

***Adopt Bea 300, previously effective 7-1-08 as Res 3300 (Document #9102), and expired 7-1-16, to read as follows:***

CHAPTER Bea 300 RULES FOR JOINT PROMOTIONAL PROGRAM

PART Bea 301 PURPOSE AND SCOPE

Statutory Authority: RSA 12-O:17

Bea 301.01 Purpose of the Joint Promotional Program.

(a) The purpose of the New Hampshire joint promotional program (JPP) is to invest in tourism promotional projects developed by eligible independent groups or organizations which will compliment the state of New Hampshire's marketing initiative.

(b) The primary goals of the JPP are to develop New Hampshire as a year-round visitor destination, to increase overnight stays, to enhance the quality and effectiveness of marketing to visitors, and to encourage cooperative marketing efforts for the promotion of New Hampshire.

Bea 301.02 Scope. These rules shall apply to all organizations having a tourism promotional project for which investment by the JPP is requested. Organizations meeting the criteria set forth by Bea 300 shall be eligible for a match of up to 50% on a reimbursement basis.

PART Bea 302 PROGRAM INFORMATION

Bea 302.01 Eligible Organizations. Any New Hampshire organization that is registered and in good standing with the New Hampshire secretary of state, engaged in or has been formed for the purpose of promoting travel and tourism to New Hampshire, and has been in existence for at least 3 years prior to the date of application shall be eligible for investment under the JPP. Eligible organizations shall include chambers of commerce, regional associations, statewide organizations, and other tourism promotional organizations.

Bea 302.02 Organizations Not Qualifying. Any New Hampshire organization that does not qualify as eligible pursuant to Bea 302.01 above may make application for a grant under this part, provided that the organization:

(a) Presents evidence of a need for tourism promotion due to a case of regional depression or financial hardship as reported by the New Hampshire department of employment security, bureau of economic and labor market information;

(b) Presents a cooperative promotion plan;

(c) Has 10% matching funds from private sources;

(d) Agrees that a 10% matched grant shall not be awarded for more than 2 successive years; and

(e) Agrees that an affected area shall not be eligible for any further matching funds for a period of 5 years after the second year following the award of the first 10% matched grant.

Bea 302.03 Matching State Funds. Except for nonqualifying organizations, grant awards of state funds shall require a minimum of 50% matching funds from private sources.

Bea 302.04 Funds Eligible for State Match. The following types of funds may be used to match state funds:

- (a) Monies raised through memberships from any individual, group, or organization; or
- (b) Monies received through fundraising projects.

Bea 302.05 Non-Acceptable Use of Funds. State funds shall not be used for:

(a) Administrative expenses, including, but not limited to, salaries, non-project related telephone or postage, and office equipment or supplies;

(b) Charity fundraising;

(c) Retail merchandising;

(d) Mileage and travel costs;

(e) Internet website maintenance, hosting, domain name registration, and unsolicited marketing;  
and

(f) Computer software, hardware or training.

Bea 302.06 Limits of Grant Funds.

(a) The minimum grant amount shall be \$2,000.

(b) No single organization shall be approved for grants totaling more than 25% of the funds appropriated for any one fiscal year.

(c) Organizations may apply for more than one grant each fiscal year, except no single organization in any one grant round shall be approved for more than 75% of their total eligible amount, and the restriction in (b) shall apply. (25% of the total amount of funds appropriated).

Bea 302.07 Pass Through Funds Prohibited. No applicant shall disburse state matching funds to a private sector business for the administration of its private functions.

Bea 302.08 Starting and Completion Dates.

(a) Start dates shall be specified on the application and shall be contingent upon notification of grant approval as provided in Bea 304.02.

(b) Project shall start within the current fiscal year.

(c) Completion dates shall be specified on the application.

(d) Projects shall be completed 6 months after the fiscal year in which the grant is awarded.

(e) All reimbursements must be submitted to division of travel and tourism development (DTTD) within 90 days after the end of the current Fiscal Year.

Bea 302.09 Incomplete Applications. Applications submitted by the deadline posted on the DTTD website found at <https://www.visitnh.gov/industry-members/work-together/grants>, shall be reviewed by the JPP administrator. If the JPP administrator determines that the application is incomplete in any respect, the JPP administrator shall notify the organization in writing of the missing information within (10) business days after the application deadline.

Bea 302.10 Failure to Comply. Failure to provide any of the information required for the application shall result in denial of an application unless corrections are made within 5 business days of notification of any deficiencies by the JPP administrator.

Bea 302.11 Grant Amendments. An amendment to a previously approved application shall be made in writing explaining the extenuating circumstances for the change. Amendments shall be considered and approved by the commissioner pursuant to Bea 304.02.

Bea 302.12 Report Required. Failure to submit a quantitative report as required by Bea 306.01 for any previously funded project(s) shall result in denial of an application unless good cause for such failure exists. Good cause shall include, but not be limited to, circumstances beyond the control of the organization. Claims of good cause shall be made in writing to the commissioner.

#### PART Bea 303 PROJECT INFORMATION

Bea 303.01 Multiple Projects. An application seeking grant funding may contain more than one project, provided that each project shall meet the specific criteria as outlined in this part.

Bea 303.02 General Requirements. All projects to be considered for grant funding shall:

- (a) Be clearly oriented to promote New Hampshire;
- (b) Not allow advertising to be dominated by any one participant;
- (c) Utilize the BEA generated brand logo;
- (d) Reference New Hampshire spelled out as “New Hampshire”;
- (e) Include an all-inclusive marketing plan;
- (f) Provided that all creative executions shall be reviewed by the JPP Administrator to ensure compliance prior to the actual production of the materials;
- (g) Provide a description of the contracted vendor for professional services; and
- (h) Include a copy of the contract for all professional services containing a list of all deliverables.

Bea 303.03 Printed Materials. In addition to the project requirements in Bea 303.02 above, applications for the printing of materials shall:

(a) Include a detailed distribution plan for the total number of materials printed as part of the project;

(b) Include 3 competitive bids for printing services; and

(c) Include a conceptual or sample design.

Bea 303.04 Advertising. In addition to the project requirements in Bea 303.02 above, applications for advertising shall include a proposed media placement and schedule.

Bea 303.05 Public Relations Campaigns. In addition to the project requirements in Bea 303.02 above, applications for the public relations campaigns shall:

(a) Include the statement “for further information about New Hampshire, visit visitnh.gov”, if print or electronic press release; and

(b) Include a communication campaign plan.

Bea 303.06 Website Design, Development or Improvement. Any project which includes the design, development, or improvement of a website shall:

(a) Be clearly oriented to tourism promotion and designed to attract visitors to New Hampshire;

(b) Prominently display the words “New Hampshire”, and the logo and website address used by the DTTD in its advertising campaigns on the site’s homepage;

(c) Be produced by a professional designer;

(d) Include a copy of the contract for professional services;

(e) Include a wireframe, design comp, and navigation guide for the website; and

(f) Be reviewed by the director of the DTTD, or the director’s designee, to ensure compliance with this section prior to the website going online.

#### PART Bea 304 PROCEDURE FOR JPP GRANT APPLICATION

Bea 304.01 Application for JPP Grant Funds. An organization applying for grant funding for a project(s) pursuant to Bea 303 shall:

(a) Complete and submit online Form JPP-1, “Grant Application”;

(b) Include a copy of the following with the form:

(1) The bylaws or charter;

(2) The last 3 years’ financial statements or annual reports;

(3) A new or updated certificate of liability;

(4) A certificate showing good standing with the New Hampshire secretary of state;

- 5) All documents detailing the funds that have been raised or will be raised for the proposed project(s);
- (6) A detailed budget of all expenses, matchable, and unmatchable;
- (7) A signed statement from an officer of the organization that the named organization supports the request and that the organization is not decreasing its own financial commitment to its advertising as a result of the application; and
- (8) A marketing plan for at least 2 years if new applicant, or a statement of progress against marketing plan if repeat applicant.
- (9) Certify that all evaluation reports due on previously funded projects have been completed and submitted.

(c) The completed application and additional information shall be submitted through the online application found at [www.visitnh.gov/industry-members/work-together/grants/jpp-program](http://www.visitnh.gov/industry-members/work-together/grants/jpp-program) by the deadline posted on the DTTD website found at <https://www.visitnh.gov/industry-members/work-together/grants>.

Bea 304.02 Commissioner Review and Notification.

- (a) The commissioner shall approve a grant application when the following is met:
  - (1) The project(s) is consistent with the purpose of the program as provided by Bea 301.01(b);
  - (2) Sufficient funding is available; and
  - (3) The grant award provides geographic dispersion of the funding throughout the state.
- (b) If the commissioner denies an application pursuant to (a) above, the commissioner shall notify the applicant in writing of the specific reason(s) for denial and the following shall apply:
  - (1) Applicant has (5) business days to appeal the decision in writing; and
  - (2) The commissioner or commissioner designee shall notify applicant of final decision (5) business days after receipt of formal appeal.
- (c) If the commissioner approves a grant application pursuant to (a) above, the commissioner shall forward a grant agreement for signature by the applicant, and the applicant shall sign and return the application to the commissioner for execution.
- (d) Following the return of a signed grant agreement, the commissioner shall:
  - (1) Forward the grant agreement to the governor and executive council for approval; and
  - (2) Upon approval by the governor and executive council, forward to the applicant one completely executed copy of the grant agreement and a letter of acceptance stating any conditions which have been put on the grant.

(e) In the event an application is denied by the governor and executive council, the commissioner shall notify the applicant in writing of the specific reason(s) for denial.

#### PART Bea 305 REIMBURSEMENT OF PROJECT EXPENSES

Bea 305.01 Reimbursement Requests. An organization requesting reimbursement for approved project(s) expenses shall:

- (a) Complete and submit online Form JPP-2, "Reimbursement" 7/6/2021 edition;
- (b) Include the following with the form:
  - (1) A copy of all invoices being submitted for reimbursement along with cancelled checks or other proof of payment;
  - (2) The following back-up materials to correspond with projects:
    - a. For web development projects, provide proof that Visit NH logo with a url to visitnh.gov is on the site;
    - b. For radio advertising provide, an affidavit of performance;
    - c. For TV advertising provide, an affidavit of performance;
    - d. For print advertising provide, a tear sheet; and
    - e. For social advertising provide, copies of final ads.
  - (3) A cover letter on letterhead stating:
    - a. Amount(s) to be reimbursed; and
    - b. If the request is for final or partial payment; and
- (c) Submit electronically by email the completed cover letter, invoice form, and all attachments to: [jppadministrator@livefree.nh.gov](mailto:jppadministrator@livefree.nh.gov).

Bea 305.02 Time Limit for Reimbursement. All requests for reimbursement of project expenses shall be submitted within 90 days of June 30 of the fiscal year in which the grant was made.

Bea 305.03 Grant Funds Used or Not Used. All organizations shall report to the JPP administrator a final accounting of funds used and any portions of the dollars allocated for their grant that will not be used within 15 days from the completion date of their project.

Bea 305.04 Failure to Comply. Failure to comply with this part shall result in the non-reimbursement of any monies owed.

#### PART Bea 306 REPORTING

Bea 306.01 Quantitative Research Report Required.

(a) Results of all promotional projects funded by the JPP shall be reported on by the grant recipient according to Bea 306.02. Direction, guidance and examples of quantitative research methods may be found on the DTTD website found at <https://www.visitnh.gov/industry-members/work-together/grants/jpp-program>.

(b) The grant applicant shall describe the proposed quantitative research method(s) to be used in their report as part of the grant application.

(c) Following approval of a project, the grantee shall ensure that a final project report is completed, and all organizations shall report their quantitative research within 90 days of the completion of the project.

Bea 306.02 Reports on Quantitative Research. An organization reporting on quantitative research results for a project(s) shall:

(a) Complete and submit Form JPP-3, "Evaluation Report" 7/6/2021 edition;

(b) Include the following with the form:

(1) A copy of the vendor's distribution report, if applicable; and

(2) A copy of any quantitative research; and

(c) Submit electronically the completed evaluation report and all attachments to: [jppadministrator@livefree.nh.gov](mailto:jppadministrator@livefree.nh.gov).

#### PART Bea 307 PROGRAM INFORMATION

Bea 307.01 Information. The public may obtain information regarding the JPP by contacting the DTTD.

### Appendix

Provision of the Proposed Rule	Specific State or Federal Statutes or Regulations which the Rule is Intended to Implement
Bea 301.01 and Bea 301.02	RSA 12-O:17, I and VI (a)
Bea 302.01	RSA 12-O:17, II and RSA 5:18-a
Bea 302.02	RSA 12-O:17, VII
Bea 302.03	RSA 12-O:17, III
Bea 302.04	RSA 12-O:17, III
Bea 302.05	RSA 12-O:17, III
Bea 302.06	RSA 12-O:17, VI (b)
Bea 302.07 through Bea 302.12	RSA 12-O:17, VI (b), (c), (d), and (e)
Bea 303.01 through Bea 303.03	RSA 12-O:17, III
Bea 303.04	RSA 12-O:17, III and VI (d)
Bea 303.05	RSA 12-O:17, VI (d)
Bea 304.01	RSA 12-O:17, VI (a), (b), and (d)
Bea 304.02	RSA 12-O:17,IV
Bea 305.01 through Bea 305.04	RSA 12-O:17, VI (a), (d), and (e)
Bea 306.01 and Bea 306.02	RSA 12-O:17, VI (a), (d), and (e)
Bea 307.01	RSA 12-O:17, VI (a) and RSA 91-A:4