

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

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

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

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BILL: CS/SB 700

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

SUBJECT: Strategic Fuel Reserve

DATE: February 1, 2018      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sanders	Ryon	MS	Fav/CS
2.	_____	_____	GO	_____
3.	_____	_____	RC	_____

**Please see Section IX. for Additional Information:**  
COMMITTEE SUBSTITUTE - Substantial Changes

**I. Summary:**

CS/SB 700 creates the Florida Strategic Fuel Reserve Task Force (task force) within the Florida Division of Emergency Management (FDEM) to develop a recommended strategic fuel reserve plan for the state to respond to private and public fuel needs in the event of an emergency or disaster. The FDEM must provide administrative and support services relating to the functions of the task force.

The Governor, President of the Senate, and Speaker of the House of Representatives must each appoint three persons to sit on the nine member task force. The task force must elect a chair and vice chair and submit a recommended strategic fuel reserve plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by April 30, 2019. The task force terminates on June 30, 2019.

The bill takes effect on July 1, 2018.

## II. Present Situation:

### Florida Division of Emergency Management

The Florida Division of Emergency Management (FDEM) administers programs to rapidly apply all available aid to impacted communities stricken by emergency.<sup>1</sup> The FDEM is responsible for maintaining a comprehensive statewide program of emergency management to ensure that Florida is prepared to respond to emergencies, recover from them, and mitigate against their impacts. In doing so, the FDEM coordinates efforts with and among the federal government, other state agencies, local governments, school boards, and private agencies that have a role in emergency management.<sup>2</sup> The FDEM is organized by functional area to include the bureaus of Mitigation, Preparedness, Response, and Recovery.

### State Emergency Response Team

The State Emergency Response Team (SERT) serves as the primary operational mechanism through which state assistance to local governments is managed.<sup>3</sup> To facilitate effective operations, the SERT is organized into 18 groups called Emergency Support Functions (ESF).<sup>4</sup> Each ESF focuses on a specific mission area and is led by a representative from the state agency that best reflects the authorities, resources, and capabilities of the ESF.

### *Emergency Support Function 12 – Fuels*

The purpose of ESF 12 (Fuels) is to promulgate the policies and procedures to be used by partner agencies in responding to and recovering from shortages and disruptions in the supply and delivery of transportation fuels, electricity, natural gas, and other forms of energy and fuels that, impact or threaten, significant numbers of citizens and visitors. The primary agencies providing leadership to ESF 12 are the Public Service Commission and the FDEM. Partner agencies in ESF 12 include, but are not limited to, the Florida Petroleum Council, Department of Transportation, Department of Agriculture and Consumer Services, Department of Environmental Protection, and industry trade groups and associations.<sup>5</sup>

Operations in ESF 12 involve close coordination with private sector providers of energy and transportation fuels such as propane, fuel oil, diesel fuel, and gasoline. The FDEM is primarily responsible for monitoring and coordinating with private sector suppliers of such fuels to ensure that adequate supplies of other energy and transportation fuels are available and deliverable for normal community functioning.<sup>6</sup> Energy planners from the FDEM Bureaus of Response and Preparedness work alongside ESF 12 prior to an emergency or disaster to develop and maintain

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<sup>1</sup> Section 14.2016, F.S.

<sup>2</sup> Section 252.35(1), F.S.

<sup>3</sup> FDEM, *The State of Florida 2016 Comprehensive Emergency Management Plan*, 5 (2016), <https://www.floridadisaster.org/globalassets/importedpdfs/2016-state-cemp-complete-final-draft.pdf> (last visited Jan. 23, 2018).

<sup>4</sup> Id.

<sup>5</sup> FDEM, *The State of Florida 2014 Comprehensive Emergency Management Plan, Appendix XII – Emergency Support Function 12 – Energy* (2014), [https://www.floridadisaster.org/globalassets/importedpdfs/2014-esf-12-appendix\\_finalized.pdf](https://www.floridadisaster.org/globalassets/importedpdfs/2014-esf-12-appendix_finalized.pdf) (last visited Jan. 29, 2018).

<sup>6</sup> Id.

plans and procedures to ensure an adequate supply of fuels to support emergency response and recovery operations.<sup>7</sup>

### **III. Effect of Proposed Changes:**

The bill creates the Florida Strategic Fuel Reserve Task Force (task force) within the Florida Division of Emergency Management (FDEM) to develop a recommended strategic fuel reserve plan for the state to respond to private and public fuel needs in the event of an emergency or disaster, as defined in s. 252.34, F.S. The FDEM must provide administrative and support services relating to the functions of the task force.

The Governor, President of the Senate, and Speaker of the House of Representatives must each appoint three persons to sit on the nine member task force. The task force must elect a chair and vice chair and submit a recommended strategic fuel reserve plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by April 30, 2019. The task force terminates on June 30, 2019.

The bill takes effect on July 1, 2018.

### **IV. Constitutional Issues:**

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

None.

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

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

None.

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<sup>7</sup> FDEM, *Natural Hazards*, <https://www.floridadisaster.org/dem/preparedness/natural-hazards/> (last visited Jan. 29, 2018).

C. Government Sector Impact:

The bill directs the FDEM to provide administrative and support services relating to the functions of the Florida Strategic Fuel Reserve Task Force. According to the FDEM, the agency would incur an estimated \$569,000 in contractor and staff costs.<sup>8</sup>

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida law.

**Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Military and Veterans Affairs, Space, and Domestic Security on February 1, 2018:**

The CS provides that the recommended strategic fuel reserve plan must apply to any type of emergency or disaster, as defined in s. 252.34, F.S. The CS also requires that the final plan be submitted to the Governor, as well as the Legislature.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>8</sup> FDEM, *Senate Bill 700 Agency Analysis* (Jan. 8, 2018) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).