

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

28 providing applicability; creating s. 526.144, F.S.;

29 creating the Florida Disaster Motor Fuel Supplier Program

30 within the Department of Community Affairs; providing that

31 participation in the program shall be at the option of

32 each county; providing for administration of the program;

33 providing purpose of the program; providing requirements

34 for and authority of retail motor fuel outlets doing

35 business in participating counties that choose to become

36 members of the program; providing a restriction on

37 nonparticipating motor fuel retail outlets; authorizing

38 counties that choose to participate in the program to

39 charge a fee to cover specified costs; providing for

40 deposit of such fees; providing procedures and

41 requirements with respect to operation under the program;

42 providing that the regulation of and requirements for the

43 siting and placement of an alternate power source and any

44 related equipment at motor fuel terminal facilities,

45 wholesalers, and retail sales outlets shall be exclusively

46 controlled by the state; providing for review of the

47 program; providing a report; amending s. 501.160, F.S.;

48 providing that the prohibition against the rental or sale

49 of essential commodities during a declared state of

50 emergency at unconscionable prices shall remain in effect

51 for a specified period of time; providing for renewal

52 thereof; amending s. 553.509, F.S., relating to

53 requirements with respect to vertical accessibility under

54 pt. II of ch. 553, F.S., the "Florida Americans With

55 | Disabilities Accessibility Implementation Act"; requiring
56 | specified existing and newly constructed residential
57 | multifamily dwellings to have at least one public elevator
58 | that is capable of operating on an alternate power source
59 | for emergency purposes; providing requirements with
60 | respect to the alternate power source; providing for
61 | verification of compliance by specified dates; providing
62 | requirements with respect to emergency operations plans
63 | and inspection records; providing requirements with
64 | respect to compliance with the act for specified
65 | multistory affordable residential dwellings; requiring the
66 | development of an evacuation plan for such a dwelling in
67 | the absence of compliance with the act; providing
68 | additional inspection requirements under ch. 399, F.S.,
69 | the "Elevator Safety Act"; amending s. 252.35, F.S.;
70 | expanding the duty of the Division of Emergency Management
71 | to conduct a public educational campaign on emergency
72 | preparedness issues; providing an additional duty of the
73 | division with respect to educational outreach concerning
74 | disaster preparedness; requiring the Division of Emergency
75 | Management to complete and maintain specified inventories
76 | of emergency generators; providing legislative findings
77 | with respect to minimum criteria for county emergency
78 | operations centers; specifying criteria for county
79 | emergency operations centers; providing priority and
80 | restrictions for funding; providing an appropriation to
81 | the Department of Community Affairs to establish a

82 competitive award process; providing an appropriation to
83 the Department of Community Affairs for logistical
84 improvements and technology; providing uses of
85 appropriated funds; providing an appropriation to the
86 Department of Community Affairs to update regional
87 hurricane evacuation plans; providing for use of
88 appropriated funds; providing that the procurement of
89 technologies with appropriated funds is subject to
90 competitive bid requirements; providing an appropriation
91 to the Department of Community Affairs to conduct a
92 feasibility study; providing an appropriation to the
93 Department of Community Affairs for the Division of
94 Emergency Management's public awareness campaign;
95 providing severability; providing an effective date.

96
97 Be It Enacted by the Legislature of the State of Florida:

98
99 Section 1. The Legislature finds that there is a
100 compelling need to better coordinate emergency response
101 capabilities between local, state, federal, nongovernmental, and
102 private-sector partners to provide the best and most effective
103 postdisaster services to the people of the State of Florida. In
104 order to encourage the rapid recovery of economies in areas
105 affected by a disaster, the Legislature finds that programs to
106 restore normal commerce in communities should be a part of the
107 state comprehensive emergency management plan. The Legislature
108 recognizes nongovernmental agencies and the private sector as

109 key partners in disaster preparedness, response, and recovery.
110 Further, the Legislature recognizes the demonstrated abilities
111 and contributions of these entities in successfully providing
112 logistical support and commodities through well-proven
113 distribution systems. In order to enhance the state
114 comprehensive emergency management plan, the Division of
115 Emergency Management within the Department of Community Affairs
116 is hereby directed to conduct a feasibility study on
117 incorporating into the state's comprehensive emergency
118 management plan the logistical supply and distribution of
119 essential commodities by nongovernmental agencies and private
120 entities. In conducting the study, the division shall consult
121 with the Florida Retail Federation, the Florida Petroleum
122 Council, the Florida Petroleum Marketers and Convenience Store
123 Association, the Florida Emergency Preparedness Association, the
124 American Red Cross, Volunteer Florida, and other entities, as
125 appropriate. No later than February 1, 2007, the division shall
126 make recommendations based on the study to the Governor, the
127 Speaker of the House of Representatives, and the President of
128 the Senate.

129 Section 2. Section 526.143, Florida Statutes, is created
130 to read:

131 526.143 Alternate generated power capacity for motor fuel
132 dispensing facilities.--

133 (1) By June 1, 2007, each motor fuel terminal facility, as
134 defined in s. 526.303(16), and each wholesaler, as defined in s.
135 526.303(17), which sells motor fuel in this state must be

136 capable of operating its distribution loading racks using an
137 alternate generated power source for a minimum of 72 hours.
138 Pending a postdisaster examination of the equipment by the
139 operator to determine any extenuating damage that would render
140 it unsafe to use, the facility must have such alternate
141 generated power source available for operation no later than 36
142 hours after a major disaster as defined in s. 252.34.
143 Installation of appropriate wiring, including a transfer switch,
144 shall be performed by a certified electrical contractor. Each
145 business that is subject to this subsection must keep a copy of
146 the documentation of such installation on site or at its
147 corporate headquarters. In addition, each business must keep a
148 written statement attesting to the periodic testing and ensured
149 operational capacity of the equipment. The required documents
150 must be made available, upon request, to the Division of
151 Emergency Management and the director of the county emergency
152 management agency.

153 (2) Each newly constructed or substantially renovated
154 motor fuel retail outlet, as defined in s. 526.303(14), for
155 which a certificate of occupancy is issued on or after July 1,
156 2006, shall be prewired with an appropriate transfer switch, and
157 capable of operating all fuel pumps, dispensing equipment, life-
158 safety systems, and payment acceptance equipment using an
159 alternate generated power source. As used in this subsection,
160 the term "substantially renovated" means a renovation that
161 results in an increase of greater than 50 percent in the
162 assessed value of the motor fuel retail outlet. Local building

163 inspectors shall include this equipment and operations check in
164 the normal inspection process before issuing a certificate of
165 occupancy. Each retail outlet that is subject to this subsection
166 must keep a copy of the certificate of occupancy on site or at
167 its corporate headquarters. In addition, each retail outlet must
168 keep a written statement attesting to the periodic testing of
169 and ensured operational capability of the equipment. The
170 required documents must be made available, upon request, to the
171 Division of Emergency Management and the director of the county
172 emergency management agency.

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

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

184 2. A motor fuel retail outlet located in a county having a
185 population of 100,000 or more, but fewer than 300,000, which has
186 12 or more fueling positions.

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

190 (b) Installation of appropriate wiring and transfer
191 switches must be performed by a certified electrical contractor.
192 Each retail outlet that is subject to this subsection must keep
193 a copy of the documentation of such installation on site or at
194 its corporate headquarters. In addition, each retail outlet must
195 keep a written statement attesting to the periodic testing of
196 and ensured operational capacity of the equipment. The required
197 documents must be made available, upon request, to the Division
198 of Emergency Management and the director of the county emergency
199 management agency.

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

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

207 1. An automobile dealer;
208 2. A person who operates a fleet of motor vehicles;
209 3. A person who sells motor fuel exclusively to a fleet of
210 motor vehicles; or

211 4. A motor fuel retail outlet that has a written agreement
212 with a public hospital, in a form approved by the Division of
213 Emergency Management, wherein the public hospital agrees to
214 provide the motor fuel retail outlet with an alternative means
215 of power generation onsite so that the outlet's fuel pumps may
216 be operated in the event of a power outage.

217 Section 3. Section 526.144, Florida Statutes, is created
218 to read

219 526.144 Florida Disaster Motor Fuel Supplier Program.--

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

222 (b) Participation in the program shall be at the option of
223 each county governing body. In counties choosing to participate
224 in the program, the local emergency management agency shall be
225 primarily responsible for administering the program within those
226 counties. Nothing in this section shall require participation in
227 the program.

228 (c) In participating counties, the Florida Disaster Motor
229 Fuel Supplier Program shall allow any retail motor fuel outlet
230 doing business in those counties to participate in a network of
231 emergency responders to provide fuel supplies and services to
232 government agencies, medical institutions and facilities,
233 critical infrastructure, and other responders, as well as the
234 general public, during a declared disaster as described in s.
235 252.36(2).

236 (d) Retail motor fuel outlets doing business in
237 participating counties that choose to become members of the
238 Florida Disaster Motor Fuel Supplier Program must be able to
239 demonstrate the capability to provide onsite fuel dispensing
240 services to other members of the State Emergency Response Team
241 within 24 hours after a major disaster has occurred, and agree
242 to make such service available as needed. Local emergency
243 management agencies may determine appropriate measures for

244 determining such readiness, including acceptance of a written
245 attestation from the retail motor fuel outlet, a copy of an
246 executed contract for services, or other documents or activities
247 that may demonstrate readiness. Participating retail motor fuel
248 outlets may choose to sell motor fuel through a preexisting
249 contract with local, state, or federal response agencies or may
250 provide point-of-sale service to such agencies. In addition,
251 participating retail motor fuel outlets may choose to sell motor
252 fuel to the general public upon compliance with requirements to
253 provide service under ss. 252.35 and 252.38 as directed by
254 county or state emergency management officials. Nothing in this
255 section shall preclude any retail motor fuel outlet from selling
256 fuel during lawful operating hours. Nonparticipating motor fuel
257 retail outlets may not operate during declared curfew hours. If
258 requested, appropriate law enforcement or security personnel may
259 be provided through emergency management protocol to the
260 participating business for the purpose of maintaining civil
261 order during operating hours.

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

268 (f) Counties that choose to participate in the Florida
269 Disaster Motor Fuel Supplier Program may charge a fee to cover
270 the actual costs of accepting a retail motor fuel outlet into

271 the program, including the cost of performing any required
272 review, filing of necessary forms, and producing logo decals for
273 public display. Additional charges may not be imposed for
274 processing individual documents associated with the program.
275 Funds collected shall be deposited into an appropriate county
276 operating account.

277 (3) Persons who are designated as members of the State
278 Emergency Response Team and who can produce appropriate
279 identification, as determined by state or county emergency
280 management officials, shall be given priority for purchasing
281 fuel at businesses designated as members of the State Emergency
282 Response Team. A business may be directed by county or state
283 emergency management officials to remain open during a declared
284 curfew in order to provide service for emergency personnel.
285 Under such direction, the business is not in violation of the
286 curfew and may not be penalized for such operation and the
287 emergency personnel are not in violation of the curfew. A person
288 traveling during a curfew must be able to produce valid official
289 documentation of his or her position with the State Emergency
290 Response Team or the local emergency management agency. Such
291 documentation may include, but need not be limited to, current
292 State Emergency Response Team identification badge, current law
293 enforcement or other response agency identification or shield,
294 current health care employee identification card, or current
295 government services identification card indicating a critical
296 services position.

297 (4) A business that is designated as a member of the State
298 Emergency Response Team may request priority in receiving a
299 resupply of fuel in order to continue service to emergency
300 responders. Such request is not binding, but shall be considered
301 by emergency management officials in determining appropriate
302 response actions.

303 (5) Notwithstanding any other law or local ordinance, to
304 ensure an appropriate emergency management response to major
305 disasters in the state, the regulation of and requirements for
306 the siting and placement of an alternate power source and any
307 related equipment at motor fuel terminal facilities,
308 wholesalers, and retail sales outlets shall be exclusively
309 controlled by the state.

310 (6) The Florida Energy Office of the Department of
311 Environmental Protection shall review situational progress in
312 postdisaster motor fuel supply distribution and provide a report
313 to the Legislature by March 1, 2007. The report must include
314 information concerning statewide compliance with s. 526.143 and
315 an identification of all motor fuel retail outlets that are
316 participating in the Florida Disaster Motor Fuel Supplier
317 Program.

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

320 501.160 Rental or sale of essential commodities during a
321 declared state of emergency; prohibition against unconscionable
322 prices.--

323 (2) Upon a declaration of a state of emergency by the
 324 Governor, it is unlawful and a violation of s. 501.204 for a
 325 person or her or his agent or employee to rent or sell or offer
 326 to rent or sell at an unconscionable price within the area for
 327 which the state of emergency is declared, any essential
 328 commodity including, but not limited to, supplies, services,
 329 provisions, or equipment that is necessary for consumption or
 330 use as a direct result of the emergency. This prohibition shall
 331 remain ~~remains~~ in effect for a period not to exceed 60 days
 332 under the initial declared state of emergency as defined in s.
 333 252.36(2) and shall be renewed by statement in any subsequent
 334 renewal of the declared state of emergency by the Governor ~~until~~
 335 ~~the declaration expires or is terminated.~~

336 Section 5. Section 553.509, Florida Statutes, is amended
 337 to read:

338 553.509 Vertical accessibility.--Nothing in sections
 339 553.501-553.513 or the guidelines shall be construed to relieve
 340 the owner of any building, structure, or facility governed by
 341 those sections from the duty to provide vertical accessibility
 342 to all levels above and below the occupiable grade level,
 343 regardless of whether the guidelines require an elevator to be
 344 installed in such building, structure, or facility, except for
 345 the areas, rooms, and spaces described in subsections (1), (2),
 346 and (3):

347 (1) Elevator pits, elevator penthouses, mechanical rooms,
 348 piping or equipment catwalks, and automobile lubrication and
 349 maintenance pits and platforms.↵

350 (2) Unoccupiable spaces, such as rooms, enclosed spaces,
351 and storage spaces that are not designed for human occupancy,
352 for public accommodations, or for work areas. ~~and~~

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

356 (4) (a) Any person, firm, or corporation that owns,
357 manages, or operates a residential multifamily dwelling,
358 including a condominium, that is at least 75 feet high and
359 contains a public elevator, as described in s. 399.035(2) and
360 (3) and rules adopted by the Florida Building Commission, shall
361 have at least one public elevator that is capable of operating
362 on an alternate power source for emergency purposes. Alternate
363 power shall be available for the purpose of allowing all
364 residents access for a specified number of hours each day over a
365 5-day period following a natural disaster, manmade disaster,
366 emergency, or other civil disturbance that disrupts the normal
367 supply of electricity. The alternate power source that controls
368 elevator operations must also be capable of powering any
369 connected fire alarm system in the building.

370 (b) At a minimum, the elevator must be appropriately
371 prewired and prepared to accept an alternate power source and
372 must have a connection on the line side of the main disconnect,
373 pursuant to National Electric Code Handbook, Article 700. In
374 addition to the required power source for the elevator and
375 connected fire alarm system in the building, the alternate power
376 supply must be sufficient to provide emergency lighting to the

377 interior lobbies, hallways, and other portions of the building
378 used by the public. Residential multifamily dwellings must have
379 an available generator and fuel source on the property or have
380 proof of a current contract posted in the elevator machine room
381 or other place conspicuous to the elevator inspector affirming a
382 current guaranteed service contract for such equipment and fuel
383 source to operate the elevator on an on-call basis within 24
384 hours after a request. By December 31, 2006, any person, firm or
385 corporation that owns, manages or operates a residential
386 multifamily dwelling as defined in paragraph (a) must provide to
387 the local building inspection agency verification of engineering
388 plans for residential multifamily dwellings that provide for the
389 capability to generate power by alternate means. Compliance with
390 installation requirements and operational capability
391 requirements must be verified by local building inspectors and
392 reported to the county emergency management agency by December
393 31, 2007.

394 (c) Each newly constructed residential multifamily
395 dwelling, including a condominium, that is at least 75 feet high
396 and contains a public elevator, as described in s. 399.035(2)
397 and (3) and rules adopted by the Florida Building Commission,
398 must have at least one public elevator that is capable of
399 operating on an alternate power source for the purpose of
400 allowing all residents access for a specified number of hours
401 each day over a 5-day period following a natural disaster,
402 manmade disaster, emergency, or other civil disturbance that
403 disrupts the normal supply of electricity. The alternate power

404 source that controls elevator operations must be capable of
405 powering any connected fire alarm system in the building. In
406 addition to the required power source for the elevator and
407 connected fire alarm system, the alternate power supply must be
408 sufficient to provide emergency lighting to the interior
409 lobbies, hallways, and other portions of the building used by
410 the public. Engineering plans and verification of operational
411 capability must be provided by the local building inspector to
412 the county emergency management agency before occupancy of the
413 newly constructed building.

414 (d) Each person, firm, or corporation that is required to
415 maintain an alternate power source under this subsection shall
416 maintain a written emergency operations plan that details the
417 sequence of operations before, during, and after a natural or
418 manmade disaster or other emergency situation. The plan must
419 include, at a minimum, a life safety plan for evacuation,
420 maintenance of the electrical and lighting supply, and
421 provisions for the health, safety, and welfare of the residents.
422 In addition, the owner, manager, or operator of the residential
423 multifamily dwelling must keep written records of any contracts
424 for alternative power generation equipment. Also, quarterly
425 inspection records of life safety equipment and alternate power
426 generation equipment must be posted in the elevator machine room
427 or other place conspicuous to the elevator inspector, which
428 confirm that such equipment is properly maintained and in good
429 working condition, and copies of contracts for alternate power
430 generation equipment shall be maintained on site for

431 verification. The written emergency operations plan and
432 inspection records shall also be open for periodic inspection by
433 local and state government agencies as deemed necessary. The
434 owner or operator must keep a generator key in a lockbox posted
435 at or near any installed generator unit.

436 (e) Multistory affordable residential dwellings for
437 persons age 62 and older that are financed or insured by the
438 United States Department of Housing and Urban Development must
439 make every effort to obtain grant funding from the Federal
440 Government or the Florida Housing Finance Corporation to comply
441 with this subsection. If an owner of such a residential dwelling
442 cannot comply with the requirements of this subsection, the
443 owner must develop a plan with the local emergency management
444 agency to ensure that residents are evacuated to a place of
445 safety in the event of a power outage resulting from a natural
446 or manmade disaster or other emergency situation that disrupts
447 the normal supply of electricity for an extended period of time.
448 A place of safety may include, but is not limited to, relocation
449 to an alternative site within the building or evacuation to a
450 local shelter.

451 (f) As a part of the annual elevator inspection required
452 under s. 399.061, certified elevator inspectors shall confirm
453 that all installed generators required by this chapter are in
454 working order, have current inspection records posted in the
455 elevator machine room or other place conspicuous to the elevator
456 inspector, and that the required generator key is present in the
457 lockbox posted at or near the installed generator. If a building

458 does not have an installed generator, the inspector shall
459 confirm that the appropriate rewiring and switching
460 capabilities are present and that a statement is posted in the
461 elevator machine room or other place conspicuous to the elevator
462 inspector affirming that a current guaranteed contract exists
463 for contingent services for alternate power and is current for
464 the operating period.

465
466 However, buildings, structures, and facilities must, as a
467 minimum, comply with the requirements in the Americans with
468 Disabilities Act Accessibility Guidelines.

469 Section 6. Paragraph (i) of subsection (2) of section
470 252.35, Florida Statutes, is amended, paragraphs (j), (k), (l),
471 (m), (n), (o), (p), (q), (r), (s), (t), (u), and (v) of that
472 subsection are redesignated as paragraphs (k), (l), (m), (n),
473 (o), (p), (q), (r), (u), (v), (w), (x), and (y), respectively,
474 and new paragraphs (j), (s), and (t) are added to subsection (2)
475 of that section, to read:

476 252.35 Emergency management powers; Division of Emergency
477 Management.--

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

481 (i) Institute statewide public awareness programs. This
482 shall include an intensive public educational campaign on
483 emergency preparedness issues, including, but not limited to,
484 the personal responsibility of individual citizens to be self-

485 sufficient for up to 72 hours following a natural or manmade
486 disaster. The public educational campaign shall include relevant
487 information on statewide disaster plans, evacuation routes, fuel
488 suppliers, and shelters. All educational materials must be
489 available in alternative formats and mediums to ensure that they
490 are available to persons with disabilities.

491 (j) The Division of Emergency Management and the
492 Department of Education shall coordinate with the Agency For
493 Persons with Disabilities to provide an educational outreach
494 program on disaster preparedness and readiness to individuals
495 who have limited English skills and identify persons who are in
496 need of assistance but are not defined under special needs
497 criteria.

498 (s) By January 1, 2007, the Division of Emergency
499 Management shall complete an inventory of portable generators
500 owned by the state and local governments which are capable of
501 operating during a major disaster. The inventory must identify,
502 at a minimum, the location of each generator, the number of
503 generators stored at each specific location, the agency to which
504 each generator belongs, the primary use of the generator by the
505 agency that owns the generator, and the names, addresses, and
506 telephone numbers of persons having the authority to loan the
507 stored generators as authorized by the Division of Emergency
508 Management during a declared emergency.

509 (t) The division shall maintain an inventory list of
510 generators owned by the state and local governments. In
511 addition, the division may keep a list of private entities which

512 offer generators for sale or lease, along with appropriate
513 contact information. The list of private entities shall be
514 available to the public for inspection in written and electronic
515 formats.

516 Section 7. The Legislature finds that county emergency
517 operations centers should meet the minimum criteria for
518 structural survivability and sufficiency of operational space,
519 as determined by assessments performed by the Department of
520 Community Affairs based on guidance from the Federal Emergency
521 Management Agency. Criteria for a county emergency operations
522 center include, but are not limited to, county population,
523 hurricane evacuation clearance time for the vulnerable
524 population of the county, structural survivability of the
525 existing emergency operations center, and Federal Emergency
526 Management Agency guidance for workspace requirements for the
527 emergency operations center. First priority for funding shall be
528 for county emergency operations centers where no survivable
529 facility exists and where workspace deficits exist. Funding may
530 not be used for land acquisition or recurring expenditures.
531 Funding is limited to the construction or structural renovation
532 of the county emergency operations center in order to meet
533 national workspace recommendations and may not be used to
534 purchase equipment, furnishings, communications, or operational
535 systems. There is hereby appropriated \$20 million from
536 nonrecurring general revenue and \$8.6 million from the U.S.
537 Contributions Trust Fund to the Department of Community Affairs
538 in fixed capital outlay to establish a competitive award process

539 to implement this section. No more than 5 percent of the funds
540 provided under this section may be used by the Department for
541 administration of the funding.

542 Section 8. Funds appropriated under this section may be
543 used for increasing storage capacity; improving technologies to
544 manage commodities; and enhancing the ability to maintain in a
545 safe and secure manner an inventory of supplies, equipment, and
546 commodities that would be needed in the immediate aftermath of a
547 disaster. There is hereby appropriated \$400,000 from
548 nonrecurring general revenue, \$1.6 million from recurring funds
549 within the Emergency Management, Preparedness, and Assistance
550 Trust Fund, and \$4.5 million from nonrecurring funds within the
551 Emergency Management Preparedness, and Assistance Trust Fund to
552 the Department of Community Affairs for logistical improvements
553 and technology.

554 Section 9. Funds appropriated under this section may be
555 used to update hurricane evacuation plans using Light Detecting
556 and Ranging technology and the National Hurricane Center's
557 computerized Sea, Lake and Overland Surges for Hurricanes model.
558 There is hereby appropriated \$29 million from the U.S.
559 Contributions Trust Fund to the Department of Community Affairs
560 to update regional hurricane evacuation plans using Light
561 Detecting and Ranging Technology and the National Hurricane
562 Center's computerized Sea, Lake and Overland Surges for
563 Hurricanes model. Procurement of technologies to perform the
564 updates and computer modeling must comply with the provisions of
565 s. 287.057, Florida Statutes, requiring competitive bids. No

566 more than 5 percent of the funds provided under this section may
567 be used by the Department for administration of this funding.

568 Section 10. There is hereby appropriated \$76,150 from
569 nonrecurring general revenue to the Department of Community
570 Affairs for a study on the feasibility of incorporating
571 nongovernmental agencies and private entities into the
572 logistical supply and distribution system for essential
573 commodities.

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

578 Section 12. If any provision of this act or its
579 application to any person or circumstance is held invalid, the
580 invalidity does not affect other provisions or applications of
581 the act which can be given effect without the invalid provision
582 or application, and to this end the provisions of this act are
583 severable.

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