



1 S 360. DEFINITIONS. FOR PURPOSES OF THIS ARTICLE:

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

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

11 S 361. MINIMUM STANDARDS FOR WAGES AND BENEFITS. 1. NO PERSON, ASSOCI-  
12 ATION, CORPORATION OR OTHER ENTITY SHALL BE ELIGIBLE TO RECEIVE ANY  
13 ECONOMIC DEVELOPMENT SUBSIDY UNLESS THAT ENTITY:

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

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

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

26 2. THIS SECTION DOES NOT APPLY TO:

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

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

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

35 S 362. ENFORCEMENT. 1. THE COMMISSIONER SHALL PROMULGATE SUCH REGU-  
36 LATIONS AS ARE NECESSARY TO IMPLEMENT AND ADMINISTER COMPLIANCE OF THIS  
37 SECTION.

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

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

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