

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.

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:

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.

- 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.

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 and  
 594 community-based organizations to implement the HOME Investment  
 595 Partnership Program, State Housing Initiatives Partnership  
 596 Program, and other affordable housing programs. To the maximum  
 597 extent feasible, the entity to provide the necessary expertise  
 598 must be recognized by the Internal Revenue Service as a  
 599 nonprofit tax-exempt organization. It must have as its primary  
 600 mission the provision of affordable housing training and  
 601 technical assistance, an ability to provide training and  
 602 technical assistance statewide, and a proven track record of  
 603 successfully providing training and technical assistance under

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604 the Affordable Housing Catalyst Program. The technical support  
 605 shall, at a minimum, include training relating to the following  
 606 key elements of the partnership programs:

607 (1) Formation of local and regional housing partnerships  
 608 as a means of bringing together resources to provide affordable  
 609 housing.

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

612 (3) Implementation of affordable housing programs included  
 613 in local government comprehensive plans.

614 (4) Compliance with requirements of federally funded  
 615 housing programs.

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

618 420.6015 Legislative findings.--In addition to the  
 619 findings and declarations in ss. 420.0002, 420.502, 421.02,  
 620 422.02, and 423.01, which are hereby reaffirmed, the Legislature  
 621 finds that:

622 ~~(8) Through the Affordable Housing Catalyst Program and~~  
 623 ~~other program and staff resources,~~ The department shall  
 624 facilitate the mobilization of public and private resources to  
 625 provide affordable housing through its responsibilities in the  
 626 areas of housing, comprehensive planning, and community  
 627 assistance.

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

630 420.606 Training and technical assistance program.--

631 (3) TRAINING AND TECHNICAL ASSISTANCE PROGRAM.--The  
 632 Department of Community Affairs shall be responsible for

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633 securing the necessary expertise to provide training and  
 634 technical assistance to staff of local governments, to staff of  
 635 state agencies, as appropriate, and to community-based  
 636 organizations, and to persons forming such organizations, which  
 637 are formed for the purpose of developing new housing and  
 638 rehabilitating existing housing which is affordable for very-  
 639 low-income persons, low-income persons, and moderate-income  
 640 persons. To the maximum extent feasible, the entity to provide  
 641 the necessary expertise must be recognized by the Internal  
 642 Revenue Service as a nonprofit tax-exempt organization. It must  
 643 have as its primary mission the provision of affordable housing  
 644 training and technical assistance; an ability to provide  
 645 training and technical assistance statewide; and a proven track  
 646 record of successfully providing training and technical  
 647 assistance ~~under the Affordable Housing Catalyst Program.~~

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

652 1. The scope of training shall include, but not be limited  
 653 to, real estate development skills related to affordable  
 654 housing, including the construction process and property  
 655 management and disposition, the development of public-private  
 656 partnerships to reduce housing costs, model housing projects,  
 657 and management and board responsibilities of community-based  
 658 organizations.

659 2. Training activities may include, but are not limited  
 660 to, materials for self-instruction, workshops, seminars,

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661 internships, coursework, and special programs developed in  
 662 conjunction with state universities and community colleges.

663 (b) The technical assistance component of the program  
 664 shall be designed to assist applicants for state-administered  
 665 programs in developing applications and in expediting project  
 666 implementation. Technical assistance activities for the staffs  
 667 of community-based organizations and local governments who are  
 668 directly involved in the production of affordable housing may  
 669 include, but are not limited to, workshops for program  
 670 applicants, onsite visits, guidance in achieving project  
 671 completion, and a newsletter to community-based organizations  
 672 and local governments.

673 ~~(c) The department shall establish a program known as the~~  
 674 ~~Affordable Housing Catalyst Program to be responsible for~~  
 675 ~~securing the necessary expertise as provided in this section for~~  
 676 ~~providing specialized technical support to local governments to~~  
 677 ~~implement the HOME Investment Partnership Program, State Housing~~  
 678 ~~Initiatives Partnership Program, and other affordable housing~~  
 679 ~~programs. The technical support shall, at a minimum, provide~~  
 680 ~~training relating to the following key elements of the~~  
 681 ~~partnership programs:~~

682 ~~1. The formation of local and regional housing~~  
 683 ~~partnerships as a means of bringing together resources to~~  
 684 ~~provide affordable housing.~~

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

687 ~~3. The implementation of affordable housing programs~~  
 688 ~~included in local government comprehensive plans.~~



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689           ~~4. The compliance with requirements of federally funded~~  
 690 ~~housing programs.~~

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

693           420.609 Affordable Housing Study Commission.--Because the  
 694 Legislature firmly supports affordable housing in Florida for  
 695 all economic classes:

696           (3) The ~~department and the~~ corporation shall supply such  
 697 information, assistance, and facilities as are deemed necessary  
 698 for the commission to carry out its duties under this section  
 699 and shall provide such staff assistance as is necessary for the  
 700 performance of required clerical and administrative functions of  
 701 the commission.

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

704           420.9075 Local housing assistance plans; partnerships.--

705           (7) Pursuant to s. 420.531 ~~420.606~~, the corporation shall  
 706 provide technical assistance to local governments regarding the  
 707 creation of partnerships, the design of local housing assistance  
 708 strategies, the implementation of local housing incentive  
 709 strategies, and the provision of support services.

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