

BEFORE THE ARKANSAS ETHICS COMMISSION

FILED

In Re: Jennie Goss
Respondent

Case No. 2006-CM-015

NOV 22 2006

ARKANSAS ETHICS
COMMISSION

BY

[Signature]

FINAL ORDER

Came for a final adjudication hearing on November 17, 2006, the complaint filed in this matter against the Respondent, Jennie Goss, and based upon due consideration of the evidence presented at that hearing and the applicable law, 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. The Respondent is a citizen of Arkansas. At all times relevant to this case, the Respondent was a candidate for State Representative – District 55.
3. Pursuant to Ark. Code Ann. § 21-8-701, a candidate for elective office is required to file a written statement of financial interest ("SFI") for the previous calendar year within thirty (30) days after the deadline for filing for office.
4. In accordance with Ark. Code Ann. § 21-8-701(c)(1)(a), the Respondent was required to file her SFI for calendar year 2005 with the Secretary of State on or before May 4, 2006.
5. On August 8, 2006, the Commission filed a complaint against the Respondent based upon her apparent failure to file a SFI for calendar year 2005. That same day, the Commission sent the Respondent a letter, via certified mail with a return receipt requested, to notify her that an investigation was being commenced regarding the

issue of whether or not she violated Ark. Code Ann. § 21-8-701 by failing to file a SFI for calendar year 2005.

6. On September 22, 2006, staff presented the preliminary results of its investigation to the Commission and was instructed to complete the investigation. The Respondent was notified of the Commission's decision by letter dated September 28, 2006, which was sent by first class mail.

7. On October 11, 2006, staff sent the Respondent a letter, via first class mail, to notify her that the matter would be presented to the Commission at its regular monthly meeting on October 20, 2006, for the purpose of determining whether or not probable cause existed for the finding of a violation.

8. On October 20, 2006, the Commission considered the results of staff's investigation and found, by a vote of 4-0, that probable cause existed for finding that the Respondent violated Ark. Code Ann. § 21-8-701 by failing to timely file a SFI for calendar year 2005 in her capacity as a candidate for State Representative – District 55.

9. On October 24, 2006, staff sent a letter to the Respondent, via first class mail, notifying her 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 Caution and a \$150 fine. The Respondent was given ten (10) days to accept the written Offer of Settlement or request a public hearing before the Commission.

10. On November 7, 2006, staff sent a letter to the Respondent, via first class mail and certified mail with a return receipt, notifying her that a final adjudication hearing would be held on November 17, 2006. 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. The Respondent did not appear at the final adjudication hearing which was held on November 17, 2006. 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 the Respondent violated Ark. Code Ann. § 21-8-701 by failing to timely file her SFI for calendar year 2005. The evidence showed that the Respondent filed the public disclosure form in question on September 12, 2006, making it 131 days late.

13. With respect to said violation, the Commission determined that the Respondent should be issued a Public Letter of Caution and fined \$150. Said fine is due no later than thirty (30) days from the date of this Order.

IT IS, THEREFORE, CONSIDERED, DECIDED and ORDERED by the Commission that the Respondent, Jennie Goss, shall be issued a Public Letter of Caution and is hereby fined \$150 for failing to timely file her SFI for calendar year 2005, and that said fine shall be paid within thirty (30) days from the date of this Order.

IT IS SO ORDERED this 22nd day of November, 2006.



TED DICKEY, Chairman
Arkansas Ethics Commission