

Florida Senate - 2006 CS for CS for CS for SB's 528, 530 & 858

By the Committees on Ways and Means; Community Affairs;
Domestic Security; and Senators Geller, Atwater, Diaz de la
Portilla, Campbell, Bullard, Klein and Wilson

576-2373-06

1 A bill to be entitled
2 An act relating to disaster preparedness
3 response and recovery; directing the Division
4 of Emergency Management to conduct a
5 feasibility study relating to the supply and
6 distribution of essential commodities by
7 nongovernment and private entities; creating s.
8 526.143, F.S.; providing that each motor fuel
9 terminal facility and wholesaler that sells
10 motor fuel in the state must be capable of
11 operating its distribution loading racks using
12 an alternate power source for a specified
13 period by a certain date; providing
14 requirements with respect to the operation of
15 such equipment following a major disaster;
16 providing requirements with respect to
17 inspection of such equipment; requiring newly
18 constructed or substantially renovated motor
19 fuel retail outlets to be capable of operation
20 using an alternate power source; defining
21 "substantially renovated"; requiring certain
22 motor fuel retail outlets located within a
23 specified distance from an interstate highway
24 or state or federally designated evacuation
25 route to be capable of operation using an
26 alternate power source by a specified date;
27 providing inspection and recordkeeping
28 requirements; providing applicability; creating
29 s. 526.144, F.S.; creating the Florida Disaster
30 Motor Fuel Supplier Program within the
31 Department of Community Affairs; providing

1 requirements for participation in the program;
2 providing that participation in the program
3 shall be at the option of each county;
4 providing for administration of the program;
5 providing requirements of businesses certified
6 as State Emergency Response Team members;
7 providing for preemption to the state of the
8 regulation of and requirements for siting and
9 placement of an alternate power source and any
10 related equipment at motor fuel terminal
11 facilities, wholesalers, and retail sales
12 outlets; providing for review of the program;
13 providing a report; amending s. 501.160, F.S.,
14 providing limiting price gouge prohibition
15 periods; providing prohibition period renewal;
16 amending s. 553.509, F.S., relating to
17 requirements with respect to vertical
18 accessibility under pt. II of ch. 553, F.S.,
19 the "Florida Americans With Disabilities
20 Accessibility Implementation Act"; requiring
21 specified existing and newly constructed
22 residential multifamily dwellings to have at
23 least one public elevator that is capable of
24 operating on an alternate power source for
25 emergency purposes; providing requirements with
26 respect to the alternate power source;
27 providing for verification of compliance by
28 specified dates; providing requirements with
29 respect to emergency operations plans and
30 inspection records; requiring any person, firm,
31 or corporation that owns, manages or operates

1 specified multistory affordable residential
2 dwellings to attempt to obtain grant funding to
3 comply with the act; requiring an owner,
4 manager or operator of such a dwelling to
5 develop an evacuation plan in the absence of
6 compliance with the act; providing additional
7 inspection requirements under ch. 399, F.S.,
8 the "Elevator Safety Act"; amending s. 252.35,
9 F.S.; expanding the duty of the Division of
10 Emergency Management to conduct a public
11 educational campaign on emergency preparedness
12 issues; expanding the duty of the Division of
13 Emergency Management to create and maintain
14 lists of emergency generators; providing an
15 additional duty of the division with respect to
16 educational outreach concerning disaster
17 preparedness; providing an appropriation to the
18 Department of Community Affairs to conduct a
19 feasibility study; providing severability;
20 providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:
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24 Section 1. The Legislature finds that there is a
25 compelling need to better coordinate emergency response
26 capabilities between local, state, federal, nongovernment, and
27 private sector partners to provide the best and most effective
28 postdisaster services to the people of the State of Florida.
29 In order to encourage the rapid recovery of economies in
30 disaster affected areas, the Legislature finds that programs
31 to restore normal commerce in communities should be a part of

1 the State Comprehensive Emergency Management Plan. The
2 Legislature recognizes nongovernment agencies and the private
3 sector as key partners in disaster preparedness, response, and
4 recovery. Further, the Legislature recognizes the demonstrated
5 abilities and contributions of these entities in successfully
6 providing logistical support and commodities through
7 well-proven distribution systems. In order to enhance the
8 State Comprehensive Plan, the Division of Emergency Management
9 within the Department of Community Affairs is directed to
10 conduct a feasibility study on incorporating into the state's
11 emergency management plan the logistical supply and
12 distribution of essential commodities by nongovernment
13 agencies and private entities. In conducting the study, the
14 division shall consult with the Florida Retail Federation, the
15 Florida Petroleum Council, the Florida Petroleum Marketers and
16 Convenience Store Association, the Florida Emergency
17 Preparedness Association, the American Red Cross, Volunteer
18 Florida, and other entities as appropriate. No later than
19 February 1, 2007, the division shall make recommendations
20 based on the study to the Governor, the President of the
21 Senate, and the Speaker of the House of Representatives.

22 Section 2. Section 526.143, Florida Statutes, is
23 created to read:

24 526.143 Alternate generated power capacity for motor
25 fuel dispensing facilities.--

26 (1) By June 1, 2007, each motor fuel terminal
27 facility, as defined in s. 526.303(16), and each wholesaler,
28 as defined in s. 526.303(17), which sells motor fuel in this
29 state must be capable of operating its distribution loading
30 racks using an alternate generated power source for a minimum
31 of 72 hours. Pending a postdisaster examination of the

1 equipment by the operator to determine any extenuating damage
2 that would render it unsafe to use, the facility must have
3 such alternate generated power source available for operation
4 no later than 36 hours after a major disaster as defined in s.
5 252.34. Installation of appropriate wiring, including a
6 transfer switch, shall be performed by a certified electrical
7 contractor. Each business that is subject to this subsection
8 must keep a copy of the documentation of such installation on
9 site or at its corporate headquarters. In addition, each
10 business must keep a written statement attesting to the
11 periodic testing and ensured operational capacity of the
12 equipment. The required documents must be made available, upon
13 request, to the Division of Emergency Management and the
14 director of the county emergency management agency.

15 (2) Each newly constructed or substantially renovated
16 motor fuel retail outlet, as defined in s. 526.303(14), for
17 which a certificate of occupancy is issued on or after July 1,
18 2006, shall be prewired with an appropriate transfer switch,
19 and capable of operating all fuel pumps, dispensing equipment,
20 life-safety systems, and payment-acceptance equipment using an
21 alternate generated power source. As used in this subsection,
22 the term "substantially renovated" means a renovation that
23 results in an increase of greater than 50 percent in the
24 assessed value of the motor fuel retail outlet. Local building
25 inspectors shall include this equipment and operations check
26 in the normal inspection process before issuing a certificate
27 of occupancy. Each retail outlet that is subject to this
28 subsection must keep a copy of the certificate of occupancy on
29 site or at its corporate headquarters. In addition, each
30 retail outlet must keep a written statement attesting to the
31 periodic testing of and ensured operational capability of the

1 equipment. The required documents must be made available, upon
2 request, to the Division of Emergency Management and the
3 director of the county emergency management agency.

4 (3)(a) No later than June 1, 2007, each motor fuel
5 retail outlet described in subparagraph 1., subparagraph 2.,
6 or subparagraph 3., which is located within one-half mile
7 proximate to an interstate highway or state or federally
8 designated evacuation route must be prewired with an
9 appropriate transfer switch and be capable of operating all
10 fuel pumps, dispensing equipment, life-safety systems, and
11 payment-acceptance equipment using an alternate generated
12 power source:

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

16 2. A motor fuel retail outlet located in a county
17 having a population of 100,000 or more, but fewer than
18 300,000, which has 12 or more fueling positions.

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

22 (b) Installation of appropriate wiring and transfer
23 switches must be performed by a certified electrical
24 contractor. Each retail outlet that is subject to this
25 subsection must keep a copy of the documentation of such
26 installation on site or at its corporate headquarters. In
27 addition, each retail outlet must keep a written statement
28 attesting to the periodic testing of and ensured operational
29 capacity of the equipment. The required documents must be made
30 available, upon request, to the Division of Emergency
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1 Management and the director of the county emergency management
2 agency.

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

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

10 1. An automobile dealer;

11 2. A person who operates a fleet of motor vehicles;

12 3. A person who sells motor fuel exclusively to a
13 fleet of motor vehicles; or

14 4. A motor fuel retail outlet that has a written
15 agreement with a public hospital, in a form approved by the
16 Division of Emergency Management, wherein the public hospital
17 agrees to provide the motor fuel retail outlet with an
18 alternative means of power generation onsite so that the
19 outlet's fuel pumps may be operated in the event of a power
20 outage.

21 (5)(a) Each corporation or other entity that owns 10
22 or more motor fuel retail outlets located within a single
23 county shall maintain at least one portable generator that is
24 capable of providing an alternate generated power source as
25 required under subsection (2) for every 10 outlets. If an
26 entity owns more than 10 outlets or a multiple of 10 outlets
27 plus an additional six outlets, the entity must provide one
28 additional generator to accommodate such additional outlets.
29 Each portable generator must be stored within this state, or
30 may be stored in another state if located within 250 miles of

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1 this state, and must be available for use in an affected
2 location within 24 hours after a disaster.

3 (b) Each corporation or other entity that owns 10 or
4 more motor fuel retail outlets located within a single
5 domestic security region, as determined pursuant to s.
6 943.0312(1), and that does not own additional outlets located
7 outside the domestic security region shall maintain a written
8 document of agreement with one or more similarly equipped
9 entities for the use of portable generators that may be used
10 to meet the requirements of paragraph (a) and that are located
11 within this state but outside the affected domestic security
12 region. The agreement may be reciprocal, may allow for payment
13 for services rendered by the providing entity, and must
14 guarantee the availability of the portable generators to an
15 affected location within 24 hours after a disaster.

16 (c) For purposes of this section, ownership of a motor
17 fuel retail outlet shall be the owner of record of the fuel
18 storage systems operating at the location, as identified in
19 the Department of Environmental Protection underground storage
20 facilities registry pursuant to s. 376.303(1).

21 Section 3. Section 526.144, Florida Statutes, is
22 created to read:

23 526.144 Florida Disaster Motor Fuel Supplier
24 Program.--

25 (1)(a) There is created the Florida Disaster Motor
26 Fuel Supplier Program within the Department of Community
27 Affairs.

28 (b) Participation in the program shall be at the
29 option of each county governing body. In counties choosing to
30 participate in the program, the local emergency management
31 agency shall be primarily responsible for administering the

1 program within those counties. Nothing in this section
2 requires participation in the program.

3 (c) In participating counties, the Florida Disaster
4 Motor Fuel Supplier Program shall allow any retail motor fuel
5 outlet doing business in those counties to participate in a
6 network of emergency responders to provide fuel supplies and
7 services to government agencies, medical institutions and
8 facilities, critical infrastructure, and other responders, as
9 well as the general public, during a declared disaster as
10 described in s. 252.36(2).

11 (d) Retail motor fuel outlets doing business in
12 participating counties that choose to become members of the
13 Florida Disaster Motor Fuel Supplier Program must be able to
14 demonstrate the capability to provide onsite fuel dispensing
15 services to other members of the State Emergency Response Team
16 within 24 hours after a major disaster has occurred and agree
17 to make such service available as needed. Local emergency
18 management agencies may determine appropriate measures for
19 determining such readiness, including acceptance of a written
20 attestation from the retail motor fuel outlet, a copy of an
21 executed contract for services, or other documents or
22 activities that demonstrate readiness. Participating retail
23 motor fuel outlets may choose to sell motor fuel through a
24 pre-existing contract with local, state, or federal response
25 agencies or may provide point-of-sale service to such
26 agencies. In addition, participating retail motor fuel outlets
27 may choose to sell motor fuel to the general public upon
28 compliance with requirements to provide service under ss.
29 252.35 and 252.38 as directed by county or state emergency
30 management officials. This section does not preclude any
31 retail motor fuel outlet from selling fuel during lawful

1 operating hours. Nonparticipating motor fuel retail outlets
2 may not operate during declared curfew hours. If requested,
3 appropriate law enforcement or security personnel may be
4 provided through emergency management protocol to the
5 participating business for the purpose of maintaining civil
6 order during operating hours.

7 (e) Motor fuel outlets that choose to participate in
8 the Florida Disaster Motor Fuel Supplier Program pursuant to
9 paragraph (d) may be issued a State Emergency Response Team
10 logo by the participating county emergency management agency
11 for public display to alert emergency responders and the
12 public that the business is capable of assisting in an
13 emergency.

14 (f) Counties that choose to participate in the Florida
15 Disaster Motor Fuel Supplier Program may charge a fee to cover
16 the actual costs of accepting a retail motor fuel outlet into
17 the program, including the cost of performing any required
18 review, filing of necessary forms, and producing logo decals
19 for public display. Additional charges may not be imposed for
20 processing individual documents associated with the program.
21 Funds collected shall be deposited into an appropriate county
22 operating account.

23 (3) Persons who are designated as members of the State
24 Emergency Response Team and who can produce appropriate
25 identification, as determined by state or county emergency
26 management officials, shall be given priority for purchasing
27 fuel at businesses designated as members of the State
28 Emergency Response Team. A business may be directed by county
29 or state emergency management officials to remain open during
30 a declared curfew in order to provide service for emergency
31 personnel. Under such direction, the business is not in

1 violation of the curfew and may not be penalized for such
2 operation and the emergency personnel are not in violation of
3 the curfew. A person traveling during a curfew must be able to
4 produce valid official documentation of his or her position
5 with the State Emergency Response Team or the local emergency
6 management agency. Such documentation may include, but need
7 not be limited to, a current SERT identification badge,
8 current law enforcement or other response agency
9 identification or shield, current health care employee
10 identification card, or current government services
11 identification card indicating a critical services position.

12 (4) A business that is designated as a member of the
13 State Emergency Response Team may request priority in
14 receiving a resupply of fuel in order to continue service to
15 emergency responders. Such request is not binding but shall be
16 considered by emergency management officials in determining
17 appropriate response actions.

18 (5) Notwithstanding any other law or local ordinance
19 and for the purpose of ensuring an appropriate emergency
20 management response following major disasters in this state,
21 the regulation, siting, and placement of alternate power
22 source capabilities and equipment at motor fuel terminal
23 facilities, motor fuel wholesalers, and motor fuel retail
24 sales outlets are preempted to the state.

25 (6) The Energy Office of the Department of
26 Environmental Protection shall review situational progress in
27 post-disaster motor fuel supply distribution and provide a
28 report to the Legislature by March 1, 2007. The report must
29 include information concerning statewide compliance with s.
30 526.143, Florida Statutes, and an identification of all motor
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1 fuel retail outlets that are participating in the Florida
2 Disaster Motor Fuel Supplier Program.

3 Section 4. Subsection (2) of section 501.160, Florida
4 Statutes, is amended to read:

5 501.160 Rental or sale of essential commodities during
6 a declared state of emergency; prohibition against
7 unconscionable prices.--

8 (2) Upon a declaration of a state of emergency by the
9 Governor, it is unlawful and a violation of s. 501.204 for a
10 person or her or his agent or employee to rent or sell or
11 offer to rent or sell at an unconscionable price within the
12 area for which the state of emergency is declared, any
13 essential commodity including, but not limited to, supplies,
14 services, provisions, or equipment that is necessary for
15 consumption or use as a direct result of the emergency. This
16 prohibition is effective not to exceed 60 days under the
17 initial declared state of emergency as defined in s. 252.36(2)
18 and shall be renewed by statement in any subsequent renewals
19 of the declared state of emergency by the Governor ~~remains in~~
20 ~~effect until the declaration expires or is terminated.~~

21 Section 5. Section 553.509, Florida Statutes, is
22 amended to read:

23 553.509 Vertical accessibility.--

24 (1) Nothing in sections 553.501-553.513 or the
25 guidelines shall be construed to relieve the owner of any
26 building, structure, or facility governed by those sections
27 from the duty to provide vertical accessibility to all levels
28 above and below the occupiable grade level, regardless of
29 whether the guidelines require an elevator to be installed in
30 such building, structure, or facility, except for:

1 ~~(a)(1)~~ Elevator pits, elevator penthouses, mechanical
2 rooms, piping or equipment catwalks, and automobile
3 lubrication and maintenance pits and platforms;

4 ~~(b)(2)~~ Unoccupiable spaces, such as rooms, enclosed
5 spaces, and storage spaces that are not designed for human
6 occupancy, for public accommodations, or for work areas; and

7 ~~(c)(3)~~ Occupiable spaces and rooms that are not open
8 to the public and that house no more than five persons,
9 including, but not limited to, equipment control rooms and
10 projection booths.

11 (2)(a) Any person, firm, or corporation that owns,
12 manages, or operates a residential multifamily dwelling,
13 including a condominium, that is at least 75 feet high and
14 contains a public elevator, as described in s. 399.035(2) and
15 (3) and rules adopted by the Florida Building Commission,
16 shall have at least one public elevator that is capable of
17 operating on an alternate power source for emergency purposes.
18 Alternate power shall be available for the purpose of allowing
19 all residents access for a specified number of hours each day
20 over a 5-day period following a natural disaster, manmade
21 disaster, emergency, or other civil disturbance that disrupts
22 the normal supply of electricity. The alternate power source
23 that controls elevator operations must also be capable of
24 powering any connected fire alarm system in the building.

25 (b) At a minimum, the elevator must be appropriately
26 pre-wired and prepared to accept an alternate power source and
27 must have a connection on the line side of the main
28 disconnect, pursuant to National Electric Code Handbook,
29 Article 700. In addition to the required power source for the
30 elevator and connected fire alarm system in the building, the
31 alternate power supply must be sufficient to provide emergency

1 lighting to the interior lobbies, hallways, and other portions
2 of the building used by the public. Residential multifamily
3 dwelling must have an available generator and fuel source on
4 the property or have proof of a current contract posted in the
5 elevator machine room or other place conspicuous to the
6 elevator inspector affirming a current guaranteed service
7 contract for such equipment and fuel source to operate the
8 elevator on an on-call basis within 24 hours after a request.
9 By December 31, 2006, any person, firm or corporation that
10 owns, manages or operates a residential multifamily dwelling
11 as defined in paragraph (4)(a) must provide to the local
12 building inspection agency verification of engineering plans
13 for residential multifamily dwellings that provide for the
14 capability to generate power by alternate means. Compliance
15 with installation requirements and operational capability
16 requirements must be verified by local building inspectors and
17 reported to the county emergency management agency by December
18 31, 2007.

19 (c) Each newly constructed residential multifamily
20 dwelling, including a condominium, that is at least 75 feet
21 high and contains a public elevator, as described in s.
22 399.035(2) and (3) and rules adopted by the Florida Building
23 Commission, must have at least one public elevator that is
24 capable of operating on an alternate power source for the
25 purpose of allowing all residents access for a specified
26 number of hours each day over a 5-day period following a
27 natural disaster, manmade disaster, emergency, or other civil
28 disturbance that disrupts the normal supply of electricity.
29 The alternate power source that controls elevator operations
30 must be capable of powering any connected fire alarm system in
31 the building. In addition to the required power source for the

1 elevator and connected fire alarm system, the alternate power
2 supply must be sufficient to provide emergency lighting to the
3 interior lobbies, hallways, and other portions of the building
4 used by the public. Engineering plans and verification of
5 operational capability must be provided by the local building
6 inspector to the county emergency management agency before
7 occupancy of the newly constructed building.

8 (d) Each person, firm, or corporation that is required
9 to maintain an alternate power source under this subsection
10 shall maintain a written emergency operations plan that
11 details the sequence of operations before, during, and after a
12 natural or manmade disaster or other emergency situation. The
13 plan must include, at a minimum, a life safety plan for
14 evacuation, maintenance of the electrical and lighting supply,
15 and provisions for the health, safety, and welfare of the
16 residents. In addition, the owner, manager, or operator of the
17 residential multifamily dwelling must keep written records of
18 any contracts for alternative power generation equipment.
19 Also, quarterly inspection records of life safety equipment
20 and alternate power generation equipment must be posted in the
21 elevator machine room or other place conspicuous to the
22 elevator inspector, which confirm that such equipment is
23 properly maintained and in good working condition, and copies
24 of contracts for alternate power generation equipment shall be
25 maintained on site for verification. The written emergency
26 operations plan and inspection records shall also be open for
27 periodic inspection by local and state government agencies as
28 deemed necessary. The owner or operator must keep a generator
29 key in a lockbox posted at or near any installed generator
30 unit.

1 (e) Multistory affordable residential dwellings for
2 persons age 62 and older that are financed or insured by the
3 United States Department of Housing and Urban Development must
4 make every effort to obtain grant funding from the Federal
5 Government or the Florida Housing Finance Corporation to
6 comply with this subsection. If an owner of such a residential
7 dwelling cannot comply with the requirements of this
8 subsection, the owner must develop a plan with the local
9 emergency management agency to ensure that residents are
10 evacuated to a place of safety in the event of a power outage
11 resulting from a natural or manmade disaster or other
12 emergency situation that disrupts the normal supply of
13 electricity for an extended period of time. A place of safety
14 may include, but is not limited to, relocation to an
15 alternative site within the building or evacuation to a local
16 shelter.

17 (f) As a part of the annual elevator inspection
18 required under s. 399.061, certified elevator inspectors shall
19 confirm that all installed generators required by this chapter
20 are in working order, have current inspection records posted
21 in the elevator machine room or other place conspicuous to the
22 elevator inspector, and that the required generator key is
23 present in the lockbox posted at or near the installed
24 generator. If a building does not have an installed generator,
25 the inspector shall confirm that the appropriate pre-wiring
26 and switching capabilities are present and that a statement is
27 posted in the elevator machine room or other place conspicuous
28 to the elevator inspector affirming a current guaranteed
29 contract exists for contingent services for alternate power is
30 current for the operating period.

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1 However, buildings, structures, and facilities must, as a
2 minimum, comply with the requirements in the Americans with
3 Disabilities Act Accessibility Guidelines.

4 Section 6. Paragraph (i) of subsection (2) of section
5 252.35, Florida Statutes, is amended, present paragraphs (j)
6 through (q) of that subsection are redesignated as paragraphs
7 (k) through (r), respectively, present paragraphs (r) through
8 (v) of that subsection are redesignated as paragraphs (u)
9 through (y), respectively, and new paragraphs (j), (s), and
10 (t) are added to that subsection to read:

11 252.35 Emergency management powers; Division of
12 Emergency Management.--

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

16 (i) Institute statewide public awareness programs.
17 This shall include an intensive public educational campaign on
18 emergency preparedness issues, including, but not limited to,
19 the personal responsibility of individual citizens to be
20 self-sufficient for up to 72 hours following a natural or
21 manmade disaster. The public educational campaign shall
22 include relevant information on statewide disaster plans,
23 evacuation routes, fuel suppliers, and shelters. All
24 educational materials must be available in alternative formats
25 and mediums to ensure that they are available to persons with
26 disabilities.

27 (j) The Division of Emergency Management and the
28 Department of Education shall coordinate with the Agency For
29 Persons with Disabilities to provide an educational outreach
30 program on disaster preparedness and readiness to individuals
31 who have limited English skills and identify persons who are

1 in need of assistance but are not defined under special-needs
2 criteria.

3 (s) By January 1, 2007, the Division of Emergency
4 Management shall complete an inventory of portable generators
5 owned by the state and local governments which are capable of
6 operating during a major disaster. The inventory must
7 identify, at a minimum, the location of each generator, the
8 number of generators stored at each specific location, the
9 agency to which each the generator belongs, the primary use of
10 the generator by the owner agency, and the names, addresses,
11 and telephone numbers of persons having the authority to loan
12 the stored generators as authorized by the Division of
13 Emergency Management during a declared emergency.

14 (t) The division shall maintain an inventory list of
15 generators owned by the state and local governments. In
16 addition, the division may keep a list of private entities,
17 along with appropriate contact information, which offer
18 generators for sale or lease. The list of private entities
19 shall be available to the public for inspection in written and
20 electronic formats.

21 Section 7. There is appropriated \$76,150 nonrecurring
22 General Revenue to the Department of Community Affairs for a
23 study on the feasibility of incorporating nongovernment
24 agencies and private entities into the logistical supply and
25 distribution system for essential commodities.

26 Section 8. If any provision of this act or its
27 application to any person or circumstance is held invalid, the
28 invalidity does not affect other provisions or applications of
29 the act which can be given effect without the invalid
30 provision or application, and to this end the provisions of
31 this act are severable.

1 Section 9. This act shall take effect July 1, 2006.

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3 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
4 COMMITTEE SUBSTITUTE FOR
5 CS/CS Senate Bill 528

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6 The Committee Substitute directs the Division of Emergency
7 Management to conduct a feasibility study relating to the
8 distribution of essential commodities by nongovernmental
9 entities. The sum of \$76,150 is appropriated to the Division
10 for this study.

11 The Committee Substitute requires certain residential
12 multifamily dwellings to have at least one elevator capable of
13 operating on an alternate power source for emergency purposes.

14 The Committee Substitute expands the powers and
15 responsibilities of the Department of Community Affairs
16 regarding a public awareness campaign on emergency
17 preparedness issues and the creation and maintenance of a
18 generator inventory.

19 The Committee Substitute also eliminates the tax credit
20 proposed for certain retail motor fuel dealers who improve
21 their facilities for operation during emergency situations.

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