



FILE COPY

**MIAMI-DADE COUNTY
COMMISSION ON
ETHICS & PUBLIC TRUST**

**In re: Comitè Conservador Latino
de la Florida**

CLERK OF THE BOARD
2007 JAN 11 PM 4:11
CLERK, CIRCUIT COURT
MIAMI-DADE COUNTY, FLA.
#1

PUBLIC REPORT AND FINAL ORDER

Laura A. Leyva, a candidate for city commissioner in the City of Miami Beach, filed the above-referenced COMPLAINT against RESPONDENT "Comitè Conservador Latino de la Florida," a purported Political Action Committee (PAC) that sought to influence voters in the November 2006 Miami Beach election. The COMPLAINT alleged violations of the Voluntary Statement of Fair Campaign Practices Ordinance, Section 2-11.1.1 (D) (1), (2), and (3), which prohibits making sexual orientation an issue in a campaign. According to the COMPLAINT, the "Comitè Conservador Latino de la Florida" distributed a campaign card that lied about Ms. Leyva's sexual orientation. Ms. Leyva and all four of her opponents in the City of Miami Beach election agreed to abide by the Voluntary Statement of Fair Campaign Practices Ordinance.

Pursuant to the Code of Miami-Dade County, Article LXXVI, Section 2-1068, the Commission on Ethics & Public Trust has jurisdiction to enforce the above-referenced ordinance. However, subpart (A) of the ordinance states that it applies to "candidates." PACs are not subject to this ordinance.

On December 21, 2006, the Ethics Commission noted the egregious nature of the campaign literature and encouraged the ADVOCATE to investigate this matter in an

effort to find the perpetrators. Because the virtually anonymous PAC was not within the jurisdiction of the Ethics Commission, however, the COMPLAINT was found to lack legal sufficiency and was dismissed.

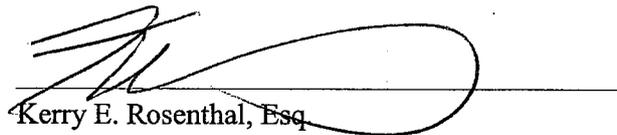
Therefore it is:

ORDERED AND ADJUDGED THAT the COMPLAINT is hereby dismissed.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on December 21, 2006.

MIAMI-DADE COUNTY COMMISSION ON
ETHICS & PUBLIC TRUST

By:


Kerry E. Rosenthal, Esq.
Chairman