

By Senator Constantine

41-507E-05

1 A bill to be entitled
2 An act relating to hurricane-relief funding;
3 amending s. 252.37, F.S., relating to emergency
4 management; requiring that the state and the
5 affected local government provide certain
6 amounts of matching funds following acceptance
7 of federal public assistance funds that are
8 conditioned upon such match; authorizing the
9 Executive Office of the Governor to waive the
10 requirement under certain circumstances;
11 requiring that the recipient provide a required
12 match before receiving federal
13 hazard-mitigation funds; providing for certain
14 exceptions; providing for retroactive
15 application of the requirements for providing
16 matching funds; providing appropriations;
17 providing requirements for local governments
18 with respect to matching funds; authorizing
19 future payments or a deduction from the local
20 government's revenue-sharing allocation;
21 specifying that the nonrecurring appropriations
22 are to meet needs caused by hurricanes and a
23 tropical storm; requiring that the Executive
24 Office of the Governor provide prior notice to
25 the Legislative Budget Commission of
26 allocations from lump-sum appropriations to
27 appropriation categories; providing an
28 effective date.

30 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Effective upon this act becoming a law and
2 applying retroactively to July 1, 2004, subsections (5) and
3 (6) are added to section 252.37, Florida Statutes, to read:

4 252.37 Financing.--

5 (5) Unless otherwise specified in the General
6 Appropriations Act:

7 (a) Whenever the state accepts financial assistance
8 from the Federal Government or its agencies under the federal
9 public assistance program and such financial assistance is
10 conditioned upon a requirement for matching funds, the state
11 shall provide the entire match requirement for state agencies
12 and one-half of the required match for grants to local
13 governments. The affected local government shall be required
14 to provide one-half of the required match prior to receipt of
15 such financial assistance.

16 (b) The Executive Office of the Governor may approve a
17 waiver, subject to the requirement for legislative notice and
18 review under s. 216.177, of all or a portion of the required
19 match for public assistance projects for local governments if
20 the Executive Office of the Governor determines that such a
21 match requirement cannot be provided, or that doing so would
22 impose a documented hardship on the local government, and if
23 the local government applies for the waiver within the first
24 18 months after the disaster is declared.

25 (6) Whenever the state accepts financial assistance
26 from the Federal Government or its agencies under the federal
27 Hazard Mitigation Assistance Grant Program and such financial
28 assistance is conditioned upon a requirement for matching
29 funds, the eligible subgrantee recipient shall be required to
30 provide the full amount of the required match prior to receipt
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1 of such financial assistance unless otherwise specified in the
2 General Appropriations Act.

3 Section 2. For the 2004-2005 fiscal year only,
4 \$55,722,888 is appropriated from the General Revenue Fund for
5 deposit into the Grants and Donations Trust Fund in the
6 Department of Community Affairs and \$55,722,888 is
7 appropriated in lump sum from the Grants and Donations Trust
8 Fund to the Department of Community Affairs for the purpose of
9 meeting the state's portion of the match requirements of the
10 Individuals and Households, Other Needs Assistance Program
11 administered by the Federal Government.

12 Section 3. (1) For the 2004-2005 fiscal year only,
13 \$578,193,040 is appropriated in lump sum from the U.S.
14 Contributions Trust Fund in the Department of Community
15 Affairs to the Department of Community Affairs to provide
16 supplemental federal disaster grant assistance to eligible
17 recipients.

18 (2) Prior to the release of the funds appropriated in
19 this section, the department shall ensure that the affected
20 local government has provided a 5-percent local match. Because
21 the location, type of disaster, and severity of the event can
22 materially affect the magnitude of costs, a local government's
23 share of public assistance projects may be initially provided
24 by the state, with future payment being provided by the
25 appropriate local government or deducted from the local
26 government's state revenue-sharing allocation.

27 Section 4. For the 2004-2005 fiscal year only,
28 \$35,526,935 is appropriated from the General Revenue Fund for
29 deposit into the Grants and Donations Trust Fund in the
30 Department of Community Affairs and \$35,526,935 is
31 appropriated in lump sum from the Grants and Donations Trust

1 Fund to the Department of Community Affairs for the purpose of
2 meeting the state's portion of the match requirements for the
3 public assistance grant program.

4 Section 5. For the 2004-2005 fiscal year only,
5 \$305,405 is appropriated from the General Revenue Fund for
6 deposit into the Grants and Donations Trust Fund in the
7 Department of Community Affairs, \$305,405 is appropriated in
8 lump sum from the Grants and Donations Trust Fund to the
9 Department of Community Affairs, and \$916,214 is appropriated
10 in lump sum from the U.S. Contributions Trust Fund in the
11 Department of Community Affairs to the Department of Community
12 Affairs for the purpose of paying the state management
13 administrative costs of the Hazard Mitigation Grant Program.
14 The funds appropriated in this section from the General
15 Revenue Fund are provided to meet the state's portion of the
16 match requirements for state management administrative costs
17 of the Hazard Mitigation Grant Program.

18 Section 6. All appropriations authorized by this act
19 are nonrecurring and are intended to address needs caused by
20 Tropical Storm Bonnie and Hurricanes Charley, Frances, Ivan,
21 and Jeanne.

22 Section 7. Notwithstanding the provisions of section
23 216.177, Florida Statutes, requiring a 14-day notice for
24 interim budget actions, and pursuant to section 216.351,
25 Florida Statutes, the Executive Office of the Governor shall
26 provide notice of the allocation of the lump sum
27 appropriations authorized by this act into traditional
28 appropriation categories to the chair and vice chair of the
29 Legislative Budget Commission at least 3 working days prior to
30 the effective date of such allocation.

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1 Section 8. This act shall take effect upon becoming a
2 law.

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5 SENATE SUMMARY

6 Requires that the state and affected local government
7 each provide one-half of required matching funds
8 following acceptance of federal public assistance funds
9 that are conditioned upon a match. Provides for certain
10 exceptions. Requires the recipient of federal
11 hazard-mitigation funds to provide the required match
12 before receipt of funds. Appropriates funds to the
13 Department of Community Affairs for the purpose of
14 meeting federal requirements for matching funds for
15 disaster assistance and hazard mitigation. Requires the
16 Executive Office of the Governor to notify the
17 Legislative Budget Commission of transfers of
18 appropriations.
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