 | of the seven emergency response regions of the Division of  
116 | Emergency Management as designated by the Florida Emergency  
117 | Preparedness Association.

118 | 2. The members of the council shall elect a chair and a  
119 | vice chair from among their membership. The chair shall preside  
120 | at all meetings of the council.

121 | 3. The council shall meet at the call of the chair or at  
122 | the request of a majority of its membership.

123 | 4. Members shall serve for the duration of the existence  
124 | of the council. A vacancy on the council shall be filled by the  
125 | chair according to the original membership stipulations until  
126 | the council is terminated.

127 | 5. Members of the council shall serve without  
128 | compensation, but shall be entitled to per diem and travel  
129 | expenses as provided in s. 112.061 while engaged in the  
130 | performance of their official duties.

131 | (c) Duties and responsibilities of the council shall  
132 | include, but not be limited to, recommending to the division:

133 | 1. State disaster preparedness criteria necessary for  
134 | implementation of the Florida Disaster Supplier Program.

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135        2. The most effective means of providing access to  
136 businesses participating in the program in order to facilitate  
137 the operation, supply, and staffing of such businesses, as  
138 feasible, under emergency conditions.

139        3. A statewide system of certification for disaster  
140 suppliers in the following categories:

141            a. Pharmaceutical.

142            b. Food and water.

143            c. Building supplies.

144            d. Ice.

145            e. Other categories as deemed necessary by the council.

146        4. If deemed necessary by the council, the assessment of  
147 an annual program membership fee for businesses voluntarily  
148 seeking to obtain certification as a state disaster supplier  
149 under the established program guidelines. The determination of  
150 the necessity of assessing an annual program membership fee  
151 shall include county surveys and input from business, industry,  
152 and state agencies. Any recommendation with respect to the  
153 assessment of program fees shall be contained in the report  
154 required under subsection (5).

155        5. A State Emergency Response Team logo that bears the  
156 name of the State of Florida and the type of supplies being  
157 provided by the supplier for display by businesses participating  
158 in the program.

159            (2) FLORIDA DISASTER SUPPLIER PROGRAM.--

160            (a) The Florida Disaster Supplier Program Council shall  
161 make recommendations for a voluntary local program to be

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162 established as the Florida Disaster Supplier Program. The  
163 intended purposes of the program are:

164 1. To provide statewide oversight of the availability and  
165 provision of necessary supplies prior to, during, and following  
166 a state of emergency or natural or manmade disaster or  
167 catastrophe.

168 2. To assist in the rapid recovery of an area affected by  
169 a natural or manmade disaster or catastrophe and to immediately  
170 stimulate the postdisaster recovery of local economies.

171 3. To provide the public with alternative access to  
172 certain commodities as recommended by the Florida Disaster  
173 Supplier Program Council.

174 (b) Participation in the Florida Disaster Supplier Program  
175 shall be at the option of each county governing body. Each  
176 county choosing to participate in the program shall be  
177 responsible for administering the program within that county.  
178 Guidelines and administration standards for participating  
179 counties shall be recommended by the Florida Disaster Supplier  
180 Program Council.

181 (c) The Florida Disaster Supplier Program shall allow  
182 businesses in counties that choose not to participate in the  
183 program to voluntarily participate in the program and provide  
184 for the sale of emergency-use supplies and services before,  
185 during, and following an emergency or natural or manmade  
186 disaster or catastrophe under the conditions set forth in this  
187 section.

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188        (d) The Florida Disaster Supplier Program shall be  
189        designed to in no way interfere with normal and ongoing commerce  
190        occurring in any political subdivision of the state.

191        (3) PROGRAM CERTIFICATION.--Upon the recommendation of the  
192        council, certification of a business requesting to participate  
193        in the program shall be conducted through county emergency  
194        management agencies or designees as prescribed by the county's  
195        elected governing body. Participating counties shall use  
196        certification standards developed by the council.

197        (4) COLLECTION AND USE OF PROGRAM MEMBERSHIP FEES.--If an  
198        annual program membership fee is assessed as provided in  
199        subparagraph (1)(c)4., the methods for collecting such fee shall  
200        be determined by the council. Program membership fees collected  
201        shall be used in whole or in part to recover the administrative  
202        costs of the program and as may be recommended by the council.  
203        Program membership fees shall be used by the participating  
204        counties and state agencies as may be determined by the  
205        recommendations of the council and as provided by law.

206        (5) REPORT.--The council shall submit a report on the  
207        development and implementation of the Florida Disaster Supplier  
208        Program to the Governor, the Speaker of the House of  
209        Representatives, and the President of the Senate no later than  
210        February 1, 2007. The report shall include recommendations for  
211        any needed legislation and program fees and an analysis of the  
212        program's effect on the provision of supplies within the state  
213        during a state of emergency or natural or manmade disaster or  
214        catastrophe.

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215 (6) TERMINATION.--The council shall terminate on July 1,  
216 2008.

217 Section 2. Section 526.143, Florida Statutes, is created  
218 to read:

219 526.143 Alternate means of power generation for motor fuel  
220 dispensing facilities.--

221 (1) No later than December 31, 2006, each motor fuel  
222 terminal facility, as defined in s. 526.303(16), and wholesaler,  
223 as defined in s. 526.303(17), that sells motor fuel in this  
224 state must be capable of operating its distribution loading  
225 racks using an alternate power source for a minimum of 72 hours.  
226 Pending a postdisaster examination of the equipment by the  
227 operator to determine any extenuating damage that would render  
228 it inoperable or unsafe to use, the facility must have such  
229 alternate power source available for operation no later than 36  
230 hours after a major disaster, as defined in s. 252.34. Initial  
231 inspection for proper installation and operation shall be  
232 completed by a local building inspector, and verification of the  
233 inspection must be submitted to the local county emergency  
234 management agency. Inspectors from the Department of Agriculture  
235 and Consumer Services shall perform a periodic visual inspection  
236 of the alternate power source to ensure that the emergency  
237 auxiliary electrical equipment is installed. Each facility shall  
238 perform annual inspections to ensure that the emergency  
239 auxiliary electrical generators are in good working order and  
240 show proof of those inspections in order to be deemed in  
241 compliance with and to participate in the fuel supplier program.

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242        (2) Each newly constructed or substantially renovated  
243 motor fuel retail outlet, as defined in s. 526.303(14), for  
244 which a certificate of occupancy is issued on or after July 1,  
245 2006, must be prewired with an appropriate transfer switch and  
246 be capable of operating all fuel pumps, dispensing equipment,  
247 life-safety systems, and payment acceptance equipment using an  
248 alternate power source. As used in this subsection, the term  
249 "substantially renovated" means a renovation that results in an  
250 increase of greater than 50 percent in the assessed value of the  
251 motor fuel retail outlet. Local building inspectors shall  
252 include an equipment and operations check for compliance with  
253 this subsection in the normal inspection process before issuing  
254 a certificate of occupancy. A copy of the certificate of  
255 occupancy shall be provided to the county emergency management  
256 agency upon issuance of such certificate. Each facility shall  
257 perform periodic inspections to ensure that the installed  
258 transfer switch and emergency auxiliary electrical generators  
259 are in good working order and provide proof of those inspections  
260 to the county emergency management agency in order to be in  
261 compliance with and to participate in the Florida Disaster Motor  
262 Fuel Supplier Program under s. 526.144.

263        (3) (a) No later than December 31, 2006, each motor fuel  
264 retail outlet described in subparagraph 1., subparagraph 2., or  
265 subparagraph 3. that is located within 1/2 mile of an interstate  
266 highway or state or federally designated evacuation route must  
267 be prewired with an appropriate transfer switch and be capable  
268 of operating all fuel pumps, dispensing equipment, life-safety

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269 systems, and payment-acceptance equipment using an alternate  
270 power source:

271 1. A motor fuel retail outlet located in a county having a  
272 population of 300,000 or more which has 16 or more fueling  
273 positions.

274 2. A motor fuel retail outlet located in a county having a  
275 population of 100,000 or more, but fewer than 300,000, which has  
276 12 or more fueling positions.

277 3. A motor fuel retail outlet located in a county having a  
278 population of fewer than 100,000 which has eight or more fueling  
279 positions.

280 (b) Installation of the wiring and transfer switch shall  
281 be performed by a certified electrical contractor. Each retail  
282 outlet subject to this subsection must keep a copy of the  
283 documentation of such installation on site or at its corporate  
284 headquarters. In addition, each retail outlet must keep a  
285 written record that confirms the periodic testing and ensured  
286 operational capacity of the equipment. The required documents  
287 must be made available upon request to the Division of Emergency  
288 Management and the county emergency management agency.

289 (4) (a) Subsections (2) and (3) apply to any self-service,  
290 full-service, or combination self-service and full-service motor  
291 fuel outlet regardless of whether the business is located on the  
292 grounds of, or is owned by, another retail business  
293 establishment that does not engage in the business of selling  
294 motor fuel.

295 (b) Subsections (2) and (3) do not apply to:

296 1. An automobile dealer;

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- 297        2. A person who operates a fleet of motor vehicles; or  
 298        3. A person who sells motor fuel exclusively to a fleet of  
 299 motor vehicles.

300        (5) If any provision of this section or its application to  
 301 any person or circumstance is held invalid, the invalidity does  
 302 not affect other provisions or applications of the section which  
 303 can be given effect without the invalid provision or  
 304 application, and to this end the provisions of this section are  
 305 declared severable.

306        Section 3. Section 526.144, Florida Statutes, is created  
 307 to read:

308        526.144 Florida Disaster Motor Fuel Supplier Program.--

309        (1) (a) There is created the Florida Disaster Motor Fuel  
 310 Supplier Program within the Department of Community Affairs. The  
 311 Florida Disaster Motor Fuel Supplier Program shall allow any  
 312 retail motor fuel outlet doing business in the state to  
 313 participate in a network of emergency responders to provide fuel  
 314 supplies and services to government agencies, medical  
 315 institutions and facilities, critical infrastructure, and other  
 316 responders, as well as the general public, before, during, and  
 317 after a declared disaster as described in s. 252.36(2).

318        (b) Participation in the Florida Disaster Motor Fuel  
 319 Supplier Program shall be at the option of each county governing  
 320 body. In counties choosing to participate in the program, the  
 321 local county emergency management agency shall be primarily  
 322 responsible for administering the program within that county. In  
 323 counties that do not choose to participate in the program, the  
 324 Division of Emergency Management shall have the authority to

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325 certify businesses as members of the State Emergency Response  
326 Team and issue appropriate signage. Guidelines and  
327 administration standards for participating counties shall be  
328 recommended by the Division of Emergency Management and the  
329 county emergency management agency.

330 (c) Participation in the program shall require  
331 certification by the Division of Emergency Management or the  
332 county emergency management agency of a retail motor fuel  
333 outlet's preparedness to provide emergency services.  
334 Requirements for certification shall be established by the  
335 Division of Emergency Management or the county emergency  
336 management agency no later than July 1, 2007. Businesses that  
337 are certified shall be issued a State Emergency Response Team  
338 logo for public display to alert emergency responders and the  
339 public that the business is capable of assisting in an  
340 emergency.

341 (2) At a minimum, businesses that are certified as State  
342 Emergency Response Team members must have the onsite capability  
343 to provide fuel dispensing services to other State Emergency  
344 Response Team members within 36 hours after a major disaster has  
345 occurred, or demonstrate the ability to have such service  
346 available, and agree to make such service available as needed.  
347 Businesses may choose to sell motor fuel through a preexisting  
348 contract with local, state, and federal response agencies or may  
349 provide point-of-sale service to such agencies. In addition,  
350 businesses may choose to sell motor fuel to the general public  
351 or may be directed by county or state emergency management  
352 officials to provide such service pursuant to ss. 252.35 and

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353 | 252.38. If requested, appropriate law enforcement security may  
354 | be provided to the participating business for the purpose of  
355 | maintaining civil order during operating hours.

356 | (3) Persons who are designated as State Emergency Response  
357 | Team members and who can produce appropriate identification, as  
358 | determined by state or county emergency management officials,  
359 | shall be given priority for the purchase of motor fuel at  
360 | businesses designated as State Emergency Response Team members.  
361 | Businesses may be directed by county or state emergency  
362 | management officials to remain open for specified periods during  
363 | a declared curfew to provide service for emergency management  
364 | personnel. Under such direction, a business shall not be in  
365 | violation of the curfew and shall not be penalized for such  
366 | operation, nor shall emergency management personnel be in  
367 | violation of such curfew. Persons traveling during periods of a  
368 | declared curfew shall be required to produce valid official  
369 | documentation of their position as a State Emergency Response  
370 | Team member or local emergency response agency staff member or  
371 | official. Such documentation may include, but is not limited to,  
372 | a current State Emergency Response Team identification badge,  
373 | current law enforcement agency identification or shield or the  
374 | identification or shield of another emergency response agency,  
375 | current health care employee identification card, or current  
376 | government services identification card indicating a critical  
377 | services position, as applicable.

378 | (4) A retail motor fuel outlet that is designated as State  
379 | Emergency Response Team member may request priority  
380 | consideration with respect to the resupply of motor fuel in

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381 order to continue to provide fuel and necessary services to  
382 emergency responders. Such request is not binding but shall be  
383 considered by emergency management agencies in determining  
384 appropriate disaster response protocol.

385 (5) Notwithstanding any other law or local ordinance, to  
386 ensure an appropriate emergency management response to major  
387 disasters in the state, the regulation of and requirements for  
388 the siting and placement of an alternate power source and any  
389 related equipment at motor fuel terminal facilities,  
390 wholesalers, and retail sales outlets shall be exclusively  
391 controlled by the state.

392 (6) The Florida Energy Office of the Department of  
393 Environmental Protection shall review progress in postdisaster  
394 motor fuel supply distribution and provide a report to the  
395 Speaker of the House of Representatives and the President of the  
396 Senate by March 1, 2007. The report shall include information on  
397 statewide compliance with s. 526.143 and identification of all  
398 retail motor fuel outlets that are participating in the Florida  
399 Disaster Motor Fuel Supplier Program.

400 Section 4. Section 553.509, Florida Statutes, is amended  
401 to read:

402 553.509 Vertical accessibility.--Nothing in sections  
403 553.501-553.513 or the guidelines shall be construed to relieve  
404 the owner of any building, structure, or facility governed by  
405 those sections from the duty to provide vertical accessibility  
406 to all levels above and below the occupiable grade level,  
407 regardless of whether the guidelines require an elevator to be  
408 installed in such building, structure, or facility, except for

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409 the areas, rooms, and spaces described in subsections (1), (2),  
 410 and (3):

411 (1) Elevator pits, elevator penthouses, mechanical rooms,  
 412 piping or equipment catwalks, and automobile lubrication and  
 413 maintenance pits and platforms.~~†~~

414 (2) Unoccupiable spaces, such as rooms, enclosed spaces,  
 415 and storage spaces that are not designed for human occupancy,  
 416 for public accommodations, or for work areas.~~† and~~

417 (3) Occupiable spaces and rooms that are not open to the  
 418 public and that house no more than five persons, including, but  
 419 not limited to, equipment control rooms and projection booths.

420 (4) (a) Any person, firm, or corporation that owns or  
 421 operates a residential multifamily dwelling, including a  
 422 condominium, that is at least 75 feet high and contains a public  
 423 elevator, as described in s. 399.035(2) and (3) and rules  
 424 adopted by the Florida Building Commission, shall have at least  
 425 one public elevator that is capable of operating on an alternate  
 426 power source for emergency purposes. Alternate power shall be  
 427 available for the purpose of allowing all residents access for a  
 428 specified number of hours each day over a 5-day period following  
 429 a natural disaster, manmade disaster, emergency, or other civil  
 430 disturbance that disrupts the normal supply of electricity. The  
 431 alternate power source that controls elevator operations must  
 432 also be capable of powering any connected fire alarm system in  
 433 the building.

434 (b) At a minimum, the elevator must be appropriately  
 435 rewired and prepared to accept an alternate power source and  
 436 must have a connection on the line side of the main disconnect,

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437 pursuant to National Electric Code Handbook, Article 700. In  
438 addition to the required power source for the elevator and  
439 connected fire alarm system in the building, the alternate power  
440 supply must be sufficient to provide emergency lighting to the  
441 lobbies, hallways, and other portions of the building used by  
442 the public. Residential multifamily dwellings must have an  
443 available generator and fuel source on the property or have  
444 proof of a current guaranteed service contract for such  
445 equipment and fuel source to operate the elevator on an on-call  
446 basis within 24 hours after a request. By December 31, 2006,  
447 local building inspectors must provide to the county emergency  
448 management agency verification of engineering plans for  
449 residential multifamily dwellings that provide for the  
450 capability to generate power by alternate means. Compliance with  
451 installation requirements and operational capability  
452 requirements must be verified by local building inspectors and  
453 reported to the county emergency management agency by December  
454 31, 2007.

455 (c) Each newly constructed residential multifamily  
456 dwelling, including a condominium, that is at least 75 feet high  
457 and contains a public elevator, as described in s. 399.035(2)  
458 and (3) and rules adopted by the Florida Building Commission,  
459 must have at least one public elevator that is capable of  
460 operating on an alternate power source for the purpose of  
461 allowing all residents access for a specified number of hours  
462 each day over a 5-day period following a natural disaster,  
463 manmade disaster, emergency, or other civil disturbance that  
464 disrupts the normal supply of electricity. The alternate power

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465 source that controls elevator operations must be capable of  
466 powering any connected fire alarm system in the building. In  
467 addition to the required power source for the elevator and  
468 connected fire alarm system, the alternate power supply must be  
469 sufficient to provide emergency lighting to the lobbies,  
470 hallways, and other portions of the building used by the public.  
471 Engineering plans and verification of operational capability  
472 must be provided by the local building inspector to the county  
473 emergency management agency before occupancy of the newly  
474 constructed building.

475 (d) Each person, firm, or corporation that is required to  
476 maintain an alternate power source under this subsection shall  
477 maintain a written emergency operations plan that details the  
478 sequence of operations before, during, and after a natural or  
479 manmade disaster or other emergency situation. The plan must  
480 include, at a minimum, a life safety plan for evacuation,  
481 maintenance of the electrical and lighting supply, and  
482 provisions for the health, safety, and welfare of the residents.  
483 In addition, the owner or operator of the residential  
484 multifamily dwelling must keep written records of quarterly  
485 inspections of life safety equipment and alternate power  
486 generation equipment, which confirm that such equipment is  
487 properly maintained and in good working condition, and any  
488 contracts for alternate power generation equipment. The written  
489 emergency operations plan and inspection records shall be open  
490 for periodic inspection by local and state government agencies  
491 as deemed necessary. The owner or operator must keep a generator  
492 key in a lockbox posted at or near any installed generator unit.

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493       (e) Multistory affordable residential dwellings for  
494 persons age 62 and older that are financed or insured by the  
495 United States Department of Housing and Urban Development must  
496 make every effort to obtain grant funding from the Federal  
497 Government or the Florida Housing Finance Corporation to comply  
498 with this subsection. If an owner of such a residential dwelling  
499 cannot comply with the requirements of this subsection, the  
500 owner must develop a plan with the local emergency management  
501 agency to ensure that residents are evacuated to a place of  
502 safety in the event of a power outage resulting from a natural  
503 or manmade disaster or other emergency situation that disrupts  
504 the normal supply of electricity for an extended period of time.  
505 A place of safety may include, but is not limited to, relocation  
506 to an alternative site within the building or evacuation to a  
507 local shelter.

508       (f) As a part of the annual elevator inspection required  
509 under s. 399.061, certified inspectors shall confirm that all  
510 installed generators required by this chapter are in working  
511 order, that the inspection records are current, and that the  
512 required generator key is present in the lockbox posted at or  
513 near the installed generator. If a building does not have an  
514 installed generator, the inspector shall confirm that the  
515 appropriate rewiring and switching capabilities are operational  
516 and that a contract for contingent services for alternate power  
517 is current for the operating period.

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519 However, buildings, structures, and facilities must, as a  
520 minimum, comply with the requirements in the Americans with  
521 Disabilities Act Accessibility Guidelines.

522 Section 5. Paragraph (i) of subsection (2) of section  
523 252.35, Florida Statutes, is amended, paragraphs (j) through (v)  
524 are renumbered as paragraphs (k) through (w), respectively, and  
525 a new paragraph (j) is added to that subsection, to read:

526 252.35 Emergency management powers; Division of Emergency  
527 Management.--

528 (2) The division is responsible for carrying out the  
529 provisions of ss. 252.31-252.90. In performing its duties under  
530 ss. 252.31-252.90, the division shall:

531 (i) Institute statewide public awareness programs. This  
532 shall include an intensive public educational campaign on  
533 emergency preparedness issues, including, but not limited to,  
534 the personal responsibility of individual citizens to be self-  
535 sufficient for up to 72 hours following a natural or manmade  
536 disaster. The public educational campaign shall include relevant  
537 information on statewide disaster plans, evacuation routes, fuel  
538 suppliers, and shelters. All educational materials must be  
539 available in alternative formats and mediums to ensure that they  
540 are available to persons with disabilities.

541 (j) The Division of Emergency Management and the  
542 Department of Education shall coordinate with the Agency For  
543 Persons with Disabilities to provide an educational outreach  
544 program on disaster preparedness and readiness to individuals  
545 who have limited English skills and identify persons who are in

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546 need of assistance but are not defined under special-needs  
547 criteria.

548 Section 6. The Legislature finds that county emergency  
549 operations centers should meet the minimum criteria for  
550 structural survivability and sufficiency of operational space,  
551 as determined by assessments performed by the Department of  
552 Community Affairs based on guidance from the Federal Emergency  
553 Management Agency. Criteria for a county emergency operations  
554 center include, but are not limited to, county population,  
555 hurricane evacuation clearance time for the vulnerable  
556 population of the county, structural survivability of the  
557 existing emergency operations center, and Federal Emergency  
558 Management Agency guidance for workspace requirements for the  
559 emergency operations center. First priority for funding shall be  
560 for county emergency operations centers where no survivable  
561 facility exists and where workspace deficits exist. Funding may  
562 not be used for land acquisition or recurring expenditures.  
563 Funding is limited to the construction or structural renovation  
564 of the county emergency operations center in order to meet  
565 national workspace recommendations and may not be used to  
566 purchase equipment, furnishings, communications, or operational  
567 systems. There is hereby appropriated \$20 million from  
568 nonrecurring general revenue and \$8.6 million from the U.S.  
569 Contributions Trust Fund to the Department of Community Affairs  
570 in fixed capital outlay to establish a competitive award process  
571 to implement this section. No more than 5 percent of the funds  
572 provided under this section may be used by the department for  
573 administration.

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574        Section 7. The Legislature finds that improved logistical  
575 staging and warehouse capacity for commodities will help ensure  
576 that adequate supplies, equipment, and commodities are available  
577 and accessible to respond to disasters. Appropriated funds may  
578 be used for increasing storage capacity; improving technologies  
579 to manage commodities; and enhancing the ability to maintain in  
580 a safe and secure manner an inventory of supplies, equipment,  
581 and commodities that would be needed in the immediate aftermath  
582 of a disaster. There is hereby appropriated \$400,000 from  
583 nonrecurring general revenue, \$1.6 million from recurring funds  
584 within the Emergency Management, Preparedness, and Assistance  
585 Trust Fund, and \$4.5 million from nonrecurring funds within the  
586 Emergency Management, Preparedness, and Assistance Trust Fund to  
587 the Department of Community Affairs for logistical improvements  
588 and technology.

589        Section 8. The Legislature finds that there is a  
590 compelling need to have current evacuation decisionmaking tools  
591 and plans based on the latest technology available to serve as  
592 the scientific basis for hurricane evacuation recommendations.  
593 Appropriated funds may be used to update hurricane evacuation  
594 plans using Light Detecting and Ranging technology and the  
595 National Hurricane Center's computerized Sea, Lake and Overland  
596 Surges for Hurricanes model. There is hereby appropriated \$29  
597 million from the U.S. Contributions Trust Fund to the Department  
598 of Community Affairs to update regional hurricane evacuation  
599 plans using Light Detecting and Ranging technology and the  
600 National Hurricane Center's computerized Sea, Lake and Overland  
601 Surges for Hurricanes model. No more than 5 percent of the funds

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602 provided under this section may be used by the department for  
603 administration.

604 Section 9. There is hereby appropriated \$76,150 from  
605 nonrecurring general revenue to the Department of Community  
606 Affairs for the Florida Disaster Supplier Program Council.

607 Section 10. There is hereby appropriated \$3.4 million from  
608 the U.S. Contributions Trust Fund to the Department of Community  
609 Affairs for the Division of Emergency Management's public  
610 awareness campaign.

611 Section 11. This act shall take effect July 1, 2006.