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A bill to be entitled
 An act relating to the West Volusia Hospital Authority;
 codifying, amending, reenacting, and repealing the prior
 special acts of the authority, an independent special tax
 district in Volusia County; providing legislative intent;
 providing minimum charter requirements in accordance with
 s. 189.404(3), F.S.; eliminating full faith and credit and
 ad valorem tax bonding capacity; revising indigence
 provisions; clarifying purpose and powers; conforming to
 general law requirements; providing severability;
 providing for liberal construction; repealing all prior
 special acts related to the West Volusia Hospital
 Authority; providing for a referendum on lowering the
 millage rate; providing a ballot statement; providing
 effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Pursuant to section 189.429, Florida Statutes,
this act constitutes the codification of all special acts
relating to the West Volusia Hospital Authority, an independent
special tax district. It is the intent of the Legislature in
enacting this law to provide a single, comprehensive special act
charter for the authority including all current legislative
authority granted to the district by its several legislative
enactments and any additional authority granted by this act. It
is further the intent of this act to preserve all district
authority in addition to any authority contained in general law.

29 Section 2. Chapters 27949 (1951), 57-1929, 57-2085, 59-
 30 1949, 61-2974, 63-2014, 65-2344, 67-2152, 69-1696, 69-1698, 71-
 31 951, 71-955, 82-383, 88-473, and 96-455, Laws of Florida, are
 32 codified, reenacted, repealed, and amended as herein provided.

33 Section 3. The West Volusia Hospital Authority is re-
 34 created and the charter for the authority is re-created and
 35 reenacted to read:

36 Section 1. An independent special tax district is hereby
 37 created and incorporated to be known as "The West Volusia
 38 Hospital Authority" in Volusia County for the purpose of, either
 39 directly or through third parties, providing access to
 40 healthcare for indigent residents of the district ("purpose").
 41 Health care is to be provided or overseen by licensed health
 42 care professionals or entities and may only be provided for
 43 nonindigents and nonresidents incidental to the provision of
 44 services to indigent residents of the district. This purpose is
 45 hereby found and declared to be a public purpose and necessary
 46 for the general welfare of the residents of the district, which
 47 the district shall embrace and include the following described
 48 property in Volusia County, to wit:

49 Commencing at a point on the East Shore of Lake George
 50 where same is intersected by the Putnam-Volusia County
 51 line and run Northeasterly with the line to the
 52 Southern-most point of Lake Crescent; thence East with
 53 shore line of Lake Crescent to the mouth of Haw Creek;
 54 thence up the Creek to its intersection with the East
 55 line of Range 28 East; run thence South with the range
 56 line (it being the Flagler-Volusia County line) to the

57 Northwest corner of Section 30, Township 14 South
 58 Range 29 East; thence run East 12 miles to the
 59 Northeast corner of Section 25, Township 14 South
 60 Range 30 East; thence run South two miles to the
 61 Southeast corner of Township 14 South Range 30 East;
 62 thence run West along the Township line to the
 63 Northeast corner of Township 15 South Range 30 East;
 64 thence run South with the range line between Ranges 30
 65 and 31 East about six miles to the Southeast corner of
 66 Township 15 South Range 30 East; run thence East along
 67 the North line of Township 16 South Range 31 East
 68 about six miles to the Northeast corner of the
 69 Township 16 South Range 31 East; run thence South on
 70 the range line between Ranges 31 and 32 East about
 71 twelve miles to the Southeast corner of Township 17
 72 South Range 31 East; run thence East with the line
 73 between Townships 17 and 18 South to the Northeast
 74 corner of Township 18 South Range 32 East; run thence
 75 South on the range line between Ranges 32 and 33 East
 76 to the Southeast corner of Township 18 South Range 32
 77 East; run thence East on the line between Township 18
 78 South Range 33 East and Township 19 South Range 33
 79 East about three miles to the Northeast corner of
 80 Section 4 Township 19 South Range 33 East. Run thence
 81 South on the East line of Sections 4-9-16-21-28 and
 82 33, Township 19 South Range 33 East to the Southeast
 83 corner of Section 33, Township 19, South Range 33
 84 East; run thence east on the line between Township 19

85 South Range 33 East and Township 20 South Range 33
 86 East to the Northeast corner of Township 20 South
 87 Range 33 East; run thence South on the East line of
 88 Township 20 South Range 33 East and along the East
 89 line of Township 21 South Range 33 East to the
 90 Southeast corner of Section 36, Township 21 South
 91 Range 33 East; run thence West along the South line of
 92 Township 21 South Range 33 East to the intersection of
 93 the Township line with the St. Johns River; thence run
 94 down the St. Johns River in a generally Northwesterly
 95 direction to Lake George and with the East Shore line
 96 of the Lake George to the place of beginning. All of
 97 the above described property lying and being in the
 98 County of Volusia, State of Florida.
 99 Section 2. The governing body of the West Volusia Hospital
 100 Authority shall consist of five commissioners who shall be
 101 qualified residing in the district. At the general election held
 102 in the year A.D. 1962, there were elected five commissioners,
 103 three of whom were elected for a term of 2 years, and which
 104 commissioners were identified as Group A; and two of whom were
 105 elected for a term of 4 years, and which commissioners were
 106 identified as Group B. Candidates shall identify themselves to
 107 either Group A or Group B. Thereafter, in subsequent elections,
 108 each commissioner shall be elected for a term of 4 years. Each
 109 commissioner shall give bond to the Governor for the faithful
 110 performance of his or her duties in the sum of \$5,000, with a
 111 surety company qualified to do business in the state as surety,
 112 which bond shall be approved and kept by the Clerk of the

113 Circuit Court of Volusia County. The premiums on the bonds shall
 114 be paid as part of the expenses of the district.

115 (1) The commissioners in Group A and Group B shall qualify
 116 for and be elected to the office of commissioner on a
 117 nonpartisan basis by qualifying in groups as provided by section
 118 101.254, Florida Statutes, as candidates in a primary election
 119 to be held at the time of the first state primary election,
 120 prior to the general election, and in the general election in
 121 the same manner as provided by Florida law for the election of
 122 nonpartisan county officers in the County of Volusia.

123 (2) Should a vacancy or vacancies in the office of a
 124 commissioner on the board of commissioners arise by reason of
 125 the death, resignation, absence, or mental or physical
 126 disability or incompetency of a member or members of the board
 127 for a period of 6 months or more, the board shall by majority
 128 action of the remaining members appoint a commissioner or
 129 commissioners to fill any vacancy or vacancies in office from
 130 among the qualified persons residing in the district to serve
 131 until the expiration of the term of each such vacancy in office,
 132 or until the election and qualification of a successor or
 133 successors following the next general election. Should the
 134 remaining board members be unable to appoint a commissioner or
 135 commissioners to fill any vacancy or vacancies in office from
 136 among the qualified persons residing in the district after 45
 137 days from the vacancy's occurrence, then the vacancy or
 138 vacancies shall be filled by the Governor pursuant to section
 139 114.04, Florida Statutes, as it may be amended from time to
 140 time, such qualified person or persons to serve until the

141 expiration of the term of each such vacancy in office, or until
142 the election and qualification of a successor or successors
143 following the next general election. In the event that under the
144 laws of the state a general election is to be held after the
145 creation of a vacancy in the office of commissioner and before
146 the expiration of the term of that office, as provided by the
147 sections of this act assigning such office to Group A or Group
148 B, a person or persons shall be nominated and elected to fill
149 out the balance of the term of the vacancy in office and to
150 succeed in that office and for that term, the person or persons
151 appointed by the hospital commissioners. Such nomination and
152 election shall be carried out in the same manner as is provided
153 for in this act for the nomination and election of hospital
154 commissioners, except that the primary and general election
155 ballot shall identify the candidate for such vacancy in office
156 by the group to which such office is assigned by the provisions
157 of this act. Nothing herein shall be construed to prevent a
158 person appointed by the board of commissioners from being a
159 candidate to succeed himself or herself in the office to which
160 he or she was appointed.

161 (3) The board of commissioners shall take office and
162 organize at the first meeting in the month of January of each
163 year by the election from among their number a chair, vice
164 chair, secretary, treasurer, and such other officers as the
165 board may deem necessary to accomplish the purposes of this act.
166 All such officers shall serve for the year in which elected and
167 until their successors are elected and installed.

168 Section 3. (1) The Board of Commissioners of the West
 169 Volusia Hospital Authority shall have all the powers of a body
 170 corporate, including the power to sue and be sued under the name
 171 of the West Volusia Hospital Authority; to contract and be
 172 contracted with; to adopt and use a common seal and to alter the
 173 same at pleasure; to acquire, purchase, hold, lease, sell, and
 174 convey such real and personal property as the board may deem
 175 proper or expedient to carry out the purposes of this act; to
 176 appoint and employ a qualified hospital administrator whose
 177 qualifications are approved by the board of commissioners as
 178 being in the best interest of the hospital; to provide for the
 179 election of a chief of staff by the medical staff of the
 180 hospital and employ such other agents and employees as the board
 181 may deem advisable; and to borrow money and issue notes, bonds,
 182 and other evidences of indebtedness of the district to carry out
 183 the provisions of this act in the manner hereinafter provided.

184 (2) Realizing that factors other than professional must
 185 enter into the qualifications of those who practice medicine,
 186 surgery, and dentistry, the Board of Commissioners of the West
 187 Volusia Hospital Authority are hereby authorized and empowered
 188 to set up rules, regulations, and bylaws for the operation of
 189 the hospital and the medical and dental staffs. The board of
 190 commissioners is authorized to give, grant, limit, or revoke
 191 membership on the medical or dental staff or the privileges of
 192 medical or dental staff members for practicing in or about the
 193 hospital under this act. So that the welfare and health of
 194 patients and the best interests of the hospital may at all times
 195 be best served, privileges of medical or dental staff membership

196 and appointment to the medical or dental staff may be
197 authorized, granted, limited, or revoked by the board of
198 commissioners and shall be made for a period of 1 year or until
199 the end of the fiscal year of the hospital or until the end of
200 such probationary period as the board shall determine. It shall
201 be the duty of the medical and dental staffs of the hospital to
202 organize in the manner prescribed by the board of commissioners
203 of this district. The board of commissioners is further
204 authorized and empowered to set up rules and regulations for the
205 control of all professional and nonprofessional employees of the
206 hospital, which terms shall include nurses on general duty or on
207 private duty attending patients, and all parties in the
208 hospital, either as employees or in any manner in attendance of
209 patients.

210 (3) Three of the commissioners shall constitute a quorum,
211 and a vote of at least two of the commissioners shall be
212 necessary for the transaction of any business of the district.
213 The commissioners shall cause true and accurate minutes and
214 records to be kept of all business transacted by them, and shall
215 keep full, true, and complete books of account and minutes,
216 which minutes, records, and books of account shall at all
217 reasonable times be open and subject to the inspection of
218 inhabitants of the district; and any person desiring to do so
219 may make or procure copy of the minutes, records, or books of
220 account, or such portions thereof as he or she may desire.

221 Section 4. The board of commissioners is hereby authorized
222 and empowered to establish, construct, operate, and maintain
223 such hospital and hospitals as in their opinion shall be

224 necessary for the use of the people of the district. Said
 225 hospital or hospitals shall be established, constructed,
 226 operated, and maintained by the board of commissioners for the
 227 preservation of the public health and for the public good and
 228 for the use of the public of the district. Maintenance of such
 229 hospital or hospitals within the district is hereby found and
 230 declared to be a public purpose and necessary for the
 231 preservation of the public health and for the public use and for
 232 the welfare of the district and inhabitants thereof. The
 233 location of the hospital or hospitals shall be determined by the
 234 board.

235 (1) The term "hospital" or "hospitals," as used in this
 236 act, shall mean one or more health care institutions, including
 237 hospitals, extended care institutions, and outpatient care
 238 institutions, whether or not located in a single building, which
 239 shall have some or all of the following: an organized medical
 240 staff with permanent facilities that include inpatient beds and
 241 with medical services including physicians' services and
 242 continuing nursing services to provide diagnosis and treatment
 243 for patients who have a variety of medical conditions, including
 244 both those who require inpatient care and those who are
 245 primarily ambulatory, whether or not such patients require
 246 continuous hospital services, including the furnishing and
 247 staffing with professional and nonprofessional personnel of both
 248 outpatient and inpatient emergency departments.

249 (2) The term "operate and maintain," as used in this act,
 250 shall mean to administer, supervise, control, and manage the
 251 hospital or hospitals referred to by this act and to obtain,

252 | construct, employ, furnish, and replenish the equipment,
 253 | facilities, including buildings, and professional and
 254 | nonprofessional personnel, including licensed physicians,
 255 | required to provide the services, treatment, and facilities
 256 | related to such hospital and hospitals as defined in this act.

257 | Section 5. In order to carry out the purpose of this act,
 258 | and notwithstanding other provisions of this act, and in
 259 | extension and not in limitation of the provisions contained in
 260 | any other section of this act:

261 | (1) The board of commissioners may acquire, construct,
 262 | reconstruct, extend, make additions to, enlarge, improve,
 263 | repair, remodel, restore, equip, and furnish hospital and other
 264 | health care facilities now or hereafter located in the district
 265 | and which are or may be owned by or under the supervision,
 266 | operation, and control of the district. For the purposes of this
 267 | section, the term "hospital" or "health care facilities" means
 268 | any real property or interest therein, building, structure,
 269 | facility, machinery, equipment, furnishings, or other property
 270 | suitable for use by the district in connection with its
 271 | operations or proposed operations, including, without
 272 | limitation, real property therefor, a clinic, computer facility,
 273 | food service and preparation facility, health care facility,
 274 | long-term care facility, hospital, interns' residence, nursing
 275 | home, nursing school, office, professional office building,
 276 | parking structure and area, pharmacy, recreational facility,
 277 | research facility, storage facility, utility, or x-ray facility,
 278 | or any combination of the foregoing, and other structures or
 279 | facilities related thereto or required or useful for health care

280 purposes, the conducting of research, or the operation of a
281 hospital or other health care facility, including facilities or
282 structures essential or convenient for the orderly conduct of
283 such hospital or other health care facility and other similar
284 items necessary or convenient for the operation of a particular
285 facility or structure in the manner for which its use is
286 intended.

287 (2) The board of commissioners shall provide for the
288 health or mental health care of indigents and provide such other
289 health or mental health related services for indigents in such
290 manner as the board selects, including the purchase of
291 institutional services from any private or publicly owned
292 medical facility, as the board determines are needed for the
293 general welfare of the residents of the district.

294 (3) The board of commissioners may collect information and
295 statistical data that will be helpful to the board and the
296 county in deciding the health or mental health care needs in the
297 county.

298 (4) The board of commissioners may assume funding for the
299 county's share of state or federal indigent health or mental
300 health care programs for district residents which require
301 financial participation by the county.

302 (5) The board of commissioners may issue negotiable
303 revenue bonds of the district for the purpose of paying or
304 refinancing all or any part of the cost of any hospital or other
305 health care facility. In anticipation of the sale of such
306 revenue bonds, the district may issue negotiable bond
307 anticipation notes and may renew the same from time to time, but

308 the maximum maturity of any such note, including renewals
309 thereof, shall not exceed 50 years from the date of issue of the
310 original note. Such notes shall be paid from any revenues or
311 other funds of the district legally available therefor and not
312 otherwise pledged or from the proceeds of sale of the revenue
313 bonds of the district in anticipation of which they were issued.
314 The notes shall be issued in the same manner as the revenue
315 bonds. Such notes and the resolution authorizing them may
316 contain any provisions, conditions, or limitations which a bond
317 resolution of the board of commissioners may contain.

318 (a) The revenue bonds and notes of every issue shall be
319 payable solely out of revenues derived by the district from
320 hospital and other health care facilities within the district
321 and owned by or under the supervision, operation, and control of
322 the district, together with any other funds of the district
323 legally available for the purpose. Notwithstanding that revenue
324 bonds and notes may be payable from a special fund, they shall
325 be for all purposes negotiable instruments, subject only to any
326 provisions of the revenue bonds and notes for registration.

327 (b) The revenue bonds may be issued as serial bonds, as
328 term bonds, or otherwise, or the board of commissioners may
329 issue bonds of all types. The revenue bonds shall be authorized
330 by resolution of the board of commissioners and shall bear such
331 date; mature at such time not exceeding 50 years from their
332 respective dates; bear interest at such rates, including
333 variable rates, but not exceeding the maximum rate permitted by
334 law at the time of issuance; be payable at such time; be in such
335 denominations; be in such form, either coupon or registered or

336 both; carry such registration privileges and conversion or
 337 exchange privileges; be executed in such manner; be payable in
 338 lawful money of the Unites States at such place; and be subject
 339 to such terms of redemption, including redemption prior to
 340 maturity, as such resolution may provide. The board of
 341 commissioners shall determine the form and manner of execution
 342 of the bonds, including any interest coupons to be attached
 343 thereto, and shall fix the denomination of the bonds and the
 344 place of payment of principal and interest, which may be at any
 345 bank or trust company within or without the state. In case any
 346 officer whose signature, or a facsimile of whose signature,
 347 appears on any bonds or coupons ceases to be such officer before
 348 the delivery of such bonds, such signature or facsimile shall
 349 nevertheless be valid and sufficient for all purposes the same
 350 as if he or she had remained in office until such delivery. The
 351 board of commissioners may also provide for the authentication
 352 of the bonds by a trustee or fiscal agent. The revenue bonds or
 353 notes may be sold in such manner, either at public or private
 354 sale, and for such price as the board of commissioners
 355 determines. Pending preparation of the definitive bonds, the
 356 board of commissioners may issue interim receipts or
 357 certificates which may be exchanged for such definitive bonds.

358 (c) The board of commissioners may require that any issue
 359 of revenue bonds be secured by a trust agreement by and between
 360 the district and a corporate trustee, which may be any trust
 361 company or bank having the powers of a trust company within or
 362 without the state. Such trust agreement or resolution may pledge
 363 or assign all or any part of the revenues and other funds of the

364 district legally available for the payment of such revenue
365 bonds. The resolution may contain such provisions for protecting
366 and enforcing the rights and remedies of the bondholders as may
367 be reasonable and proper and not in violation of law, including
368 covenants setting forth the duties of the district in relation
369 to the acquisition, construction, improvement, maintenance,
370 operation, repair, equipping, and insurance of the facilities;
371 the fees and other charges to be fixed and collected for the use
372 of any facility or part thereof; the sale of any facility or
373 part thereof or other property; the terms and conditions for the
374 issuance of additional bonds; and the custody, safeguarding, and
375 application of all moneys. Any bank or trust company
376 incorporated under the laws of the state which may act as such
377 depository may furnish such indemnity bonds or may pledge such
378 securities as may be required by the board of commissioners.
379 Such resolution or trust agreement may set forth the rights and
380 remedies of the bondholders and the trustee and may restrict the
381 individual right of action by the bondholders. In addition, such
382 resolution or trust agreement may contain such other provisions
383 as the board of commissioners may deem reasonable and proper for
384 the security of the bondholders. All expenses incurred in
385 carrying out such trust agreement or resolution may be treated
386 as a part of the cost of the facility in connection with which
387 such bonds are issued or as part of the expense of operation of
388 such facility. The resolution or trust agreement providing for
389 the issuance of the revenue bond may also contain such
390 limitations upon the issuance of additional revenue bonds as the
391 board of commissioners may deem proper, and such additional

392 bonds shall be issued under such restrictions or limitations as
393 may be prescribed by such resolution or trust agreement.

394 (d) Revenue bonds issued under the provisions of this
395 section shall not be deemed to constitute a debt, liability, or
396 obligation of the district, Volusia County, or the state, or any
397 political subdivision thereof, or a pledge of the faith and
398 credit or the taxing power of the district, Volusia County, or
399 of the state, or any political subdivision thereof, but shall be
400 payable solely from the revenue and funds provided therefor. All
401 such revenue bonds shall contain on the face thereof a statement
402 to the effect that the district shall not be obligated to pay
403 the same or the interest thereon except from the revenues and
404 other funds of the district provided for such payment, and that
405 neither the faith and credit nor the taxing power of the
406 district, nor of Volusia County, nor of the state, nor any
407 political subdivision thereof, is pledged to the payment of the
408 principal or of the interest on such bonds. The issuance of
409 revenue bonds under the provisions of this section shall not
410 directly, indirectly, or contingently obligate the district,
411 Volusia County, or the state, or any political subdivision
412 thereof, to levy or to pledge any form of taxation whatever nor
413 make any appropriation for their payment.

414 (e) All bonds issued under the provisions of this section
415 shall have all the qualities and incidents, including
416 negotiability, of investment securities under the Uniform
417 Commercial Code, but no provision of such code respecting the
418 filing of a financing statement to perfect a security interest

419 shall be necessary for, or applicable to, any security interest
 420 created in connection with the issuance of any such bonds.

421 (f) The exercise of the powers granted by this section
 422 shall be in all respects for the benefit of the people of this
 423 state; for the increase of their commerce, welfare, and
 424 prosperity; for the improvement of their health and living
 425 conditions; and because the operation and maintenance of
 426 hospital and other health care facilities by the district will
 427 constitute the performance of an essential public and
 428 governmental purpose. Any bonds issued under the provisions of
 429 this section, together with interest, their transfer, and the
 430 income therefrom, including any profit made on the sale thereof,
 431 shall at all times be free from taxation of every kind by the
 432 state, Volusia County, and municipalities and other political
 433 subdivisions in the state, except for those taxes imposed by
 434 chapter 220, Florida Statutes, on interest, income, or profits
 435 on debt obligations owned by corporations.

436 (g) The board of commissioners may provide for the
 437 issuance of revenue bonds of the district for the purpose of
 438 refunding any of its revenue bonds then outstanding, including
 439 the payment of any redemption premium thereon and any interest
 440 accrued or to accrue to the earliest or subsequent date of
 441 redemption, purchase, or maturity of such revenue bonds. The
 442 proceeds of any such revenue bonds issued for such purpose may,
 443 in the discretion of the board of commissioners, be applied to
 444 the purchase or retirement at maturity or redemption of such
 445 outstanding revenue bonds either on their earliest or any
 446 subsequent redemption date, or upon the purchase, or at the

447 maturity thereof, and may, pending such application, be placed
448 in escrow to be applied to such purchase or retirement at
449 maturity or redemption on such date as may be determined by the
450 board of commissioners, and pending such application to
451 purchase, retirement or redemption may be invested and
452 reinvested in securities selected by or in such manner as the
453 board of commissioners may provide.

454 (h) Bonds issued by the board of commissioners under the
455 provisions of this section are hereby made securities in which
456 all public officers and public bodies of the state and its
457 political subdivisions and all banks, trust companies, bankers,
458 banking associations, savings banks and institutions, building
459 and loan associations, savings and loan associations, investment
460 companies, and other persons carrying on a banking or investment
461 business; all insurance companies, insurance associations, and
462 other persons carrying on an insurance business; and all
463 executors, administrators, curators, trustees, and other
464 fiduciaries may properly and legally invest funds, including
465 capital in their control or belonging to them. Such bonds are
466 hereby made securities which may properly and legally be
467 deposited with and received by any state or municipal officer or
468 any agency or political subdivision of the state for any purpose
469 for which the deposit of bonds or obligations of the state is
470 now or may hereinafter be authorized by law.

471 (6) No election in the district shall be required as a
472 condition precedent to the exercise by the board of
473 commissioners of any of the powers conferred by this section

474 unless such election shall be required by the Florida
 475 Constitution.

476 (7) Revenue bonds may be issued under the provisions of
 477 this section without obtaining, except as otherwise expressly
 478 provided in this section, the consent of any department,
 479 division, commission, board, body, bureau, or agency of the
 480 state, or any political subdivision thereof, and without any
 481 other proceedings or the happening of any conditions or things
 482 other than those proceedings, conditions, or things which are
 483 specifically required by this section and the provisions of the
 484 resolution authorizing the issuance of such bonds or the trust
 485 agreement securing the same.

486 (8) This section shall be deemed to provide an additional
 487 and alternative method for the doing of the things authorized
 488 hereby and shall be regarded as supplemental and additional to
 489 powers conferred by other laws.

490 Section 6. In the course of the operation and maintenance
 491 of the health care facilities as defined by this act, including,
 492 but not limited to, section 4 and including all hospitals and
 493 facilities owned and operated by the authority, the term
 494 "operate and maintain," as defined in section 4, shall include:

495 (1) The West Volusia Hospital Authority may advise the
 496 public and medical community of the medical, hospital, or other
 497 services and accommodations available at the facilities owned or
 498 operated by the West Volusia Hospital Authority, as defined by
 499 this act, by paying for the use of the media, including, but not
 500 limited to, newspapers, radio, television, videotape, audio
 501 tape, direct mail, handbills, leaflets, billboards, advertising

502 signs, advertisements and announcements in magazines, brochures,
503 trade publications, programs of public events, and by other
504 means and mechanisms similar to the uses and the media
505 enumerated, reaching the same or similar audiences as those
506 reached by the media enumerated.

507 (2) The West Volusia Hospital Authority is authorized to
508 create such award programs as the authority shall deem desirable
509 for the purpose of rewarding the employees and staff of the
510 facilities and hospitals owned or operated by the authority for
511 their services to such facilities or hospitals. Such awards may
512 include, but not be limited to, certificates of recognition,
513 pins, emblems, and insignia, as well as the grant of special
514 compensation or privileges.

515 (3) The West Volusia Hospital Authority is authorized to
516 make available to patients, visitors, staff, and employees
517 services and products, including, but not limited to, foods,
518 coffee, and other beverages as the authority shall deem
519 advisable; to promote good will and the use of hospital services
520 by the public; and the cooperation of the employees and staff in
521 furnishing services to and for the benefit of the hospital or
522 other facilities enumerated in this act or to the general
523 public, which shall include, but not be limited to, the
524 furnishing of beverage and food products to meetings, patients,
525 and the relatives of patients, pursuant to a program approved by
526 the authority, either for the specific instance or according to
527 a policy adopted by the authority which permits the exercise of
528 discretion by the hospital administrator or persons designated
529 by such administrator.

530 (4) The authority is authorized to advance the costs of
 531 employees and staff members of the hospitals and medical
 532 facilities owned and operated by the authority attending
 533 educational programs and seminars, according to policy
 534 established by the authority, which may include the costs of the
 535 seminars, per diem, and traveling.

536 (5) The authority may require that physical inventories be
 537 performed periodically instead of annually, at such times and in
 538 such manner as shall be determined by the authority, but in
 539 accordance with generally accepted accounting principles.

540 Section 7. The board shall have the power of eminent
 541 domain, and may thereby condemn and acquire any real or personal
 542 property which the board may deem necessary for the use of the
 543 district, whether within or without the district. Such power of
 544 condemnation shall be exercised in the same manner as is now
 545 provided by the general law for the exercise of the power of
 546 eminent domain by cities and towns of the state.

547 Section 8. The board of commissioners is hereby authorized
 548 and empowered to borrow money from time to time in order to
 549 provide for and carry out the purposes of this act. The district
 550 may issue the notes of the district, determine the aggregate
 551 amount of principal therefor, and set terms and rates of
 552 interest.

553 Section 9. The funds of the district shall be paid out
 554 only upon warranty signed by two members of the board of
 555 commissioners or by the hospital administrator and one member of
 556 the board of commissioners and having thereto affixed the
 557 corporate seal of the district, which may be a facsimile or

558 printed, and no warranty shall be drawn or issued against funds
 559 of the district except for the purpose authorized by this act.
 560 No such warrant against funds of the district shall be drawn or
 561 issued until after the account or expenditure for which the same
 562 is to be given in payment has been ordered and approved by the
 563 board of commissioners. No funds of the district shall be paid
 564 to a member of the board of commissioners as compensation for
 565 his or her services in that office excepting only the necessary
 566 expense of travel in the performance of the duties of his or her
 567 office, including attendance at meetings or conventions relating
 568 to the duties of his or her office, when such travel is
 569 authorized by a standing or special resolution adopted by the
 570 board of commissioners.

571 Section 10. It shall be the duty of the board of
 572 commissioners to annually assess and levy against the taxable
 573 property within the district a tax to be collected and paid into
 574 the district fund and used by the board of commissioners for the
 575 purpose of this act, including the operation, maintenance,
 576 repair, and construction of a hospital or hospitals established
 577 as authorized by this act, or for the payment of any outstanding
 578 indebtedness authorized by section 8, or for the payment of
 579 other necessary expenses in carrying on and transacting the
 580 business of the district. However, the rate of taxation per
 581 annum under the taxing authority granted to the Board of
 582 Commissioners of the West Volusia Hospital Authority by this
 583 section for the purpose of this act, including the operating,
 584 maintaining, repairing, and constructing of any hospital or
 585 hospitals established as authorized by this act or for the

586 payment of any outstanding indebtedness authorized by section 8,
587 or for the payment of other necessary expenses in carrying on
588 and transacting the business of the district, shall not exceed 5
589 mills on the dollar of the valuation of the taxable property
590 within the district.

591 Section 11. The levy by the board of the taxes authorized
592 by any provision of this act shall be by resolution of the board
593 duly entered upon the minutes of the board. Certified copies of
594 such resolution executed in the name of the board by its chair,
595 under its corporate seal, shall be made and delivered to the
596 County Council of Volusia County, Florida, and to the Florida
597 Department of Revenue in the same manner and within the same
598 time period as required by independent special districts
599 pursuant to general law. The county council shall order and
600 require the tax collector of the county to assess and to collect
601 the amount of taxes so assessed or levied by the Board of
602 Commissioners of the West Volusia Hospital Authority upon the
603 nonexempt property in the district, at the rate of taxation as
604 fixed, levied, and adopted by the board of commissioners of the
605 district for the year and included in the warrant of the
606 property appraiser and attached to the assessment roll of taxes
607 for the county each year. The Tax Collector of Volusia County
608 shall collect such tax so levied by the board in the same manner
609 as other taxes are collected, and shall remit the taxes
610 collected to the district within the time and in the manner
611 prescribed by law for the collection and handling of taxes. All
612 revenues so collected shall be held, used, invested, and

613 disbursed by the district as provided in this act or as
 614 otherwise provided by law.

615 Section 12. The board is authorized to pay from the funds
 616 of the district all expenses of the organization of the board
 617 and all expenses necessarily incurred with the formation of the
 618 district and all other reasonable and necessary expenses,
 619 including the fees and expenses of an attorney in the
 620 transaction of the business of the district, and in carrying out
 621 and accomplishing the purposes of this act. This section,
 622 however, shall not be construed to limit or restrict any of the
 623 powers vested in the board of commissioners by any other section
 624 or provision of this act.

625 Section 13. At least once in each year the board of
 626 commissioners shall publish once in some newspaper published in
 627 the district a complete detailed statement of all moneys
 628 received and disbursed by the board since the creation of the
 629 district as to the first published statement and since the last
 630 published statement as to any other year. Such statements shall
 631 also show the several sources from which the funds were received
 632 and shall show the balance on hand at the time of the published
 633 statement. It shall also show a complete statement of the
 634 condition of the district.

635 Section 14. Each hospital and clinic established under
 636 this act shall be for the use and benefit of the indigent sick
 637 and other residents of the district. Such residents shall be
 638 admitted to such hospital and clinic and be entitled to medical
 639 care without charge, subject to the rules and regulations
 640 prescribed by the board of commissioners. Such hospitals and

641 clinics shall care for and treat without charge or,
642 alternatively, for a reduced charge according to a sliding
643 scale, patients who are found by such board of commissioners to
644 be indigent, but the board may collect from financially able
645 patients such charges as the board of commissioners may from
646 time to time establish. The board of commissioners shall have
647 the power to extend the benefits and privileges of such
648 hospitals and clinics and treatment and outpatient department to
649 the homes of the indigent residents of such county. Said board
650 of commissioners may extend the privileges and use of such
651 hospitals and clinics to nonresidents of such district upon such
652 terms and conditions as the board may from time to time by its
653 rules and regulations provide; provided, however, that the
654 indigent residents of the district wherein such hospital and
655 clinic are located shall have the first claim to admission.

656 Section 15. It is intentional that the provisions of this
657 act shall be liberally construed for accomplishing the work
658 authorized and provided for or intended to be provided for in
659 this act, and where strict construction would result in the
660 defeat of the accomplishment of any party of the work authorized
661 by this act, and a liberal construction would permit or assist
662 in the accomplishment thereof, the liberal construction shall be
663 chosen.

664 Section 16. Any and all bonds issued under the provisions
665 of this act may be validated by the Board of Commissioners of
666 the West Volusia Hospital Authority under and in accordance with
667 the provisions of the general laws of Florida, in the same
668 manner as is therein provided for validation of bonds, etc., by

669 any county, municipality, or taxing district, etc., of the
 670 state.

671 Section 17. The district and the board of commissioners of
 672 the district shall have the power to purchase, construct and
 673 erect, lease, equip, operate, and maintain or manage a hospital
 674 or hospitals in the district for the care of the sick or infirm
 675 or those suffering from any disease or injury to or of the body
 676 or mind.

677 Section 18. In accordance with section 189.404(3), Florida
 678 Statutes, the following subsections shall constitute the minimum
 679 charter requirements for the district:

680 (1) The district is organized and exists for the purpose
 681 set forth in this act, as it may be amended from time to time.

682 (2) The powers, functions, and duties of the district,
 683 including, but not limited to, ad valorem taxation, bond
 684 issuance, other revenue-raising capabilities, budget preparation
 685 and approval, liens and foreclosure of liens, use of tax deeds
 686 and tax certificates as appropriate for non-ad valorem
 687 assessments, and contractual agreements shall be as set forth in
 688 this act, chapters 189 and 197, Florida Statutes, or any other
 689 applicable general or special law, as they may be amended from
 690 time to time.

691 (3) The district was created by special act of the Florida
 692 Legislature by chapter 57-2085, Laws of Florida, as amended.

693 (4) The district's charter may be amended only by special
 694 act of the Legislature.

695 (5) In accordance with chapter 189, Florida Statutes, and
 696 this act, the district is governed by a five-member board of
 697 commissioners as provided for herein.

698 (6) The compensation of the board of commissioners shall
 699 be as provided for by this act.

700 (7) The administrative duties of the board of
 701 commissioners shall be as set forth in this act and chapter 189,
 702 Florida Statutes, as they may be amended from time to time.

703 (8) Requirements for financial disclosure, meeting
 704 notices, reporting, public records maintenance, and per diem
 705 expenses for officers and employees shall be as set forth in
 706 chapters 112, 119, 189, and 286, Florida Statutes, and this act,
 707 as they may be amended from time to time.

708 (9) The procedures and requirements governing the issuance
 709 of bonds, notes, and other evidence of indebtedness by the
 710 district shall be as set forth in this act, and applicable
 711 general laws, as they may be amended from time to time.

712 (10) The procedures for conducting district elections and
 713 for qualification of electors shall be pursuant to this act and
 714 chapter 189, Florida Statutes, as they may be amended from time
 715 to time.

716 (11) The district may be financed by any method
 717 established in this act, and applicable general laws, as they
 718 may be amended from time to time.

719 (12) The district does not collect non-ad valorem
 720 assessments, fees, or service charges as set forth in chapter
 721 197, Florida Statutes.

722 (13) The district's planning requirements shall be as set
 723 forth in chapter 189, Florida Statutes, and this act, as they
 724 may be amended from time to time.

725 (14) The district's geographic boundary limitations shall
 726 be as set forth in this act.

727 (15) This section shall not be construed to limit or
 728 restrict any of the powers vested in the board of commissioners
 729 by any other section or provision of this act.

730 Section 4. If any provision of this act or the application
 731 thereof to any person or circumstance is held invalid, the
 732 invalidity shall not affect other provisions or applications of
 733 the act which can be given effect without the invalid provision
 734 or application, and to this end the provisions of this act are
 735 declared severable.

736 Section 5. This act shall be construed as a remedial act
 737 and shall be liberally construed to promote the purpose for
 738 which it is intended.

739 Section 6. Chapters 27949 (1951), 57-1929, 57-2085, 59-
 740 1949, 61-2974, 63-2014, 65-2344, 67-2152, 69-1696, 69-1698, 71-
 741 951, 71-955, 82-383, 88-473, and 96-455, Laws of Florida, are
 742 repealed.

743 Section 7. Section 10 of section 3 of this act is amended
 744 to read:

745 Section 10. It shall be the duty of the board of
 746 commissioners to annually assess and levy against the taxable
 747 property within the district a tax to be collected and paid into
 748 the district fund and used by the board of commissioners for the
 749 purpose of this act, including the operation, maintenance,

750 repair, and construction of a hospital or hospitals established
 751 as authorized by this act, or for the payment of any outstanding
 752 indebtedness authorized by section 8, or for the payment of
 753 other necessary expenses in carrying on and transacting the
 754 business of the district. However, the rate of taxation per
 755 annum under the taxing authority granted to the Board of
 756 Commissioners of the West Volusia Hospital Authority by this
 757 section for the purpose of this act, including the operating,
 758 maintaining, repairing, and constructing of any hospital or
 759 hospitals established as authorized by this act or for the
 760 payment of any outstanding indebtedness authorized by section 8,
 761 or for the payment of other necessary expenses in carrying on
 762 and transacting the business of the district, shall not exceed 4
 763 ~~5~~ mills on the dollar of the valuation of the taxable property
 764 within the district.

765 Section 8. The provisions of section 7 of this act which
 766 authorize the levy of ad valorem taxation at a reduced rate
 767 shall take effect only upon express approval by a majority vote
 768 of those qualified electors of the district, as required by
 769 Section 9 of Article VII of the State Constitution, voting in a
 770 referendum to be held by the district and conducted by the
 771 Supervisor of Elections of Volusia County on August 31, 2004, in
 772 accordance with the provisions of law relating to elections
 773 currently in force in the district. The question to be placed on
 774 the ballot shall be in substantially the following form:
 775

776 | Shall the maximum ad valorem property tax rate that can be
 777 | levied by the West Volusia Hospital Authority be reduced
 778 | from 5 mills to 4 mills?

779 |
 780 | YES

781 |
 782 | NO

783 |
 784 | Section 9. Except as otherwise provided herein, this act
 785 | shall take effect upon becoming a law.