

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.)

Prepared By: The Professional Staff of the Transportation and Economic Development Appropriations
Committee

BILL: SB 2146

INTRODUCER: Senator Fasano

SUBJECT: Trust Funds within the Department of Community Affairs

DATE: March 3, 2008

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Weaver	Noble	TA	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Senate Bill 2146 makes changes to certain trust funds pursuant to section 215.3206, Florida Statutes, which requires a legislative review of each of the trust funds in an agency subject to the four-year review cycle. The bill terminates three trust funds within the Department of Community Affairs (DCA) and redirects deposits to a new Federal Grants Trust Fund created within the DCA in Senate Bill 2142.

The bill amends section 420.36, Florida Statutes, to correct statutory references.

The bill has an effective date of July 1, 2009.

II. Present Situation:

A review of trust funds is required by s. 215.3208, F.S., and s. 19(f), Art. III of the State Constitution. The Legislature, through the legislative budget instructions, has placed agencies on a review cycle to facilitate the review and recreation of trust funds.

An analysis of the trust funds under the jurisdiction of the Senate Transportation of Economic Development Appropriation Committee resulted in the following findings in the DCA.

Energy Consumption Trust Fund, FLAIR number 52-2-174 - serves as the depository for the United States Department of Energy's Weatherization Assistance Program and petroleum

violation escrow settlements from the federal government. For Fiscal Year 2006-2007, the Energy Consumption Trust Fund received \$1,411,115 and expended \$1,360,834.

Low Income Home Energy Assistance Trust Fund, FLAIR number 52-2-451 - serves as the depository for federal grants received from the United States Department of Health and Human Services. The DCA is authorized in Section 409.508, Florida Statutes to administer the Low Income Home Energy Assistance Program, which provides home energy assistance benefits to eligible households, or direct payments to electric or natural gas utilities or other energy suppliers and operators of subsidized housing on behalf of eligible households. For Fiscal Year 2006-2007, the Low Income Home Energy Assistance Trust Fund received \$58,580,036 and expended \$58,580,036.

Federal Emergency Management Program Support Trust Fund, FLAIR number 52-2-525 - serves as the depository for federal grants received through a cooperative agreement with the Federal Emergency Management Agency to assist state and local governments with emergency management and preparedness programs. For Fiscal Year 2006-2007, the Federal Emergency Management Program Support Trust Fund received \$25,022,824 and expended \$25,007,276.

According to s. 215.32, F.S., a federal grants trust fund is the appropriate depository for federal funds

III. **Effect of Proposed Changes:**

The bill terminates the following trust funds within the DCA.

The Energy Consumption Trust Fund
The Low Income Home Energy Assistance Trust Fund
The Federal Emergency Management Program Support Trust Fund

All current balances remaining in the terminated trust funds are transferred to the Federal Grants Trust Fund, which is created in DCA in Senate Bill 2142.

The bill amends section 420.36, Florida Statutes, to replace references to the Energy Consumption Trust Fund with the Federal Grants Trust Fund, leaving the Low-Income Home Energy Home Repair Program unchanged.

The bill has an effective date of July 1, 2009.

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.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.