

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1857 (PCB AP-04-15) Department of Community Affairs
SPONSOR(S): Appropriations
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Appropriations</u>	<u>33 Y, 0 N</u>	<u>London</u>	<u>Baker</u>
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

HB1857 codifies the transfer of the Florida Energy Office and the Clean Fuel Florida Advisory Board from the Department of Community Affairs to the Department of Environmental Protection by type two transfer and makes conforming changes. These programs have been functioning under the Department of Environmental Protection under a Memorandum of Understanding since last year.

This bill also codifies the transfer of the Affordable Housing Catalyst Program from the Department of Community Affairs to the Florida Housing Finance Corporation by type two transfer and makes conforming changes.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h1857.ap.doc
DATE: March 26, 2004

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. EFFECT OF PROPOSED CHANGES:

Since June 20, 2003, through a Memorandum of Understanding (MOU), the duties of the Department of Community Affairs with regard to the Florida Energy Office (FEO) have been performed by the Department of Environmental Protection (DEP). The FEO serves as the central place in state government for information on energy related issues in Florida. The FEO is the responsible state entity for performing or coordinating the functions of all federal energy programs delegated to the state, including energy supply, demand, conservation and allocation. The FEO is responsible for developing and coordinating implementation of energy policy within the state. The FEO also coordinates the efforts to seek federal support or other support for state energy activities, including energy conservation, energy efficiency, research, development, deployment and commercialization of next generation technologies.

The Clean Fuel Florida Advisory Board was established by statute in 1999. It is made up of individuals from state agencies, local governments, private interest and advocacy groups and others interested in alternative fuels. The Board's purpose is to provide the Secretary of the Department of Community Affairs, Governor, and Legislature with recommendations on how to best increase the use of alternatively fueled vehicles in Florida.

HB1857 conforms the Florida Statutes to the transfer of the two above programs from the Department of Community Affairs to the Department of Environmental Protection by a type two transfer. The Clean Fuel Florida Advisory Board no longer reports to the Secretary of the Department of Community Affairs, and instead reports to the Secretary of the Department of Environmental Protection.

The Affordable Housing Catalyst Program, through a partnership with the Florida Housing Coalition, provides free workshops and on-site technical assistance to housing professionals, local governments and community based organizations to help implement the State Housing Initiatives Partnership Program (SHIP), Home Investment Partnership (HOME), and other affordable housing programs. In addition, the Program provides training to community based organizations and local governments for purposes of building housing development capacity as a permanent resource. Many of these organizations have received training through the Program's Affordable Housing Management Education (AHOME) seminars.

The state agency predecessor of the Florida Housing Finance Corporation was originally established in 1980 to serve the people of Florida by financing affordable housing for lower income Floridians. In 1998, the Florida Legislature created the Florida Housing Finance Corporation to better meet the challenges of providing low income housing for Florida families. Its mission is to help ensure that all Floridians have access to safe, affordable housing. To achieve this mission, Florida Housing must efficiently leverage limited resources. A key component of the success of Florida Housing is continued

communication with the Legislature. Additionally, the Florida Housing Finance Corporation (FHFC) continues to develop and maintain its partnerships with local governments, developers, and nonprofit organizations. By providing an array of incentives and assistance, Florida Housing's programs can help meet the critical housing needs for Florida's low to moderate income residents, which also includes those with special needs: the elderly, the disabled, the homeless, and the farmworkers of the state. Florida Housing's Board of Directors sets goals each year that target these groups. By staying abreast of changes in the housing markets, Florida Housing can adjust its programs and policies to ensure that resources are allocated in the most efficient way.

HB1857 transfers the Affordable Housing Catalyst Program from the Department of Community Affairs to the Florida Housing Finance Corporation by type two transfer. A type-two transfer, as defined in s. 20.06, F.S., is the merging of one existing agency or department or a program, activity, or function thereof into another agency or department.

The bill also requires the Housing Finance Corporation to provide information, assistance and facilities as necessary to support the Affordable Housing Study Commission.

C. SECTION DIRECTORY:

Section 1. Transfers the State Energy Program and the Clean Fuel Advisory Board from the Department of Community Affairs to the Department of Environmental Protection by type two transfer.

Section 2. Repeals subsection (6) of s. 20.18, F.S., relating to the responsibility of the Department of Community Affairs to collect and analyze information on energy resources in this state, to coordinate the energy conservation programs of state agencies, and to coordinate the development, review, and implementation of state energy policy.

Section 3. Adds subsection (8) to s. 20.255, F.S., relating to the responsibility of the Department of Environmental Protection to collect and analyze information on energy resources in this state, to coordinate the energy conservation programs of state agencies, and to coordinate the development, review, and implementation of state energy policy.

Section 4. Amends s. 163.03, F.S., making conforming changes.

Section 5. Amends s. 288.041, F.S., making conforming changes.

Section 6. Amends s. 288.95155, F.S., making conforming changes.

Section 7. Amends s. 377.602, F.S., making conforming changes.

Section 8. Amends s. 377.603, F.S., making conforming changes.

Section 9. Amends s. 377.701, F.S., making conforming changes.

Section 10. Amends s. 377.703, F.S., making conforming changes.

Section 11. Amends s. 403.42, F.S., making conforming changes.

Section 12. Amends s. 420.36, F.S., making conforming changes.

Section 13. Transfers the Affordable Housing Catalyst Program from the Department of Community Affairs to the Florida Housing Finance Corporation by type two transfer and directing that all trust funds associated with the Affordable Housing Catalyst Program remain within the Department of Community Affairs, with exceptions.

Section 14. Creates subsections (42) and (43) to s. 420.507, F.S., adding powers to the Florida Housing Finance Corporation.

Section 15. Amends s. 420.6015, F.S., making conforming changes.

Section 16. Repeals paragraph (c) of subsection (3) of s. 420.606, F.S., relating to responsibilities of the Department of Community Affairs with respect to the Affordable Housing Catalyst Program.

Section 17. Creates section 420.531, F.S., relating to the responsibilities of the Florida Housing Finance Corporation with respect to the Affordable Housing Catalyst Program.

Section 18. Amends s. 420.609, F.S., making conforming changes.

Section 19. Amends s. 420.9075, F.S., making conforming changes.

Section 20. Providing an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

Three positions and \$525,070 in federal funds currently supporting the Energy Office in the Department of Community Affairs are being transferred to the Department of Environmental Protection as of July 1, 2004 in HB 1835, the house budget bill.

Three positions and \$1,393,619 are deleted from the Department of Community Affairs in HB 1835, the house budget bill. Of those funds \$720,906 represents funding from the State Housing Trust Fund which currently supports the Affordable Housing Study Commission and the Affordable Housing Catalyst Program. The remaining \$672,799 represents double budget that is no longer necessary and therefore, only the \$720,906 is transferred to the Florida Housing Finance Corporation. No positions were transferred since the Corporation will contract for the activities related to the Catalyst program and the Affordable Housing Study Commission.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

2. Other:

B. RULE-MAKING AUTHORITY:

C. DRAFTING ISSUES OR OTHER COMMENTS:

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES