

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

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Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

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BILL: CS/SB 1466

INTRODUCER: Military and Veterans Affairs, Space, and Domestic Security Committee and Senator Farmer

SUBJECT: State Emergency Communications and Warning System

DATE: January 26, 2018      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sanders</u>	<u>Ryon</u>	<u>MS</u>	<u>Fav/CS</u>
2.	_____	_____	<u>RC</u>	_____

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 1466 requires the Division of Emergency Management to include in the state comprehensive emergency management plan a provision mandating that a qualified interpreter is included in any televised broadcast of a developing emergency. A qualified interpreter is defined in the bill as a person who is certified by the National Registry of Interpreters for the Deaf or the Florida Registry of Interpreters for the Deaf.

The bill takes effect on July 1, 2018.

**II. Present Situation:**

**State Comprehensive Emergency Management Plan**

The Florida Division of Emergency Management (FDEM) is required by s. 252.35, F.S., to prepare a state comprehensive emergency management plan (CEMP). The CEMP serves as the master operations document for Florida and is the framework through which the state handles emergencies and disasters.<sup>1</sup> The CEMP must contain provisions to ensure that the state is

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<sup>1</sup> The state CEMP defines the responsibilities of the government, private, volunteer, and non-governmental organizations that comprise the State Emergency Response Team. The CEMP ensures that all levels of government are able to mobilize as a unified emergency organization to safeguard the well-being of the state's residents and visitors. It is the plan to which Florida's other disaster response plans are aligned. FDEM, *CEMP*, <https://www.floridadisaster.org/dem/preparedness/natural-hazards/comprehensive-emergency-management-plan/> (last visited Jan. 23, 2018).

prepared for emergencies and minor, major, and catastrophic disasters.<sup>2</sup> Those provisions include:

- An evacuation component;
- A shelter component;
- A post-disaster response and recovery component;
- Additional provisions addressing aspects of preparedness, response, recovery, and mitigation as determined necessary by the FDEM;
- A section addressing the need for coordinated and expeditious deployment of state resources, including the Florida National Guard;
- A section establishing a system of communications and warning;
- A section establishing guidelines and schedules for annual exercises; and
- Assignments for lead and support responsibilities to state agencies and personnel.<sup>3</sup>

Additionally, each county is required to establish and maintain an emergency management program and develop a county CEMP that is consistent with the state emergency management program and state CEMP.<sup>4</sup> Municipalities may also elect to establish an emergency management program and in doing so must comply with the guidelines for a county CEMP.<sup>5</sup>

### **Emergency Support Function 14 – Public Information**

The State Emergency Response Team (SERT) serves as the primary operational mechanism through which state assistance to local governments is managed.<sup>6</sup> To facilitate effective operations, the SERT is organized into 18 groups called Emergency Support Functions (ESF).<sup>7</sup> Each ESF focuses on a specific mission area and is led by a representative from the state agency that best reflects the authorities, resources, and capabilities of the ESF.

ESF 14 (External Affairs) is responsible for the dissemination of information to the media and general public. The Executive Office of the Governor Office of Communications serves as the lead agency in ESF 14. One of their primary functions is to provide clear and consistent direction to citizens before, during, and after a disaster. It is a current practice of ESF 14 to include a qualified interpreter in all televised broadcasts during emergency situations.<sup>8</sup>

### **National Registry of Interpreters for the Deaf**

The Registry of Interpreters for the Deaf (RID) is a non-profit organization and national membership organization that advocates for excellence in the delivery of interpretation and

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<sup>2</sup> Section 252.35(2)(a), F.S.

<sup>3</sup> Id.

<sup>4</sup> Section 252.38(1)(a), F.S. The FDEM is required to adopt standards and requirements for county CEMPs, assist local governments in preparing and maintaining their CEMP's, and periodically review local government CEMPs for consistency with the state CEMP and the standards and requirements adopted by the FDEM. See s. 252.35(2)(b), F.S.

<sup>5</sup> Section 252.38(2), F.S.

<sup>6</sup> FDEM, *The State of Florida 2016 Comprehensive Emergency Management Plan*, 5 (2016), <https://www.floridadisaster.org/globalassets/importedpdfs/2016-state-cemp-complete-final-draft.pdf> (last visited Jan. 23, 2018).

<sup>7</sup> Id.

<sup>8</sup> FDEM, *Senate Bill 1466 Agency Analysis* (Jan. 22, 2018) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

transliteration services between people who use sign language and people who use spoken language.<sup>9</sup> RID encourages the growth of the profession through the establishment of a national standard for qualified sign language interpreters and transliterators, ongoing professional development, and adherence to a code of professional conduct.<sup>10</sup>

RID currently offers certified, associate, student, supporting, and organizational memberships.<sup>11</sup> Certified members of RID must hold the National Interpreter Certification (NIC) or be a Certified Deaf Interpreter (CDI). Associate members must be engaged in interpreting or transliterating and enrolled in a continuing education program.<sup>12</sup> There are currently 564 RID certified and 299 associate members in Florida.<sup>13</sup>

The NIC requires demonstrated general knowledge in the field of interpreting, ethical decision making, and interpreting skills. Candidates earn NIC Certification if they demonstrate professional knowledge and skills that meet or exceed the minimum professional standards<sup>14</sup> necessary to perform in a broad range of interpretation and transliteration assignments.<sup>15</sup>

Interpreters who are a CDI are deaf or hard of hearing and have demonstrated knowledge and understanding of interpreting, deafness, the Deaf community, and Deaf culture. A CDI has specialized training and/or experience in the use of gesture, mime, props, drawings and other tools to enhance communication. Holders possess native or near-native fluency in American Sign Language and are recommended for a broad range of assignments where an interpreter who is deaf or hard-of-hearing would be beneficial.<sup>16</sup>

### **Florida Registry of Interpreters for the Deaf**

The Florida Registry of Interpreters for the Deaf (FRID) is a non-profit corporation that initiates, sponsors, promotes, and executes policies and activities that further the profession of interpreting and transliterating.<sup>17</sup> FRID works to improve the professional lives of interpreters and to improve quality and accessibility of interpreting services for the deaf and hard-of-hearing individuals living in Florida.<sup>18</sup> Membership options include nationally certified, pre-certified associate,

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<sup>9</sup> Registry of Interpreters for the Deaf, Inc. (RID), *About RID*, <https://www.rid.org/about-rid/> (last visited Jan. 22, 2018). RID was established in 1964 and incorporated in 1972.

<sup>10</sup> *Id.*

<sup>11</sup> RID, *Membership, Join/Renew Membership*, <https://www.rid.org/membership/join/> (last visited Jan. 22, 2018). Student members must be currently enrolled, at least part-time, in an interpreting program and provide proof of enrollment. Supporting and organizational membership are intended for individuals or organizations who are not engaged in interpreting or simply support RID's purposes and activities.

<sup>12</sup> *Id.*

<sup>13</sup> RID, *Membership*, <https://www.rid.org/membership/> (last visited Jan. 22, 2018).

<sup>14</sup> RID's Standard Practice Papers articulate the consensus of its membership by outlining standard practices and positions on various interpreting roles and issues. See RID, *Interpreting Resources, Standard Practice Papers*, <https://www.rid.org/about-rid/about-interpreting/standard-practice-papers/> (last visited Jan. 23, 2018).

<sup>15</sup> RID, *National Interpreter Certification (NIC)*, <https://www.rid.org/rid-certification-overview/nic-certification/> (last visited Jan. 22, 2018). This credential has been available since 2005.

<sup>16</sup> RID, *Certified Deaf Interpreter (CDI)*, <https://www.rid.org/rid-certification-overview/cdi-certification/> (last visited Jan. 22, 2018). This credential has been available since 1998.

<sup>17</sup> Florida Registry of Interpreters for the Deaf (FRID), *Mission Statement*, <http://www.fridcentral.org/> (last visited Jan. 23, 2018).

<sup>18</sup> FRID, *About FRID*, <http://www.fridcentral.org/about-us> (last visited Jan. 23, 2018).

organizational, and supporting memberships.<sup>19</sup> FRID members are eligible to apply for testing and monetary scholarships to pursue national certifications such as the NIC and CDI, and other professional development opportunities.<sup>20</sup>

Beginning in 2012, FRID began a partnership with the FDEM, Florida Department of Health, and other emergency management personnel from across the state to discuss interpreting services and to provide training. As part of the training, officials were taught the logistics of having interpreters in public briefings, what information interpreters would need to be successful, and that the interpreter needed to remain visible in the frame at all times.<sup>21</sup> FDEM and the Executive Office of the Governor currently include a qualified interpreter in all televised broadcasts during emergency situations.<sup>22</sup>

### III. Effect of Proposed Changes:

The bill amends s. 252.35, F.S., to require the Division of Emergency Management to include in the state comprehensive emergency management plan (CEMP) a provision mandating that a qualified interpreter is included in any televised broadcast of a developing emergency.<sup>23</sup> A qualified interpreter is defined in the bill as a person who is certified by the National Registry of Interpreters for the Deaf or the Florida Registry of Interpreters for the Deaf.

County and municipal emergency management agencies are required by law<sup>24</sup> and in rule<sup>25</sup> to establish a CEMP coordinated and consistent with the state CEMP. This effectively requires the provisions of the bill to also apply to county and municipal emergency management agencies.

The bill takes effect on July 1, 2018

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

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<sup>19</sup> FRID, *New Member Online Application*, <http://www.fridcentral.org/apply-online> (last visited Jan. 23, 2018). Individuals seeking a nationally certified or pre-certified associate membership in FRID must, respectively, already be a certified or associate member of RID.

<sup>20</sup> FRID, *FRID Scholarships*, <http://www.fridcentral.org/scholarships> (last visited Jan. 23, 2018).

<sup>21</sup> FRID, *FRID's Statement on Hurricane Irma, Manatee County, and Access to Emergency Information for Florida's Deaf Community* (Sept. 28, 2017), <http://www.fridcentral.org/FRID-Blog/5285203> (last visited Jan. 23, 2018).

<sup>22</sup> *Supra* note 8.

<sup>23</sup> The three types of emergencies include manmade, natural, and technological. See s. 252.34, F.S.

<sup>24</sup> See s. 252.38, F.S.

<sup>25</sup> See Rules 27P-6.0023 and 27P-6.0095, F.A.C.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 252.35 of the Florida Statutes.

**IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Military and Veterans Affairs, Space, and Domestic Security on January 25, 2017:**

The CS requires that a qualified interpreter is included in a televised broadcast of any developing emergency, not only weather emergencies.

## B. Amendments:

None.