

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: S2/24/21 S3/1/21

A Bill

SENATE BILL 163

5 By: Senator J. English
6 By: Representative M. Berry
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE ARKANSAS MILITARY AFFAIRS
10 COUNCIL ACT; TO ESTABLISH THE MILITARY AFFAIRS GRANT
11 PROGRAM; TO DECLARE AN EMERGENCY; AND FOR OTHER
12 PURPOSES.
13
14

Subtitle

16 TO CREATE THE ARKANSAS MILITARY AFFAIRS
17 COUNCIL ACT; TO ESTABLISH THE MILITARY
18 AFFAIRS GRANT PROGRAM; AND TO DECLARE AN
19 EMERGENCY.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. Arkansas Code § 15-4-209(a), concerning the functions,
25 powers, and duties of the Arkansas Economic Development Commission, is
26 amended to add an additional subdivision to read as follows:

27 (21) Promote and support military installations for state and
28 local economic development.
29

30 SECTION 2. Arkansas Code Title 15, Chapter 4, is amended to add an
31 additional subchapter to read as follows:

32 Subchapter 39 – Arkansas Military Affairs Council Act
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34 15-4-3901. Title.

35 This subchapter shall be known and may be cited as the "Arkansas
36 Military Affairs Council Act".



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15-4-3902. Legislative intent.

The General Assembly finds that:

(1) The State of Arkansas has a long and distinguished history of hosting military installations vital to the defense of the United States;

(2) This state is currently home to the following five (5) military installations:

(A) Little Rock Air Force Base in Jacksonville, Arkansas;

(B) Pine Bluff Arsenal in Pine Bluff, Arkansas;

(C) Camp Joseph T. Robinson in North Little Rock,

Arkansas;

(D) Ebbing Air National Guard Base in Fort Smith,

Arkansas; and

(E) Fort Chaffee Joint Maneuver Training Center in Fort

Chaffee, Arkansas;

(3) Military installations are a major employer and contribute to state and local economic development;

(4) The closure or reduction in operation of any military installation would have a detrimental impact on the economy of our state; and

(5) State and local support for a military installation is a significant consideration of the United States Government in making decisions to realign or close a military installation.

15-4-3903. Definitions.

As used in this subchapter:

(1) "City" means a city of the first class, a city of the second class, or an incorporated town in this state;

(2) "Economic development organization" means a business entity:

(A) In good standing with the Secretary of State; and

(B) Formed to promote community development and economic development in a geographic area within this state;

(3) "Eligible applicant" means:

(A) A city;

(B) A county;

(C) An economic development organization;

(D) A military community council;

1 (E) A military installation; or

2 (F) A state agency;

3 (4) "Military community council" means a business entity:

4 (A) In good standing with the Secretary of State; and

5 (B) Formed to promote cooperation between military and
6 civilian components of a designated geographic area within this state through
7 the adoption and implementation of matters of joint interest to a military
8 installation and the surrounding community by establishing and maintaining:

9 (i) Necessary infrastructure;

10 (ii) Safe and secure communities; and

11 (iii) Support services; and

12 (5)(A) "Military installation" means a facility located in this
13 state that is under the jurisdiction of the United States Department of
14 Defense or the Department of the Military, including without limitation a:

15 (i) Base;

16 (ii) Camp;

17 (iii) Post;

18 (iv) Station;

19 (v) Yard;

20 (vi) Center; or

21 (vii) Homeport facility for any ship.

22 (B) "Military installation" does not include a facility
23 used primarily for:

24 (i) National guard armories;

25 (ii) Civil works;

26 (iii) Rivers and harbors projects; or

27 (iv) Flood control projects.

28

29 15-4-3904. Arkansas Military Affairs Council – Creation – Members.

30 (a) There is established the Arkansas Military Affairs Council.

31 (b) The purpose of the council is to advise and assist the Director of
32 the Arkansas Economic Development Commission in the performance of his or her
33 duties under this subchapter.

34 (c)(1) The Arkansas Military Affairs Council shall consist of twelve
35 (12) members appointed at the discretion of the Governor.

36 (2) Members of the council shall consist of:

1 (A) Residents of communities near a military installation,
 2 including without limitation the following military installations:

3 (i) Little Rock Air Force Base in Jacksonville,
 4 Arkansas;

5 (ii) Pine Bluff Arsenal in Pine Bluff,
 6 Arkansas;

7 (iii) Camp Joseph T. Robinson in North Little Rock,
 8 Arkansas;

9 (iv) Fort Chaffee Joint Maneuver Training Center in
 10 Fort Chaffee, Arkansas; and

11 (v) Ebbing Air National Guard Base in Fort Smith,
 12 Arkansas;

13 (B) Representatives of aerospace and defense companies
 14 located within the State of Arkansas; and

15 (C) The Secretary of the Department of the Military
 16 or his or her designee as an ex officio non-voting member.

17 (3) Members of the council shall serve for five-year terms.

18 (d) The council shall select by majority vote:

19 (1) One (1) member of the council to serve as chair; and

20 (2) One (1) member of the council to serve as vice chair.

21 (e)(1) Members of the council shall serve without compensation.

22 (2) However, if funds are appropriated for expense
 23 reimbursement, the members of the council may receive expense reimbursement
 24 in accordance with § 25-16-902.

25
 26 15-4-3905. Military Affairs Division – Military Affairs Director –
 27 Creation.

28 (a) There is created the Military Affairs Division within the Arkansas
 29 Economic Development Commission to be the instrumentality of this state to
 30 promote and support military installations in the State of Arkansas.

31 (b)(1) There is created the Military Affairs Director to head the
 32 Military Affairs Division.

33 (2) The Director of the Arkansas Economic Development Commission
 34 shall hire a qualified applicant to serve as the Military Affairs Director.

35 (c) All state agencies may provide the Director of the Arkansas
 36 Economic Development Commission with assistance in advancing the purpose of

1 the division by ensuring that the activities of the division are coordinated
2 with the activities of other state agencies to achieve the purposes of this
3 subchapter.

4
5 15-4-3906. Powers, functions, and duties.

6 The Director of the Arkansas Economic Development Commission, the
7 Military Affairs Director, and the Military Affairs Division, with the advice
8 and assistance of the Arkansas Military Affairs Council and in coordination
9 with the Secretary of the Department of the Military, have the following
10 powers, functions, and duties:

11 (1) To collect and distribute comprehensive information relating
12 to the mission capability and economic impact of a military installation to:

13 (A) A federal or state agency;

14 (B) A city;

15 (C) A county;

16 (D) A military community council;

17 (E) An economic development organization;

18 (F) An individual; or

19 (G) A corporation;

20 (2) To advise and assist, in coordination with the secretary, a
21 local government, a military community council, or an economic development
22 organization in:

23 (A) Advocating for the needs of:

24 (i) A military installation;

25 (ii) Military personnel; and

26 (iii) Military families; and

27 (B) Providing timely and effective responses to an inquiry
28 from a federal agency concerning a military installation, in coordination
29 with the secretary when an Arkansas National Guard military installation is
30 impacted, and its host community;

31 (3) To safeguard state and local economic development interests
32 relating to:

33 (A) A military installation;

34 (B) Military personnel; and

35 (C) Military families;

36 (4) To advise the Governor:

1 (A) Of the steps to take to:

2 (i) Help safeguard and strengthen the mission
3 capability of a military installation; and

4 (ii) Position this state as a priority state in the
5 national defense plan; and

6 (B) On the problems and needs of military families in the
7 State of Arkansas and to develop appropriate policies at a state level to
8 mitigate those needs; and

9 (5) To develop programs and resources to assist military
10 personnel and their families upon exiting military service so that they may
11 continue to work and live in this state.

12
13 15-4-3907. Military Affairs Grant Program.

14 The Military Affairs Grant Program is established to provide grants for
15 projects or programs that:

16 (1) Support and sustain military installations and military
17 families in Arkansas; or

18 (2) Result in economic growth to:

19 (A) The community hosting a military installation;

20 (B) The region surrounding a military installation; and

21 (C) This state.

22
23 15-4-3908. Grant application process, review, and approval.

24 (a)(1) An eligible applicant may submit an application to receive a
25 grant provided under the Military Affairs Grant Program to the Arkansas
26 Economic Development Commission.

27 (2) The commission shall:

28 (A) Solicit grant applications as funding becomes
29 available; and

30 (B) Assign the Governor's Military Affairs Steering
31 Committee to assist the Military Affairs Director in evaluating grant
32 applications.

33 (3) The Director of the Arkansas Economic Development Commission
34 shall award a grant for a project or program submitted based on the:

35 (A) Criteria established in the Military Affairs Grant
36 Program Funding Recommendation Worksheet created by the Military Affairs

1 Division; and

2 (B) Grant recommendations of the Military Affairs Director
3 and the committee.

4 (b) An eligible applicant applying for a grant under this section
5 shall submit an application on a form prescribed by the commission that
6 includes without limitation:

7 (1) The title of the project or program;

8 (2) The eligible applicant's contact information;

9 (3) The organizational information of the eligible applicant;

10 (4) The sources of all funds that will be used for the project
11 or program, including prior Military Affairs Grant Program awards;

12 (5) All prior Military Affairs Grant Program awards received by
13 the eligible applicant;

14 (6) The project or program proposal information;

15 (7) The amount of funding requested; and

16 (8) The start and completion dates of the project or program.

17 (c) The Military Affairs Director shall:

18 (1) Conduct a preliminary review of each grant application to
19 confirm that the grant application:

20 (A) Was received on or before the due date specified in
21 the grant application solicitation;

22 (B) Was submitted by an eligible applicant;

23 (C) Meets the objectives of the Military Affairs Grant
24 Program;

25 (D) Identifies clearly defined and measurable outcomes
26 relating to the objectives of the Military Affairs Grant Program;

27 (E) Includes a letter of support from the military
28 installation commander if the project or program is located within the legal
29 boundaries of a military installation; and

30 (F) Is complete, including without limitation all required
31 appendices and attachments; and

32 (2) Forward the grant application to the committee at least
33 fifteen (15) days before to the next scheduled committee meeting if the
34 Military Affairs Director determines the grant application meets the
35 preliminary review requirements under subdivision (c)(1) of this section.

36 (d) The committee shall:

1 (1) Review each grant application in accordance with the
2 Military Affairs Grant Program Funding Recommendation Worksheet; and

3 (2) Return to the Military Affairs Director:

4 (A) A completed Military Affairs Grant Program Funding
5 Recommendation Worksheet; and

6 (B) Funding recommendations for each grant application.

7 (e) The Military Affairs Director shall conduct a final review of each
8 grant application and forward each grant application to the Director of the
9 Arkansas Economic Development Commission for approval.

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11 15-4-3909. Grant agreement.

12 An eligible applicant that receives approval from the Director of the
13 Arkansas Economic Development Commission provided under the Military Affairs
14 Grant Program shall execute a grant agreement with the Arkansas Economic
15 Development Commission that includes without limitation the:

16 (1) Eligibility date for incurring costs for the project or
17 program;

18 (2) Projected completion date of the portion of the project or
19 program funded by the grant provided under the Military Affairs Grant
20 Program;

21 (3) Amount of approved costs; and

22 (4) The process by which grant funds shall be disbursed to the
23 eligible applicant.

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25 15-4-3910. Rules.

26 The Military Affairs Division shall adopt rules to implement and
27 administer this subchapter, including without limitation rules regarding the:

28 (1) Application process for grants provided under the Military
29 Affairs Grant Program;

30 (2) Disbursement of grant funds; and

31 (3) Reporting required by an eligible applicant that receives
32 grant funds.

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34 SECTION 3. EMERGENCY CLAUSE. It is hereby found and determined by the
35 General Assembly of the State of Arkansas that the optimal time to implement
36 this act is at the beginning of the state's fiscal year; and that in order to

1 carry out the requirements of this act for the next fiscal year it is
2 necessary that this act become effective on July 1, 2021 for budgeting
3 purposes. Therefore, an emergency is declared to exist and this act being
4 necessary for the preservation of the public peace, health, and safety shall
5 become effective on July 1, 2021.

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/s/J. English