

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 489
PROPOSED COMMITTEE SUBSTITUTE S489-PCS35249-RB-33

Short Title: Effectiveness of Job Creation Programs.

(Public)

Sponsors:

Referred to:

April 4, 2011

A BILL TO BE ENTITLED

AN ACT TO BETTER ENABLE LEGISLATIVE EVALUATION AND ONGOING
ASSESSMENT OF THE STATE'S ECONOMIC DEVELOPMENT PROGRAMS AND
THEIR IMPACT ON JOB CREATION.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 143B-437.07 reads as rewritten:

"§ 143B-437.07. Economic development grant reporting.

(a) Report. – The Department of Commerce must publish on or before March 1 of each year the ~~following information, information required by this subsection, itemized by business entity, for all grant programs administered by the Department that disbursed or awarded grant monies to businesses during the previous calendar year; for each business or joint private venture to which the State has, in whole or in part, granted one or more economic development incentives during the previous five calendar years. The Department must provide the General Assembly with updated supplemental information consistent with this subsection on a quarterly basis in the form and manner requested by the General Assembly. The information in the report must include all of the following:~~

- ~~(1) The amount of grant monies awarded during the previous year.~~
- ~~(2) The amount of grant monies disbursed during the previous year.~~
- ~~(3) The amount of grant monies that were disbursed in earlier years to business entities that received grant monies during the previous year.~~
- ~~(4) The amount of potential future liability under the grant program.~~
- ~~(5) The number, type, and wage level of jobs created or retained during the previous year as a result of a grant.~~
- ~~(6) A description of any other financial assistance received during the previous year from all economic development incentive programs administered by the Department.~~
- ~~(7) Any amount recaptured from the business entity during the previous year for failure to comply with the grant agreement or applicable law.~~
- (1) A unique project identification number and a unique descriptor or title.
- (2) The date of the award agreement.
- (3) The name, mailing address, telephone number, and Web site of the business recipient, or recipients if a joint venture, and the physical location of the site receiving the incentive. If the physical location of the site is undecided, then the name of the county in which the site will be located.



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1 (2) ~~Eight—Ten~~ members appointed by the Speaker of the House of
2 Representatives; the persons appointed may be members of the House of
3 Representatives or public members.

4 (b) Terms. – Terms on the Committee are for two years and begin on January 15 of
5 each odd-numbered year, except the terms of the initial members, which begin on appointment.
6 Legislative members may complete a term of service on the Committee even if they do not seek
7 reelection or are not reelected to the General Assembly, but resignation or removal from
8 service in the General Assembly constitutes resignation or removal from service on the
9 Committee.

10 A member continues to serve until a successor is appointed. A vacancy shall be filled
11 within 30 days by the officer who made the original appointment."

12 SECTION 2.(c) G.S. 120-70.106 reads as rewritten:

13 "§ 120-70.106. Purpose and powers of Committee.

14 (a) ~~The Revenue Laws~~Finance and Economic Development Study Committee may:

- 15 (1) Study the revenue laws of North Carolina and the administration of those
16 laws.
17 (2) Review the State's revenue laws to determine which laws need clarification,
18 technical amendment, repeal, or other change to make the laws concise,
19 intelligible, easy to administer, and equitable.
20 (3) Call upon the Department of Revenue to cooperate with it in the study of the
21 revenue laws.
22 (4) Analyze the economic development programs supported by the State and the
23 effectiveness of those programs.
24 (5) Assess the performance of economic development programs, according to
25 criteria established by the Committee, and the entities that implement those
26 programs.
27 (6) Report to the General Assembly at the beginning of each regular session
28 concerning its determinations of needed changes in the State's revenue
29 ~~laws.~~laws and economic development programs.

30 These powers, which are enumerated by way of illustration, shall be liberally construed to
31 provide for the maximum review by the Committee of all revenue law and economic
32 development matters in this State.

33 (b) The Committee may make interim reports to the General Assembly on matters for
34 which it may report to a regular session of the General Assembly. A report to the General
35 Assembly may contain any legislation needed to implement a recommendation of the
36 Committee. When a recommendation of the Committee, if enacted, would result in an increase
37 or decrease in State revenues, the report of the Committee must include an estimate of the
38 amount of the increase or decrease.

39 ~~(e) The Revenue Laws Study Committee must review the effect Article 42 of Chapter~~
40 ~~66 of the General Statutes, as enacted by S.L. 2006-151, has on the issues listed in this section~~
41 ~~to determine if any changes to the law are needed:~~

- 42 (1) ~~Competition in video programming services.~~
43 (2) ~~The number of cable service subscribers, the price of cable service by~~
44 ~~service tier, and the technology used to deliver the service.~~
45 (3) ~~The deployment of broadband in the State.~~

46 ~~The Committee must review the impact of this Article on these issues every two years and~~
47 ~~report its findings to the North Carolina General Assembly. The Committee must make its first~~
48 ~~report to the 2008 Session of the North Carolina General Assembly."~~

49 SECTION 2.(d) G.S. 120-70.107 reads as rewritten:

50 "§ 120-70.107. Organization of Committee.

1 (a) The President Pro Tempore of the Senate and the Speaker of the House of
2 Representatives shall each designate a cochair of the ~~Revenue Laws Finance and Economic~~
3 Development Study Committee. The Committee shall meet upon the joint call of the cochairs.

4 (b) A quorum of the Committee is ~~nine~~ 11 members. No action may be taken except by
5 a majority vote at a meeting at which a quorum is present. While in the discharge of its official
6 duties, the Committee has the powers of a joint committee under G.S. 120-19 and
7 G.S. 120-19.1 through G.S. 120-19.4.

8 (c) The Committee shall be funded by the Legislative Services Commission from
9 appropriations made to the General Assembly for that purpose. Members of the Committee
10 receive subsistence and travel expenses as provided in G.S. 120-3.1 and G.S. 138-5. The
11 Committee may contract for consultants or hire employees in accordance with G.S. 120-32.02.
12 Upon approval of the Legislative Services Commission, the Legislative Services Officer shall
13 assign professional staff to assist the Committee in its work. Upon the direction of the
14 Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of
15 Representatives shall assign clerical staff to the Committee. The expenses for clerical
16 employees shall be borne by the Committee."

17 **SECTION 3.** This act is effective when it becomes law.