#### GENERAL ASSEMBLY OF NORTH CAROLINA

### **SESSION 1993**

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### SENATE BILL 504

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Sponsors:	(Public)	
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Referred to: Appropriations.		

# March 18, 1993

A BILL TO BE ENTITLED 1 2 AN ACT TO MODIFY THE ECONOMIC DEVELOPMENT BOARD IN THE 3 DEPARTMENT OF COMMERCE TO REQUIRE THE BOARD TO PREPARE 4 AND UPDATE ANNUALLY A COMPREHENSIVE STRATEGIC ECONOMIC DEVELOPMENT PLAN FOR THE STATE OF NORTH CAROLINA, AND TO 5 REOUIRE THE DEPARTMENT OF COMMERCE TO ESTABLISH A 6 PLANNING UNIT TO SUPPORT THE ECONOMIC DEVELOPMENT BOARD'S 7 ONGOING ROLE IN ECONOMIC AND COMMUNITY DEVELOPMENT 8 9 PLANNING. The General Assembly of North Carolina enacts: 10 Section 1. The General Assembly finds that: 11 The Department of Commerce's Economic Development Board is a 12 **(1)** 25-member advisory board charged, in part, with advising the 13 Secretary of Commerce on formulating a program for the economic 14 15 development of the State. The Economic Development Board has published a strategic business 16 (2) plan for quality growth, that sets out a series of strategies and 17 initiatives to be taken by the State in economic development. 18 19 **(3)** North Carolina has received wide recognition for its economic development successes, although it has some 20

weaknesses.

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1	(4)	The Economic Development Board of the Department of Commerce,
2		the Governor's Commission on Workforce Preparedness, the Rural
3		Economic Development Center, and other organizations and agencies
4		have developed strategic plans related to economic development.
5	(5)	The economic development policy currently stated in G.S. 143B-428
	(5)	
6		and the resulting plan developed by the Economic Development Board
7		are lacking key elements necessary for a truly comprehensive and
8		effective economic development plan.
9	(6)	North Carolina needs a statewide economic development plan that
10		would do all of the following:
11		a. Identify the roles and responsibilities of the many diverse
12		agencies and organizations involved in economic development.
13		b. Provide measurable objectives or performance indicators to
14		assess the State's economic development progress.
15		c. Set out broad vision and mission statements and general goals
16		and policies of the State with regard to economic development.
17		d. Reflect the input of all parties involved in economic
18		development as well as the input of the public.
19	(7)	
	(7)	The lack of an integrated, comprehensive statewide economic
20		development plan creates several inefficiencies as follows:
21		a. Agencies involved in economic development have little
22		direction regarding the types of programs and priorities they
23		should focus on.
24		b. The General Assembly has limited guidance as to which
25		economic development appropriations are the most effective.
26		c. There are no explicit performance indicators against which
27		agencies' effectiveness can be measured.
28		d. Various agencies may be duplicating one another's programs or
29		even serving at cross purposes.
30	(8)	The Economic Development Board should be modified and
31		empowered with additional responsibility for planning and authority to
32		recommend economic development policy to the Secretary of
33		Commerce, the Governor, and the General Assembly on a variety of
34		issues. The Department of Commerce, through the Economic
35		Development Board, should be the lead agency in coordinating all
36		
37	C 2	comprehensive economic development plan.
38		. G.S. 143B-434 reads as rewritten:
39		conomic Development Board – creation, duties, membership.
40		eation and Duties. – There is created within the Department of
41		Economic Development Board. The Board shall advise the Secretary of
42		ne Board shall have the following duties:
43	<u>(1)</u>	To provide economic and community development planning for the
44		State.

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- To recommend economic development policy to the Secretary of
  Commerce, the General Assembly, and the Governor. The
  recommendations may cover the following issues as well as any other
  economic development policy issues:

  Use of tax abatements and other incentives to motivate
  - <u>a.</u> <u>Use of tax abatements and other incentives to motivate</u> economic development.
  - b. Definition of which specific activities and programs should be considered economic development activities and programs for the purpose of receiving State appropriations.
  - <u>c.</u> The role of institutions of higher education in economic development.
  - <u>d.</u> The use of State funds to leverage private nonprofit economic development initiatives.
  - <u>f.</u> The linkage of workforce preparedness activities and initiatives, and economic development planning.
  - (3) To recommend annually to the Governor biennial and annual appropriations for economic development programs.
  - (4) To develop and update annually a comprehensive strategic economic development plan, as provided in G.S. 143B-434.1.
  - (1) The formulation of a program for the economic development of the State of North Carolina; and
  - (2) The formulation of a budget and the hiring of the head of each division of the Department of Commerce concerned with the expansion of the travel and tourism industry.

The Secretary shall prepare the budget of the Department and shall hire the heads of the above-mentioned divisions who shall serve at his pleasure. The Board shall meet at least quarterly at the call of its chairman chair or the Secretary. Each quarter the Secretary shall report to the Board on the program and progress of this State's economic development.

Membership. – The Economic Development Board shall consist of <del>26-35</del> (b) members. The Secretary of Commerce shall serve ex officio as a member and as the secretary of the Economic Development Board. Four members of the House of Representatives appointed by the General Assembly upon the recommendation of the Speaker of the House of Representatives, four members of the Senate appointed by the General Assembly upon the recommendation of the President Pro Tempore of the Senate, the President of The University of North Carolina, or designee, the President of the North Carolina Community College System, or designee, and the Lieutenant Governor, shall serve as members of the Board. The Governor shall appoint the remaining 23 members of the Board, provided that effective with the terms beginning July 1, 1997, one of those appointees shall be a representative of a nonprofit organization involved in economic development and two of those appointees shall be county economic development representatives. The Governor shall designate a chair and a vice-chair from among the members of the Board. Appointments to the Board made by the Governor for terms beginning July 1, 1997, and appointments to the Board

made by the General Assembly for terms beginning July 1, 1993, should reflect the ethnic and gender diversity of the State as nearly as practical.

The Secretary of Commerce, the President of the Senate or his appointee, and the Speaker of the House of Representatives or his appointee, shall be members of the Board. The Governor shall appoint 23 members of the Board. Of his appointees, the Governor shall appoint at least one member residing in each congressional district of the State.

The initial appointments by the Governor shall be made on or after the date of ratification, 11 terms to expire July 1, 1979, and 11 terms to expire on July 1, 1981. Thereafter, at the expiration of each stipulated term of office all appointments made by the Governor shall be for a term of four years. The initial term of the person appointed to represent the 12th Congressional District shall commence January 3, 1993, and expire June 30, 1995. Any vacancy occurring in the membership of the Economic Development Board appointed by the Governor shall be filled by the Governor for the unexpired term. The Governor shall have the authority to remove any member of the Economic Development Board appointed by the Governor.

The Governor shall designate from among the members of the Economic Development Board a chairman and a vice-chairman. The Secretary of Commerce or his designee shall serve as Secretary of the Economic Development Board. If a vacancy occurs in the office of the Lieutenant Governor, the President pro tempore shall fill the vacancy. If a vacancy occurs in the office of the Speaker of the House of Representatives, the Speaker pro tempore shall fill the vacancy.

The initial appointments to the Board shall be for terms beginning July 1, 1993. Of the initial appointments made by the Governor, the terms shall expire July 1, 1997. Of the initial appointments made by the General Assembly, two terms made upon the recommendation of the Speaker of the House of Representatives and two terms made upon the recommendation of the President Pro Tempore of the Senate shall be designated to expire on July 1, 1995; the remaining terms shall expire July 1, 1997. Thereafter, all appointments shall be for a term of four years.

The Governor shall make a replacement appointment to serve for the unexpired term in the case of a vacancy, provided that a vacancy in a term appointed by the General Assembly shall be filled in accordance with G.S. 120-122.

The members of the Economic Development Board appointed by the Governor-shall receive per diem and necessary travel and subsistence expenses payable to members of State Boards and agencies generally pursuant to G.S. 138-5 and 138-6, as the case may be; provided, however, that the chairman of the Economic Development Board and the Lieutenant Governor shall not be entitled to receive per diem in addition to salary. be. The members of the Economic Development Board who are members of the General Assembly shall not receive per diem but shall receive necessary travel and subsistence expenses at rates prescribed by G.S. 120-3.1.

(c) Advice and Staff. – The Secretaries of Administration, State, and Transportation, the Commissioners of Agriculture and Labor, and the State Treasurer, or their designees, shall advise the Board on economic development activities within the responsibility of their respective departments. Clerical and professional staff support to

1	the Economic Development Board shall be provided by an Interagency Economic				
2	Development Group composed of representatives of the following State agencies:				
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7	(5) The Department of Transportation.				
8	<del></del>	nt of Commerce shall have the responsibility for coordinating the			
9	activities and e	fforts of the Interagency Economic Development Group.			
10		lerical and other services required by the Economic Development Board			
11		ed by the Secretary of Commerce.			
12	(e) It sho	all be the duty of the chairman of the Economic Development Board:			
13	<del>(1)</del>	To organize the work of the Economic Development Board into			
14		committees with respect to the divisions of the Department of			
15		Commerce concerned with the expansion of existing industry, the			
16		recruitment of new industry and the expansion of the travel and			
17		tourism industries and			
18	<del>(2)</del>	To assign responsibilities to each committee."			
19	Sec.	3. G.S. 143B-433(a) reads as rewritten:			
20	"(a)	(1) The North Carolina Alcoholic Beverage Control			
21		Commission,			
22	(2)	The North Carolina Utilities Commission,			
23	(3)	The Employment Security Commission,			
24	(4)	The North Carolina Industrial Commission,			
25	(5)	State Banking Commission,			
26	(6)	(6) Savings and Loan Association Division,			
27	(7)	The State Savings Institutions Commission,			
28	(8)	Credit Union Commission,			
29	(9)	The North Carolina Milk Commission,			
30	(10)	The North Carolina Mutual Burial Association Commission,			
31	(11)	North Carolina Cemetery Commission,			
32	(12)	The North Carolina Rural Electrification Authority,			
33	(13)	Repealed by Session Laws 1985, c. 757, s. 179(d),			
34	(14)	North Carolina Science and Technology Research Center,			
35	(15)	The North Carolina State Ports Authority,			
36	(16)	North Carolina National Park, Parkway and Forests Development			
37		Board,			
38	(17)	Economic Development Board,			
39	(18) Labor Force Development Board,				
40	(19)	Energy Policy Board,			
41	(20)				
42	(21)	Navigation and Pilotage Commissions established by Chapter 76 of			
43		the General <del>Statutes,</del> <u>Statutes.</u>			
44	<del>(22)</del>	The North Carolina Technological Development Authority."			

1	Sec.	4. Part 2 of Article 10 of Chapter 143B of the General Statutes is
2		ding a new section to read:
3	" <u>§ 143B-434.1.</u>	Comprehensive Strategic Economic Development Plan.
4		nitions. – The following definitions apply in this section:
5	<u>(1)</u>	Board. – The Economic Development Board.
6	(2)	Department. – The Department of Commerce.
7	<u>(3)</u>	Economic distress. – The presence of at least one trend indicator or at
8	<del></del>	least one status indicator:
9		a. Trend indicators:
10		1. Weighted average age of industrial plants exceeding
11		statewide average age.
12		2. Loss of population over the most recent three- to five-
13		year period.
14		3. Below average job growth over the most recent three- to
15		five-year period.
16		4. Outmigration over the most recent three- to five-year
17		period.
18		<u>4.</u> <u>Decline in real wages over the most recent three- to five-</u>
19		<u>year period.</u>
20		<u>6.</u> Above average rate of business failures over the most
21		recent three- to five-year period.
22		<u>b.</u> <u>Status indicators:</u>
23		<u>1.</u> Per capita income below the State average.
24		<ol> <li>Per capita income below the State average.</li> <li>Earnings or wages per job below the State average.</li> <li>Unemployment above the State average.</li> <li>Poverty rate above the State average.</li> <li>Below average fiscal capacity.</li> </ol>
25		<u>3.</u> <u>Unemployment above the State average.</u>
26		<u>4.</u> <u>Poverty rate above the State average.</u>
27		<u>5.</u> <u>Below average fiscal capacity.</u>
28	<u>(4)</u>	<u>Plan. – The Comprehensive Strategic Economic Development Plan.</u>
29	<u>(5)</u>	Region. – One of the major geographic regions of the State defined in
30		the Plan as an economic region based on compatible economic
31		development factors.
32	(b) Board	d to Prepare Plan. – The Board shall prepare the Plan by April 1, 1994.
33	The Board shal	I review and update this Plan by April 1 of each year. The original Plan
34	shall cover a pe	riod of four years and each annual update shall extend the time frame by
35	one year so that	t a four-year plan is always in effect. The Board shall provide copies of
36	the Plan and ea	ch annual update to the Governor and the Joint Legislative Commission
37	on Government	al Operations. The Plan shall encompass all of the components set out
38	in this section.	
39	(c) <u>P</u>	urpose The purpose of this section is to require the Board to apply
40	strategic planni	ng principles to its economic development efforts. This requirement is
41	expected to resu	
42	<u>(1)</u>	The selection of a set of priority development objectives that
43		recognizes the increasingly competitive economic environment and

1		addresses the changing needs of the State in a more comprehensive				
2	(2)	manner. The effective utilization of available and limited resources				
3	<del>* /</del> -					
4 5	<u>(3)</u>	A commitment to achieve priority objectives and to sustain the				
	(d) Dubli	process.				
6 7		c and Private Input. – At each stage as it develops and updates the Plan, solicit input from all parties involved in economic development in North				
8	Carolina, includ					
9	(1)	Each of the programs and organizations that, for State budget				
10	(1)	purposes, identifies economic development as one of its global goals.				
11	(2)	Local economic development departments and regional economic				
12	<u>(2)</u>	development organizations.				
13	(3)	The Board of Governors of The University of North Carolina.				
14	<del></del>	hall also hold hearings in each of the Regions to solicit public input on				
15		opment before the initial Plan is completed. The purposes of the public				
16	hearings are to:	opinent before the initial Flan is completed. The purposes of the public				
17	(1)	Assess the strengths and weaknesses of recent regional economic				
18	<u>(1)</u>	performance.				
19	<u>(2)</u>	Examine the status and competitive position of the regional resource				
20	<u>(2)</u>	base.				
21	(3)	Identify and seek input on issues that are key to improving the				
22	<u>(5)</u>	economic well-being of the Region.				
23	The Roard sha	Il hold additional hearings from time to time to solicit public input				
24		omic development activities.				
25		onent of the Plan shall be based on this broad input and, to the extent				
26	_	a consensus among all affected parties. The Board shall coordinate its				
27	* *	ss with any State capital development planning efforts affecting State				
28		ich as roads and water and sewer facilities.				
29		onmental Scan. – The first step in developing the Plan shall be to				
30		fronmental scan based on the input from economic development parties				
31	-	and on information about the economic environment in North Carolina.				
32		scan, the Board shall gather the following information. Thereafter, the				
33		Il be updated periodically.				
34	(1)	Compilation of the latest economic and demographic data on North				
35	<u>(1)</u>	Carolina by State, Region, and county including population,				
36		population projections, employment, and employment projections,				
37		income and earnings status and outlook, migration and commuting				
38		patterns, unemployment, poverty, and other similar data.				
39	<u>(2)</u>	Compilation of the latest data on the strength of the business				
40	<u>(2)</u>	environment by State, Region, and county with emphasis on the				
41		dynamics of job creation: start-ups, expansions, locations,				
42		contractions, and failures. Special assessments are to be made of rural,				
43		small, and minority business components of overall activity.				
		silver, with initially constitute consponents of cream well rity.				

1	<u>(3)</u>	Compilation	of the latest data on labor compensation, construction	
2		costs, utility	rates, payroll costs, taxes, and other cost data normally	
3		considered by manufacturing firms and new businesses and shall be		
4		tabulated by State, Region, and county.		
5	<u>(4)</u>	Compilation of data on assets within the State and by Region and		
6		county to include the following:		
7		a. Availa	ble buildings, bona fide industrial parks, and sites.	
8			eteristics of the available labor force (number,	
9			raphic attributes, skill levels, etc.).	
10		c. Specia	l labor situations, such as military base discharges and	
11		-	lant closings.	
12		d. Availa	ble infrastructure capacities by county and Region	
12 13		includi	<u> </u>	
14		telecon	mmunication, highway access, and other pertinent	
15		service	*	
16		e. The fis	scal capacity of counties and localities within counties to	
17			t the infrastructure development necessary to participate	
18		- 1	development process.	
19		f. Analys	ses of assimilative capacity of riverine, estaurine, or	
20			outfalls, or other environmental cost considerations.	
			nity analyses of counties in close alignment with major	
21 222 23 24 25 26 27		_	areas in bordering states.	
23		h. Specia	l educational and research capabilities.	
24		h. Specia i. Specia	1 transportation situations such as major airports, ports,	
25		and rai	lyards.	
26		<u>j.</u> Availa	ble data on the performance, contribution, and impact	
27			conomic sector (including, but not limited to, agriculture,	
28		finance	e, manufacturing, public utilities, trade, services, tourism,	
29		and go	vernment) is having on individual counties, Regions, and	
30		the Sta	te.	
31		<u>k.</u> <u>Availa</u>	ble tourist and service assets.	
32		<u>k.</u> <u>Availa'</u> l <u>.</u> Analys	ses of seasonal population and absentee ownership in	
33		resort	and tourism areas and their impact on the delivery of	
34			services.	
35		m. Cost aı	nd availability of natural gas and electricity.	
36	<u>(5)</u>	Compilation a	and analyses of data on economic and industrial changes	
37	, ,	in competitor	states by Region, as applicable. This data shall be	
37 38			database and kept current. It shall include, specifically,	
39		all new plant	location information such as origin of the plant, Standard	
40		Industrial Cla	ssification Code, employment, and investment.	
41	<u>(6)</u>		of cost data, policies, and strategies in competitive	
42	<del>~~</del>	Southeastern states as well as other United States regions and foreign		
43		countries.		

- 1 (7) Compilation of incentives and special programs being offered by other states.
  - (8) Compilation and analyses of other data relating to economic development such as regulatory or legal matters, structural problems, and social considerations, e.g. unemployment, underemployment, poverty, support services, equity concerns, etc.
  - (9) The cost of doing business in North Carolina and other competing states, as it may affect decisions by firms to locate in this State.
  - (10) Competitive assets within the State and by Region and county, including infrastructure, tourist assets, natural resources, labor, educational and research resources, and transportation.
  - (11) Other information relating to economic development such as regulatory or legal matters and social considerations.
  - (f) Needs Assessment. The Board, using data from the public input sessions and the environmental scan, shall prepare an assessment of economic development strengths, weaknesses, threats, and opportunities within the State by Region and by county. An assessment shall also be conducted of each county to determine distressed areas existing within the county. The assessment will include the identification of key development issues within each geographic area and options available to address each issue.
  - (g) Vision and Mission Statements. The Board shall develop a vision statement for economic development that would describe the preferred future for North Carolina and what North Carolina would be like if all economic development efforts were successful. The Board shall then develop a mission statement that outlines the basic purpose of each of North Carolina's economic development programs. Because special purpose nonprofit organizations are uniquely situated to conduct the entrepreneurial and high-risk activity of investing in and supporting new business creation in the State, they should be assigned a dominant role in this key component of economic development activity.
  - (h) Goals and Objectives. The Board using data from the public input and the environmental scan, shall formulate a list of goals and objectives. Goals shall be long-range, four years or more, and shall address both needs of economically distressed Regions and counties as well as opportunities for Regions and counties not distressed. The goals shall be developed with realism but should also be selected so as to encourage every Region and county within the State to develop to its maximum potential. Objectives shall be one year or less in scope and shall, if achieved, lead to the realization of the goals formulated by the Board as provided in this section.

Both goals and objectives should be stated largely in economic terms, that is, they should be related to specific population, employment, demographic targets, or economic sector targets. Both efficiency and equity considerations are to be addressed and balanced with special emphasis placed on the needs of disadvantaged or economically distressed populations and communities. The goals and objectives should not state how the economic targets are to be reached, but rather what the economic conditions will be if they are obtained. So that the progress of North Carolina's economic development

 efforts can be monitored, the Board shall set objectives for each goal that allow measurement of progress toward the goal. Objectives should be quantifiable and timespecific in order to serve as performance indicators.

(i) Formulation of Economic Development Strategy. – The Plan shall have as its action component a strategy set forth in a blueprint for directing resources of time and dollars toward the satisfaction of the goals and objectives stated in subsection (h) of this section. As a practical consequence of the economic environment, a focus on the competitiveness of indigenous industries and entrepreneurial development is required. The Plan shall include a strategy for the coordination of initiatives and activities for workforce preparedness, funded by federal or State sources, including, but not limited to, vocational education, applied technology education, remedial education, and job training, and the achievement of the economic development goals of the Plan. A balance of opportunity between rural and urban regions and between majority and minority populations should be an overriding consideration. Equity of opportunity for counties and communities across the State will involve the explicit consideration of local fiscal capacity and the fiscal ability to support development activities.

The concept of differentiation should be employed. The Plan should recognize the various strengths and weaknesses of the State and its component regions, subregions, and, in some cases, individual counties. The concept of market segmentation should be employed. Different Regions and subregions of the State should be promoted to different markets.

- (j) Implementation Plan. Based upon all of the foregoing steps, the Board shall establish an implementation plan assigning to the appropriate parties specific responsibilities for meeting measurable objectives. The implementation plan shall contain all necessary elements so that it may be used as a means to monitor performance, guide appropriations, and evaluate the outcomes of the parties involved in economic development in the State.
- (k) Annual Report. The Plan shall contain a section devoted to measuring results, to be called 'An Annual Report on Economic Development for the State of North Carolina'. The Annual Report shall contain a comparison of actual results with stated goals and objectives and significant and meaningful statistics to allow policymakers to adjust strategy and tactics as necessary to achieve the formulated goals.

The Annual Report shall break down data by Regions and counties including:

- (1) The net job change (expansions minus contractions) by the various economic sectors of the county, Region, and State.
- (2) Realized capital investment in plants and equipment by new and expanding industry in each county, Region, and State.
- (3) Manufacturing changes by county, Region, and State that affect the value of firms, total payrolls, average wages, value of shipments, contributions to gross State product, and value added.
- (4) The net change in the number of firms by county, Region, and State with statistics on the dynamics of change: relocations in versus relocations out; births versus deaths; and expansions versus contractions.

- A measure of the status and performance of all sectors of the county,
  Region, and State economy including, but not limited to,
  manufacturing, agriculture, trade, finance, communications,
  transportation, utilities, services, and travel and tourism.
  - (6) An assessment of the relative status and performance of rural business development as opposed to that in urban areas.
  - (7) An analysis of the status of minority-owned businesses throughout the State.
  - (8) An assessment of the development capability of the various Regions of the State in terms of their environmental, fiscal, and administrative capacity. Those areas that are handicapped by barriers to development should be highlighted.
  - (9) An evaluation of the State's economic performance as indicated by the above statistics with the goals and objectives outlined in the Plan.
  - (l) Accountability. The Board shall make all data, plans, and reports available to the General Assembly and the Joint Legislative Commission on Governmental Operations at appropriate times and upon request. The Board shall prepare and make available on an annual basis public reports on each of the major sections of the Plan and the Annual Report indicating the degree of success in attaining each development objective."
  - Sec. 5. The Department of Commerce shall establish a planning unit within its executive offices to support the Economic Development Board's ongoing role in economic and community development planning. The unit should consist of two professional staff plus necessary support staff. The planning unit shall assist the Board in coordinating the planning process, monitoring and updating the plan, and collecting and analyzing the data necessary for planning.
  - Sec. 6. Part 2 of Article 10 of Chapter 143B of the General Statutes is amended by adding a new section to read:

## "§ 143B-437C. Allocation of economic development responsibilities.

The Economic Development Board created in G.S. 143B-434 shall coordinate economic development efforts among the various agencies and entities, including those created by executive order of the Governor, that receive economic development appropriations and the Board shall recommend to the Governor and to the General Assembly the assignment of key responsibilities for different aspects of economic development. The Board shall recommend to the Governor and to the General Assembly resource allocation and planning designed to encourage each agency to focus on its area of primary responsibility and not diffuse its resources by conducting activities assigned to other agencies."

Sec. 7. This act becomes effective July 1, 1993. The terms of all current members of the Economic Development Board shall expire July 1, 1993.