

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief of Financial Officer, Department of Financial Services
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 2010

Section III
Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

EXECUTIVE OFFICE OF THE GOVERNOR

Florida Energy and Climate Commission

RULE NO.: 27N-3.001 RULE TITLE: State ENERGY STAR Appliance Rebate Program

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 35, September 3, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.206 RULE TITLE: Emergency Management

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 44, November 5, 2010 issue of the Florida Administrative Weekly.

33-602.206 Emergency Management.

(1) Definitions.

(a) Incident ~~Command System (ICS)~~ – where used herein, any assault, bomb threat, employee strike, escape, evacuation, fire, hazardous material or chemical spill or leak, hostage situation, medical emergency, natural or man-made disaster, pandemic, riot or disorder, or any other significant event requiring departure from normal operations a standard operating procedure that can be employed in establishing command in a correctional setting during any incident or event outside of normal operations and that provides a means for the effective management of personnel and resources that respond to the incident as it escalates.

(b) Incident commander – the individual assuming and having responsibility for the management of all incidents ~~and events outside of normal operations.~~

(c) Emergency Action Center (EAC) refers to the unit located in the central office charged with receiving reports regarding incidents from Department of Corrections’ facilities and reporting the information to the proper authorities. This unit also receives requests for criminal histories, warrant confirmations, and offender location requests from law enforcement agencies throughout the United States National Incident Management System (NIMS) — a system created under Homeland Security Directive #5 (February 2003) that directs the comprehensive, national approach to incident management by federal, state, territorial, tribal, and local responders.

~~(2) The department will respond to all emergencies using ICS in conjunction with NIMS.~~

~~(2)(3)~~ The department will ensure that there are ~~critical~~ incident response plans in place at each facility that houses inmates.

~~(3)(4)~~ Upon determining that ~~an a-critical~~ incident has occurred or is about to occur, the incident commander shall immediately notify the department’s Emergency Action Center, the appropriate prison inspector, and then the regional director. The regional director or designee shall in turn immediately notify the Office of the Secretary, and the Secretary or designee shall notify the Office of the Governor and appropriate central office personnel. Notification shall include the essential facts of the situation, and persons notified shall be kept informed of new developments as they occur by the same process.

(5) The following tactical priorities shall govern the measures taken to resolve ~~an a-critical~~ incident:

(a) Provide for the safety, accountability, and welfare of the public, personnel, and inmates. This priority is ongoing throughout the incident.

(b) Stabilize, isolate, and contain the incident and provide for preservation of life, property, and order.

(c) Remove endangered persons and obtain treatment for the injured.

(d) Conserve expenses and damage to property.

(e) Resolve the incident and return the institution to normal operations.

(f) Ensure the identification, arrest, and prosecution of persons violating the law.

(6) Force may be used to restore order subject to the provisions of Rule 33-602.210, F.A.C.. No personal weapons or ammunition of any kind will be used except as specifically authorized by the incident commander.

(7) Until order is restored no employee shall give any information to the news media without the authority of the incident commander, regional director, or Secretary. News media representatives shall not be allowed to enter any area

