

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Date: April 9, 1998 Revised: \_\_\_\_\_

Subject: City of Marco Island, Collier County

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	Cooper	Yeatman	CA	Favorable
2.	_____	_____	RC	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The Bill amends chapter 97-367, Laws of Florida, to enable the City of Marco Island to receive state shared revenues in FY 1998-99.

This bill substantially amends section 9.01 of Article IX of chapter 97-367, Laws of Florida.

II. Present Situation:

Marco Island is a 7,600 acre island (as described in the 1990 Census) located in Collier County with a permanent population of between 11,000 and 12,000 residents. The population doubles during its peak tourist season in February. It is located 16 miles south of Naples and 104 miles west of Miami.

The City of Marco Island was incorporated in 1997.

To qualify for state share revenues, local governments must have satisfied the following requirements, as specified in s. 218.23, F.S.:

- Reported its finances for the *most recently completed fiscal year* to the Department of Banking and Finance (DBF);
- Made provision for annual post-audits of its financial accounts; levied ad valorem taxes of 3 mills;
- Certified that law enforcement officers and fire fighters meet state qualifications; and
- Certified that any dependent special district has made provision for separate annual post-audits of its financial accounts.

Chapter 97-367, Laws of Florida, provides an exception for the City of Marco Island to the requirements in s. 218.23, F.S., for FY 1997-98. As a newly incorporated entity, the city would not have a *fiscal years* worth of financial data to report to DBF.

In addition, chapter 97-367, Laws of Florida, waived s. 218.26(3), F.S., which prescribes how DOR is to compute the apportionment factors for state shared revenues, and required instead that the apportionment factor be recalculated, for FY 1997-98, pursuant to s. 218.245, F.S. This waiver allowed the new City of Marco Island to be included in the apportionment of state shared revenues for FY 1997-98.

According to DOR the City of Marco Island will be unable to participate in the state shared revenue program in FY 1998/99 unless they are exempted for one more year from the requirements in s. 218.23(1), F.S. In addition, the state must use the apportionment calculation specified in s. 218.245, F.S., instead of s. 218.26, F.S., to ensure that the City of Marco Island is included in the apportionment formula for state shared revenues for FY 1998/99.

### III. Effect of Proposed Changes:

**Section 1:** Amends subsection (2) of section 9.01 of Art. IX of chapter 97-367, Laws of Florida, to extend the waiver from s. 218.23, F.S., for an additional year for the City of Marco Island, thereby enabling them to qualify for state shared revenues for FY 1998-99. In addition, the bill specifies that DOR is to compute the apportionment factor for state shared revenues pursuant to s. 218.245, F.S., instead of pursuant to s. 218.26(3), F.S., thereby enabling the City of Marco Island to be included in the apportionment formula.

**Section 2:** This section provides that this act shall take effect upon becoming law.

### 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:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

The notice for this local bill was published in Naples Daily News on February 1, 1998.

**VIII. Amendments:**

None.