NORTH CAROLINA GENERAL ASSEMBLY



JOINT LEGISLATIVE ECONOMIC DEVELOPMENT AND GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE

REPORT TO THE
2016 SESSION
of the
2015 GENERAL ASSEMBLY
OF NORTH CAROLINA

APRIL 7, 2016

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TRANSMITTAL LETTER

April 7, 2016

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TO THE MEMBERS OF THE 2016 REGULAR SESSION OF THE 2015 GENERAL ASSEMBLY

The JOINT LEGISLATIVE ECONOMIC DEVELOPMENT AND GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE, respectfully submits the following report to the 2016 Regular Session of the 2015 General Assembly.

Sen. Harry Brown (Co-Chair)

Rep. Susan Martin (Co-Chair)

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COMMITTEE PROCEEDINGS

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The Joint Legislative Economic Development and Global Engagement Oversight Committee is established in Article 12O of Chapter 120 of the General Statutes to serve as a permanent legislative commission to review issues relating to economic growth and development in the global economy. The Committee consists of twenty-two members, eleven appointed by the President Pro Tempore of the Senate, at least three of whom are members of the minority party and eleven appointed by the Speaker of the House of Representatives, at least three of whom are members of the minority party. The cochairs for 2015-2016 are Senator Harry Brown and Representative Susan Martin.

The Joint Legislative Economic Development and Global Engagement Oversight Committee met 4 times after the 2015 Regular Session. The following is a brief summary of the Committee's proceedings. Detailed minutes and information from each Committee meeting are available in the Legislative Library and on the Committee's website.

The General Assembly changed the landscape of economic development substantially over the last two years. Tax policy has shifted from a variety of targeted tax credits to a simplified tax code with a low income tax rate. The only economic development tax credit that exists today is one for historic rehabilitation. In place of business tax credits and deductions, the corporate income tax rate has been reduced from 6.9% to a projected 3% in 2017 and the tiered individual income tax rate structure ranging from 6% to 7.75% has been replaced with a flat tax rate of 5.499% in 2017. The double-weighted sales factor apportionment formula, that determines how a multistate corporation allocates its income among the states in which it does business, is being phased into a single sales factor apportionment formula. Single sales factor apportionment encourages companies to locate facilities and workforce in this State since the increased investment in this State does not result in an increased percentage of its profit/net worth being subject to income and franchise tax in this State. January 7th Agenda

The General Assembly changed the structure of the Department of Commerce. Some functions that were formerly performed by outside entities are now performed in-house by the Rural Economic Development Division and the Rural Infrastructure Authority. February 4th Agenda. At the same time, the General Assembly gave the Department the authority to contract with a North Carolina nonprofit corporation for the performance of certain departmental duties, such as marketing of the State. The Department has contracted with the Economic Development Partnership of North Carolina, Inc. to be the sales and marketing arm of the State and to be responsible for business recruitment; existing industry and small business support; import and export assistance; and

¹ The Speaker of the House of Representatives appointed three non-voting advisory House members in 2015.

marketing, tourism, film, and sports development. The General Assembly also eliminated seven regional economic development commissions and created eight Collaboration for Prosperity Zones. The zones range in size from 10 to 17 counties. The main goal of the prosperity zones is to create one-stop shopping for businesses to get information regarding State and local economic incentives, environmental requirements, skilled labor information, and permitting information. The Departments of Commerce, Environmental Quality, and Transportation were tasked with co-locating a liaison in each prosperity zone. Other entities related to the one-stop shopping business needs, such as Community Colleges, are not required to have a co-located liaison in the zone but are supposed to have a liaison active in the zone. April 7th Agenda

The Committee focused its attention this interim to the uneven economic growth in the State between the urban regions and the rural regions. It looked at the State's economy with an emphasis on the rural/urban divide. January 7th Agenda and April 7th Agenda It examined how the State currently measures economic distress and whether these measures should be modified. It discussed the economic development tiers and whether and how those tier classifications should be modified. January 7th Agenda and February 4th Agenda It examined the existing programs in the Rural Economic Development Division that target economic distressed counties as well as programs in other agencies that address infrastructure needs distressed counties have. March 17th Agenda The Committee agendas provide an outline of the presentations the Committee heard and the presentations may be viewed on the Committee's website: Meeting Materials.

The Committee resolved to prioritize economic incentives to better serve the most economically distressed counties. It voted to engage via contract with the UNC Center for Competitive Economies to work with a subcommittee of the Committee on this issue between May and December 2016. The goal is to build on the legislature's deliberations on the definitions of "distressed counties" to identify long term economic goals and the best set of current or potential legislative actions for economic success for those areas. Scope of Work

FINDINGS AND RECOMMENDATIONS

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The Joint Legislative Economic Development and Global Engagement Oversight Committee makes the following findings:

- The General Assembly needs more information on the marketing plans employed by the North Carolina Economic Development Partnership for the distressed counties of this State and on the criteria used by the P3 to measure progress achieved.
- The General Assembly would benefit from a working group created to examine
 efforts successfully employed by other states to address chronic distress and to
 recommend strategies by experts in the field for the purpose of identifying new
 programs to supplement the State's existing economic development portfolio for
 distressed communities.
- The offices in each of the Collaboration for Prosperity Zones would benefit from a community planner physically located in the zone.

The Joint Legislative Economic Development and Global Engagement Oversight Committee recommends legislation that would do all of the following:

- Expand the reporting requirements of the North Carolina Economic Development Partnership.
- Create a workgroup to identify new programs to supplement current efforts to address chronic distress and target State economic development dollars to distressed communities.
- Require the Department of Commerce to physically co-locate community planners in the offices of each of the Collaboration for Prosperity Zones.

COMMITTEE MEMBERSHIP

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2015-2016

President Pro Tempore of the Senate	Speaker of the House of Representatives
Appointments:	Appointments:

Sen. Harry Brown (Co-Chair)

Sen. Tamara Barringer Sen. Angela Bryant Sen. Richard Gunn Sen. W. Jackson Sen. Michael Lee Sen. Thomas McInnis Sen. Floyd McKissick Sen. Robert Rucho

Sen. Norman Sanderson Sen. Erica Smith-Ingram Rep. Christopher Malone (Vice-Chair) Rep. George Robinson (Vice-Chair)

Rep. Susan Martin (Co-Chair)

Rep. John Bell Rep. Jeffrey Collins Rep. R. Davis Rep. John Fraley

Rep. Kenneth Goodman Rep. Edward Hanes Rep. Rodney Moore Rep. Rena Turner

Rep. Mark Brody (Advisory Member) Rep. Richard Catlin (Advisory Member) Rep. Debra Conrad (Advisory Member)

COMMITTEE CHARGE/STATUTORY AUTHORITY

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"Article 12O.

"Joint Legislative Economic Development and Global Engagement Oversight Committee.

"§ 120-70.130. Creation and membership of Joint Legislative Economic Development and Global Engagement Oversight Committee.

The Joint Legislative Economic Development and Global Engagement Oversight Committee is established. The Committee consists of 22 members as follows:

- (1) Eleven members of the Senate appointed by the President Pro Tempore of the Senate, at least three of whom are members of the minority party; and
- (2) Eleven members of the House of Representatives appointed by the Speaker of the House of Representatives, at least three of whom are members of the minority party.

Terms on the Committee are for two years and begin on the convening of the General Assembly in each odd-numbered year, except the terms of the initial members, which begin on appointment and end on the day of the convening of the 2007 General Assembly. Members may complete a term of service on the Committee even if they do not seek reelection or are not reelected to the General Assembly, but resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Committee.

A member continues to serve until a successor is appointed. A vacancy shall be filled by the officer who made the original appointment." (2005-241, s. 7, 2011-291, section 1.10, 2011-292.)

§ 120-70.131. Purpose and powers of Committee.

- (a) The Joint Legislative Economic Development and Global Engagement Oversight Committee shall examine, on a continuing basis, economic development and global engagement issues and strategies in North Carolina in order to make ongoing recommendations to the General Assembly on ways to promote cost-effective economic development initiatives, economic growth, and stimulating job creation in the global economy. In this examination, the Committee may:
 - (1) Study the budgets, programs, and policies of the Department of Commerce, the North Carolina Partnership for Economic Development, and other State, regional, and local entities involved in economic development.
 - (2) Analyze legislation from other states regarding economic development.

Joint Legislative Economic Development and Global Engagement Oversight Committee

- (3) Analyze proposals produced by the Economic Development Board.
- (3a) Request the Department of Commerce to provide an annual report by January 15 of each year on the effectiveness of the following economic development programs:
 - a. Job Development Investment Grant Program (JDIG).
 - b. One North Carolina.
 - c. Article 3J Credits.
 - d. Job Maintenance and Capital Development Fund (JMAC).
- (4) Analyze North Carolina's current international activity in the business, State government, and education sectors.
- (5) Analyze barriers to international trade that may be addressed by legislation.
- (6) Explore ways to increase coordination, synchronization, and intercommunication between State and local governmental entities.
- (7) Collect and analyze data on global business trends.
- (8) Study foreign representation opportunities for North Carolina that could solicit, target, educate, and recruit international businesses to North Carolina.
- (9) Analyze incentives designed to encourage small businesses to export goods and service solutions.
- (10) Study methods for positioning North Carolina as a portal to North America for international trade.
- (11) Explore opportunities to increase foreign direct investment in North Carolina.
- (12) Study any other matters that the Committee considers necessary to fulfill its mandate.
- (b) The Committee may make interim reports to the General Assembly on matters for which it may report to a regular session of the General Assembly. A report to the General Assembly may contain any legislation needed to implement a recommendation of the Committee. (2005-241, s. 7, 2011-291, section 10.1, 2011-292.)

§ 120-70.132. Organization of Committee.

- (a) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Joint Legislative Economic Development and Global Engagement Oversight Committee. The Committee shall meet upon the joint call of the cochairs.
- (b) A quorum of the Committee is seven members. Only recommendations, including proposed legislation, receiving at least six affirmative votes may be included in

a Committee report to the General Assembly. While in the discharge of its official duties, the Committee has the powers of a joint committee under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4.

- (c) The cochairs of the Committee may call upon other knowledgeable persons or experts to assist the Committee in its work.
- (d) Members of the Committee shall receive subsistence and travel expenses as provided in G.S. 120-3.1, 138-5, or 138-6, as appropriate. The Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be borne by the Committee." (2005-241, s. 7, 2011-292.)

LEGISLATIVE PROPOSAL AND SUMMARY

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GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2015

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BILL DRAFT 2015-MCz-206 [v.10] (03/31)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

D

	Short Title: Economic Development Changes & Study. (Public	
	Sponsors:	
	Referred to:	
1	A BILL TO BE ENTITLED	
2	AN ACT TO STUDY AND MAKE ECONOMIC DEVELOPMENT CHANGES.	
3	The General Assembly of North Carolina enacts:	
4	SECTION 1. G.S. 143B-431.01(e) reads as rewritten:	
5	"(e) Mandatory Contract Terms Any contract entered into under this section must	
6	include all of the following:	
7	***	
8	(2) A provision requiring the nonprofit corporation to provide by September 1	
9	of each year, and more frequently as requested, a report to the Department	
10	on prior State fiscal year program activities, objectives, and	
11	accomplishments and prior State fiscal year itemized expenditures and fund	
12	sources. The report shall also include all of the following:	
13 14	a. Jobs anticipated to result from efforts of the nonprofit e orporation.	
15	This includes corporation, including project leads that were not submitted to the Department for possible discretionary incentives	
16	pursuant to Chapter 143B of the General Statutes.	
17	b. Developed performance metrics of economic development functions	
18	functions, including a detailed explanation of the current marketing	
19	plans and criteria to measure progress, itemized by county, by	
20	development tier area designation, as defined by G.S. 143B-437.08,	
21	and by Collaboration for Prosperity Zones created pursuant to	
22	G.S. 143B-28.1.	
23		
24	SECTION 2.(a) There is created the North Carolina Workgroup on Economic	
25	Development for Distressed Communities (Workgroup).	
26	SECTION 2.(b) The Workgroup shall consist of 11 members as follows:	
27	(1) Five members appointed by the President Pro Tempore of the Senate.	
28 29	 (2) Five members appointed by the Speaker of the House of Representatives. (3) The Secretary of Commerce or the Secretary's designee. 	
30	The Speaker of the House and the President Pro Tempore shall each select their	
31	appointments so that at least (i) one appointee is a member of the General Assembly, (ii) one	
32	appointee has expertise in local government matters, (iii) one appointee has expertise in	

economic development in a development tier one area, and (iv) one appointee has expertise in education.

SECTION 2.(c) The member of the House of Representatives shall be a cochair, and the member of the Senate shall be a cochair. Vacancies on the Workgroup shall be filled by the same appointing authority that made the initial appointment. A quorum of the Workgroup shall be a majority of its members.

SECTION 2.(d) The Workgroup shall reexamine North Carolina's strategy for assisting economically distressed communities to identify new programs to supplement the comprehensive State strategy of addressing chronic distress and targeting State aid to those communities. The Workgroup shall examine economic development programs utilized by other states or economic development entities as well as academic and critical analyses of potential programs and shall make recommendations on how to implement those strategies that have been successfully employed or are anticipated to amplify North Carolina's ability to compete in the acquisition of new industries and job opportunities. The Workgroup shall also create a measurement plan with goals, objectives, time frames, and action steps that will assess progress towards the overall goal of reducing or eliminating economic distress within North Carolina.

SECTION 2.(e) The Workgroup may meet at any time upon the joint call of the cochairs. The Department of Commerce shall provide facilities for meetings and shall assign administrative and professional staff to assist the Workgroup in its work. Members of the Workgroup shall receive subsistence and travel expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate. All State departments and agencies and local governments and their subdivisions shall furnish the Workgroup with any information in their possession or available to them.

SECTION 2.(f) The Workgroup shall submit a final report of the results of its study and its recommendations for meeting the needs of North Carolina communities with chronic economic distress, including any proposed legislation, to the General Assembly no later than March 1, 2017. The Workgroup shall terminate on March 1, 2017, or upon the filing of its final report, whichever occurs first.

SECTION 3. Section 4.1 of S.L. 2014-18, as amended by Section 14.1 of 2015-241 and Section 5.2A of S.L. 2015-268, reads as rewritten:

"SECTION 4.1. No later than January 1, 2015, the Departments of Commerce, Environment and Natural Resources, and Transportation shall have at least one employee physically located in the same office in each of the Collaboration for Prosperity Zones set out in G.S. 143B-28.1 to serve as that department's liaison with the other departments and with local governments, schools and colleges, planning and development bodies, and businesses in that zone. The departments shall jointly select the office. For purposes of this Part, the Department of Commerce may contract with a North Carolina nonprofit corporation pursuant to G.S. 143B-431A, as enacted by this act, to fulfill the departmental liaison requirements for each office in each of the Collaboration for Prosperity Zones, and the Department of Environment and Natural Resources shall fulfill the departmental liaison requirements from existing and funded positions. The Department of Commerce shall additionally have at least one employee from the Rural Economic Development Division Main Street and Rural Planning Center physically located in each office in each of the Collaboration for Prosperity Zones, who shall be responsible for assisting communities in the Prosperity Zone with adding value to their economic and community development projects by assisting communities with solutions including economic development strategic planning, land use planning, implementation services, downtown economic revitalization, and technical support.

No later than January 1, 2015, the Community Colleges System Office shall designate at least one representative from a community college or from the Community Colleges System Office to serve as a liaison in each Collaboration for Prosperity Zone for the community college system, the community colleges in the zone, and other educational agencies and schools within the zone. A liaison may be from a business center located in a community college. These liaisons are not required to be collocated with the liaisons from the Departments of Commerce, Environment and Natural Resources, and Transportation.

 No later than January 1, 2015, the State Board of Education shall designate at least one representative from a local school administrative unit or from the Department of Public Instruction to serve as a liaison in each Collaboration for Prosperity Zone for the local school administrative units and other public schools within the zone. These liaisons are not required to be collocated with the liaisons from the Departments of Commerce, Environment and Natural Resources, and Transportation."

SECTION 4. Section 1 of this act is effective when it becomes law and applies to report submitted on or after that date. The remainder of this act is effective when it becomes law.



Bill Draft 2015-MCz-206: **Economic Development Changes & Study.**

2015-2016 General Assembly

Committee: Economic Development & Global Date:

April 5, 2016

Engagement Oversight Committee

Prepared by: Dan Ettefagh

Introduced by: 2015-MCz-206 Analysis of:

Committee Counsel

SUMMARY: The bill draft would (i) expand the reporting requirements of the North Carolina Economic Development Partnership (P3), (ii) create a workgroup to identify new programs to supplement current efforts to address chronic distress and target State economic development dollars to distressed communities, and (iii) require the Department of Commerce to physically co-locate community planners in the offices of each of the Collaboration for Prosperity Zones.

BILL ANALYSIS: The Department of Commerce is authorized to contract with a North Carolina non-profit corporation for the performance of certain departmental duties, such as marketing of the State. The Department contracted with the P3, and the contract requires certain information to be annually reported to the Department, which is then provided, along with an executive summary to, among others, the EDGE Committee and the fiscal research division. Section 1 of the draft would add to the reporting requirements that the P3 provide a detailed explanation of current marketing plans and criteria measuring progress achieved.

Section 2 of the bill would create an 11-member workgroup, consisting of 5 members appointed by the President Pro Tempore of the Senate, 5 members appointed by the Speaker of the House, and the Secretary of Commerce, or the Secretary's designee. Each appointing authority, in making legislative appointees, must ensure that at least one appointee is a member of the appointing authority's chamber, one has expertise in local government matters, one has expertise in economic development in a tier one area, and one has expertise in education. The workgroup would be charged with examining efforts successfully employed by other states and recommended strategies by experts in the field for the purpose of identifying new programs to supplement the existing economic development portfolio of the State. The workgroup would provide its recommendations, including any proposed legislation, no later than March 1, 2017, to the 2017 General Assembly.

Section 3 of the bill would require the Department of Commerce to physically co-locate community planners in each of the Collaboration for Prosperity Zone offices.

EFFECTIVE DATE: The bill would be effective when it became law.

COMMITTEE AGENDAS

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JOINT LEGISLATIVE ECONOMIC DEVELOPMENT & GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE

Meeting materials

Sen. Harry Brown

Rep. Susan Martin

Thursday, January 7, 2016 Room 643, Legislative Office Building 9 a.m.

I. Call to Order

Rep. Susan Martin

- II. Overview of Landscape
 - Recent General Assembly Actions: Tax Policy, Agency Structure & Programs
 Cindy Avrette, Research Division
 Aubrey Incorvaia, Fiscal Research Division
 - State of North Carolina's Economy with an Emphasis on Examining the Rural/Urban Divide

Ted Abernathy, Economic Development & Strategic Planning Consultant

- III. Measuring Economic Distress: Should Tier Designation Criteria be Modified?
 - Program Evaluation Division Report Overview: North Carolina Should Discontinue the Economic Development Tiers System and Reexamine Strategies to Assist Communities with Chronic Economic Distress

Sara Nienow, Program Evaluation Division

- NC Department of Commerce
 - Jeff DeBellis, Labor & Economic Analysis Division
 - Response to PED Report
 - Report Overview: Measuring Economic Distress in North Carolina
- Appalachian Regional Commission's Assessment of Distress
 Kostas Skordas, ARC Division of Regional Planning & Research Director
- IV. Committee Discussion: Should the Tier Designation System be Updated?
 - What is the regional boundary of assessment?
 - Which variables should be included?
 - Should absolute categories be mandated or should an index approach be adopted?
 - Others?
- V. Adjournment

JOINT LEGISLATIVE ECONOMIC DEVELOPMENT & GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE

Meeting Materials

Sen. Harry Brown Rep. Susan Martin

Thursday, February 4, 2016 Room 643, Legislative Office Building 9:00 a.m.

- I. Call to Order
 - II. Approval of Minutes from January 7, 2016, Meeting
 - III. Overview of the Meeting Agenda
 Cindy Avrette, Legislative Analysis Division, NCGA
 - IV. Measuring Economic Distress: Conclusions & Recommendations

 Jeff DeBellis, Labor & Economic Analysis Division, Department of

 Commerce
 - V. Rural Economic Development Division: Existing Programs Targeting Economic Distress

 Dr. Pat Mitchell, Assistant Secretary of Commerce
 - VI. North Carolina Economy and Income: Growth vs Gain
 Brent Lane, Director, UNC Center for Competitive Economies, Kenan Flagler
 Business School, UNC-Chapel Hill
 - VII. Adjournment

JOINT LEGISLATIVE ECONOMIC DEVELOPMENT & GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE

Meeting Materials

Sen. Harry Brown

Rep. Susan Martin

Thursday, March 17, 2016
Room 544, Legislative Office Building
1:00 p.m.

- I. Call to Order
- II. Approval of Minutes from February 4, 2016, Meeting
- III. Site Development and Shell Building Loan Programs

 Dr. Pat Mitchell, Assistant Secretary for Rural Economic Development, Department of

 Commerce
- IV. Programs to Address Infrastructure Needs of Distressed Counties
 - Water and Sewer Infrastructure
 Kim Colson, Director, Division of Water Infrastructure, Department of
 Environmental Quality
 - Broadband Infrastructure
 Jeff Sural, Director, Broadband Infrastructure Office, Department of Information
 Technology
 - Transportation Infrastructure

 David Wasserman, P.E., Transportation Engineer, Strategic Planning Office,

 Department of Transportation
 - Education Needs
 Philip Price, CFO, Department of Public Instruction
- V. Economic Development Tiers
 - Introduction and Policy Considerations
 Dan Ettefagh, Bill Drafting Division, NCGA
 - Report from the PED Oversight Committee Rep. Ted Davis, Subcommittee Chair of PED Oversight Committee on Economic Development Tiers System
 - Overview of Tier Structure; Program Use of Tier Rankings; and Policy Options Dan Ettefagh, Bill Drafting Division, NCGA
- VI. Adjournment

JOINT LEGISLATIVE ECONOMIC DEVELOPMENT & GLOBAL ENGAGEMENT OVERSIGHT COMMITTEE

Meeting Materials

Sen. Harry Brown Rep. Susan Martin

Thursday, April 7, 2016 Room 643, Legislative Office Building 9:30 a.m.

- I. Call to Order
- II. Approval of Minutes from March 17, 2016, Meeting
- III. NC Chamber Report: Economic Development Strategies for Rural NC Ted Abernathy, Economic Development & Strategic Planning Consultant
- IV. Update on Prosperity Zone Implementation by Economic Development Partnership of North Carolina John Loyack, Vice President, Global Business Services
- V. Rural Development Strategies
 Patrick Woodie, President, NC Rural Center
- VI. Review of Proposal to Engage the UNC Center for Competitive Economies to work with the EDGE Committee
- VII. Review of Proposed Bill Draft
 Dan Ettefagh, Legislative Drafting Division
- VIII. County Responsibilities and Revenues Rodney Bizzell, Fiscal Research Division
 - IX. Overview of Occupancy Tax Guidelines
 Trina Griffin, Legislative Analysis Division
 - X. Review of Final Report
 - XI. Adjournment