

Sixty-second
Legislative Assembly
of North Dakota

SENATE BILL NO. 2345

Introduced by

Senators Nething, Miller, Wanzek

Representatives DeKrey, Hofstad, Kingsbury

1 A BILL ~~for an Act to establish a demonstration plant incentive grant program to produce~~
2 ~~transportation biofuel from sugar-based feedstock; and to provide a contingent appropriation for~~
3 an Act to provide for the department of commerce to conduct a sugar-based feedstock biofuel
4 demonstration plant feasibility study; and to provide an appropriation.

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

6 ~~—SECTION 1. SUGAR-BASED FEEDSTOCK BIOFUEL DEMONSTRATION PLANT~~
7 ~~INCENTIVE GRANT PROGRAM – INDUSTRIAL COMMISSION.~~ During the 2011–13 biennium,
8 the industrial commission shall establish and administer a program to provide a grant to a
9 qualified applicant for the purpose of assisting the applicant with the costs associated with
10 acquiring or constructing facilities for, and operating, a demonstration plant to determine the
11 technological and economic attributes of producing transportation biofuel from multiple sugar
12 based feedstock. A grant awarded under this program may not exceed \$7,000,000.

13 ~~—SECTION 2. CONTINGENT APPROPRIATION.~~ Subject to the industrial commission
14 certifying to the office of management and budget that an applicant has qualified for a grant,
15 there is appropriated out of any moneys in the resources trust fund in the state treasury, not
16 otherwise appropriated, the sum of \$7,000,000, or so much of the sum as may be necessary, to
17 the industrial commission for the purpose of providing a sugar-based feedstock biofuel
18 demonstration plant incentive grant in accordance with the provisions of section 1 of this Act, for
19 the biennium beginning July 1, 2011, and ending June 30, 2013.

20 **SECTION 1. SUGAR-BASED FEEDSTOCK BIOFUEL DEMONSTRATION PLANT**
21 **FEASIBILITY STUDY.**

22 1. During the 2011-13 interim, the department of commerce shall conduct a sugar-based
23 feedstock biofuel demonstration plant feasibility study.

24 2. The feasibility study must:

- 1 a. Address the cost of a sugar-based feedstock biofuel demonstration plant;
- 2 b. Determine the nature and scope of existing and potential markets, both domestic
- 3 and international, for sugar-based feedstock biofuel;
- 4 c. Review federal laws, regulations, policies, and guidelines regarding biofuels; and
- 5 d. Examine the potential for obtaining loans, grants, and other incentives in order to
- 6 further the development of a sugar-based feedstock biofuel demonstration plant.
- 7 3. The department of commerce shall report its findings and recommendations, together
- 8 with any legislation required to implement the recommendations, to the sixty-third
- 9 legislative assembly.
- 10 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general
- 11 fund in the state treasury, not otherwise appropriated, the sum of \$5,000, or so much of the sum
- 12 as may be necessary, to the department of commerce for the purpose of conducting a
- 13 sugar-based feedstock biofuel demonstration plant feasibility study as provided under section 1
- 14 of this Act, for the biennium beginning July 1, 2011, and ending June 30, 2013.