

1 S 350. DEFINITIONS. FOR PURPOSES OF THIS ARTICLE:

2 1. "ECONOMIC DEVELOPMENT SUBSIDY" MEANS ANY EXPENDITURE OF PUBLIC
3 FUNDS WITH A VALUE OF AT LEAST \$100,000, FOR THE PURPOSE OF STIMULATING
4 ECONOMIC DEVELOPMENT WITHIN THE STATE, INCLUDING BUT NOT LIMITED TO
5 BONDS, GRANTS, LOANS, LOAN GUARANTEES, ENTERPRISE ZONES, EMPOWERMENT
6 ZONES, TAX INCREMENT FINANCING, GRANTS, FEE WAIVERS, LAND PRICE SUBSI-
7 DIES, MATCHING FUNDS, TAX ABATEMENTS, TAX EXEMPTIONS, AND TAX CREDITS.

8 2. "COMMISSIONER" MEANS THE COMMISSIONER OF LABOR, OR THE COMMISSION-
9 ER'S DESIGNEE OR DESIGNEES.

10 S 351. MINIMUM STANDARDS FOR WAGES AND BENEFITS. 1. NO PERSON, ASSOCI-
11 ATION, CORPORATION OR OTHER ENTITY SHALL BE ELIGIBLE TO RECEIVE ANY
12 ECONOMIC DEVELOPMENT SUBSIDY UNLESS THAT ENTITY:

13 (A) PAYS EACH OF ITS EMPLOYEES IN THE STATE A MINIMUM WAGE THAT IS AT
14 LEAST ONE DOLLAR PER HOUR HIGHER THAN THE STATE MINIMUM WAGE PROVIDED IN
15 ARTICLE NINETEEN OF THE LABOR LAW;

16 (B) OFFERS TO EACH OF ITS EMPLOYEES IN THE STATE WHO WORK AT LEAST
17 THIRTY-FIVE HOURS PER WEEK A HEALTH INSURANCE BENEFITS PLAN FOR WHICH
18 THE EMPLOYER PAYS AT LEAST EIGHTY PERCENT OF THE MONTHLY PREMIUM, AND
19 THE COVERAGE PAYS AT LEAST EIGHTY PERCENT OF THE COSTS OF PHYSICIAN
20 OFFICE VISITS, EMERGENCY CARE, SURGERY, AND PRESCRIPTIONS WITH AN ANNUAL
21 DEDUCTIBLE OF NO MORE THAN ONE THOUSAND DOLLARS; AND

22 (C) OFFERS TO AT LEAST TWENTY PERCENT OF ITS WORKERS IN THE STATE A
23 WORKER TRAINING PROGRAM THAT MEETS MINIMUM STANDARDS ISSUED BY THE
24 COMMISSIONER.

25 2. THIS SECTION DOES NOT APPLY TO:

26 (A) A NOT-FOR-PROFIT ENTITY THAT IS EXEMPT FROM TAXATION UNDER THE
27 INTERNAL REVENUE CODE; OR

28 (B) AN INTERN OR TRAINEE WHO IS UNDER TWENTY-ONE YEARS OF AGE AND WHO
29 IS EMPLOYED FOR A PERIOD NOT LONGER THAN THREE MONTHS.

30 3. IF THE COMMISSIONER DETERMINES THAT APPLICATION OF THIS SECTION
31 WOULD CONFLICT WITH A FEDERAL PROGRAM REQUIREMENT, THE COMMISSIONER,
32 AFTER NOTICE AND PUBLIC HEARING, MAY GRANT A WAIVER FROM THE REQUIRE-
33 MENTS OF THIS SECTION.

34 S 352. ENFORCEMENT. 1. THE COMMISSIONER SHALL PROMULGATE SUCH REGU-
35 LATIONS AS ARE NECESSARY TO IMPLEMENT AND ADMINISTER COMPLIANCE OF THIS
36 SECTION.

37 2. NO PERSON, ASSOCIATION, CORPORATION OR OTHER ENTITY SHALL
38 DISCHARGE, DEMOTE, HARASS OR OTHERWISE TAKE ADVERSE ACTIONS AGAINST ANY
39 INDIVIDUAL BECAUSE SUCH INDIVIDUAL SEEKS THE ENFORCEMENT OF THIS
40 SECTION, OR TESTIFIES, ASSISTS OR PARTICIPATES IN ANY MANNER IN AN
41 INVESTIGATION, HEARING OR OTHER PROCEEDING TO ENFORCE THE PROVISIONS OF
42 THIS SECTION.

43 3. NO ENTITY SHALL PAY AN EMPLOYEE THROUGH A THIRD PARTY, OR TREAT AN
44 EMPLOYEE AS A SUBCONTRACTOR OR INDEPENDENT CONTRACTOR, TO AVOID THE
45 REQUIREMENTS OF THIS SECTION.

46 S 4. This act shall take effect on the first of July next succeeding
47 the date on which it shall have become a law and shall apply to any
48 economic development subsidy awarded or renewed on or after such date;
49 provided, however, that effective immediately, the addition, amendment
50 and/or repeal of any rule or regulation necessary for the implementation
51 of this act on its effective date are authorized and directed to be made
52 and completed on or before such date.