

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Community Affairs Committee

BILL: CS/SB 862

SPONSOR: Domestic Security Committee, Senators Diaz de la Portilla and Fasano

SUBJECT: Emergency Preparedness

DATE: March 24, 2006

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Pardue</u>	<u>Skelton</u>	<u>DS</u>	<u>Fav/CS</u>
2.	<u>Herrin</u>	<u>Yeatman</u>	<u>CA</u>	<u>Favorable</u>
3.	_____	_____	<u>GO</u>	_____
4.	_____	_____	<u>WM</u>	_____
5.	_____	_____	<u>RC</u>	_____
6.	_____	_____	_____	_____

I. Summary:

This committee substitute (CS) establishes selection criteria and provides an unspecified amount of funding to the Department of Community Affairs for the following:

- County emergency operations centers;
- Emergency power for public special needs hurricane evacuation shelters;
- Retrofits for public hurricane evacuation shelters;
- Improved commodities logistical staging and warehouse capacity; and
- Regional shelters.

This CS creates an unnumbered section of the Florida Statutes.

II. Present Situation:

Both the 2004 and 2005 hurricane seasons highlighted infrastructure segments in need of improvement. The Division of Emergency Management (division) estimates there is a current deficit of approximately 500,000 general public shelter spaces across the state. In addition, a post-2004 season review indicated that the vast majority of shelters (both general population and special needs shelters) had inadequate back-up electrical power systems. About 60 percent of shelters had back-up generators, but only a minority (about 25 to 30 percent) had air conditioning systems supported by emergency power.¹

¹ See Florida Division of Emergency Management and Department of Health, *2005 Special Needs Shelter Report*, June 2005, pages 3-4.

In a 2005 report, 36 percent of the 110 special needs facilities reported not meeting American Red Cross emergency shelter criteria. Further, only 28 percent of those special needs shelters were reported to have emergency power supported air-conditioning.²

Retrofitting existing structures has proven to be a cost effective method of rapidly increasing Florida's emergency shelter space. The Department of Community Affairs reports recommending 238 prioritized retrofit projects that potentially create 68,882 hurricane shelter spaces at an estimated cost of \$23,480,317.³

Since 1995, Florida has made significant progress toward improving the safety and availability of public hurricane shelter space. The statewide deficit has been reduced by more than 50 percent. This has been accomplished through a combined strategy of retrofitting, new construction, and demand reduction. Florida now has 12 counties with a demonstrable surplus of public hurricane shelter spaces.⁴ Innovative regional strategies may be able to utilize some of this surplus capacity to meet the needs of counties with a deficit of spaces.

With respect to county emergency operations centers, the division estimates that only ten meet survivability standards and floor space recommendations. Twenty-three county emergency operations centers do not meet survivability standards.

One additional issue identified during the 2005 hurricane season was the availability and distribution of commodities such as water, ice, and ready to eat meals. The division reports that more product was supplied in support of Hurricane Wilma in 2005 than in all of the four major hurricanes of 2004 combined. Still the effort for Wilma was considered by some to be inadequate. In order to better manage post-disaster commodities, improvements are needed for the safe storage of sufficient quantities of needed commodities and for improved inventory management.

III. Effect of Proposed Changes:

Section 1 provides legislative findings that infrastructure improvements, which were identified in the 2004 and 2005 hurricane seasons, are needed to better protect the residents of Florida. The CS provides that the Legislature shall make an unspecified amount of funds available to local agencies through appropriations to the Department of Community Affairs for infrastructure improvements to:

- County emergency operations centers;
- Emergency power for public special needs hurricane evacuation shelters;
- Retrofit public hurricane evacuation shelters;
- Improve commodities logistical staging and warehouse capacity; and
- Establish a pilot program for regional shelters.

² See *id.* at page 4.

³ See Department of Community Affairs, *2005 Shelter Retrofit Report*, September 1, 2005, page i.

⁴ See *id.* at iii.

This CS provides legislative findings that county emergency operations centers should meet minimum criteria for structural survivability and sufficiency of operational space. The Department of Community Affairs has performed assessments of county emergency operations centers based on Federal Emergency Management Agency (FEMA) guidance to determine survivability and space sufficiency. This CS provides criteria for an appropriation that shall include, but not be limited to:

- Population;
- Hurricane evacuation clearance time for the county's vulnerable population;
- The existing emergency operations center's structural survivability; and
- FEMA guidance for emergency operations center workspace requirements.

Counties where no survivable emergency operations center exists and those with workspace deficits shall receive first priority for funding. Funding under this act is limited to construction or structural renovation. No funding shall be used for land acquisition, recurring expenses, equipment, furnishings, communications, or operational systems.

The CS provides legislative findings that all designated public special needs hurricane evacuation shelters should be equipped with permanent emergency power generating capacity by June 1, 2007. Such emergency power generation is needed to provide necessary equipment and HVAC for medical needs patients in special needs shelters.

An appropriation for permanent emergency power generation capacity may also be used, in coordination with local communities, to allow for the designation of additional special needs shelters if required. The need for additional special needs shelter spaces should reflect anticipated demand based on best available data as determined by the Departments of Community Affairs and Health.

The CS provides legislative findings that retrofitting buildings for use as public hurricane evacuation shelters is an efficient and economical method of reducing the deficit of public shelter spaces. Criteria for a public hurricane evacuation shelter retrofit appropriation shall include, but not be limited to:

- The project's ability to meet the structural and siting requirement of American Red Cross Standard, ARC 4496, "Guidelines for Hurricane Evacuation Shelter Selection," once completed;
- Local and regional public shelter needs;
- Project cost effectiveness in relation to the number of shelter spaces it will provide; and
- The project priority ranking in the respective local mitigation strategy.

The CS provides legislative findings that improved logistical staging and warehouse capacity will help ensure the state has adequate available and accessible supplies, equipment, and commodities to respond to disasters. Appropriated funds may be used for:

- Increased storage capacity;
- Improved technologies to manage commodities; and

- Increased efforts to maintain an inventory of supplies, equipment, and commodities in a safe and secure manner for use in the aftermath of a disaster.

The CS provides legislative findings that regional hurricane evacuation shelters are an efficient and economical method of providing additional shelter space. The Legislature also finds that establishment of a regional hurricane evacuation shelter pilot program will encourage local governments to assist with the reduction in the shelter deficit. Criteria for an appropriation for regional hurricane evacuation shelters shall include, but not be limited to:

- The project's ability to meet the structural and siting requirement of American Red Cross Standard, ARC 4496, "Guidelines for Hurricane Evacuation Shelter Selection," once completed;
- The location of the project with respect to local and regional public hurricane evacuation shelter deficits;
- Project cost effectiveness; and
- An interlocal agreement by two or more local governments to operate the facility.

Section 2 provides the act shall take effect upon becoming law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Funding for the provisions of this CS is contingent on an appropriation from the Legislature.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

VIII. Summary of Amendments:

None.

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