

**ADMINISTRATIVE RULE REVIEW SUBCOMMITTEE
OF THE
JOINT BUDGET COMMITTEE**

**Thursday, April 15, 2021
7:30 a.m.
Room A, MAC
Little Rock, Arkansas**

A. Call to Order.

B. Rules Filed Pursuant to Ark. Code Ann. § 10-3-309.

1. DEPARTMENT OF COMMERCE, ARKANSAS ECONOMIC DEVELOPMENT COMMISSION (Mr. Jim Hudson, Ms. Renee Doty)

a. SUBJECT: Ready for Business Program Proposed Rule

DESCRIPTION: The Arkansas Economic Development Commission (AEDC) has determined that a change to the terms and conditions of the Ready for Business Grant Program is necessary because of changes to federal law directly impacting the program. The proposed permanent rule will allow AEDC to extend the deadlines for recipients to incur expenses and submit receipts to September 30, 2021 and October 31, 2021, respectively. The rule is necessary due to the deadlines under the program that have been directly affected by a change in federal law.

Rule Summary:

- The Ready for Business Grant Program is funded entirely through federal CARES Act appropriation.
- The current Ready for Business Grant Program terms and conditions state that covered expenses under the program must be incurred no later than December 30, 2020, the deadline specified under the original CARES Act.
- On December 21, 2020, Congress amended the CARES Act to extend the deadline for eligible expenses to December 31, 2021.
- The proposed rule changes the deadline for expenses to be incurred from December 20, 2020, to September 30, 2021.
- Similarly, the deadline for submitting receipts to AEDC is extended from January 31, 2021 to October 31, 2021.

Rulemaking Authority:

The Arkansas Economic Development Commission has grant making and rulemaking authority under Ark. Code Ann. § 15-4-209(a)(1) and § 15-4-209(b)(5).

PUBLIC COMMENT: A public hearing will be held on April 9, 2021. The public comment period will expire on April 9, 2021. As of April 8, 2021, AEDC received no public comments. In the event that the agency receives any comments, a supplementary summary will be provided at the conclusion of the public comment period.

This rule was promulgated on an emergency basis and was reviewed and approved by the Executive Subcommittee on December 29, 2020. The proposed effective date for permanent promulgation is pending legislative review and approval.

FINANCIAL IMPACT: The agency indicated that the proposed rule has a financial impact. Specifically, AEDC estimated \$300 in legal advertising and copying costs during the promulgation process of the permanent rule.

LEGAL AUTHORIZATION: The Arkansas Economic Development Commission has authority to administer grants, loans, cooperative agreements, tax credits, guaranties and other incentives, memoranda of understanding, and conveyances to assist with economic development in the state. *See* Ark. Code Ann. § 15-4-209(a)(1). Additionally, AEDC has authority to promulgate rules necessary to implement the programs and services offered by the commission. *See* Ark. Code Ann. § 15-4-209(b)(5).

2. **DEPARTMENT OF FINANCE AND ADMINISTRATION, ALCOHOLIC BEVERAGE CONTROL DIVISION (Ms. Doralee Chandler)**

- a. **SUBJECT: Section 1.79(27) Allowing Alcoholic Beverages to be Carried Between An On Premises Alcoholic Beverage Outlet and a Contiguous Outlet Issued a Casino Permit by the Arkansas Racing Commission**

DESCRIPTION: Pursuant to Amendment 100, the Alcoholic Beverage Control Division will not be overseeing the sale of alcoholic beverages within a licensed casino. This rule will allow patrons to move with their alcoholic beverages between restaurants and hotels that are licensed by the ABC and an attached casino licensed by the Arkansas Racing Commission.

PUBLIC COMMENT: A public hearing was held on this rule on December 16, 2020. The public comment period expired December 16, 2020. The agency indicated that it received no public comments.

The proposed effective date is pending legislative review and approval.

FINANCIAL IMPACT: The agency indicated that this rule has no financial impact.

LEGAL AUTHORIZATION: The Director of the Alcoholic Beverage Control Division has the responsibility to promulgate rules as needed to carry out all “alcoholic control acts enforced in this state.” Ark. Code Ann. § 3-2-206(a). These changes implement the Arkansas Casino Gaming Amendment of 2018, which authorized the Arkansas Gaming Commission to issue casino licenses and authorized casino licensees “to sell intoxicating liquor or provide complimentary servings of intoxicating liquor, only for on-premises consumption at the casinos, during all hours in which the casino licensees conduct casino gaming.” Ark. Const. amend. 100, § 7(b).

C. Adjournment.