

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

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

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

- 20 (1) In the case of a proposed industrial project,
21 a. ~~That the operator of the proposed project pays, or has agreed to~~
22 ~~pay thereafter, an average weekly manufacturing wage that (i)~~
23 ~~is above the average weekly manufacturing wage paid in the~~
24 ~~county in which the project is to be located or (ii) is not less~~
25 ~~than ten percent (10%) above the average weekly~~
26 ~~manufacturing wage paid in the State; and~~
27 b. ~~That~~ that the proposed project will not have a materially adverse
28 effect on the environment.
29 (2) In the case of a proposed pollution control project, that such project
30 will have a materially favorable impact on the environment or will
31 prevent or diminish materially the impact of pollution which would
32 otherwise occur.
33 (2a) In the case of a hazardous waste facility or low-level radioactive waste
34 facility that is used as a reduction, recovery or recycling facility, that
35 such project will further the waste management goals of North
36 Carolina and will not have an adverse effect upon public health or a
37 significant adverse effect on the environment.
38 (3) In any case (whether the proposed project is an industrial or a pollution
39 control project),
40 a. That the jobs to be generated or saved, directly or indirectly, by
41 the proposed project will be large enough in number to have a
42 measurable impact on the area immediately surrounding the
43 proposed project and will be commensurate with the size and
44 cost of the proposed project,

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

10 **SECTION 3.** This act is effective when it becomes law.