

MEMO

COMMISSION ON ETHICS & PUBLIC TRUST

TO: Gary Held, Assistant to the City Attorney, Miami Beach
COPY: Robert Meyers, COE Executive Director
Keith Knowles, Miami-Dade County Lobbyist Registrar
FROM: Victoria Frigo
DATE: November 6, 2005
RE: INQ 05-191 Nonprofit Exemption for Lobbyist Registration Fee

Dear Gary:

In a telephone conversation today, you asked the following:

QUESTION: Is a volunteer lobbyist for the nonprofit Children's Home Society exempt from paying the lobbyist registration fee when he registers on behalf of the nonprofit, or is he exempt only if he is employed by the nonprofit?

ANSWER: As a volunteer lobbyist, you are *not* required to pay the lobbyist registration fee for your appearance on behalf of the nonprofit organization. However, as you know, you must register as a lobbyist with the Clerk of the Board.

The essential elements of the payment exemption are stated in the Conflict of Interest and Code of Ethics Ordinance at § 2-11.1(s)(4)—

- Any person who only appears as a representative of a not-for-profit corporation or entity (such as a charitable organization, a trade association or trade union),
- without special compensation or reimbursement for the appearance, whether direct, indirect or contingent,
- to express support or opposition to any item,
- shall register with the Clerk as required by this Subsection,
- but, upon request, shall not be required to pay any registration fees.

I have spoken with Robert Meyers about this issue, and he concurs. If you or Mr. Knowles have additional questions, Mr. Meyers would be happy to discuss them with you at greater length.