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2 An act relating to the North Broward Hospital  
3 District, Broward County, amending chapter  
4 27438, Laws of Florida, 1951, as amended,  
5 relating to the powers of the Board of  
6 Commissioners of the North Broward Hospital  
7 District to enter into interest rate swap  
8 agreements and certain other derivative  
9 instruments; to invest available funds of the  
10 pension plan in accordance with certain  
11 provisions of state law; providing  
12 severability; providing an effective date.

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14 Be It Enacted by the Legislature of the State of Florida:  
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16 Section 1. Paragraph (g) is added to subsection (2) of  
17 section 4 of chapter 27438, Laws of Florida, 1951, as amended,  
18 to read:

19 Section 4.

20 (2) In addition to any investment authorized by  
21 general law, and to the extent created by the Constitution of  
22 this state, the Board of Commissioners shall be and is hereby  
23 authorized and empowered to invest any funds in its control or  
24 possession in accordance with an investment policy approved by  
25 the board which mandates prudent investment practices which  
26 shall include, among other items, the investment objectives  
27 and permitted securities of the policy. Such investment  
28 policy shall be designed to maximize the financial return to  
29 the fund consistent with the risks incumbent in each  
30 investment and shall be designed to preserve the appropriate  
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1 diversification of the portfolio. Accordingly, the following  
2 instruments are authorized for investment:

3 (g) The Board of Commissioners of the North Broward  
4 Hospital District shall have the power to enter into and  
5 execute:

6 1. Any contract known as or referred to or which  
7 performs the function of an interest rate swap agreement,  
8 forward payment conversion agreement, or futures contract:

9 2. Any contract providing for payments based on levels  
10 of, or changes or differences in, interest rates;

11 3. Any contract to exchange cash flows or payments or  
12 series of payments;

13 4. Any type of contract called, or designed to perform  
14 the function of, interest rate floors or caps, options, puts,  
15 or calls, to hedge or minimize any type of financial risk,  
16 including, without limitation, payment, rate, or other  
17 financial risk; and

18 5. Any other type of contract or arrangement that the  
19 Board of Commissioners of the North Broward Hospital District  
20 determines is to be used, or is intended to be used, to manage  
21 or reduce the cost of indebtedness, to convert any element of  
22 indebtedness from one form to another, to maximize or increase  
23 investment return, to minimize investment return risk, or to  
24 protect against any type of financial risk or uncertainty.

25 Section 2. Section 31A of chapter 27438, Laws of  
26 Florida, 1951, as amended by chapter 61-1937, Laws of Florida,  
27 is amended to read:

28 Section 31. (1) The Board of Commissioners of the  
29 North Broward Hospital District shall authorize and establish  
30 one (1) medical staff for the direction and control of the  
31 practitioners, and to insure the performance of necessary

1 professional services, in the hospitals and facilities  
2 operated by the North Broward Hospital District. The Board of  
3 Commissioners is hereby authorized and empowered to establish  
4 reasonable by-laws, rules and regulations thereof, and to  
5 prescribe and establish in said by-laws, rules and regulations  
6 reasonable professional duties and responsibilities for the  
7 staff, and members thereof, so that the welfare and health of  
8 the patients and the best interest of the hospitals may at all  
9 times be served. The North Broward Hospital District is  
10 authorized and empowered to create an employees' pension fund  
11 so as to provide for life and disability and medical insurance  
12 for all or any of its employees or officers on a group  
13 insurance, or other acceptable plan, approved by said Board of  
14 Commissioners of North Broward Hospital District, and to  
15 establish and create by resolution an employees' pension,  
16 annuity, and retirement plan for any and all groups of  
17 officers and employees employed by the North Broward Hospital  
18 District and qualifying for such plan, and to pay all or such  
19 portion of the cost of any such employees' pension, annuity,  
20 and retirement plan from funds available to the District from  
21 its authorized sources, with the employees defraying the  
22 balance thereof, if any, as said Board of Commissioners by  
23 resolution may determine for any and all groups of officers  
24 and employees employed by said North Broward Hospital  
25 District. The Board of Commissioners of the North Broward  
26 Hospital District is authorized to invest and reinvest  
27 available funds of the pension fund in accordance with the  
28 provisions of ss. 215.44-215.53, Florida Statutes.

29 Section 3. If any provisions of this act or the  
30 application thereof to any person or circumstance is held  
31 invalid, the invalidity shall not affect the other provisions

1 or applications of the act that can be given effect without  
2 the invalid provision or application, and to this end the  
3 provisions of this act are declared severable.

4           Section 4. This act shall take effect upon becoming a  
5 law.

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