SENATE DOCKET, NO. 767 FILED ON: 1/17/2013

SENATE . . . . . No. 69

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing an early education and out-of-school time capital fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Sal N. DiDomenico	*Middlesex and Suffolk*
Martha M. Walz	*8th Suffolk*
Michael O. Moore	*Second Worcester*
Michael J. Barrett	*Third Middlesex*
Ann-Margaret Ferrante	*5th Essex*
Denise Provost	*27th Middlesex*
Michael R. Knapik	*Second Hampden and Hampshire*
James B. Eldridge	*Middlesex and Worcester*
Patricia D. Jehlen	*Second Middlesex*
Carl M. Sciortino, Jr.	*34th Middlesex*
Gale D. Candaras	*First Hampden and Hampshire*
Katherine M. Clark	*Fifth Middlesex*
Benjamin Swan	*11th Hampden*

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SENATE . . . . . No. 69

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 69) of Sal N. DiDomenico, Martha M. Walz, Michael O. Moore, Michael Barrett and other members of the General Court for legislation to establish an early education and out-of-school time capital fund . Community Development and Small Businesses.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act establishing an early education and out-of-school time capital fund.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. As used in this section, the following words shall have the following meanings:

"Department", the Department of Housing and Community Development.

"EEC", the Department of Early Education and Care.

"Eligible Project", the acquisition, design, construction, repair, renovation, rehab, or other capital improvement or deferred maintenance of an eligible facility.

"Eligible Facility", a building, structure or site that is, or will be, owned, leased, or otherwise used by one or more Eligible Organization(s) and licensed by EEC. At least 25 per cent of the slots in the facility shall serve low income families who are eligible for public subsidy. Leased facilities shall have a lease term that is consistent with the scale of the capital investment. Municipally owned buildings are eligible provided that there is dedicated single purpose space for licensed early education or out of school time programs.

"Eligible Organization", a non-profit corporation that is exempt from income taxation pursuant to Chapter 180 of the General Laws, or organizations in which such nonprofit corporations have a controlling financial or managerial interest.

"Grant", a direct grant of capital funds to an applicant for payment of the costs of an eligible project.

"Loan", a direct loan of capital funds to an applicant to finance a portion of the cost of an eligible project.

SECTION 2. There shall be within the department a separate fund to be known as the Early Education and Out-of-School-Time Capital Fund. The department shall administer the fund for the purpose of making grants or loans for the development of eligible facilities for licensed early care and education and out-of-school-time programs The grant or loan program shall be administered by the department through contracts with the Community Economic Development Assistance Corporation established in chapter 40H of the General Laws, provided that the Community Economic Development Assistance Corporation may develop or finance eligible facilities, or may enter into subcontracts with nonprofit organizations established pursuant to chapter 180 of the General Laws , or organizations in which such nonprofit corporations have a controlling financial or managerial interest.

For each project funded, each project shall meet the following criteria:

(a) the project is an eligible project;

(b) There is a demonstrated need for the project.

(c) The project benefits low income children and the community it serves.

(d) There is a financial need for the loan or grant.

(e) There is local support.

When making funding decisions, the department shall:

(a) Consider a balanced geographic plan for such eligible facilities when issuing the funding commitments.

(b) Consider funding large group and school age child care centers as defined by EEC.

(c) Not construe the services made available pursuant to such loans or grants as a right or entitlement for any individual or class of persons to the benefits financing.

No expenditure shall be made from this item without the prior approval of the secretary for administration and finance. Eligibility shall be established by regulations promulgated by the department pursuant to chapter 30A for the General Laws for the implementation, administration and enforcement of this item …….$45,000,000