

**BEFORE THE ARKANSAS ETHICS COMMISSION**

In Re: Impact Relations Firm, Inc.  
Respondent

**FILED**  
Case No. 2003-CM-032  
MAR 24 2004

ARKANSAS ETHICS  
COMMISSION

**FINAL ORDER**

BY \_\_\_\_\_

Came for a final adjudication hearing on March 19, 2004, 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 public servants of state government 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. In filing said form, the Respondent registered to lobby members of the General Assembly.

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)(1), a registered lobbyist is required to file a quarterly activity report within fifteen (15) days after the end of each calendar quarter.

5. Pursuant to Ark. Code Ann. § 21-8-603(a)(2), a lobbyist registered to lobby members of the General Assembly is required to file a monthly lobbyist 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.

6. The 84<sup>th</sup> General Assembly met in special session during the month of December 2003.

7. In accordance with Ark. Code Ann. § 21-8-603(a)(1), the Respondent was required to file lobbyist activity reports for the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2003. In addition, in accordance with Ark. Code Ann. § 21-8-603(a)(2), the Respondent was required to file a monthly lobbyist activity report for the month of December 2003.

8. On November 25, 2003, the Commission filed a complaint against Impact Relations Firm, Inc. based upon its apparent failure to timely file a lobbyist activity report for the 3<sup>rd</sup> quarter 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)(1) by failing to timely file a lobbyist activity report for the 3<sup>rd</sup> quarter of 2003.

9. December 19, 2003, staff presented the preliminary results of its investigation to the Commission and was instructed to complete the investigation.

Impact Relations Firm, Inc. was notified of the Commission's decision by letter dated December 22, 2003.

10. On February 3, 2004, staff sent Impact Relations Firm, Inc. a letter, via first class mail and certified mail with a return receipt requested, to notify it that the investigation had been expanded to include the issues of whether or not Impact Relations Firm, Inc. violated Ark. Code Ann. § 21-8-603(a)(2) by failing to timely file a lobbyist activity report for the month of December 2003, and Ark. Code Ann. § 21-8-603(a)(1) by failing to timely file a lobbyist activity report for the 4<sup>th</sup> quarter of 2003. In addition, said letter notified Impact Relations Firm, Inc. that the matter would be presented to the Commission at its regular monthly meeting on February 20, 2004, for purposes of determining whether or not probable cause existed for the finding of a violation.

11. February 20, 2004, the Commission considered the results of staff's investigation and found, by a vote of 3-0, that probable cause existed for finding that Impact Relations Firm, Inc. violated (i) Ark. Code Ann. § 21-8-603(a)(1) by failing to timely file lobbyist activity reports for the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2003, and (ii) Ark. Code Ann. § 21-8-603(a)(2) by failing to timely file a lobbyist activity report for the month of December 2003.

12. On February 26, 2004, 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 Reprimand and the

imposition of a fine in the amount of \$600. Impact Relations Firm, Inc. was given ten (10) days to accept the written Offer of Settlement or request a public hearing before the Commission.

13. On March 9, 2004, staff sent a letter to Impact Relations Firm, Inc., via first class mail, notifying it that a final adjudication hearing would be held on March 19, 2004. Said letter contained a separate written notice of final adjudication hearing providing the information required in Ark. Code Ann. § 25-15-208(a)(2).

14. Impact Relations Firm, Inc. did not appear at the final adjudication hearing which was held on March 19, 2004. Said hearing was conducted in accordance with Ark. Code Ann. § 25-15-213.

15. Upon considering the evidence presented at the hearing, the Commission found, by a vote of 5-0, that Impact Relations Firm, Inc. violated (i) Ark. Code Ann. § 21-8-603(a)(1) by failing to timely file lobbyist activity reports for the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2003, and (ii) Ark. Code Ann. § 21-8-603(a)(2) by failing to timely file a lobbyist activity report for the month of December 2003. The evidence showed that Impact Relations Firm, Inc. failed to file the reports in question.

16. With respect to said violations, the Commission determined that Impact Relations Firm, Inc. should be issued a Public Letter of Reprimand and fined \$600. Said fine should be paid within thirty (30) days from the date of this Order.

17. Impact Relations Firm, Inc. should further be ordered to file with the Secretary of State lobbyist activity reports for the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2003 and the month of December 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 Reprimand and is hereby fined \$600 for failing to file lobbyist activity reports of the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2003 and the month of December 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 lobbyist activity reports for the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2003 and the month of December 2003, within fifteen (15) days from the date of this Order.

IT IS SO ORDERED this 24<sup>th</sup> day of March, 2004.



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LACY J. KENNEDY IV, Chairman  
Arkansas Ethics Commission