

**FIRST ENGROSSMENT
with Conference Committee Amendments**

ENGROSSED SENATE BILL NO. 2225

Introduced by

Senators Stenehjem, O'Connell

Representatives Boucher, Carlson

(At the request of the Governor)

1 A BILL for an Act to create and enact a new subsection to section 10-30.5-02 of the North
2 Dakota Century Code, relating to the North Dakota development fund; to amend and reenact
3 subsection 1 of section 6-09.14-01 of the North Dakota Century Code, relating to eligibility
4 under the partnership in assisting community expansion program; to establish a grant program
5 for early childhood facilities; to provide a report to the budget section; to provide an
6 appropriation; and to provide an expiration date.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. AMENDMENT.** Subsection 1 of section 6-09.14-01 of the North Dakota
9 Century Code is amended and reenacted as follows:

10 1. "Business" means a corporation, limited liability company, partnership, individual,
11 or association providing child care or involved in manufacturing, processing,
12 value-added processing, and targeted industries as defined by the Bank of North
13 Dakota.

14 **SECTION 2.** A new subsection to section 10-30.5-02 of the North Dakota Century
15 Code is created and enacted as follows:

16 Moneys in the development fund may be used to provide financing to early
17 childhood facilities licensed under chapter 50-11.1. Moneys also may be used to
18 make grants or loans to match grants or loans made by county-authorized or
19 city-authorized development corporations, job development authorities created
20 under chapter 11-11.1 or 40-57.4, and regional planning councils for acquiring,
21 leasing, or remodeling of real estate facilities or for acquiring equipment for
22 establishing or expanding a licensed early childhood facility. In providing financing
23 under this subsection, the corporation shall ensure funds are distributed fairly
24 among for-profit early childhood facilities, nonprofit early childhood facilities, and

1 public early childhood facilities. An award under this subsection may not exceed
2 one hundred thousand dollars per award.

3 **SECTION 3. DEPARTMENT OF COMMERCE - GRANTS FOR EARLY CHILDHOOD**
4 **FACILITIES.**

- 5 1. During the biennium beginning July 1, 2009, and ending June 30, 2011, the
6 department of commerce shall establish and implement a grant program to provide
7 matching grants to North Dakota early childhood facilities.
- 8 2. A recipient of a grant under this section shall use the grant funds for technical
9 assistance, a business plan, or infrastructure. A grant awarded under this section
10 for infrastructure may not exceed \$5,000 per recipient and a grant awarded under
11 this section for technical assistance or a business plan may not exceed \$10,000
12 per recipient.
- 13 3. To receive a grant under this section, an applicant shall establish the applicant has
14 available \$1 of matching funds for every \$3 of grant funds. The matching funds
15 must be in cash and may come from private or public sources, or from a
16 combination of private and public sources.
- 17 4. In making awards under this program, the department shall ensure funds are fairly
18 distributed between for-profit early childhood facilities, nonprofit early childhood
19 facilities, and public early childhood facilities.

20 **SECTION 4. REPORT TO THE BUDGET SECTION.** The department of commerce
21 shall report to the budget section during the second quarter of calendar year 2010 on the status
22 of the financing provided to early childhood facilities under section 2 of this Act and the grants
23 to early childhood facilities under section 3 of this Act.

24 **SECTION 5. APPROPRIATION.** There is appropriated out of any moneys in the
25 general fund in the state treasury, not otherwise appropriated, the sum of \$1,250,000, or so
26 much of the sum as may be necessary, to the department of commerce for deposit in the North
27 Dakota development fund for the purpose of providing financing to early childhood facilities, for
28 the biennium beginning July 1, 2009, and ending June 30, 2011.

29 **SECTION 6. APPROPRIATION.** There is appropriated out of any moneys in the
30 general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much
31 of the sum as may be necessary, to the department of commerce for the purpose of providing

1 early childhood facility grants under section 3 of this Act, for the biennium beginning July 1,
2 2009, and ending June 30, 2011.

3 **SECTION 7. APPROPRIATION.** There is appropriated out of any moneys in the
4 general fund in the state treasury, not otherwise appropriated, the sum of \$70,000, or so much
5 of the sum as may be necessary, to the department of commerce for the purpose of
6 administering sections 2 and 3 of this Act, for the biennium beginning July 1, 2009, and ending
7 June 30, 2011.

8 **SECTION 8. EXPIRATION DATE.** Sections 1 and 2 of this Act are effective through
9 July 31, 2011, and after that date are ineffective.