

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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SENATE BILL 1063\*  
House Committee Substitute Favorable 6/9/04

Short Title: Eliminate IRB Wage Standard.

(Public)

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Sponsors:

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Referred to:

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May 13, 2004

1 A BILL TO BE ENTITLED  
2 AN ACT TO ELIMINATE THE WAGE STANDARD FOR INDUSTRIAL  
3 REVENUE BONDS.

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 pays, or has agreed to~~  
11 ~~pay thereafter, an average weekly manufacturing wage that (i)~~  
12 ~~is above the average weekly manufacturing wage paid in the~~  
13 ~~county, or (ii) is not less than ten percent (10%) above the~~  
14 ~~average weekly manufacturing wage paid in the State, and~~

15 b. ~~That~~ that the proposed project will not have a materially adverse  
16 effect on the environment.

17 (2) In the case of a proposed pollution control project, that the project will  
18 have a materially favorable impact on the environment or will prevent  
19 or diminish materially the impact of pollution which would otherwise  
20 occur.

21 (2a) In the case of a hazardous waste facility or low-level radioactive waste  
22 facility that is used as a reduction, recovery or recycling facility, that  
23 such project will further the waste management goals of North  
24 Carolina and will not have an adverse effect upon public health or a  
25 significant adverse effect on the environment.

26 (3) In the case of an industrial project or a pollution control project, except  
27 a pollution control project for a public utility,

28 a. That the jobs to be generated or saved, directly or indirectly, by  
29 the proposed project will be large enough in number to have a

1 measurable impact on the area immediately surrounding the  
2 proposed project and will be commensurate with the size and  
3 cost of the proposed project,

4 b. That the proposed operator of the proposed project has  
5 demonstrated or can demonstrate the capability to operate the  
6 project, and

7 c. That the financing of the project by the authority will not cause  
8 or result in the abandonment of an existing industrial or  
9 manufacturing facility of the proposed operator or an affiliate  
10 elsewhere within the State unless the facility is to be abandoned  
11 because of obsolescence, lack of available labor in the area, or  
12 site limitations."

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

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

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

17 a. ~~That the operator of the proposed project pays, or has agreed to~~  
18 ~~pay thereafter, an average weekly manufacturing wage that (i)~~  
19 ~~is above the average weekly manufacturing wage paid in the~~  
20 ~~county in which the project is to be located or (ii) is not less~~  
21 ~~than ten percent (10%) above the average weekly~~  
22 ~~manufacturing wage paid in the State; and~~

23 ~~b. That~~ that the proposed project will not have a materially adverse  
24 effect on the environment.

25 (2) In the case of a proposed pollution control project, that such project  
26 will have a materially favorable impact on the environment or will  
27 prevent or diminish materially the impact of pollution which would  
28 otherwise occur.

29 (2a) In the case of a hazardous waste facility or low-level radioactive waste  
30 facility that is used as a reduction, recovery or recycling facility, that  
31 such project will further the waste management goals of North  
32 Carolina and will not have an adverse effect upon public health or a  
33 significant adverse effect on the environment.

34 (3) In any case (whether the proposed project is an industrial or a pollution  
35 control project),

36 a. That the jobs to be generated or saved, directly or indirectly, by  
37 the proposed project will be large enough in number to have a  
38 measurable impact on the area immediately surrounding the  
39 proposed project and will be commensurate with the size and  
40 cost of the proposed project,

41 b. That the proposed operator of the proposed project has  
42 demonstrated or can demonstrate the capability to operate such  
43 project, and

1                   c.     That the financing of such project by the agency will not cause  
2                             or result in the abandonment of an existing industrial or  
3                             manufacturing facility of the proposed operator or an affiliate  
4                             elsewhere within the State unless the facility is to be abandoned  
5                             because of obsolescence, lack of available labor in the area, or  
6                             site limitations."

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

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