

CHAMBER ACTION

1 The State Administration 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; providing legislative findings with respect to
9 the coordination of emergency response capabilities;
10 directing the Division of Emergency Management to conduct
11 a feasibility study relating to the supply and
12 distribution of essential commodities by nongovernmental
13 and private entities; creating s. 526.143, F.S.; providing
14 that each motor fuel terminal facility and wholesaler that
15 sells motor fuel in the state must be capable of operating
16 its distribution loading racks using an alternate
17 generated power source for a specified period by a certain
18 date; providing requirements with respect to the operation
19 of such equipment following a major disaster; providing
20 requirements with respect to the installation of specified
21 components; requiring specified documentation; requiring
22 newly constructed or substantially renovated motor fuel
23 retail outlets to be capable of operation using an

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24 | alternate generated power source; defining "substantially
25 | renovated"; providing requirements with respect to
26 | required documentation; requiring certain motor fuel
27 | retail outlets located within a specified distance from an
28 | interstate highway or state or federally designated
29 | evacuation route to be capable of operation using an
30 | alternate generated power source by a specified date;
31 | providing requirements with respect to the installation of
32 | specified components; requiring specified documentation;
33 | providing applicability; providing requirements with
34 | respect to the provision of portable generators by
35 | corporations or other entities owning a specified number
36 | of motor fuel retail outlets within a single county;
37 | requiring certain corporations or other entities owning a
38 | specified number of motor fuel retail outlets within a
39 | single domestic security region to maintain a document of
40 | agreement with respect to the use of portable generators;
41 | creating s. 526.144, F.S.; creating the Florida Disaster
42 | Motor Fuel Supplier Program within the Department of
43 | Community Affairs; providing that participation in the
44 | program shall be at the option of each county; providing
45 | for administration of the program; providing purpose of
46 | the program; providing requirements for and authority of
47 | retail motor fuel outlets doing business in participating
48 | counties that choose to become members of the program;
49 | providing a restriction on nonparticipating motor fuel
50 | retail outlets; authorizing counties that choose to
51 | participate in the program to charge a fee to cover

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52 | specified costs; providing for deposit of such fees;
53 | providing procedures and requirements with respect to
54 | operation under the program; providing for preemption to
55 | the state of specified powers, responsibilities, and
56 | functions at motor fuel terminal facilities, motor fuel
57 | wholesalers, motor fuel retail sales outlets; providing
58 | for review of the program; providing a report; amending s.
59 | 501.160, F.S.; providing that the prohibition against the
60 | rental or sale of essential commodities during a declared
61 | state of emergency at unconscionable prices shall remain
62 | in effect for a specified period of time; providing for
63 | renewal thereof; amending s. 553.509, F.S., relating to
64 | requirements with respect to vertical accessibility under
65 | pt. II of ch. 553, F.S., the "Florida Americans With
66 | Disabilities Accessibility Implementation Act"; requiring
67 | specified existing and newly constructed residential
68 | multifamily dwellings to have at least one public elevator
69 | that is capable of operating on an alternate power source
70 | for emergency purposes; providing requirements with
71 | respect to the alternate power source; providing for
72 | verification of compliance by specified dates; providing
73 | requirements with respect to emergency operations plans
74 | and inspection records; providing requirements with
75 | respect to compliance with the act for specified
76 | multistory affordable residential dwellings; requiring the
77 | development of an evacuation plan for such a dwelling in
78 | the absence of compliance with the act; providing
79 | additional inspection requirements under ch. 399, F.S.,

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80 | the "Elevator Safety Act"; amending s. 252.35, F.S.;

81 | expanding the duty of the Division of Emergency Management

82 | to conduct a public educational campaign on emergency

83 | preparedness issues; providing an additional duty of the

84 | division with respect to educational outreach concerning

85 | disaster preparedness; requiring the Division of Emergency

86 | Management to complete and maintain specified inventories

87 | of emergency generators; providing legislative findings

88 | with respect to minimum criteria for county emergency

89 | operations centers; specifying criteria for county

90 | emergency operations centers; providing priority and

91 | restrictions for funding; providing an appropriation to

92 | the Department of Community Affairs to establish a

93 | competitive award process; providing an appropriation to

94 | the Department of Community Affairs for logistical

95 | improvements and technology; providing uses of

96 | appropriated funds; providing an appropriation to the

97 | Department of Community Affairs to update regional

98 | hurricane evacuation plans; providing for use of

99 | appropriated funds; providing an appropriation to the

100 | Department of Community Affairs to conduct a feasibility

101 | study; providing an appropriation to the Department of

102 | Community Affairs for the Division of Emergency

103 | Management's public awareness campaign; providing

104 | severability; providing an effective date.

105 |

106 | Be It Enacted by the Legislature of the State of Florida:

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108 Section 1. The Legislature finds that there is a
109 compelling need to better coordinate emergency response
110 capabilities between local, state, federal, nongovernmental, and
111 private-sector partners to provide the best and most effective
112 postdisaster services to the people of the State of Florida. In
113 order to encourage the rapid recovery of economies in areas
114 affected by a disaster, the Legislature finds that programs to
115 restore normal commerce in communities should be a part of the
116 state comprehensive emergency management plan. The Legislature
117 recognizes nongovernmental agencies and the private sector as
118 key partners in disaster preparedness, response, and recovery.
119 Further, the Legislature recognizes the demonstrated abilities
120 and contributions of these entities in successfully providing
121 logistical support and commodities through well-proven
122 distribution systems. In order to enhance the state
123 comprehensive emergency management plan, the Division of
124 Emergency Management within the Department of Community Affairs
125 is hereby directed to conduct a feasibility study on
126 incorporating into the state's comprehensive emergency
127 management plan the logistical supply and distribution of
128 essential commodities by nongovernmental agencies and private
129 entities. In conducting the study, the division shall consult
130 with the Florida Retail Federation, the Florida Petroleum
131 Council, the Florida Petroleum Marketers and Convenience Store
132 Association, the Florida Emergency Preparedness Association, the
133 American Red Cross, Volunteer Florida, and other entities, as
134 appropriate. No later than February 1, 2007, the division shall
135 make recommendations based on the study to the Governor, the

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136 Speaker of the House of Representatives, and the President of
137 the Senate.

138 Section 2. Section 526.143, Florida Statutes, is created
139 to read:

140 526.143 Alternate generated power capacity for motor fuel
141 dispensing facilities.--

142 (1) By June 1, 2007, each motor fuel terminal facility, as
143 defined in s. 526.303(16), and each wholesaler, as defined in s.
144 526.303(17), which sells motor fuel in this state must be
145 capable of operating its distribution loading racks using an
146 alternate generated power source for a minimum of 72 hours.
147 Pending a postdisaster examination of the equipment by the
148 operator to determine any extenuating damage that would render
149 it unsafe to use, the facility must have such alternate
150 generated power source available for operation no later than 36
151 hours after a major disaster as defined in s. 252.34.

152 Installation of appropriate wiring, including a transfer switch,
153 shall be performed by a certified electrical contractor. Each
154 business that is subject to this subsection must keep a copy of
155 the documentation of such installation on site or at its
156 corporate headquarters. In addition, each business must keep a
157 written statement attesting to the periodic testing and ensured
158 operational capacity of the equipment. The required documents
159 must be made available, upon request, to the Division of
160 Emergency Management and the director of the county emergency
161 management agency.

162 (2) Each newly constructed or substantially renovated
163 motor fuel retail outlet, as defined in s. 526.303(14), for

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164 which a certificate of occupancy is issued on or after July 1,
165 2006, shall be prewired with an appropriate transfer switch, and
166 capable of operating all fuel pumps, dispensing equipment, life-
167 safety systems, and payment acceptance equipment using an
168 alternate generated power source. As used in this subsection,
169 the term "substantially renovated" means a renovation that
170 results in an increase of greater than 50 percent in the
171 assessed value of the motor fuel retail outlet. Local building
172 inspectors shall include this equipment and operations check in
173 the normal inspection process before issuing a certificate of
174 occupancy. Each retail outlet that is subject to this subsection
175 must keep a copy of the certificate of occupancy on site or at
176 its corporate headquarters. In addition, each retail outlet must
177 keep a written statement attesting to the periodic testing of
178 and ensured operational capability of the equipment. The
179 required documents must be made available, upon request, to the
180 Division of Emergency Management and the director of the county
181 emergency management agency.

182 (3) (a) No later than June 1, 2007, each motor fuel retail
183 outlet described in subparagraph 1., subparagraph 2., or
184 subparagraph 3., which is located within one-half mile proximate
185 to an interstate highway or state or federally designated
186 evacuation route must be prewired with an appropriate transfer
187 switch and be capable of operating all fuel pumps, dispensing
188 equipment, life safety systems, and payment acceptance equipment
189 using an alternate generated power source:

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

193 2. A motor fuel retail outlet located in a county having a
 194 population of 100,000 or more, but fewer than 300,000, which has
 195 12 or more fueling positions.

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

199 (b) Installation of appropriate wiring and transfer
 200 switches must be performed by a certified electrical contractor.
 201 Each retail outlet that is subject to this subsection must keep
 202 a copy of the documentation of such installation on site or at
 203 its corporate headquarters. In addition, each retail outlet must
 204 keep a written statement attesting to the periodic testing of
 205 and ensured operational capacity of the equipment. The required
 206 documents must be made available, upon request, to the Division
 207 of Emergency Management and the director of the county emergency
 208 management agency.

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

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

216 1. An automobile dealer;

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

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

220 4. A motor fuel retail outlet that has a written agreement
221 with a public hospital, in a form approved by the Division of
222 Emergency Management, wherein the public hospital agrees to
223 provide the motor fuel retail outlet with an alternative means
224 of power generation onsite so that the outlet's fuel pumps may
225 be operated in the event of a power outage.

226 (5) (a) Each corporation or other entity that owns 10 or
227 more motor fuel retail outlets located within a single county
228 shall maintain at least one portable generator that is capable
229 of providing an alternate generated power source as required
230 under subsection (2) for every 10 outlets. If a corporation or
231 other entity owns more than 10 outlets or a multiple of 10
232 outlets plus an additional six outlets within a single county,
233 the corporation or entity must provide one additional generator
234 to accommodate such additional outlets. Each portable generator
235 must be stored within this state, or may be stored in another
236 state if located within 250 miles of this state, and must be
237 available for use in an affected location within 24 hours after
238 a disaster.

239 (b) Each corporation or other entity that owns 10 or more
240 motor fuel retail outlets located within a single domestic
241 security region, as determined pursuant to s. 943.0312(1), and
242 that does not own additional outlets located outside the
243 domestic security region shall maintain a written document of
244 agreement with one or more similarly equipped entities for the
245 use of portable generators that may be used to meet the

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246 requirements of paragraph (a) and that are located within this
247 state but outside the affected domestic security region. The
248 agreement may be reciprocal, may allow for payment for services
249 rendered by the providing entity, and must guarantee the
250 availability of the portable generators to an affected location
251 within 24 hours after a disaster.

252 (c) For purposes of this section, ownership of a motor
253 fuel retail outlet shall be deemed to reside with the owner of
254 record of the fuel storage systems operating at the location, as
255 identified in the Department of Environmental Protection
256 underground storage facilities registry pursuant to s.
257 376.303(1).

258 Section 3. Section 526.144, Florida Statutes, is created
259 to read

260 526.144 Florida Disaster Motor Fuel Supplier Program.--

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

263 (b) Participation in the program shall be at the option of
264 each county governing body. In counties choosing to participate
265 in the program, the local emergency management agency shall be
266 primarily responsible for administering the program within those
267 counties. Nothing in this section shall require participation in
268 the program.

269 (c) In participating counties, the Florida Disaster Motor
270 Fuel Supplier Program shall allow any retail motor fuel outlet
271 doing business in those counties to participate in a network of
272 emergency responders to provide fuel supplies and services to
273 government agencies, medical institutions and facilities,

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274 critical infrastructure, and other responders, as well as the
275 general public, during a declared disaster as described in s.
276 252.36(2).

277 (d) Retail motor fuel outlets doing business in
278 participating counties that choose to become members of the
279 Florida Disaster Motor Fuel Supplier Program must be able to
280 demonstrate the capability to provide onsite fuel dispensing
281 services to other members of the State Emergency Response Team
282 within 24 hours after a major disaster has occurred, and agree
283 to make such service available as needed. Local emergency
284 management agencies may determine appropriate measures for
285 determining such readiness, including acceptance of a written
286 attestation from the retail motor fuel outlet, a copy of an
287 executed contract for services, or other documents or activities
288 that may demonstrate readiness. Participating retail motor fuel
289 outlets may choose to sell motor fuel through a preexisting
290 contract with local, state, or federal response agencies or may
291 provide point-of-sale service to such agencies. In addition,
292 participating retail motor fuel outlets may choose to sell motor
293 fuel to the general public upon compliance with requirements to
294 provide service under ss. 252.35 and 252.38 as directed by
295 county or state emergency management officials. Nothing in this
296 section shall preclude any retail motor fuel outlet from selling
297 fuel during lawful operating hours. Nonparticipating motor fuel
298 retail outlets may not operate during declared curfew hours. If
299 requested, appropriate law enforcement or security personnel may
300 be provided through emergency management protocol to the

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301 participating business for the purpose of maintaining civil
302 order during operating hours.

303 (e) Motor fuel outlets that choose to participate in the
304 Florida Disaster Motor Fuel Supplier Program pursuant to
305 paragraph (d) may be issued a State Emergency Response Team logo
306 by the participating county emergency management agency for
307 public display to alert emergency responders and the public that
308 the business is capable of assisting in an emergency.

309 (f) Counties that choose to participate in the Florida
310 Disaster Motor Fuel Supplier Program may charge a fee to cover
311 the actual costs of accepting a retail motor fuel outlet into
312 the program, including the cost of performing any required
313 review, filing of necessary forms, and producing logo decals for
314 public display. Additional charges may not be imposed for
315 processing individual documents associated with the program.
316 Funds collected shall be deposited into an appropriate county
317 operating account.

318 (3) Persons who are designated as members of the State
319 Emergency Response Team and who can produce appropriate
320 identification, as determined by state or county emergency
321 management officials, shall be given priority for purchasing
322 fuel at businesses designated as members of the State Emergency
323 Response Team. A business may be directed by county or state
324 emergency management officials to remain open during a declared
325 curfew in order to provide service for emergency personnel.
326 Under such direction, the business is not in violation of the
327 curfew and may not be penalized for such operation and the
328 emergency personnel are not in violation of the curfew. A person

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329 traveling during a curfew must be able to produce valid official
330 documentation of his or her position with the State Emergency
331 Response Team or the local emergency management agency. Such
332 documentation may include, but need not be limited to, current
333 State Emergency Response Team identification badge, current law
334 enforcement or other response agency identification or shield,
335 current health care employee identification card, or current
336 government services identification card indicating a critical
337 services position.

338 (4) A business that is designated as a member of the State
339 Emergency Response Team may request priority in receiving a
340 resupply of fuel in order to continue service to emergency
341 responders. Such request is not binding, but shall be considered
342 by emergency management officials in determining appropriate
343 response actions.

344 (5) Notwithstanding any other law or local ordinance and
345 for the purpose of ensuring an appropriate emergency management
346 response following major disasters in this state, the
347 regulation, siting, and placement of alternate power source
348 capabilities and equipment, the use of primary or alternate
349 personnel, and the submittal of emergency response plans at
350 motor fuel terminal facilities, motor fuel wholesalers, motor
351 fuel retail sales outlets, and all other retail sales outlets
352 are preempted to the state. To that end, all ordinances of every
353 county, municipality, or other governing body enacted prior to
354 July 1, 2006, shall be unenforceable, and no county,
355 municipality, or other governing body shall have the power to
356 adopt any ordinance relating to such subjects.

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357 (6) The Florida Energy Office of the Department of
358 Environmental Protection shall review situational progress in
359 postdisaster motor fuel supply distribution and provide a report
360 to the Legislature by March 1, 2007. The report must include
361 information concerning statewide compliance with s. 526.143 and
362 an identification of all motor fuel retail outlets that are
363 participating in the Florida Disaster Motor Fuel Supplier
364 Program.

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

367 501.160 Rental or sale of essential commodities during a
368 declared state of emergency; prohibition against unconscionable
369 prices.--

370 (2) Upon a declaration of a state of emergency by the
371 Governor, it is unlawful and a violation of s. 501.204 for a
372 person or her or his agent or employee to rent or sell or offer
373 to rent or sell at an unconscionable price within the area for
374 which the state of emergency is declared, any essential
375 commodity including, but not limited to, supplies, services,
376 provisions, or equipment that is necessary for consumption or
377 use as a direct result of the emergency. This prohibition shall
378 remain ~~remains~~ in effect for a period not to exceed 60 days
379 under the initial declared state of emergency as defined in s.
380 252.36(2) and shall be renewed by statement in any subsequent
381 renewal of the declared state of emergency by the Governor ~~until~~
382 ~~the declaration expires or is terminated.~~

383 Section 5. Section 553.509, Florida Statutes, is amended
384 to read:

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385 553.509 Vertical accessibility.--Nothing in sections
386 553.501-553.513 or the guidelines shall be construed to relieve
387 the owner of any building, structure, or facility governed by
388 those sections from the duty to provide vertical accessibility
389 to all levels above and below the occupiable grade level,
390 regardless of whether the guidelines require an elevator to be
391 installed in such building, structure, or facility, except for
392 the areas, rooms, and spaces described in subsections (1), (2),
393 and (3):

394 (1) Elevator pits, elevator penthouses, mechanical rooms,
395 piping or equipment catwalks, and automobile lubrication and
396 maintenance pits and platforms.~~†~~

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

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

403 (4) (a) Any person, firm, or corporation that owns,
404 manages, or operates a residential multifamily dwelling,
405 including a condominium, that is at least 75 feet high and
406 contains a public elevator, as described in s. 399.035(2) and
407 (3) and rules adopted by the Florida Building Commission, shall
408 have at least one public elevator that is capable of operating
409 on an alternate power source for emergency purposes. Alternate
410 power shall be available for the purpose of allowing all
411 residents access for a specified number of hours each day over a
412 5-day period following a natural disaster, manmade disaster,

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413 emergency, or other civil disturbance that disrupts the normal
414 supply of electricity. The alternate power source that controls
415 elevator operations must also be capable of powering any
416 connected fire alarm system in the building.

417 (b) At a minimum, the elevator must be appropriately
418 prewired and prepared to accept an alternate power source and
419 must have a connection on the line side of the main disconnect,
420 pursuant to National Electric Code Handbook, Article 700. In
421 addition to the required power source for the elevator and
422 connected fire alarm system in the building, the alternate power
423 supply must be sufficient to provide emergency lighting to the
424 interior lobbies, hallways, and other portions of the building
425 used by the public. Residential multifamily dwellings must have
426 an available generator and fuel source on the property or have
427 proof of a current contract posted in the elevator machine room
428 or other place conspicuous to the elevator inspector affirming a
429 current guaranteed service contract for such equipment and fuel
430 source to operate the elevator on an on-call basis within 24
431 hours after a request. By December 31, 2006, any person, firm or
432 corporation that owns, manages or operates a residential
433 multifamily dwelling as defined in paragraph (a) must provide to
434 the local building inspection agency verification of engineering
435 plans for residential multifamily dwellings that provide for the
436 capability to generate power by alternate means. Compliance with
437 installation requirements and operational capability
438 requirements must be verified by local building inspectors and
439 reported to the county emergency management agency by December
440 31, 2007.

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441 (c) Each newly constructed residential multifamily
442 dwelling, including a condominium, that is at least 75 feet high
443 and contains a public elevator, as described in s. 399.035(2)
444 and (3) and rules adopted by the Florida Building Commission,
445 must have at least one public elevator that is capable of
446 operating on an alternate power source for the purpose of
447 allowing all residents access for a specified number of hours
448 each day over a 5-day period following a natural disaster,
449 manmade disaster, emergency, or other civil disturbance that
450 disrupts the normal supply of electricity. The alternate power
451 source that controls elevator operations must be capable of
452 powering any connected fire alarm system in the building. In
453 addition to the required power source for the elevator and
454 connected fire alarm system, the alternate power supply must be
455 sufficient to provide emergency lighting to the interior
456 lobbies, hallways, and other portions of the building used by
457 the public. Engineering plans and verification of operational
458 capability must be provided by the local building inspector to
459 the county emergency management agency before occupancy of the
460 newly constructed building.

461 (d) Each person, firm, or corporation that is required to
462 maintain an alternate power source under this subsection shall
463 maintain a written emergency operations plan that details the
464 sequence of operations before, during, and after a natural or
465 manmade disaster or other emergency situation. The plan must
466 include, at a minimum, a life safety plan for evacuation,
467 maintenance of the electrical and lighting supply, and
468 provisions for the health, safety, and welfare of the residents.

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469 In addition, the owner, manager, or operator of the residential
470 multifamily dwelling must keep written records of any contracts
471 for alternative power generation equipment. Also, quarterly
472 inspection records of life safety equipment and alternate power
473 generation equipment must be posted in the elevator machine room
474 or other place conspicuous to the elevator inspector, which
475 confirm that such equipment is properly maintained and in good
476 working condition, and copies of contracts for alternate power
477 generation equipment shall be maintained on site for
478 verification. The written emergency operations plan and
479 inspection records shall also be open for periodic inspection by
480 local and state government agencies as deemed necessary. The
481 owner or operator must keep a generator key in a lockbox posted
482 at or near any installed generator unit.

483 (e) Multistory affordable residential dwellings for
484 persons age 62 and older that are financed or insured by the
485 United States Department of Housing and Urban Development must
486 make every effort to obtain grant funding from the Federal
487 Government or the Florida Housing Finance Corporation to comply
488 with this subsection. If an owner of such a residential dwelling
489 cannot comply with the requirements of this subsection, the
490 owner must develop a plan with the local emergency management
491 agency to ensure that residents are evacuated to a place of
492 safety in the event of a power outage resulting from a natural
493 or manmade disaster or other emergency situation that disrupts
494 the normal supply of electricity for an extended period of time.
495 A place of safety may include, but is not limited to, relocation

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496 to an alternative site within the building or evacuation to a
497 local shelter.

498 (f) As a part of the annual elevator inspection required
499 under s. 399.061, certified elevator inspectors shall confirm
500 that all installed generators required by this chapter are in
501 working order, have current inspection records posted in the
502 elevator machine room or other place conspicuous to the elevator
503 inspector, and that the required generator key is present in the
504 lockbox posted at or near the installed generator. If a building
505 does not have an installed generator, the inspector shall
506 confirm that the appropriate rewiring and switching
507 capabilities are present and that a statement is posted in the
508 elevator machine room or other place conspicuous to the elevator
509 inspector affirming that a current guaranteed contract exists
510 for contingent services for alternate power and is current for
511 the operating period.

512

513 However, buildings, structures, and facilities must, as a
514 minimum, comply with the requirements in the Americans with
515 Disabilities Act Accessibility Guidelines.

516 Section 6. Paragraph (i) of subsection (2) of section
517 252.35, Florida Statutes, is amended, paragraphs (j), (k), (l),
518 (m), (n), (o), (p), (q), (r), (s), (t), (u), and (v) of that
519 subsection are redesignated as paragraphs (k), (l), (m), (n),
520 (o), (p), (q), (r), (u), (v), (w), (x), and (y), respectively,
521 and new paragraphs (j), (s), and (t) are added to subsection (2)
522 of that section, to read:

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523 252.35 Emergency management powers; Division of Emergency
524 Management.--

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

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

538 (j) The Division of Emergency Management and the
539 Department of Education shall coordinate with the Agency For
540 Persons with Disabilities to provide an educational outreach
541 program on disaster preparedness and readiness to individuals
542 who have limited English skills and identify persons who are in
543 need of assistance but are not defined under special needs
544 criteria.

545 (s) By January 1, 2007, the Division of Emergency
546 Management shall complete an inventory of portable generators
547 owned by the state and local governments which are capable of
548 operating during a major disaster. The inventory must identify,
549 at a minimum, the location of each generator, the number of
550 generators stored at each specific location, the agency to which

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551 each generator belongs, the primary use of the generator by the
552 agency that owns the generator, and the names, addresses, and
553 telephone numbers of persons having the authority to loan the
554 stored generators as authorized by the Division of Emergency
555 Management during a declared emergency.

556 (t) The division shall maintain an inventory list of
557 generators owned by the state and local governments. In
558 addition, the division may keep a list of private entities which
559 offer generators for sale or lease, along with appropriate
560 contact information. The list of private entities shall be
561 available to the public for inspection in written and electronic
562 formats.

563 Section 7. The Legislature finds that county emergency
564 operations centers should meet the minimum criteria for
565 structural survivability and sufficiency of operational space,
566 as determined by assessments performed by the Department of
567 Community Affairs based on guidance from the Federal Emergency
568 Management Agency. Criteria for a county emergency operations
569 center include, but are not limited to, county population,
570 hurricane evacuation clearance time for the vulnerable
571 population of the county, structural survivability of the
572 existing emergency operations center, and Federal Emergency
573 Management Agency guidance for workspace requirements for the
574 emergency operations center. First priority for funding shall be
575 for county emergency operations centers where no survivable
576 facility exists and where workspace deficits exist. Funding may
577 not be used for land acquisition or recurring expenditures.
578 Funding is limited to the construction or structural renovation

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579 of the county emergency operations center in order to meet
580 national workspace recommendations and may not be used to
581 purchase equipment, furnishings, communications, or operational
582 systems. There is hereby appropriated \$20 million from
583 nonrecurring general revenue and \$8.6 million from the U.S.
584 Contributions Trust Fund to the Department of Community Affairs
585 in fixed capital outlay to establish a competitive award process
586 to implement this section. No more than 5 percent of the funds
587 provided under this section may be used by the Department for
588 administration of the funding.

589 Section 8. Funds appropriated under this section may be
590 used for increasing storage capacity; improving technologies to
591 manage commodities; and enhancing the ability to maintain in a
592 safe and secure manner an inventory of supplies, equipment, and
593 commodities that would be needed in the immediate aftermath of a
594 disaster. There is hereby appropriated \$400,000 from
595 nonrecurring general revenue, \$1.6 million from recurring funds
596 within the Emergency Management, Preparedness, and Assistance
597 Trust Fund, and \$4.5 million from nonrecurring funds within the
598 Emergency Management Preparedness, and Assistance Trust Fund to
599 the Department of Community Affairs for logistical improvements
600 and technology.

601 Section 9. Funds appropriated under this section may be
602 used to update hurricane evacuation plans using Light Detecting
603 and Ranging technology and the National Hurricane Center's
604 computerized Sea, Lake and Overland Surges for Hurricanes model.
605 There is hereby appropriated \$29 million from the U.S.
606 Contributions Trust Fund to the Department of Community Affairs

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607 to update regional hurricane evacuation plans using Light
608 Detecting and Ranging Technology and the National Hurricane
609 Center's computerized Sea, Lake and Overland Surges for
610 Hurricanes model. No more than 5 percent of the funds provided
611 under this section may be used by the Department for
612 administration of this funding.

613 Section 10. There is hereby appropriated \$76,150 from
614 nonrecurring general revenue to the Department of Community
615 Affairs for a study on the feasibility of incorporating
616 nongovernmental agencies and private entities into the
617 logistical supply and distribution system for essential
618 commodities.

619 Section 11. There is hereby appropriated \$3.4 million from
620 the U.S. Contributions Trust Fund to the Department of Community
621 Affairs for the Division of Emergency Management's public
622 awareness campaign.

623 Section 12. If any provision of this act or its
624 application to any person or circumstance is held invalid, the
625 invalidity does not affect other provisions or applications of
626 the act which can be given effect without the invalid provision
627 or application, and to this end the provisions of this act are
628 severable.

629 Section 13. This act shall take effect July 1, 2006.