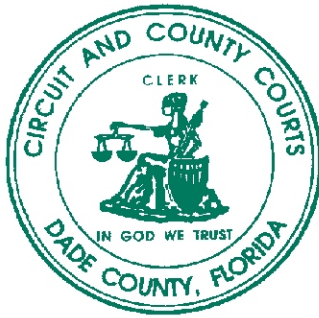


"VISION BECOMING REALITY"

**Guide to
LOBBYIST
REGISTRATION
IN
MIAMI-DADE COUNTY**



HARVEY RUVIN
Clerk of the Board of County Commissioners

CLERK OF THE BOARD
111 N.W. 1st Street, Suite 17-202
Miami, Florida 33128
(305) 375-5137
www.miami-dadeclerk.com

INTRODUCTION

This Guide was specifically prepared to help facilitate registration and compliance with the applicable laws governing lobbyists doing business with the government of Miami-Dade County. It is our desire that the information we have assembled herein will help enable appropriate input to the members and staff of the Board of County Commissioners, as well as others in Miami-Dade County government. Our staff at the Clerk of the Board's Office, as well as the Commission on Ethics and Public Trust, stand ready to assist you at any time. (You may also see Section 2-11.1(s) of the Code of Miami-Dade County.)

The Clerk of the Board Division of the Clerk's Office is the custodian of all of the Board's records and we are constantly working to provide enhanced functional access to those records.

We invite you to visit the Lobbyist Registration Website at www.miami-dade.gov as well as the Clerk's Office homepage at www.miami-dadeclerk.com

Harvey Ruvin
Clerk of the Board

Who is considered a lobbyist?

Section 2-11.1(s)(b), Code of Miami-Dade County

Definition

Section 2-11.1(s) of the Code of Miami-Dade County, defines lobbyists as "all persons, firms, or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of:

- (1) any ordinance, resolution, action or decision of the County Commission;
- (2) any action, decision, recommendation of the County Manager or any County board or committee; or
- (3) any action, decision or recommendation of County personnel, during the time period of the entire decision-making process on such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission, or a County board or committee."

Included in the definition of lobbyists are "**principals**", as well as any employee, whose normal scope of employment includes lobbying activities.

What if I am a part of a presentation team appearing before a selection committee?

Ethics Commission Rules of Procedures, Section 9.7

Any person who appears as a representative for an individual or firm for an oral presentation before a County certification, evaluation, selection, technical review or similar committee, must be listed on an affidavit provided by the County.

The affidavit shall be filed with the Clerk of the Board at the time the proposal is submitted. The individual or firm must submit a revised affidavit for additional team members added after submittal of the proposal with the Clerk of the Board at least **two (2) days prior** to the oral presentation.

Any person not listed on the revised affidavit must otherwise fully register as a lobbyist with the Clerk of the Board prior to participating as a team member in such a presentation.

EXCEPTIONS TO REGISTRATION

Sections 2-11.1(s)(1)(b), (3)(a), (3)(b), Code of Miami-Dade County

The following individuals are not required to register as lobbyists:

- Any public officer, employee, or appointee who only appears in his or her official capacity.
- Any person who only appears in his or her individual capacity for the purpose of self-representation without compensation or reimbursement, whether direct or indirect, to express support or opposition to any item.
- Any person who only appears as a representative of a neighborhood association without compensation or reimbursement for the appearance, whether direct or indirect, to express support or opposition to any item.
- Any person who only appears as a representative of a not-for profit, or a Community Based Organization (CBO), for the purpose of requesting a grant without special compensation or reimbursement, whether direct or indirect, to express support or opposition to any item.
- Attorneys or other representatives retained or employed solely for the purpose of representing individuals, corporations or other entities during publicly-noticed, quasi-judicial proceedings where the law prohibits ex-parte communications.
- Expert witnesses who provide only scientific, technical, or other specialized information in public meetings.
- Employees of a principal whose normal scope of employment does not include lobbying activities.

REGISTRATION PROCEDURE

How do I register?

Sections 2-11.1(s)(2), (4), Code of Miami-Dade County

All lobbyists must, before engaging in any lobbying activities, register with the Clerk of the Board of County Commissioners. Each new registrant must complete and file an initial **Annual Lobbyist Registration** form within five (5) days of being retained by a client or before engaging in any lobbying activity. The lobbyist is to state under oath his or her name and business address and the name and business address of each person or entity which has employed said registrant to lobby.

Each principal retaining lobbying service must also file a separate **Lobbyist Activity Authorization** form before any lobbying activity takes place.

The **Annual Lobbyist Registration** form submitted to the Clerk of the Board must be accompanied by the appropriate registration fee of \$490.00 and is to be renewed by **January 15th of each year**.

Any person who only appears as a representative of a not-for-profit corporation or entity (such as charitable organizations, trade associations, or trade unions), without special compensation or reimbursement, whether direct or indirect, to express support or opposition to any item, must register with the Clerk of the Board and complete the required expenditure forms, but will not be required to pay any registration fee upon successful petition to the Clerk of the Board.



MIAMI-DADE COUNTY 2006 ANNUAL LOBBYIST REGISTRATION

Section 2-11.1(s) - Code of Miami-Dade County, Florida

Please Type or Print in Ink

Date: ____/____/____

Mr/Ms Last Name _____ First Name _____ Mi. _____

Business/Firm Name _____

Address _____

City _____ State _____ Zip _____

Note: It is the responsibility of the lobbyist to notify the Clerk of the Board of County Commissioners of any changes in address.

Business Phone _____ Fax _____ E-Mail _____

OATH

I do solemnly swear that all facts contained on this Annual Lobbyist Registration form are true and correct; and that I have read and am familiar with the provisions contained in Section 2-11.1(s) of the Code of Miami-Dade County.

Signature of Lobbyist

State of Florida, County of _____
Sworn to and subscribed before me this
day of _____, 20____.

Notary Public in and for the State of Florida at Large
My commission expires:

(Notary Seal)

Deputy Clerk _____

For Office Use Only:

Annual Registration Fee: **\$490.00 effective through 12/31/2006** Fee Paid: Yes No Cash Check # _____
Data Entry Date _____, 20____ Entered By _____
(Form Revision Date: 8/18/05)

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MIAMI-DADE COUNTY LOBBYIST ACTIVITY AUTHORIZATION

Section 2-11. 1(s) - Code of Miami-Dade County Florida

Please Type or Print in Ink

Principal's Name	
Principal's Contact Person	
Principal's Trade Name	
Mailing Address	
Telephone Number	
<i>Other Principal(s) of Interest holding directly or indirectly a 5% or more ownership interest.</i>	
Name Of Lobbyist(s)	
Lobbyist's Address	
Note: It is the responsibility of the lobbyist to notify the Clerk of the Board of County Commissioners of any changes in address.	
Telephone Number	
Date Employed	
Note: On or before July 1st of each year, every lobbyist must file an expenditure statement with the Clerk of the Board of County Commissioners for the preceding calendar year, regardless of the level of activity of the lobbyist, and whether or not the lobbyist has incurred any expenses during the reporting period.	
c Please check here if the lobbyist is employed for a specific issue.	
Specific Issue:	
I swear under penalty of perjury that the information on this form is true and accurate.	
Principal's Signature: _____	Date: ____/____/____
Pursuant to Section 2-11.1(s)(9) of the Code of Miami-Dade County, misrepresentation on this form may subject a person to prohibition from lobbying before the County Commission or any committee, board or county personnel for a period not to exceed five years.	

For Office Use Only:
Data Entry Date _____, 20____ Entered By _____
(Form Revision Date: 8/18/05)

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What do I do if I am no longer lobbying for a particular client?

Sections 2-11.1(s)(2)(b), Code of Miami-Dade County

A **Notice of Withdrawal** form (see page 10) must be submitted to the Clerk of the Board of County Commissioners upon conclusion of representation of each principal. The lobbyist **must file a Lobbyist Expenditure Report by July 1st** following withdrawal from representation.

Contingency Fees

Sections 2-11.1(s)(7), Code of Miami-Dade County

No person may give or accept, or agree to give or accept, any fees, bonuses, commissions, or non-monetary benefit contingent upon success in passage, defeat or modification of:

- (1) Any ordinance, resolution, action or decision of the County Commission;
- (2) any action, decision, recommendation of the County Manager or any County board or committee; or
- (3) any action, decision or recommendation of any County personnel during the time period of the entire decision-making process on such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission, or a County board or committee."



MIAMI-DADE COUNTY NOTICE OF WITHDRAWAL OF LOBBYIST REGISTRATION

Section 2-11.1(s) - Code of Miami-Dade County, Florida

Please Type or Print in Ink

Note: On or before July 1st of each year, every lobbyist must file an expenditure statement with the Clerk of the Board of County Commissioners for the preceding calendar year, regardless of the level of activity of the lobbyist, and whether or not the lobbyist has incurred any expenses during the reporting period.

Lobbyist Name:

Mr/Ms Last Name First Name Mi.

Business/Firm Name

Address

City State Zip

Principal Represented:

Business/Firm Name

Address

City State Zip

Date Representation Ended:

Subject Matter:

Signature of Lobbyist _____ Date: ____/____/____

For Office Use Only:

Data Entry Date _____, 20____ Entered By _____

(Form Revision Date: 8/18/05)

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DISCLOSURE REQUIREMENTS

Is there any information required to be disclosed by a lobbyist?

Sections 2-11.1(s)(6), Code of Miami-Dade County

On or before July 1st each year, every lobbyist must file a **Lobbyist Expenditure Report** with the Clerk of the Board of County Commissioners. This statement must be signed, under oath, itemizing in detail, all expenditures in excess of \$25.00 for the preceding calendar year. A separate form must be filed for each client.

This form is required to be submitted regardless of the level of activity of the lobbyist, and whether or not the lobbyist has incurred any expenses during the reporting period.



MIAMI-DADE COUNTY LOBBYIST EXPENDITURE REPORT CALENDAR YEAR - 2005

Section 2-11.1(s) - Code of Miami-Dade County, Florida

Please Type or Print in Ink

Lobbyist Name (Please type or print clearly.)

Principal Name (Please type or print clearly.)

CATEGORIES OF EXPENDITURES

Food & Beverage	
Entertainment	
Research	
Communications	
Media / Advertising	
Publications	
Travel	
Lodging	
Special Events	
Other	

OATH

I do solemnly swear that all facts contained on this Lobbyist Expenditure Report form are true and correct; and that I have read and am familiar with the provisions contained in Section 2-11.1(s) (6) (b) of the Code of Miami-Dade County.

Signature of Lobbyist

Date

For Office Use Only:
Data Entry Date _____, 20____. Entered By _____
Form Revision Date: 8/18/05

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*F*AILURE TO FILE / PENALTY

What if I have lobbied, but did not properly register?

Section 2-11.1(s)(9), Code of Miami-Dade County

In the event a violation is found to have been committed, the Commission on Ethics and Public Trust may prohibit such person(s) from lobbying before the County Commission or any committee, board or personnel of the County, as provided in Section 2-11.1(s) of the Code of Miami-Dade County, as follows:

- 1st violation -90 days from date of determination of violation;
- 2nd violation -one (1) year from date of determination of violation;
- 3rd violation -five (5) years from date of determination of violation.

Any contract entered into in violation of the lobbying ordinance will become voidable, and a bidder or proposer may be debarred from future county work.

What if I don't file an expenditure statement for my client?

Section 2-11.1(s)(6)(b), Code of Miami-Dade County

Persons neglecting to timely file the required *Lobbyist Expenditure Report* will automatically be assessed a late fee of **\$50.00 per day, per principal**, for each day after **July 1st**. Automatic suspension is imposed if a lobbyist fails to file the form by **September 1st**, and pay all imposed fines, subject to any appeal to the Commission on Ethics and Public Trust. All late fees will continue to accrue until the lobbyist has filed the required report, and paid the imposed fines.

Reinstatement of lobbying activities may take place once all fines are paid or fine has been successfully appealed to the Commission on Ethics and Public Trust.

