

[As Amended by House Committee of the Whole]

As Amended by House Committee

As Amended by Senate Committee

Session of 2008

## SENATE BILL No. 580

By Committee on Utilities

2-7

14 AN ACT ~~relating to housing; concerning the weatherization assis-~~  
15 ~~tance program; [concerning utilities; relating to permits; con-~~  
16 ~~cerning certain energy efficiency, conservation and demand~~  
17 ~~management programs;]~~ establishing the weatherization assistance  
18 program account within the state housing trust fund; ~~relating to the~~  
19 ~~transfer of funds in the state general fund to the weatherization assis-~~  
20 ~~tance program account;~~ amending K.S.A. 2007 Supp. [74-616 and]  
21 74-8959 and repealing the existing ~~section~~ [sections].  
22

23 *Be it enacted by the Legislature of the State of Kansas:*

24 **[Section 1. K.S.A. 2007 Supp. 74-616 is hereby amended to**  
25 **read as follows: 74-616. In addition to other powers and duties**  
26 **provided by law, in administering the provisions of this act the**  
27 **state corporation commission shall:**

28 **[(a) Adopt rules and regulations necessary for the administra-**  
29 **tion of this act;**

30 **[(b) develop a comprehensive state energy conservation plan**  
31 **and the procedures for implementing the plan according to federal**  
32 **requirements;**

33 **[(c) allow, at the option of the requesting utility, the capitalization**  
34 **and addition to rate base of investments in and expenditures for commis-**  
35 **sion approved energy efficiency, conservation and demand management**  
36 **programs;**

37 **[(d) make requests for and accept funds and other assistance**  
38 **from federal agencies for energy conservation and other energy-**  
39 **related activities in this state, including, but not limited to, the**  
40 **state energy program;**

41 ~~[(e) administer federal energy conservation programs in~~  
42 ~~this state; and~~

43 ~~[(f) prepare an emergency management plan for natural gas~~

1 **and electric energy to be adopted during activation of emergency**  
2 **support function 12 of the Kansas response plan established under**  
3 **K.S.A. 48-920 et seq., and amendments thereto, which plan shall**  
4 **include the system of priorities for natural gas and electric energy**  
5 **allocation and curtailment of energy resources consumption es-**  
6 **tablished under K.S.A. 74-620, and amendments thereto.]**

7 Section ~~1~~ [2.] K.S.A. 2007 Supp. 74-8959 is hereby amended to read  
8 as follows: 74-8959. (a) (1) There is hereby established in the state treas-  
9 ury the state housing trust fund. All moneys credited to the state housing  
10 trust fund shall be used for the purposes of housing programs and services  
11 including, but not limited to, the provision of financial programs for the  
12 repair, rehabilitation and improvement of existing residential housing,  
13 accessibility modifications, rental subsidies, the provision of housing serv-  
14 ices and assistance to persons having low or moderate income and disa-  
15 bled persons and costs and expenditures incurred in implementing K.S.A.  
16 58-4217 through 58-4224, and amendments thereto, of the Kansas man-  
17 ufactured housing act.

18 (2) (A) *There is hereby created the weatherization assistance program*  
19 *account within the state housing trust fund. All moneys credited to the*  
20 *weatherization assistance program account shall be used to fund grants*  
21 *under the weatherization assistance program to increase housing energy*  
22 *efficiency. ~~On July 1, 2008, and each July 1 thereafter, the director of~~*  
23 *~~accounts and reports shall transfer \$2,000,000 from the state general fund~~*  
24 *~~to the weatherization assistance program account of the state housing~~*  
25 *~~trust fund. Subject to the provisions of federal law, for the fiscal year~~*  
26 *~~ending June 30, 2009, and each ensuing fiscal year, the head of the~~*  
27 *~~agency receiving the low income energy assistance block grant shall~~*  
28 *~~transfer 15% 25% of any ~~emergency or supplemental~~ federal ap-~~*  
29 *~~propriations for such block grant to the weatherization assistance~~*  
30 *~~program account.~~*

31 (B) Persons eligible to receive assistance from the weatheri-  
32 zation assistance program must be current in their utility bills, or  
33 current in a commission approved payment schedule.

34 (3) The head of the agency administering the weatherization  
35 assistance program shall submit an annual accountability report to  
36 the senate committee on utilities and the house committee on en-  
37 ergy and utilities, or their successors, on or before the first day of  
38 the 2009 regular session of the legislature, and on or before the  
39 first day of each ensuing regular session of the legislature through  
40 2011. The report shall include, but not be limited to, the following:

41 (A) The number of homes weatherized by each sub-grantee of  
42 the weatherization assistance program, and whether those homes  
43 were owner-occupied or rental properties;

1     **(B) whether actual utility usage was factored into the scoring**  
2     **that determined whether to grant assistance;**

3     **(C) whether each county in the state has a waiting list for the**  
4     **weatherization assistance program, and the number on those wait-**  
5     **ing lists; and**

6     **(D) the progress each sub-grantee has made in working with**  
7     **local utilities to identify applicants' homes with the highest usage,**  
8     **using the customer billing information waiver in the application**  
9     **for assistance.**

10     (b) The state housing trust fund shall be administered by the division  
11 of housing in the Kansas development finance authority.

12     (c) The division of housing and the Kansas development finance au-  
13 thority are hereby authorized to apply for and receive available public or  
14 private grants, gifts and donations for the purposes of housing programs  
15 and services. All such grants, gifts and donations shall be remitted to the  
16 division of housing in the Kansas development finance authority.

17     (d) On or before the 10th of each month, the director of accounts  
18 and reports shall transfer from the state general fund to the state housing  
19 trust fund interest earnings based on:

20         (1) The average daily balance of moneys in the state housing trust  
21 fund for the preceding month; and

22         (2) the net earnings rate for the pooled money investment portfolio  
23 for the preceding month.

24     Sec. ~~3.~~ **[3.]** K.S.A. 2007 Supp. ~~74-8959~~ **is [74-616 and 74-8959 are]**  
25 hereby repealed.

26     Sec. ~~3.~~ **[4.]** This act shall take effect and be in force from and after  
27 its publication in the statute book.