

# Legislative Update



# Legislative Priorities

1. Presented to the Governor's Office on two occasions to date.
2. Final decision on the Governor's legislative priorities will come sometime after October 25<sup>th</sup>.
3. Possible options for each of the 14 DEM Proposals:
  1. The issue will be part of the Governor's Legislative priorities package and we will move forward to seek bill sponsorship.
  2. The issue will not be part of the Governor's Legislative priorities package, however DEM along with its partners will pursue sponsorship.
  3. Issue will not be pursued during the 2008 Legislative Session by DEM.



# FEPA's Legislative Priorities

- Gain legislative support for ways to increase the EMPA Trust Fund dollars without raising the surcharge by one or more of the following alternatives:
  - Adding the EMPA trust fund to those funds exempted under s. 215.22, F.S., from being subject to the 7 percent service charge under s. 215.20, F.S.
  - Amending s. 252.373, F.S. to broaden the base of policies in which the fee is imposed to include all insurance policies.
  - Amending s. 252.372., F.S., to increase the annual fee imposed on insurance policies in one of the following ways:
    - Matching annual surcharge increases with the rate of inflation;
    - Tying annual surcharge increase with the cost-of-living adjustment; or
    - Changing the set fees to a percentage of the premium amount similar to the Florida Hurricane Catastrophe Fund (s. 215.555, F.S)
- Work with the Florida Division of Emergency Management to establish emergency preparedness planning standards for those disabled Florida residents who cannot be housed in special needs shelters.
- Support High Risk Retirement category for emergency managers.



# Priority #1

## Changes to the Emergency Management Preparedness and Assistance Trust Fund

- ~~Add the Emergency Management Preparedness and Assistance Trust Fund to those funds exempted under s. 215.22, F.S. from being subject to the 7 percent service charge under s. 215.20, F.S.~~
  - ~~— Based on FY 06-07 trust fund figures this would inject around another \$1 million per year into the trust fund. This would lower collections by DOR by this amount as well.~~
- Amend s. 252.372, F.S. to broaden the base of policies which the fee is imposed on to include all insurance policies.
  - It is important to note that the fees or types of policies this surcharge affects has not been modified since this trust funds inception.
- Amend s. 252.373, F.S. to increase the annual surcharge at the rate of inflation.



## Priority #2

# Adjust Full-Time Equivalent (FTE) positions, salary rate, and related budget authority.

- The Division proposes an amendment to s. 216.181, F.S. regarding approved budgets for operations and fixed capital outlay.
- The Division plans to undertake a long-term initiative to reduce OPS positions and, where possible, convert them to time limited full-time equivalent (FTE) positions based on funding.



# Priority #3

## Licensure of Emergency Managers

- Would require the Division of Emergency Management to provide a report to the Governor, House and Senate containing recommendations no later than October 1, 2008 for licensure of emergency managers statewide.
- This report would outline specific requirements that each state, county and municipal emergency manager must meet by January 1, 2011 to be eligible to hold that position.



# Priority #4

## Special Risk Retirement Designation for Emergency Managers Study

- Legislation would authorize an actuarial study and analysis of the need and fiscal impact of inclusion of all state and local emergency management personnel in the Special Risk Retirement Class of the Florida Retirement System.
- It is important to note that in Homeland Security Presidential Directive 8 dated December 17, 2003 the term "first responder" included emergency management personnel.



# Priority #5

## Require DEM to stockpile disaster relief supplies

- This proposed language would codify in statute the Division's responsibility to within its duties contained in ss. 252.31-252.90, F.S. to lease the State Logistics Response Center and procure and position supplies for our most vulnerable and economically disadvantaged disaster victims.



# Priority #6

## 15 Day Leave of Absence for Amateur Radio Operators

- Would allow employees of state agencies who have been assigned an amateur radio license to be granted a leave of absence with pay for a maximum of 15 days per year to utilize their skills in assisting the State Emergency Response Team in specialized disaster relief services.



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# Priority #7

## Mutual aid agreement for emergency services with the Seminole Tribe

- Based upon recent meetings with the attorney for the Seminole Tribe and Seminole EM, DEM is requesting to amend s. 252.40 to, F.S. to allow the State to enter into a mutual aid agreement with federally recognized Indian tribes.
- Without a statutory change the State cannot execute a mutual aid agreement with the tribal governments.



# Priority #8

## Creates the Emergency Management Advisory Council

- The Division of Emergency Management has determined that in order to ensure effective and ongoing coordination of local, state and federal preparedness, protection, response, recovery, and mitigation for natural disasters, acts of terrorism, including technological or man-made disasters, it is essential to organize an advisory body.



# Priority #9

## Allow sirens on Emergency Management Vehicles

- It is important to note that in Homeland Security Presidential Directive 8 dated December 17, 2003 the term "first responder", to include emergency management personnel.
- Many emergency management personnel around the state are required to respond to a variety of no notice events where it is imperative that they reach the scene in a timely manner to begin response activities.



# Priority #10

## Creation of the Deputy Director of Emergency Management in Statute

- The Division feels it would be appropriate to create the Deputy Director position in statute to ensure a clear line of succession is evident so that in the event that the Director, acting in his role as the State Coordinating Officer for disasters, is unable to carry out his/her duties the Deputy Director would act in his/her place.



## Priority #11

**Provides penalties for anyone providing false information to obtain or unlawfully take emergency relief supplies during a declared state of emergency.**

- Working with Attorney General's Office on this proposed change in law.



## Priority #12

# Recognizes volunteers that will be eligible for Workers' Compensation benefits.

- Upon analysis of disaster related statutes in other states the Division of Emergency Management feels it would be wise for the state to adopt laws regarding benefits under the Worker's Compensation Act or Workers' Occupational Diseases Act.
- This proposed legislation would clearly identify volunteer employees of the state and those that are eligible for benefits under these two acts.



# Priority #13

## Exempts DEM from the provisions of Chapter 255 for leased property.

- As many are aware, the procurement/leasing statutes and rules are suspended during an executive order.
- However, after the executive order expires and once 120 days are exceeded, the Division runs out of options and cannot continue to lease these facilities under current law.



# Priority #14

## Amends the EMS Advisory Council Statute

- This is a technical revision to s. 401.245, F.S. to strike Department of Community Affairs and insert Division of Emergency Management.
- The Director of the Division of Emergency Management has historically served as a representative on the Emergency Medical Services Advisory Council.



# Other Issues

- HB 7121 clean up language.
  - Requesting input and issues from counties.
  - Will be working on meetings with legislators during committee weeks this fall.
  - E-Mail any suggestions or issues to me.



# What's Next?

- Once we have final approval on our legislative issues we will issue DEM's official legislative platform in writing to all counties.
- Regular updates on movement of issues and joint efforts with our partners to promote legislative priorities.
- Analysis of all EM related legislation on our website.
- Weekly updates emailed to all counties on legislative initiatives and issues as needed and weekly during session.



# Website

- For current information on bills relating to EM, bill analysis, current EM news clips, press releases, newsletters and important files go to:

[www.floridadisaster.org/externalaffairs](http://www.floridadisaster.org/externalaffairs)

Questions? Comments?

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