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DADE COUNTY, FLA.
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MIAMI-DADE COUNTY
COMMISSION ON ETHICS & PUBLIC TRUST

In re: LYNDA BELL

C 09-32

PUBLIC REPORT AND FINAL DISMISSAL ORDER

Frank R. May, a private citizen, filed the above-referenced COMPLAINT against RESPONDENT Lynda Bell, then incumbent candidate for Mayor of Homestead. The COMPLAINT alleged that RESPONDENT violated State election law as well as the County Voluntary Fair Campaign Practices Ordinance at § 2-11.1.1 (D) (1) 11, which reads, "I will not use or permit the use of campaign material that falsifies, distorts, or misrepresents facts." The COMPLAINT alleged that RESPONDENT distributed campaign literature falsely stating that the Chief of Police in the City of Homestead endorsed her candidacy for Mayor.

Pursuant to the Code of Miami-Dade County, § 2-1068, the jurisdiction of the Ethics Commission extends "to any person required to comply with the ... Ethical Campaign Practices Ordinance." The Ethics Commission has no jurisdiction over State law.

On November 2, 2009, the Homestead City Clerk confirmed that RESPONDENT had *not* signed the Voluntary Fair Campaign Practices form. Only signatories to the voluntary pledge, who freely waive certain First Amendment rights to free speech, are

bound by the jurisdiction of the Ethics Commission for violations under § 2-11.1.1 (D)

(1) 11.

On November 17, 2009, the Ethics Commission DISMISSED the COMPLAINT due to lack of jurisdiction.

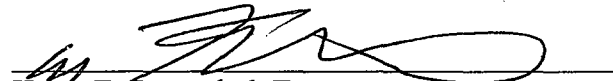
Therefore it is:

ORDERED AND ADJUDGED THAT the COMPLAINT against RESPONDENT Lynda Bell is hereby DISMISSED.

DONE AND ORDERED by the Miami-Dade County Commission on Ethics & Public Trust in public session on November 17, 2009.

MIAMI-DADE COUNTY COMMISSION ON ETHICS
& PUBLIC TRUST

By:



Kerry E. Rosenthal, Esq.
Chairman

Signed on this date: Nov. 19, 2009