

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 1063*
House Committee Substitute Favorable 6/9/04
Third Edition Engrossed 6/23/04

Short Title: Eliminate IRB Wage Standard.

(Public)

Sponsors:

Referred to:

May 13, 2004

A BILL TO BE ENTITLED

1 AN ACT TO ELIMINATE THE WAGE STANDARD FOR INDUSTRIAL
2 REVENUE BONDS.
3

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 159C-7(b) reads as rewritten:

6 "(b) Findings. – The Secretary shall not approve any proposed industrial project or
7 pollution control project unless the Secretary makes all of the following, applicable
8 findings:

9 (1) In the case of a proposed industrial project,

10 a. That the operator of the proposed project provides or has agreed
11 to provide for all of the full-time positions at the project health
12 insurance that complies with the standard in G.S.
13 105-129.4(b2). That the operator of the proposed project pays,
14 or has agreed to pay thereafter, an average weekly
15 manufacturing wage that (i) is above the average weekly
16 manufacturing wage paid in the county, or (ii) is not less than
17 ten percent (10%) above the average weekly manufacturing
18 wage paid in the State, and

19 b. That the proposed project will not have a materially adverse
20 effect on the environment.

21 (2) In the case of a proposed pollution control project, that the project will
22 have a materially favorable impact on the environment or will prevent
23 or diminish materially the impact of pollution which would otherwise
24 occur.

25 (2a) In the case of a hazardous waste facility or low-level radioactive waste
26 facility that is used as a reduction, recovery or recycling facility, that
27 such project will further the waste management goals of North

1 Carolina and will not have an adverse effect upon public health or a
2 significant adverse effect on the environment.

- 3 (3) In the case of an industrial project or a pollution control project, except
4 a pollution control project for a public utility,
5 a. That the jobs to be generated or saved, directly or indirectly, by
6 the proposed project will be large enough in number to have a
7 measurable impact on the area immediately surrounding the
8 proposed project and will be commensurate with the size and
9 cost of the proposed project,
10 b. That the proposed operator of the proposed project has
11 demonstrated or can demonstrate the capability to operate the
12 project, and
13 c. That the financing of the project by the authority will not cause
14 or result in the abandonment of an existing industrial or
15 manufacturing facility of the proposed operator or an affiliate
16 elsewhere within the State unless the facility is to be abandoned
17 because of obsolescence, lack of available labor in the area, or
18 site limitations."

19 **SECTION 2.** G.S. 159D-7(b) reads as rewritten:

20 "(b) Findings. – The Secretary shall not approve any proposed project unless the
21 Secretary makes all of the following, applicable findings:

- 22 (1) In the case of a proposed industrial project,
23 a. That the operator of the proposed project provides or has agreed
24 to provide for all of the full-time positions at the project health
25 insurance that complies with the standard in G.S.
26 105-129.4(b2). ~~That the operator of the proposed project pays,~~
27 ~~or has agreed to pay thereafter, an average weekly~~
28 ~~manufacturing wage that (i) is above the average weekly~~
29 ~~manufacturing wage paid in the county in which the project is~~
30 ~~to be located or (ii) is not less than ten percent (10%) above the~~
31 ~~average weekly manufacturing wage paid in the State; and~~
32 b. That the proposed project will not have a materially adverse
33 effect on the environment.
34 (2) In the case of a proposed pollution control project, that such project
35 will have a materially favorable impact on the environment or will
36 prevent or diminish materially the impact of pollution which would
37 otherwise occur.
38 (2a) In the case of a hazardous waste facility or low-level radioactive waste
39 facility that is used as a reduction, recovery or recycling facility, that
40 such project will further the waste management goals of North
41 Carolina and will not have an adverse effect upon public health or a
42 significant adverse effect on the environment.
43 (3) In any case (whether the proposed project is an industrial or a pollution
44 control project),

- 1 a. That the jobs to be generated or saved, directly or indirectly, by
2 the proposed project will be large enough in number to have a
3 measurable impact on the area immediately surrounding the
4 proposed project and will be commensurate with the size and
5 cost of the proposed project,
6 b. That the proposed operator of the proposed project has
7 demonstrated or can demonstrate the capability to operate such
8 project, and
9 c. That the financing of such project by the agency will not cause
10 or result in the abandonment of an existing industrial or
11 manufacturing facility of the proposed operator or an affiliate
12 elsewhere within the State unless the facility is to be abandoned
13 because of obsolescence, lack of available labor in the area, or
14 site limitations."

15 **SECTION 3.** The Department of Commerce shall encourage projects
16 applying for industrial revenue bonds under Chapter 159C or Chapter 159D of the
17 General Statutes to locate the projects in development zones.

18 **SECTION 4.** This act is effective when it becomes law.