

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a “no” above, please explain:

NOTE: The Speaker of the House has adopted new House Principles to guide members in evaluating legislation during the 2002-2004 Legislature. These principles are:

Provide limited government,
Ensure lower taxes,
Safeguard individual liberty,
Promote personal responsibility,
Empower families, and
Maintain public security.

The following factor about the bill is relevant to analyzing its compatibility with such principles:
The bill provides nutritional, medical and social support services to the elderly, children and families, and individuals with disabilities or low incomes to address the effects of the tropical storm hurricanes that struck Florida in 2004.

B. EFFECT OF PROPOSED CHANGES:

During the 2004 hurricane season Florida was hit by five storms (Tropical Storm Bonnie and Hurricanes Charley, Ivan, Frances and Jeanne). As a result all 67 counties in the State of Florida were included in at least one of four federal disaster declarations and all 67 counties sustained some type of property damage. Tropical Storm Bonnie was incorporated under the federal declaration for Hurricane Charley.

The following are impact statistics relating to the five storms:

- *Evacuations*—Approximately 9.4 million persons were evacuated for Hurricanes Charley (2.7 million), Frances (1.8 million), Ivan (544,900), and Jeanne (4.4 million). Three counties (Franklin, Taylor, and Wakulla) initiated voluntary evacuations for Tropical Storm Bonnie.
- *Sheltering*—As of October 26, 2004, approximately 368,438 persons were sheltered for Hurricanes Charley (102,094), Frances (186,620), Ivan (33,472), and Jeanne (46,252).
- *Fatalities*—The Florida Department of Law Enforcement has confirmed reports of 117 fatalities for Hurricanes Charley (33), Frances (38), Ivan (29), and Jeanne (17).
- *Power Outages*—At the peak of the emergency, with some overlapping, approximately 8.5 million customers were without power (Charley 1.2 million, Frances 3.28 million, Ivan 443,400, Jeanne 3.5 million).

- *Communication Outages*—At the peak of the emergency, with some possible overlapping, approximately 1.5 million customers were without wire line communication (Charley - 142,836, Frances - 1,178,305, Ivan - 203,397, Jeanne - included in the Frances total).
- *Boil Water Orders*—Approximately 34 counties issued some type of boil water order as a result of hurricanes Charley, Frances, Ivan, and Jeanne.
- *Critical Facilities*—In the most highly impacted counties, Hazard Mitigation field assessments, identified the following damaged critical facilities: 13 Medical Hospitals and 2 Mental Treatment Facilities, 3 Nursing Homes, 16 Fire Stations, 5 Law Enforcement Facilities, 57 Schools, 3 Shelter Facilities other than Schools, and 1 Town Hall
- *Debris Removal*—As of December 8, 2004, debris operations are ongoing with 49.5 million cubic yards of debris removed.
- *School Closures*—State officials note that every public school in Florida has been closed at least one day this year because of a hurricane threat.
- *Insurance Claims*—As of November 24, more than 1.5 million insurance claims have been reported, according to the Department of Financial Services, Office of Insurance Regulation, for more than \$20.6 billion in insured losses for residential and commercial property.

House Bill 17A appropriates a total of \$22.5 million in funding from the Department of Health and Human Services in Fiscal Year 2004-2005 to the departments of Elder Affairs and Children and Family Services, as well as to the Agency for Persons with Disabilities, for the purposes described below. These funds have been made available by the federal Department of Health and Human Services for needs that could not be completely addressed through disaster response and recovery funding provided to the state by the Federal Emergency Management Agency (FEMA).

Department of Elder Affairs—Federal funding of \$12,000,000, made available through a grant from the Older Americans Act, is appropriated for debris cleanup, meals and bottled water, group and individual crisis counseling, temporary housing, homemaker and chore services, outreach and case management, temporary minor home repairs for elders without insurance, and other related hurricane recovery services.

Department of Children and Family Services—Federal funding of \$9,204,736 is appropriated to provide a variety of services, including the following: 1) \$2,916,186 is provided for child welfare services, including family assessment and observation during initial phases of protective investigations and case planning, additional protective investigators, family counseling, specialized counseling for crisis stabilization, home and yard repairs related to child health and safety, and other related services; 2) \$1,000,000 is provided for domestic violence services, such as short-term emergency housing, counseling, case management, and information and referral, all services which experienced increase demand following the hurricane impact; 3) \$788,550 is provided to purchase emergency services for vulnerable elderly and disabled adults whose homes suffered damage or were destroyed, such as food, clothing, shelter, medical assessments or rehabilitative services, medications, durable medical equipment and other emergency services; and 4) \$4,500,000 is provided for assessment, treatment, and intervention services for persons requiring severe and long-term mental health and substance abuse treatment who experience consequences in response to the hurricanes.

Agency for Persons with Disabilities—Federal funding of \$1,313,429 is appropriated to the Agency for Person with Disabilities to provide supported-living, general home repair, and respite care as needed to persons with disabilities.

C. SECTION DIRECTORY:

Section 1. Provides legislative findings regarding the assistance needed to the elderly, children, families, individuals with disabilities, and low-income individuals to address the impact of Hurricanes Charley, Frances, Jeanne, and Ivan and Tropical Storm Bonnie.

Section 2. Provides an appropriation to the Department of Elder Affairs for the purpose of providing support services related to the elderly as a result of the 2004 hurricanes.

Section 3. Provides an appropriation to the Department of Children and Family Services for the purpose of providing support services related to children and families as a result of the 2004 hurricanes.

Section 4. Provides an appropriation to the Agency for Persons with Disabilities for the purpose of providing support services related to the developmentally disabled as a result of the 2004 hurricanes.

Section 5. Provides an exception to s. 216.177, F.S., which requires a 14-day notice for interim budget actions.

Section 6. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The state will receive \$22,518,165 from the federal Department of Health and Human Services in Fiscal Year 2004-2005 to fund the appropriations specified in this bill.

2. Expenditures:

The bill provides budget authority to the departments of Elder Affairs and Children and Family Services, and the Agency for Persons with Disabilities to expend \$22,518,165 in federal dollars made available to the state to assist in hurricane relief efforts in Fiscal Year 2004-2005.

The appropriations in the bill are as follows:

	FY 2004-2005
Department of Elder Affairs	
Federal Grants Trust Fund	\$12,000,000
Department of Children and Family Services	
Social Services Block Grant Trust Fund	\$4,704,736
Alcohol, Drug Abuse and Mental Health Trust Fund	<u>\$4,500,000</u>
	\$9,204,736
Agency for Persons with Disabilities	
Social Services Block Grant Trust Fund	1,313,429

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Service providers will experience economic benefit from the additional federal funds.

D. FISCAL COMMENTS:

The total award from the Department of Health and Human Services is \$42.6 million. Community health centers will receive \$1.5 million, which is not addressed in this bill because the funding will go directly to the centers and does not require a state appropriation.

The bill appropriates \$22.5 million of the \$42.6 million award; the remaining \$17.1 million will be addressed in regular session for next fiscal year (FY 2005-2006).

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This legislation does not require counties or municipalities to spend funds or to take action requiring the expenditure of funds. The legislation does not reduce the percentage of a state tax shared with counties or municipalities. Finally, the legislation does not reduce the authority that municipalities have to raise revenues.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

Rule-making authority is unnecessary for purposes of this bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES