

KIM DAVID HAMMER

SENATOR
33RD DISTRICT
PHONE: 501-840-3841
kim.hammer@senate.ar.gov

1201 MILITARY ROAD PMB #285
BENTON, ARKANSAS 72015



THE SENATE
STATE OF ARKANSAS

CHAIR:
JOINT RETIREMENT & SOCIAL SECURITY

MEMBER:
JOINT AUDIT
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INSURANCE & COMMERCE
PUBLIC HEALTH, WELFARE & LABOR

July 11, 2022

Jimmy Hickey, Jr.
President Pro Tempore
3216 East 35th Street
Texarkana, Arkansas 71854

Senator Hickey,

As you are aware, the Senate Ethics Committee met June 22, 2022, to commence its investigation of the petition filed by you regarding possible violations of the Senate's Code of Ethics by Senator Mark Johnson, as required by Senate Rule 24.09(b). The Committee met over the course of several days and adopted findings and recommendations regarding the petition on Monday, June 27, 2022.

Senate Rule 24.10(e) requires that "Within twenty (20) calendar days of the conclusion of its hearing, the committee shall provide a written copy of its findings and recommendations to the President Pro Tempore for consideration by the full Senate." In accordance with this requirement, I have attached for your use and information the Senate Ethics Committee's Findings and Recommendations regarding the Petition against Senator Mark Johnson, which includes the following:

- Written report of Senate Ethics Committee findings and recommendations;
- Exhibits A.1-A.4; and
- Exhibits B.1.-B.14.

Please let me know if you have any questions or concerns regarding the attached documents.

Sincerely,

A handwritten signature in blue ink that reads "Kim Hammer".

Senator Kim Hammer, Chair
Senate Ethics Committee

Senate Ethics Committee
Report to the Senate of the Ninety-Third General Assembly

Findings and Recommendations: *Sen. Jimmy Hickey, Jr. Petition of Ethical
Violation Allegations against Sen. Mark Johnson*

To: Senator Jimmy Hickey, Jr.,
President Pro Tempore of the Senate

Ms. Ann Cornwell,
Secretary of the Senate

I. Senate Ethics Committee Investigation and Hearing Procedure.

On Wednesday, June 15, 2022, Senator Jimmy Hickey, Jr. filed a petition alleging violations of Senate Ethics Rule 24.03 and Rule 24.06(1)(c) by Senator Mark Johnson. The petition was provided to Senator Mark Johnson, as the respondent to the ethics petition, and to Ms. Ann Cornwell, as the Secretary of the Senate, in accordance with the requirements of Senate Rule 24.09(b).

Senator Kim Hammer, Chair, called a meeting of the Senate Ethics Committee on Thursday, June 23, 2022, at 9:00 a.m., in Room 309 of the State Capitol Building to commence its investigation of the petition and hold a hearing, as required under Senate Rule 24.09(b). Senator Joyce Elliott, Vice-Chair, was unable to attend the first two (2) days of the Committee's proceedings and therefore did not participate in any of the investigation hearings due to her initial absence. Senator Missy Irvin participated in the hearings via Zoom. Senator Mark Johnson, as the Respondent to one of the petitions being taken up by the Committee, was prohibited from serving on the Committee under Senate Rule 24.09(c). Senator David Wallace was selected as Senator Mark Johnson's replacement on the Committee by the Senate Rules Committee, in accordance with Senate Rule 24.09(c)(ii).

Following opening remarks by Senator Hammer on June 22, 2022, regarding the purpose of the meeting and the procedure to be followed, a determination was made by the chair to go into executive session pursuant to Senate Rule 24.08(5). The public was dismissed from the room at that time.

The Committee heard testimony from both Senator Jimmy Hickey, Jr. and Senator Mark Johnson, and asked questions of both parties. In addition, the Committee heard from the following witnesses called by Senator Hickey: Senator Bart Hester, Chair, Senate Efficiency Committee (via Zoom); Ms. Ann Cornwell, Director/Secretary of the Senate; Ms. Leigh Ann Golden-Smith, Senate Constituency Services Office; Ms. Sabrina Lewellen, Deputy Director/Assistant Secretary of the Senate; and Ms. Lesley Rogers, Senate Constituent Services Manager. Both parties and all witnesses were placed under oath. Senator Hickey, Senator Johnson, and members of the Committee asked questions of the witnesses. The Committee heard closing statements and conducted extensive deliberations following the hearing on June 23 and again on Monday, June 27, 2022.

Attached for your information are the following exhibits, which were provided to the Committee members for their consideration during the hearing and deliberation process:

- Exhibit A.1., June 15, 2022 Petition, filed by Sen. Hickey;
- Exhibit A.2., June 16, 2022 letter from Sen. Hammer to the Senate Ethics Committee;
- Exhibit A.3., June 16, 2022 letter from Sen. Hammer to Sen. Hickey;
- Exhibit A.4., June 16, 2022 letter from Sen. Hammer to Sen. Johnson;
- Exhibit B.1., Text Exchange between Sen. Hickey and Sen. Hester¹;
- Exhibit B.2., Text Exchange between Sen. Hickey and Ann Cornwell;
- Exhibit B.3., Email from Ann Cornwell to Sen. Hickey including Senate staff written statements;
- Exhibit B.4., Documentation related to Appointment and Reimbursement of Arkansas Boys State members, including: Member appointment letter; Boys State and Girls State Committee Rosters; June 3, 2022 Boys State Sign-in Sheets; and a memo from Ms. Cornwell regarding the practice for Senate reimbursement of per diem and mileage for Girls State and Boys State members;
- Exhibit B.5., June 15, 2022 Documentation by Sen. Hickey, regarding in person conversation with Sen. Mark Johnson;
- Exhibit B.6., Text Exchange between Sen. Hickey and Sen. Mark Johnson;
- Exhibit B.7., Sen. Mark Johnson Statement to Senate Ethics Committee, June 23, 2022;
- Exhibit B.8., Text Exchange between Sen. Mark Johnson and Sen. Alan Clark, June 3, 2022;
- Exhibit B.9., Additional page from Text Exchange between Sen. Hickey and Sen. Mark Johnson;
- Exhibit B.10., Handwritten Note from Senate Staff, June 23, 2022;
- Exhibit B.11., Arkansas Senate 93rd General Assembly Ethics Acknowledgement Form;
- Exhibit B.12., Memo from Ms. Ann Cornwell, Secretary of the Senate, to the Senate Ethics Committee regarding the cover language on the per diem and mileage sign-in sheet;
- Exhibit B.13., Sen. Mark Johnson's signed 2022 Ethics Acknowledgement Form; and
- Exhibit B.14., Senator Hickey Witness List.

Upon conclusion of the hearing procedure and committee deliberations, the public was allowed to reenter the meeting room, at which time Senator Hammer recognized Senator David Wallace for a motion. Senator Wallace's motion was as follows:

In response to a petition filed with the Senate Ethics Committee, pursuant to Rule 24, on June 15, 2022, by Senator Jimmy Hickey, Jr., the Committee finds that Senator Mark Johnson, signed the name of another senator on the sign-in sheet at the Boys State meeting on June 3, 2022, when Sen. Mark Johnson knew that the senator did not attend the committee meeting. As such, the Committee finds that Senator Mark Johnson violated:

¹ Testimony provided by both Sen. Bart Hester and Sen. Jimmy Hickey, Jr. verified that any reference to "AC" in the text exchange is referring to Sen. Alan Clark, and any reference to "MJ" in the text exchange is referring to Sen. Mark Johnson

- *Senate Rule 24.03, as it relates to failure to comply with statutory provisions of Arkansas Code § 10-2-212 and § 10-2-217; and*
- *Senate Rule 24.06(1)(c).*

As a result of these findings, the committee recommends the following penalties:

- *A letter of reprimand be issued to Senator Mark Johnson by the Senate;*
- *Senator Mark Johnson shall be removed from any committee chair or vice-chair positions that he currently holds for the remainder of the 93rd General Assembly;*
- *Senator Mark Johnson shall not be eligible for per diem and mileage for attendance at interim committee meetings for the remainder of the 93rd General Assembly;*
- *Senator Mark Johnson shall be removed from the Senate Ethics Committee for the remainder for the 93rd General Assembly; and*
- *Senator Mark Johnson should not be considered by future President Pro Tempores of the Senate for appointment to serve in the future on Boys State, Girls State, or the Senate Ethics Committee.*

I move that these findings and recommendations be adopted by this committee to be included in a written report to be submitted to the President Pro Tempore of the Senate in compliance with Senate Rule 24.10 for consideration by the full Senate; and that the Committee shall meet again to approve the final report.

Senator Wallace's motion was seconded by Sen. Clarke Tucker. Senator Stephanie Flowers then made a substitute motion that in addition to the penalties stated in Senator Wallace's motion, the committee include as a penalty loss of seniority for Senator Mark Johnson in its recommendations to the Senate. The substitute motion did not receive a second, and so the Committee returned to Senator Wallace's original motion, which passed unanimously by voice vote.

The Committee convened again on Tuesday, July 5, 2022, to review the language of a draft report of its findings and recommendations to the Senate. The Committee instructed staff on final revisions to the draft document and voted to authorize Senator Hammer, as chair, to approve the final version of the report with those revisions and to release the report to Senator Jimmy Hickey, Jr., President Pro Tempore of the Senate of the Ninety-Third General Assembly.

This report is submitted to the Senate of the Ninety-Third General Assembly of the State of Arkansas in accordance with Senate Rule 24.10(f):

"Within twenty (20) calendar days of the conclusion of its hearing, the committee shall provide a written copy of its findings and recommendations to the President Pro Tempore for consideration by the full Senate. The report of the committee shall include recommendations regarding penalties to be imposed on the respondent, if any. The findings of the committee are not binding on the Senate, but are merely recommendations."

II. Senate Ethics Committee Findings.

A. Findings of Fact.

The Senate Ethics Committee finds:

1. Boys State 2022 was held at the State Capitol Building on Friday, June 3, 2022. The Boys State Senate met in the Senate Chamber beginning at 9:00 a.m. and concluded when the presiding officer gaveled out at 11:32 a.m. Senator Mark Johnson and Senator Alan Clark were both members of the Boys State Committee for the Ninety-Third General Assembly. (See, Exhibit B.4., pp.1-3, regarding Senate appointments to Arkansas Boys State 2022)
2. At 11:31 a.m. on June 3, 2022, Senator Alan Clark texted Senator Mark Johnson the following request, "Would y'all sign me in? I am at Capitol Hill but running a fever so didn't come over." Senator Mark Johnson responded, "I signed you in." Exhibit B.8., Text Exchange between Senator Mark Johnson and Senator Clark, June 3, 2022.
3. At the end of the chamber proceedings on June 3, 2022, Senator Mark Johnson approached Senate staffer, Ms. Leigh Ann Golden-Smith, and asked for the Senator sign-in sheets. Because she had observed Senator Mark Johnson signing the sheet earlier in the day, Ms. Golden-Smith asked if he had already signed in. "Senator Mark Johnson said he wanted to sign in on behalf of his friend Senator Alan Clark, who he said was not at the Capitol today." Ms. Golden-Smith advised Senator Mark Johnson the sign-in sheets were no longer near the line desk and recommended he speak with Ms. Sabrina Lewellen or Ms. Ann Cornwell. (See, Exhibit B.3., p.4, Written Statement of Ms. Leigh Ann Golden-Smith, June 6, 2022)
4. Senator Mark Johnson approached Senate staffer, Ms. Sabrina Lewellen, and asked her if the sheets in her hand were the sign-in sheets and stated that he needed to sign for Senator Clark. Ms. Lewellen replied, "Sir, do you mean Senator Clarke Tucker? He was here earlier and has signed in already." Senator Mark Johnson replied, "No. Alan Clark." (See, Exhibit B.3., p.3, Written Statement of Ms. Sabrina Lewellen, June 3, 2022)
5. Ms. Lewellen responded, "I didn't see him today. Could he have signed in at Audit?" Senator Mark Johnson took the sheet, and Ms. Lewellen observed Senator Mark Johnson sign Senator Alan Clark's name on the sign-in sheet. Senator Mark Johnson then said, "He forgot to sign in." Senator Mark Johnson then walked away. (See, Exhibit B.3., p.3)
6. Ms. Lewellen walked up to Senate staffer, Ms. Lesley Rogers, and said, "I did not see Senator Alan Clark today. Did you see him?" Ms. Rogers said, "No, ma'am. I did not." Ms. Lewellen exited the Senate Chamber and handed Senate staffer, Ms. Ann Cornwell, all of the sign-in sheets for Friday, June 3, 2022. Ms. Lewellen advised Ms. Cornwell that Senator Mark Johnson had signed in for Senator Alan Clark, but that none of the Senate staff observed him in the chamber. (See, Exhibit B.3., p.3)
7. Ms. Cornwell approached Senator Bart Hester, Senate Efficiency Chair, as he was leaving the chamber to make him aware she just received a sign-in sheet showing a signature for

Senator Alan Clark. However, she was informed that Senator Mark Johnson had signed Senator Alan Clark's name and it did not have the required signature of the acting Boys State Chair.

8. After discussion, Senator Bart Hester, directed Ms. Cornwell not to pay Senator Alan Clark for the Boys State proceedings on Friday, June 3, 2022. (See, Exhibit B.4., p.5, Arkansas Senate Sign-In Sheet for Boys State Meeting, June 3, 2022)
9. The afternoon of Friday, June 3, 2022, Senator Bart Hester, contacted Senator Jimmy Hickey, Jr., President Pro Tempore of the Senate, regarding this matter. Senator Jimmy Hickey, Jr. concurred with Senator Hester that Senator Alan Clark should not be compensated for the June 3, 2022 meeting. (See, Exhibit B.1., Text Exchange between Sen. Jimmy Hickey, Jr. and Sen. Bart Hester, June 3, 2022)
10. On Friday evening, June 3, 2022, Senator Bart Hester advised Senator Jimmy Hickey, Jr. that he called Senator Alan Clark. Senator Alan Clark told Senator Bart Hester he asked Senator Mark Johnson to sign his name. (See, Exhibit B.1.)
11. On Monday, June 6, 2022, Senator Jimmy Hickey, Jr. contacted Ms. Ann Cornwell and advised her in writing not to pay Senator Alan Clark. (See, Exhibit B.2., Text Exchange between Sen. Jimmy Hickey, Jr. and Ms. Ann Cornwell, June 6, 2022)
12. It was stipulated by Senator Alan Clark, and found by the Senate Ethics Committee in relation to the Ethics Violation Petition against Senator Clark, that Senator Clark did not attend the Boys State meeting in the Senate chamber on Friday, June 3, 2022.
13. In both his written and oral testimony to the Committee, Senator Mark Johnson stated that he did not ever see Senator Clark at the Boys State meeting on June 3, 2022. (See, Exhibit B.7., Sen. Mark Johnson Statement to Senate Ethics Committee, June 23, 2022.
14. Senator Mark Johnson, in his oral and written testimony to the Committee, as well as his text with Senator Clark (See, Exhibit B.8.) stated that he signed Senator Alan Clark in for the Boys State meeting on June 3, 2022.
15. Due to Senator Hickey's and Senator Hester's directions to Senate staff, Senator Clark was not paid any per diem or mileage by the Senate for the June 3, 2022 Boys State meeting.
16. Senator Mark Johnson, like all members of the Senate of the Ninety-Third General Assembly, completed the Ethics Acknowledgement Form, affirming that he "received a copy of the aforementioned Senate Rule and the Senate Code of Ethics. I acknowledge and understand Senate Rule 24.14 and the Senate Code of Ethics. My signature below serves as my annual commitment to uphold the intent of Senate Rule 24.14 and the Senate Code of Ethics." (See, Exhibit B.13., Sen. Mark Johnson's 2022 Ethics Acknowledgment Form)

B. Committee Analysis.

In both his written and oral testimony to the Committee, Senator Mark Johnson provided the following explanation for his decision to sign the per diem and mileage sign-in sheet for Senator Alan Clark, even though Senator Clark did not attend the Boys State meeting in the Senate chamber on Friday, June 3, 2022:

Senator Mark Johnson stated, "I presumed that [Sen. Clark] had left the chamber and returned to his apartment during the 35-40 minute time that I was out of the building for my doctor appointment. I also knew that he was supposed to be at a meeting I was scheduled to attend at the Republican Party of Arkansas building at 12 noon, which he did attend later, at approximately 12 noon." Exhibit B.7., p.1., Sen. Mark Johnson Statement to Senate Ethics Committee, June 23, 2022. Senator Mark Johnson further stated, "I signed on behalf of Senator Clark, at his specific direction, with the understanding that he had been in attendance, at least in part, for the morning session, and was doing so simply on his behalf." Exhibit B.7., p.2.

The Committee did not find Senator Mark Johnson's reasoning persuasive for the following reasons:

1. Senator Clark texted Senator Mark Johnson on Friday, June 3, 2022, at 11:31 a.m., prior to Senator Mark Johnson signing Senator Clark's name on the sign-in sheet, with the following message: "Would y'all sign me in? I am at Capitol Hill but running a fever so didn't come over." Exhibit B.8., Text Exchange between Sen. Mark Johnson and Sen. Alan Clark, June 3, 2022. This clearly indicated that Senator Alan Clark "didn't come over" for the meeting that day and contradicted Senator Mark Johnson's written and oral testimony before the Committee, where Senator Johnson stated "I signed on behalf of Senator Clark, at his specific direction, with the understanding that he had been in attendance, at least in part, for the morning session". Exhibit B.7., p.2.
2. Senate staffer, Ms. Leigh Ann Golden-Smith, stated in her written and oral testimony to the Committee that when Senator Mark Johnson approached her looking for the sign-in sheets for the June 3 Boys State meeting, "Senator Johnson said he wanted to sign in on behalf of his friend Senator Alan Clark, who he said was not at the Capitol today." Exhibit B.3., p.4, Email from Ann Cornwell to Sen. Hickey including Senate staff written statements.
3. Senate staffer, Ms. Sabrina Lewellen, stated in her written and oral testimony to the Committee that when Senator Mark Johnson approached her for the sign-in sheets for the June 3 Boys State meeting, Senator Mark Johnson said "I need to sign for Sen. Clark." When Ms. Lewellen questioned whether he meant Senator Clarke Tucker, Senator Mark Johnson replied, "No, Alan Clark." Ms. Lewellen testified that she then said to Senator Mark Johnson "something along the lines of 'I didn't see him today. Could he have signed in at Audit?'" Following this exchange, Ms. Lewellen testified that Senator Mark Johnson "took the sheet and signed in for Sen. Clark next to his name and said, 'He forgot to sign in.' He then walked away". Exhibit B.3., p.3.

4. The Committee found that the Senate staff members' accounts of their interactions with Senator Mark Johnson on June 3, 2022, were substantiated through testimony and exhibits provided to the Committee.
 5. The three instances set forth above – the text message from Senator Clark, and the interactions with the two (2) Senate staffers – all occurring prior to Senator Mark Johnson signing Senator Alan Clark's name on the sign-in sheet, provide evidence that Senator Mark Johnson knew that Senator Alan Clark had not attended the meeting for which he was signing him in. Although Senator Mark Johnson stated to Ms. Lewellen that Senator Clark "forgot to sign in", the totality of the evidence presented, including testimony from staff, to the Committee demonstrated that when Senator Mark Johnson signed Senator Alan Clark's name on the sign-in sheet he was aware that Senator Alan Clark had not attended the Boys State meeting that day.
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III. Senate Ethics Committee Recommendations.

As such, it is the recommendation of the Senate Ethics Committee to the Senate of the Ninety-Third General Assembly that the Senate of the Ninety-Third General Assembly of the State of Arkansas concur in and uphold the recommendations of its Senate Ethics Committee, as follows:

A. Senate Code of Ethics Violations.

1. The Senate Ethics Committee finds that Senator Mark Johnson violated Senate Rule 24.03, and recommends that the Senate of the Ninety-Third General Assembly of the State of Arkansas find Senator Mark Johnson to be in violation of the Senate's Code of Ethics with regard to Rule 24.03, which reads as follows:

24.03 Compliance with Law

Senators shall comply with all constitutional and statutory provisions relating to elected office. Violation of any constitutional or statutory provision shall be grounds for administering penalties as provided in the Code of Ethics. Any penalty imposed by the Senate shall not bar any other civil or criminal proceedings.

The Committee finds and recommends concurrence by the Senate that Rule 24.03 was violated due to Senator Mark Johnson's failure to comply with the following statutory provisions, as evidenced by the findings of fact, stated above, and the exhibits provided as attachments to this report:

- a. Arkansas Code §10-2-212, regarding per diem and mileage reimbursement for members of the General Assembly, states at subsection (c), "A member of the General

Assembly shall not file with the House of Representatives or Senate claims for per diem or mileage reimbursement in excess of the maximum amount prescribed by law.”

- b. Arkansas Code §10-2-217, regarding compensation for members of interim committees and for performance of other interim duties, provides “It is the intent of this section to establish uniform per diem and mileage allowances *for attendance by members* of the General Assembly at meetings of interim committees of the General Assembly and for performing other interim legislative duties as members of the General Assembly where authorized by law.” Arkansas Code § 10-2-217(c) (emphasis added). “Other interim legislative duties as authorized by law” under Arkansas Code § 10-2-217(b)(2)(A) includes “Service by members of the General Assembly in connection with the legislative program of Boys State and Girls State, as authorized by § 10-2-121”.

Conclusion: Senator Mark Johnson signed Senator Alan Clark’s name on the sign in sheet for the June 3, 2022 Boys State meeting, which Senator Clark did not attend, thereby indicating that Senator Alan Clark was entitled to collect per diem and mileage reimbursement for which he was not eligible under the law, in violation of Senate Rule 24.03, specifically with regard to the provisions of Arkansas Code § 10-2-212 and § 10-2-217.

2. The Senate Ethics Committee finds that Senator Mark Johnson violated Senate Rule 24.06(1)(c), and recommends that the Senate of the Ninety-Third General Assembly of the State of Arkansas find Senator Mark Johnson to be in violation of the Senate’s Code of Ethics with regard to Rule 24.06(1)(c), which reads as follows:

24.06 Prohibited Conduct and Conflicts of Interest

It is the policy of the Senate that a Senator may not have a direct or indirect interest, including financial and other interests, or engage in a business transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of his or her duties in the public interest.

(1) A Senator shall not knowingly:

[. . .]

(c) Seek, accept, use, allocate, grant, or award public funds for a purpose other than that approved by law, or make a false statement in connection with a claim, request, or application for compensation, reimbursement or travel allowances from public funds;

The Committee finds and recommends concurrence by the Senate that Senator Clark violated Senate Rule 24.06(1)(c), as evidenced by the findings of fact, stated above, and the exhibits provided as attachments to this report.

Conclusion: *By signing Senator Alan Clark's name on the per diem and mileage sign-in sheet for the Boys State meeting on Friday, June 3, 2022, a meeting that Senator Alan Clark did not attend, and that Senator Mark Johnson knew Senator Alan Clark did not attend, Senator Mark Johnson knowingly made a false statement in connection with a claim, request, or application for reimbursement in violation of Senate Rule 24.06(1)(c).*

B. Penalties.

Under Senate Rule 24.11, the Senate Ethics Committee may recommend the Senate take disciplinary action against a Senator found to be in violation of the Senate's Code of Ethics, and may recommend that the disciplinary action be carried out by imposing one or more of the following penalties:

- (a) Letter of caution;
- (b) Loss of committee assignment(s);
- (c) Loss of leadership assignment(s);
- (d) Loss of seniority;
- (e) Temporary suspension;
- (f) Expulsion;
- (g) Other measures to be determined by the members of the Senate.

The Committee, in its discussing the range of penalties that it may recommend, specifically discussed the possibility of loss of seniority; however, following consultation with legal counsel regarding the issue of validity of a penalty that would extend beyond the Ninety-Third General Assembly, the Committee chose not to include this as a recommendation to the full Senate. The Senate Ethics Committee recommends that upon a determination by the Senate of the Ninety-Third General Assembly that Senator Mark Johnson has violated the Senate Code of Ethics, the Senate impose the following penalties against Senator Mark Johnson:

- 1. A letter of reprimand be issued to Senator Mark Johnson by the Senate;***
- 2. Senator Mark Johnson shall be removed from any committee chair or vice-chair positions that he currently holds for the remainder of the 93rd General Assembly;***
- 3. Senator Mark Johnson shall not be eligible for per diem and mileage for attendance at interim committee meetings for the remainder of the 93rd General Assembly;***
- 4. Senator Mark Johnson shall be removed from the Senate Ethics Committee for the remainder of the 93rd General Assembly; and***
- 5. Senator Mark Johnson should not be considered by a future President Pro Tempore of the Senate for appointment to serve in the future on Boys State, Girls State, or the Senate Ethics Committee.***

Respectfully Submitted,



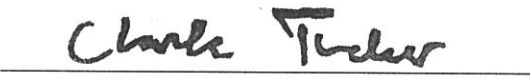
Senator Kim Hammer,
Chair, Senate Ethics Committee



Senator Missy Irvin



Senator Mathew Pitsch



Senator Clarke Tucker



Senator Stephanie Flowers



Senator David Wallace



Senator Dan Sullivan

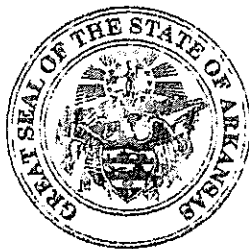
JIMMY HICKEY, JR.
PRESIDENT PRO TEMPORE

SENATOR
11TH DISTRICT

PHONE: 903-824-8861

jimmy.hickey@senate.ar.gov

1600 ARKANSAS BLVD., SUITE 106
TEXARKANA, ARKANSAS 71854



THE SENATE
STATE OF ARKANSAS

MEMBER:
JOINT BUDGET
INSURANCE & COMMERCE
JOINT PERFORMANCE REVIEW
JOINT RETIREMENT & SOCIAL SECURITY
REVENUE & TAXATION

June 15, 2022

Senator Kim D. Hammer, Chairman
Senate Ethics Committee
Arkansas Senate
State Capitol Building, Room 320
Little Rock, Arkansas 72201

Dear Mr. Chairman:

In accordance with Senate Rule 24.09, I, Senator Jimmy Hickey, Jr., have good reason to believe that Senator Mark Johnson has violated the Senate's Code of Ethics. I am formally petitioning the Senate Ethics Committee to meet to conduct an investigation. The Senate Code of Ethics provisions that I allege Senator Mark Johnson has violated are listed below:

24.03 - Compliance with Law

Senators shall comply with all constitutional and statutory provisions relating to elected office. Violation of any constitutional or statutory provision shall be grounds for administering penalties as provided in the Senate Code of Ethics. Any penalty imposed by the Senate shall not bar any other civil or criminal proceedings.

24.06 - Prohibited Conduct and Conflicts of Interest

24.06 (1)(c) A Senator shall not knowingly: Seek, accept, use, allocate, grant, or award public funds for a purpose other than that approved by law, or make a false statement in connection with a claim, request, or application for compensation, reimbursement or travel allowances from public funds;

**Exhibit
A.1**

PAGE TWO

Petition – Senator Hickey

June 15, 2022

In accordance with Senate Rule 24.09, a description of the alleged unethical activities are:

1. Boys State 2022 was held at the State Capitol Building on Friday, June 3, 2022. The Boys State Senate met in the Senate Chamber from approximately 9:00 a.m. to 11:30 a.m. Senator Mark Johnson and Senator Alan Clark are both members of the Boys State Committee for the 93rd General Assembly.
2. At the end of the chamber proceedings, Senator Mark Johnson approached Senate staffer Ms. Leigh Ann Golden-Smith and asked for the senator sign-in sheets. Because she had observed him signing the sheet earlier during the day, she asked if he had already signed in. Senator Mark Johnson said he wanted to sign in on behalf of his friend Senator Alan Clark, who he said was not at the Capitol today. Ms. Golden-Smith advised Senator Mark Johnson the sign-in sheets were no longer near the line desk and recommended he speak with Ms. Sabrina Lewellen or Ms. Ann Cornwell.
3. Senator Mark Johnson approached Senate staffer Ms. Sabrina Lewellen, and asked her if the sheets in her hand were the sign-in sheets and that he needed to sign for Senator Clark. Ms. Lewellen replied, "Sir, do you mean Senator Clarke Tucker? He was here earlier and has signed in already." Senator Mark Johnson replied, "No. Alan Clark."
4. Ms. Lewellen responded, "I didn't see him today. Could he have signed in at Audit?" Senator Mark Johnson took the sheet and Ms. Lewellen observed Senator Mark Johnson sign Senator Alan Clark's name on the sign-in sheet. He then said, "He forgot to sign in." Senator Mark Johnson then walked away.
5. Ms. Lewellen walked up to Senate staffer Ms. Lesley Rogers and said, "I did not see Senator Alan Clark today. Did you see him?" Ms. Rogers said, "No ma'am I did not." Ms. Lewellen exited the Senate Chamber and handed Senate staffer Ms. Ann Cornwell all of the sign-in sheets for Friday, June 3, 2022. Ms. Lewellen advised her that Senator Mark Johnson had signed in for Senator Alan Clark, but that none of the Senate staff observed him in the chamber.
6. Ms. Cornwell approached Senator Bart Hester, Senate Efficiency Chairman, as he was leaving the chamber to make him aware she just received a sign-in sheet showing a signature for Senator Alan Clark. However, she was informed that Senator Mark Johnson had signed Senator Alan Clark's name and it did not have the required signature of the acting Boys State Chairman.
7. After discussion, Senate Efficiency Chairman Bart Hester directed Ms. Cornwell not to pay Senator Alan Clark for the Boys State proceedings on Friday.

PAGE THREE

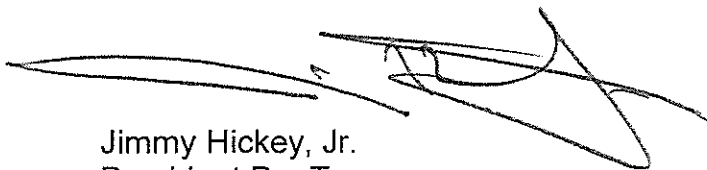
**Petition – Senator Hickey
June 15, 2022**

8. The afternoon of Friday, June 3, 2022, Senate Efficiency Chairman Bart Hester contacted Senator Jimmy Hickey, Jr. President Pro Tempore of the Senate regarding this matter. Senator Jimmy Hickey Jr. concurred with Senator Bart Hester that Senator Alan Clark should not be compensated.
9. On Friday evening, June 3, 2022, Senator Bart Hester advised Senator Jimmy Hickey Jr. that he called Senator Alan Clark. Senator Alan Clark told Senator Bart Hester he asked Senator Mark Johnson to sign his name.
10. On Monday, June 6, 2022, Senator Jimmy Hickey, Jr. contacted Ms. Ann Cornwell and advised her in writing not to pay Senator Alan Clark.

Per Senate Rule 24.01, the holding of public office is a public trust created by the confidence which the electorate places in the integrity of Senators who serve in the Arkansas Senate. Members of the Senate are expected to carry out their duties in a manner that brings honor and integrity to the body. Therefore, based on the aforementioned description of activities, Senator Mark Johnson has violated Senate Rule 24.03 and 24.06(1)(c).

Per Senate Rule 24.09, this petition has been submitted to the respondent and the Secretary of Senate.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jimmy Hickey, Jr.', with a long horizontal stroke extending to the left.

Jimmy Hickey, Jr.
President Pro Tempore
District 11

KIM DAVID HAMMER

SENATOR
33RD DISTRICT
PHONE: 501-840-3841
kim.hammer@senate.ar.gov

1201 MILITARY ROAD PMB #285
BENTON, ARKANSAS 72015



THE SENATE
STATE OF ARKANSAS

CHAIR:
JOINT RETIREMENT & SOCIAL SECURITY

MEMBER:
JOINT AUDIT
JOINT BUDGET
INSURANCE & COMMERCE
PUBLIC HEALTH, WELFARE & LABOR

June 16, 2022

Senator Joyce Elliott, Vice-Chair, Senate Ethics Committee
Senator Stephanie Flowers
Senator Mathew Pitsch
Senator Dan Sullivan
Senator Clarke Tucker
Senator Dave Wallace
Senator Missy Irvin

Dear Member of the Senate Ethics Committee,

As the chair of the Committee, this letter is to inform you that on Wednesday, June 15, 2022, I was provided with two (2) allegations of violations of the Senate's Code of Ethics, in accordance with Rule 24.09 of the Senate Rules. The allegations were made by Senator Jimmy Hickey, Jr. ("Claimant") alleging violations of the Senate's Code of Ethics, specifically Senate Rule 24.03 – Compliance with Law, and Senate Rule 24.06(1)(c) – Prohibited Conduct and Conflicts of Interest, against Senator Alan Clark and Senator Mark Johnson ("Respondents").

Under Rule 24, consideration of allegations of a violation of the Senate's Code of Ethics are to be brought by filing a written petition, followed by an investigation and hearing in the Senate Ethics Committee (*See* Senate Rule 24.09). After the committee's investigation is concluded and a recommendation made to the Senate, the full Senate shall meet to vote on the recommendation of the committee (*See* Senate Rule 24.10). It is imperative that all allegations of violations of the Senate's Code of Ethics be taken seriously and treated in a uniform and consistent manner as set forth in the rules adopted by the Senate.

Senate Ethics Committee Hearing

As such, it is the obligation of the Senate Ethics Committee, under Rule 24.09(2), to meet to consider the allegations set forth in the petition "within ten (10) business days of receipt of the petition." ***By this letter, I am calling a meeting of the Senate Ethics Committee to consider Senator Hickey's allegations on Wednesday, June***

Exhibit

A.2

22, 2022 at 9:00 a.m. in Room 309. Separate hearings will be held for the allegations against each Respondent, with the hearing on the allegations against Senator Clark beginning at 9:00 a.m., and the hearing on the allegations against Senator Mark Johnson following the first hearing at the call of the chair.

I anticipate that we will need to meet all day on June 22 and possibly into Thursday, June 23. I want to offer all parties the opportunity to present information they feel is relevant to the Committee in making its determination and the members of the Committee the time needed to conduct a thorough investigation and deliberations, while still concluding the hearing process expeditiously. Please be prepared to stay until the hearings are completed. Lunch will be provided and I would ask that we all remain together in the quiet room during the lunch break, so as to avoid the possibility of interactions with the parties or witnesses to the hearings.

Filing and Availability of Documents by Claimant and Respondents

All parties will be given the opportunity to file written responses and provide supporting documents related to the allegations. ***The original allegations of violation, as well as any responses filed by the Respondents, will be available for review by members of the Senate Ethics Committee on Tuesday, June 21, 2022 between 8:30 a.m. and 4:30 p.m., in Room 315 of the State Capitol Building.***

The documents related to the hearing of the Senate Ethics Committee are confidential and considered the working papers of the members of the Committee. Only members of the Ethics Committee and parties to the allegations will be permitted to view the documents prior to the Committee meeting. When viewing the documents, members should not take the documents from Room 315, nor should you divulge to anyone who is not a member of the Committee any information regarding the contents of the documents or record or take photographs of the documents when viewing them.

In addition to the time available for reviewing the documents on June 21, members of the Committee may arrive at 8:00 a.m. on Wednesday, June 22, to have an additional hour prior to the hearings to review the documents related to the allegations. All documents will be provided to members of the Committee as part of the meeting packet.

Once recommendations are made by the Committee to the Senate, the documents related to the Committee's hearing will be provided to all members of the Senate.

Hearing Procedure

Senate Rule 24.09 (4) requires that the proceedings of the Senate Ethics Committee be conducted in public "unless the [committee] is in executive session". It is my intention to convene the meeting at 9:00 a.m. on Wednesday, explain the procedure to the committee and everyone present, and then proceed with the process set forth below.

Rule 24.10 sets out the procedure for the committee's hearing on the petition, which is the procedure that will be followed at the meeting on June 22. The claimant (Senator Hickey) shall appear at both hearings to present his petition. The respondents (Senator Clark and Senator Mark Johnson) may also be present at the hearing that pertains to the allegations related to him, and the following procedures will apply:

- Claimant shall state the basis of his allegations against the Respondent;
- Respondent will have the opportunity to respond, but is not required to under the rule;
- Both parties are permitted to bring witnesses, if they desire, and any witnesses will be placed under oath by the chair;
- Committee members will be permitted to ask questions of the parties and any witnesses;
- At the conclusion of the testimony, both parties will be afforded the opportunity to make closing statements.
- Any action by the Committee is required to be taken in public.

Staff

During the course of this process, Steve Cook, Legal Counsel for the Senate, Marty Garrity, Director of the Bureau of Legislative Research, and Jill Thayer, BLR Legal Counsel, will be assisting the committee, due to the possibility that Senate staff may be called as witnesses during the hearing process. As such, I would ask that if you need staff assistance or have questions related to this process, you contact either Mr. Cook, Director Garrity, or Ms. Thayer, rather than Senate staff.

It is my hope to conduct this hearing and investigation process with the utmost regard for the integrity of this Committee and of the processes and procedures set forth in Senate Rule 24. As such, I strongly encourage you, as members of the Ethics Committee, to refrain from private conversations with any of the parties regarding the issues to be considered during the hearing process of the Committee.

Sincerely,

A handwritten signature in black ink that reads "Kim D. HAMMER". The signature is written in a cursive style with a horizontal line extending to the right.

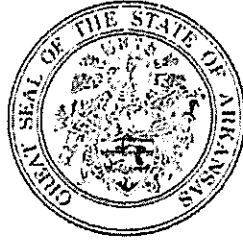
Senator Kim Hammer, Chair
Senate Ethics Committee

Attachment: Senator Rule 24

KIM DAVID HAMMER

SENATOR
33RD DISTRICT
PHONE: 501-840-3841
kim.hammer@senate.ar.gov

1201 MILITARY ROAD PMB #285
BENTON, ARKANSAS 72015



THE SENATE
STATE OF ARKANSAS

CHAIR
JOINT RETIREMENT & SOCIAL SECURITY

MEMBER:
JOINT AUDIT
JOINT BUDGET
INSURANCE & COMMERCE
PUBLIC HEALTH, WELFARE & LABOR

June 16, 2022

Senator Jimmy Hickey, Jr.
President Pro Tempore

Dear Senator Hickey,

As you know, on Wednesday, June 15, 2022, I was provided with an allegation of violations of the Senate's Code of Ethics, in accordance with Rule 24.09 of the Senate Rules. The allegations were made by you ("Claimant") alleging violations of the Senate's Code of Ethics, specifically Senate Rule 24.03 – Compliance with Law, and Senate Rule 24.06(1)(c) – Prohibited Conduct and Conflicts of Interest, against Senator Alan Clark and Senator Mark Johnson ("Respondents").

Under Rule 24, consideration of allegations of a violation of the Senate's Code of Ethics are to be brought by filing a written petition, followed by an investigation and hearing in the Senate Ethics Committee (*See* Senate Rule 24.09). After the committee's investigation is concluded and a recommendation made to the Senate, the full Senate shall meet to vote on the recommendation of the committee (*See* Senate Rule 24.10). It is imperative that all allegations of violations of the Senate's Code of Ethics be taken seriously and treated in a uniform and consistent manner as set forth in the rules adopted by the Senate.

Senate Ethics Committee Hearing

As such, it is the obligation of the Senate Ethics Committee, under Rule 24.09(2), to meet to consider the allegations set forth in the petition "within ten (10) business days of receipt of the petition." ***The Senate Ethics Committee will meet to consider Claimant's allegations on Wednesday, June 22, 2022 at 9:00 a.m. in Room 309.*** Separate hearings will be held for the allegations against each Respondent, with the first hearing on the allegations against Senator Clark beginning at 9:00 a.m., and the hearing on the allegations against Senator Mark Johnson following the first hearing at the call of the chair.

Exhibit
A.3

I anticipate that the Committee may need to meet all day on June 22 and possibly into Thursday, June 23. I want to offer all parties the opportunity to present information they feel is relevant to the Committee in making its determination and the members of the Committee the time needed to conduct a thorough investigation and deliberations, while still concluding the hearing process expeditiously.

Filing and Availability of Documents by Claimant and Respondents

All parties will be given the opportunity to file written responses and provide supporting documents related to the allegations. The documents related to the hearing of the Senate Ethics Committee are confidential and considered the working papers of the members of the Committee. Other than the parties to the allegation, only members of the Ethics Committee will be permitted to view the documents prior to the Committee meeting.

You are permitted to file any supporting documentation related to the allegations in your petition. Written responses and any supporting documentation ***shall be filed no later than 4:00 p.m., Monday, June 20, 2022***, by submitting the documents to me, as chair of the Senate Ethics Committee, with a copy to Director Garrity, as staff for the Committee. ***If you plan to call any witnesses, please provide me with a list of the individuals who will testify by the same deadline as the written responses and supporting documentation.*** A copy of all documentation filed with the Committee will be provided to the parties on Tuesday, June 21, 2022.

Once recommendations are made by the Committee to the Senate, the documents related to the Committee's hearing will be provided to all members of the Senate.

Hearing Procedure

Senate Rule 24.09 (4) requires that the proceedings of the Senate Ethics Committee be conducted in public "unless the [committee] is in executive session". It is my intention to convene the meeting at 9:00 a.m. on Wednesday, explain the procedure to the committee and everyone present, and then proceed with the process set forth below.

Rule 24.10 sets out the procedure for the committee's hearing on the petition, which is the procedure that will be followed at the meeting. As the Claimant, you shall appear at both hearings to present your petitions. The respondents (Senator Clark and Senator Mark Johnson) may also be present at the hearing that pertains to the allegations related to him, and the following procedures will apply:

- Claimant shall state the basis of his allegations against the Respondent;
- Respondent will have the opportunity to respond, but is not required to under the rule;
- Both parties are permitted to bring witnesses, if they desire, and any witnesses will be placed under oath by the chair;
- Committee members will be permitted to ask questions of the parties and any witnesses;
- At the conclusion of the testimony, both parties will be afforded the opportunity to make closing statements.
- Any action taken by the Committee is required to be taken in public.

Staff

During the course of this process, Steve Cook, Legal Counsel for the Senate, Marty Garrity, Director of the Bureau of Legislative Research, and Jill Thayer, BLR Legal Counsel, will be assisting the Committee, due to the possibility that Senate staff may be called as witnesses during the hearing process. As such, I would ask that if you need staff assistance or have questions related to this process, you contact either Mr. Cook, Director Garrity, or Ms. Thayer, rather than Senate staff.

It is my hope to conduct this hearing and investigation process with the utmost regard for the integrity of the Senate Ethics Committee and of the processes and procedures set forth in Senate Rule 24. As such, I ask that you refrain from contacting members of the Senate Ethics Committee regarding the allegations before them prior to the hearing.

Sincerely,

A handwritten signature in black ink that reads "Kim D. Hammer". The signature is written in a cursive style with a long horizontal line extending to the right.

Senator Kim Hammer, Chair
Senate Ethics Committee

Attachment: Senate Rule 24

KIM DAVID HAMMER

SENATOR
33RD DISTRICT
PHONE: 501-840-3841
kim.hammer@senate.ar.gov

1201 MILITARY ROAD PMB #285
BENTON, ARKANSAS 72015



THE SENATE
STATE OF ARKANSAS

CHAIR:
JOINT RETIREMENT & SOCIAL SECURITY

MEMBER:
JOINT AUDIT
JOINT BUDGET
INSURANCE & COMMERCE
PUBLIC HEALTH, WELFARE & LABOR

June 16, 2022

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As such, it is the obligation of the Senate Ethics Committee, under Rule 24.09(2), to meet to consider the allegations set forth in the petition "within ten (10) business days of receipt of the petition." ***The Senate Ethics Committee will meet to consider Claimant's allegations on Wednesday, June 22, 2022 at 9:00 a.m. in Room 309.*** Separate hearings will be held for the allegations against you and a related allegation against another Senator, with the first hearing on the allegations against the other Senator beginning at 9:00 a.m., and the hearing on the allegations against you following the first hearing at the call of the chair.

I anticipate that the Committee may need to meet all day on June 22 and possibly into Thursday, June 23. I want to offer all parties the opportunity to present information they feel is relevant to the Committee in making its determination and the members of the

Exhibit
A.4

Committee the time needed to conduct a thorough investigation and deliberations, while still concluding the hearing process expeditiously.

Filing and Availability of Documents by Claimant and Respondents

All parties will be given the opportunity to file written responses and provide supporting documents related to the allegations. The documents related to the hearing of the Senate Ethics Committee are confidential and considered the working papers of the members of the Committee. Other than the parties to the allegation, only members of the Ethics Committee will be permitted to view the documents prior to the Committee meeting.

You are permitted to file a written response to the allegation petition along with any supporting documentation. Written responses and any supporting documentation ***shall be filed no later than 4:00 p.m., Monday, June 20, 2022***, by submitting the documents to me, as chair of the Senate Ethics Committee, with a copy to Director Garrity, as staff for the Committee. ***If you plan to call any witnesses, please provide me with a list of the individuals who will testify by the same deadline as the written responses and supporting documentation.*** A copy of all documentation filed with the Committee will be provided to the parties on Tuesday, June 21, 2022.

Once recommendations are made by the Committee to the Senate, the documents related to the Committee's hearing will be provided to all members of the Senate.

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Rule 24.10 sets out the procedure for the committee's hearing on the petition, which is the procedure that will be followed at the meeting. The claimant (Senator Hickey) shall appear at both hearings to present his petition. The respondents yourself and the other Senator may also be present at the hearing that pertains to the allegations related to each of you, and the following procedures will apply:

- Claimant shall state the basis of his allegations against the Respondent;
- Respondent will have the opportunity to respond, but is not required to under the rule;
- Both parties are permitted to bring witnesses, if they desire, and any witnesses will be placed under oath by the chair;
- Committee members will be permitted to ask questions of the parties and any witnesses;
- At the conclusion of the testimony, both parties will be afforded the opportunity to make closing statements.
- Any action taken by the Committee is required to be taken in public.

Please let me know if you plan to appear at the meeting.

Staff

During the course of this process, Steve Cook, Legal Counsel for the Senate, Marty Garrity, Director of the Bureau of Legislative Research, and Jill Thayer, BLR Legal Counsel, will be assisting the Committee, due to the possibility that Senate staff may be called as witnesses during the hearing process. As such, I would ask that if you need staff assistance or have questions related to this process, you contact either Mr. Cook, Director Garrity, or Ms. Thayer, rather than Senate staff.

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Sincerely,

A handwritten signature in black ink, appearing to read "Kim D. Hammer", with a long horizontal flourish extending to the right.

Senator Kim Hammer, Chair
Senate Ethics Committee

Attachment: Senate Rule 24

TEXT CONVERSATION BETWEEN SEN. BART
HESTER & SENATOR JIMMY HICKEY



Jimmy Hickey, JR

*-NOTE ... I TALKED WITH SENATOR HESTER AND HE
IS ALSO IN AGREEMENT WITH SHARING THIS
WITH COMMITTEE.

New iMessage

Cancel

To: ~~Bart Hester~~

Fri, Jun 3, 1:44 PM

Mark Johnson signed Alan Clark into a boys state today and Alan was not there.

From Bart Hester TO Jimmy Hickey

Ann asked me what to do. I said to not pay Alan and you and I would decide if anything further needed to happen.

Agreed. He does not be to be paid...Hammer is ethics chair. We need to tell him if you don't mind. Thanks

From Hickey

Ok
I will

From Hester

Thanks

From Hickey



iMessage



New iMessage

Cancel

To: ~~Bart Hester~~

~~I will~~

~~Thank~~

Fri, Jun 3, 5:29 PM

I called Alan Clark.

He said he asked MJ to sign him in because AC drive in last night to attend but woke up sick and could not attend but because he drove in he felt he deserved the per diem.

*from Hester
to Hickey*



another thing to add to new member training
never ever ever never sign in for someone or have them sign in for you



iMessage



New iMessage

Cancel

To: ~~Bart Hester~~

I called Alan Clark.

He said he asked MJ to sign him in because AC drive in last night to attend but woke up sick and could not attend but because he drove in he felt he deserved the per diem.



another thing to add to new member training never ever ever never sign in for someone or have them sign in for you

HA HA

Ha, I drive in for stuff as Pro Temp and don't sign in to anything....about to be your life big boy!!! 😂😂

from Hickey



iMessage



New iMessage

Cancel

To: ~~Bart Hester~~

Sun, Jun 5, 6:16 AM

I have heard that Alan was at a meeting at RPA and was out in Little Rock after that. I haven't verified the "out afterwards" yet. I told Kim that I asked you to call him. Did you talk to Kim?

From Hickey TO HESTER

I have not spoken to Kim.

Alan called me last night and I was not able to take his call. I will call him back today. I hope he says he made a mistake and wants to back up on it.

FROM HESTER

~~This is extremely unfortunate but we are going to have to address it.~~

- See next Page



iMessage



New iMessage

Cancel

To: Bart Hester

This is extremely unfortunate but we are going to have to address it. This is something that could cause big trouble. If a Democrat did it, I am sure the caucus would flip out. One of those very non fun deals.

From Hester

I agree and It's brutal.

I plan to talk to Alan and I'm asking Ann if there is a written policy. It does not have to be written to know one should not do it but it will clarify.

From Hester

~~Mark is equally culpable in the situation....if not more. I~~

See next page



iMessage



New iMessage

Cancel

To: ~~Bart Hester~~

Mark is equally culpable in the situation....if not more. I just keep thinking about it and not for sure if the one who asked for it to be done is worse or the one who actually did it is worse. Probably same.

From Hickey TO Hester

I agree. I keep thinking about staff member who saw it happen and reported it as well.

From Hester

Yes. They did the correct thing. I figure they have all talked and have made the decision to stand together if they get any heat....just speculation on my part on

see next page



iMessage



New iMessage

Cancel

To: ~~Bart Hester~~

~~actually did it is worse.~~
Probably same.

I agree.
I keep thinking about staff member who saw it happen and reported it as well.

Yes. They did the correct thing. I figure they have all talked and have made the decision to stand together if they get any heat.....just speculation on my part on that however. We have to protect that wholeheartedly.

FROM
Hester
TO
Hester

yes w rod

we do

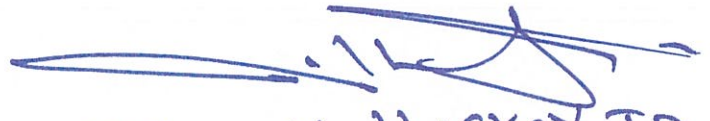
] - FROM Hester



iMessage



TEXT CONVERSATION BETWEEN MS. ANN
CORNWELL AND SENATOR JIMMY HICKEY.
DOCUMENTATION IS BEING SUPPLIED TO HICKEY
FROM CORNWELL FOLLOWING A TELEPHONE
CONVERSATION EARLIER THE SAME MORNING.



JIMMY HICKEY, JR.

New iMessage

Cancel

To: ~~Ann Cornwell~~

Mon, Jun 6, 9:09 AM

ARKANSAS STATE SENATE
Meeting: BOYS STATE MEETING
Location: SENATE CHAMBER, STATE CAPITOL
LITTLE ROCK, AR 9:00 AM

Sign-in Sheet for MEMBERS OVER 50 MILES FROM THE CAPITOL
Date: FRIDAY, JUNE 3, 2022

PRINTED NAME	SIGNATURE
SENATOR TRENT GARNER	
RESIDING CHAIR SIGNATURE	
SENATOR ALAN CLARKE	<i>Alan Clarke</i>
RESIDING CHAIR SIGNATURE	
SENATOR SCOTT FLIPPO	<i>Scott Flippo</i>
RESIDING CHAIR SIGNATURE	

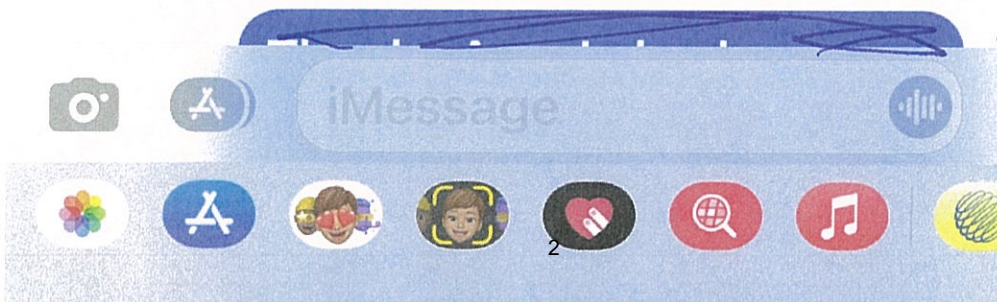
Handwritten note: X-Check! Check! Done!

FROM Ann CORNWELL TO Hickey



Sorry it was Leigh Anne not Lesley. Leigh Ann will document her interaction. Sabrina is also.

FROM Ann CORNWELL TO Hickey

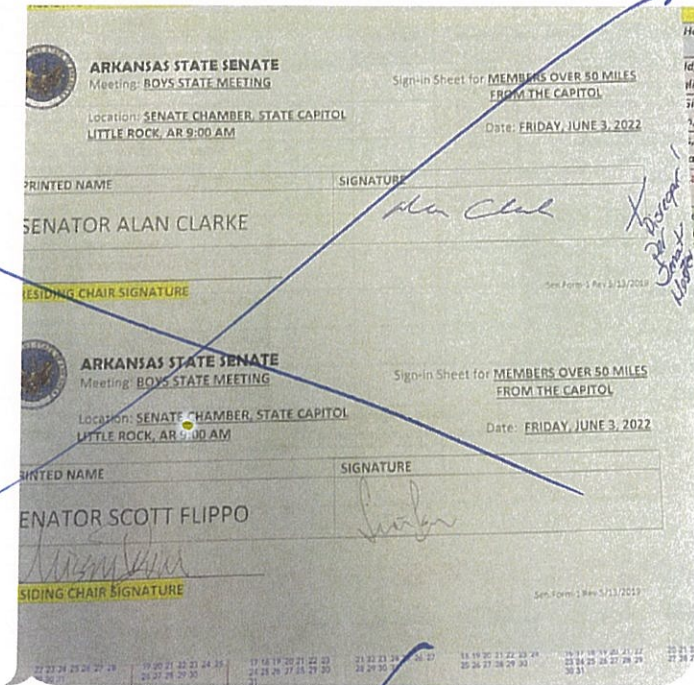


See next Page

New iMessage

Cancel

To: ~~Ann Cornwell~~



~~Sorry it was Leigh Anne not Lesley. Leigh Ann will document her interaction. Sabrina is also.~~

Thanks Ann. I also know we talked about this. I do not want Sen Clark to be paid for the meeting he did not attend.

from Hickey TO CORNWELL



Email I received from ms. Cornwell ~~set~~ After
I requested she get written statement from the
employees involved. It was received on 6/6/2022
@ 10:31 AM.

A handwritten signature in blue ink, which appears to be "Jimmy Hickey, Jr.", is written over a horizontal line. The signature is somewhat stylized and includes a large loop.



Found in Yahoo! Inbox



Ann Cornwell

To: Jimmy Hickey, Jr >

6/6/22



FW: (No-Reply) See Attached File

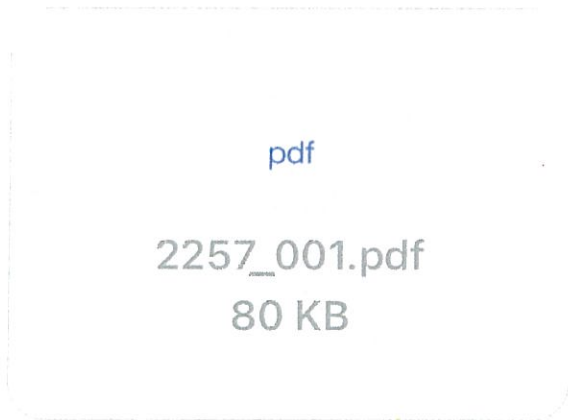
Attached first is from Sabrina and second from Leigh Ann

From: ROOM320 [mailto:pc_support@arkleg.state.ar.us]

Sent: Monday, June 06, 2022 10:07 AM

To: Cornwell, Ann

Subject: (No-Reply) See Attached File



Friday, June 3, 2022

Boys State 2022 had gaveled out. I had just gathered the Senator sign-in sheets and had moved toward the middle/back of the chamber and was standing at Senator Beckham's seat looking around for my earring that had fallen out during the mock session. Senator Mark Johnson approached me and said:

"Is that the sign in sheet? I need to sign for Sen. Clark"

I said:

"Sir, do you mean Senator Clark Tucker? He was here earlier and has signed in already."

He responded:

"No, Alan Clark."

I said something along the lines of:

"I didn't see him today. Could he have signed it at Audit?"

Senator Mark Johnson took the sheet and signed in for Sen. Clark next to his name and said, "He forgot to sign in." He then walked away.

I walked up to Lesley Rogers and said, "I did not see Senator Clark today. Did you see him?" Lesley said, "No ma'am I did not."

I walked out of the chamber and handed Ann Cornwell all of the sign-in sheets and advised her that Sen. Mark Johnson had signed in for Senator Clark, however none of us saw him today.

MEMORANDUM

TO: Ann Cornwell

FROM: Leigh Ann Golden-Smith

DATE: Monday, June 06, 2022

RE: Boys State / Senator Mark Johnson

At the end of the Boys State event at the State Capitol Building on Friday, June 3, 2022, Senator Mark Johnson approached me and asked for the senator sign-in sheets. I had observed Senator Johnson signing the sheet earlier during the event, so I asked him if he had already signed in for the day, and he said yes. Senator Johnson said he wanted to sign in on behalf of his friend Senator Alan Clark, who he said was not at the Capitol today.

I noticed the sign-in sheets had been near the line desk in the chamber for the duration of the Boys State event, but at the time Senator Johnson asked me for them, they were no longer there. I told Senator Johnson it appeared the sign-in sheets had already been taken up. I recommended he ask Ms. Sabrina Lewellen or Ms. Ann Cornwell for the sign-in sheets. Senator Johnson then approached Ms. Lewellen, and I overheard him ask if she had the sign-in sheets, and when she said yes, he said he wanted to sign in on behalf of Senator Alan Clark. I heard Ms. Lewellen ask if Senator Clark had been at Boys State today, and Senator Johnson said no, but that he was going to sign in on his behalf.

JIMMY HICKEY, JR.

PRESIDENT PRO TEMPORE

SENATOR

11TH DISTRICT

PHONE: 903-824-8861

jimmy.hickey@senate.ar.gov

3216 EAST 35TH STREET

TEXARKANA, ARKANSAS 71854



THE SENATE
STATE OF ARKANSAS

MEMBER:
JOINT BUDGET
INSURANCE & COMMERCE
JOINT PERFORMANCE REVIEW
JOINT RETIREMENT & SOCIAL SECURITY
REVENUE & TAXATION

MEMORANDUM

TO: Senator Trent Garner, Chairman
Senator Missy Irvin
Senator Clarke Tucker
Senator Bart Hester
Senator Scott Flippo
Senator Alan Clark
Senator Ben Gilmore
Senator Mark Johnson

FROM: Jimmy Hickey, Jr., President Pro Tempore of the Senate

DATE: April 1, 2022

SUBJECT: ARKANSAS BOYS STATE - 2022

Pursuant to Arkansas Code 10-2-121, the President Pro Tempore of the Senate is authorized to designate members of the Senate to assist with the annual American Legion Boys State.

Boys State will be held May 29-June 3, 2022, on the campus of the University of Central Arkansas (UCA) at Conway. I am forwarding your names to the Mr. Lloyd Jackson, Director, American Legion Arkansas Boys State, as one of the members to participate in the Boys State Program. Senator Trent Garner will serve as Chairman.

A planning meeting will be held at the Capitol in Committee Room 149 at 9:00 a.m., Thursday May 12, 2022, for the purpose of organizing and assigning responsibilities to participating Senators. You will receive a reminder a week for this meeting.

**Exhibit
B.4**

Members are scheduled to arrive at UCA at 9:45 a.m., Wednesday, June 1, 2022, and the Senate Chamber at 8:45 a.m., Friday, June 3, 2022, to assist the delegates of Boys State.

Each member participating will be allowed per diem and mileage in accordance with the provisions established by state law.

If for some reason you will be unable to serve, please contact Ann Cornwell or Sabrina Lewellen as soon as possible so I can find a replacement.

Cc: The Honorable Asa Hutchinson, Governor of Arkansas
The Honorable John Thurston, Secretary of State
The Honorable Matthew Shepherd, Speaker of the House of Representatives
Representative Les Warren, Chairman, Boys State, 2022
Lloyd Jackson, Director, American Legion Boys State
Marty Garrity, Director, Bureau of Legislative Research
Roy Ragland, House Chief of Staff
Amber Pool, Assistant Coordinator/Assistant to the Speaker of the House
Ann Cornwell, Director/Secretary of the Senate
Sabrina Lewellen, Assistant Director/Assistant Secretary of the Senate
Lesley Rogers, Constituent Services Manager
Tamara Lewis, Fiscal Officer
John Reed, Senate Information Officer

UPDATED 04-13-2022

2021-2022

PRESIDENT PRO TEMPORE HICKEY

APPOINTMENTS MADE BY THE PRESIDENT PRO TEMPORE OF THE SENATE

1. President Pro Tem appoints six (6) members of the Senate to assist in American Legion Boy's State. (10-2-121)

2022

1. SENATOR TRENT GARNER, CO-CHAIR
2. SENATOR MISSY IRVIN
3. SENATOR CLARKE TUCKER
4. SENATOR BART HESTER
5. SENATOR ALAN CLARK
6. SENATOR BEN GILMORE
7. SENATOR MARK JOHNSON
8. SENATOR SCOTT FLIPPO

2. President Pro Tem appoints six (6) members of the Senate to assist in American Legion Girl's State. (10-2-121)

2022

1. SENATOR KIM HAMMER, CO-CHAIR
2. SENATOR JOYCE ELLIOTT
3. SENATOR JONATHAN DISMANG
4. SENATOR BREANNE DAVIS
5. SENATOR GREG LEDING
6. SENATOR LINDA CHESTERFIELD
7. SENATOR JANE ENGLISH
7. SENATOR RICKY HILL

3. President Pro Tem appoints his first alternate to the Legislative Council. (10-3-301)

1. SENATOR 1ST ALTERNATE

4. President Pro Tem appoints his first alternate to the Legislative Joint Audit Committee if he does not wish to serve. (10-3-401 & 403)

1. JIMMY HICKEY, JR., PRESIDENT PRO TEM

ARKANSAS SENATE

PER DIEM & MILEAGE

TO: Ann Cornwell, Director, Arkansas Senate - Secretary of the Senate

RE: Efficiency Committee, Rules Committee, Boys and Girls State, Ethics Committee, Standing Committees (members under fifty miles)

We, the undersigned members of the above referenced committees, hereby certify that we attended the meeting designated above and if eligible do hereby request payment of per diem and mileage at the rates set by law.



ARKANSAS STATE SENATE

Meeting: BOYS STATE MEETING

Location: SENATE CHAMBER, STATE CAPITOL
LITTLE ROCK, AR 9:00 AM

Sign-in Sheet for MEMBERS OVER 50 MILES
FROM THE CAPITOL

Date: FRIDAY, JUNE 3, 2022

PRINTED NAME	SIGNATURE
SENATOR TRENT GARNER	

PRESIDING CHAIR SIGNATURE

Sen.Form-1 Rev 5/13/2019



ARKANSAS STATE SENATE

Meeting: BOYS STATE MEETING

Location: SENATE CHAMBER, STATE CAPITOL
LITTLE ROCK, AR 9:00 AM

Sign-in Sheet for MEMBERS OVER 50 MILES
FROM THE CAPITOL

Date: FRIDAY, JUNE 3, 2022

PRINTED NAME	SIGNATURE
SENATOR ALAN CLARKE	<i>Alan Clarke</i>

*X
for
Disregard
Senate
Meeting*

PRESIDING CHAIR SIGNATURE

Sen.Form-1 Rev 5/13/2019



ARKANSAS STATE SENATE

Meeting: BOYS STATE MEETING

Location: SENATE CHAMBER, STATE CAPITOL
LITTLE ROCK, AR 9:00 AM

Sign-in Sheet for MEMBERS OVER 50 MILES
FROM THE CAPITOL

Date: FRIDAY, JUNE 3, 2022

PRINTED NAME	SIGNATURE
SENATOR SCOTT FLIPPO	<i>Scott Flippo</i>

Maryanne
PRESIDING CHAIR SIGNATURE

Sen.Form-1 Rev 5/13/2019

331.82



ARKANSAS STATE SENATE

Meeting: BOYS STATE MEETING

Sign-in Sheet for MEMBERS OVER 50 MILES FROM THE CAPITOL

Location: SENATE CHAMBER, STATE CAPITOL
LITTLE ROCK, AR 9:00 AM

Date: FRIDAY, JUNE 3, 2022

PRINTED NAME	SIGNATURE
SENATOR BEN GILMORE	✓ 30593

1417 Cypress Street Crossatt

PRESIDING CHAIR SIGNATURE

Sen.Form-1 Rev 5/13/2019



ARKANSAS STATE SENATE

Meeting: BOYS STATE MEETING

Sign-in Sheet for MEMBERS OVER 50 MILES FROM THE CAPITOL

Location: SENATE CHAMBER, STATE CAPITOL
LITTLE ROCK, AR 9:00 AM

Date: FRIDAY, JUNE 3, 2022

PRINTED NAME	SIGNATURE
SENATOR BART HESTER	✓

331 82

PRESIDING CHAIR SIGNATURE

Sen.Form-1 Rev 5/13/2019



ARKANSAS STATE SENATE

Meeting: BOYS STATE MEETING

Sign-in Sheet for MEMBERS OVER 50 MILES FROM THE CAPITOL

Location: SENATE CHAMBER, STATE CAPITOL
LITTLE ROCK, AR 9:00 AM

Date: FRIDAY, JUNE 3, 2022

PRINTED NAME	SIGNATURE
SENATOR MISSY IRVIN	✓

16309 Highway 66
m v

291.89

PRESIDING CHAIR SIGNATURE

Sen.Form-1 Rev 5/13/2019

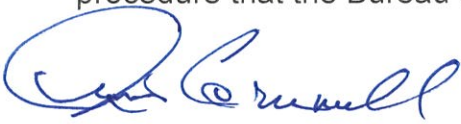
MEMO

TO: Marty Garrity, Director, Bureau of Legislative Research

The Arkansas Senate reimburses only the Senate members who have been appointed to Boys State and Girls State and attend Boys State or Girls State.

Before we reimburse a Senate member, we contact the Bureau of Legislative Research and Legislative Joint Audit to make sure a member is not being reimbursed by either of them for that day.

Members that attend Senate committee meetings have a sign-in sheet to sign and it is also signed by the chair or chair designee presiding over the meeting. This is the same procedure that the Bureau of Legislative Research and Joint Legislative Audit follow.



Ann Cornwell, Director, Arkansas Senate
Secretary of the Senate

In Person Conversation with Senator Mark Johnson after his request to pick up the "original" petition in my office. The petition had been e-mailed to him earlier the same day. Ms Ann Cornwell was also in this meeting.



Jimmy Hickey, Jr

Conversation with Senator Mark Johnson June 15, 2022.

Senator Mark Johnson came to my office around 11:20 am to pick up "original" petition copy. I asked Ann Cornwell to come into my office at the same time. The original petition copy was actually in her office at the time of Sen Johnson's arrival. I handed the petition to Sen Mark Johnson. He wanted to talk about the matter.

The following is a narrative of our conversation. The narrative is the best compilation from my memory that I have in regards to our meeting and is as follows.

When Senator Johnson came in he sat down and began talking. He made a statement that he thought we operated on trust within this body or institution. He stated that he thought this was an immaterial (not sure of exact word he used) type matter. He equated it to being the same as voting for another member in the Senate Chamber. He stated that he had voted for me in the chamber before and that I had possibly voted for him. He stated that voting on legislation by another member would be considered a felony in some states.


He also brought up that he had an opponent in an election this year and that these type things could possibly be used against him and that he may not be able to defend himself when someone states that he has an ethics investigation against him. (I am paraphrasing his comment here). I "assumed" that he was questioning my motive for filing the petition at this point and I told him that everything I had included within the petition was fact based and that the sentence at the end where I stated that I had deep regrets was especially true. I told him everything done from my side was done solely in a pure fashion.



Senator Mark Johnson also made the statement that he assumed this was initiated by our staff. I told him that Senator Hester had contacted me and that I was the one who filed the petition. I told him that was in the documentation. He stated that he needed to read it closer.

Senator Mark Johnson asked if this was going to be a dog and pony show or if it was going to be behind closed doors. I told him that the procedure was up to the ethics committee. Senator Johnson started to ask me about the procedures and I asked him to contact Mr Steve Cook regarding those because I did not want to state anything to him incorrectly.

Senator Johnson was not confrontational and I would consider the meeting cordial considering the circumstances.



Jimmy Hickey, Jr.

The following IS A TEXT Conversation
Between Senator Mark Johnson An
Senator Hickey After Hickey had
Advised Senator .



Jimmy Hickey, Jr.

New iMessage

Cancel

To: ~~Mark Johnson~~

Wednesday 10:01 AM

Senator Mark Johnson,

The purpose of my text is to let you know I am submitting a petition pertaining to potential ethics violations to Senator Kim Hammer, Chairman of the Senate Ethics Committee, and to Ms. Ann Cornwell, Secretary of the Senate, per our rules. I have emailed you a copy of the petition. I am at the State Capitol Building today. If you happen to be at the Capitol today, I can try to deliver the hard copy to you. Otherwise, your original copy is currently

From Hickett TO Mark Johnson



iMessage



3:48



New iMessage

Cancel

To: Mark Johnson

~~regret.~~

~~Respectfully,~~

~~Senator Jimmy Hickey, Jr.~~

I will come by your office to receive this in person.

*from M. Johnson
To Hickey*

10:30 will be good for me.

from Hickey

I will not be there that soon.

from M. Johnson

What time do you need?

from Hickey

11:00 - 11:15?

from Johnson

I will make sure I am in there.

from Hickey

Delivered

Ok - *from M. Johnson*



iMessage



*See next
Package for
In person
conversation*

Statement to Senate Ethics Committee
Senator Mark Johnson
June 23, 2022

Chairman Hammer and members of the Ethics Committee:

On Friday, June 3, I arrived at the Senate Chamber in the Capitol for the 2022 session of Boys State a few minutes before 9:00 a.m. I entered the Capitol through the south doors, and came up to the third floor on the “Senators Only” elevator. I was present for the opening prayer and pledge, and first official activities.

At or about 9:25, I left the chamber for a 9:30 doctor’s appointment on Fair Park Boulevard near I-630. The drive took about five minutes. The appointment was brief and I returned to the Capitol. I left and returned via the “Senators Only” elevator.

I assisted the Boys Staters with their session, and as it adjourned at approximately 11:30 I received a text from Senator Alan Clark. He said he was feeling bad and possibly running a fever, and had gone back to his apartment in the Capitol Hill building. He asked if I would sign him in for the meeting. I knew that he was a member of the Boys State committee, as I had sat with him at the Boys State session at UCA. I presumed that he had left the chamber and returned to his apartment during the 35-40 minute time that I was out of the building for my doctor appointment. I also knew that he was supposed to be at a meeting I was scheduled to attend at the Republican Party of Arkansas building at 12 noon, which he did attend later, at approximately 12 noon.

I then sought out Ms. Leigh Anne Golden-Smith and asked for the sign-in sheet. I had signed in myself earlier that morning. She said that she didn’t have the sheet, and suggested that I ask Ms. Sabrina Lewellen. I found Ms. Lewellen near the back left side of the Senate chamber, and told her I needed to sign in for Senator Clark. She said, “do you mean Senator Clarke Tucker – he has already signed in”. I told her, “No, for Senator Alan Clark.” She asked if Senator Clark had perhaps signed in for Audit Committee meeting that morning. I answered her no, believing that he had been in the Capitol during the Boys State meeting in the Senate chamber, probably during the interval when I had been out for my doctor appointment.

Exhibit B.7
Submitted 6/23/22
by Sen. M. Johnson

I then signed in for Senator Clark, and thought nothing more of it than doing a favor requested by a colleague. Later, I saw Senator Clark at the meeting at the RPA office. He was wearing a mask and apologized to those present for wearing it, stating that he had felt ill earlier and didn't want to expose us any more than necessary.

This is the description of my actions related to the matter of this complaint.

In reading the complaint filed by Senator Jimmy Hickey, Jr., I noted that while he referenced an alleged violation of Senate Rule 24.03 "Compliance with Law", he failed to mention the particular constitutional or statutory provision with which I allegedly failed to comply.

It is an accepted tenet of American jurisprudence that anyone accused of breaking a law is to be provided with the citation that he/she is alleged to have broken.

Senator Hickey failed to do so in this case.

Senator Hickey also stated that I violated Senate Rule 24.06 (1)(c). Again, he did not mention specifically which of the stated purposes I had violated, although in context he could have possibly been referring to the fact that I had signed Senator Clark's name "in connection with a claim... from public funds."

As I have explained herein, I signed on behalf of Senator Clark, at his specific direction, with the understanding that he had been in attendance, at least in part, for the morning session, and was doing so simply on his behalf.

I do wish to correct some items in the written record.

Ms. Golden-Smith states in the first paragraph of her written testimony that *"Senator Johnson wanted to sign in on behalf his friend Senator Alan Clark, who he said was not at the Capitol today."*

I specifically did not say this. While I certainly consider Senator Clark my friend, I absolutely did not mention this to Ms. Golden-Smith. I believe this could be construed to imply some nefarious intention, and is nonetheless irrelevant to this inquiry.

In the second paragraph of her written testimony, Ms. Golden-Smith states *“I heard Ms. Lewellen ask if Senator Clark had been at Boys State today, and Senator Johnson said no, but that he was going to sign in on his behalf.”*

While I do not remember Ms. Lewellen asking that specific question, I categorically deny stating “no” in response to whether Senator Clark had been at Boys State on Friday. Further, I state that while I may be been operating under a mistaken assumption that Senator Clark had indeed been in attendance for part of the Friday morning session, I do not recall being asked to confirm his attendance by Ms. Lewellen.

In light of this statement, and due to Senator Hickey’s failure to specify the constitutional or statutory citations I violated, I respectfully request that the Committee dismiss this complaint, as it clearly arose solely out of a misunderstanding that I had of Senator Clark’s attendance the morning of Friday, June 3, and my only motivation being to accommodate what I sincerely believed was a reasonable request from a colleague who was feeling ill that morning.

Respectfully,

A handwritten signature in black ink, appearing to read 'Mark Johnson', with a long horizontal flourish extending to the right.

Mark Johnson
State Senator – District 15

Fri, May 20, 10:29 AM

We're in the back left side.

Wed, Jun 1, 8:13 PM

Do we have dinner plans for tomorrow night?

Probably

Fri, Jun 3, 11:31 AM

Would y'all sign me in? I am at Capitol Hill but running a fever so didn't come over.

I signed you in.

Thank you.



Mon, Jun 13, 10:48 AM

Exhibit B.8
Submitted 6/23/22
by Sen. M. Johnson

What are you doing for lunch?

Probably

Fri, Jun 3, 11:31 AM

Would y'all sign me in? I am at Capitol Hill but running a fever so didn't come over.

I signed you in.

Thank you.



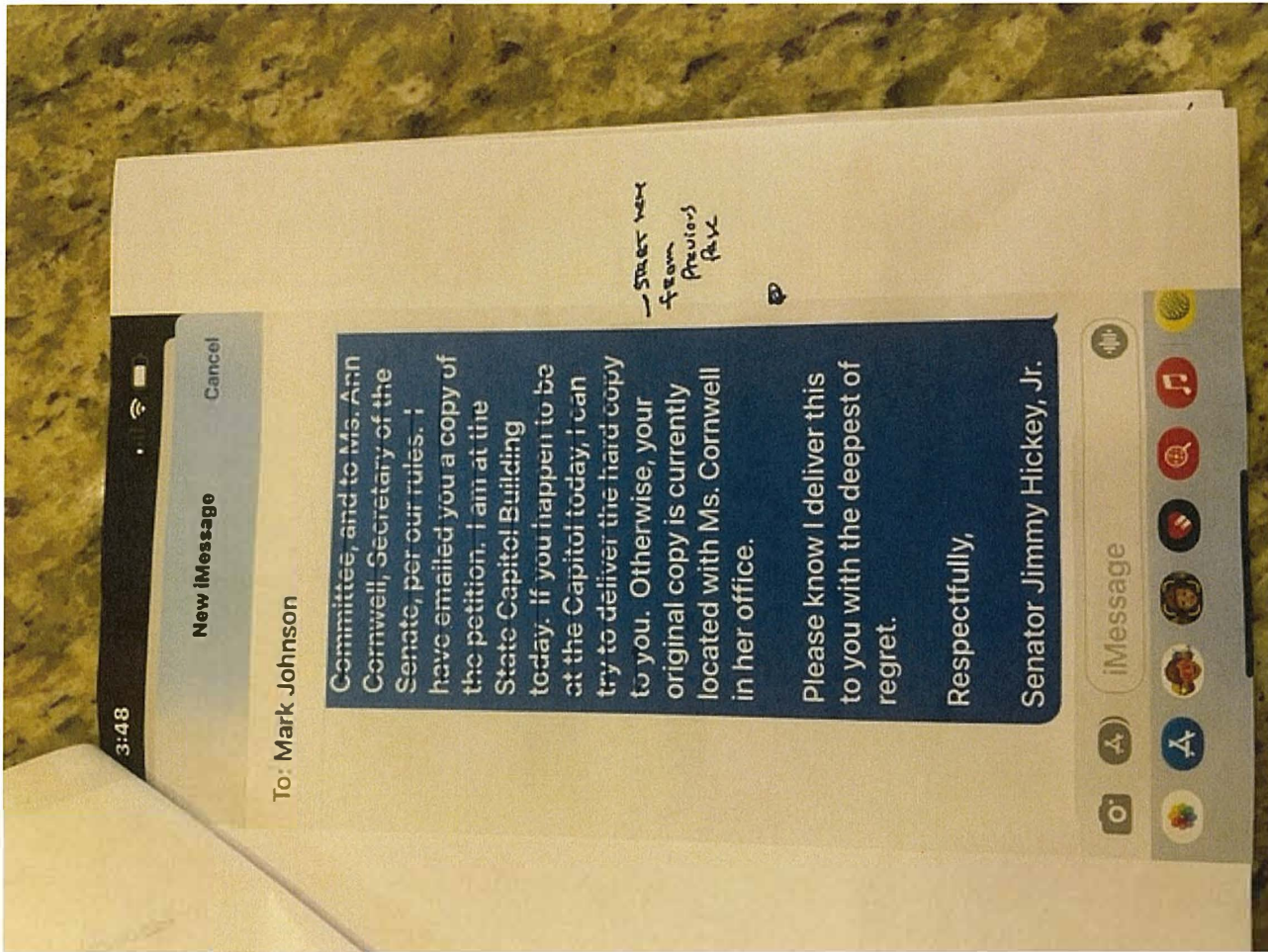
Mon, Jun 13, 10:48 AM

What are you doing for lunch?

I'm meeting Mark Lowery at Cotham's at 11:30.

Got room for 1 more?

I'm sure that'll work. 🙌



The Boys State
Agenda stated that
the program would
conclude at 11:30

~~The~~ The
presiding officer
announced the
program at
approximately
11:32

**ARKANSAS SENATE
93rd GENERAL ASSEMBLY
ETHICS ACKNOWLEDGMENT FORM**



The holding of public office is a public trust created by the confidence which the electorate places in the integrity of Senators who serve in the Arkansas Senate. Members of the Senate are expected to carry out their duties in a manner that brings honor and integrity to the body. It is recognized that the part-time, citizen-based nature of the Arkansas General Assembly may create ethical dilemmas, but this does not nullify or diminish the Senate's expectation that Senators will make every effort to resolve these issues in satisfactory fashion and comply with these rules. This Code of Ethics has been adopted to define the ethical expectations, provide a process for addressing accusations of ethical misconduct, and to provide for sanctions and penalties. The Code is adopted pursuant to authority granted by the Constitution of the State of Arkansas for the Senate to be the sole judge of the qualifications of its members and to determine its own rules and procedures.

Pursuant to Arkansas Senate Rule 24.14, I hereby acknowledge that I have received a copy of the aforementioned Senate Rule and the Senate Code of Ethics. I acknowledge I understand Senate Rule 24.14 and the Senate Code of Ethics. My signature below serves as my annual commitment to uphold the intent of Senate Rule 24.14 and the Senate Code of Ethics. I sign of my own free will.

Signature

Date

Senate Rule 24.14 was adopted by the Arkansas Senate of the 91st General Assembly on May 3, 2017. This document is intended for the Arkansas Senate and any individuals listed on the document. It is the property of the Arkansas Senate. If you are not one of the intended recipients, you are notified that disclosing, copying or distributing is prohibited.

Exhibit B.11
Submitted 6/23/22
by Ann Cornwell



STATE OF ARKANSAS
Arkansas Senate

GENERAL ASSEMBLY
LITTLE ROCK, ARKANSAS 72201

ANN CORNWELL, DIRECTOR

SECRETARY OF THE SENATE

PHONE: 501-682-5951

FAX: 501-682-2917

CELL: 501-837-7777

E-MAIL: ann.cornwell@senate.ar.gov

June 24, 2022

500 WOODLANE AVE.
STATE CAPITOL, ROOM 320
LITTLE ROCK, ARKANSAS, 72201

MEMO

The Senate Ethics Committee:

In researching the language on the per diem and mileage request form I have found that the language was used as far back as 2007.

I have no knowledge when that language started being used or who developed it.

February 2, 2015, the Independent Citizens Commission February 2, 2015, recommended and adopted the Senate continue following the U.S. General Services Administration (GSA) rates for per-diem and mileage.

The commission also recommended and adopted no change to the current expense allowance for committee leadership under Ark. Code Ann, Section 10-2-215, the current additional compensation allowance for committee leadership, Subcommittee Chairs and Vice Chairs.

Legislators over 50 miles receive reimbursement for per diem for each day attending committee meetings. Legislators are also reimbursed for one round trip mileage each day for attending meetings but not if they attend consecutive days. If legislators over 50 miles attend a committee meeting within 50 miles of their home, they will be reimbursed the same as legislators under 50 miles.

Reimbursement for legislators over 50 miles attending committee meetings is not taxable unless attending a meeting within 50 miles of their home.

Legislators under 50 miles receive reimbursement for per diem at a lesser rate for each day attending committee meetings. Legislators are also reimbursed for one round trip mileage each day for attending meetings, but not if they attend consecutive days.

If legislators under 50 miles attend a meeting over 50 miles from their home they will be reimbursed at the same rate of the outside 50 mile legislators.

Reimbursement for legislators under 50 miles attending committee meetings is taxable and paid monthly.

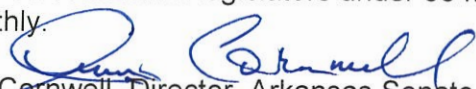

Ann Cornwell, Director, Arkansas Senate
Secretary of the Senate

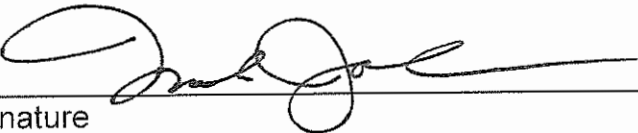
Exhibit B.12
Submitted 6/24/22
by Ann Cornwell

**ARKANSAS SENATE
93rd GENERAL ASSEMBLY
ETHICS ACKNOWLEDGMENT FORM**



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Pursuant to Arkansas Senate Rule 24.14, I hereby acknowledge that I have received a copy of the aforementioned Senate Rule and the Senate Code of Ethics. I acknowledge I understand Senate Rule 24.14 and the Senate Code of Ethics. My signature below serves as my annual commitment to uphold the intent of Senate Rule 24.14 and the Senate Code of Ethics. I sign of my own free will.

Signature 

Date 1-25-22

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Exhibit B.13
Submitted 6/27/22
by Ann Cornwell

Witness List - Senator Jimmy Hickey

Senator Bart Hoster

~~MS~~ MS Ann CORNWELL

MS Sabrina Lewellen

MS Leigh Ann Golden-Smith

MS LESLEY ROGERS

Question - Can other witnesses be called if
needed based on testimony?