

RESOLUTION NO. 99-45

A RESOLUTION TO OPPOSE LEGISLATION IMPLEMENTING A UNIFIED TELECOMMUNICATIONS TAX BY THE STATE OF FLORIDA.

WHEREAS, the Florida Telecommunications Taxation Task Force, appointed by Governor Chiles in 1996, has studied state and local taxes applicable to the telecommunications industry; and

WHEREAS, during the 1999 Legislative Session, the Tax Force recommended to the Legislature, replacing state and local taxes and local franchise fees applicable to electronic communications with a single unified tax and privilege fee administered at state level; and

WHEREAS, the unified tax would replace the state sales and use tax, state gross receipts tax, municipal public service tax, local option sales tax, and local franchise fees.

NOW, THEREFORE, BE IT RESOLVED by the Marco Island City Council that the City Council hereby opposes legislation implementing a unified telecommunications tax and simplifying the current structure of taxes and franchise fees imposed on communications services, unless all of the following is assured by the legislation:

Section 1. All audio, video, and data communications, whether delivered via wire line or wireless transmission, are taxes on a competitively neutral basis.

Section 2. Municipal authority is retained to levy the public service tax component of the simplified tax on communications services.

Section 3. A growing, reliable, and bondable municipal revenue source, that recognizes current municipal revenue levels and capacity, is assured.

Section 4. Adequate measures on administration are provided that include a collection and remittance system recognizing municipal boundaries and oversight of the administration process.

Section 5. Constitutional or other protections are provided to ensure that municipal revenue streams are not subject to state interference.

Section 6. Municipal authority over public rights-of-way is protected and maintained, including the authority to require franchise fees of all users of the rights-of-way.

THIS RESOLUTION shall become effective immediately upon its adoption.

Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 15th day of November, 1999.

Attest:

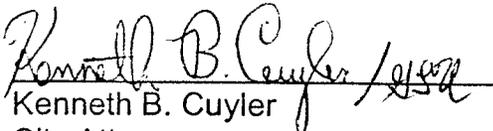


A. William Moss
City Manager/City Clerk



Kjell Pettersen, Chairman

Approved as to form and legality:



Kenneth B. Cuyler
City Attorney