

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Community Affairs offered the following:

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. Pursuant to chapter 97-255, Laws of Florida, this act constitutes the codification of all special acts relating to the Citrus County Hospital Board. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act.

Section 2. Chapter 65-1371, Laws of Florida, chapter 69-944, Laws of Florida, and chapter 70-1001, Laws of Florida, relating to the Citrus County Hospital Board, are codified, reenacted, and amended to read:

Section 1. This act shall be known and may be cited as the "Citrus County Hospital and Medical Nursing and Convalescent Home Act."

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1 Section 2. As used in this act the words and terms
2 shall have the following meanings:

3 (a) The term "Citrus County Hospital Board" or the
4 word "board" shall mean the Citrus County Hospital Board.

5 (b) The word "County" shall mean the County of Citrus,
6 in the State of Florida.

7 (c) The word "State" shall mean the State of Florida.

8 (d) The word "property" as used herein shall mean the
9 real and personal property of every nature whatsoever.

10 (e) The word "operate" shall include build, construct,
11 maintain, repair, alter, expand, equip, lease, finance and
12 operate.

13 (f) The words "county hospital and medical nursing and
14 convalescent homes" shall include hospitals, medical care
15 facilities, clinics and other allied medical care units.

16 Section 3. (a) There is hereby created the Citrus
17 County Hospital Board, an independent special district, and by
18 that name the board may sue and be sued, plead and be
19 impleaded, contract and be contracted with, acquire and
20 dispose of property or any interest therein, and have an
21 official seal. The board is created as a public nonprofit
22 corporation without stock and is composed of and governed by
23 the five (5) members herein provided for, to be known as
24 trustees. The hospital board is hereby constituted and
25 declared to be an agency of the county and incorporated for
26 the purpose of operating hospitals, medical nursing homes, and
27 convalescent homes in the county. The hospital board shall
28 consist of five (5) trustees appointed by the Governor and,
29 upon this act becoming a law, the present members will
30 automatically become trustees and shall constitute the board.
31 Their respective terms of office shall be the term each member

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1 is presently serving. All subsequent appointments, upon the
2 expiration of the present terms, shall be for the term of four
3 (4) years. Upon the expiration of the term of each trustee,
4 the successor shall be appointed by the Governor. Likewise,
5 any vacancy occurring shall be filled by appointment by the
6 Governor for the unexpired term. Each appointment by the
7 Governor is subject to approval and confirmation by the
8 Florida Senate.

9 (b) The trustees of said board shall elect from its
10 members a chair, a vice chair, and a secretary-treasurer who
11 shall each hold office for a period of two (2) years. Each
12 trustee shall execute a bond in the penal sum of five thousand
13 dollars (\$5,000) with two (2) good and sufficient sureties of
14 a surety company authorized under the laws of the state to
15 become surety, payable to the Citrus County Hospital Board,
16 conditioned upon the faithful performance of the duties of the
17 officer, which bonds shall be approved by the remaining
18 trustees of the board and which shall be filed with the Board
19 of County Commissioners of Citrus County. The premiums on
20 said bonds shall be paid by the hospital board.

21 (c) The hospital board shall select and designate one
22 (1) or more depositories, located within Citrus County, for
23 the deposit of hospital funds. In addition, the board may
24 select and designate one (1) or more depositories outside of
25 Citrus County for trust funds received from the sale and/or
26 for payment of bonds or revenue certificates when permitted or
27 required to do so by an order, decree, or judgment from any
28 state or federal court. Any depository selected must be:

29 (1) A national or state bank insured by the Federal
30 Deposit Insurance Corporation; and

31 (2) Qualified to act as a depository for the deposit

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1 of funds of the state or funds for the office of the state
2 treasury.

3 (d) Any and all funds so deposited shall be withdrawn
4 by a check or warrant signed by two (2) trustees of the
5 hospital board, of which one (1) shall be the chair, vice
6 chair, or secretary-treasurer. No check or warrant shall be
7 delivered to the payee without approval thereof shown in the
8 minutes of the hospital board.

9 Section 4. The trustees of the board shall receive no
10 compensation for their services. Three trustees shall
11 constitute a quorum of the hospital board for the purpose of
12 conducting its business and exercising its powers and for all
13 other purposes. Action may be taken by the board only upon a
14 vote in the affirmative of three trustees thereof.

15 Section 5. The Citrus County Hospital Board as hereby
16 created shall be for the purpose of operating, in the County
17 of Citrus, public hospitals, medical nursing homes, and
18 convalescent homes, primarily and chiefly for the benefit of
19 the citizens and residents of Citrus County. Authority is
20 hereby given to said board to build, erect, expand, equip,
21 maintain, operate, alter, change, lease, and repair public
22 hospitals, medical nursing homes, and convalescent homes in
23 Citrus County. The corporation is authorized, when rooms and
24 services are available, without detriment or deprivation to
25 the citizens and residents of Citrus County, to extend the
26 hospitalization and medical nursing home and convalescent home
27 services provided by said hospitals, medical nursing homes,
28 and convalescent homes to patients from adjoining and other
29 counties of Florida and from other states, upon the payment of
30 the cost of such hospitalization, medical nursing home
31 services, and convalescent home services as may be determined

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1 by the trustees of the hospital board. The board shall have
2 the power and authority to operate an ambulance system and
3 ambulance services. The board shall have the authority to
4 charge all patients for all services rendered in any facility
5 owned or operated by the hospital board, including the
6 ambulance facility. The board may charge patients interest on
7 the patient's account; may sell, discount, or assign said
8 account to a bank, finance company, collection agency, or
9 other type of collection facility; may accept promissory notes
10 or other types of debt obligations from a patient; may assign
11 or discount said accounts receivable, notes, or other
12 obligations; may require a patient to guarantee the payment of
13 an existing account or note; may require a guarantee of
14 payment before admitting a patient; and may receive and assign
15 any assignment of all types of insurance proceeds.

16 Section 6. It shall be the duty of the Board of County
17 Commissioners of Citrus County and/or their successors to levy
18 or cause to be levied each year beginning with the fiscal year
19 commencing July 1, 1965, the millage certified to said board
20 of county commissioners by the trustees of the Citrus County
21 Hospital Board upon all taxable real and personal property in
22 Citrus County, not including, however, homestead property that
23 is exempt from general taxation by the Constitution of the
24 State of Florida, for the purpose of erecting, building,
25 equipping, maintaining, changing, altering, repairing,
26 leasing, and operating the public hospital herein provided
27 for, such tax to be known as the hospital tax, and it is
28 hereby made the duty of the property appraiser of said county
29 to make such assessments, and duty of the tax collector to
30 collect such assessments when made, and the money collected
31 shall be paid over monthly to the Citrus County Hospital

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1 Board. However, in no event shall the annual tax herein
2 authorized and required exceed three mills on the dollar.

3 Section 7. From and after the effective date of this
4 act, in each year (beginning with the year 1965), it shall be
5 the duty of the hospital board, not later than July 15th, to
6 determine the amount required during the ensuing fiscal year
7 for the purpose of erecting, building, expanding, equipping,
8 maintaining, operating, altering, changing, leasing,
9 financing, and repairing said county hospitals, medical
10 nursing homes, and convalescent homes, or for any one or more
11 of said purposes. Such determination shall be by resolution
12 of the hospital board, and it shall be the duty of the chair
13 and secretary of said board to certify to the board of county
14 commissioners the amount required as aforesaid, which shall be
15 provided in a tax levied by the board of county commissioners
16 for the ensuing fiscal year for the "hospital fund." The
17 board of county commissioners, upon being furnished a
18 certified copy of the resolution of the hospital board last
19 mentioned shall levy the necessary millage to raise such
20 amount, provided, however, such millage shall not exceed three
21 mills per calendar year on the dollar, upon the taxable real
22 and personal property situate in Citrus County, less all such
23 property exempt from taxation by the Florida Constitution.
24 The resolution of the county hospital board above referred to
25 shall be adopted and a certified copy thereof filed with the
26 Board of County Commissioners of Citrus County not less than
27 ten days prior to the time fixed by filed with the Board of
28 County Commissioners of Citrus County not less than ten days
29 prior to the time fixed by law for the levy of general county
30 taxes.

31 Section 8. The hospital board is hereby authorized and

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1 empowered to own and acquire property by purchase, lease,
2 gift, grant, or transfer from the county, the state, or the
3 Federal Government, or any subdivision or agency thereof, any
4 municipality, person, partnership, or corporation, and to
5 acquire, construct, maintain, operate, expand, alter, repair,
6 change, lease, finance, and equip hospitals, medical nursing
7 homes, convalescent homes, medical care facilities, and
8 clinics in the county.

9 Section 9. The hospital board is authorized and
10 empowered to enter into contracts with individuals,
11 partnerships, corporations, municipalities, the county, the
12 state or any subdivision or agency thereof, and the United
13 States of America or any subdivision or agency thereof, to
14 carry out the purposes of this act.

15 Section 10. The hospital board is empowered to and
16 shall adopt all necessary rules and regulations and bylaws for
17 the operation of hospitals, medical nursing homes, and
18 convalescent homes; to provide for the admission thereto and
19 treatment of such charity patients who are citizens of Florida
20 and residents of Citrus County for the last two preceding
21 years; to set the fees and charges to be made for the
22 admission and treatment therein of all patients; and to
23 establish the qualifications for members of the medical
24 profession to be entitled to practice therein.

25 Section 11. The hospital board shall have the power to
26 purchase any and all equipment that may be needed for the
27 operation of hospitals, medical nursing homes, and
28 convalescent homes, and shall have the power to appoint and
29 hire such agent or agents, technical experts, attorneys, and
30 all other employees as are necessary for carrying out the
31 purposes of this act, and to prescribe their salaries and

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1 duties. The board shall have the power to discharge all
2 employees or agents when it shall be deemed by the board
3 necessary for the carrying out of the purposes of this act.

4 Section 12. For the fiscal year ending September 30,
5 1965, and at the end of each fiscal year thereafter, the
6 Citrus County Hospital Board shall within thirty days
7 thereafter file with the Clerk of the Circuit Court of Citrus
8 County a full, complete, and detailed accounting of the
9 preceding year and at the same time shall file a certified
10 copy of said financial report with the Board of County
11 Commissioners of Citrus County, which report shall be recorded
12 in the minutes of the board of county commissioners. The board
13 of county commissioners at its discretion and at the expense
14 of the county may publish and report an accounting in a
15 newspaper of general circulation in Citrus County.

16 Section 13. In addition to all other implied and
17 express powers contained herein, the board shall have the
18 express authority to negotiate loans to borrow money from the
19 Surgeon General's office, or some other agency of the United
20 States Government or from an agency of the State of Florida,
21 for the purpose or purposes of constructing, maintaining,
22 repairing, altering, expanding, equipping, leasing, and
23 operating county hospitals, medical nursing homes,
24 convalescent homes, medical care facilities, clinics, and all
25 other types of allied medical care units. Said loan or loans,
26 as provided in this specific section, must be directly related
27 and tied in with a grant-in-aid to said hospital, such as a
28 Hill-Burton grant under the National Hospital Act. The amount
29 of said loan, such as a Surgeon General's loan, shall not
30 exceed the amount of the grant such as a Hill-Burton grant.

31 Section 14. In addition to all other implied and

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1 express powers contained herein, the board shall have the
2 express authority to borrow money, with or without issuing
3 notes therefor, for the purpose or purposes of constructing,
4 maintaining, repairing, altering, expanding, equipping,
5 leasing, and operating county hospitals, medical nursing
6 homes, convalescent homes, medical care facilities, clinics,
7 and all other types of allied medical care units. The board's
8 authority to borrow money, with or without issuing notes,
9 shall be subject to the conditions of this act, applying to
10 the board's right to issue revenue certificates. However, the
11 board shall not be required to have any type of validation
12 suit or court approval to borrow money when the amount of the
13 loan or loans does not exceed an amount equal to two times the
14 annual hospital tax, assuming said tax is based upon the
15 yearly millage of three (3) mills, and the term of the loan
16 does not exceed five (5) years.

17 Section 15. Said board shall have express authority to
18 issue bonds, subject to approval by a referendum of the voters
19 of said county, and to issue Revenue Certificates, without a
20 referendum of the voters of said county, the proceeds of which
21 shall be used for erecting, equipping, building, expanding,
22 altering, changing, maintaining, operating, leasing, and
23 repairing said hospitals, medical nursing homes, and
24 convalescent homes.

25 Section 16. (a) Said bonds, federal or state hospital
26 loans, notes, or revenue certificates shall mature within
27 twenty (20) years from the year in which they are issued or
28 made, and shall mature in equal amounts each year including
29 the interest. The aggregate amount of all bonds, revenue
30 certificates, and federal or state hospital loans issued and
31 outstanding at any one time shall not exceed an amount equal

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1 to five (5) times the annual hospital tax at the date of
2 issue, assuming said tax is based upon the yearly millage of
3 three (3) mills. Said bonds and interest thereon shall be
4 payable solely from a millage not to exceed one and one half
5 (1 1/2) mills per year. Said millage is included in the
6 maximum millage of three (3) mills per year. The loans, notes
7 and revenue certificates, together with the interest, shall be
8 payable from the gross receipts of the hospital and/or medical
9 nursing home.

10 (b) The full faith and credit of Citrus County shall
11 be pledged for the payment of the bonds and interest, but the
12 full faith and credit of Citrus County shall not be pledged
13 for the payment of the loans, notes, or revenue certificates
14 and interest unless voted upon and approved by the voters of
15 said county.

16 (c) Whenever this board shall pass a resolution
17 approving the issuance of said bonds, the board of county
18 commissioners shall immediately thereafter pass a resolution
19 approving the bond issue and calling an election and, subject
20 to said election, permitting the repayment of the bonds out of
21 the annual levy of three (3) mills per year. The bonds or
22 revenue certificates shall not be issued until after the same
23 have been approved in a validation suit.

24 (d) Said loans, notes, bonds, or revenue certificates
25 shall not bear interest in excess of six percent (6%) per year
26 and such lesser amounts that may be available in the open
27 market. The interest rate may be increased as provided in
28 subsection (h).

29 (e) The board shall determine the form of the loans,
30 notes, bonds, and revenue certificates, including any interest
31 coupons to be attached thereto, and the manner of executing

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1 it, shall fix the denomination or denominations thereof and
2 the place or places of payment of principal and interest which
3 may be at any bank or trust company within or without the
4 state. In case an officer whose signature or a facsimile of
5 whose signature shall appear on any loan, note, bond, or
6 revenue certificate or coupon shall cease to be such officer
7 before the delivery thereof, such signature or facsimile shall
8 nevertheless be valid and sufficient for all purposes the same
9 as if the officer had remained in office until such delivery.
10 All loan agreements, notes, bonds, and revenue certificates
11 issued hereunder shall have and are hereby declared to have
12 all the qualities and incidents of negotiable instruments
13 under the negotiable instruments law of the state.

14 (f) The board may sell bonds or revenue certificates
15 in such manner, either at public or private sale, and for such
16 price as it may determine to be for the best interest of the
17 hospital board, but no such sale shall be made at a price so
18 low as to require the payment of interest on the money
19 received therefor of more than six percent (6%) per annum. The
20 interest rate may be increased as provided in subsection (h).

21 (g) The board of county commissioners during said
22 period shall, in addition to the maximum of one and one half
23 (1 1/2) mills) levy above authorized for the repayment of the
24 bonds and interest, levy annually the remainder of the
25 hospital tax in the amount up to one and one half (1 1/2)
26 mills on the dollar for the purpose of maintaining and
27 operating the county hospitals, medical nursing homes, and
28 convalescent homes.

29 (h) In the event the maturity date of the debt is more
30 than two (2) years after the date the debt is created, the
31 maximum interest rate that can be applied to said debt or debt

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1 paper obligation shall not exceed six percent (6%) or one
2 percent (1%) less than the "prime interest rate," as
3 established by the Chase Manhattan Bank, National Association,
4 whichever is the higher, on the date the agreement to create
5 the debt is executed by the board and the lender. This shall
6 apply only to debts created or incurred subsequent to the
7 effective date of this amendment. The term debt paper
8 obligation shall include notes, bonds, and revenue bonds and
9 certificates.

10 Section 17. The total amount outstanding indebtedness
11 of said hospital at any one time shall not exceed an amount
12 equal to six (6) times the annual hospital tax, assuming said
13 tax is based upon the yearly millage of three mills.

14 Section 18. Heretofore, the Legislature of the State
15 of Florida authorized said previously existing hospital board
16 to issue bonds in the amount not to exceed one hundred fifty
17 thousand (\$150,000.00) dollars of said bonds. This act shall
18 not preclude said previously existing hospital board or its
19 successors from issuing previously authorized and validated
20 hospital bonds.

21 Section 19. If any part, section, paragraph, or
22 provision of this act shall be held unconstitutional by a
23 court of competent jurisdiction, it shall nevertheless not
24 affect the constitutionality or effectiveness of the remainder
25 of this act.

26 Section 3. Chapter 65-1371, Laws of Florida, chapter
27 69-944, Laws of Florida, and chapter 70-1001, Laws of Florida,
28 shall be repealed 10 days after the effective date of this
29 act.

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

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, lines 2-7

4 remove from the title of the bill: all of said lines

5

6 and insert in lieu thereof:

7 An act relating to Citrus County; providing for
8 codification of special laws regarding special
9 districts pursuant to chapter 97-255, Laws of
10 Florida, relating to the Citrus County Hospital
11 Board, an independent special district in
12 Citrus County; providing legislative intent;
13 codifying, amending, and reenacting chapter
14 65-1371, Laws of Florida, as amended, the
15 "Citrus County Hospital and Medical Nursing and
16 Convalescent Home Act"; removing references to
17 freeholders; deleting obsolete language; making
18 technical revisions; repealing all prior
19 special acts relating to board; providing an

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