

1 A bill to be entitled
2 An act relating to the Department of Community Affairs;
3 transferring the state energy program and the Clean Fuel
4 Florida Advisory Board by type two transfer from the
5 Department of Community Affairs to the Department of
6 Environmental Protection; amending s. 20.18, F.S.;
7 removing responsibility of the Department of Community
8 Affairs for state energy policy; amending s. 20.255, F.S.;
9 assigning responsibility for the state energy policy to
10 the Department of Environmental Protection; amending s.
11 163.03, F.S.; removing authority of the Department of
12 Community Affairs for the Coastal Energy Impact Program;
13 amending ss. 288.041, 377.603, 377.701, and 403.42, F.S.;
14 transferring duties of the Department of Community Affairs
15 relating to the solar energy industry, energy data
16 collection, petroleum allocation, and the Clean Fuel
17 Florida Advisory Board to the Department of Environmental
18 Protection; amending s. 288.95155, F.S.; deleting an
19 obsolete reference; amending s. 377.602, F.S.; revising a
20 definition; amending s. 377.703, F.S.; transferring duties
21 of the Department of Community Affairs relating to
22 additional energy functions and responsibilities to the
23 Department of Environmental Protection; providing for
24 rulemaking; amending s. 420.36, F.S.; funding the Low-
25 income Emergency Home Repair Program through the State
26 Housing Trust Fund; transferring the Affordable Housing
27 Catalyst Program by type two transfer from the Department
28 of Community Affairs to the Florida Housing Finance
29 Corporation; excluding the transfer of certain trust

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30 funds; amending s. 420.507, F.S.; authorizing the Florida
 31 Housing Finance Corporation to provide resources for the
 32 Affordable Housing Study Commission; authorizing the
 33 Florida Housing Finance Corporation to develop and
 34 administer the Affordable Housing Catalyst Program;
 35 creating s. 420.531, F.S.; providing that the Affordable
 36 Housing Catalyst Program be operated by the Florida
 37 Housing Finance Corporation; providing for technical
 38 support, formation of partnerships, implementation of
 39 regulatory reforms, affordable housing programs within
 40 local government comprehensive plans, and compliance with
 41 federally funded housing programs; amending s. 420.6015,
 42 F.S.; revising legislative findings regarding the
 43 Department of Community Affairs' housing programs, to
 44 conform; amending s. 420.606, F.S.; removing references to
 45 the Affordable Housing Catalyst Program in the training
 46 and technical assistance program of the Affordable Housing
 47 Planning and Community Assistance Act; amending s.
 48 420.609, F.S.; requiring the Florida Housing Finance
 49 Corporation to provide certain resources to the Affordable
 50 Housing Study Commission; amending s. 420.9075, F.S.;
 51 conforming a reference; providing an effective date.

52
 53 Be It Enacted by the Legislature of the State of Florida:

54
 55 Section 1. The state energy program, as authorized and
 56 governed by ss. 20.18, 288.041, 377.601-377.608, 377.701, and
 57 377.703, Florida Statutes, and the Clean Fuel Florida Advisory
 58 Board, as authorized and governed by s. 403.42, Florida

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59 Statutes, are transferred by a type two transfer, as defined in
 60 s. 20.06(2), Florida Statutes, from the Department of Community
 61 Affairs to the Department of Environmental Protection.

62 Section 2. Subsection (6) of section 20.18, Florida
 63 Statutes, is amended to read:

64 20.18 Department of Community Affairs.--There is created a
 65 Department of Community Affairs.

66 ~~(6) The department is the agency of state government~~
 67 ~~responsible for collection and analysis of information on energy~~
 68 ~~resources in this state, for coordination of the energy~~
 69 ~~conservation programs of state agencies, and for coordination of~~
 70 ~~the development, review, and implementation of state energy~~
 71 ~~policy. The energy program responsibilities of the department~~
 72 ~~set forth in this subsection shall be carried out by the Office~~
 73 ~~of the Secretary of Community Affairs until such time as the~~
 74 ~~secretary determines that such responsibilities should be~~
 75 ~~redistributed within the various divisions of the department and~~
 76 ~~submits a report to the Legislature with respect thereto.~~

77 Section 3. Subsection (8) is added to section 20.255,
 78 Florida Statutes, to read:

79 20.255 Department of Environmental Protection.--There is
 80 created a Department of Environmental Protection.

81 (8) The department is the agency of state government
 82 responsible for collection and analysis of information on energy
 83 resources in this state, for coordination of the energy
 84 conservation programs of state agencies, and for coordination of
 85 the development, review, and implementation of state energy
 86 policy.

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87 Section 4. Paragraph (b) of subsection (3) of section
 88 163.03, Florida Statutes, is amended to read:

89 163.03 Secretary of Community Affairs; powers and duties;
 90 function of Department of Community Affairs with respect to
 91 federal grant-in-aid programs.--

92 (3) The department is authorized to adopt rules
 93 implementing the following grant programs, which rules shall be
 94 consistent with the laws, regulations, or guidelines governing
 95 the grant to the department:

96 (b) Grants under the federal ~~programs known as the Coastal~~
 97 ~~Energy Impact Program and the~~ Outer Continental Shelf Program
 98 administered by the Bureau of Land and Water Management.

99 Section 5. Subsections (3), (4), and (5) of section
 100 288.041, Florida Statutes, are amended to read:

101 288.041 Solar energy industry; legislative findings and
 102 policy; promotional activities.--

103 (3) Enterprise Florida, Inc., and its boards shall assist
 104 in the expansion of the solar energy industry in this state.
 105 Such efforts shall be undertaken in cooperation with the
 106 Department of Environmental Protection ~~Community Affairs~~, the
 107 Florida Solar Energy Center, and the Florida Solar Energy
 108 Industries Association, and shall include:

109 (a) Providing assistance and support to new and existing
 110 photovoltaic companies, with special emphasis on attracting one
 111 or more manufacturers of photovoltaic products to locate within
 112 this state.

113 (b) Sponsoring initiatives which aid and take full
 114 advantage of the export market potential of solar technologies.

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115 (c) Informing the business sector of this state about
 116 opportunities for cost-effective commercial applications of
 117 solar technologies.

118 (d) Encouraging employment of residents of this state by
 119 solar energy companies.

120 (e) Retaining existing solar energy companies and
 121 supporting their expansion efforts in this state.

122 (f) Supporting the promotion of solar energy by sponsoring
 123 workshops, seminars, conferences, and educational programs on
 124 the benefits of solar energy.

125 (g) Recognizing outstanding developments and achievements
 126 in, and contributions to, the solar energy industry.

127 (h) Collecting and disseminating solar energy information
 128 relevant to the promotion of solar energy applications.

129 (i) Enlisting the support of persons, civic groups, the
 130 solar energy industry, and other organizations to promote and
 131 improve solar energy products and services.

132 (4) The Department of Environmental Protection shall also
 133 promote projects that demonstrate viable applications of solar
 134 technology which may include, but shall not be limited to:
 135 irrigation and stock watering, process heat for dairy and citrus
 136 operations, aquaculture, hydroponics, horticulture, waste
 137 detoxification, and other means of meeting the energy needs of
 138 the agricultural industry.

139 (5) By January 15 of each year, the Department of
 140 Environmental Protection ~~Community Affairs~~ shall report to the
 141 Governor, the President of the Senate, and the Speaker of the
 142 House of Representatives on the impact of the solar energy
 143 industry on the economy of this state and shall make any

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144 recommendations on initiatives to further promote the solar
 145 energy industry as the department deems appropriate.

146 Section 6. Subsection (2) of section 288.95155, Florida
 147 Statutes, is amended to read:

148 288.95155 Florida Small Business Technology Growth
 149 Program.--

150 (2) Enterprise Florida, Inc., shall establish a separate
 151 small business technology growth account in the Florida
 152 Technology Research Investment Fund for purposes of this
 153 section. Moneys in the account shall consist of appropriations
 154 by the Legislature, proceeds of any collateral used to secure
 155 such assistance, transfers, fees assessed for providing or
 156 processing such financial assistance, grants, interest earnings,
 157 and earnings on financial assistance, ~~and any moneys transferred~~
 158 ~~to the account by the Department of Community Affairs from the~~
 159 ~~Economic Opportunity Trust Fund for use in qualifying energy~~
 160 ~~projects.~~

161 Section 7. Subsection (2) of section 377.602, Florida
 162 Statutes, is amended to read:

163 377.602 Definitions.--As used in ss. 377.601-377.608:

164 (2) "Department" means the Department of Environmental
 165 Protection ~~Community Affairs~~.

166 Section 8. Section 377.603, Florida Statutes, is amended
 167 to read:

168 377.603 Energy data collection; powers and duties of the
 169 Department of Environmental Protection ~~Community Affairs~~.--

170 (1) The department shall collect data on the extraction,
 171 production, importation, exportation, refinement,
 172 transportation, transmission, conversion, storage, sale, or

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173 reserves of energy resources in this state in an efficient and
 174 expeditious manner.

175 (2) The department shall prepare periodic reports of
 176 energy data it collects.

177 (3) The department shall prescribe and furnish forms for
 178 the collection of information as required by ss. 377.601-377.608
 179 and shall consult with other state entities to assure that such
 180 data collected will meet their data requirements.

181 (4) The department may adopt and promulgate such rules and
 182 regulations as are necessary to carry out the provisions of ss.
 183 377.601-377.608. Such rules shall be pursuant to chapter 120.

184 (5) The department shall maintain internal validation
 185 procedures to assure the accuracy of information received.

186 Section 9. Subsection (1) of section 377.701, Florida
 187 Statutes, is amended to read:

188 377.701 Petroleum allocation.--

189 (1) The Department of Environmental Protection ~~Community~~
 190 ~~Affairs~~ shall assume the state's role in petroleum allocation
 191 and conservation, including the development of a fair and
 192 equitable petroleum plan. The department shall constitute the
 193 responsible state agency for performing the functions of any
 194 federal program delegated to the state, which relates to
 195 petroleum supply, demand, and allocation.

196 Section 10. Subsections (3) and (4) of section 377.703,
 197 Florida Statutes, are amended to read:

198 377.703 Additional functions of the Department of
 199 Environmental Protection ~~Community Affairs~~; energy emergency
 200 contingency plan; federal and state conservation programs.--

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201 (3) DEPARTMENT OF ENVIRONMENTAL PROTECTION ~~COMMUNITY~~
 202 ~~AFFAIRS~~; DUTIES.--The Department of Environmental Protection
 203 ~~Community Affairs~~ shall, in addition to assuming the duties and
 204 responsibilities provided by ss. 20.255 ~~20.18~~ and 377.701,
 205 perform the following functions consistent with the development
 206 of a state energy policy:

207 (a) The department shall assume the responsibility for
 208 development of an energy emergency contingency plan to respond
 209 to serious shortages of primary and secondary energy sources.
 210 Upon a finding by the Governor, implementation of any emergency
 211 program shall be upon order of the Governor that a particular
 212 kind or type of fuel is, or that the occurrence of an event
 213 which is reasonably expected within 30 days will make the fuel,
 214 in short supply. The department shall then respond by
 215 instituting the appropriate measures of the contingency plan to
 216 meet the given emergency or energy shortage. The Governor may
 217 utilize the provisions of s. 252.36(5) to carry out any
 218 emergency actions required by a serious shortage of energy
 219 sources.

220 (b) The department shall constitute the responsible state
 221 agency for performing or coordinating the functions of any
 222 federal energy programs delegated to the state, including energy
 223 supply, demand, conservation, or allocation.

224 (c) The department shall analyze present and proposed
 225 federal energy programs and make recommendations regarding those
 226 programs to the Governor.

227 (d) The department shall coordinate efforts to seek
 228 federal support or other support for state energy activities,
 229 including energy conservation, research, or development, and

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230 shall be the state agency responsible for the coordination of
 231 multiagency energy conservation programs and plans.

232 (e) The department shall analyze energy data collected and
 233 prepare long-range forecasts of energy supply and demand in
 234 coordination with the Florida Public Service Commission, which
 235 shall have responsibility for electricity and natural gas
 236 forecasts. To this end, the forecasts shall contain:

237 1. An analysis of the relationship of state economic
 238 growth and development to energy supply and demand, including
 239 the constraints to economic growth resulting from energy supply
 240 constraints.

241 2. Plans for the development of renewable energy resources
 242 and reduction in dependence on depletable energy resources,
 243 particularly oil and natural gas, and an analysis of the extent
 244 to which renewable energy sources are being utilized in the
 245 state.

246 3. Consideration of alternative scenarios of statewide
 247 energy supply and demand for 5, 10, and 20 years, to identify
 248 strategies for long-range action, including identification of
 249 potential social, economic, and environmental effects.

250 4. An assessment of the state's energy resources,
 251 including examination of the availability of commercially
 252 developable and imported fuels, and an analysis of anticipated
 253 effects on the state's environment and social services resulting
 254 from energy resource development activities or from energy
 255 supply constraints, or both.

256 (f) The department shall make a report, as requested by
 257 the Governor or the Legislature, reflecting its activities and
 258 making recommendations of policies for improvement of the

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259 state's response to energy supply and demand and its effect on
 260 the health, safety, and welfare of the people of Florida. The
 261 report shall include a report from the Florida Public Service
 262 Commission on electricity and natural gas and information on
 263 energy conservation programs conducted and under way in the past
 264 year and shall include recommendations for energy conservation
 265 programs for the state, including, but not limited to, the
 266 following factors:

267 1. Formulation of specific recommendations for improvement
 268 in the efficiency of energy utilization in governmental,
 269 residential, commercial, industrial, and transportation sectors.

270 2. Collection and dissemination of information relating to
 271 energy conservation.

272 3. Development and conduct of educational and training
 273 programs relating to energy conservation.

274 4. An analysis of the ways in which state agencies are
 275 seeking to implement s. 377.601(4), the state energy policy, and
 276 recommendations for better fulfilling this policy.

277 (g) The department has authority to adopt rules pursuant
 278 to ss. 120.536(1) and 120.54 to implement the provisions of this
 279 act.

280 (h) The department shall promote the development and use
 281 of renewable energy resources, in conformance with the
 282 provisions of chapter 187 and s. 377.601, by:

283 1. Establishing goals and strategies for increasing the
 284 use of solar energy in this state.

285 2. Aiding and promoting the commercialization of solar
 286 energy technology, in cooperation with the Florida Solar Energy
 287 Center, Enterprise Florida, Inc., and any other federal, state,

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288 or local governmental agency which may seek to promote research,
 289 development, and demonstration of solar energy equipment and
 290 technology.

291 3. Identifying barriers to greater use of solar energy
 292 systems in this state, and developing specific recommendations
 293 for overcoming identified barriers, with findings and
 294 recommendations to be submitted annually in the report to the
 295 Legislature required under paragraph (f).

296 4. In cooperation with the Department of Transportation,
 297 the Department of Community Affairs, Enterprise Florida, Inc.,
 298 the Florida Solar Energy Center, and the Florida Solar Energy
 299 Industries Association, investigating opportunities, pursuant to
 300 the National Energy Policy Act of 1992 and the Housing and
 301 Community Development Act of 1992, for solar electric vehicles
 302 and other solar energy manufacturing, distribution,
 303 installation, and financing efforts which will enhance this
 304 state's position as the leader in solar energy research,
 305 development, and use.

306 5. Undertaking other initiatives to advance the
 307 development and use of renewable energy resources in this state.

308
 309 In the exercise of its responsibilities under this paragraph,
 310 the department shall seek the assistance of the solar energy
 311 industry in this state and other interested parties and is
 312 authorized to enter into contracts, retain professional
 313 consulting services, and expend funds appropriated by the
 314 Legislature for such purposes.

315 (i) The department shall promote energy conservation in
 316 all energy use sectors throughout the state and shall constitute

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317 the state agency primarily responsible for this function. To
318 this end, the department shall coordinate the energy
319 conservation programs of all state agencies and review and
320 comment on the energy conservation programs of all state
321 agencies.

322 (j) The department shall serve as the state clearinghouse
323 for indexing and gathering all information related to energy
324 programs in state universities, in private universities, in
325 federal, state, and local government agencies, and in private
326 industry and shall prepare and distribute such information in
327 any manner necessary to inform and advise the citizens of the
328 state of such programs and activities. This shall include
329 developing and maintaining a current index and profile of all
330 research activities, which shall be identified by energy area
331 and may include a summary of the project, the amount and sources
332 of funding, anticipated completion dates, or, in case of
333 completed research, conclusions, recommendations, and
334 applicability to state government and private sector functions.
335 The department shall coordinate, promote, and respond to efforts
336 by all sectors of the economy to seek financial support for
337 energy activities. The department shall provide information to
338 consumers regarding the anticipated energy-use and energy-saving
339 characteristics of products and services in coordination with
340 any federal, state, or local governmental agencies as may
341 provide such information to consumers.

342 (k) The department shall coordinate energy-related
343 programs of state government, including, but not limited to, the
344 programs provided in this section. To this end, the department
345 shall:

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346 1. Provide assistance to other state agencies, counties,
 347 municipalities, and regional planning agencies to further and
 348 promote their energy planning activities.

349 2. Require, in cooperation with the Department of
 350 Management Services, all state agencies to operate state-owned
 351 and state-leased buildings in accordance with energy
 352 conservation standards as adopted by the Department of
 353 Management Services. Every 3 months, the Department of
 354 Management Services shall furnish the department data on
 355 agencies' energy consumption in a format mutually agreed upon by
 356 the two departments.

357 3. Promote the development and use of renewable energy
 358 resources, energy efficiency technologies, and conservation
 359 measures.

360 4. Promote the recovery of energy from wastes, including,
 361 but not limited to, the use of waste heat, the use of
 362 agricultural products as a source of energy, and recycling of
 363 manufactured products. Such promotion shall be conducted in
 364 conjunction with, and after consultation with, ~~the Department of~~
 365 ~~Environmental Protection~~, the Florida Public Service Commission
 366 where electrical generation or natural gas is involved, and any
 367 other relevant federal, state, or local governmental agency
 368 having responsibility for resource recovery programs.

369 (1) The department shall develop, coordinate, and promote
 370 a comprehensive research plan for state programs. Such plan
 371 shall be consistent with state energy policy and shall be
 372 updated on a biennial basis.

373 (m) In recognition of the devastation to the economy of
 374 this state and the dangers to the health and welfare of

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375 residents of this state caused by Hurricane Andrew, and the
 376 potential for such impacts caused by other natural disasters,
 377 the department shall include in its energy emergency contingency
 378 plan and provide to the Department of Community Affairs for
 379 inclusion in the state model energy efficiency building code
 380 specific provisions to facilitate the use of cost-effective
 381 solar energy technologies as emergency remedial and preventive
 382 measures for providing electric power, street lighting, and
 383 water heating service in the event of electric power outages.

384 (4) The department shall be responsible for the
 385 administration of the Coastal Energy Impact Program provided for
 386 and described in Pub. L. No. 94-370, 16 U.S.C. s. 1456a and is
 387 authorized to adopt rules to implement the program.

388 Section 11. Section 403.42, Florida Statutes, is amended
 389 to read:

390 403.42 Florida Clean Fuel Act.--

391 (1) POPULAR NAME ~~SHORT TITLE~~ AND PURPOSE.--

392 (a) This section shall be known by the popular name ~~may be~~
 393 ~~cited as~~ the "Florida Clean Fuel Act."

394 (b) The purposes of this act are to establish the Clean
 395 Fuel Florida Advisory Board under the Department of
 396 Environmental Protection ~~Community Affairs~~ to study the
 397 implementation of alternative fuel vehicles and to formulate and
 398 provide to the Secretary of Environmental Protection ~~Community~~
 399 ~~Affairs~~ recommendations on expanding the use of alternative fuel
 400 vehicles in this state and make funding available for
 401 implementation.

402 (2) DEFINITIONS.--For purposes of this act:

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403 (a) "Alternative fuels" include electricity, biodiesel,
 404 natural gas, propane, and any other fuel that may be deemed
 405 appropriate in the future by the Department of Environmental
 406 Protection Community Affairs with guidance from the Clean Fuel
 407 Florida Advisory Board.

408 (b) "Alternative fuel vehicles" include on-road and off-
 409 road transportation vehicles and light-duty, medium-duty, and
 410 heavy-duty vehicles that are powered by an alternative fuel or a
 411 combination of alternative fuels.

412 (3) CLEAN FUEL FLORIDA ADVISORY BOARD ESTABLISHED;
 413 MEMBERSHIP; DUTIES AND RESPONSIBILITIES.--

414 (a) The Clean Fuel Florida Advisory Board is established
 415 within the Department of Environmental Protection Community
 416 Affairs.

417 (b)1. The advisory board shall consist of ~~the Secretary of~~
 418 ~~Community Affairs, or a designee from that department,~~ the
 419 Secretary of Environmental Protection, or a designee from that
 420 department, the Commissioner of Education, or a designee from
 421 that department, the Secretary of Transportation, or a designee
 422 from that department, the Commissioner of Agriculture, or a
 423 designee from the Department of Agriculture and Consumer
 424 Services, the Secretary of Management Services, or a designee
 425 from that department, and a representative of each of the
 426 following, who shall be appointed by the Secretary of
 427 Environmental Protection Community Affairs ~~within 30 days after~~
 428 ~~the effective date of this act:~~

- 429 a. The Florida biodiesel industry.
- 430 b. The Florida electric utility industry.
- 431 c. The Florida natural gas industry.

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- 432 d. The Florida propane gas industry.
- 433 e. An automobile manufacturers' association.
- 434 f. A Florida Clean Cities Coalition designated by the
- 435 United States Department of Energy.
- 436 g. Enterprise Florida, Inc.
- 437 h. EV Ready Broward.
- 438 i. The Florida petroleum industry.
- 439 j. The Florida League of Cities.
- 440 k. The Florida Association of Counties.
- 441 l. Floridians for Better Transportation.
- 442 m. A motor vehicle manufacturer.
- 443 n. Florida Local Environment Resource Agencies.
- 444 o. Project for an Energy Efficient Florida.
- 445 p. Florida Transportation Builders Association.
- 446 2. The purpose of the advisory board is to serve as a
- 447 resource for the department and to provide the Governor, the
- 448 Legislature, and the Secretary of Environmental Protection
- 449 ~~Community Affairs~~ with private sector and other public agency
- 450 perspectives on achieving the goal of increasing the use of
- 451 alternative fuel vehicles in this state.
- 452 3. Members shall be appointed to serve terms of 1 year
- 453 each, with reappointment at the discretion of the Secretary of
- 454 Environmental Protection ~~Community Affairs~~. Vacancies shall be
- 455 filled for the remainder of the unexpired term in the same
- 456 manner as the original appointment.
- 457 4. The board shall annually select a chairperson.
- 458 5.a. The board shall meet at least once each quarter or
- 459 more often at the call of the chairperson or the Secretary of
- 460 Environmental Protection ~~Community Affairs~~.

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461 b. Meetings are exempt from the notice requirements of
 462 chapter 120, and sufficient notice shall be given to afford
 463 interested persons reasonable notice under the circumstances.

464 6. Members of the board are entitled to travel expenses
 465 while engaged in the performance of board duties.

466 ~~7. The board shall terminate 5 years after the effective~~
 467 ~~date of this act.~~

468 (c) The board shall review the performance of the state
 469 with reference to alternative fuel vehicle implementation in
 470 complying with federal laws and maximizing available federal
 471 funding and may:

472 1. Advise the Governor, Legislature, and the Secretary of
 473 Environmental Protection Community Affairs and make
 474 recommendations regarding implementation and use of alternative
 475 fuel vehicles in this state.

476 2. Identify potential improvements in this act and the
 477 state's alternative fuel policies.

478 3. Request from all state agencies any information the
 479 board determines relevant to board duties.

480 4. Regularly report to the Secretary of Environmental
 481 Protection Community Affairs, the Governor, the President of the
 482 Senate, and the Speaker of the House of Representatives
 483 regarding the board's findings and recommendations.

484 (d)1. The advisory board shall, ~~within 120 days after its~~
 485 ~~first meeting~~, make recommendations to the Department of
 486 Environmental Protection Community Affairs for establishing
 487 pilot programs in this state that provide experience and support
 488 the best use expansion of the alternative fuel vehicle industry

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489 in this state. No funds shall be released for a project unless
 490 there is at least a 50-percent private or local match.

491 2. In addition to the pilot programs, the advisory board
 492 shall assess federal, state, and local initiatives to identify
 493 incentives that encourage successful alternative fuel vehicle
 494 programs; obstacles to alternative fuel vehicle use including
 495 legislative, regulatory, and economic obstacles; and programs
 496 that educate and inform the public about alternative fuel
 497 vehicles.

498 3. The advisory board is charged with determining a
 499 reasonable, fair, and equitable way to address current motor
 500 fuel taxes as they apply to alternative fuels and at what
 501 threshold of market penetration.

502 4. Based on its findings, the advisory board shall develop
 503 recommendations to the Legislature on future alternative fuel
 504 vehicle programs and legislative changes that provide the best
 505 use of state and other resources to enhance the alternative fuel
 506 vehicle market in this state and maximize the return on that
 507 investment in terms of job creation, economic development, and
 508 emissions reduction.

509 (e) The advisory board, working with the Department of
 510 Environmental Protection ~~Community Affairs~~, shall develop a
 511 budget for the department's approval, and all expenditures shall
 512 be approved by the department. At the conclusion of the first
 513 year, the department shall conduct an audit of the board and
 514 board programs.

515 Section 12. Subsection (4) of section 420.36, Florida
 516 Statutes, is amended to read:

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517 420.36 Low-income Emergency Home Repair Program.--There is
 518 established within the Department of Community Affairs the Low-
 519 income Emergency Home Repair Program to assist low-income
 520 persons, especially the elderly and physically disabled, in
 521 making emergency repairs which directly affect their health and
 522 safety.

523 (4)(a) Funds appropriated to the department for the
 524 program shall be deposited in the State Housing ~~Energy~~
 525 ~~Consumption~~ Trust Fund. Administrative and personnel costs
 526 incurred by the department in implementing the provisions of
 527 this section may be paid from the fund.

528 (b) The grantee may subgrant these funds to a subgrantee
 529 if the grantee is unable to serve all of the county or the
 530 target population. Grantee and subgrantee eligibility shall be
 531 determined by the department.

532 (c) Funds shall be distributed to grantees and subgrantees
 533 as follows:

534 1. For each county, a base amount of at least \$3,000 shall
 535 be set aside from the total funds available, and such amount
 536 shall be deducted from the total amount appropriated by the
 537 Legislature.

538 2. The balance of the funds appropriated by the
 539 Legislature shall be divided by the total poverty population of
 540 the state, and this quotient shall be multiplied by each
 541 county's share of the poverty population. That amount plus the
 542 base of at least \$3,000 shall constitute each county's share. A
 543 grantee which serves more than one county shall receive the base
 544 amount plus the poverty population share for each county to be
 545 served. Contracts with grantees may be renewed annually.

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546 3. The funds allocated to each county shall be offered
 547 first to an existing weatherization assistance program grantee
 548 in good standing, as determined by the department, that can
 549 provide services to the target population of low-income persons,
 550 low-income elderly persons, and low-income physically disabled
 551 persons throughout the county.

552 4. If a weatherization assistance program grantee is not
 553 available to serve the entire county area, the funds shall be
 554 distributed through the following process:

555 a. An announcement of funding availability shall be
 556 provided to the county. The county may elect to administer the
 557 program.

558 b. If the county elects not to administer the program, the
 559 department shall establish rules to address the selection of one
 560 or more public or private not-for-profit agencies that are
 561 experienced in weatherization, rehabilitation, or emergency
 562 repair to administer the program.

563 5. If no eligible agency agrees to serve a county, the
 564 funds for that county shall be distributed to grantees having
 565 the best performance record as determined by department rule. At
 566 the end of the contract year, any uncontracted or unexpended
 567 funds shall be returned to the State Housing ~~Energy Consumption~~
 568 Trust Fund and reallocated under the next year's contracting
 569 cycle.

570 Section 13. The Affordable Housing Catalyst Program, as
 571 authorized and governed by s. 420.606, Florida Statutes, is
 572 transferred by a type two transfer, as defined in s. 20.06(2),
 573 Florida Statutes, from the Department of Community Affairs to
 574 the Florida Housing Finance Corporation. Notwithstanding s.

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575 20.06(2), Florida Statutes, trust funds associated with this
 576 program shall remain within the Department of Community Affairs.

577 Section 14. Subsections (42) and (43) are added to section
 578 420.507, Florida Statutes, to read:

579 420.507 Powers of the corporation.--The corporation shall
 580 have all the powers necessary or convenient to carry out and
 581 effectuate the purposes and provisions of this part, including
 582 the following powers which are in addition to all other powers
 583 granted by other provisions of this part:

584 (42) To provide information, assistance, and facilities
 585 needed by the Affordable Housing Study Commission.

586 (43) To develop and administer the Affordable Housing
 587 Catalyst Program under s. 420.531.

588 Section 15. Section 420.531, Florida Statutes, is created
 589 to read:

590 420.531 Affordable Housing Catalyst Program.--The
 591 corporation shall operate the Affordable Housing Catalyst
 592 Program for the purpose of securing the expertise necessary to
 593 provide specialized technical support to local governments to
 594 implement the HOME Investment Partnership Program, State Housing
 595 Initiatives Partnership Program, and other affordable housing
 596 programs. The technical support shall, at a minimum, include
 597 training relating to the following key elements of the
 598 partnership programs:

599 (1) Formation of local and regional housing partnerships
 600 as a means of bringing together resources to provide affordable
 601 housing.

602 (2) Implementation of regulatory reforms to reduce the
 603 risk and cost of developing affordable housing.

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604 (3) Implementation of affordable housing programs included
 605 in local government comprehensive plans.

606 (4) Compliance with requirements of federally funded
 607 housing programs.

608 Section 16. Subsection (8) of section 420.6015, Florida
 609 Statutes, is amended to read:

610 420.6015 Legislative findings.--In addition to the
 611 findings and declarations in ss. 420.0002, 420.502, 421.02,
 612 422.02, and 423.01, which are hereby reaffirmed, the Legislature
 613 finds that:

614 (8) ~~Through the Affordable Housing Catalyst Program and~~
 615 ~~other program and staff resources,~~ The department shall
 616 facilitate the mobilization of public and private resources to
 617 provide affordable housing through its responsibilities in the
 618 areas of housing, comprehensive planning, and community
 619 assistance.

620 Section 17. Subsection (3) of section 420.606, Florida
 621 Statutes, is amended to read:

622 420.606 Training and technical assistance program.--

623 (3) TRAINING AND TECHNICAL ASSISTANCE PROGRAM.--The
 624 Department of Community Affairs shall be responsible for
 625 securing the necessary expertise to provide training and
 626 technical assistance to staff of local governments, to staff of
 627 state agencies, as appropriate, and to community-based
 628 organizations, and to persons forming such organizations, which
 629 are formed for the purpose of developing new housing and
 630 rehabilitating existing housing which is affordable for very-
 631 low-income persons, low-income persons, and moderate-income
 632 persons. To the maximum extent feasible, the entity to provide

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633 the necessary expertise must be recognized by the Internal
 634 Revenue Service as a nonprofit tax-exempt organization. It must
 635 have as its primary mission the provision of affordable housing
 636 training and technical assistance; an ability to provide
 637 training and technical assistance statewide; and a proven track
 638 record of successfully providing training and technical
 639 assistance ~~under the Affordable Housing Catalyst Program.~~

640 (a) The training component of the program shall be
 641 designed to build the housing development capacity of community-
 642 based organizations and local governments as a permanent
 643 resource for the benefit of communities in this state.

644 1. The scope of training shall include, but not be limited
 645 to, real estate development skills related to affordable
 646 housing, including the construction process and property
 647 management and disposition, the development of public-private
 648 partnerships to reduce housing costs, model housing projects,
 649 and management and board responsibilities of community-based
 650 organizations.

651 2. Training activities may include, but are not limited
 652 to, materials for self-instruction, workshops, seminars,
 653 internships, coursework, and special programs developed in
 654 conjunction with state universities and community colleges.

655 (b) The technical assistance component of the program
 656 shall be designed to assist applicants for state-administered
 657 programs in developing applications and in expediting project
 658 implementation. Technical assistance activities for the staffs
 659 of community-based organizations and local governments who are
 660 directly involved in the production of affordable housing may
 661 include, but are not limited to, workshops for program

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662 applicants, onsite visits, guidance in achieving project
 663 completion, and a newsletter to community-based organizations
 664 and local governments.

665 ~~(c) The department shall establish a program known as the~~
 666 ~~Affordable Housing Catalyst Program to be responsible for~~
 667 ~~securing the necessary expertise as provided in this section for~~
 668 ~~providing specialized technical support to local governments to~~
 669 ~~implement the HOME Investment Partnership Program, State Housing~~
 670 ~~Initiatives Partnership Program, and other affordable housing~~
 671 ~~programs. The technical support shall, at a minimum, provide~~
 672 ~~training relating to the following key elements of the~~
 673 ~~partnership programs:~~

674 ~~1. The formation of local and regional housing~~
 675 ~~partnerships as a means of bringing together resources to~~
 676 ~~provide affordable housing.~~

677 ~~2. The implementation of regulatory reforms to reduce the~~
 678 ~~risk and cost of developing affordable housing.~~

679 ~~3. The implementation of affordable housing programs~~
 680 ~~included in local government comprehensive plans.~~

681 ~~4. The compliance with requirements of federally funded~~
 682 ~~housing programs.~~

683 Section 18. Subsection (3) of section 420.609, Florida
 684 Statutes, is amended to read:

685 420.609 Affordable Housing Study Commission.--Because the
 686 Legislature firmly supports affordable housing in Florida for
 687 all economic classes:

688 (3) ~~The department and the~~ corporation shall supply such
 689 information, assistance, and facilities as are deemed necessary
 690 for the commission to carry out its duties under this section

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691 and shall provide such staff assistance as is necessary for the
692 performance of required clerical and administrative functions of
693 the commission.

694 Section 19. Subsection (7) of section 420.9075, Florida
695 Statutes, is amended to read:

696 420.9075 Local housing assistance plans; partnerships.--

697 (7) Pursuant to s. 420.531 ~~420.606~~, the corporation shall
698 provide technical assistance to local governments regarding the
699 creation of partnerships, the design of local housing assistance
700 strategies, the implementation of local housing incentive
701 strategies, and the provision of support services.

702 Section 20. This act shall take effect July 1, 2004.