

# ARKANSAS REGISTER

## Transmittal Sheet

\* Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State  
**Mark Martin**  
State Capitol, Suite 026  
Little Rock, Arkansas 72201-1094  
(501) 682-3527  
[www.sos.arkansas.gov](http://www.sos.arkansas.gov)



**For Office Use Only:**

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Arkansas Department of Parks and Tourism

Department Tourism Division

Contact Kristine Puckett E-mail kristine.puckett@arkansas.gov Phone 501-682-1926

Statutory Authority for Promulgating Rules A.C.A. 15-11-401 et seq.

**Rule Title:** Regional Tourist Associations Grant Program Rules and Regulations

**Intended Effective Date**  
(Check One)

**Date**

Emergency (ACA 25-15-204)

Legal Notice Published .....

Sep 18, 2013

30 Days After Filing (ACA 25-15-204)

Final Date for Public Comment .....

Oct 18, 2013

Other \_\_\_\_\_  
(Must be more than 30 days after filing date.)

Reviewed by Legislatice Council .....

Dec 11, 2013

Adopted by State Agency .....

Nov 21, 2013

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Kristine Puckett

kristine.puckett@arkansas.gov

Dec 12, 2013

Contact Person

E-mail Address

Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

501-682-1088

joedavid.rice@arkansas.gov

Phone Number

E-mail Address

Tourism Director

Title

Dec 12, 2013

Date

**FINANCIAL IMPACT STATEMENT**

**PLEASE ANSWER ALL QUESTIONS COMPLETELY**

**DEPARTMENT** Arkansas Department of Parks and Tourism  
**DIVISION** Tourism Division  
**PERSON COMPLETING THIS STATEMENT** Kristine Puckett  
**TELEPHONE NO.** 501-682-1926 **FAX NO.** 501-682-2523 **EMAIL:** kristine.puckett@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

**SHORT TITLE OF THIS RULE** Regional Tourist Association Grant Program Rules & Regulations

1. Does this proposed, amended, or repealed rule have a financial impact?      Yes       No
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?      Yes       No
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered?      Yes       No

If an agency is proposing a more costly rule, please state the following:

- (a) How the additional benefits of the more costly rule justify its additional cost;

\_\_\_\_\_

- (b) The reason for adoption of the more costly rule;

\_\_\_\_\_

- (c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and;

\_\_\_\_\_

- (d) Whether the reason is within the scope of the agency's statutory authority; and if so, please explain.

\_\_\_\_\_

4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:

- (a) What is the cost to implement the federal rule or regulation?

**Current Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

**Next Fiscal Year**

General Revenue \_\_\_\_\_  
Federal Funds \_\_\_\_\_  
Cash Funds \_\_\_\_\_  
Special Revenue \_\_\_\_\_  
Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

Total \_\_\_\_\_

(b) What is the additional cost of the state rule?

**Current Fiscal Year**

**Next Fiscal Year**

General Revenue \_\_\_\_\_

General Revenue \_\_\_\_\_

Federal Funds \_\_\_\_\_

Federal Funds \_\_\_\_\_

Cash Funds \_\_\_\_\_

Cash Funds \_\_\_\_\_

Special Revenue \_\_\_\_\_

Special Revenue \_\_\_\_\_

Other (Identify) \_\_\_\_\_

Other (Identify) \_\_\_\_\_

Total \_\_\_\_\_

Total \_\_\_\_\_

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

**Current Fiscal Year**

**Next Fiscal Year**

\$ 51,500

\$ 51,500

Each of twelve regional tourist associations must spend a minimum of \$51,500 to receive a matching grant of \$103,000.

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6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

**Current Fiscal Year**

**Next Fiscal Year**

\$ 1,236,000

\$ 1,236,000

Arkansas Department of Parks and Tourist evenly distributes \$1,234,000 to twelve regional tourist associations through a grant. There are no budgetary changes being made.

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7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes  No

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:

- (a) justifies the agency's need for the proposed rule; and
  - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
- (a) the rule is achieving the statutory objectives;
  - (b) the benefits of the rule continue to justify its costs; and
  - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

**QUESTIONNAIRE FOR FILING PROPOSED RULES AND REGULATIONS  
WITH THE ARKANSAS LEGISLATIVE COUNCIL AND JOINT INTERIM COMMITTEE**

**DEPARTMENT/AGENCY** Arkansas Department of Parks and Tourism  
**DIVISION** Tourism Division  
**DIVISION DIRECTOR** Joe David Rice  
**CONTACT PERSON** Kristine Puckett  
**ADDRESS** 1 Capitol Mall, Little Rock, AR 72201  
**PHONE NO.** 501-682-1926 **FAX NO.** 501-682-2523 **E-MAIL** kristine.puckett@arkansas.gov  
**NAME OF PRESENTER AT COMMITTEE MEETING** Joe David Rice  
**PRESENTER E-MAIL** kristine.puckett@arkansas.gov

**INSTRUCTIONS**

- A. Please make copies of this form for future use.**
- B. Please answer each question completely using layman terms. You may use additional sheets, if necessary.**
- C. If you have a method of indexing your rules, please give the proposed citation after “Short Title of this Rule” below.**
- D. Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:**

**Donna K. Davis  
Administrative Rules Review Section  
Arkansas Legislative Council  
Bureau of Legislative Research  
One Capitol Mall, 5<sup>th</sup> Floor  
Little Rock, AR 72201**

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1. What is the short title of this rule? Regional Tourist Associations Grant Program Rules & Regulations

2. What is the subject of the proposed rule? Establishing rules and regulations for the Regional Tourist Association grant program

3. Is this rule required to comply with a federal statute, rule, or regulation? Yes  No   
If yes, please provide the federal rule, regulation, and/or statute citation. \_\_\_\_\_

4. Was this rule filed under the emergency provisions of the Administrative Procedure Act? Yes  No   
If yes, what is the effective date of the emergency rule? \_\_\_\_\_

When does the emergency rule expire? \_\_\_\_\_

Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act?

Yes

No

5. Is this a new rule? Yes  No

If yes, please provide a brief summary explaining the regulation. \_\_\_\_\_

Does this repeal an existing rule? Yes  No

If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

\_\_\_\_\_

Is this an amendment to an existing rule?

Yes

No

If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. **Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law that grants the authority for this proposed rule? If codified, please give the Arkansas Code citation. A.C.A. 15-11-401 et seq.

7. What is the purpose of this proposed rule? Why is it necessary? Modern methods of promotion and advertising need to be included.

8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b). www.ADPTFOI.com

9. Will a public hearing be held on this proposed rule? Yes  No

If yes, please complete the following:

Date: October 22, 2013

Time: 11:00 a.m.

Place: Arkansas Hospitality Association  
603 South Pulaski St., Little Rock, AR

10. When does the public comment period expire for permanent promulgation? (Must provide a date.)

October 18, 2013

11. What is the proposed effective date of this proposed rule? (Must provide a date.)

January 13, 2014

12. Do you expect this rule to be controversial? Yes  No

If yes, please explain.

Anytime changes are made to existing rules, people question them.

13. Please give the names of persons, groups, or organizations that you expect to comment on these rules?

Please provide their position (for or against) if known.

- Arkansas Delta Byways
  - Arkansas River Valley Tri-Peaks Region
  - Arkansas' Land of Legends Travel Association
  - Arkansas' South Tourism Association
  - Arkansas's Great Southwest Recreational Association
  - Diamond Lakes Association
  - Greers Ferry Little Red River Association
  - Heart of Arkansas Travel Association
  - Northwest Arkansas Tourism Association
  - Ozark Gateway Tourist Council
  - Ozark Mountain Region
  - Western Arkansas' Mountain Frontier
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# ARKANSAS DEPARTMENT OF PARKS AND TOURISM

## REGIONAL TOURIST ASSOCIATIONS GRANT PROGRAM RULES & REGULATIONS

### FISCAL YEAR MATCHING FUNDS DEADLINES

At its June 1994 meeting, the State Parks, Recreation and Travel Commission requested a monthly report, by region, on compliance with Matching Funds Deadline Requests.

#### **MAY – WEDNESDAY FOLLOWING THIRD FRIDAY**

- Regional Budgets due to the Department of Parks and Tourism.  
All associations will submit a Matching Funds Budget for Fiscal Year (Form 1, page XX) and a Regional Annual Operational Budget (detailed projection of all estimated income and expenses for the fiscal year.)

#### **JULY 1**

- Fiscal Year opens.
- Regional Matching Funds Budgets approved by the Department of Parks and Tourism on or before the second Tuesday in July.

#### **JULY – THIRD FRIDAY**

- Monthly information for June due to the Department of Parks and Tourism.

#### **AUGUST – THIRD FRIDAY**

- Monthly information for July due to the Department of Parks and Tourism.

#### **SEPTEMBER – THIRD FRIDAY**

- Monthly information for August due to the Department of Parks and Tourism.

#### **OCTOBER – THIRD FRIDAY**

- Monthly information for September due to the Department of Parks and Tourism.

#### **NOVEMBER – THIRD FRIDAY**

- Monthly information for October due to the Department of Parks and Tourism.

#### **DECEMBER – THIRD FRIDAY**

- Monthly information for November due to the Department of Parks and Tourism.

#### **DECEMBER – THIRD FRIDAY**

- Mid-Year close. All projects on the Region Matching Funds Budget must be accounted for and reported to the Department of Parks and on Form 3. A reminder will be sent to your regional contact person two weeks before deadline.
- Letter to request additional funds should be on file by this date.
- Deadline to amend Region Matching Funds Budget with new, funded projects.
- Un-obligated funds will be reallocated to eligible regions, with no one region receiving in excess of 20% of the funds.

**JANUARY – THIRD FRIDAY**

- Monthly information for December due to the Department of Parks and Tourism.

**FEBRUARY – THIRD FRIDAY**

- Monthly information for January due to the Department of Parks and Tourism.

**MARCH – THIRD FRIDAY**

- Monthly information for February due to the Department of Parks and Tourism.

**APRIL – THIRD FRIDAY**

- Monthly information for March due to the Department of Parks and Tourism.

**MAY – THIRD FRIDAY**

- Monthly information for April due to the Department of Parks and Tourism.

**MAY – THIRD FRIDAY**

- Copies of Regional Documents (990, Board of Directors, and current Constitution and Bylaws) need to be submitted.
  - A copy of IRS Form 990 "Return of Organization Exempt from Income Tax"
  - A copy of the region's updated Board of Directors' listing with Executive Committee members and Advertising Committee members identified.
  - A copy of the region's current Constitution and Bylaws.
  - A copy of employment letter.

**MAY – WEDNESDAY FOLLOWING THIRD FRIDAY**

- Regional Association Annual Operational Budget for the upcoming fiscal year and a Matching Funds Budget for the upcoming fiscal year (Form 1 on page XX) are due to the Department of Parks and Tourism.
- End-of-Year close. All projects on the Region Matching Funds Budget must be accounted for and reported to the Department of Parks and Tourism on Form 4 (page XX).
- Un-obligated funds will be reallocated to eligible regions, with no one region receiving in excess of 20% of the funds.
- Final Requests for Payments due to the Department of Parks and Tourism.
  - Requests received after this date run the risk of not being processed prior to the fiscal year end. (For example, if you inadvertently leave out necessary documentation, there may not be enough time for you to gather it and send it to Parks and Tourism.)

**JUNE – THIRD FRIDAY**

- Monthly information for May due in to the Department of Parks and Tourism.

**JUNE 30**

- Fiscal Year ends.

## **ELIGIBILITY**

(A.C.A. § 15-11-401 et seq.)

- A. To be eligible for matching funds, a regional tourist promotion agency shall first be incorporated as a non-profit corporation under Act 176 of 1963. The corporation shall be open to all interested citizens and residents of counties comprising a natural planning region of this state. The membership in the corporation shall represent counties comprising not less than 50% of the total population of the region.
- B. A regional tourist promotion agency has been established in each of the twelve regions, including all of Arkansas's 75 counties, and provides that any two or more natural planning regions may merge to form a single regional area of the respective regions. But no more than one non-profit corporation will be designated as the regional tourist promotion agency for the combined regions.
- C. A county in one natural planning region may, upon approval of the Department of Parks and Tourism and the State Parks, Recreation, and Travel Commission, join an adjacent natural planning region if and when the county tourist values are more closely identified with the other region.
- D. A copy of incorporation papers, constitution and bylaws of the regional tourist promotion agency, along with a letter of application to be recognized as the tourist promotion agency, will be sent to the Tourism Division of the Arkansas Department of Parks and Tourism. When the Department of Parks and Tourism determines that the constitution and bylaws are in compliance with the rules and regulations established by the Department, that applying corporation will be designated as the participating agency for matching funds in the region.
- E. A region may change its name by a vote of a majority of its Board of Directors and approval from the State Parks, Recreation and Travel Commission. However, no region may change its name more than once within a five-year period.
- F. In order to be eligible for participation in the Regional Matching Funds Grant Program, the regional tourist associations agree to comply with all applicable regulations as set forth in the Arkansas Nonprofit Corporation Act of 1993, the Publicity and Tourism Act of 1937 (and subsequent revisions), and the annual Regional Rules and Regulations as approved by the State Parks, Recreation and Travel Commission.
- G. A regional tourist promotion agency must have at least one board member from each of the counties composing a region. Each board member must either reside, own a business, or be employed in the county he/she represents.

## **PERFORMANCE BASED INCENTIVE PLAN**

### **GOAL**

To enhance the timely communication of performance, marketing, and operational data from the regional tourism associations to Parks and Tourism for planning, analysis, and distribution to the regions in a format that will benefit regional strategic planning and information needs.

### **PROCEDURE: MONTHLY REGIONAL INFORMATION**

Once a month, regional associations will be asked to forward the following information to Parks and Tourism. This data must be received by the deadlines listed so Parks and Tourism staff has the time to analyze and distribute the information to interested individuals. A Performance Based Incentive Form is provided on page XX.

- Minutes of all regional association membership, board of directors and executive board meetings;
- Notification of the date, time and location of the next scheduled meeting, submitted on the form provided;
- The number of inquiries received, submitted on the form provided; and,
- A membership update, submitted on an approved form.

At the first of the fiscal year, a matching grant allocation is available to each region. The amount is equal for each region and subject to budget decisions by the Arkansas State Legislature and the Arkansas Department of Parks and Tourism and approval by the State Parks Recreation and Travel Commission. If the documentation requested above is received in proper form and content by 5:00 p.m. on the deadline date of each month, the region's grant will remain at the above stated figure. If the region does not provide the complete documentation requested by the deadline established, the region's budget will be suspended until complete information is received.

Should the region choose not to submit this data after being contacted by the Department of Parks and Tourism, its entire regional matching fund may be suspended until information is received.

### **GENERAL REQUESTS AND DEADLINES**

At any time, the Department of Parks and Tourism may ask a regional tourist association for proof of its compliance with the Arkansas Nonprofit Corporation Act (§ 4-28-201 et seq. and § 4-33-101 et seq.) Additionally, the Department may request input on a variety of topics throughout the year. A regional tourist association will be expected to provide information specific to its region on tourism related matters.

### **USE OF FUNDS**

It is the responsibility of the regional associations to ensure that the rules and regulations are followed for each project before submitting applications for funding.

## REGION BROCHURES

(see also page XX)

1. Brochures promoting and advertising the recreation and travel attractions of the region should be in full color. A brochure will be considered by the Department of Parks and Tourism as an entire unit. The unit must be clearly travel promotion oriented, designed to promote the entire region. No industrial promotion may be made part of any brochure unless the advertisement or promotion is clearly intended to promote tourism, travel, or vacation business within the region.
2. Out-of-state advertising may be accepted if the following conditions are met:
  - a. Regions may allow out-of-state ads only if the out-of-state facility is in a county that borders the region.
  - b. Ads from another state tourism office will not be allowed.
  - c. Any out-of-state ad must be in good taste and approved in advance by the region's Board of Directors.
3. In order to insure that regional tourist promotion agency brochures are in full compliance with the minimum legal requirements of the Matching Funds Program, it is mandatory that the printer's proofs of all regional agency brochures be submitted to and approved by the Arkansas Department of Parks and Tourism prior to printing and shall include all editorial and private sector content.
4. The brochure's content shall contain no less than 40% editorial. Of the 60% advertising, up to 10% can be two-color.
5. The outside front cover of the regional tourist promotion agency brochures will be for display of non-paid advertisement of a major tourist attraction or scenic view of the region. The cover must be previously approved by a majority of the Board of Directors within the specific association and submitted along with the brochure printer's proofs to the Department of Parks and Tourism prior to printing for approval.
6. All brochures must contain in a prominent location an outline of the state with the individual region comprising all counties clearly defined. This map will indicate major interstate routes and primary roads into the region.
7. Without exception, the Arkansas state outline with region counties and major routes indicated will be made a part of regional materials using matching funds. This codification must contain the following information in a prominent location:
  - Date
  - Quantity printed
  - The words "Printed in USA"
  - The statement in 8 point type in final production, "This brochure is paid for with a combination of state funds and private regional association funds." Regional tourist association name may be substituted for the words "private regional association."

(EXAMPLE: If 50,000 brochures or folders are printed in December of 2011, codification would read: 12-11 50M, Printed in USA)

8. All printer's proofs must also be approved by the Arkansas Department of Parks and Tourism prior to publication.

### **PRINT AND BROADCAST ADVERTISING**

(see also page XX)

Print and broadcast advertising placed outside of the region will be eligible for matching funds.

### **INTERNET**

(see also page XX)

1. Internet sites promoting and advertising the recreation and travel attractions of the region will be allowed. The website will be considered by the Department of Parks and Tourism as an entire unit. The unit must be clearly travel promotion oriented, designed to promote the entire region. No industrial promotion may be made part of any website unless the advertisement or promotion is clearly intended to promote tourism, travel, or vacation business within the region.
2. Out-of-state advertising may be accepted if the following conditions are met:
  - a. Regions may allow out-of-state ads only if the out-of-state facility is in a county that borders the region.
  - b. Ads from another state tourism office will not be allowed.
  - c. Any out-of-state ad must be in good taste and approved in advance by the region's Board of Directors.
3. In order to insure that regional tourist association websites are in full compliance with the minimum legal requirements of the Matching Funds Program, it is mandatory that a draft copy, print or electronic, of the home page and all additional pages be submitted to and approved by the Arkansas Department of Parks and Tourism in advance and shall include all editorial and private sector content.
4. The website's content shall contain no less than 40% editorial.
5. All websites must contain in a prominent location an outline of the state with the individual region comprising all counties clearly defined. This map will indicate major interstate routes and primary roads into the region.
6. Without exception, the following codification must be made a part of regional materials using matching funds. The website must contain the following information in a prominent location:
  - Date created.
  - The statement in 8 point type in final production, "This website is paid for with a combination of state funds and private regional association funds." Regional tourist association name may be substituted for the words "private regional association."
  -

## **IN-REGION ADVERTISING MEDIA**

(see also page XX)

Advertising in out-of-region newspapers, magazines, television, radio and other media that has a circulation or distribution into the State of Arkansas shall not be considered in-region advertising. Advertising based in-region will be considered on a project-by-project basis when the following is submitted to the Department of Parks and Tourism prior to the start of the project:

- Name of the media outlet
- Business address of the media outlet
- Media coverage map (print publications and television broadcast)
- An affidavit from the radio station stating that it meets the minimum power requirements of 500 watts for AM stations or 3,000 watts for FM stations (radio broadcast)

In-region advertising projects for regional tourist associations comprised of 15 or more counties will be considered on a project-by-project basis when submitted to the Department of Parks and Tourism prior to the start of the project.

## **OUTDOOR MEDIA**

(see also page XX)

Each project will be considered individually by the Arkansas Department of Parks and Tourism upon submission of proposed design and location prior to initiating the program. Billboards need not have the statement "This ad is paid for with a combination of state funds and private regional association funds." Regional tourist association name may be substituted for the words "private regional association."

## **PRINT AND DIGITAL MEDIA KITS**

(see also page XX)

Will contain photographs, news releases, videos, and other promotional materials designed to promote the entire region in either hard copy or digital format. The project must be approved by the Department of Parks and Tourism prior to initiating the program.

## **TRAVEL RESEARCH PROJECTS**

Will be designed to provide accurate data on travel patterns, volume, and expenditures. All information shall be furnished to the Department of Parks and Tourism for its use.

## **MEMBERSHIP FEES**

Membership fees in national and/or regional tourist organizations, such as the Arkansas Travel Council and Arkansas Tourism Development Foundation, will be eligible for matching funds.

## **VIDEOS / PHOTOGRAPHY**

Each project will be considered individually by the Department of Parks and Tourism upon submission.

## **TRAVEL/TRADE SHOWS**

Regional tourist promotion agencies may choose to exhibit at any tourism oriented travel/trade shows by contracting with a show producer.

Matching funds will be allowed for the following:

1. Booth and banner design and construction.
2. Expenses incurred for registration, rental space, services such as electricity, carpet, and Wi-Fi, and shipping cost for the booth, brochures, and other promotional materials. Copies of registration form, rental contract, service contracts, and shipping contracts along with a canceled check from the association must be submitted with request for payment.
3. Travel expenditures incurred by the regional representatives who attend travel/trade shows. The Department of Parks and Tourism will only match the authorized rate for meals, lodging, and mileage for state employees. In the event expenses exceed the daily allowance, approval for the exception must be given by the Director or Deputy Director of the Tourism Division prior to travel.

When submitting travel expenses, such as meals, lodging, and mileage, the Travel Expense Reimbursement Form (020 RMF 910) will need to be filled out and submitted with your Regional Tourist Association Matching Fund Application Request for Payment (Form 020 RMF 911). In the event that you exceed the daily allowance for lodging, the bottom half of this form (020 RMF 910) will need to be filled out also. In general, the only exception to exceed the maximum lodging rate shall be those instances in which the hotel rate where the meeting or conference is held exceeds the maximum allowable lodging rate for that area. There are no exceptions to the maximum meal rate.

For travel expense reimbursements, please check with the Department of Parks and Tourism about rates or view Domestic Per Diem rates on the U.S. General Services Administration website at [www.gsa.gov/](http://www.gsa.gov/).

## **FESTIVAL/SPECIAL EVENT PROMOTIONS**

(see also page XX)

Regional matching funds may be utilized for promotion and advertising of a festival or event by a regional tourist promotion association. Festival and event promotion and advertising will be matched only if it is placed outside the region to attract visitors to the event. Promotional items used within the region and promotion at the festival site will not be eligible. All printed materials must contain the statement in 8 point type in final production, "This ad paid for with a combination of state funds and private regional association funds." Regional tourist association name may be substituted for the words "private regional association." These projects must be approved in advance on a project-by-project basis by the Department of Parks and Tourism.

## **PROFESSIONAL CONTRACTS**

The customary (15%) advertising agency commission, artist, photographer, auditor, or other professional contracts such as those dealing with accountability, membership development, coordination, increased exposure, website development, social media management, financial management services, and legal services will be allowed since professional knowledge and expertise can help the region maximize its resources.

## **MEMBERSHIP RECRUITMENT MATERIALS**

Any printed or digital (i.e. CD, DVD) membership recruitment materials, including brochures and postage, approved prior to production by the Department of Parks and Tourism.

## **INQUIRY RESPONSE**

Postage for inquiry fulfillment, regional tourist association website hosting expenses, and telephone expenses will be allowed. To qualify, a landline/cell phone must be registered in the regional tourist association name and identify the association name in its voicemail. Up to 50% of personal cell phone bills that are used for regional tourist association business will be allowed if the association name is identified in its voicemail and the number is identified as belonging to the association in promotional materials.

## **IN-ROOM ADVERTISING**

Each in-room advertising project (i.e. concierge books and hotel closed circuit informational videos) must be submitted to the Arkansas Department of Parks and Tourism in writing prior to beginning the program.

## **ADMINISTRATIVE EXPENSES**

Such as net salary (amount after withholdings), stationery, office rent, or office supplies up to 10% of the total matching funds available for each region will be allowed. Invoices for supplies, or payroll documentation, will be required. A letter of employment is required to be eligible for payroll matching funds (See example letter on page XX). Salary checks must be written at the end of each pay period.

## **OTHER ADVERTISING AND PUBLICITY PROJECTS**

All projects not listed in the Use of Funds section shall be submitted in writing for consideration to the Department of Parks and Tourism in advance of the start of the individual project. Value of each project will be assessed at reasonable fair market value by the Department of Parks and Tourism and only that portion considered to be a reasonable cost will be eligible for matching funds.

## NOT ELIGIBLE FOR MATCHING FUNDS

1. Any projects not approved in advance.
2. Meeting expenses
3. Registration and other associated expenses incurred through attendance at the Annual Governor's Conference on Tourism
4. Local (i.e. in-region) media receptions.
5. Familiarization tours, including Department of Parks and Tourism promotional blitzes. Familiarization tours for Department of Parks and Tourism staff are not eligible. When approved in advance, food expenses and activity fees (i.e. fishing guide services) will be eligible for media familiarization tours coordinated by the Regional Tourist Association or the Department of Parks and Tourism.
6. City maps. When submitted for approval prior to beginning the project, Regional Tourist Association ads placed on city maps will be considered on an project-by-project basis.
7. Postage not used for inquiries or membership
8. Envelopes not used for inquiries or membership
9. Donations to any individual or organization ~~to be used for political purposes~~
10. Any items produced for re-sale
11. Ads placed in regional tourist association brochures
12. Postage for any entity other than the regional tourist association
13. Brochures, flyers, posters for local businesses
14. Sponsorships
15. Scholarships

## HOW TO PROCEED

- A. Each regional tourist promotion agency will elect or appoint an advertising committee, including at least one member from each county in the region.
- B. The regional advertising committee chairperson will be the coordinating agent between the region and the Department of Parks and Tourism. All regional programs are submitted in writing to the Department of Parks and Tourism through this committee chairperson.
- C. Submissions of proposed programs were due to the Arkansas Department of Parks and Tourism on or before the start of the new fiscal year. The regional advertising committee must submit in advance of use:
  - Preliminary advertising and promotional plans for the region as a whole.
  - An estimate of funds to be raised or pledged.
- D. The region's proposal will be reviewed, and, if approved, funds will be set aside and the region's advertising committee will be notified by on or before the second Tuesday in July. Unless approval is given prior to the commencement of any project, such project may not qualify for matching funds.
- E. Matching funds are only available for projects developed and completed within the fiscal year in which appropriation is made. Reprints of brochures produced in a previous year can qualify upon written approval of the Department of Parks and Tourism, provided the brochure meets the previously listed qualifications.
- F. All projects reimbursed using matching funds shall be subject to audit by the state.
- G. All contracts for goods and services under the matching funds program shall be binding between the regional association and the vendor. In no case will the Department of Parks and Tourism be made a party to any contract.
- H. Each regional tourist association is supported, in part, by public funds. Therefore, the association is required by law to fully comply with all the provisions of Act 93 of 1967, "The Arkansas Freedom of Information Act," as amended, with regard to the information on file both on the local level, and in the Department of Parks and Tourism.

## APPLICATION FOR MATCHING FUND PAYMENT

### GENERAL OVERVIEW

It is the responsibility of the regional associations to ensure that the rules and regulations are followed for each project before submitting applications for funding.

All invoices and contracts must list the regional tourist association as the payee. The regional tourist association must pay the service provider directly.

Upon completion of an approved project, the Regional Advertising Committee will submit to the Department of Parks and Tourism, the following documentation:

- A fully completed, legible Request for Payment Form (020 RMF 911)
- A copy of the invoice for this project
- A copy of the front and back of the regional tourist association's canceled check, a copy of the bank debit report listing payee and amount, or cashier's check, and
- Any documented proof of performance for the project in question.
- Completed project report (Form 2A or 2B)
- A copy of the Department of Parks and Tourism's approval (for projects requiring approval prior to project implementation)

If any of the above documentation is unable to be submitted electronically, the entire application is ineligible for electronic submission.

### **REQUEST FOR PAYMENT FORM - 020 RMF 911 (page XX)**

In order to process your request for payment, the date, name of the Association, address, city, zip code, and counties which comprise your region must be filled in.

Next list the project(s) which you are requesting payment for. These project(s) will come from your Region Matching Funds budget, as approved by the Parks and Tourism Department, and need to be listed one per line. Several projects may be listed on the same "Request for Payment" form.

The total cost for each project will come from the invoice you receive from the vendor for this particular project, and needs to be listed following the project for which it applies. This invoice amount may be more than the amount requested for approval.

To calculate the total matching share amount requested, take the total cost, divide by 3, then multiply by 2. Round up to the nearest cent. Total cost of projects is the sum of all approved project costs. List this amount in the appropriate place.

To complete this form, obtain the signature of the association's Advertising Committee Chairperson and the President or Treasurer.

### **INVOICES**

Every Request for Payment Form (020 RMF 911) will be accompanied by an invoice, or itemized statement. This is required for a request to be processed. Invoices vary greatly, but there is information contained on every invoice which Parks and Tourism needs in order to process a request. This information is:

- The name, address, and phone number of the vendor (payee),
- The name, address, and phone number of the customer (payer),
- An invoice number, date of transaction, and specifically what item, project, or job the vendor is requesting payment for, and

- The cost of each item, project or job, listed individually. Other costs may be included on an invoice, such as tax, freight, or services.
- Previous, current, and ending balances.

Should you deal with a vendor that issues statements, but no invoices, the statement will need to contain the same data listed above for an invoice. Specifically, statements must be itemized.

### **PROOF OF PAYMENT**

No request for payment is complete without a photocopy of the regional association's canceled check, a copy of the bank debit report listing payee and amount, or cashier's check. Regardless of which form of payment your region prefers, all invoices to which this check applies must be clearly listed, and individually itemized on the front of every check.

Each regional association will submit a copy of a check with its Request for Payment. This copied check, by law, must indicate payment of at least 1/3 of the invoice to which it applies, and needs to include the front and back sides of the check.

Another form of payment acceptable to Parks and Tourism is the cashier's check. In this case, a copy of the front of the cashier's check (not the back), or an actual official duplicate of the cashier's check, is all that is needed to fulfill the payment requirement.

An itemized debit report listing date, payee, and amount from the regional tourist association's bank is acceptable proof of payment when using a debit card. If paying with a credit card, the credit card statement listing date, payee, and amount should be submitted along with proof that the credit card bill has been paid by the association.

Documentation of payment by check from organizations other than the regional association will not be allowed. In other words, the check submitted as payment for a project must be drawn on the regional association's account.

### **DOCUMENTED PROOF OF PERFORMANCE**

In most cases, documentation proving a project submitted for matching funds has been completed is as simple as a copy of the article, ad, brochure or spot. This documentation will accompany your request for payment to the Department of Parks and Tourism.

As there are different media to advertise and promote your region, so are there different requirements concerning the various proofs of performance needed to process your request.

In general, any printed advertisement submitted will include the date, name of publication and copy of the advertisement. For example, a tear sheet from the newspaper, an issue of the magazine, or a section from a tabloid. Photocopies of print ads and printed electronic copies will not satisfy the documentation

requirement. Electronic tear sheets, as provided by the issuing agency, must be forwarded as an e-mail attachment to the Department of Parks and Tourism.

When advertising with audio/visual communications, CD/DVD/digital (or current format) copy of the spot must be submitted with your request.

The five most common advertising mediums are discussed below, with examples of each following. When in doubt as to what documentation is needed, call the Tourism Development Manager for clarification.

## **NEWSPAPER**

When advertising in a newspaper, a tear sheet is needed for documentation. To be reimbursed, a tear sheet is to be included from each publication in which the advertisement ran. A tear sheet is a full page including the publication date and the publication name. This may include more than one page, or several sections. A clipped article, ad, or advertorial from the publication is not acceptable documentation.

## **MAGAZINE**

Documentation requirements for magazine advertising mirrors newspaper advertising. The tear sheet from the publication must include a copy of the region's advertising with the publication name and date on the page. If the advertisement tear sheet does not have the name and date on it, include the entire magazine. A clipped ad or advertorial from the publication is not acceptable documentation. Links to electronic issues of magazines must be provided to the Department of Parks and Tourism.

## **RADIO**

When advertising on radio, two forms of documentation are necessary: a script or CD/digital (or current format) copy of the advertisement; and an affidavit of performance. This affidavit must be notarized (notary seal and signature), and contain the signature of the Station Manager. If you advertise 3 messages on 5 stations, then 3 copies of the ad, and 5 signed, dated affidavits of performance are needed.

The ad must include this statement, "This ad paid with state and regional funds."

If radio spots are purchased through an advertising agency, an ad agency invoice would take the place of the affidavit of performance. A script or CD/digital (or current format) copy would still be required.

## **TELEVISION**

When advertising on television, two forms of documentation are necessary: a script or video of the advertisement and an affidavit of performance. Again, this affidavit must be notarized (notary seal and signature), and contain the signatures of the Station Manager.

The ad must include this statement, "This ad paid with state and regional funds."

As with radio advertising, if the regional television advertising is purchased through an ad agency, the ad agency invoice will take the place of the affidavit of performance and a script or video of the ad would still be required.

## **INTERNET**

When advertising on the internet with banner ads or pre-roll video, three forms of documentation are necessary:

- 1) A screen shot of the ad as it appears on the site, including the URL
- 2) A copy of the contractual agreement
- 3) End-of-campaign analytics provided by vendor. Must include, but are not limited to, exit links to region site, page views, and time on site.

When advertising through keyword buys, a detailed invoice including keywords and payment is required.

If the regional internet advertising is purchased through an ad agency, the ad agency invoice will still be required.

## **WARRANTS/REIMBURSEMENT CHECKS**

Warrants/reimbursement checks shall only be released to the region unless otherwise specified in writing to the Arkansas Department of Parks and Tourism.

## **PROJECT REPORT**

The Project Report Form - Form 2A (page XX) gives the Department of Parks and Tourism and the State Parks, Recreation and Travel Commission an idea of what each region is attempting to achieve with its advertising, the actual result of this effort, and allows the region to track its advertising effectiveness.

This form will accompany your Request for Payment Packet after the completion of each project.