

By Senator Fasano

11-03484-08

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1 A bill to be entitled  
2 An act relating to trust funds; terminating specified  
3 trust funds within the Department of Community Affairs;  
4 providing for disposition of balances in and revenues of  
5 such trust funds; prescribing procedures for the  
6 termination of such trust funds; amending s. 420.36, F.S.;  
7 redesignating the Energy Consumption Trust Fund within the  
8 Department of Community Affairs as the Federal Grants  
9 Trust Fund; providing a contingent effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. (1) The following trust funds within the  
14 Department of Community Affairs are terminated:

15 (a) The Energy Consumption Trust Fund, FLAIR number 52-2-  
16 174;

17 (b) The Low Income Home Energy Assistance Trust Fund, FLAIR  
18 number 52-2-451; and

19 (c) The Federal Emergency Management Program Support Trust  
20 Fund, FLAIR number 52-2-525.

21 (2) All current balances remaining in the trust funds on  
22 the date of termination shall be transferred to the Federal  
23 Grants Trust Fund within the Department of Community Affairs.

24 (3) The Department of Community Affairs shall pay any  
25 outstanding debts and obligations of the terminated funds as soon  
26 as practicable, and the Chief Financial Officer shall close out  
27 and remove the terminated funds from various state accounting  
28 systems using generally accepted accounting principles concerning  
29 warrants outstanding, assets, and liabilities.

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30 Section 2. Subsection (4) of section 420.36, Florida  
31 Statutes, is amended to read:

32 420.36 Low-income Emergency Home Repair Program.--There is  
33 established within the Department of Community Affairs the Low-  
34 income Emergency Home Repair Program to assist low-income  
35 persons, especially the elderly and physically disabled, in  
36 making emergency repairs which directly affect their health and  
37 safety.

38 (4) (a) Funds appropriated to the department for the program  
39 shall be deposited in the Federal Grants ~~Energy Consumption~~ Trust  
40 Fund. Administrative and personnel costs incurred by the  
41 department in implementing the provisions of this section may be  
42 paid from the fund.

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

47 (c) Funds shall be distributed to grantees and subgrantees  
48 as follows:

49 1. For each county, a base amount of at least \$3,000 shall  
50 be set aside from the total funds available, and such amount  
51 shall be deducted from the total amount appropriated by the  
52 Legislature.

53 2. The balance of the funds appropriated by the Legislature  
54 shall be divided by the total poverty population of the state,  
55 and this quotient shall be multiplied by each county's share of  
56 the poverty population. That amount plus the base of at least  
57 \$3,000 shall constitute each county's share. A grantee which  
58 serves more than one county shall receive the base amount plus

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59 the poverty population share for each county to be served.  
60 Contracts with grantees may be renewed annually.

61 3. The funds allocated to each county shall be offered  
62 first to an existing weatherization assistance program grantee in  
63 good standing, as determined by the department, that can provide  
64 services to the target population of low-income persons, low-  
65 income elderly persons, and low-income physically disabled  
66 persons throughout the county.

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

70 a. An announcement of funding availability shall be  
71 provided to the county. The county may elect to administer the  
72 program.

73 b. If the county elects not to administer the program, the  
74 department shall establish rules to address the selection of one  
75 or more public or private not-for-profit agencies that are  
76 experienced in weatherization, rehabilitation, or emergency  
77 repair to administer the program.

78 5. If no eligible agency agrees to serve a county, the  
79 funds for that county shall be distributed to grantees having the  
80 best performance record as determined by department rule. At the  
81 end of the contract year, any uncontracted or unexpended funds  
82 shall be returned to the Federal Grants ~~Energy Consumption~~ Trust  
83 Fund and reallocated under the next year's contracting cycle.

84 Section 3. This act shall take effect July 1, 2009, if the  
85 Federal Grants Trust Fund is created within the Department of  
86 Community Affairs.