

ARKANSAS REGISTER

Transmittal Sheet



Sharon Priest
Secretary of State
State Capitol Rm. 01
Little Rock, Arkansas 72201-1094

For Office Use Only: Effective Date 1/16/98 Code Number 153,00,98--001

Name of Agency Arkansas Ethics Commission

Department n/a

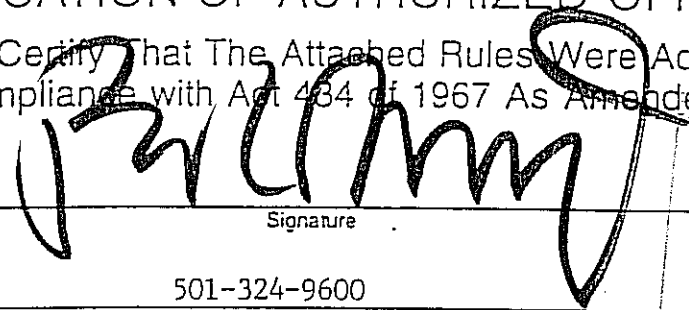
Contact Person Bob R. Brooks, Jr. Phone 501-324-9600

Statutory Authority for Promulgating Rules Ark. Code Ann. section 7-6-217 and 218

	Date
Intended Effective Date	Legal Notice Published <u>10/19/97</u>
<input type="checkbox"/> Emergency	Final Date for Public Comment <u>12/3/97</u>
<input checked="" type="checkbox"/> 10 Days After Filing	Filed With Legislative Council <u>10/28/97</u>
<input type="checkbox"/> Other	Reviewed by Legislative Council <u>1/8/98</u>
	Adopted by State Agency <u>12/17/97</u>

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with Act 434 of 1967 As Amended



Signature

501-324-9600
Phone Number

Executive Director
Title

January 6, 1998
Date

SHARON PRIEST
SECRETARY OF STATE
STATE OF ARKANSAS
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AR. REGISTER DIV.

ARKANSAS ETHICS COMMISSION

910 West Second Street, Suite 100
Little Rock, Arkansas 72201
(501) 324-9600 Fax (501) 324-9606
Toll Free 1-800-422-7773

Troy Burris
Chairman

Rita Looney
Vice Chairman

Marvin H. Delph
Candi S. Russell
Norton Wilson
Commissioners



Bob R. Brooks, Jr.
Executive Director

Graham F. Sloan
Staff Attorney

Annette Leach
Director of Compliance

January 22, 1998

Donna K. Davis, Committee Staff
Subcommittee on Administrative
Rules and Regulations
Arkansas Legislative Council
315 State Capitol Building
Little Rock, AR 72201

VIA COURIER

Re: Amendments to § 518 of the Lobbyist Rules

Dear Ms. Davis:

Please accept this letter as a correction to the amendments to § 518 of the Lobbyist Rules which were previously filed with the Bureau of Legislative Research under cover of letter dated January 6, 1998, pursuant to Ark. Code Ann. § 25-15-204(d)(1). This amendment is scheduled to go before Legislative Council on February 5.

I have just discovered an error in the language of the amendment to § 518(2) which needs to be corrected immediately. The amendment, as filed, reads as follows:

(2) After the word "information", insert "or materially misleading"

The amendment *should* read as follows:

(2) Before the word "information", insert "or materially misleading"

If you have any questions regarding this matter, please do not hesitate to contact us.

Very truly yours,

Bob R. Brooks, Jr.
Executive Director

cc: Arkansas State Library
Secretary of State

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AR. REGISTER DIV.
98 JAN 22 AM 11:54
SHARON MURPHY
SECRETARY OF STATE
STATE OF ARKANSAS
BY _____

DEPARTMENT ARKANSAS ETHICS COMMISSION
DIVISION _____
PERSON COMPLETING THIS STATEMENT Rob R. Brooks, Jr.
TELEPHONE NO. 501.324.9600 FAX NO. 501.324.9602

FINANCIAL IMPACT STATEMENT

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Amendments to Sec. 518 of Lobbyist Rules

1. Does this proposed, amended, or repealed rule or regulation have a financial impact? Yes _____ No X
2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibited, please explain.
N/A
3. If the purpose of this rule or regulation is to implement a federal rule or regulation, please give the incremental cost for implementing the regulation.

<u>1995-96 Fiscal Year</u>	<u>N/A</u> <u>1996-97 Fiscal Year</u>
General Revenue _____	General Revenue _____
Federal Funds _____	Federal Funds _____
Cash Funds _____	Cash Funds _____
Special Revenue _____	Special Revenue _____
Other _____	Other _____
Total _____	Total _____

4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule or regulation?
NONE

1995-96 Fiscal Year 1996-97 Fiscal Year

5. What is the total estimated cost by fiscal year to the agency to implement this regulation?
NONE

1995-96 Fiscal Year 1996-97 Fiscal Year

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STATE OF ARKANSAS

AMENDMENTS TO § 518 OF THE LOBBYIST RULES

STRIKE THE HEADING AND SUBPARAGRAPH (1) AND INSERT THE FOLLOWING:

§ 518-Penalties for Failure to File or Late Filing of Lobbyist Activity Reports

(1) In addition to other sanctions which may be imposed under Ark. Code Ann. § 7-6-218(b)(4)(A), lobbyists who fail to file activity reports when due shall be required to pay fines for each late filed report in accordance with the following schedule:

<u>Date Report Filed</u>	<u>First Time Delinquency</u>	<u>Repeated Delinquency by Same Lobbyist</u>
1 to 5 days late	\$25.00/per report	\$50.00/per report
6 to 15 days late	\$50.00/per report	\$100.00/per report
16 to 30 days late	\$100.00/per report	\$200.00/per report

Lobbyists who file reports more than 30 days late or file 3 reports late in any calendar year may be subject to individual review by the Commission at a scheduled meeting. During the individual review, the Commission shall determine if the actions of the lobbyist constitutes a violation of Ark. Code Ann. § 21-8-603 or § 508 of these rules and, if so found, shall impose a fine of not less than \$250 nor more than \$1000 per violation depending upon the severity of the offense.

In addition to being fined and sanctioned as discussed above, lobbyists who fail to file their activity reports will be ordered to file such reports within ten (10) days and may be subject to individual review by the Commission.

A lobbyist who fails to file activity reports or files activity reports late for good cause shown may request a waiver from the above schedule of fines in writing within ten (10) days of receiving a Notice of Delinquency from the Commission. Timely waiver requests will be reviewed by the Commission on a case-by-case basis.

(2) After the word "information", insert "or materially misleading"

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