

By Senator Constantine

22-995A-06

1 A bill to be entitled
2 An act relating to natural disaster
3 preparedness, response, and recovery; requiring
4 the Legislative Committee on Intergovernmental
5 Relations to conduct a study of the costs
6 associated with protecting and storing vital
7 records and supplies in a school during a
8 hurricane; requiring the Legislative Committee
9 on Intergovernmental Relations to review the
10 collection and allocation of funds deposited in
11 the Emergency Management, Preparedness, and
12 Assistance Trust Fund; requiring reports to the
13 Legislature; amending s. 252.355, F.S.;
14 revising the dates on which an electric utility
15 is required to notify customers of the
16 registration program for persons with special
17 needs; amending s. 252.38, F.S.; requiring a
18 local government to have a procedure in its
19 emergency management plan for evacuating
20 certain residents before a natural disaster;
21 requiring a local government to educate
22 residents about evacuation procedures;
23 requiring a local government to test its
24 evacuation plan annually; authorizing a county
25 or municipality to require that a
26 representative of an electric utility or water
27 or wastewater utility be accessible and present
28 at a local emergency operations center under
29 certain circumstances; creating s. 455.2287,
30 F.S.; requiring the Department of Business and
31 Professional Regulation to establish a

1 statewide toll-free telephone hotline to
2 receive information following a natural
3 disaster concerning the regulation of certain
4 professions; providing effective dates.
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6 Be It Enacted by the Legislature of the State of Florida:
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8 Section 1. (1) The Legislative Committee on
9 Intergovernmental Relations, in cooperation with the Florida
10 School Board Association, shall conduct a study to develop
11 cost estimates associated with the protection and temporary
12 storage of vital records, supplies, and equipment contained
13 within each school during a hurricane. The committee shall
14 report the results of the study to the President of the Senate
15 and the Speaker of the House of Representatives by October 1,
16 2006.

17 (2) The Legislative Committee on Intergovernmental
18 Relations shall review the collection and allocation of funds
19 deposited in the Emergency Management, Preparedness, and
20 Assistance Trust Fund. The committee shall report the results
21 of the review to the President of the Senate and the Speaker
22 of the House of Representatives by October 1, 2006. The review
23 must include, but need not be limited to:

24 (a) Whether collection of the surcharge through
25 insurance policies is the best method to ensure that all
26 residential and commercial properties are paying the fee into
27 the trust fund. The review may identify possible alternative
28 methods of collecting the surcharge that might increase the
29 funds collected to adequately capture the growth of
30 residential and commercial properties in the state.
31

1 (b) Whether an increase in the trust fund surcharge is
2 warranted and the reasons for the increase.

3 (c) How funds can be used to finance specific local
4 emergency management projects and functions.

5 (d) Whether the law should be revised to exempt funds
6 used to cover identified capital improvement projects from the
7 reversion process for an appropriation of fixed capital outlay
8 provided in s. 216.301.

9 (3) This section shall take effect upon becoming a
10 law.

11 Section 2. Subsection (2) of section 252.355, Florida
12 Statutes, is amended to read:

13 252.355 Registry of persons with special needs;
14 notice.--

15 (2) On or before the first day of each of the 6 months
16 preceding June 1 ~~May 1~~ of each year each electric utility in
17 the state shall annually notify residential customers in its
18 service area of the availability of the registration program
19 available through their local emergency management agency.

20 Section 3. Present paragraph (b) of subsection (1) of
21 section 252.38, Florida Statutes, is redesignated as paragraph
22 (c), and a new paragraph (b) is added to that subsection, and
23 paragraph (c) is added to subsection (3) of that section, to
24 read:

25 252.38 Emergency management powers of political
26 subdivisions.--Safeguarding the life and property of its
27 citizens is an innate responsibility of the governing body of
28 each political subdivision of the state.

29 (1) COUNTIES.--

30 (b) Each local government shall have a specific
31 procedure in place in its county emergency management plan

1 pursuant to paragraph (a) to evacuate those residents of the
2 community who live in a flood or surge-prone area or in
3 substandard housing that might not withstand a natural
4 disaster and who do not have the means to evacuate before the
5 natural disaster. In addition, each local government shall
6 institute a public education program to inform residents of
7 pick-up points during an evacuation and items that the
8 residents may or may not bring when evacuating. A local
9 government shall coordinate with regional and state responders
10 and test the evacuation plan annually in order to ensure its
11 functionality.

12 (3) EMERGENCY MANAGEMENT POWERS; POLITICAL
13 SUBDIVISIONS.--

14 (c) Pursuant to s. 252.41, a county or municipality
15 may require that a representative of an electric utility, as
16 defined in s. 366.02, or water or wastewater utility, as
17 defined in s. 367.021(12), be accessible during preparation
18 prior to an emergency or natural disaster and be present at
19 its local emergency operations center for purposes of
20 coordination during an actual emergency or natural disaster if
21 adequate means of coordination cannot be readily established
22 after the utility company has completed its initial assessment
23 of the damage to its facilities. Adequate means of
24 coordination include the ability to establish telephonic or
25 other electronic two-way communication between the emergency
26 operations center and a representative of the utility company
27 within 8 hours after attempting to initiate communication
28 after the utility has completed its initial assessment of the
29 damage to its facility.

30 Section 4. Section 455.2287, Florida Statutes, is
31 created to read:

1 455.2287 Toll-free telephone number for inquiries and
2 complaints.--The Department of Business and Professional
3 Regulation shall establish and operate a statewide toll-free
4 telephone hotline to receive inquiries and complaints
5 following a natural disaster and to provide information
6 relating to the regulation of building code administrators and
7 inspectors under part XII of chapter 468; professional
8 engineers under chapter 471; architects, interior designers,
9 and landscape architects under chapter 481; and construction
10 contractors, electrical contractors, and septic tank
11 contractors under chapter 489.

12 Section 5. Except as otherwise expressly provided in
13 this act and except for this section, which shall take effect
14 upon becoming a law, this act shall take effect July 1, 2006.

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17 SENATE SUMMARY

18 Requires the Legislative Committee on Intergovernmental
19 Relations to conduct a study of the costs associated with
20 protecting and storing vital records and supplies in a
21 school during a hurricane. Requires the Legislative
22 Committee on Intergovernmental Relations to review the
23 collection and allocation of funds deposited in the
24 Emergency Management, Preparedness, and Assistance Trust
25 Fund. Revises the dates on which an electric utility is
26 required to notify customers of the registration program
27 for persons with special needs. Requires a local
28 government to have a procedure in its emergency
29 management plan for evacuating certain residents before a
30 natural disaster. Requires a local government to educate
31 residents about evacuation procedures. Requires a local
government to test its evacuation plan annually.
Authorizes a county or municipality to require that a
representative of an electric utility or water or
wastewater utility be accessible and present at a local
emergency operations center under certain circumstances.
Requires the Department of Business and Professional
Regulation to establish a statewide toll-free telephone
hotline to receive information relating to the regulation
of certain professions.