

MEMORANDUM

Agenda Item No. 11(A)(8)

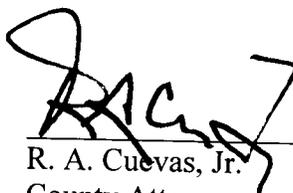
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: March 15, 2011

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the
Florida Legislature to enact
SB 1670, HB 1361 or
similar legislation allowing
for local licensing of tour
guides

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

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Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Agenda Item No. 11(A)(8)

Veto _____

3-15-11

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO ENACT SB 1670, HB 1361 OR SIMILAR LEGISLATION ALLOWING FOR LOCAL LICENSING OF TOUR GUIDES

WHEREAS, Miami-Dade County is one of the country’s preeminent business and leisure travel destinations; and

WHEREAS, an estimated 11.9 million visitors stayed at least one night in Miami-Dade County in 2009, according to a visitor profile and economic impact study commissioned by the Greater Miami Convention and Visitors Bureau; and

WHEREAS, these overnight visitors spent approximately \$16.6 billion in direct expenditures in 2009 according to the study; and

WHEREAS, historical and cultural tours are an important part of tourism in Miami-Dade County; and

WHEREAS, providing competent and accurate tours is important to visitors’ experience in our community; and

WHEREAS, the Greater Miami Convention and Visitors Bureau believes that licensing is an essential element in ensuring that tour guides are accurate and professional; and

WHEREAS, Florida law currently preempts local governments from licensing or regulating tour guides because state law includes “tour-guide services” under the definition of travel agents and other “sellers of travel”; and

WHEREAS, despite preempting local governments from regulating tour guide operators, the State of Florida does not itself impose any professional or ethical standards on individual tour guides; and

WHEREAS, the cities of Charleston, New Orleans, New York, Savannah and Williamsburg, all currently license tour guides; and

WHEREAS, licensing tour guides locally will help to ensure tour guides are accurate, professional, and ethical; and

WHEREAS, companion Senate and House bills have been filed for consideration during the 2011 session that would authorize local governments to regulate tour guides, SB 1670 by Senator Gwen Margolis (D – Miami) and HB 1361 by Representative Cynthia Stafford (D – Miami); and

WHEREAS, this Board wishes to express its support for these bills and such tour guide legislation,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact SB 1670, HB 1361 or similar legislation allowing for local licensing of tour guides.

Section 2. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, Senate President, House Speaker, Senator Gwen Margolis, Representative Cynthia Stafford, the Chair and remaining Members of the Miami-Dade State Legislative Delegation, and the President and Chief Executive Officer of the Greater Miami Convention and Visitors Bureau.

Section 3. Directs the County's state lobbyists to advocate for the issues identified in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2011 and 2012 state legislative packages.

The Prime Sponsor of the foregoing resolution is Commissioner Bruno A. Barreiro. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

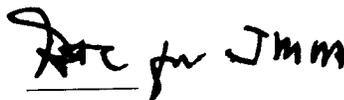
The Chairperson thereupon declared the resolution duly passed and adopted this 15th day of March, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Jess M. McCarty