

Meyers, Robert (COE)

INQ 05-148

From: Meyers, Robert (COE)
Sent: Friday, September 09, 2005 4:28 PM
To: Sosa, Rebeca (DIST6)
Cc: Sanchez, Gerald (CAO)
Subject: Republican Party Gift

Dear Commissioner Sosa,

I understand that the Republican Party of Florida has offered to pay for your transportation to Tallahassee, Florida to attend the swearing-in ceremony for Marco Rubio, the incoming Speaker of the Florida House of Representatives. You wish to know whether you are permitted to accept this gift. Gerald Sanchez and I have discussed this matter and we agree that your question involves an interpretation of state and county law. Under the County Code, the general rule is that elected officials may not accept gifts from firms doing business with the County; however, it is my opinion that the State Republican Party is not doing business with Miami-Dade County. Therefore, the Republican Party can pay for your plane fare. Under Florida law, there is language that prohibits political committees from giving gifts in excess of \$100 to reporting officials. You are considered a reporting official, but the Republican Party is not defined as a political committee, which means that state law does not preclude you from accepting this gift. The final point is to examine whether you would have an obligation to report this gift offered to you by the Florida Republican Party. My conclusion is that the gift must be reported if the value of the ticket exceeds \$100. If it does, then simply report the gift in the manner prescribed by the Conflict of Interest and Code of Ethics Ordinance.

If you have any questions concerning the above, feel free to contact me at your convenience.

Sincerely,

Robert Meyers

9/9/2005