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## COMMITTEE RECORDS

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### Committee/Floor Tapes

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### Other Documentation

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**NOTES**
Florida Legislature

History of Legislation
1983 Regular Session
1983 Special Sessions A, B, C
1982 Special Session H

prepared by:

Joint Legislative Management Committee
Legislative Information Division
Capitol Building, Room 826—488-4371
S 1083 GENERAL BILL BY MAXWELL
STATE EMPLOYEES: REQUIRES ADMINISTRATION DEPARTMENT TO ESTABLISH CERTAIN PERSONNEL PROVISIONS FOR CERTAIN EMPLOYEES. AMENDS 110.201. EFFECTIVE DATE: UPON BECOMING LAW.
04/19/83 SENATE FILED
04/21/83 SENATE INTRODUCED, REFERRED TO PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING APPROPRIATIONS. S.J. 00245
04/25/83 SENATE ON COMMITTEE AGENDA—PERSONNEL, R & C
05/02/83 SENATE EXTENSION OF TIME GRANTED COMMITTEE PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING
05/04/83 SENATE INDEDEFINITLY POSTPONED & W/O (SCR 12091) WAS IN COMMITTEE ON APPROPRIATIONS
05/10/83 SENATE NOW IN APPROPRIATIONS—S.J. 00245
05/16/83 SENATE EXTENSION OF TIME GRANTED COMMITTEE PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING
05/30/83 SENATE INDEDEFINITLY POSTPONED & W/O (SCR 12091) WAS IN COMMITTEE ON APPROPRIATIONS

S 1084 GENERAL BILL BY REHM
EFFICIENT GOVERNMENT: CREATES LEGISLATIVE MANAGEMENT & EFFICIENCY COMMISSIONS PROVIDES FOR MEMBERSHIP: PROVIDES RESPONSIBILITIES: APPROPRIATION: $250,000. EFFECTIVE DATE: UPON BECOMING LAW.
04/19/83 SENATE FILED
04/21/83 SENATE INTRODUCED, REFERRED TO GOVERNMENTAL OPERATIONS, RULES AND CALENDAR, APPROPRIATIONS—S.J. 00150
05/09/83 SENATE ON COMMITTEE AGENDA—GOVERNMENTAL OPERATIONS, 05/16/83, 9:00 AM, RM. H
05/18/83 SENATE COMM. REPORT: FAVORABLE BY PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING—S. J 00241
05/06/83 SENATE NOW IN APPROPRIATIONS—S.J. 00245
05/16/83 SENATE EXTENSION OF TIME GRANTED COMMITTEE GOVERNMENTAL OPERATIONS
05/30/83 SENATE INDEDEFINITLY POSTPONED & W/O (SCR 12091) WAS IN COMMITTEE ON RULES AND CALENDAR

S 1085 GENERAL BILL BY DUNN (SIMILAR H 1199; COMPARE CS/S 0091)
CRIMES COMPENSATION ACT: INCREASES CRIMES COMPENSATION COURT COST ASSESSMENTS; PROVIDES COURT COST ASSESSMENTS FOR VIOLATIONS OF CERTAIN CRIMINAL STATUTES, INCREASES SURCHARGE ON CERTAIN FINES & BAIL BONDS. AMENDS 940.244, .25. EFFECTIVE DATE: 07/01/83.
04/19/83 SENATE FILED
04/21/83 SENATE INTRODUCED, REFERRED TO JUDICIARY-CRIMINAL, APPROPRIATIONS—S.J. 00150
05/05/83 SENATE ON COMMITTEE AGENDA—JUDICIARY-CRIMINAL, 05/09/83, 9:00 AM, RM. H
05/18/83 SENATE EXTENSION OF TIME GRANTED COMMITTEE JUDICIARY-CRIMINAL
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05/10/83 SENATE NOW IN APPROPRIATIONS—S.J. 00245
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06/03/83 SENATE INDEDEFINITLY POSTPONED & W/O (SCR 12091) WAS IN COMMITTEE ON RULES AND CALENDAR
06/24/83 REFER TO SJ 17-6 (CH. 83-319)

S 1086 GENERAL BILL BY GERSTEN (SIMILAR H 1246)
EMERGENCY MANAGEMENT: MODIFIES TERMINOLOGY TO PROVIDE FOR STATE & LOCAL EMERGENCY MANAGEMENT SYSTEMS, RATHER THAN DISASTER PREPAREDNESS & CIVIL DEFENSE SYSTEMS; REVISIONS TO STATE DISASTER PREPAREDNESS ACT OF 1976 & RENAMES SAME AS "STATE EMERGENCY MANAGEMENT ACT", ETC. AMENDS F.3.
REPEALS .02, .49. EFFECTIVE DATE: 10/01/83. CONTINUED ON NEXT PAGE

S 1087 GENERAL BILL BY SCOTT (IDENTICAL H 0930; SIMILAR S 0570)
ELECTIONS: REPEALS PROVISION RELATING TO AT-LARGE CONGRESSIONAL ELECTIONS; REPEALS 99.044(2). EFFECTIVE DATE: 10/01/83.
04/19/83 SENATE FILED
04/21/83 SENATE INTRODUCED, REFERRED TO JUDICIARY-CIVIL—S.J. 00351
04/28/83 SENATE NOW IN APPROPRIATIONS—S.J. 00245
05/10/83 SENATE EXTENSION OF TIME GRANTED COMMITTEE CIVIL—INDEFINITLY POSTPONED & W/O (SCR 12091) WAS IN COMMITTEE ON APPROPRIATIONS

S 1088 GENERAL BILL/GCS BY JUDICIARY-CIVIL, CARLUCCI (SIMILAR H 0976)
TRIALS: EXPANDS THE APPLICABILITY OF PROVISIONS AUTHORIZING VIGILATING OF TESTIMONY OF CERTAIN MINORS; REQUIRES EXPEDITIOUS CONSIDERATION OF REQUEST THEREFOR. AMENDS 918.17. EFFECTIVE DATE: 07/01/83.
04/19/83 SENATE FILED
04/21/83 SENATE INTRODUCED, REFERRED TO JUDICIARY-CIVIL—S.J. 00150
05/02/83 SENATE EXTENSION OF TIME GRANTED COMMITTEE JUDICIARY-CIVIL
05/05/83 SENATE ON COMMITTEE AGENDA—JUDICIARY-CIVIL, TEMPORARILY POSTPONED
05/06/83 SENATE ON COMMITTEE AGENDA—JUDICIARY-CIVIL, 05/10/83, 2:00 PM, RM. B
05/10/83 SENATE COMM. REPORT: C/S PLACED ON CALENDAR BY JUDICIARY-CIVIL—S.J. 00258
05/13/83 SENATE C/S READ FIRST TIME—S.J. 00258
05/03/83 SENATE INDEDEFINITLY POSTPONED & W/O (SCR 12091) WAS IN CALENDAR

S 1089 GENERAL BILL BY MECK (IDENTICAL H 0969)
STATE HOLIDAY: PROVIDES THAT BIRTHDAY OF MARTIN LUTHER KING, JR. SHALL BE PAID STATE HOLIDAY. AMENDS 114.011. EFFECTIVE DATE: UPON BECOMING LAW.
04/19/83 SENATE FILED
04/21/83 SENATE INTRODUCED, REFERRED TO PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING, GOVERNMENTAL OPERATIONS; APPROPRIATIONS—S.J. 00150
05/02/83 SENATE EXTENSION OF TIME GRANTED COMMITTEE PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING
05/13/83 SENATE EXTENSION OF TIME GRANTED COMMITTEE PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING
05/30/83 SENATE EXTENSION OF TIME GRANTED COMMITTEE PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING
06/03/83 SENATE INDEDEFINITLY POSTPONED & W/O (SCR 12091) WAS IN COMMITTEE ON PERSONNEL, RETIREMENT AND COLLECTIVE BARGAINING

S 1090 GENERAL BILL/GCS BY HEALTH AND REHABILITATIVE SERVICES, GARVIN (SIMILAR CS/S 0700)
HEALTH FACILITIES AND SERVICES: EXPANDS TYPES OF PROJECT COST INCREASES WHICH MAY BE REVIEWED BY H.A.P. DEPARTMENT; LISTS EXEMPTED PROJECTS FROM CERTAIN REQUIREMENTS AS H.A.P. CERTAIN PROJECT REVIEW PROCEDURES, ETC. AMENDS 381.993, .944; 395.003, .0051 Creates 381.4451.
EFFECTIVE DATE: 07/01/83.
04/19/83 SENATE FILED
04/21/83 SENATE INTRODUCED, REFERRED TO HEALTH AND REHABILITATIVE CONTINUED ON NEXT PAGE
H 1240 GENERAL BILL BY TRANSPORTATION AND OTHERS (COMPARE S 1026)

INCREASES CURRENT SIZED MEDICAL ADVISORY BOARD; REVISES PROVISIONS RE MEMBERSHIP; AMENDS 322.125. EFFECTIVE DATE: UPON BECOMING LAW.

06/19/83 HOUSE FILED
05/02/83 HOUSE INTRODUCED, PLACED ON CALENDAR - MJ 00396
05/03/83 HOUSE INDEFINITELY POSTPONED & WD (SCA 12091); WAS ON CALENDAR

H 1241 GENERAL BILL OF TRANSPORTATION AND OTHERS (COMPARE CS/SM 0193)

PROVIDES FOR IMMUNIZATION OR IMPOUNDMENT OF MOTOR VEHICLES IF OWNER HAS FAILED TO PAY SPECIFIED NUMBER OF PARKING TICKET VIOLATIONS; PROVIDES NOTICE & RELEASE PROCEEDURES. PROVIDES FOR HEARINGS UPON REQUEST, ETC. AMENDS 316.1967. EFFECTIVE DATE: 10/01/83.

04/27/83 HOUSE FILED
05/02/83 HOUSE INTRODUCED, PLACED ON CALENDAR - MJ 00399
05/03/83 HOUSE INDEFINITELY POSTPONED & WD (SCA 12091); WAS ON CALENDAR

H 1242 GENERAL BILL BY COMMUNITY AFFAIRS (IDENTICAL CS/SM 0729)

MINIMUM BUILDING CODES; AMENDS PROVISIONS RELATING TO STANDARDS FOR CONSTRUCTION USING GLASS; PROVIDES ALTERNATIVE TO SAFETY GLAZING IN CERTAIN HAZARDOUS LOCATIONS; REMOVES RESTRICTION ON APPLICATION OF STANDARDS TO REPLACEMENTS, ETC. AMENDS 553.253-.271, .273-.77.

EFFECTIVE DATE: 07/01/83.

04/27/83 HOUSE FILED
05/02/83 HOUSE INTRODUCED, REFERRED TO APPROPRIATIONS - MJ 00309
05/16/83 HOUSE SUBREFERRED TO SUBCOMMITTEE ON GENERAL GOVERNMENT (SUB. 111)
05/20/83 HOUSE WITHDRAWN FROM APPROPRIATIONS - MJ 00562; PLACED ON CALENDAR
06/03/83 HOUSE INDEFINITELY POSTPONED & WD (SCA 12091); WAS ON CALENDAR

H 1243 RESOLUTION BY HARRIS

CLEWISTON HIGH SCHOOL FOOTBALL TEAM; COMMENDS TEAM FOR BEING THE 1982 FLORIDA AA STATE CO-CHAMPIONS.

04/27/83 HOUSE FILED
05/03/83 HOUSE INTRODUCED, REFERRED TO RULES & CALENDAR - MJ 00309
05/24/83 HOUSE WITHDRAWN FROM RULES & CALENDAR; PLACED ON CALENDAR; READ SECOND TIME; ADOPTED. - MJ 00557

H 1244 LOCAL BILL BY PREPLES, ARNOLD, GOULEY

LEHNA ACRES FIRE CONTROL DISTRICT: EXPANDS BOUNDARIES OF LEHNA ACRES FIRE CONTROL & RESCUE DISTRICT; PROVIDES FOR REFERENDUM. EFFECTIVE DATE: CONTINGENT.

04/28/83 HOUSE FILED
05/03/83 HOUSE INTRODUCED, REFERRED TO RULES & CALENDAR - MJ 00309
05/24/83 HOUSE INTRODUCED, REFERRED TO COMMUNITY AFFAIRS - MJ 00559
05/06/83 HOUSE ON COMMITTEE AGENDA - COMMUNITY AFFAIRS, 314 HOB, 9:00 AM, 05/10/83
05/11/83 HOUSE COMM. REPORT: FAVORABLE; PLACED ON CALENDAR BY COMMUNITY AFFAIRS - MJ 00486
05/27/83 HOUSE READ SECOND AND THIRD TIMES; PASSED YEAS 110 NAYS 0 - MJ 00713
05/27/83 SENATE IN MR45446
05/31/83 SENATE RECEIVED, REFERRED TO RULES AND CALENDAR - SJ 00536; CONSIDERED, PLACED ON LOCAL CALENDAR BY RULES AND CALENDAR - SJ 00578

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SPONSOR REPORT BY MEMBER
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HISTORY OF 1983 REGULAR SESSION VETOED BILLS

SPECIAL SESSION "B"
H 0039 GENERAL BILL BY APPROPRIATIONS

EDUCATIONAL FACILITIES CONSTRUCTION: AUTHORIZES AND PROVIDES FUNDING FOR SPECIFIED PUBLIC EDUCATIONAL CAPITAL OUTLAY PROJECTS; PROVIDES THAT UNLESS DETERMINED OTHERWISE, AT LEAST 10% OF FUNDS PROVIDED SHALL BE EXPENDED WITH SMALL BUSINESSES OWNED BY SOCIAL- ECONOMICALLY DISADVANTAGED INDIVIDUALS. EFFECTIVE DATE: 07/01/83.

06/18/83 SENATE IN MESSAGES; RECEIVED; REFERRED TO APPROPRIATIONS

06/24/83 SENATE WITHDRAWN FROM APPROPRIATIONS - SJ 00021; PLACED ON SPECIAL ORDER CALENDAR; PASSED AS AMENDED; YES 37 NAYS 12 - SJ 00020

07/14/83 AMENDED BY SB 2-C (CH. 83-348)

H 0040 GENERAL BILL BY APPROPRIATIONS (SIMILAR S 0001)

GENERAL APPROPRIATIONS ACT: PROVIDES MONEYS FOR THE ANNUAL PERIOD BEGINNING 07/01/83 TO ENDING 06/30/84; TO PAY SALARIES, OTHER EXPENSES, CAPITAL OUTLAY - BUILDINGS & IMPROVEMENTS, & FOR OTHER SPECIFIED PURPOSES BY VARIOUS AGENCIES OF STATE GOVERNMENT. APPROPRIATION: $11,269,600,000; EFFECTIVE DATE: 07/01/83; AMENDMENTS ADDED; READ THIRD TIME; PENDING ROLL CALL - HJ 00027

06/24/83 HOUSE IN MESSAGES; CONCURRED PASSED AS FURTHER AMENDED; YES 101 NAYS 11 - HJ 00024; ORDERED ENGROSSED, THEN ENROLLED

07/13/83 HOUSE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR

H 0041 GENERAL BILL BY WILLIAMS AND OTHERS

EMERGENCY MANAGEMENT: MODIFIES TERMINOLOGY TO PROVIDE FOR STATE & LOCAL EMERGENCY MANAGEMENT SYSTEMS, RATHER THAN DISASTER PREPAREDNESS & CIVIL DEFENSE SYSTEMS; REVISES "STATE DISASTER PREPAREDNESS ACT OF 1976", & RENAMES SAME AS "STATE EMERGENCY MANAGEMENT ACT, ETC. AMENDS F.S.

REPEALS 252.49; EFFECTIVE DATE: 10/01/83.

06/18/83 HOUSE IN MESSAGES; RECEIVED; REFERRED TO ECONOMIC, COMMUNITY AND CONSUMER AFFAIRS (SJ 00022); PLACED ON CALENDAR - HJ 00022; READ SECOND TIME; READ THIRD TIME; PASSED; YEAS 38 NAYS 0 - HJ 00057

06/24/83 HOUSE ORDERED ENGROSSED

07/13/83 HOUSE SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR

07/13/83 APPROVED BY GOVERNOR CHAPTER NO. 83-334

H 0042 LOCAL BILL BY MESSER SMITH (IDENTICAL S 0033)

PALM BEACH COUNTY HOSPITAL DISTRICT; CREATES SAID DISTRICT & ESTABLISHES BOUNDARIES; PROVIDES FOR MEMBERSHIP, POWERS, & DUTIES OF DISTRICT BOARD.

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SPECIAL SESSION "M"
GENERAL ACTS
RESOLUTIONS AND MEMORIALS
ADOPTED BY THE
EIGHTH LEGISLATURE OF FLORIDA
UNDER THE CONSTITUTION
AS REVISED IN 1968
During the First Regular Session
April 5, 1983 through June 13, 1983
and the Special Sessions
March 1, 1983 through March 3, 1983
June 15, 1983 through June 24, 1983
July 12, 1983 through July 13, 1983

Volume I, Part Two
Published by Authority of Law
Under Direction of the
JOINT LEGISLATIVE MANAGEMENT COMMITTEE
TALLAHASSEE
1983
CHAPTER 83-333
LAWS OF FLORIDA
CHAPTER 83-333

Section 12. For the fiscal year 1983-1984, the Department of Education shall provide, in the statewide vocational plan, funds not less than $250,000 for equipment for the Lake County Area Vocational Technical Center and not less than $250,000 for the URS Marine Technical Center at Florida Junior College. Such funds shall be a supplement and shall not supplant funds presently designated for vocational equipment in Lake County and at Florida Junior College.

Section 13. The $598,910 appropriated to the Division of Blind Services as set forth in section 1(1)(1), chapter 82-240, Laws of Florida, is amended to allow for remodeling and renovation projects at the Blind Services Office in Tampa.

Section 14. Except to the extent that the contracting authority determines otherwise, not less than 10 percent of the amounts provided in this act for public education capital outlay shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals as defined by section 8(d) of the Small Business Act (15 U.S.C. Section 637(d) and relevant subcontracting federal regulations promulgated pursuant thereto.

Section 15. This act shall take effect July 1, 1983

Approved by the Governor July 13, 1983

Filed in Office Secretary of State July 13, 1983.

CHAPTER 83-334

House Bill No. 41-B

An act relating to emergency management; amending ss. 23.1225(2), 101.74, 116.111(4), 160.02(11), 163.03(1)(c) and the introductory paragraph of said subsection, 163.360(9), 175.021, 216.231(1)(b), 217.01, 250.06(3), 255.24(2), (3), and (4), 287.25(14), 287.28, 365.171(4)(b), 376.13(1) and (2), 401.015, 409.60, 600.021(3), and 876.16(4), Florida Statutes, and ss. 220.20(7)(b) and (8)(b), 220.03(1)(g), (h), and (p), 395.005(1)(b), 401.33(5), and 790.25(3)(c), Florida Statutes, 1982 Supplement, modifying terminology to provide for state and local emergency management systems, rather than disaster preparedness and civil defense systems; revising various provisions of chapter 252, Florida Statutes, the "State Disaster Preparedness Act of 1974," and renaming same as the "State Emergency Management Act"; conforming terminology, modifying definitions; modifying provisions relating to powers of the Division of Public Safety Planning and Assistance of the Department of Community Affairs to remove provisions relating to powers of the Governor; clarifying certain division powers, providing for annual division reports; clarifying provisions relating to powers of the Governor in time of emergency; increasing from 30 to 60 days the period that a declared state of emergency may continue without renewal; deleting the requirement that the Governor appoint full-time state and area directors; reorganizing provisions relating to financing to include
authority to accept services, gifts, grants, and loans, clarifying provisions relating to powers of political subdivisions with respect to emergency management; authorizing municipalities to form municipal emergency management agencies and providing for coordination of the activities thereof with county activities, modifying provisions relating to local appointment of directors, deleting provisions authorizing political subdivisions to create disaster advisory councils; authorizing political subdivisions to request state assistance or invoke mutual-aid assistance by declaring a state of local emergency, providing limitations thereon; providing that certain interjurisdictional arrangements may be established upon request of two or more adjoining political subdivisions, providing for division assessment of the need for such arrangements; authorizing political subdivisions to enter into mutual-aid arrangements directly, rather than through the division, under specified conditions; authorizing the lease or loan of state property to the various federal emergency management agencies under certain conditions, correcting out-of-date cross-references, providing for liability of organizations; directing the wing commander of the Florida Wing of the Civil Air Patrol to make certain annual reports; renaming the Bureau of Disaster Preparedness within the division as the "Bureau of Emergency Management"; repealing s. 252.49, Florida Statutes, relating to authority to accept services, gifts, grants, and loans; providing an effective date.

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

Section 1. Subsection (2) of section 23.1225, Florida Statutes, is amended to read.

23.1225 Mutual aid agreements -- A mutual aid agreement, as used in this part, is one of the following three types of agreement:

(2) A requested operational assistance agreement, which is a written agreement between two or more law enforcement agencies evidencing a request by one agency, and agreement by the others, for the rendering of assistance in specified law enforcement intensive situations falling short of an emergency disaster under s. 252.34(2), chapter 252. The agreement shall specify the exact nature of the law enforcement assistance rendered, which agency shall bear any liability arising from acts undertaken under the agreement, and any other terms and conditions necessary to give it effect, including a definite time limitation. Compensation or reimbursement to the assisting agency shall be as provided in the agreement. An example of a requested operational assistance agreement is a request for assistance due to a civil disturbance.

Section 2. Section 101.74, Florida Statutes, is amended to read.

101.74 Temporary change of polling place in case of emergency natural disaster.-- In case of an emergency as defined in s. 252.34(2), an epidemic or natural disaster existing in any precinct at the time of the holding of any election, the supervisor of elections may establish, at any safe and convenient point outside such precinct, an additional polling place for the electors of said precinct, in which the qualified electors may vote. The registration books of the
affected precinct shall be applicable to, and be used at, the polling place so established.

Section 3. Subsection (4) of section 116.111, Florida Statutes, is amended to read:

116.111 Restriction on employment of relatives.--

(4) An agency may prescribe regulations authorizing the temporary employment, in the event of an emergency as defined in s. 252.34(2) emergences resulting from natural disasters or similar unforeseen events or circumstances, of individuals whose employment would otherwise be prohibited by this section.

Section 4. Subsection (11) of section 160.02, Florida Statutes, is amended to read:

160.02 Regional planning councils; powers and duties.--Any regional planning council created hereunder shall have the following powers:

(11) To cooperate, in the exercise of its planning functions, with federal and state agencies in planning for emergency management under s. 252.34(3) disaster preparedness.

Section 5. The introductory paragraph and paragraph (c) of subsection (1) of section 163.03, Florida Statutes, are amended to read:

163.03 Department of Veteran and Community Affairs; local government.--

(1) The Secretary of the Department of Veteran and Community Affairs shall

(c) Under the direction of the Governor, administer programs to apply rapidly all available aid to disaster-stricken communities struck by an emergency as defined in s. 252.34(2) and, for this purpose, provide liaison with federal agencies and other public and private agencies.

Section 6. Subsection (9) of section 163.360, Florida Statutes, is amended to read:

163.360 Community redevelopment plans.--

(9) Notwithstanding any other provisions of this part, when the governing body certifies that an area is in need of redevelopment or rehabilitation as a result of an emergency under s. 252.34(2) a flooded; fire; hurricane; earthquake; storm; or other catastrophe, respecting which the Governor has certified the need for emergency disaster assistance under federal law, that area may be certified as a "blighted area," and the governing body may approve a community redevelopment plan and a community redevelopment project with respect to such area without regard to the provisions of this section requiring a general plan for the county or municipality and a public hearing on the community redevelopment project.

Section 7. Section 175.021, Florida Statutes, is amended to read.
CHAPTER 83-334

LAWS OF FLORIDA

(3) EXCEPTIONS -- The provisions of ss. 790.05 and 790.06 shall not apply in the following instances and, despite said sections, it shall be lawful for the following persons to own, possess, and lawfully use firearms and other weapons, ammunition, and supplies for lawful purposes:

(c) Persons carrying out or training for emergency management duties under chapter 252;

Section 46 Subsection (4) of section 876.16, Florida Statutes, is amended to read:

876.16 Certain exemptions -- The following are exempted from the provisions of ss. 876.11-876.15:

4) Persons wearing gas masks prescribed in emergency management drills and exercises.

Section 47. The Bureau of Disaster Preparedness within the Division of Public Safety Planning and Assistance of the Department of Community Affairs is hereby renamed as the Bureau of Emergency Management.

Section 48. Section 252.49, Florida Statutes, as amended by chapter 81-169, Laws of Florida, is hereby repealed.

Section 49. Amendments to sections of the Florida Statutes enacted by this act shall not operate to repeal or otherwise negate amendments to the same sections which may have been enacted at the 1983 Regular Session of the Florida Legislature and which are not indicated herein, and full effect shall be given to each, if that is possible. If provisions of this act are in direct conflict with amendments enacted at the 1983 Regular Session of the Legislature, the provisions of this act shall control.

Section 50. This act shall take effect October 1, 1983.

Approved by the Governor July 13, 1983

Filed in Office Secretary of State July 13, 1983.

CHAPTER 83-335

House Bill No. 45-B

An act relating to receptive tour operators; amending s 559.925(1), Florida Statutes, 1982 Supplement, as amended by Committee Substitute for House Bill 1020, enacted at the 1983 Regular Session of the Legislature, defining "foreign tourists", providing an effective date.

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

Section 1 Subsection (1) of section 559.925, Florida Statutes, 1982 Supplement, as amended by Committee Substitute for House Bill 1020 at the 1983 Regular Session of the Legislature, is amended to read:
By Committee on Community Affairs

A bill to be entitled
An act relating to emergency management;
amending ss. 23.1225(2), 101.74, 116.111(4),
160.02(11), 163.03(1)(c) and the introductory
paragraph of said subsection, 163.360(9),
175.021, 216.231(1)(b), 217.01, 250.06(3),
255.24(2), (3), and (4), 287.25(14), 287.28,
365.171(4)(b), 376.13(1) and (2), 401.015,
409.60, 600.021(3), and 876.16(4), Florida
Statutes, and ss. 220.02(7)(b) and (8)(b),
220.03(1)(g), (h), and (p), 395.005(1)(b),
401.33(5), and 790.25(3)(c), Florida Statutes,
1982 Supplement, modifying terminology to
provide for state and local emergency
management systems, rather than disaster
preparedness and civil defense systems;
revising various provisions of chapter 252,
Florida Statutes, the "State Disaster
Preparedness Act of 1974," and renaming same as
the "State Emergency Management Act";
conforming terminology; modifying definitions;
modifying provisions relating to powers of the
Division of Public Safety Planning and
Assistance of the Department of Community
Affairs to remove provisions relating to powers
of the Governor, clarifying certain division
powers; providing for annual division reports;
clarifying provisions relating to powers of the
Governor in time of emergency; increasing from
30 to 60 days the period that a declared state
of emergency may continue without renewal;

CODING: Words in struck through type are deletions from existing law, words underlined are additions.
emergency management under s. 252.34(3) disaster preparedness.

Section 5 The introductory paragraph and paragraph (c) of subsection (1) of section 163.03, Florida Statutes, are amended to read:

163.03 Department of Veteran and Community Affairs;

local government.--

(1) The Secretary of the Department of Veteran and Community Affairs shall:

(c) Under the direction of the Governor, administer programs to apply rapidly all available aid to disaster-stricken communities stricken by an emergency as defined in s. 252.34(2) and, for this purpose, provide liaison with federal agencies and other public and private agencies;

Section 6 Subsection (9) of section 163.360, Florida Statutes, is amended to read:

163.360 Community redevelopment plans.--

(9) Notwithstanding any other provisions of this part, when the governing body certifies that an area is in need of redevelopment or rehabilitation as a result of an emergency under s. 252.34(2) a fire, flood, hurricane, earthquake, storm or other catastrophe, respecting which the Governor has certified the need for emergency disaster assistance under federal law, that area may be certified as a "blighted area," and the governing body may approve a community redevelopment plan and a community redevelopment project with respect to such area without regard to the provisions of this section requiring a general plan for the county or municipality and a public hearing on the community redevelopment project.

Section 7 Section 175.021, Florida Statutes, is amended to read:

CODING Words in italics through type are deletions from existing law, words underlined are additions.
Amends various provisions throughout the Florida Statutes, and revises chapter 252 of the Florida Statutes, relating to disaster preparedness and civil defense, to provide for state and local management of emergencies. Defines "emergency" as "any occurrence, or threat thereof, whether accidental, natural, or caused by man, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property." In addition to general modification of terminology:

(1) Provides that "emergency management" shall include, in addition to matters presently provided by law, anticipation, recognition, and appraisal of emergencies.

(2) Requires the Division of Public Safety Planning and Assistance of the Department of Community Affairs to annually report on the status of state and local emergency management capabilities and provides for certain other annual reports.

(3) Removes the requirement that the Governor appoint full-time state and area directors and modifies provisions relating to local appointment of same.

(4) Authorizes municipalities to form municipal emergency management agencies and provides for coordination of their activities with county activities.

(5) Removes local authority to create disaster advisory councils.

(6) Authorizes political subdivisions to declare a state of local emergency and to perform certain functions with respect thereto.

(7) Provides that adjoining political subdivisions may seek interjurisdictional arrangements and provides for general assessment by the division of the need for such arrangements.

(8) Authorizes political subdivisions to enter into mutual-aid arrangements directly, rather than through the division.

(9) Authorizes the lease or loan of state property to various federal emergency management agencies under certain conditions.

(10) Renames the Bureau of Disaster Preparedness within the division as the Bureau of Emergency Management.

(11) Transfers the Bureau of Disaster Preparedness, and the disaster preparedness program under chapter 252, to the Executive Office of the Governor.

(12) Generally clarifies provisions and makes minor reorganizational changes pursuant thereto.
Since 1941, there has existed in the Laws of Florida, a chapter concerning Civil Defense and "Disaster Preparedness." A key provision in the 1941 law allowed local governments to declare local emergencies. This law was amended in 1974 excluding the authority of local governments to declare a local emergency. This power was given to the Governor.

Other chapters beside 252, make mention of emergencies or disasters, but are related to the basic structure of disaster preparedness as outlines in Chapter 252.

The Division of Public Safety Planning and Assistance in the Department of Community Affairs has the authority to supervise and control problems created by disasters.

The law requires political subdivisions of the state to maintain a local agency to support the state Disaster Preparedness Program. A local director is appointed subject to Division approval. The Director is responsible for Civil Defense functions within the county and serves as a liaison with other organizations including the Federal Emergency Management Agency (FEMA). (The Governor is responsible for local and statewide disasters, and issues executive orders that may last for up to 30 days without reissuance.)

B. Effect of Proposed Changes:

This bill will conform various chapters in the Florida Statutes, where the term "disaster" or "disaster preparedness" is used to be changed to "emergency" or "emergency management" as used in Chapter 252, Florida Statutes.

The bill renames the Bureau of Disaster Preparedness as the Bureau of Emergency Management and conforms existing obsolete terminology to the current terminology used by the Federal Emergency Management Agency.

Defines the term "emergency."

Requires the Division to report annually to the Governor and the Legislature the status of the Emergency Management capabilities of the state and its political subdivisions.

Authorizes legally constituted municipalities to create municipal emergency management agencies if they so desire.

Allows adjoining political subdivisions to seek interjurisdictional arrangements and provides for
general assessment by the Division of the need for such arrangements.

Increases the length of time that the Governor may declare a state emergency from 30 to 50 days. This is designed to abate interruptions and administrative delays and to provide greater continuity with recovery efforts in emergency situations.

Requires the Civil Air Patrol to report annually to the Bureau of Emergency Management on their goals and objectives, in an effort to better utilize the resources of the Patrol.

C. **Section by Section Analysis:**

Section 1 -- Replaces the word "Disaster" with "Emergency."

Section 2 -- Replaces the words "Natural Disaster" with "Emergency." Replaces the words "epidemic or natural disaster" with "emergency" as defined in Chapter 252.34(2).

Section 3 -- Defines "Emergency" as defined in Chapter 252.34(2).

Section 4 -- Replaces the words "Disaster Preparedness" with "Emergency Management under Chapter 252."

Section 5 -- Strikes the word "Veteran" from the Department of Community Affairs. Replaces the words "Disaster Stricken" with "Emergency as described in Chapter 252."

Section 6 -- Conforms existing language to new terminology used in previous sections.

Section 7 -- Conforms existing language to new terminology used in previous sections.

Section 8 -- Conforms existing language to new terminology used in previous sections.

Section 9 -- Replaces the words "Civil Defense" with "Emergency Management" and adds the words "Chapter 252."

Section 10 -- Conforms existing language to new terminology used in previous sections.

Section 11 -- Conforms existing language to new terminology used in previous sections.

Section 12 -- Conforms existing language to new terminology used in previous sections.

Section 13 -- Conforms existing language to new terminology used in previous sections.

Section 14 -- Conforms existing language to new terminology used in previous sections.

Section 15 -- Replaces the word "Act" with "Chapter."

Section 16 -- Deletes Section reference to 252.52 and replaces it with 252.60. Deletes reference to "Veteran" in the Department of Community Affairs. Add definition of "Emergency." Replaces the words "Civil Defense" and "Disasters" with "Emergency Management" and "Emergencies." Replaces the words "Civil Defense" and "Disasters" with "Emergency Management."
'Management' and "Emergencies." Replaces the word "Organization of Civil Defense" with "Emergency Management Agency." Deletes reference to § 251.52 and replaces it with 252.30. Deletes definition of "Disaster."

Section 17 -- Replaces the words "Civil Defense" with "Emergency Management." Replaces the word "Not" with "Chapter." Deletes reference to certain powers of the Division of Public Safety Planning and Assistance. Replaces the words "Local officials" with "Political Subdivisions." Replaces the words "Political Subdivision Interjurisdictional Disaster" with "Political Subdivision Emergency Management." Replaces the word "regulations" with "rules." Requires the Division to report annually to the Governor and Legislature on the status of emergency management capabilities of the state.

Section 18 -- Conforms existing language to new terminology used in previous sections.

Section 19 -- Replaces the words "Disaster Emergencies" with "Emergency Management Powers." Adds language relating to the powers of the Governor concerning emergency management functions. Replaces the word "regulations" with "rules." Replaces the words "a disaster" with "a state of" in relation to a declared emergency. Increases from 30 to 60 days the period a state of emergency may continue without reissuance of a new executive order. Replaces the word "disaster" with "emergency mitigation" in relation to an executive order. Deletes reference to the Governor and Division having final consideration to the appointment of local directors. States that the Governor shall have the responsibility for the provisions set forth in this chapter.

Section 20 -- With reference to the funds available for use in disasters, adds the word "mitigation" to terms the Governor has the authority to apply for. Adds language concerning offers of funds or assistance by governmental entities or persons to the state and the terms by which they can be accepted.

Section 21 -- Replaces the words "local disaster services" with "emergency management powers; political subdivisions." Deletes reference to the Board of County Commissioners and replaces it with "political subdivisions" regarding the governing bodies of a city or county. Adds language allowing municipalities to establish municipal emergency management agencies who shall coordinate their activities with those of the county emergency management agency. Adds language allowing the appointment of local directors to be by the local governing body. Removes local authority to create disaster advisory councils. Adds language relating to the delegation of the Governor's powers to the head of a local governing body when an emergency affects only one political subdivision and limits locally-declared emergencies to seven (7) days, but may be extended as necessary in 72-hour increments. "With regard to interjurisdictional agreements, language has been added to allow adjoining political subdivisions to seek interjurisdictional arrangements and provides for several assessment by the Division of the need for such arrangements.

Section 22 -- Conforms existing language to new terminology used in previous sections.
Section 33 -- Allows political subdivisions to enter into mutual-aid arrangements directly, rather than through the Division.

Section 34 -- Conforms existing language to new terminology used in previous sections.

Section 35 -- Conforms existing language to new terminology used in previous sections.

Section 36 -- Conforms existing language to new terminology used in previous sections.

Section 37 -- Conforms existing language to new terminology used in previous sections.

Section 38 -- Replaces the words "Civil Defense Agency" with "Various Federal Emergency Management Agencies."

Section 39 -- Conforms existing language to new terminology used in previous sections.

Section 40 -- Conforms existing language to new terminology used in previous sections.

Section 41 -- Conforms existing language to new terminology used in previous sections.

Section 42 -- With regard to liability, new language has been added to state the liability of any "organization, public or private." With regard to the liability aspect of persons or organizations voluntarily and without compensation allowing designation by "the Local Emergency Management Agency" and further stating that if injury, damage or loss to the property or persons occurs, during a sheltering period then the political subdivision is liable for such damages.

Section 43 -- Conforms existing language to new terminology used in previous sections.

Section 44 -- Conforms existing language to new terminology used in previous sections and provides that the Commissioner of the Civil Air Patrol furnish the Bureau of Emergency Management with its goals and projections annually.

Sections 45-46 -- Conforms existing language to new terminology used in previous sections.

Section 47 -- Renames the Bureau of Disaster Preparedness to the Bureau of Emergency Management.

Section 48 -- Repeals Section 252.40, F. S., as amended by Chapter 81-169, Laws of Florida.

(NOTE: See Section 20 -- New language relating to this)

Section 49 -- Provides for an effective date.

II. ECONOMIC IMPACT

A. Public:

- Government:

The Department of Community Affairs has stated that the provisions of this bill can be implemented within existing resources.
III. GO NFECTS

There will be costs associated with transferring the Bureau to the Executive Office of the Governor. It is not possible to predict that exact cost given available data.

IV. END OF SESSION UPDATE

Died in Senate Committee on Economic, Community & Consumer Affairs during the Regular Session (Introduced as HB 41-B; passed both Houses, ordered enrolled.)

V. PREPARED BY William J. Hightower

VI. STAFF DIRECTOR Mike Cusick

VII. COPY TO SPONSOR
I. SUMMARY:

A. Present Situation:

Since 1941, there has existed in the Laws of Florida, a chapter concerning Civil Defense and "Disaster Preparedness". A key provision in the 1941 law allowed local governments to declare local emergencies. This law was amended in 1974 excluding the authority of local governments to declare a local emergency. This power was given to the Governor. Other chapters besides 252, make mention of emergencies or disasters, but are related to the basic structure of disaster preparedness as outlined in chapter 252.

The Division of Public Safety Planning and Assistance in the Department of Community Affairs has the authority to supervise and control problems created by disasters.

The law requires political subdivisions of the state to maintain a local agency to support the state Disaster Preparedness Program. A local director is appointed subject to Division approval. The Director is responsible for Civil Defense functions within the county and serves as a liaison with other organizations including the Federal Emergency Management Agency. The Governor is responsible for local and statewide disasters, and issues executive orders that may last up to 30 days without reissuance.

B. Effect of Proposed Changes:

This bill would conform various chapters in the Florida Statutes, where the term "disaster" or "disaster preparedness" is used to be changed to "emergency" as used in chapter 252, Florida Statutes.

The Bureau of Disaster Preparedness would be renamed the Bureau of Emergency Management and existing obsolete terminology would be conformed to the current terminology used by the Federal Emergency Management Agency.

The terms "emergency" and "emergency management" would be defined.

The Division of Public Safety Planning and Assistance in the Department of Community Affairs would be required to report annually to the Governor and the Legislature the status of the emergency management capabilities of the state and its political subdivisions.

Legally constituted municipalities could create municipal emergency management agencies if they so desire.
The Governor would no longer be required to appoint full-time state and area directors.

Adjoining political subdivisions would be allowed to seek interjurisdictional arrangements and general assessment would be made by the division of the need for such arrangements.

The length of time that the Governor may declare a state emergency would be increased from 30 to 60 days. This is designed to abate interruptions and administrative delays and to provide greater continuity with recovery efforts in emergency situations.

The Civil Air Patrol would be required to report annually to the Bureau of Emergency Management on their goals and objectives, in an effort to better utilize the resources of the Patrol.

Local authority to create disaster advisory councils would be removed.

Political subdivisions could declare a state of local emergency and perform certain functions with respect thereto.

Political subdivisions could enter into mutual-aid arrangements directly, rather than through the division.

The lease or loan of state property to various federal emergency management agencies under certain conditions would be authorized.

II. ECONOMIC IMPACT AND FISCAL NOTE:
None

III. COMMENTS:
None

IV. AMENDMENTS:
None
BILL ACTION REPORT

(C3-75: File with Secretary of Senate) (S) BILL NO. 1056

COMMITTEE ON GOVERNMENTAL OPERATIONS

DATE May 10, 1983

TIME 9:00 a.m. – 12:00 noon

PLACE Room H, Senate Office Bldg.

OTHER COMMITTEE REFERENCES:
(In order shown)

Favorably with Committee Substitute

Date Reported May 11, 1983

FINAL ACTION:
X Favorably with 0 amendments

OTHER:
Temporarily Passed

Favorably with Committee Substitute

Reconsidered

Unfavorably

Not Considered

THE VOTE WAS:

FINAL BILL VOTE SENATORS

Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay

6 0

TOTAL

Aye Nay

Please Complete. The key sponsor appeared (X)
A Senator appeared ( )
Sponsor's aide appeared ( )
Other appearance ( )
SUBCOMMITTEE REPORT/INFORMATION RECORD
File with Parent Committee
To Chairman, Committee on Community Affairs

Subcommittee on Disaster Preparedness
Date of meeting 4/6/83
Time 9:00 AM
Place 317 House

Bill No. PCB 9

FINAL ACTION: FAVORABLE
FAVORABLE WITH 3 AMENDMENTS
FAVORABLE WITH SUBSTITUTE
UNFAVORABLE

VOTE:

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Total Yeas 5

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<td>ab</td>
<td>Watt, Jim</td>
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<td>X</td>
<td>Williams, Frank</td>
<td>(Chmn.)</td>
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Total Nays 0

NOTE: Please indicate by an "x" any State employee appearing at the request of Subcommittee Chairman.

Subcommittee Chairman
Frank Williams

The following persons (other than legislators) appeared before the subcommittee during consideration of this bill:

<table>
<thead>
<tr>
<th>Name</th>
<th>Representing</th>
<th>Address</th>
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<tbody>
<tr>
<td>Barbara Henderson</td>
<td>Bureau of Disaster Preparedness - Dept. of Community Affairs</td>
<td>Tallahassee</td>
</tr>
<tr>
<td>Gordon Guthrie</td>
<td>same</td>
<td>same</td>
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<tr>
<td>John Burke</td>
<td>Assistant Secretary Dept. of Community Affairs</td>
<td>Tallahassee</td>
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<tr>
<td>Robert Al Lewis</td>
<td>FL Emergency Preparedness Association</td>
<td>111 N. Sinclair</td>
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<tr>
<td>M. K. Renfroe</td>
<td>FL Emergency Preparedness Association</td>
<td>Tallahassee</td>
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<tr>
<td>Philip J. Rodi</td>
<td>FL Emergency Preparedness Association</td>
<td>2920 N. L Street</td>
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<tr>
<td>Mary Lou Tuttle</td>
<td>Hillsborough County</td>
<td>111 N. Sinclair</td>
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<td>408 Brown St.</td>
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<td>Tampa, Fl</td>
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(If additional persons, enter on reverse side and check here __)

Received by Parent Committee:

H-74 (1980)
MEMORANDUM

TO: Representative Sidney Martin
   Chairman

FROM: William B. Hightower

RE: Disaster Preparedness

Reference Points to Major Changes in Chapter 252,
Disaster Preparedness (HB 1246)

Amendments to Chapter 252 start on page 10, line 6 (section 13)

(1) Page 13, lines 1-5: New Definition of "Emergency."

(2) Page 17, lines 12-15: Requires the Division of Public Safety Planning and Assistance to annually report to the Governor and Legislature on the status of the emergency management capabilities of the state

(3) Page 18, lines 15-21: Clarification of the emergency management powers of the Governor

(4) Page 19, line 5: Increases the declared state of emergency from 30 to 60 days

(5) Page 23, lines 13-19: States that the Governor has the responsibility for the provisions set forth in Chapter 252. He may place the functions and duties of this chapter in any appropriate agency to which they will best serve to protect the health, safety and welfare of the people of the state.

(6) Page 24, lines 1-24: Conditions and terms relating to financing
(7) Page 25, lines 16-22: Encourages legally constituted municipalities to create "Emergency Management Agencies"

(8) Pages 25-26, lines 28-31 and 1-6: Allows local governments to appoint their own Emergency Management Directors

(9) Pages 27-28, lines 30-31 and 1-7: Allows local governments to declare a state of local emergency. May be extended as necessary in 72-hour increments.

(10) Page 28, lines 8-10: Allows local governments, during a state of emergency and in the performance of public work, to take whatever action necessary to insure the health, safety, and welfare of the community

(11) Pages 37-38, lines 27-30 and 1-2: Relates to the Florida wing of the Civil Air Patrol. Requires the patrol to furnish the Bureau of Emergency Management an annual projection of the patrol's goals and objectives for the following year

(12) Page 45, lines 3-9: Transfers the functions and duties of emergency management as set forth in Chapter 252, to the Executive Office of the Governor

SM/hm

c: Mike Cusick
The Honorable Frank Williams
MEMORANDUM

To: Representative Sid Martin

From: William B. Hightower

Subject: Disaster Preparedness Legislation

Chapter 252 Disaster Preparedness Rewrite

House Bill 1246 By Community Affairs
Senate Bill 1086 By Senator Gersten

Comparing Senate version to House version

Senate Version (S1086)

(1) on page 17, line 28 reads; ...customers in its area...
   House reads; ...customers in its service area...

(2) on page 20, line 5 reads; organized and unorganized militia...
   House reads; organized and volunteer militia...

(3) on page 21, line 9, reads; emergency management area...
   House reads; emergency area...

(4) on page 23, after subsection 10-No mention of the House version stating in a new subsection 11 that "The Governor shall have the responsibility for the provisions set forth in this chapter. In fulfilling these responsibilities he shall have the authority to place the functions and duties of the emergency management powers contained within this chapter in any appropriate agency to which these functions and duties will best serve to protect the health, safety and welfare of the people of this state."

(5) on page 28, lines 1-3 read;...public work to take... to protect...safety of citizens.
   House reads;...public work and taking...to insure...
the Community.

(6) At the end of the Senate version, there is no mention of the House language that "the Bureau of Disaster Preparedness within the Division of Public Safety Planning and Assistance of the Department of Community Affairs, and the Disaster Preparedness Program as defined in Chapter 252, Florida Statutes, are hereby transferred by a Type I Transfer, as defined in Section 20.06, Florida Statutes, to the Executive Office of the Governor.

CC: Mike Cusick
Representative Frank Williams
A bill to be entitled

An act relating to emergency management;

amending ss 23.1225(2), 101.74, 116 111(4),
160.02(11), 163 03(1)(c) and the introductory paragraph of said subsection, 163 360(9),
175.021, 216 231(1)(b), 217 01, 250.06(3),
255 24(2), (3), and (4), 287.25(14), 287 28,
365 171(4)(b), 376.13(1) and (2), 401 015,
409 60, 600.021(3), and 876.16(4), Florida Statutes, and ss 220 02(7)(b) and (8)(b),
220 03(1)(g), (h), and (p), 395 005(1)(b),
401.33(5), and 790 25(3)(c), Florida Statutes, 1982 Supplement, modifying terminology to provide for state and local emergency management systems, rather than disaster preparedness and civil defense systems, revising various provisions of chapter 252, Florida Statutes, the "State Disaster Preparedness Act of 1974," and renaming same as the "State Emergency Management Act";
conforming terminology, modifying definitions, modifying provisions relating to powers of the Division of Public Safety Planning and Assistance of the Department of Community Affairs to remove provisions relating to powers of the Governor, clarifying certain division powers, providing for annual division reports; clarifying provisions relating to powers of the Governor in time of emergency, increasing from 30 to 60 days the period that a declared state of emergency may continue without renewal,
deleting the requirement that the Governor
appoint full-time state and area directors;
reorganizing provisions relating to financing
to include authority to accept services, gifts,
grants, and loans; clarifying provisions
relating to powers of political subdivisions
with respect to emergency management;
authorizing municipalities to form municipal
emergency management agencies and providing for
coordination of the activities thereof with
county activities; modifying provisions
relating to local appointment of directors;
deleting provisions authorizing political
subdivisions to create disaster advisory
councils; authorizing political subdivisions to
request state assistance or invoke mutual-aid
assistance by declaring a state of local
emergency; providing limitations thereon,
providing that certain interjurisdictional
arrangements may be established upon request of
two or more adjoining political subdivisions;
providing for division assessment of the need
for such arrangements, authorizing political
subdivisions to enter into mutual-aid
arrangements directly, rather than through the
division, under specified conditions,
authorizing the lease or loan of state property
to the various federal emergency management
agencies under certain conditions; correcting
out-of-date cross-references; providing for
liability of organizations, directing the wing
commander of the Florida Wing of the Civil Air
Patrol to make certain annual reports; renaming
the Bureau of Disaster Preparedness within the
division as the "Bureau of Emergency
Management", repealing s 252.49, Florida
Statutes, relating to authority to accept
services, gifts, grants, and loans; providing
an effective date.

Be It Enacted by the Legislature of the State of Florida.

Section 1 Subsection (2) of section 23.1225, Florida
Statutes, is amended to read:

23 1225 Mutual aid agreements.--A mutual aid
agreement, as used in this part, is one of the following three
types of agreement.

(2) A requested operational assistance agreement,
which is a written agreement between two or more law
enforcement agencies evidencing a request by one agency, and
agreement by the others, for the rendering of assistance in
specified law enforcement intensive situations falling short
of an emergency or disaster under chapter 252. The agreement
shall specify the exact nature of the law enforcement
assistance rendered, which agency shall bear any liability
arising from acts undertaken under the agreement, and any
other terms and conditions necessary to give it effect,
including a definite time limitation. Compensation or
reimbursement to the assisting agency shall be as provided in
the agreement. An example of a requested operational
assistance agreement is a request for assistance due to a
civil disturbance.

CODING Words in struck through type are deletions from existing law, words underlined are additions.
Section 2. Section 101.74, Florida Statutes, is amended to read.

101.74 Temporary change of polling place in case of emergency natural disaster.—In case of an emergency as defined in s. 252.34(2) existing in any precinct at the time of the holding of any election, the supervisor of elections may establish, at any safe and convenient point outside such precinct, an additional polling place for the electors of said precinct, in which the qualified electors may vote. The registration books of the affected precinct shall be applicable to, and be used at, the polling place so established.

Section 3. Subsection (4) of section 116.111, Florida Statutes, is amended to read:

116.111 Restriction on employment of relatives.--(4) An agency may prescribe regulations authorizing the temporary employment, in the event of an emergency as defined in s. 252.34(2) resulting from natural disasters or similar unforeseen events or circumstances, of individuals whose employment would otherwise be prohibited by this section.

Section 4. Subsection (11) of section 160.02, Florida Statutes, is amended to read:

160.02 Regional planning councils, powers and duties.—Any regional planning council created hereunder shall have the following powers.

(11) To cooperate, in the exercise of its planning functions, with federal and state agencies in planning for emergency management under chapter 252 disaster preparedness.

CODING. Words in struck through type are deletions from existing law, words underlined are additions.
Section 5 The introductory paragraph and paragraph (c) of subsection (1) of section 163.03, Florida Statutes, are amended to read

163.03 Department of Veteran and Community Affairs, local government --

(1) The Secretary of the Department of Veteran and Community Affairs shall

(c) Under the direction of the Governor, administer programs to apply rapidly all available aid to disaster-stricken communities struck by emergency as described in chapter 252 and, for this purpose, provide liaison with federal agencies and other public and private agencies,

Section 6 Subsection (9) of section 163.360, Florida Statutes, is amended to read

163.360 Community redevelopment plans.--

(9) Notwithstanding any other provisions of this part, when the governing body certifies that an area is in need of redevelopment or rehabilitation as a result of an emergency under chapter 252 a flood, fire, hurricane, earthquake, storm, or other catastrophe, respecting which the Governor has certified the need for emergency disaster assistance under federal law, that area may be certified as a "blighted area," and the governing body may approve a community redevelopment plan and a community redevelopment project with respect to such area without regard to the provisions of this section requiring a general plan for the county or municipality and a public hearing on the community redevelopment project.

Section 7 Section 175.021, Florida Statutes, is amended to read.

CODING Words in struck through type are deletions from existing law, words underlined are additions.
175.021 Legislative declaration.--It is hereby declared by the Legislature that firefighters, as hereinafter defined, perform state and municipal functions; that it is their duty to extinguish fires, to protect life, and to protect property at their own risk and peril; that it is their duty to prevent conflagration and to continuously instruct school personnel, public officials, and private citizens in the prevention of fires and firesafety, that they protect both life and property from local emergencies as provided in chapter 252 disasters; and that their activities are vital to the public's safety Therefore, the Legislature declares that it is a proper and legitimate state purpose to provide a uniform retirement system for the benefit of firefighters as hereinafter defined

Section 8. Paragraph (b) of subsection (1) of section 216.231, Florida Statutes, is amended to read:

216.231 Release of certain classified appropriations; approval of Administration Commission --

(1) Any appropriation to the Executive Office of the Governor which is classified as "emergency," or "deficiency," may be released only with the approval of the Governor and three other members of the Administration Commission. The state agency desiring the use of any such appropriation shall submit to the Executive Office of the Governor application therefor in writing setting forth the facts from which the alleged need arises The commission shall, at a public hearing, review such application promptly and approve or disapprove the same as the circumstances may warrant. All actions of the commission shall be reported to the legislative appropriations committees, and the committees may advise the commission relative to the release of such funds

CODING Words in struck through type are deletions from existing law, words underlined are additions.
(b) The release of appropriated funds classified as "emergency" shall be approved only when an act or circumstance caused by an act of God, civil disturbance, natural disaster, or other circumstance of an emergency nature threatens, endangers, or damages the property, safety, health, or welfare of the state or its citizens, which condition has not been provided for in appropriation acts of the Legislature. Funds allocated for this purpose may be used to pay overtime pay to personnel of agencies called upon to perform extra duty because of civil disturbances or other emergencies as described in chapter 252 natural disasters and to provide the required state match for federal grants under the Federal Disaster Relief Act.

Section 9 Section 217.01, Florida Statutes, is amended to read.

217.01 Purpose -- The purpose of this chapter is to provide authority in Florida through a designated state agency for the procurement and distribution of surplus federal property for educational, health, and emergency management civil defense purposes as provided under chapter 252 and under federal law.

Section 10 Paragraph (b) of subsection (7) and paragraph (b) of subsection (8) of section 220.02, Florida Statutes, 1982 Supplement, are amended to read

220.02 Legislative intent --

(7)

(b) Any person charged with any criminal offense arising from a civil disorder associated with an emergency disaster as defined in s. 220.03(1)(h)(g), and found guilty, whether or not adjudication of guilt or imposition of sentence is suspended, deferred, or withheld, shall not be eligible to

CODING Words in italics are deletions from existing law, words underlined are additions
make application for, receive, or in any other manner enjoy
the benefits or any form of assistance available under chapter

(8)

(b) Any person charged with any criminal offense
arising from a civil disorder associated with an emergency a
disaster, as defined in s. 220.03(1)(h)(g), and found guilty,
whether or not adjudication of guilt or imposition of sentence
is suspended, deferred, or withheld, shall not be eligible to
make application for, receive, or in any other manner enjoy
the benefits or any form of assistance available under chapter

Section 11. Paragraphs (g), (h), and (p) of subsection
(1) of section 220.03, Florida Statutes, 1982 Supplement, are
amended to read:

220.03 Definitions.--

(1) SPECIFIC TERMS.--When used in this code, and when
not otherwise distinctly expressed or manifestly incompatible
with the intent thereof, the following terms shall have the
following meanings:

(g)(h) "Earned," "accrued," "paid," and "incurred"
shall be construed according to the method of accounting upon
the basis of which a taxpayer's income is computed under this
code.

(h)(g) "Emergency, Disaster" as used in s. 220.02 and
in paragraph (p) of this section, means occurrence of
widespread or severe damage, injury, or loss of life or
property proclaimed pursuant to s. 14.022 or declared pursuant
to s. 252.36. The provisions of this paragraph shall expire
and be void on December 31, 1986.

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(p) "Rebuilding of an existing business" means replacement or restoration of real or tangible property destroyed or damaged in an emergency or disaster, as defined in paragraph (h), in an enterprise zone, by a business entity authorized to do business in this state as defined in paragraph (d), or a bank or savings and loan association as defined in s. 220.62, subject to the tax imposed by the provisions of this chapter, located in the enterprise zone, a majority of the employees of which are residents of an enterprise zone. The provisions of this paragraph shall expire and be void on December 31, 1986.

Section 12 Subsection (3) of section 250.06, Florida Statutes, is amended to read

250.06 Commander in chief.--

(3) The Governor shall have the power, in order to preserve the public peace, execute the laws of the state, suppress insurrection, repel invasion, respond to an emergency as described under chapter 252 or imminent danger thereof, or in case of the calling of all or any portion of the militia of Florida into the services of the United States, to increase the Organized Militia of this state and organize the same in accordance with the existing rules and regulations governing the Armed Forces of the United States, or in accordance with such other system as the Governor may consider the exigency to require, and such organization and increase may be either pursuant to or in advance of any call made by the President. The Governor shall have the power, in order to preserve the public peace, execute the laws of the state, or respond to an emergency as described under chapter 252 or imminent danger thereof, to order into active service of the state all or any part of the militia that he
may deem proper. During the absence of any organization in
the service of the United States, its state designation shall
not be given to any new organization.

Section 13. Section 252.31, Florida Statutes, is
amended to read.

252 31 Short title --This chapter shall be known and
may be cited as the "State Emergency Management Disaster
Preparedness Act of 1974."

Section 14. Section 252.32, Florida Statutes, is
amended to read:

252 32 Policy and purpose.--
(1) Because of the existing and continuing possibility
of the occurrence of disasters or emergencies of unprecedented
size and destructiveness resulting from enemy attack,
sabotage, or other hostile action or from natural or manmade
causes, in order to ensure that preparations of this state
will be adequate to deal with, reduce vulnerability to, and
recover from, such disasters and emergencies; generally to
provide for the common defense and to protect the public
peace, health, and safety; and to preserve the lives and
property of the people of the state, it is hereby found and
declared to be necessary.

(a) To create a state disaster emergency management
agency to be known as the "Division of Public Safety Planning
and Assistance," to authorize the creation of local
organizations for emergency management disaster preparedness
in the political subdivisions of the state, and to authorize
cooperation with the Federal Government and the governments of
other states.

(b) To confer upon the Governor, the Division of
Public Safety Planning and Assistance, and the governing body

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of each political subdivision of the state the emergency
powers provided herein

(c) To provide for the rendering of mutual aid among
the political subdivisions of the state, with other states, and with the Federal Government with respect to carrying out all emergency management civil defense functions and responsibilities.

(d) To authorize the establishment of such organizations and the development and employment of such measures as are necessary and appropriate to carry out the provisions of this chapter act

(e) To provide the means to assist in the prevention or mitigation of emergencies which may be disasters caused or aggravated by inadequate planning for, and regulation of, public and private facilities and land use

(2) It is further declared to be the purpose of this chapter act and the policy of the state that all emergency management civil defense functions of the state be coordinated to the maximum extent with comparable functions of the Federal Government, including its various departments, agencies of other states and localities, and private agencies of every type, to the end that the most effective preparation and use may be made of the nation's manpower, resources, and facilities for dealing with any disaster or emergency that may occur

Section 15 Section 252 33, Florida Statutes, is amended to read:

252 33 Limitations --Nothing in this chapter act shall be construed to

(1) Interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by this
chapter act or other laws may be taken when necessary to
forestall or mitigate imminent or existing danger to public
health or safety.

(2) Interfere with dissemination of news or comment on
public affairs; but any communications facility or
organization, including, but not limited to, radio and
television stations, wire services, and newspapers, may be
required to transmit or print public service messages
furnishing information or instructions in connection with an a
disaster emergency

(3) Affect the jurisdiction or responsibilities of
police forces, firefighting forces, units of the Armed Forces
of the United States, or any personnel thereof, when on active
duty; but state, local, and interjurisdictional disaster
emergency plans shall place reliance upon the forces available
for performance of functions related to disaster emergencies.

(4) Limit, modify, or abridge the authority of the
Governor to proclaim martial law or exercise any other powers
vested in him under the constitution, statutes, or common law
of this state independent of, or in conjunction with, any
provisions of this chapter act.

Section 16. Section 252.34, Florida Statutes, is
amended to read:

252.34 Definitions -- As used in ss. 252.31-252.60
252.34: (1) "Division" means the Division of Public Safety
Planning and Assistance of the Department of Veteran and
Community Affairs, or the successor to said division
(2) "Emergency" means any occurrence, or threat
thereof, whether accidental, natural, or caused by man, in war
or in peace, which results or may result in substantial injury

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or harm to the population or substantial damage to or loss of property.

(3)(d) "Emergency management of civil defense" means the preparation for, and the carrying out of, all emergency responsibilities and functions, other than those for which military forces or other federal agencies are primarily responsible, to prevent, mitigate, or minimize, and repair injury and damage resulting from the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from emergencies or disasters. These responsibilities shall include, but not be limited to:

(a) Reduction of vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from natural or manmade catastrophes or hostile military or paramilitary action.

(b) Preparation for prompt and efficient rescue, care, and treatment of persons victimized or threatened by emergencies or disasters.

(c) Provision of a setting conducive to the rapid and orderly start of restoration and rehabilitation of persons and property affected by emergencies or disasters.

(d) Provision of an emergency disaster management system embodying all aspects of preemergency, predisaster preparedness and postemergency, postdisaster response.

(e) Assistance in anticipation, recognition, appraisal, prevention, and mitigation of emergencies which may be disasters caused or aggravated by inadequate planning for, and regulation of, public and private facilities and land use.

(4)(d) "Local emergency management agency organization for civil defense" means an organization created in accordance with the provisions of ss. 252 31-252 60 252-52 to discharge
the emergency management defense responsibilities and
functions of a political subdivision.

(5) "Political subdivision" means any county or
municipality created pursuant to law.

(5) "Disaster" means occurrence or imminent threat of
widespread or severe damage, injury, or loss of life or
property resulting from any natural or manmade cause,
including, but not limited to, enemy attack, sabotage or other
hostile military or paramilitary action, fire, flood,
earthquake, windstorm, wave action, volcanic activity,
epidemic, air contamination, blight, drought, infestation,
exposure or accident involving radiation byproducts.

Section 17. Section 252.35, Florida Statutes, is
amended to read:

252.35 Emergency management defense powers,
Division of Public Safety Planning and Assistance.--

(1) The division shall be responsible for carrying out
the provisions of this chapter in the event of a
disaster or emergency beyond local control, the Governor,
or, in his absence, his successor as provided by law, may assume
direct operational control over all or any part of the state's
defense functions within this state, and shall have the power
through proper process of law to carry out the provisions of
this section. The Governor is authorized to delegate such
powers as he may deem prudent.

(2) In performing its duties under this chapter, the division is authorized and empowered.

(a) In accordance with the provisions of chapter 120,
to make, amend, and rescind rules, regulations, programs, and
plans to carry out the provisions of this chapter with due

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(b) To prepare a comprehensive plan and program for emergency management in the civil defense of this state, such plan and program to be integrated into, and coordinated with, the survival plans and programs of the Federal Government.

(c) In accordance with such plan and program for emergency management the civil defense of this state, to ascertain the requirements of the state and its political subdivisions for equipment and supplies of all kinds in the event of emergency, to plan for and procure supplies, medicines, materials, and equipment, to use and employ from time to time any of the property, services, and resources within the state in accordance with this chapter set; to institute training programs and public information programs; and to take all other preparatory steps, including the partial or full mobilization of emergency management civil defense forces and organizations in advance of actual emergency disaster, to ensure the furnishing of adequately trained and equipped forces of emergency management civil defense personnel in time of need.

(d) To cooperate with the President, the heads of the Armed Forces, the various federal emergency management agencies Civil Defense Agency of the United States, and the officers and agencies of other states in matters pertaining to emergency management in the civil defense of the state and the nation and incidents thereof and, in connection therewith, to take any measures which it may deem proper to carry into effect any request of the President and the appropriate federal officers and agencies for any emergency management civil defense action, including the direction or control of
1. Emergency management defense drills, tests, or exercises of whatever nature

2. Warnings and signals for tests and drills, attacks, or other imminent emergencies impending disasters or threats thereof of disaster and the mechanical devices to be used in connection with such warnings and signals therewith.

(e) To make recommendations for zoning, building, and other land use controls, safety measures for securing mobile homes or other nonpermanent or semipermanent structures, and other prevention, mitigation, and preparedness measures designed to eliminate emergencies or reduce disasters or their impact.

(f) To render assistance to political subdivisions in designing local emergency action plans.

(g) To prepare and distribute to appropriate state and local officials state catalogs of federal, state, and private assistance programs.

(h) To coordinate federal, state, and local emergency management disaster activities.

(i) To promulgate standards and requirements for political subdivision emergency management local and interjurisdictional disaster plans.

(j) To review periodically political subdivision emergency management local and interjurisdictional disaster plans.

(k) To make such surveys of industries, resources, and facilities within the state, both public and private, as are necessary to carry out the purposes of this chapter act.

(l) To prepare, for issuance by the Governor, such executive orders, proclamations, and rules regulations as are

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necessary or appropriate in coping with emergencies disasters.

(m) To cooperate with the Federal Government and any public or private agency or entity in achieving any purpose of this chapter and in implementing programs for emergency disaster prevention, mitigation, preparation, response, and recovery.

(n) To delegate authority vested in it under ss 252.31-252.60 and to provide for the subdelegation of such authority.

(o) To report annually to the Governor and the Legislature, no later than February 1, the status of the emergency management capabilities of the state and its political subdivisions.

(p) To do other things necessary, incidental, or appropriate for the implementation of this chapter

Section 18 amended to read.

Section 252.355, Florida Statutes, is amended to read.

252.355 Civil defense organizations; Registry of disabled citizens, notice.--

(1) Each local emergency management agency organization for civil defense in the state shall provide for the voluntary registration of disabled citizens located within the jurisdiction of the local agency organization. The registration shall be utilized to determine who would need assistance in case of evacuation because of an emergency and shall be updated annually.

(2) Each electric utility in the state shall notify residential customers in its area, on an annual basis, of the availability of a volunteer program by their local emergency management agency civil defense unit to register all disabled citizens who may need assistance during an emergency.
(3) Any advertising required by this section shall, whenever possible, be done through the use of public service announcements of local radio stations and shall not require the expenditure of local government funds.

(4) This section shall be exempt from the provisions of chapter 119.

Section 19. Section 252.36, Florida Statutes, is amended to read:

252.36 Emergency management powers, the Governor; disaster emergencies.--

(1) The Governor is responsible for meeting the dangers presented to this state and its people by emergencies. In the event of an emergency beyond local control, the Governor, or, in his absence, his successor as provided by law, may assume direct operational control over all or any part of the emergency management functions within this state, and shall have the power through proper process of law to carry out the provisions of this section. The Governor is authorized to delegate such powers as he may deem prudent.

(b) Pursuant to the authority vested in him under paragraph (a), the Governor may issue executive orders, proclamations, and rules regulating and may amend or rescind them. Such executive orders, proclamations, and rules regulating shall have the force and effect of law.

(2) A state of a disaster emergency shall be declared by executive order or proclamation of the Governor if he finds an emergency a disaster has occurred or that the occurrence or the threat thereof is imminent. The state of state-of-disaster emergency shall continue until the Governor finds that the threat or danger has been dealt with to the extent that the emergency conditions no longer exist and terminates.
the state of state-of-disaster emergency by executive order or proclamation, but no state of state-of-disaster emergency may continue for longer than 60 30 days unless renewed by the Governor. The Legislature by concurrent resolution may terminate a state of state-of-disaster emergency at any time. Thereupon, the Governor shall issue an executive order or proclamation ending the state of state-of-disaster emergency. All executive orders or proclamations issued under this section shall indicate the nature of the emergency disaster, the area or areas threatened, and the conditions which have brought the emergency about or which make possible its termination of the state-of-disaster emergency. An executive order or proclamation shall be promptly disseminated by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the emergency disaster prevent or impede same, shall be promptly filed with the Department of State and in the offices of the county commissioners in the counties to which the order or proclamation applies.

(3) An executive order or proclamation of a state of state-of-disaster emergency shall:

(a) Activate the emergency mitigation, disaster response, and recovery aspects of the state, local, and interjurisdictional disaster emergency management plans applicable to the political subdivision or area in question, and

(b) Be authority for the deployment and use of any forces to which the plan or plans apply, and for the use or distribution of any supplies, equipment, and materials and facilities assembled, stockpiled, or arranged to be made.
available pursuant to this chapter or any other provision of law relating to disaster emergencies.

(4) During the continuance of a state of state-of-

disaster emergency, the Governor is commander in chief of the organized and unorganized militia and of all other forces available for emergency duty. To the greatest extent practicable, the Governor shall delegate or assign command authority by prior arrangement embodied in appropriate executive orders or rules regulations, but nothing herein restricts his authority to do so by orders issued at the time of the disaster emergency.

(5) In addition to any other powers conferred upon the Governor by law, he may:

(a) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules and regulations of any state agency, if strict compliance with the provisions of any such statute, order, or rule or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency.

(b) Utilize all available resources of the state government and of each political subdivision of the state, as reasonably necessary to cope with the disaster emergency.

(c) Transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services.

(d) Subject to any applicable requirements for compensation under s. 252.43, commandeering or utilize any private property if he finds this necessary to cope with the disaster emergency.
(e) Direct and compel the evacuation of all or part of
the population from any stricken or threatened area within the
state if he deems this action necessary for the preservation
of life or other emergency disaster mitigation, response, or
recovery.

(f) Prescribe routes, modes of transportation, and
destinations in connection with evacuation.

(g) Control ingress and egress to and from an
emergency management a disaster area, the movement of persons
within the area, and the occupancy of premises therein.

(h) Suspend or limit the sale, dispensing, or
transportation of alcoholic beverages, firearms, explosives,
and combustibles.

(i) Make provision for the availability and use of
temporary emergency housing

(j) Take effective measures for limiting or suspending
lighting devices and appliances, gas and water mains, electric
power distribution, and all other utility services in the
general public interest.

(k) Take measures concerning the conduct of civilians,
the movement and cessation of movement of pedestrian and
vehicular traffic prior to, during, and subsequent to drills
and actual or threatened emergencies disasters, the calling of
public meetings and gatherings, and the evacuation and
reception of civilian population, as provided in the emergency
management esvi defense plan of the state and political
subdivisions thereof

(l) Authorize the use of forces already mobilized as
the result of an executive order, rule regulation, or
proclamation to assist the private citizens of the state in
cleanup and recovery operations during disaster emergencies

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when proper permission to enter onto or into private property has been obtained from the property owner. The provisions of s. 768.28(9) shall apply to this paragraph.

(6) The Governor shall take such action and give such direction to state and local law enforcement officers and agencies as may be reasonable and necessary for the purpose of securing compliance with the provisions of this chapter and with the orders and rules and regulations made pursuant thereto.

(7) The Governor shall employ such measures and give such directions to the Department of Health and Rehabilitative Services or local boards of health as may be reasonably necessary for the purpose of securing compliance with the provisions of this chapter or with the findings or recommendations of such agency of health by reason of conditions arising from emergencies or threats of emergency.

(8) The Governor shall delegate emergency responsibilities to the officers and agencies of the state and of the political subdivisions thereof prior to an emergency or threat of an emergency and shall utilize the services and facilities of existing officers and agencies of the state and of the political subdivisions thereof, including their personnel and other resources, as the primary emergency management and defense forces of the state, and all such officers and agencies shall cooperate and extend their services and facilities to the division, as it may require.

(9) The Governor and the division shall establish agencies and offices and appoint executive, professional, technical, clerical, and other personnel as may be necessary
to carry out provisions of this chapter act, including, with
due consideration to the recommendations of local authorities,
full-time state and area directors

(10) The Governor shall formulate and execute plans
and rules, regulations, for the control of traffic in order to
provide for the rapid and safe movement or evacuation over
public highways and streets of people, troops, or vehicles and
materials for national defense or for use in any defense
industry and may coordinate the activities of the departments
or agencies of the state and the political subdivisions
thereof concerned directly or indirectly with public highways
and streets in a manner which will best effectuate such plans.

Section 20. Subsections (1) and (3) of section 252.37,
Florida Statutes, are amended, and subsection (4) is added to
said section, to read

252.37 Financing --

(1) It is the intent of the Legislature and declared
to be the policy of the state that funds to meet disaster
emergencies shall always be available

(3) Nothing contained in this section shall be
construed to limit the Governor's authority to apply for,
administer, and expend any grants, gifts, or payments in aid
of emergency disaster prevention, mitigation, preparedness,
response, or recovery

(4)(a) Whenever the Federal Government or any agency
or officer thereof shall offer to the state, or through the
state to any political subdivision thereof, services,
equipment, supplies, materials, or funds, by way of gift,
grant, or loan for the purposes of emergency management, the
state, acting through the division, or such political
subdivision, acting with the consent of the Governor or his
authorized representative, may accept such offer. Upon such acceptance, the division or the presiding officer or governing body of such political subdivision may authorize receipt of same on behalf of the state or such political subdivision, subject to the terms of the offer and the rules and regulations of the agency making the offer.

(b) Whenever any person, firm, or corporation shall offer to the state or to any political subdivision thereof services, equipment, supplies, materials, or funds by way of gift, grant, loan, or other agreement for the purpose of emergency management, the state, acting through the division, or such political subdivision, acting through its governing body or a local emergency management agency, may accept such offer. Upon such acceptance, the division or the presiding officer or governing body of the political subdivision may authorize receipt of same on behalf of the state or such political subdivision, subject to the terms of the offer.

Section 21. Section 252.38, Florida Statutes, is amended to read:

252.38 Emergency management powers; political subdivisions; local disaster agencies --

(1) Safeguarding the life and property of its citizens is an innate responsibility of the governing body of each political subdivision of the state.

(2) In order to provide effective and orderly governmental control and coordination of emergency operations in disasters and emergencies within the scope of this chapter set, each county within this state shall be within the jurisdiction of, and served by, the division. Except as otherwise provided in this chapter, set each local emergency management disaster agency shall have jurisdiction over and

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serve an entire county. Each political subdivision is hereby authorized and directed to establish and maintain such an emergency management agency in accordance with, and in support of, the state comprehensive emergency management civil defense plan and program.

(3) Legally constituted municipalities are authorized and encouraged to create "municipal emergency management agencies." Municipal emergency management agencies shall coordinate their activities with those of the county emergency management agency. Municipalities without emergency management agencies shall be served by their respective county agencies.

(4) Each local emergency management disaster preparedness agency created and established pursuant to the provisions of this chapter is shall have a director who shall be appointed, and have his annual salary fixed, by the board of county commissioners of the county or the governing body of a city or town, as appropriate. Such director shall meet the minimum training and education qualifications as established in a job description approved by the Department of Administration or the political subdivision. Such directors shall be appointed by their respective political subdivisions, to serve at their pleasure, subject to their direction and control, in conformance with applicable resolutions, ordinances, and Florida Statutes. Each political subdivision shall promptly inform the division of the appointment of directors and other personnel. However, no person shall be appointed or reappointed as a director unless such person...
shall first have been approved for such appointment by the
corner of the division. Each local director shall have
direct responsibility for the organization, administration.
and operation of the such local emergency management agency
organization, subject only to the direction and control of the
governing body of the political subdivision and of the
division. The local director shall coordinate the activities,
services, and programs for emergency management civil defense
within the her county or municipality and shall maintain
liason with other state and local emergency management
agencies organizations for civil defense and the state

(5)(4) Each local emergency management disaster agency
shall perform emergency management civil defense functions
within the territorial limits of the political subdivision
within which it is organized and, in addition, shall conduct
such activities functions outside of said such territorial
limits as may be required pursuant to the provisions of this
chapter act and in accordance with state and county emergency
management civil defense plans and mutual-aid agreements.

The governing body of each political subdivision
of this state authorized pursuant to this act to create and
establish a local disaster agency is further authorized to
create a disaster advisory council for advice and counsel on
matters pertaining to civil defense-

(6) In carrying out the provisions of this chapter
act, each political subdivision shall have the power and
authority:

(a) To appropriate and expend funds; make contracts;
obtain and distribute equipment, materials, and supplies for
emergency management civil defense purposes, provide for the
health and safety of persons and property, including emergency
assistance to the victims of any emergency disaster, and
direct and coordinate the development of emergency management

defense plans and programs in accordance with the
policies and plans set by the federal and state emergency
management disaster agencies

(b) To appoint, employ, remove, or provide, with or
without compensation, coordinators, rescue teams, fire and
police personnel, and other emergency management disaster
preparedness workers

(c) To establish, as necessary, a primary, and one or
more secondary, emergency operating centers to provide
continuity of government and direction and control of
emergency operations

(d) To assign and make available for duty the offices
and agencies of the political subdivision, including the their
employees, property, or equipment thereof relating to
firefighting, engineering, rescue, health, medical and related
services, police, transportation, construction, and similar
items or services for emergency operation defense
purposes as the primary emergency management defense
forces of the political subdivision for employment within or
outside the political limits of the subdivision

(e) To request state assistance or invoke emergency-
related mutual-aid assistance by declaring a state of local
emergency in the event of an a disaster emergency affecting
only one political subdivision. The duration of each state of
emergency declared locally shall be limited to 7 days. It may
be extended, as necessary, in 72-hour increments. Further,
the political subdivision shall have the power and authority to
waive the procedures and formalities otherwise required of
the political subdivision by law pertaining to

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1. The Performance of public work to take whatever 
   prudent action is necessary to protect the health, welfare, 
   and safety of citizens.

2. The Entering into of contracts.

3. The Incurring of obligations.

4. The Employment of permanent and temporary workers.

5. The Utilization of volunteer workers.

6. The Rental of equipment.

7. Acquisition The purchase and distribution, with or 
   without compensation, of supplies, materials, and facilities.

8. The Appropriation and expenditure of public funds.

(7) Upon request of two or more adjoining political 
subdivisions, or if the Governor finds that two or more 
adjoining political subdivisions counties would be better 
served by an interjurisdictional arrangement than by 
maintaining separate emergency management disaster agencies 
and services, the Governor he may delineate by executive order 
or rule regulate an interjurisdictional area adequate to 
plan for, prevent, mitigate, or respond to emergencies 
disaster in such that area and may direct steps to be taken as 
necessary, including the creation of an interjurisdictional 
relationship, a joint disaster emergency plan, a provision for 
mutual aid, or an area organization for emergency planning and 
services. A finding of the Governor pursuant to this 
subsection shall be based on one or more factors related to 
the difficulty of maintaining an efficient and effective 
emergency disaster prevention, mitigation, preparedness, 
response, and recovery system on a unijurisdictional basis, 
such as.

(a) Small or sparse population.

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(b) Limitations on public financial resources severe enough to make maintenance of a separate emergency management disaster agency and services unreasonably burdensome.

(c) Unusual vulnerability to emergencies disaster as evidenced by a past history of emergencies disasters, topographical features, drainage characteristics, emergency disaster potential, and presence of emergency-prone disaster-prone facilities or operations.

(d) The interrelated character of the counties in a multicounty area.

(e) Other relevant conditions or circumstances.

Section 22. Subsection (2) of section 252.39, Florida Statutes, is amended to read:

252.39 Local services --

(2) The political subdivision in which any equipment is used pursuant to this section shall be liable for any loss or damage thereto and shall pay any expense incurred in the operation and maintenance thereof. No claim for such loss, damage, or expense shall be allowed unless, within 60 days after the same is sustained or incurred, an itemized notice of such claim under oath is served by mail or otherwise upon the chief fiscal officer of the such political subdivision in which the equipment was used. The political subdivision which is aided pursuant to this section shall also pay and reimburse the political subdivision furnishing such aid for compensation paid to employees furnished under this section during the time of the rendition of such aid and shall defray the actual traveling and maintenance expenses of such employees while they are rendering such aid. Such reimbursement shall include any amounts paid or due for compensation due to personal injury or death while such
employees are engaged in rendering such aid. The term "employee" as used in this section shall mean, and the provisions of this section shall apply with equal effect to, paid, volunteer, and auxiliary employees and emergency management services civil defense workers.

Section 23. Section 252.40, Florida Statutes, is amended to read:

252.40 Mutual-aid arrangements --

(1) The governing body of each political subdivision of the state is authorized to develop and enter into, with copies to through the division, mutual-aid agreements with other public entities and private agencies within the state for reciprocal emergency civil defense aid and assistance in case of emergencies disasters too extensive great to be dealt with unassisted. Such agreements shall be consistent with the state comprehensive emergency management civil defense plan and program, and in time of emergency it shall be the duty of each local emergency management disaster preparedness agency to render assistance in accordance with the provisions of such mutual-aid agreements to the fullest possible extent.

(2) The Governor may enter into a compact with any state if he finds that joint action with that state is desirable in meeting common intergovernmental problems of emergency management disaster planning or emergency prevention, mitigation, response, and recovery.

Section 24. Section 252.41, Florida Statutes, is amended to read:

252.41 Emergency management civil defense support forces.--

(1) The division is authorized to provide, within or without the state, such support from available personnel,

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equipment, and other resources of state agencies and the
political subdivisions of the state, as may be necessary to
reinforce emergency management agencies in areas struck by emergency. Such
support shall be rendered with due consideration of the plans
of the Federal Government, this state, the other states, and
of the criticalness of the existing situation. Emergency management support forces shall be
called to duty upon orders of the division and shall perform
functions in any part of the state or, upon the conditions
specified in this section, in other states

(2) Personnel of emergency management support forces while on duty, whether within or without the
state, shall

(a) If they are employees of the state, have the
powers, duties, rights, privileges, and immunities, and
receive the compensation, incidental to their employment

(b) If they are employees of a political subdivision
of the state, whether serving within or without such political
subdivision, have the powers, duties, rights, privileges, and
immunities, and receive the compensation, incidental to their
employment.

(c) If they are not employees of the state or a
political subdivision thereof, they shall be entitled to the
same rights and immunities as are provided by law for the
employees of this state and to such compensation as may be
fixed by the division. All personnel of emergency management support forces shall, while on duty, be subject
to the operational control of the authority in charge of emergency management activities in the area in
which they are serving and shall be reimbursed for all actual

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and necessary travel and subsistence expenses to the extent of
funds available.

Section 25. Section 252.42, Florida Statutes, is
amended to read:

252.42 Government equipment, services, and
facilities.--In the event of any emergency disaster, the
division may make available any equipment, services, or
facilities owned or organized by the state or its political
subdivisions for use in the affected area upon request of the
duly constituted authority of the area affected or upon the
request of any recognized and accredited relief agency through
such duly constituted authority.

Section 26. Subsections (3) and (4) of section 252.43,
Florida Statutes, are amended to read.

252.43 Compensation.--

(3) Compensation for property shall be owed only if
the property was commandeered or otherwise used in coping with
emergency disaster and its use or destruction was ordered
by the Governor or a member of the disaster emergency forces
of this state.

(4) Any person claiming compensation for the use,
damage, loss, or destruction of property under this chapter
shall file a claim therefor with the division in the form
and manner that the division provides.

Section 27. Section 252.44, Florida Statutes, is
amended to read:

252.44 Emergency mitigation disaster prevention.--

(1) In addition to disaster prevention measures as
included in the state and local comprehensive emergency
management disaster plans, the Governor shall consider on a
continuing basis steps that could be taken to mitigate prevent

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er reduce the harmful consequences of emergencies disasters.
At his direction and pursuant to any other authority and
compentence they have, state agencies, including, but not
limited to, those charged with responsibilities in connection
with flood plain management, stream encroachment and flow
regulation, weather modification, fire prevention and control,
air quality, public works, land use and land use planning, and
construction standards, shall make studies of emergency-
mitigation-related disaster prevention related matters. The
Governor, from time to time, shall make such recommendations
to the Legislature, local governments, and other appropriate
public and private entities as may facilitate measures for
mitigation prevention or reduction of the harmful consequences
of emergencies disasters.
(2) The appropriate state agencies, in conjunction
with the division, shall keep land uses and construction of
structures and other facilities under continuing study and
identify areas which are particularly susceptible to severe
land shifting, subsidence, flood, or other catastrophic
occurrence, manmade or natural. The studies under this
subsection shall concentrate on means of reducing or avoiding
the dangers caused by these occurrences or the consequences
thereof.
(3) If the division believes, on the basis of the
studies or other competent evidence, that an area is
susceptible to an emergency disaster of catastrophic
proportions without adequate warning, that existing building
standards and land use controls in that area are inadequate
and could add substantially to the magnitude of the emergency
disaster, and that changes in zoning regulations, other land
use regulations, or building requirements are essential in

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order to further the purposes of this section, it shall specify the essential changes to the Governor. If the Governor upon review of the recommendation finds after public hearing that changes are essential, he shall so recommend to the agencies or political subdivisions local governments with jurisdiction over the area and subject matter. If no action or insufficient action pursuant to his recommendations is taken within the time specified by the Governor, he shall so inform the Legislature and request legislative action appropriate to mitigate the impact of such an emergency disaster.

Section 28. Paragraph (a) of subsection (1) of section 252.45, Florida Statutes, is amended to read:

252.45 Lease or loan of state property; transfer of state personnel.—Notwithstanding any inconsistent provision of law:

(1) Whenever the Governor deems it to be in the public interest, he may:

(a) Authorize any department or agency of the state to lease or lend, on such terms and conditions as it may deem necessary to promote the public welfare and protect the interests of the state, any real or personal property of the state government to the President, the heads of the Armed Forces, or the various federal emergency management agencies.

Section 29. Section 252.46, Florida Statutes, is amended to read:

252.46 Orders, rules, and regulations—

(1) In accordance with the provisions of chapter 120, the political subdivisions of the state and other agencies designated or appointed by the Governor are authorized and

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empowered to make, amend, and rescind such orders, rules, and
regulations as may be necessary for emergency management defense purposes and to supplement the carrying out of the
provisions of this chapter, but which are not inconsistent
with any orders or rules, or regulations promulgated by the
division or by any state agency exercising a power delegated
to it by the Governor or the division.

(2) All orders, rules, and regulations promulgated by
the division or any political subdivision or other agency
authorized by this chapter to make orders, rules, and
regulations shall have full force and effect of law after
adoption in accordance with the provisions of chapter 120 in
the event of issuance by the division or any state agency or,
if promulgated by a political subdivision of the state or
agency thereof, when filed in the office of the clerk or
recorder of the political subdivision or agency promulgating
the same. All existing laws, ordinances, rules, and
regulations inconsistent with the provisions of this chapter,
or any order, rule, or regulation issued under the
authority of this chapter, shall be suspended during the
period of time and to the extent that such conflict exists

(3) In order to attain uniformity so far as
practicable throughout the country in measures taken to aid
emergency management defense, all action taken under
this chapter and all orders, rules, and regulations made
pursuant hereto thereto shall be taken or made with due
consideration of the orders, rules, regulations, actions,
recommendations, and requests of federal authorities relevant
thereto and, to the extent permitted by law, shall be
consistent with such orders, rules, regulations, actions,
recommendations, and requests
Section 30. Section 252.47, Florida Statutes, is amended to read:

252.47 Enforcement.--The law enforcement authorities of the state and the political subdivisions thereof shall enforce the orders, rules, and regulations issued pursuant to this chapter.

Section 31. Section 252.50, Florida Statutes, is amended to read:

252.50 Penalties.--Any person violating any provision of ss 252.31-252.60 or any rule, order, or regulation made pursuant to ss 252.31-252.60 is guilty of a misdemeanor of the second degree, punishable as provided in ss. 775.082 or s. 775.083.

Section 32. Section 252.51, Florida Statutes, is amended to read:

252.51 Liability.--Any person or organization, public or private, owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege or otherwise permits the designation by the local emergency management agency or use of the whole or any part of such real estate or premises for the purpose of sheltering persons during an actual, impending, mock, or practice emergency disaster, together with his successor in interest, if any, shall not be liable for the death of, or injury to, any person on or about such real estate or premises during the an actual, impending, mock, or practice emergency disaster or for loss of, or damage to, the property of such person, solely by reason or as a result of such license, privilege, designation, or use, unless gross negligence or willful and wanton misconduct of such person owning or controlling such real estate or premises or his successor in
interest shall be the proximate cause of such death, injury, loss, or damage occurring during such sheltering period.

Section 33 Section 252.52, Florida Statutes, is amended to read

252.52 Liberality of construction -- This chapter shall be construed liberally in order to effectuate its purposes.

Section 34. Subsection (1) of section 252.55, Florida Statutes, is amended, and subsection (6) is added to said section, to read

252.55 Civil Air Patrol, Florida Wing, appropriations, procurement authority, wing commander bond --

(1) The Florida Wing of the Civil Air Patrol, an auxiliary of the United States Air Force, shall be recognized as a nonprofit, educational, and emergency-management-related civilian defense-affiliated organization, and shall be eligible to purchase materials from the various surplus warehouses of the state.

(6) The wing commander of the Florida Wing of the Civil Air Patrol shall furnish the Bureau of Emergency Management an annual projection of the Civil Air Patrol's goals and objectives for the following year. These will be reported to the Governor in the division's annual report of February 1.

Section 35 Subsections (2), (3), and (4) of section 255.24, Florida Statutes, are amended to read

255.24 Safety of Capitol building -- The Division of Building Construction and Property Management of the Department of General Services shall develop a comprehensive and long-range plan for:

CODING: Words in struck through type are deletions from existing law, words underlined are additions.
(2) Making the necessary alterations to the Capitol building to ensure the health, safety and welfare of its occupants in the case of fire or other emergency under chapter 252 disaster;

(3) The development of evacuation routes in the event of fire or other emergency under chapter 252 disaster;

(4) The promulgation of statement of emergency procedures in the event of emergency under chapter 252 disaster;

Section 36. Subsection (14) of section 287.25, Florida Statutes, is amended to read:

287.25 Powers and duties of Division of Communications of the Department of General Services.--The Division of Communications of the Department of General Services shall have the following powers, duties, and functions

(14) To cooperate with any federal, state, or local emergency management civil defense agency in providing for emergency communications services

Section 37. Section 287.28, Florida Statutes, is amended to read:

287.28 Emergency assumption of control.--In the event of an emergency, the Governor may direct emergency management civil defense assumption of control over all or part of the state communications system.

Section 38 Paragraph (b) of subsection (4) of section 365.171, Florida Statutes, is amended to read:

365.171 Emergency telephone number "911."--

(4) STATE PLAN --The division shall develop a statewide emergency telephone number "911" system plan The plan shall provide for:

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(b) A system to meet specific local government requirements. Such system shall include law enforcement, firefighting, and emergency medical services and may include other emergency services such as poison control, suicide prevention, and emergency management defense services.

The division shall be responsible for the implementation and coordination of such plan. The division shall adopt any necessary rules and schedules related to public agencies for implementing and coordinating such plan, pursuant to chapter 120. The public agency designated in the plan shall order such system within 6 months after publication date of the plan if the public agency is in receipt of funds appropriated by the Legislature for the implementation and maintenance of the "911" system. Any jurisdiction which has utilized local funding as of July 1, 1976, to begin the implementation of the state plan as set forth in this section shall be eligible for at least a partial reimbursement of its direct cost when, and if, state funds are available for such reimbursement.

Section 39 Subsections (1) and (2) of section 376 13, Florida Statutes, are amended to read

376 13 Emergency proclamation, Governor's powers --
(1) Whenever any emergency disaster or catastrophe exists or appears imminent, arising from the discharge of oil, petroleum products or their byproducts, or any other pollutants, the Governor shall by proclamation declare the fact and that a state of an emergency exists in any or all sections of the state. If the Governor is unavailable, the Lieutenant Governor shall, by proclamation, declare the fact and that a state of an emergency exists in any or all sections.
of the state. A copy of such proclamation shall be filed with
the Department of State.

(2) In performing his duties under this section, the
Governor is authorized and directed to cooperate with all
departments and agencies of the Federal Government, the
offices and agencies of other states and foreign countries and
the political subdivisions thereof, and private agencies in
all matters pertaining to emergencies as described herein a
disaster or catastrophe

Section 40. Paragraph (b) of subsection (1) of section
395.005, Florida Statutes, 1982 Supplement, is amended to
read

395.005 Rules and enforcement --

(1) The department shall adopt, amend, promulgate, and
enforce rules to implement the provisions of this part, which
shall include, but not be limited to, reasonable and fair
minimum standards for ensuring that:

(b) Infection control, housekeeping, sanitary
conditions, emergency management, disaster plan, and medical
record procedures that will adequately protect patient care
and safety are established and implemented;

Section 41. Section 401.015, Florida Statutes, is
amended to read

401.015 Statewide regional emergency medical
telecommunication system.--The Division of Communications of
the Department of General Services is authorized and directed
to develop a statewide system of regional emergency medical
telecommunications For the purpose of this part, the term
telecommunications shall mean those voice, data, and signaling
transmissions and receptions between emergency medical service
components, including, but not limited to, ambulances, rescue
vehicles, hospitals or other related emergency receiving
facilities, emergency communications centers, physicians and
emergency medical personnel; paging facilities, law
enforcement and fire protection agencies; and poison control,
suicide, and emergency management agencies disaster control
centers. In formulating such a system, the division shall
divide the state into appropriate regions and shall develop a
program which shall include, but not be limited to, the
following provisions:

(1) A requirements provision, which shall state the
telecommunications requirements for each emergency medical
entity comprising the region

(2) An interfacility communications provision, which
shall depict the telecommunications interfaces between the
various medical service entities which operate within the
region and state

(3) An organizational layout provision, which shall
include each emergency medical entity and the number of radio
operating units (base, mobile, handheld, etc.) per entity

(4) A frequency allocation and use provision, which
shall include on an entity basis each assigned and planned
radio channel and the type of operation (simplex, duplex, half
duplex, etc.) on each channel.

(5) An operational provision, which shall include
dispatching, logging, and operating procedures pertaining to
telecommunications on an entity basis and regional basis

(6) An emergency medical service telephone provision,
which shall include the telephone and the numbering plan
throughout the region for both the public and interface
requirements
Section 42. Subsection (5) of section 401.33, Florida Statutes, 1982 Supplement, is amended to read:

401.33 Exemptions.--The following are exempt from the provisions of this act:

(5) A vehicle under the direct supervision of a licensed physician and used as an integral part of a private industrial safety, emergency, or emergency management disaster plan within a privately owned and controlled area, which vehicle may from time to time be used to transport persons in need of medical attention, but which is not available to the general public and which does not routinely transport patients.

Section 43. Section 409.60, Florida Statutes, is amended to read:

409.60 Emergency relief.--

(1) The department shall, by October 1, 1978, adopt rules for the administration of emergency disaster assistance programs delegated to the department either by executive order in accordance with the Disaster Relief Act of 1974 or pursuant to the Food Stamp Act of 1977.

(2) In promulgating the rules required in this section, the department shall give particular consideration to the prevention of fraud in emergency assistance programs. Such rules shall, at a minimum, provide for.

(a) Verification of an applicant's identity and address.

(b) Determination of an applicant's need for assistance and verification of an applicant's need in accordance with appropriate federal law and regulations.

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(c) The timely and adequate dissemination of accurate certification information to local emergency management agencies disaster assistance offices.

(3) In administering emergency food stamp and assistance programs, the department shall cooperate fully with the United States Government and with other departments, instrumentalities, and agencies of this state.

Section 44 Subsection (3) of section 600.021, Florida Statutes, is amended to read:

600 021 Declaration of state policy.--This act is passed:

(3) Because it is hereby found and declared that because of the increased and ever-increasing production of citrus fruit in Florida and elsewhere, except in years of freezes or other emergencies disasters that substantially reduce the total crop, the marketing of citrus fruit grown in Florida in excess of reasonable and normal market demands therefor, disorderly marketing of such citrus fruit, unfair methods of competition in the marketing of such citrus fruit, and the inherent inability of individual producers to develop new and larger markets for Florida grown citrus fruit result in an unreasonable and unnecessary economic waste of the agricultural wealth of this state. Such conditions and the accompanying waste jeopardize the future continued production of quality citrus fruit for the people of this and other states and areas, and prevent citrus fruit producers from obtaining a fair return from their labor, the citrus fruit which they produce, and impair the economic value of their citrus fruit groves. As a consequence, the purchasing power of such producers has been in the past, and in all likelihood will continue to be in the future, unless such conditions are
remedied, low in relation to that of persons engaged in other
gainful occupations within this state. Citrus fruit producers
are thereby prevented from maintaining a proper and reasonable
standard of living and from contributing their fair share to
the support of the necessary governmental and educational
functions, thus tending to unfairly increase the tax burdens
of other citizens of this state.

Section 45. Paragraph (c) of subsection (3) of section
790.25, Florida Statutes, 1982 Supplement, is amended to read:
790.25 Lawful ownership, possession, and use of
firearms and other weapons.--

(3) EXCEPTIONS.--The provisions of ss. 790.05 and
790.06 shall not apply in the following instances and, despite
said sections, it shall be lawful for the following persons to
own, possess, and lawfully use firearms and other weapons,
ammunition, and supplies for lawful purposes:

(c) Persons carrying out or training for emergency
management civil defense duties under chapter 252;

Section 46. Subsection (4) of section 876.16, Florida
Statutes, is amended to read
876.16 Certain exemptions.--The following are exempted
from the provisions of ss. 876.11-876.15.

(4) Persons wearing gas masks prescribed in emergency
management civil defense drills and exercises or emergencies.

Section 47. The Bureau of Disaster Preparedness within
the Division of Public Safety Planning and Assistance of the
Department of Community Affairs is hereby renamed as the
Bureau of Emergency Management.

Section 48. Section 252.49, Florida Statutes, as
amended by chapter 81-169, Laws of Florida, is hereby
repealed.

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Section 49 This act shall take effect October 1, 1983

Amends various provisions throughout the Florida Statutes, and revises chapter 252 of the Florida Statutes, relating to disaster preparedness and civil defense, to provide for state and local management of emergencies. Defines "emergency" as "any occurrence, or threat thereof, whether accidental, natural, or caused by man, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property." In addition to general modification of terminology:

1. Provides that "emergency management" shall include, in addition to matters presently provided by law, anticipation, recognition, and appraisal of emergencies.
2. Requires the Division of Public Safety Planning and Assistance of the Department of Community Affairs to annually report on the status of state and local emergency management capabilities and provides for certain other annual reports.
3. Removes the requirement that the Governor appoint full-time state and area directors and modifies provisions relating to local appointment of same.
4. Authorizes municipalities to form municipal emergency management agencies and provides for coordination of their activities with county activities.
5. Removes local authority to create disaster advisory councils.
6. Authorizes political subdivisions to declare a state of local emergency and to perform certain functions with respect thereto.
7. Provides that adjoining political subdivisions may seek interjurisdictional arrangements and provides for general assessment by the division of the need for such arrangements.
8. Authorizes political subdivisions to enter into mutual-aid arrangements directly, rather than through the division.
9. Authorizes the lease or loan of state property to various federal emergency management agencies under certain conditions.
10. Renames the Bureau of Disaster Preparedness within the division as the Bureau of Emergency Management.
11. Generally clarifies provisions and makes minor reorganizational changes pursuant thereto.

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By Representative Williams and others

A bill to be entitled

An act relating to emergency management;

amending ss. 23 1225(2), 101 74, 116.111(4), 160 02(11), 163.03(1)(c) and the introductory paragraph of said subsection, 163.360(9), 175 021, 216.231(1)(b), 217.01, 250 06(3), 255.24(2), (3), and (4), 287 25(14), 287 28, 365 171(4)(b), 376 13(1) and (2), 401.015, 409 60, 600.021(3), and 876.16(4), Florida Statutes, and ss. 220 02(7)(b) and (8)(b), 220.03(1)(g), (h), and (p), 395 005(1)(b), 401.33(5), and 790 25(3)(c), Florida Statutes, 1982 Supplement, modifying terminology to provide for state and local emergency management systems, rather than disaster preparedness and civil defense systems, revising various provisions of chapter 252, Florida Statutes, the "State Disaster Preparedness Act of 1974," and renaming same as the "State Emergency Management Act"; conforming terminology, modifying definitions, modifying provisions relating to powers of the Division of Public Safety Planning and Assistance of the Department of Community Affairs to remove provisions relating to powers of the Governor, clarifying certain division powers, providing for annual division reports, clarifying provisions relating to powers of the Governor in time of emergency; increasing from 30 to 60 days the period that a declared state of emergency may continue without renewal,
deleting the requirement that the Governor
appoint full-time state and area directors,
reorganizing provisions relating to financing
to include authority to accept services, gifts,
grants, and loans, clarifying provisions
relating to powers of political subdivisions
with respect to emergency management
authorizing municipalities to form municipal
emergency management agencies and providing for
coordination of the activities thereof with
county activities, modifying provisions
relating to local appointment of directors,
deleting provisions authorizing political
subdivisions to create disaster advisory
councils authorizing political subdivisions to
request state assistance or invoke mutual-aid
assistance by declaring a state of local
emergency, providing limitations thereon
providing that certain interjurisdictional
arrangements may be established upon request of
two or more adjoining political subdivisions,
providing for division assessment of the need
for such arrangements, authorizing political
subdivisions to enter into mutual-aid
arrangements directly, rather than through the
division, under specified conditions,
authorizing the lease or loan of state property
to the various federal emergency management
agencies under certain conditions, reflecting
cut-of-date close-refereces, providing for
liability of organizations, directing the wing

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commander of the Florida Wing of the Civil Air
Patrol to make certain annual reports, renaming
the Bureau of Disaster Preparedness within the
division as the "Bureau of Emergency
Management"; repealing s. 252.49, Florida
Statutes, relating to authority to accept
services, gifts, grants, and loans, providing
an effective date

Be It Enacted by the Legislature of the State of Florida

Section 1 Subsection (2) of section 23 1225, Florida Statutes, is amended to read
23.1225 Mutual aid agreements --A mutual aid
agreement, as used in this part, is one of the following three
types of agreement:
(2) A requested operational assistance agreement,
which is a written agreement between two or more law
enforcement agencies evidencing a request by one agency, and
agreement by the others, for the rendering of assistance in
specified law enforcement intensive situations falling short
of an emergency a disaster under s 252 34(2) chapter 252
The agreement shall specify the exact nature of the law
enforcement assistance rendered, which agency shall bear any
liability arising from acts undertaken under the agreement,
and any other terms and conditions necessary to give it
effect, including a definite time limitation Compensation or
reimbursement to the assisting agency shall be as provided in
the agreement An example of a requested operational
assistance agreement is a request for assistance due to a
civil disturbance

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Section 2  Section 101.74, Florida Statutes, is amended to read

101.74 Temporary change of polling place in case of emergency natural disaster.--In case of an emergency as defined in s. 252.34(2) epidemics or natural disaster existing in any precinct at the time of the holding of any election, the supervisor of elections may establish, at any safe and convenient point outside such precinct, an additional polling place for the electors of said precinct, in which the qualified electors may vote. The registration books of the affected precinct shall be applicable to, and be used at, the polling place so established.

Section 3  Subsection (4) of section 116.111, Florida Statutes, is amended to read

116.111 Restriction on employment of relatives.--(4) An agency may prescribe regulations authorizing the temporary employment, in the event of an emergency as defined in s. 252.34(2) emergencies resulting from natural disasters or similar unforeseen events or circumstances, of individuals whose employment would otherwise be prohibited by this section.

Section 4  Subsection (11) of section 160.02, Florida Statutes, is amended to read

160.02 Regional planning councils, powers and duties.—Any regional planning council created hereunder shall have the following powers:

(11) To cooperate, in the exercise of its planning functions, with federal and state agencies in planning for emergency management under s. 252.34(3) disaster preparedness.

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Section 5. The introductory paragraph and paragraph (c) of subsection (1) of section 163.03, Florida Statutes, are amended to read:

163.03 Department of Veteran and Community Affairs;

local government --

(1) The Secretary of the Department of Veteran and Community Affairs shall:

(c) Under the direction of the Governor, administer programs to apply rapidly all available aid to disaster-stricken communities stricken by an emergency as defined in s. 252.34(2) and, for this purpose, provide liaison with federal agencies and other public and private agencies;

Section 6 Subsection (9) of section 163.360, Florida Statutes, is amended to read:

163 360 Community redevelopment plans --

(9) Notwithstanding any other provisions of this part, when the governing body certifies that an area is in need of redevelopment or rehabilitation as a result of an emergency under s. 252 34(2) a flooded fire, hurricane, earthquake, storm, or other catastrophe, respecting which the Governor has certified the need for emergency disaster assistance under federal law, that area may be certified as a "blighted area," and the governing body may approve a community redevelopment plan and a community redevelopment project with respect to such area without regard to the provisions of this section requiring a general plan for the county or municipality and a public hearing on the community redevelopment project.

Section 7 Section 175 021, Florida Statutes, is amended to read

CODING Words in overstrike through type are deletions from existing law, words underlined are additions.
Legislative declaration -- It is hereby declared by the Legislature that firefighters, as hereinafter defined, perform state and municipal functions, that it is their duty to extinguish fires, to protect life, and to protect property at their own risk and peril, that it is their duty to prevent conflagration and to continuously instruct school personnel, public officials, and private citizens in the prevention of fires and firesafety, that they protect both life and property from local emergencies as defined in s.

Disasters, and that their activities are vital to the public's safety. Therefore, the Legislature declares that it is a proper and legitimate state purpose to provide a uniform retirement system for the benefit of firefighters as hereinafter defined.

Section 8 Paragraph (a) of subsection (1) of section 216.231, Florida Statutes is amended to read:

Release of certain classified appropriations, approval of Administration Commission --

Any appropriation to the Executive Office of the Governor which is classified as "emergency," as defined in s. 52.34(2) or "deficiency," may be released only with the approval of the Governor and three other members of the Administration Commission. The state agency desiring the use of any such appropriation shall submit to the Executive Office of the Governor application therefor in writing setting forth the facts from which the alleged need arises. The commission shall at a public hearing, review such application promptly and approve or disapprove the same as the circumstances warrant. All action of the commission shall be reported to the legislative appropriations committees and the committees.

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may advise the commission relative to the release of such funds

(b) The release of appropriated funds classified as "emergency" shall be approved only when an act or circumstance caused by an act of God, civil disturbance, natural disaster, or other circumstance of an emergency nature threatens, endangers, or damages the property, safety, health, or welfare of the state or its citizens, which condition has not been provided for in appropriation acts of the Legislature. Funds allocated for this purpose may be used to pay overtime pay to personnel of agencies called upon to perform extra duty because of civil disturbances or other emergencies as defined in s. 252.34(2) natural disasters and to provide the required state match for federal grants under the Federal Disaster Relief Act.

Section 9 Section 217.01, Florida Statutes, is amended to read:

217.01 Purpose -- The purpose of this chapter is to provide authority in Florida through a designated state agency for the procurement and distribution of surplus federal property for educational, health, and emergency management defense purposes as provided under chapter 252 and under federal law.

Section 10 Paragraph (b) of subsection (7) and paragraph (b) of subsection (8) of section 220.02, Florida Statutes, 1982 Supplement, are amended to read

220.02 Legislative intent --

(7)

(b) Any person charged with any criminal offense arising from a civil disorder associated with an emergency disaster as defined in s. 220.03(1)(d)3, and found guilty,
whether or not adjudication of guilt or imposition of sentence is suspended, deferred, or withheld, shall not be eligible to make application for, receive, or in any other manner enjoy the benefits or any form of assistance available under chapter 80-247, Laws of Florida

(b) Any person charged with any criminal offense arising from a civil disorder associated with an emergency disaster, as defined in § 220.03(1)(h) or (i), and found guilty, whether or not adjudication of guilt or imposition of sentence is suspended, deferred, or withheld, shall not be eligible to make application for, receive, or in any other manner enjoy the benefits or any form of assistance available under chapter 80-248, Laws of Florida

Section 11. Paragraphs (g), (h), and (p) of subsection (1) of section 220.03, Florida Statutes, 1982 Supplement, are amended to read

220.03 Definitions —

(1) SPECIFIC TERMS —When used in this code and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:

(g) "Earned," "accrued," "paid," and "incurred" shall be construed according to the method of accounting upon the basis of which a taxpayer's income is computed under this code.

(h) "Emergency, disaster" as used in § 220.02 and in paragraph (p) of this section, means occurrence of widespread or severe damage, injury, or loss of life or property proclaimed pursuant to § 14.022 or declared pursuant

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to s. 252.36 The provisions of this paragraph shall expire and be void on December 31, 1986.

(p) "Rebuilding of an existing business" means replacement or restoration of real or tangible property destroyed or damaged in an emergency as defined in paragraph (h), in an enterprise zone, by a business entity authorized to do business in this state as defined in paragraph (d), or a bank or savings and loan association as defined in s. 220.62, subject to the tax imposed by the provisions of this chapter, located in the enterprise zone, a majority of the employees of which are residents of an enterprise zone. The provisions of this paragraph shall expire and be void on December 31, 1986.

Section 12. Subsection (3) of section 250.06, Florida Statutes, is amended to read

250.06 Commander in chief —

(3) The Governor shall have the power, in order to preserve the public peace, execute the laws of the state, suppress insurrection, repel invasion, respond to an emergency as defined under s. 252.34(2) or imminent danger thereof, or in case of the calling of all or any portion of the militia of Florida into the services of the United States, to increase the Organized Militia of this state and organize the same in accordance with the existing rules and regulations governing the Armed Forces of the United States, or in accordance with such other system as the Governor may consider the exigency to require, and such organization and increase may be either pursuant to or in advance of any call made by the President. The Governor shall have the power, in order to preserve the public peace, execute the laws of the state, or respond to an emergency as defined...
under § 252.34(2) public disaster, to order into active service of the state all or any part of the militia that he may deem proper during the absence of any organization in the service of the United States, its state designation shall not be given to any new organization.

Section 13 Section 551.01, Florida Statutes, is amended to read

252.31 Short title — The chapter shall be known and may be cited as the "State Preparedness Management Disaster Preparedness Act of 1974."

Section 14 Section 252.32, Florida Statutes, is amended to read

252.32 Policy and purpose — (1) Because of the existing and continuing possibility of the occurrence of disasters, whether natural or unprecedented size and destructiveness resulting from enemy attack, sabotage, or other hostile action or from natural or manmade causes, in order to ensure that preparations of this state will be adequate to deal with, reduce vulnerability to and recover from such disasters and events generally to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of the state, it is declared to be necessary

(a) To create a "State Preparedness Management Agency," to be known as the "State Preparedness Management Agency," and to authorize the creation of local organizations in fulfillment of "State Preparedness Management Preparedness in the political subdivisions of the state and to authorize cooperation with the Federal Government and the government of other states.

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(b) To confer upon the Governor, the Division of Public Safety Planning and Assistance, and the governing body of each political subdivision of the state the emergency powers provided herein.

(c) To provide for the rendering of mutual aid among the political subdivisions of the state, with other states, and with the Federal Government with respect to carrying out all emergency management defense functions and responsibilities.

(d) To authorize the establishment of such organizations and the development and employment of such measures as are necessary and appropriate to carry out the provisions of this chapter set.

(e) To provide the means to assist in the prevention or mitigation of emergencies which may be disasters caused or aggravated by inadequate planning for, and regulation of, public and private facilities and land use.

(2) It is further declared to be the purpose of this chapter set and the policy of the state that all emergency management defense functions of the state be coordinated to the maximum extent with comparable functions of the Federal Government, including its various departments, agencies of other states and localities, and private agencies of every type, to the end that the most effective preparation and use may be made of the nation's manpower, resources, and facilities for dealing with any disaster or emergency that may occur.

Section 15 Section 252.33, Florida Statutes, is amended to read 252.33 Limitations -- Nothing in this chapter set shall be construed to...
(1) Interfere with the course or conduct of a labor dispute, except that actions otherwise authorized by this chapter or other laws may be taken when necessary to forestall or mitigate imminent or existing danger to public health or safety.

(2) Interfere with dissemination of news or comment on public affairs, but any communications facility or organization, including, but not limited to, radio and television stations, wire services, and newspapers, may be required to transmit or print public service messages furnishing information or instructions in connection with an disaster emergency.

(3) Affect the jurisdiction or responsibilities of police forces, firefighting forces, units of the Armed Forces of the United States, or any personnel thereof, when on active duty, but state, local, and interjurisdictional disaster emergency plans shall place reliance upon the forces available for performance of functions related to disaster emergencies.

(4) Limit, modify, or abridge the authority of the Governor to proclaim martial law or exercise any other powers vested in him under the constitution statutes or common law of this state independent of, or in conjunction with, any provisions of this chapter.

Section 16 Section 252.34, Florida Statutes, is amended to read 252.34 Definitions --As used in s. 252.31-252.60

Division. "Division" means the Division of Public Safety Planning and Assistance of the Department of Veteran Affairs, or the successor to said division.
(2) "Emergency" means any occurrence, or threat thereof, whether accidental, natural, or caused by man, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property.

(3)(a) "Emergency management and defense" means the preparation for, and the carrying out of, all emergency responsibilities and functions, other than those for which military forces or other federal agencies are primarily responsible, to prevent, mitigate, or minimize and repair injury and damage resulting from the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from emergencies disasters. These responsibilities shall include, but not be limited to:

(a) Reduction of vulnerability of people and communities of this state to damage, injury, and loss of life and property resulting from natural or manmade catastrophes or hostile military or paramilitary action.

(b) Preparation for prompt and efficient rescue, care, and treatment of persons victimized or threatened by disasters.

(c) Provision of a setting conducive to the rapid and orderly start of restoration and rehabilitation of persons and property affected by emergencies disasters.

(d) Provision of an emergency disaster management system embodying all aspects of preemergency predisaster preparedness and postemergency postdisaster response.

(e) Assistance in anticipation, recognition, appraisal, prevention, and mitigation of emergencies which may be disasters caused or aggravated by inadequate planning for.
and regulation of public and private facilities and land use

"Local emergency management agency organization for civil defense" mean an organization created in accordance with the provisions of ss. 252.31-252.35 to discharge the emergency management civil defense responsibilities and functions of a political subdivision.

"Political subdivision" means any county or municipality created pursuant to law

"Disaster" means occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause

Section 17 Section 252.35, Florida Statutes, is amended to read

"Emergency management civil defense powers, Division of Public Safety Planning and Assistance --

the primary of this chapter set in the event of a disaster or emergency where the Governor, as provided by law, may assume or exercise powers or control over any or any part of the civil defense system or any agency in this state, and shall have the power through proper process of law to carry out the provisions of this chapter. The Governor is authorized to assume such powers as may seem necessary in performing its duties under this chapter. This section is authorized and funded.
(a) In accordance with the provisions of chapter 120, 5. to make, amend, and rescind rules, regulations, programs, and 1 plans to carry out the provisions of this chapter act with due 5 consideration for, and in cooperation with, the plans and 5 programs of the Federal Government.

(b) To prepare a comprehensive plan and program for 5 emergency management in the civil defense of this state, such 5 plan and program to be integrated into, and coordinated with, 5 the survival plans and programs of the Federal Government.

(c) In accordance with such plan and program for 5 emergency management the civil defense of this state, to 5 ascertain the requirements of the state and its political 5 subdivisions for equipment and supplies of all kinds in the 5 event of emergency, to plan for and procure supplies, 5 medicines, materials, and equipment, to use and employ from 5 time to time any of the property, services, and resources 5 within the state in accordance with this chapter act; to 5 institute training programs and public information programs; 5 and to take all other preparatory steps, including the partial 5 or full mobilization of emergency management civil defense 5 forces and organizations in advance of actual emergency 5 disaster, to ensure the furnishing of adequately trained and 5 equipped forces of emergency management civil defense 5 personnel in time of need.

(d) To cooperate with the President, the heads of the 5 Armed Forces, the various federal emergency management 5 agencies Civil Defense Agency of the United States, and the 5 officers and agencies of other states in matters pertaining to 5 emergency management in the civil defense of the state and the 5 nation and incidents thereof and, in connection therewith, to 5 take any measures which it may deem proper to carry into 5
effect any request of the President and the appropriate
federal officers and agencies for any emergency management
civil defense action, including the direction or control of

1. Emergency management civil defense drills, tests,
or exercises of whatever nature

2. Warnings and signals for tests and drills, attacks,
or other imminent emergencies impending disasters or threats
thereof of disaster and the mechanical devices to be used in
connection with such warnings and signals therewith

(e) To make recommendations for zoning, building, and
other land use controls, safety measures for securing mobile
homes or other nonpermanent or semipermanent structures, and
other prevention, mitigation, and preparedness measures
designed to eliminate emergencies or reduce disasters or their
impact

(f) To render assistance to political subdivisions
local officials in designing local emergency action plans

(g) To prepare and distribute to appropriate state and
local officials state catalogs of federal, state, and private
assistance programs

(h) To coordinate federal, state, and local emergency
management disaster activities

1. To promulgate standards and requirements for
political subdivision emergency management local and
interjurisdictional disaster plans

(j) To review periodically political subdivision
emergency management local and interjurisdictional disaster
plans

(k) To make such surveys of industries, resources, and
facilities within the state, both public and private, as are
necessary to carry out the purposes of this chapter act

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To prepare, for issuance by the Governor, such executive orders, proclamations, and rules regulations as are necessary or appropriate in coping with emergencies disasters. (m) To cooperate with the Federal Government and any public or private agency or entity in achieving any purpose of this chapter and in implementing programs for emergency disaster prevention, mitigation, preparation, response, and recovery. (n) To delegate authority vested in it under ss 252.31-252.60 and to provide for the subdelegation of such authority. (o) To report annually to the Governor and the Legislature, no later than February 1, the status of the emergency management capabilities of the state and its political subdivisions. (p) to do other things necessary, incidental, or appropriate for the implementation of this chapter. Section 18 amended to read Section 252.355, Florida Statutes, is disabled citizens, notice -- (1) Each local emergency management agency organization for civil defense in the state shall provide for the voluntary registration of disabled citizens located within the jurisdiction of the local agency organization The registration shall be utilized to determine who would need assistance in case of evacuation because of an emergency a disaster and shall be updated annually. (2) Each electric utility in the state shall notify residential customers in its service area, on an annual basis, of the availability of a volunteer program by their local
emergency management agency may designate any agency to register all

disabled citizens who may need assistance during an emergency

(3) Any advertising required by this section shall,

whenever possible, be done through the use of public service
announcements of local radio stations and shall not require
the expenditure of local government funds.

(4) This section shall be exempt from the provisions
of chapter 119

Section 191.523, Florida Statutes is
amended to read

252.36 Emergency management powers: The Governor

disaster emergency --

(1)(a) The Governor is responsible for meeting the

dangers presented to this state by

disasters in the event of an emergency local initial

the Governor, or in his absence the Lieutenant Governor, provided,

may assume direct operational control at all levels and

part of the emergency management functions within this state,

and shall have the power to设备 in the line of duty the

authorized to designate any person present

by consent to the authorized stormunder

paragraph(s) of the current or the executive order

proclamation and a multi-county emergency and may extend

the jurisdiction of the state of Florida

may be declared by executive order, or proclamation if the findings

of an emergency or disaster have occurred that the occurrence of

the disaster emergency shall continue until the

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that the threat or danger has been dealt with to the extent that the emergency conditions no longer exist and terminates the state of state-of-disaster emergency by executive order or proclamation, but no state of state-of-disaster emergency may continue for longer than 60 days unless renewed by the Governor. The Legislature by concurrent resolution may terminate a state of state-of-disaster emergency at any time. Thereupon, the Governor shall issue an executive order or proclamation ending the state of state-of-disaster emergency. All executive orders or proclamations issued under this section shall indicate the nature of the emergency disaster, the area or areas threatened, and the conditions which have brought the emergency about or which make possible its termination of the state-of-disaster emergency. An executive order or proclamation shall be promptly disseminated by means calculated to bring its contents to the attention of the general public and, unless the circumstances attendant upon the emergency disaster prevent or impede same, shall be promptly filed with the Department of State and in the offices of the county commissioners in the counties to which the order or proclamation are applies.

(3) An executive order or proclamation of a state of state-of-disaster emergency shall:

(a) Activate the emergency mitigation, disaster response, and recovery aspects of the state, local, and interjurisdictional disaster emergency management plans applicable to the political subdivision or area in question, and

(b) Be authority for the deployment and use of any forces to which the plan or plans apply and for the use or distribution of any supplies, equipment, and materials and
facilities assembled, stockpiled, or arranged to be made
available pursuant to this chapter or any other provision of
law relating to disaster emergencies

(4) During the continuance of a state of state-of-
disaster emergency, the Governor is commander in chief of the
organized and volunteer unorganized militia and of all other
forces available for emergency duty. To the greatest extent
practicable, the Governor shall delegate or assign command
authority by prior arrangement embodied in appropriate
executive orders or rules and regulations, but nothing herein
restricts his authority to do so by orders issued at the time
of the disaster emergency.

(5) In addition to any other powers conferred upon the
Governor by law, he may

(a) Suspend the provisions of any regulatory statute
prescribing the procedures for conduct of state business or
the orders or rules and regulations of any state agency, if
strict compliance with the provisions of any such statute,
order, or rule or regulation would in any way prevent,
hinder, or delay necessary action in coping with the
emergency;

(b) Utilize all available resources of the state
government and of each political subdivision of the state, as
reasonably necessary to cope with the disaster emergency
(c) Transfer the direction, personnel or functions of
state departments and agencies or units thereof for the
purpose of performing or facilitating emergency services

(d) Subject to any applicable requirements for
compensation under subdivision 252.43, commander in chief may
utilize any private property if he finds that necessary to cope
with the disaster emergency.

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(e) Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if he deems this action necessary for the preservation of life or other emergency disaster mitigation, response, or recovery.

(f) Prescribe routes, modes of transportation, and destinations in connection with evacuation.

(g) Control ingress and egress to and from an emergency disaster area, the movement of persons within the area, and the occupancy of premises therein.

(h) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, firearms, explosives, and combustibles.

(i) Make provision for the availability and use of temporary emergency housing.

(j) Take effective measures for limiting or suspending lighting devices and appliances, gas and water mains, electric power distribution, and all other utility services in the general public interest.

(k) Take measures concerning the conduct of civilians, the movement and cessation of movement of pedestrian and vehicular traffic prior to, during, and subsequent to drills and actual or threatened emergencies disasters, the calling of public meetings and gatherings, and the evacuation and reception of civilian population, as provided in the emergency management civil defense plan of the state and political subdivisions thereof.

(l) Authorize the use of forces already mobilized as the result of an executive order, rule regulation, or proclamation to assist the private citizens of the state in cleanup and recovery operations during disaster emergencies.
when proper permission to enter onto or into private property
has been obtained from the property owner. The provisions of
s 769.29(9) shall apply to this paragraph

(6) The Governor shall take such action and give such
directions to state and local law enforcement officers and
agencies as may be reasonable and necessary for the purpose of
securing compliance with the provisions of this chapter and
with the orders and rules and regulations made pursuant thereto

(7) The Governor shall employ such measures and give such
directions to the Department of Health and Rehabilitative
Services as may be reasonably necessary for the purpose of
securing compliance with the provisions of this chapter or with the findings or
recommendations of such agency of health by reason of
condition arising from emergency disasters or threats of
emergency disaster

(8) The Governor shall delegate emergency
responsibilities to the officers and agencies of the state and
of the political subdivisions there of prior to an emergency or
threat of a disaster and shall
utilize the services and facilities of existing officers and
authorities of the state and of the political subdivisions
immediately, utilizing their personnel and other resources, as the
pressure may require

(9) The Governor and the division shall establish
rules and procedures and other recommendations as
may be necessary

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to carry out provisions of this chapter, including, with

due consideration to the recommendations of local authorities,
full-time state and area directors.

(10) The Governor shall formulate and execute plans
and rules regulations for the control of traffic in order to
provide for the rapid and safe movement or evacuation over
public highways and streets of people, troops, or vehicles and
materials for national defense or for use in any defense
industry and may coordinate the activities of the departments
or agencies of the state and the political subdivisions
thereof concerned directly or indirectly with public highways
and streets in a manner which will best effectuate such plans.

Section 20. Subsections (1) and (3) of section 252.37,
Florida Statutes, are amended, and subsection (4) is added to
said section, to read:

252 37 Financing --

(1) It is the intent of the Legislature and declared

to be the policy of the state that funds to meet disaster

emergencies shall always be available.

(3) Nothing contained in this section shall be

construed to limit the Governor’s authority to apply for,
administer, and expend any grants, gifts, or payments in aid
of emergency disaster prevention, mitigation, preparedness,
response, or recovery

(4)(a) Whenever the Federal Government or any agency
or officer thereof shall offer to the state, or through the
state to any political subdivision thereof, services,
equipment, supplies, materials, or funds, by way of gift,
grant, or loan for the purposes of emergency management, the
state, acting through the division, or such political
subdivision, acting with the consent of the Governor or his
authorized representative, may accept such offer upon such
acceptance, the division or the presiding officer or governing
body of such political subdivision may authorize receipt of
same on behalf of the state or such political subdivision,
subject to the terms of the offer and the rules and
regulations of the agency making the offer.

(b) Whenever any person, firm, or corporation shall
offer to the state or to any political subdivision thereof
services, equipment, supplies, materials, or funds by way of
gift, grant, loan, or other agreement for the purpose of
emergency management, the state, acting through the division,
or such political subdivision, acting through its governing
body or a local emergency management agency, may accept such
offer. Upon such acceptance, the division or the presiding
officer or governing body of the political subdivision may
authorize receipt of same on behalf of the state or such
political subdivision, subject to the terms of the offer.

Section 21, Section 252.38, Florida Statutes, is
amended to read:

Sec. 38. Emergency management powers, political
governments and disaster agencies.--

(1) Safeguarding the life and property of its citizens
is an innate responsibility of the governing body of each
political subdivision of the state.

(2) In order to provide effective and orderly
governmental control and coordination of emergency operations
in disasters and emergencies within the scope of this chapter,
all such counties within this state shall be within the
jurisdiction of, and served by, the division. Except as
otherwise provided in this chapter, each local emergency
management disaster agency shall have jurisdiction over and

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serve an entire county. Each political subdivision. The board of county commissioners of each county of the state, or the legally constituted governing body of any combined county-city government, is hereby authorized and directed to establish and maintain such an emergency management agency in accordance with the state comprehensive emergency management and program and in support of the state preparedness agency established in accordance with law.  

(3) Legally constituted municipalities are authorized and encouraged to create "municipal emergency management agencies." Municipal emergency management agencies shall coordinate their activities with those of the county emergency management agency. Municipalities without emergency management agencies shall be served by their respective county agencies.

(4) Each local emergency management agency created and established pursuant to the provisions of this chapter shall have a director who shall be appointed, and have his annual salary fixed, by the board of county commissioners of the county or the governing body of a city or town, as appropriate. Such director shall meet the minimum training and education qualifications as established in a job description approved by the Department of Administration or the political subdivision. Such directors shall be appointed by their respective political subdivisions, to serve at their pleasure, subject to their direction and control, in conformance with applicable resolutions, ordinances, and Florida Statutes. Each political subdivision shall promptly inform the division of the appointment of directors and other personnel. However, no person shall be appointed or reappointed as a director unless such person

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shall first have been approved for such appointment by the
director of the division. Each local director shall have
direct responsibility to the organization, administration,
and operation of the local emergency management agency
organization, subject only to the direction and control of the
governing body of the political subdivision and of the
division. The local director shall coordinate the activities,
services, and programs for emergency management and
defense. He shall perform emergency management activities,
within the limits of the political subdivision
within which it is organized and, in addition, shall conduct
such activities functions outside of such territorial
limits as may be required pursuant to the provisions of this
chapter and in accordance with state and county emergency
management disaster defense plans and mutual-aid agreements
(5) The governing body of each political subdivision
of this state may authorize pursuant to this act to create and
establish a local disaster agency to further authorized to
make a disaster emergency services for adges and council on
emergency preparedness to save defense,

(-) In carrying out the provisions of this chapter,
all political subdivisions shall have the power and
authority
(1) To appropriate and manage funds, make contracts,
and obtain and distribute equipment, materials, and supplies for
emergency management and disaster defense purposes, provide for the
health and safety of persons and property, including emergency
assistance to the victims of any emergency disaster, and
direct and coordinate the development of emergency management
civil defense plans and programs in accordance with the
policies and plans set by the federal and state emergency
management disaster agencies.

(b) To appoint, employ, remove, or provide, with or
without compensation, coordinators, rescue teams, fire and
police personnel, and other emergency management disaster
preparedness workers.

(c) To establish, as necessary, a primary, and one or
more secondary, emergency operating centers to provide
continuity of government and direction and control of
emergency operations.

(d) To assign and make available for duty the offices
and agencies of the political subdivision, including the their
employees, property, or equipment thereof relating to
firefighting, engineering, rescue, health, medical and related
services, police, transportation, construction, and similar
items or services for emergency operation civil defense
purposes as the primary emergency management civil defense
forces of the political subdivision for employment within or
outside the political limits of the subdivision

(e) To request state assistance or invoke emergency-
related mutual-aid assistance by declaring a state of local
emergency in the event of an a disaster emergency affecting
only one political subdivision. The duration of each state of
emergency declared locally shall be limited to 7 days, it may
be extended, as necessary, in 72-hour increments. Further,
the political subdivision shall have the power and authority
\[9.6\]
to waive the procedures and formalities otherwise required of
the political subdivision by law pertaining to

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The Performance of public work and taking whatever prudent action is necessary to insure the health, safety, and welfare of the community.

1. The entering into of contracts
2. The incurring of obligations
3. The Employment of permanent and temporary workers
4. The utilization of volunteer workers
5. The rental of equipment
6. Acquisition, the purchase and distribution, with or without compensation, of supplies, materials, and facilities
7. The Appropriation and expenditure of public funds
8. Upon request of two or more adjoining political subdivisions, or if the Governor finds that two or more
9. In many political subdivisions counties would be better served by an interjurisdictional arrangement than by maintaining separate emergency management disaster agencies
10. And services, the Governor be may delegate by executive order
11. or rules regulate an interjurisdictional area adequate to plan for, prevent, mitigate or respond to emergencies
12. disaster ii such area and may direct steps to be taken as necessary including the creation of an interjurisdictional plan, a provision for<br>13. many, a joint disaster emergency plan, a provision for mutual aid, or an area organization for emergency planning and
14. counties and the counties pursuant to this
15. There shall be based on one or more factors related to
16. difficulty or maintaining an efficient and effective emergency disaster prevention, mitigation, preparedness response, and recovery system on a jurisdictional basis
17. as
18. (a) Small or sparse population
19.
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31.

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(b) Limitations on public financial resources severe enough to make maintenance of a separate emergency management disaster agency and services unreasonably burdensome.

(c) Unusual vulnerability to emergencies disaster as evidenced by a past history of emergencies disasters, topographical features, drainage characteristics, emergency disaster potential, and presence of emergency-prone disaster-prone facilities or operations

(d) The interrelated character of the counties in a multicounty area.

(e) Other relevant conditions or circumstances.

Section 22. Subsection (2) of section 252 39, Florida Statutes, is amended to read:

252 39 Local services --

(2) The political subdivision in which any equipment is used pursuant to this section shall be liable for any loss or damage thereto and shall pay any expense incurred in the operation and maintenance thereof. No claim for such loss, damage, or expense shall be allowed unless, within 60 days after the same is sustained or incurred, an itemized notice of such claim under oath is served by mail or otherwise upon the chief fiscal officer of the such political subdivision in which where the equipment was used. The political subdivision which is aided pursuant to this section shall also pay and reimburse the political subdivision furnishing such aid for compensation paid to employees furnished under this section during the time of the rendition of such aid and shall defray the actual traveling and maintenance expenses of such employees while they are rendering such aid. Such reimbursement shall include any amounts paid or due for compensation due to personal injury or death while such

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Section 23. Section 40, Florida Statutes is amended to add:

(1) The governing body of each political subdivision of the state is authorized to declare and enter into with other political subdivisions and private agencies within the state and voluntary organizations, cooperation agreements to be executed with the intent that such agreements shall be consistent with the policies and procedures in line of emergency, it shall be the duty of a state emergency executive preparedness agency to furnish assistance in accordance with the provisions of such agreements.

(2) The governing body of each political subdivision of the state is authorized to declare and enter into cooperation agreements to be executed with the intent that such agreements shall be consistent with the policies and procedures in line of emergency, it shall be the duty of a state emergency executive preparedness agency to furnish assistance in accordance with the provisions of such agreements.

(3) The governing body of each political subdivision of the state is authorized to declare and enter into cooperation agreements to be executed with the intent that such agreements shall be consistent with the policies and procedures in line of emergency, it shall be the duty of a state emergency executive preparedness agency to furnish assistance in accordance with the provisions of such agreements.

(4) The governing body of each political subdivision of the state is authorized to declare and enter into cooperation agreements to be executed with the intent that such agreements shall be consistent with the policies and procedures in line of emergency, it shall be the duty of a state emergency executive preparedness agency to furnish assistance in accordance with the provisions of such agreements.

(5) The governing body of each political subdivision of the state is authorized to declare and enter into cooperation agreements to be executed with the intent that such agreements shall be consistent with the policies and procedures in line of emergency, it shall be the duty of a state emergency executive preparedness agency to furnish assistance in accordance with the provisions of such agreements.

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equipment, and other resources of state agencies and the
political subdivisions of the state; as may be necessary to
reinforce emergency management agencies *civil defense*
organizations in *stricken areas* *stricken by emergency*. Such
support shall be rendered with due consideration of the plans
of the Federal Government, this state, the other states, and
of the criticalness *existential* of the existing situation
*Emergency management civil defense* support forces shall be
called to duty upon orders of the division and shall perform
functions in any part of the state or, upon the conditions
specified in this section, in other states

(2) Personnel of *emergency management civil defense*
support forces while on duty, whether within or without the
state, shall

(a) If they are employees of the state, have the
powers, duties, rights, privileges, and immunities, and
receive the compensation, incidental to their employment

(b) If they are employees of a political subdivision
of the state, whether serving within or without such political
subdivision, have the powers, duties, rights, privileges, and
immunities, and receive the compensation, incidental to their
employment

(c) If they are not employees of the state or a
political subdivision thereof, they shall be entitled to the
same rights and immunities as are provided by law for the
employees of this state and to such compensation as may be
fixed by the division *All personnel of emergency management
civil defense* support forces shall, while on duty, be subject
to the operational control of the authority in charge of
*emergency management civil defense* activities in the area in
which they are serving and shall be reimbursed for all actual
and the usual, travel and subsistence expenses to the extent of 
time available

Section 25 Section 252.47 Florida Statutes, is

amended to read

252.47 Government equipment, services, and
facilities — In the event of any emergency, disaster, the
may make available any equipment services or
facilities owned or operated by the state or its political
agencies for use in the affected area upon request of the
admittedly authorized authority of the area affected or upon the
request of any recognized and accredited relief agency through
such duly-authorized authority.

Section 26 Subsection (3) and (4) of section 252.47,

are amended to read

.52.47 Compensation —

(a) Compensation for property shall be paid only if
the property was commandeered or otherwise used in coping with
an emergency or disaster, and its use or destruction was ordered
or the owner or a member of the disaster emergency forces
is a resident of

(i) on a person claiming compensation for the use,

(ii) on location of property under this chapter

are not in line with those under the

at a date that the division provides.

Section 28 Section 252.44, Florida Statutes at

Section 28.41 Emergency mitigation. Preventive measures —

(a) In addition to disaster prevention measures at

1.1 All state and local emergency management

2.1 Disaster plans, the Governor shall: order on

3.1 Minimum basic steps that could be taken to

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or reduce the harmful consequences of emergencies. At his direction and pursuant to any other authority and competence they have, state agencies, including, but not limited to, those charged with responsibilities in connection with flood plain management, stream encroachment and flow regulation, weather modification, fire prevention and control, air quality, public works, land use and land use planning, and construction standards, shall make studies of emergency-mitigation-related disaster prevention related matters. The Governor, from time to time, shall make such recommendations to the Legislature, local governments, and other appropriate public and private entities as may facilitate measures for mitigation prevention or reduction of the harmful consequences of emergencies.

(2) The appropriate state agencies, in conjunction with the division, shall keep land uses and construction of structures and other facilities under continuing study and identify areas which are particularly susceptible to severe land shifting, subsidence, flood, or other catastrophic occurrence, manmade or natural. The studies under this subsection shall concentrate on means of reducing or avoiding the dangers caused by these occurrences or the consequences thereof.

(3) If the division believes, on the basis of the studies or other competent evidence, that an area is susceptible to an emergency disaster of catastrophic proportions without adequate warning, that existing building standards and land use controls in that area are inadequate and could add substantially to the magnitude of the emergency disaster, and that changes in zoning regulations, other land use regulations, or building requirements are essential in

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order to further the purposes of this section, it shall
specify the essential changes to the Governor. If the
Governor, up on review of the recommendation finds after public
nearing that changes are essential, he shall so recommend to
the agencies or political subdivision: local governments with
jurisdiction over the area and subject matter. If no action,
or insufficient action, pursuant to his recommendations is
taken within the time specified by the Governor, he shall so
inform the Legislature and request legislative action
appropriate to mitigate the impact of such an emergency
disaster.

Section 28 Paragraph (a) of subsection (1) of section 1
252 45, Florida Statutes, is amended to read.
252 45 Lease or loan of state property, transfer of
state personnel --Notwithstanding any in-consistent provision
of law.
(1) Whenever the Governor deems it to be in the public
interest, he may
(1) Authorize any department or agency of the state to
lease or lend on such terms and conditions as it may deem
necessary to promote the public welfare and protect the
interests of the state, any real or personal property of the
state in-cument to the President the head of the Armed
forces, or the various federal emergency management agencies
over Defense Agency of the United States.

Section 29 Section 252 46, Florida Statutes, is
amended to read
252 46 Orders, rules, and regulations --
(1) In accordance with the provisions of chapter 120,
the political subdivisions of the state and other agencies
authorized or appointed by the Governor are authorized and
emerged to make, amend, and rescind such orders, rules, and regulations as may be necessary for emergency management purposes and to supplement the carrying out of the provisions of this chapter, but which are not inconsistent with any orders or rules promulgated by the division or by any state agency exercising a power delegated to it by the Governor or the division.

(2) All orders, rules, and regulations promulgated by the division or any political subdivision or other agency authorized by this chapter to make orders, rules, and regulations shall have full force and effect of law after adoption in accordance with the provisions of chapter 120 in the event of issuance by the division or any state agency or if promulgated by a political subdivision of the state or agency thereof, when filed in the office of the clerk or recorder of the political subdivision or agency promulgating the same. All existing laws, ordinances, rules, and regulations inconsistent with the provisions of this chapter, or any order, rule, or regulation issued under the authority of this chapter, shall be suspended during the period of time and to the extent that such conflict exists.

(3) In order to attain uniformity so far as practicable throughout the country in measures taken to aid emergency management defense, all action taken under this chapter and all orders, rules, and regulations made pursuant hereto shall be taken or made with due consideration of the orders, rules, regulations, actions, recommendations, and requests of federal authorities relevant thereto and, to the extent permitted by law, shall be consistent with such orders, rules, regulations, actions, recommendations, and requests.
Section 30  Section 252.47, Florida Statutes, as amended to read

252.47 Enforcement -- The law enforcement authorities of the state and the political subdivisions thereof shall enforce the orders, rules, and regulations issued pursuant to this chapter.

Section 31  Section 252.50, Florida Statutes, as amended to read

252.50 Penalties -- Any person violating any provision of this act or any rule, order, or regulation issued pursuant to this act is guilty of a misdemeanor of the second degree, punishable as provided in section 775.082 or 775.083.

Section 32  Section 252.51, Florida Statutes, as amended to read

252.51 Liability -- Any person or organization, public or private, owning or controlling real estate or other premises who voluntarily and without compensation grants a license or privilege or otherwise permits the designation by the local emergency management agency or use of the whole or any part of such real estate or premises for the purpose of placing persons during an actual, impending, mock, or practice emergency disaster, together with his successor in interest, if any, shall not be liable for the death of, or injury to, any person on or about such real estate or premises during the actual, impending, mock, or practice emergency disaster or for loss or damage to the property of such person, all of which are deemed to include, by reason or as a result of such license, privilege, designation, or use, unless gross negligence or willful and wanton misconduct of such person owning or controlling such real estate or premises or his successor in interest.
interest shall be the proximate cause of such death, injury, loss, or damage occurring during such sheltering period.

Section 33 Section 252.52, Florida Statutes, is amended to read:

252.52 Overgenerosity in construction --This chapter shall be construed liberally in order to effectuate its purposes.

Section 34. Subsection (1) of section 252.55, Florida Statutes, is amended, and subsection (6) is added to said section, to read:

252 55 Civil Air Patrol, Florida Wing, appropriations, procurement authority; wing commander bond.--

(1) The Florida Wing of the Civil Air Patrol, an auxiliary of the United States Air Force, shall be recognized as a nonprofit, educational, and emergency-management-related civil defense-affiliated organization, and shall be eligible to purchase materials from the various surplus warehouses of the state.

(6) The wing commander of the Florida Wing of the Civil Air Patrol shall furnish the Bureau of Emergency Management an annual projection of the Civil Air Patrol's goals and objectives for the following year. These will be reported to the Governor in the division's annual report of February 1.

Section 35 Subsections (2), (3), and (4) of section 255 24, Florida Statutes, are amended to read

255 24 Safety of Capitol building.--The Division of Building Construction and Property Management of the Department of General Services shall develop a comprehensive and long-range plan for.
Making the necessary alterations to the Capitol

occupants in the case of fire or other emergency under Chapter 4.
(b) A system to meet specific local government requirements. Such system shall include law enforcement, firefighting, and emergency medical services and may include other emergency services such as poison control, suicide prevention, and emergency management and defense services.

The division shall be responsible for the implementation and coordination of such plan. The division shall adopt any necessary rules and schedules related to public agencies for implementing and coordinating such plan, pursuant to chapter 120. The public agency designated in the plan shall order such system within 6 months after publication date of the plan if the public agency is in receipt of funds appropriated by the Legislature for the implementation and maintenance of the "911" system. Any jurisdiction which has utilized local funding as of July 1, 1976, to begin the implementation of the state plan as set forth in this section shall be eligible for at least a partial reimbursement of its direct cost when, and if, state funds are available for such reimbursement.

Section 39 Subsections (1) and (2) of section 376.13, Florida Statutes, are amended to read

376.13 Emergency proclamation, Governor's powers --

(1) Whenever any emergency disaster or catastrophe exists or appears imminent, arising from the discharge of oil, petroleum products or their byproducts, or any other pollutants, the Governor shall by proclamation declare the fact and that a state of an emergency exists in any or all sections of the state. If the Governor is unavailable, the Lieutenant Governor shall, by proclamation, declare the fact and that a state of an emergency exists in any or all sections.
of the State. A copy of such proclamation shall be filed with
the Department of State

(2) In performing his duties under this section, the
Governor is authorized and directed to cooperate with all
departments and agencies of the Federal Government, the
offices and agencies of other states and foreign countries and
the political subdivisions thereof, and private agencies in
all matters pertaining to emergencies as described herein.

Disaster or catastrophe

Section 10 Paragraph (b) of subsection (1) of section 10
read

.95105 Rules and enforcement --

(1) The department shall adopt, amend, promulgate and
enforce rules to implement the provisions of this part which
shall include but not be limited to reasonable and fair
minimum standards for ensuring that

(b) Infection control, housekeeping, sanitary

emergencies, emergency management, disaster plan, and medical

procedure plan that will adequately protect patient care

shall be written and implemented

Section 41 Section 01 215, Florida Statutes, is

enacted to read

IC 015 Statewide regional emergency medical

communication system -- The Division of Communications of
the Department of General Services is authorized and directed
to develop a statewide system of regional emergency medical
communications. For the purpose of this part, the term
communications shall mean voice, data, and signaling
components, including but not limited to ambulances rescue

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vehicles, hospitals or other related emergency receiving
facilities, emergency communications centers; physicians and
emergency medical personnel; paging facilities, law
enforcement and fire protection agencies; and poison control,
suicide, and emergency management agencies disaster centers
In formulating such a system, the division shall
divide the state into appropriate regions and shall develop a
program which shall include, but not be limited to, the
following provisions.

(1) A requirements provision, which shall state the
telecommunications requirements for each emergency medical
entity comprising the region.

(2) An interfacility communications provision, which
shall depict the telecommunications interfaces between the
various medical service entities which operate within the
region and state.

(3) An organizational layout provision, which shall
include each emergency medical entity and the number of radio
operating units (base, mobile, handheld, etc.) per entity.

(4) A frequency allocation and use provision, which
shall include on an entity basis each assigned and planned
radio channel and the type of operation (simplex, duplex, half
duplex, etc.) on each channel

(5) An operational provision, which shall include
dispatching, logging, and operating procedures pertaining to
telecommunications on an entity basis and regional basis

(6) An emergency medical service telephone provision,
which shall include the telephone and the numbering plan
throughout the region for both the public and interface

requirements
Section 42. Subsection (5) of section 401.33, Florida Statutes, 1982 Supplement, is amended to read:

401.33 Exemptions.--The following are exempt from the provisions of this act:

(5) A vehicle under the direct supervision of a licensed physician and used as an integral part of a private industrial safety, emergency, or emergency management disaster plan within a privately owned and controlled area, which vehicle may from time to time be used to transport persons in need of medical attention, but which is not available to the general public and which does not routinely transport patients.

Section 43. Section 409.60, Florida Statutes, is amended to read:

409.60 Emergency disaster relief.--

(1) The department shall, by October 1, 1978, adopt rules for the administration of emergency disaster assistance programs delegated to the department either by executive order in accordance with the Disaster Relief Act of 1974 or pursuant to the Food Stamp Act of 1977.

(2) In promulgating the rules required in this section, the department shall give particular consideration to the prevention of fraud in emergency assistance programs.

Such rules shall, at a minimum, provide for:

(a) Verification of an applicant's identity and address.

(b) Determination of an applicant's need for assistance and verification of an applicant's need in accordance with appropriate federal law and regulations.
(c) The timely and adequate dissemination of accurate certification information to local emergency management agencies disaster-assistance-offices.

(3) In administering emergency food stamp and assistance programs, the department shall cooperate fully with the United States Government and with other departments, instrumentalities, and agencies of this state.

Section 44. Subsection (3) of section 600.021, Florida Statutes, is amended to read:

600.021 Declaration of state policy.--This act is passed:

(3) Because it is hereby found and declared that because of the increased and ever-increasing production of citrus fruit in Florida and elsewhere, except in years of freezes or other emergencies disasters that substantially reduce the total crop, the marketing of citrus fruit grown in Florida in excess of reasonable and normal market demands therefor, disorderly marketing of such citrus fruit, unfair methods of competition in the marketing of such citrus fruit, and the inherent inability of individual producers to develop new and larger markets for Florida grown citrus fruit result in an unreasonable and unnecessary economic waste of the agricultural wealth of this state. Such conditions and the accompanying waste jeopardize the future continued production of quality citrus fruit for the people of this and other states and areas, and prevent citrus fruit producers from obtaining a fair return from their labor, the citrus fruit which they produce, and impair the economic value of their citrus fruit groves. As a consequence, the purchasing power of such producers has been in the past, and in all likelihood will continue to be in the future, unless such conditions are
remedied, low in relation to that of persons engaged in other

gainful occupations within this state. Citrus fruit producers

are thereby prevented from maintaining a proper and reasonable

standard of living and from contributing their fair share to

the support of the necessary governmental and educational

functions, thus tending to unfairly increase the tax burdens

of other citizens of this state.

Section 45. Paragraph (c) of subsection (3) of section 761.26, Florida Statutes, is amended to read

761.26 Lawful ownership, possession, and use of

firearms and other weapons --

(3) EXCEPTIONS --The provisions of ss. 761.06 and

761.06 shall not apply in the following instances and, despite

said sections, it shall be lawful for the following persons to

own, possess, and lawfully use firearms and other weapons,

ammunition, and supplies for lawful purposes

(c) Persons carrying out or training for emergency

management civil defense duties under chapter 252,

Section 46. Subsection (4) of section 876.16, Florida

Statutes, is amended to read

876.16 Certain exemptions --The following are exempted

from the provisions of ss. 876.11-876.15

(4) Persons wearing gas masks prescribed in emergency

management civil defense drills and exercises in emergencies

Section 47. The Bureau of Disaster Preparedness within

the Division of Public Safety Planning and Assistance of the

Department of Community Affairs is hereby renamed as the

Bureau of Emergency Management

Section 48. Section 252.40, Florida Statutes, as

amended by chapter 81-169, Laws of Florida, is hereby

repealed.
Section 49. Amendments to sections of the Florida Statutes enacted by this act shall not operate to repeal or otherwise negate amendments to the same sections which may have been enacted at the 1983 Regular Session of the Florida Legislature and which are not indicated herein, and full effect shall be given to each, if that is possible. If provisions of this act are in direct conflict with amendments enacted at the 1983 Regular Session of the Legislature, the provisions of this act shall control.

Section 50. This act shall take effect October 1, 1983.
Amends various provisions throughout the Florida
date-strengthening chapter 551 of the Florida
Statutes, relating to disaster preparedness and civil
defense. It provides for state and local management of
emergencies. "Emergency" as "any occurrence, or
threat thereof, whether accidental, natural, or caused by
man, or it is in fact, which results or may result in
substantial injury or damage to the population or
substantial damage to its property." In addition
to general clarification of terminology
(1) Provides that "emergency management" shall
include, in addition to matters presently provided by law,
the situation in relation to and appraisal of emergencies
(2) Requires the Director of Public Safety Planning
and Assistance of the Department of Community Affairs to
annually request of the civil and local emergency
management capabilities and provides for certain other
annual reports
(3) Removes the requirement that the Governor appoint
full-time "emergency management directors" to the principals
relating to the account of same
(4) Allows for no less than three full-time emergency
management personnel in each city and county coordination
of "full activities with county activities"
(5) Adds the ability to create "disaster
coverage"
(6) Authorizes political subdivisions to declare a
state of emergency and to perform certain functions
with respect thereto
(7) For the "full-time emergency management directors" may
seek intrastate financial arrangements and provides for
financial assistance "as may be necessary for such
arrangements"
(8) Allows political subdivisions to enter into
unilateral arrangements directly rather than through the
Director
(9) Amends the Florida Emergency Operations
Chapter of the Florida Emergency Management
(10) Deletes certain provisions and adds minor
revisions to the above.