



For Immediate Release: September 27, 2016
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Ethics Commission supports two questions on November ballot

A proposed amendment to the Miami-Dade County Charter and a resolution that alters the Miami Beach lobbying ordinance will be included as referendum questions on the November 8th general election ballot. Both items were initiated by the Miami-Dade Commission on Ethics and Public Trust (COE), which is encouraging their passage.

The County Charter change would give members of the public the right, under the Citizens' Bill of Rights, to *copy* public records, in addition to the right to *inspect* them, a right that is currently enforceable under state law, but not under County provisions. The Citizens' Bill of Rights, which presently covers only the inspection of public records, was incorporated as part of the County Charter when it was adopted in 1957, long before the common use of duplication equipment and processes. In 2012, voters gave the Ethics Commission the power to enforce provisions of the Citizens' Bill of Rights. This charter amendment, if adopted, would extend its public records provision to the right to copy County and Municipal records consistent with Florida Public Records law, and empower the Ethics Commission to enforce the expanded provision.

Miami Beach voters will face a question on the November ballot that would amend the city's lobbying ordinance. Currently, those who register as lobbyists in Miami Beach are required to submit expenditure reports each year, even if they have no expenses associated with their lobbying activities. Those who neglect to do so are fined for each day they are late and are reported to the Ethics Commission. The Commission's staff spends a great amount of time investigating the cases, which call for severe fines that increase daily if left unpaid, even if there are no expenses to report. Most "violators" are not regular lobbyists, but architects or other individuals who are retained to work on a limited basis and may not be familiar with the rules. The Ethics Commission often grants substantial reductions or waivers of the fines because of the disproportionality of the penalty to the offense. If the resolution is approved by voters, the COE would continue to enforce the rules for lobbyists who actually do incur expenses and fail to report them. Miami-Dade County eliminated a similar onerous requirement several years ago at the request of the Ethics Commission.

"I hope we can get the word out that passage of the County charter amendment will benefit those who seek public records by enabling the Ethics Commission to provide an additional avenue for the enforcement of public record violations," said COE Executive Director Joseph Centorino. "I encourage voters in Miami Beach to do away with a minor provision in the lobbying rules that saps our resources and will allow us to focus on more important lobbying issues," he added.

The Ethics Commission was created in 1996 as an independent agency with advisory and quasi-judicial powers. It is composed of five members, serving staggered terms of four years each. Through a program of education, outreach and enforcement, the Commission seeks to empower the community and bolster public trust.

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