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September 24, 2007

Sergio Pereira  
President  
Meridian International Group  
P.O. Box 33139990  
Miami, FL 33133

**RE: REQUEST FOR ADVISORY OPINION RQO 07-44**

Dear Mr. Pereira:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on September 20, 2007 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding the principal's responsibility in the lobbyist withdrawal process.

In your letter, you advised the Commission that you are the sole shareholder of a corporation that provides governmental representation and consulting advice to clients. You are responsible for assigning personnel to handle matters of particular clients. Subsequently, the client executes the required lobbyist authorization form. Recently, an employee in your firm left the company's employ. Your company informed the firm's clients who asked you to execute any necessary withdrawal forms. However, the lobbyist withdrawal forms require the signature of the lobbyist and the firm has been unable to locate the former employee. You asked the Commission to provide guidance on the following specific questions:

1. If a client retains a company to provide consulting and lobbying services, is it the company's responsibility to file withdrawal forms acknowledging that a

- terminated employee is no longer authorized to represent the client?
2. If the answer to Question 1 is in the affirmative, what steps must the company take to comply with the withdrawal disclosure when a terminated employee will not cooperate in executing and filing such forms?
  3. If an employee of a company terminates his or her employment, and then seeks to represent a client of the company; if the previous authorization was based on the employment status of the terminated employee, does the terminated employee have an affirmative duty to seek a new authorization form evidencing his or her continued authority to represent the client?

The Commission found that with respect to Question 1, Section 2-11.1(s) contains separate withdrawal requirements for principals and lobbyists. Section 2-11.1(s)(2)(c) requires the client to execute a withdrawal form at the time that a lobbyist is no longer authorized to represent the principal. Section 2-11.1 (s)(2)(c) provides that "Each principal shall file with the Clerk of the Board at the point in time at which a lobbyist is no longer authorized to represent the principal." Therefore, as with the authorization form, the client is responsible for executing the required withdrawal forms.

Section 2-11.1(s)(2)(b) also provides a withdrawal requirement for the individual lobbyist. Section 2-11.1(s)(2)(b) provides that " each person who withdraws as a lobbyist for a particular client shall file an appropriate notice of withdrawal." The requirements of this subsection would apply to the company since the company is the entity that is retained by the principal to conduct the representation.

Since Question 1 was answered in the affirmative, the Commission found with respect to Question 2 that the company may execute an appropriate withdrawal form or letter signed by the head of the company that withdraws authorization for any person who is no longer authorized to represent a particular client. The individual lobbyist is not required to sign the form if the lobbyist is unavailable or unwilling to execute the required withdrawal forms.

Finally, in regard to Question 3, the Commission found that the former employee has an affirmative duty to execute new lobbyist authorization forms if the company was retained to represent the client. Since the authorization was for the company, and not the individual, the authorization would not extend to the lobbyist in his or her individual capacity or to any future employer of the employee. Accordingly, the principal would have to execute a new authorization form for the employee after he or she has left the company's employment.

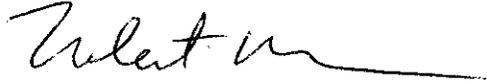
Accordingly, the Conflict of Interest and Code of Ethics ordinance requires the company to execute a withdrawal form for any lobbyist that is no longer authorized to represent a client of the firm. The company may submit a withdrawal form, signed by the head of the company, on behalf of any former employee. Any former employee is required to execute a new authorization form for any client of the company who retains the former employee.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding this opinion, please call the undersigned at (305)

579-2594 or Ardyth Walker, Staff General  
Counsel at (305) 350-0616.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Robert Meyers", with a long horizontal flourish extending to the right.

ROBERT MEYERS  
Executive Director