

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 3
PROPOSED COMMITTEE SUBSTITUTE S3-PCS45181-MC-27

Short Title: JMAC Modifications.

(Public)

Sponsors:

Referred to:

January 31, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT
3 FUND PROVISIONS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 143B-437.012 reads as rewritten:

6 "§ 143B-437.012. Job Maintenance and Capital Development Fund.

7 ...

8 (d) Eligibility. – A business is eligible for consideration for a grant under this section if
9 it satisfies the conditions of either subdivision (1) or (2) of this subsection and satisfies ~~the~~
10 ~~conditions of both subdivisions (3) and subdivision (4) of this subsection:~~

11 (1) The business is a major employer. A business is a major employer if the
12 business meets the following requirements:

13 a. The Department certifies that the business has invested or intends to
14 invest at least two hundred million dollars (\$200,000,000) of private
15 funds in improvements to real property and additions to tangible
16 personal property in the project within a six-year period beginning
17 with the time the investment commences.

18 b. The business employs at least 2,000 full-time employees or
19 equivalent full-time contract employees at the project that is the
20 subject of the grant at the time the application is made, and the
21 business agrees to maintain at least 2,000 full-time employees or
22 equivalent full-time contract employees at the project for the full
23 term of the grant agreement.

24 c. The project is located in a development tier one area at the time the
25 business applies for a grant.

26 (2) The business is a large manufacturing employer. A business is a large
27 manufacturing employer if the business meets the following requirements:

28 a. The business is in manufacturing, as defined in G.S. 105-129.81, and
29 is converting its manufacturing process to change the product it
30 ~~manufactures~~ manufactures or is investing in its manufacturing
31 process by enhancing pollution controls or transitioning the
32 manufacturing process from using coal to using natural gas for the
33 purpose of becoming more energy efficient or reducing emissions.

34 b. The Department certifies that the business has invested or intends to
35 invest at least ~~sixty five~~ fifty million dollars
36 ~~(\$65,000,000)~~ (\$50,000,000) of private funds in improvements to real



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1 property and additions to tangible personal property in the project
2 within a ~~three-year~~five-year period beginning with the time the
3 investment commences.

4 c. The business meets one of the following employment requirements:

5 1. If in a development tier one area, the business employs at
6 least 320 full-time employees at the project that is the subject
7 of the grant at the time the application is made, and the
8 business agrees to maintain at least 320 full-time employees
9 at the project for the full term of the grant.

10 2. If in a development tier two area with a population of less
11 than 60,000 as of July 1, 2013, the business employs at least
12 800 full-time employees or equivalent full-time contract
13 employees at the project that is the subject of the grant at the
14 time the application is made, and the business agrees to
15 maintain at least 800 full-time employees or equivalent
16 full-time contract employees at the project for the full term of
17 the grant.

18 ~~(3) The project is located in a development tier one area at the time the business~~
19 ~~applies for a grant.~~

20 (4) All newly hired employees of the business must be citizens of the United
21 ~~States,~~States or have proper identification and documentation of their
22 authorization to reside and work in the United States.

23 ...

24 (n) Limitations. – The Department may enter into no more than five agreements under
25 this section. The total aggregate cost of all agreements entered into under this section may not
26 exceed ~~sixty-nine million dollars (\$69,000,000).~~seventy-nine million dollars (\$79,000,000).
27 The total annual cost of an agreement entered into under this section may not exceed six
28 million dollars (\$6,000,000)."

29 **SECTION 2.** This act becomes effective July 1, 2014.