

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1298

SPONSOR: Senator Wise

SUBJECT: Florida Inland Navigation District

DATE: February 6, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Menendez</u>	<u>Kiger</u>	<u>NR</u>	<u>Favorable</u>
2.	<u>Wilson</u>	<u>Wilson</u>	<u>GO</u>	<u>Favorable</u>
3.	_____	_____	<u>FT</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill amends the territorial boundaries of the Florida Inland Navigation District to include Nassau County. The bill increases the membership of the district’s governing board from 11 to 12 members to reflect the addition of Nassau County. Amendments to the navigation district are contingent upon voter approval of the levy of ad valorem taxes for Nassau County’s financial participation.

This bill substantially amends ss. 374.982, 374.983, and 374.984, F.S.

II. Present Situation:

Section 374.982, F.S., creates an independent special taxation district known as the “Florida Inland Navigation District.” The territorial boundaries of the district currently include the counties of Duval, St. Johns, Flagler, Volusia, Brevard, St. Lucie, Martin, Indian River, Palm Beach, Broward, and Miami-Dade. The Florida Inland Navigation District is governed by a Board of Commissioners composed of 11 members who are qualified electors residing in the district. No two members of the board can reside in the same county in the district.

Section 374.984, F.S., provides that the Board of Commissioners perform and do all things which shall be requisite and necessary to comply with the requirements and conditions imposed upon a “local interest” by the Congress of the United States in the several acts authorizing and directing the improvement and maintenance of the Intracoastal Waterway from St. Mary’s River to the southernmost boundary of Miami-Dade County. Those acts include, but are not limited to, the Rivers and Harbors Act approved January 21, 1927, as amended by the River and Harbor Act approved July 3, 1930; the River and Harbor Act of 1938; and s. 107 of the Federal River and Harbor Act of 1960.

III. Effect of Proposed Changes:

Section 1 amends s. 374.982, F.S., by expanding the territorial boundaries of the Florida Inland Navigation District to include Nassau County, subject to the approval of the levy of ad valorem taxation by a majority vote of the qualified electors of Nassau County.

Section 2 amends s. 374.983 (1), F.S., by increasing the membership of the Board of Commissioners from 11 to 12, in order to reflect the addition of Nassau County into the district. Subsection (2) is further amended by specifying the Governor's power to appoint the additional commissioner from Nassau County to an initial term and subsequent 4-year terms.

Section 3 deletes obsolete references to Dade County in ss. 374.982, 374.983, and 374.984, F.S., in order to reflect the county's name change to Miami-Dade County.

Section 4 provides an effective date upon becoming a law for the nomenclature changes and a contingent effective date for the membership and millage changes that is dependent upon approval of the referendum by the Nassau County voters.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

Upon the request of the Board, the tax assessor, tax collector, and board of county commissioners of each of the counties shall deliver any and all information regarding the tax valuation, assessments, collection and any other information regarding the levy, assessment, and collection of taxes in each of the counties in the district.

On July 31 of each year, the Board shall prepare a tentative annual written budget along with a proposed millage rate to be levied as taxes for that year upon the taxable property in the district. The proposed budget shall be submitted to the Department of Environmental Protection for its approval. Prior to adopting a final budget, the Board

shall comply with the provisions of s. 200.065, F.S., relating to the method of fixing millage, and shall fix the final millage rate by final resolution of the district.

Presently, the district levies an ad valorem tax at a uniform rate of 0.0385 mills across all counties in the district.

B. Private Sector Impact:

Initially there will be no impact; however, upon voter approval of the referendum, property owners in Nassau County will be subject to the ad valorem tax, which is currently at a uniform rate of 0.0385 mills across all counties in the district.

C. Government Sector Impact:

Upon approval by a majority vote of the qualified electors in Nassau County voting in a referendum, Nassau County will be subject to the Board of Commissioners' taxing authority as specified in s. 374.986, F.S. Section 374.986(2), F.S., allows the Board of Commissioners to annually assess and levy against the taxable property in the district a tax not to exceed one-tenth mill (10 cents) on the dollar for each year, the proceeds of such tax to be used by the district for all expenses of the district.

Based upon 2003 data from the Department of Revenue, Nassau County had a taxable property value of \$ 4,611,770,000. A millage rate of .0385 mills on this base produces an equivalent navigation district amount of \$178,000.

Because the referendum is to be held in conjunction with a primary or general election there should be minimal additional expense for ballot preparation by the Supervisor of Elections. Advertising costs will be borne by the district, as provided in ch. 200, F.S.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

IX. Comments

On November 24, 2003, the Board of County Commissioners of Nassau County adopted Resolution 2003-159, supporting legislation that would include Nassau County as a member of the Florida Inland Navigation District.