

**BEFORE THE ARKANSAS ETHICS COMMISSION**

**FILED**

AUG 18 2003

Case No. 2003-CM-015

ARKANSAS ETHICS  
COMMISSION

BY

In Re: Impact Relations Firm, Inc.  
Respondent

**FINAL ORDER**

Came for a final adjudication hearing on August 15, 2003, the complaint filed in this matter against the Respondent, Impact Relations Firm, Inc., and based upon due consideration of the evidence presented at that hearing, the Arkansas Ethics Commission (hereinafter the "Commission") hereby makes the following findings of fact and conclusions of law:

1. The Commission has jurisdiction over this matter pursuant to Ark. Code Ann. § 7-6-218.
2. Impact Relations Firm, Inc. was a registered lobbyist who lobbied members of the General Assembly at all times relevant to this case. On March 17, 2003, Impact Relations Firm, Inc. filed a Lobbyist Registration Form for calendar year 2003 with the Secretary of State.
3. Pursuant to Ark. Code Ann. § 21-8-602(a), a lobbyist who lobbies public servants of state government is required to register and make other filings with the Secretary of State.
4. Pursuant to Ark. Code Ann. § 21-8-603(a)(2), a registered lobbyist who lobbies members of the General Assembly is required to file a monthly activity report for

any month in which the General Assembly is in session. Such reports are due within ten (10) days after the end of each month.

5. In accordance with Ark. Code Ann. § 21-8-603(a)(2), the Respondent was required to file monthly lobbyist activity reports for the months of March, April, and May of 2003.

6. On June 6, 2003, the Commission filed a complaint against Impact Relations Firm, Inc. based upon its apparent failure to timely file a monthly lobbyist activity report for the month of March of 2003. That same day, the Commission sent Impact Relations Firm, Inc. a letter, via certified mail with a return receipt requested, to notify it that an investigation was being commenced regarding the issue of whether or not it violated Ark. Code Ann. § 21-8-603(a)(2) by failing to timely file a monthly lobbyist activity report for the month of March of 2003.

7. On June 20, 2003, staff presented the preliminary results of its investigation to the Commission and was instructed to complete the investigation and to expand the scope of the investigation to include the issue of whether or not Impact Relations Firm, Inc. violated Ark. Code Ann. § 21-8-603 by failing to file lobbyist activity reports for the months of April and May of 2003. Impact Relations Firm, Inc. was notified of the Commission's decision by letter dated June 20, 2003, which was sent by first class mail and certified mail with a return receipt requested. In addition, said letter notified Impact Relations Firm, Inc. that the matter would be presented to the Commission at its regular monthly meeting on July 18, 2003, for purposes of determining whether or not probable cause existed for the finding of a violation.

8. On July 18, 2003, the Commission considered the results of staff's investigation and found, by a vote of 5-0, that probable cause existed for finding that Impact Relations Firm, Inc. violated Ark. Code Ann. § 21-8-603 by failing to timely file lobbyist activity reports for the months of March, April, and May of 2003.

9. On July 22, 2003, staff sent a letter to Impact Relations Firm, Inc., via first class mail and certified mail with a return receipt requested, notifying it of the Commission's finding of probable cause. In accordance with the Commission's Rules of Practice and Procedure, said letter contained a written Offer of Settlement proposing the issuance of a Public Letter of Warning and a \$250 fine. Impact Relations Firm, Inc. was given ten (10) days to accept the written Offer of Settlement or request a public hearing before the Commission.

10. On August 6, 2003, staff sent a letter to Impact Relations Firm, Inc., via first class mail, notifying it that a final adjudication hearing would be held on August 15, 2003. Said letter contained a separate written notice of final adjudication hearing providing the information required in Ark. Code Ann. § 25-15-208(a)(2).

11. Impact Relations Firm, Inc. did not appear at the final adjudication hearing which was held on August 15, 2003. Said hearing was conducted in accordance with Ark. Code Ann. § 25-15-213.

12. Upon considering the evidence presented at the hearing, the Commission found, by a vote of 4-0, that Impact Relations Firm, Inc. violated Ark. Code Ann. § 21-8-603 by failing to timely file lobbyist activity reports for the months of March, April, and May of 2003. The evidence showed that Impact Relations Firm, Inc. failed to file the reports in question.

13. With respect to said violation, the Commission determined that Impact Relations Firm, Inc. should be issued a Public Letter of Warning and fined \$250. Said fine should be paid within thirty (30) days from the date of this Order.

14. Impact Relations Firm, Inc. should further be ordered to file with the Secretary of State monthly lobbyist activity reports for March, April, and May of 2003, within fifteen (15) days from the date of this Order.

IT IS, THEREFORE, CONSIDERED, DECIDED and ORDERED by the Commission that the Respondent, Impact Relations Firm, Inc., shall be issued a Public Letter of Warning and is hereby fined \$250 for failing to timely file lobbyist activity reports for the months of March, April, and May of 2003, that said fine shall be paid within thirty (30) days from the date of this Order, and that Impact Relations Firm, Inc. shall file with the Secretary of State monthly lobbyist activity reports for March, April, and May of 2003, within fifteen (15) days from the date of this Order.

IT IS SO ORDERED this 18<sup>th</sup> day of August, 2003.

  
JACK KEARNEY, Chairman  
Arkansas Ethics Commission