



VIA FACSMILE (305) 675-5834

October 23, 2003

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STAFF GENERAL COUNSEL

Mario Artecona  
Executive Director  
Miami Business Forum

**RE: REQUEST FOR ADVISORY OPINION 03-167**

Dear Mr. Artecona:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on October 22, 2003 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding whether members of the Miami Business Forum are required to register and pay fees to lobby members of the County Commission.

In your letter, you advised the Commission that the Miami Business Forum is an organization of local business leaders created to address major local issues that impact the business community. The organization is comprised of forty-three members that include heads of corporations such as Carnival Cruise Lines and American Airlines.

You recently served as a member of the Aviation Ad Hoc Committee. The committee proposed legislation that would create an aviation authority to operate Miami International Airport. The members of the organization would like to lobby county commissioners regarding the issue prior to an expected vote in November.

The Commission found the members of the Miami Business Forum must register as lobbyists, but, upon request, are not required to pay lobbyist registration fees. Section 2-11.1(s)(4) provides that any person who appears as a representative of a not for profit corporation or entity, 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.

Therefore, the members of the Miami Business Forum are required to register but do not have to pay fees as long as they are serving as representatives of the corporation. However, the exemption only applies to any lobbying activities conducted for the Miami Business Forum and does not apply to lobbying activities conducted on behalf of the companies or agencies with which the members are affiliated.

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,



ROBERT MEYERS  
Executive Director