

ARKANSAS REGISTER

Proposed Rule Cover Sheet



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Name of Department _____

Agency or Division Name _____

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person _____

Contact E-mail _____

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Name of Rule _____

Newspaper Name _____

Date of Publishing _____

Final Date for Public Comment _____

Location and Time of Public Meeting _____

Spay and Neuter Pet Grant Program

Act 494 of 2019

Rules

I. Introduction

Pursuant to authority granted by A.C.A. §15-4-209(a)(1) and §15-4-209(b)(5), the Arkansas Economic Development Commission (AEDC) shall administer the Spay and Neuter Pet Grant Program (SNP). Act 494 of 2019 appropriated funds to AEDC's Division of Rural Services to provide grants to organizations that provide spay and neuter services for cats and dogs.

The objective of the program is to provide matching grant funds to cities of the first class, cities of the second class, incorporated towns, unincorporated towns, or counties of the State of Arkansas to assist organizations that provide spay and neuter services for cats and dogs that are in animal shelters or municipal shelters. The goal of the grant is to reduce the over population of cats and dogs as well as reduce the number of animals euthanized in shelters. All project expenditures shall be completed within 12 months after the date of the grant award, unless such date has been extended by AEDC at the request of the grantee.

Contact Information

For more information, please contact:
Arkansas Economic Development Commission
Division of Rural Services, Director
1 Commerce Way
Little Rock, AR 72205
(501) 682-1121

II. Definitions

1. "AEDC" means the Arkansas Economic Development Commission;
2. "Eligible applicant" means a city of the first class, city of the second class, incorporated town, unincorporated community, or county of the State of Arkansas;
3. "Executive Director" means the Executive Director of AEDC;
4. "Ineligible costs" means:
 - A. Costs incurred prior to the eligibility date for incurring project costs as specified in the signed grant agreement;
 - B. Expenditures that are unsupported by documentation;
 - C. Travel not directly related to the project;
 - D. Purchases of material and services that result in benefits accruing to areas outside the State of Arkansas.
5. "Matching funds" means funds that shall be leveraged by the grantee, in an amount of no less than 50% of the amount of the total project costs. Matching funds may be comprised of local county or

municipal funds, private funds, or in-kind goods and/or services, including goods and services donated by private individuals and organizations;

6. "Review committee" means an ad hoc committee comprised of at least three (3) AEDC staff members, with grant review and administration experience, selected by the Executive Director of the Arkansas Economic Development Commission, or his or her designee, to review and recommend for funding applications submitted by eligible applicants under the SNP;
7. "Rural communities or cities" means a city of the first class, city of the second class, incorporated town, unincorporated community having a population of 3,000 or less as determined by the most recent census data provided by the United States Census Bureau;
8. "Rural county" means any county in the State of Arkansas having a population of 55,000 or less as determined by the most recent census data provided by the United States Census Bureau.

III. The Spay Neuter Grant Program

The AEDC may utilize any funds legally appropriated and available to the Spay Neuter Grant Program to provide grants to eligible applicants for eligible projects to provide assistance to organizations that provide spay and neuter services for cats and dogs that may be adopted at local animal shelters and municipal shelters. Applicants may apply for a grant with a minimum amount of \$1,500 and a maximum amount of \$3,000. The goal of the program is to assist cities of the first class, cities of the second class, incorporated towns, unincorporated towns, unincorporated communities, or counties in the State of Arkansas to reduce the over population of cats and dogs and to reduce the number of cats and dogs that are euthanized in animal and municipal shelters in the state. When awarding grants, priority will be given to rural communities, rural cities and rural counties. The SNP program requires matching funds of at least 50% of the total project costs. Matching funds may be comprised of local county or municipal funds, private funds, or in-kind goods and/or services. Non-profit organizations that have 501 (c) 3 status, and that are in good standing with the IRS and the State of Arkansas are encouraged to partner with their local government to support an application for SNP funding.

IV. Eligibility

Applicant eligibility requirements include the following:

1. The applicant is a city of the first class, city of the second class, incorporated town, unincorporated community, or county located in the State of Arkansas;
2. The applicant has submitted a completed application, on forms supplied by AEDC, that has been signed by the governing official authorized by the applicant's jurisdiction to conduct business on its behalf;
3. The application is for costs associated with spaying and neutering of cats and dogs and the program meets the objective of SNP;
4. Requested funding is for eligible project costs;
5. The amount of funding available to any one (1) project in any state fiscal year shall be a minimum amount of \$1,500 and a maximum amount of \$3,000 as matching funds;

6. The application is accompanied by a resolution passed by the city council or quorum court, whichever is appropriate, instructing the governing official authorized by the applicant's jurisdiction to conduct business on its behalf to apply for SNP funding; and
7. The applicant shall complete the application submittal and review processes delineated in Sections V and VI of these rules.

V. Application Submittal Process

Potential applicants for SNP shall submit two (2) completed applications signed by the governing official authorized by the applicant's jurisdiction to conduct business on its behalf, in accordance with AEDC submittal instructions, utilizing forms provided by AEDC.

Applications shall include:

1. The name, address, and phone number of the applicant;
2. The contact person's name, title, and contact information;
3. Sources(s), amount(s), and uses(s) of AEDC and non-AEDC funds, including a completed budget delineating cost estimate breakdowns and backup documentation for all items;
4. A brief description of the project;
5. A statement of project need, including a discussion of any emergency or urgent needs to be addressed by the project;
6. A list of beneficiaries of the proposed project, how they will benefit, and how they will utilize the project;
7. A signed certification letter from the governing official authorized by the applicant's jurisdiction to conduct business on its behalf agreeing to accept responsibility for administering any grant award;
8. A copy of the current veterinary license of each veterinarian that will perform spay and neuter procedures;
9. If an applicant is partnering with a non-profit organization, documentation that verifies the non-profit has 501 (c) 3 status and is in good standing with the IRS, the State of Arkansas, and the local governmental entity;
10. A copy of a signed resolution passed by the city council or quorum court authorizing the local elected official to apply for SNP funds on behalf of the local jurisdiction; and
11. Other information as requested by AEDC.

VI. Application Review and Approval Process

No financial commitment shall be made by the Executive Director, or his or her designee, to an applicant until the applicant has completed the following AEDC review and approval process.

1. All applications will be date-stamped and reviewed in order of receipt by the Review Committee, assigned by the Executive Director, or his or her designee, for completeness and eligibility, including a determination that:
 - A. The applicant is a city of the first class, city of the second class, incorporated town, unincorporated community, county, or governmental entity of the State of Arkansas;
 - B. The application is complete, signed, and includes all attachments;
 - C. The scope of the project meets the definition of an eligible project;

- D. The sources and uses of funds are sufficient to ensure the successful completion and initial operation of the project; and
- E. Project costs are eligible for funding.
 - I. Ineligible costs include:
 - a. Costs incurred prior to the eligibility date for incurring project costs as specified in the signed grant agreement;
 - b. Expenditures that are unsupported by documentation
 - c. Travel not directly related to the project;
 - d. Purchases of material and services that result in benefits accruing to areas outside the State of Arkansas;
- 2. Applicants from rural communities and counties will receive priority for SNP grant funding consideration.
- 3. Applicants may be subject to an interview or site visit, or both, during the application review process.
- 4. The Review Committee may ask applicants for additional information before recommending projects for funding.
- 5. The Review Committee will provide a project summary of each project reviewed to the Executive Director, or his or her designee.
- 6. The Executive Director, or his or her designee, may seek the advice of boards and commissions advising AEDC or other officials with subject matter expertise in making final funding decisions.
- 7. The Executive Director, or his or her designee, will specify which applicants may receive funding.
 - A. Unsuccessful applicants will be notified in writing by the Executive Director, or his or her designee.
 - B. Approved applicants will be required to execute a grant agreement with AEDC outlining the amount, terms and conditions of the grant.
- 8. Grant funds will be disbursed to successful applicants.
- 9. All project expenditures shall be completed within twelve (12) months after the date of the grant award, unless such date has been extended by AEDC at the written request of the grantee;
- 10. A final report including cancelled checks and receipts of all funds expended, including the expenditure of matching funds, along with the state's portion of any unspent funds, shall be submitted to AEDC no more than sixty (60) days following the project's completion or within the twelve (12) month period of the grant award, or other date as approved by AEDC, whichever comes first; and
- 11. If a city or county does not close out the grant within twelve (12) months of receiving the funds no future grants will be awarded until the close out has been completed.

VII. Grant Agreement

- 1. All SNP grants shall be awarded at the discretion of the Executive Director of AEDC. The grant agreement shall specify:
 - A. The eligibility date for incurring project costs;
 - B. The date by which the grantee shall complete the SNP funded portion of the project;
 - C. Terms and conditions of the grant agreement;

- D. The amount of approved costs, determined through negotiations with AEDC and the applicant;
 - E. The process by which grant funds shall be disbursed to the grantee.
- 2. The amount of the grant shall be discretionary and may be for amounts less than requested and subject to funding availability.
- 3. Grants may be funded from any source of funds allocated to the SNP.
- 4. Grants will be executed according to the following process:
 - A. Two original copies of the grant agreement will be prepared by AEDC and forwarded to the grantee for signature and return.
 - B. Upon receipt of the signed grant agreements from the grantee, AEDC will prepare an approval letter and forward the grant agreement and the approval letter to the AEDC Executive Director for signature.
 - C. One original copy of the grant agreement will be forwarded to the grantee with the approval letter.

VIII. Rulemaking Authority

The Arkansas Economic Development Commission has rulemaking authority, at §15-4-209(a)(1) and §15-4-209(b)(5), to promulgate rules necessary to implement Act 494 of 2019.

IX. Effective Date

This Rule is effective after review and approval by the Arkansas Legislative Council, ten (10) days after filing of the approved Rule with the Arkansas Secretary of State.



Michael Preston
Secretary of Commerce,
Executive Director
Arkansas Economic Development Commission

Summary of Proposed Spay and Neuter Pet Grant Program

The Rural Services Division of the Arkansas Economic Development Commission, a division of the Arkansas Department of Commerce, has created proposed rules for administration of the Spay and Neuter Pet Grant Program (SNP Grant Program). This is a new rule and implements requirements of Act 494 of 2019.

The objective of the program is to provide matching grant funds to cities of the first class, cities of the second class, incorporated towns, unincorporated town, or counties of the State of Arkansas to assist organizations that provide spay and neuter services for cats and dogs that are in animal shelters or municipal shelters.

The objective of the grant program is to reduce the over population of cats and dogs as well as reducing the number of animals euthanized in shelters.

The proposed rule:

- Establishes application eligibility criteria for grant funding provided by the SNP Grant Program;
- Establishes the amount of funds that will be awarded through the SNP Grant Program;
- Establishes application submittal, review and approval processes for applicants seeking grant funding provided by the SNP Grant Program;
- Identifies reporting requirements and responsibilities for grantees receiving funds under the program;
- Establishes the date that all project expenditures shall be completed after the date of the grant award.