

1
2 An act relating to Orange County; providing for
3 codification of special laws regarding special
4 districts pursuant to chapter 97-255, Laws of
5 Florida, relating to the West Orange Healthcare
6 District, an independent special tax district
7 of the State of Florida composed of the County
8 of Orange; providing legislative intent, and
9 codifying and reenacting chapter 26066, Laws of
10 Florida, 1949; chapter 57-1639, Laws of
11 Florida; chapter 61-2588, Laws of Florida;
12 chapter 67-1827, Laws of Florida; chapter
13 70-839, Laws of Florida; chapter 71-797, Laws
14 of Florida; chapter 76-452, Laws of Florida;
15 chapter 77-610, Laws of Florida; chapter
16 81-446, Laws of Florida; chapter 83-479, Laws
17 of Florida; chapter 85-476, Laws of Florida;
18 chapter 87-469, Laws of Florida; chapter
19 92-257, Laws of Florida; chapter 93-385, Laws
20 of Florida; chapter 95-484, Laws of Florida;
21 chapter 95-486, Laws of Florida; amending
22 chapter 93-385, Laws of Florida; changing the
23 term of the Board of Trustees; creating the
24 West Orange Healthcare District; providing
25 boundaries; providing for the governing body;
26 providing powers and duties; providing for a
27 quorum; providing for eminent domain;
28 authorizing the board to borrow money;
29 providing for bonds; providing procedures;
30 providing for the payment of expenses;
31 providing for an annual financial statement;

1 providing rules; providing for liberal
2 construction; providing severability; providing
3 an effective date.
4

5 Be It Enacted by the Legislature of the State of Florida:
6

7 Section 1. Pursuant to chapter 97-255, Laws of
8 Florida, this act constitutes the codification of all special
9 acts relating to the West Orange Healthcare District. It is
10 the intent of the Legislature in enacting this law to provide
11 a single, comprehensive special act charter for the district,
12 including all current legislative authority granted to the
13 district by its several legislative enactments and any
14 additional authority granted by this act.

15 Section 2. Chapter 26066, Laws of Florida, 1949;
16 chapter 57-1639, Laws of Florida; chapter 61-2588, Laws of
17 Florida; chapter 67-1827, Laws of Florida; chapter 70-839,
18 Laws of Florida; chapter 71-797, Laws of Florida; chapter
19 76-452, Laws of Florida; chapter 77-610, Laws of Florida;
20 chapter 81-446, Laws of Florida; chapter 83-479, Laws of
21 Florida; chapter 85-476, Laws of Florida; chapter 87-469, Laws
22 of Florida; chapter 92-257, Laws of Florida; chapter 93-385,
23 Laws of Florida; chapter 95-484, Laws of Florida; and chapter
24 95-486, Laws of Florida, are codified, reenacted, amended, and
25 repealed as herein provided.

26 Section 3. The West Orange Healthcare District is
27 re-created and the charter for such district is re-created and
28 reenacted to read:

29 Section 1. That a special tax district as hereby
30 created and incorporated to be known as "West Orange
31

1 Healthcare District" in Orange County, Florida, which said
2 district shall embrace and include the following territory:

3
4 Beginning at the NE corner of Section 25,
5 Township 21, S. Range 28 E, run thence South
6 along the Range line 4 miles to the SE Corner
7 of Section 12, Township 22, S. Range 28 E,
8 thence West along the Section line 4 miles to
9 the SW corner of Section 9, Township 22, S.
10 Range 28 E, thence North along the Section line
11 2 miles to the NW corner of Section 4, Township
12 22, S, Range 28 E, thence West along the
13 Section line 2 miles more or less to the Shore
14 of Lake Apopka, at or near the NW corner of
15 Section 6, Township 22, S, Range 28 E, thence
16 North 2 miles to the NW corner of Section 30,
17 Township 21, S, Range 28 E, thence East along
18 the Section line 6 miles to the point of
19 beginning, at the NE corner of Section 25,
20 Township 21, S, Range 28 E.

21
22 And

23
24 Beginning at the intersection of the East line
25 of Section 16, Township 22, S, Range 27 E, with
26 the Shore of Lake Apopka, run thence South
27 along the Section line 15 miles more or less to
28 the South line of Orange County at the SE
29 corner of Section 33, Township 24, S, Range 27
30 E, thence West along the South line of Orange
31 County 3 miles to the SW corner of Orange

1 County, at the SW corner of Section 31,
2 Township 24, S, Range 27 E, thence North along
3 the West line of Orange County 14 1/2 miles
4 more or less to the intersection of the West
5 line of Section 19, Township 22, S, Range 27 E,
6 with the Shore of Lake Apopka, thence easterly
7 along the Shore of Lake Apopka to the point
8 thence easterly along the Shore of Lake Apopka
9 to the point thence easterly along the Shore of
10 Lake Apopka to the point of beginning, at the
11 intersection of the East line of Section 16,
12 Township 22, S, Range 27 E, with the Shore of
13 Lake Apopka.

14

15 And

16

17 Beginning at the NE corner of Section 36,
18 Township 22, S, Range 27 E, thence South along
19 the Range line 13 miles to the South line of
20 Orange County at the SE corner of Section 36,
21 Township 24, S, Range 27 E, thence West Along
22 the South line of Orange County 3 miles to the
23 SW corner of Section 34, Township 24, S, Range
24 27 E, thence North along the Section line 15
25 miles more or less to the Shore of Lake Apopka,
26 thence Northeasterly along the Shore of Lake
27 Apopka, to the intersection with the North line
28 of Section 14, Township 22, S, Range 27 E,
29 thence East along the Section line to the NE
30 corner of the NW 1/4 of Section 13, Township
31 22, S, Range 27 E, thence South along the

1 Quarter Section line 3 miles to the NE corner
2 of NW 1/4 of Section 36, Township 22, S, Range
3 27 E, thence East along the Section line 1/2
4 mile to the point of beginning, at the NE
5 corner of Section 36, Township 22, S, Range 27
6 E.
7
8 And
9
10 Beginning at the SE corner of Section 10,
11 Township 22, S, Range 28, E, run thence South
12 on Section line 3 miles to the SE corner of
13 Section 27, Township 22, S, Range 28, E, thence
14 West on the Section line 4 1/2 miles to the SW
15 corner of the SE 1/4 of Section 25, Township
16 22, S, Range 27 E, thence North along the
17 Quarter Section line 3 miles to the NE corner
18 of the NW 1/4 of Section 13, Township 22, S,
19 Range 27E, thence West along the Section line 1
20 mile more or less to the Shore of Lake Apopka,
21 thence Northerly along the Lake Shore to the
22 North line of Section 1, Township 22, S, Range
23 27 E, thence East along the Township line to
24 the NE corner of Section 5, Township 22, S,
25 Range 28 E, thence South along the Section line
26 2 miles to the SE corner of Section 8, Township
27 22, S, Range 28 E, thence East along the
28 Section line 2 miles to the point of beginning,
29 at the SE corner of Section 10, Township 22, S,
30 Range 28 E.
31

1 And

2
3 Beginning at the NE corner of Section 34,
4 Township 22, S, Range 28 E, thence South on the
5 Section line 2 miles to the SE corner of
6 Section 3, Township 23, S, Range 28 E, thence
7 West 4 miles to the SW corner of Section 6,
8 Township 23 S, Range 28 E, thence North on
9 Range line 2 miles to the NW corner of Section
10 31, Township 22, S, Range 28 E, thence East on
11 Section line 4 miles to place of beginning, at
12 the NE corner of Section 34, Township 22, S,
13 Range 28 E.

14
15 And

16
17 Beginning at the NE corner of Section 12,
18 Township 23, S, Range 28 E, run thence South
19 along the Range line 3 miles to the SE corner
20 of Section 24, Township 23, S, Range 28 E, then
21 West along the Section line 6 miles to the SW
22 corner of Section 19, Township 23, S, Range 28
23 E, thence North along the Range line 3 miles to
24 the NW corner of Section 7, Township 23, S,
25 Range 28 E, thence East along the Section line
26 6 miles to a point of beginning at the NE
27 corner of Section 12, Township 23, S, Range 28
28 E.

29
30 And

31

1 Beginning at the NE corner of Section 25,
2 Township 23, S, Range 28 E, run thence South
3 along the Range line 8 miles to the South line
4 of Orange County at the SE corner of Section
5 36, Township 24, S, Range 28 E, thence West
6 along the South line of Orange County 6 miles
7 to the SW corner of Section 31, Township 24, S,
8 Range 28 E, thence North along the Range line 8
9 miles to the NW corner of Section 30, Township
10 23, S, Range 28E, thence East along the Section
11 line 6 miles to the point of beginning at the
12 NE corner of Section 25, Township 23, S, Range
13 28 E.

14
15 Section 2. The governing body of the West Orange
16 Healthcare District shall be a Board of Trustees composed of
17 seven (7) persons, to be appointed by the Governor, the first
18 three (3) of whom shall be appointed for a term of office to
19 last for one (1) year; the second two (2) of whom shall be
20 appointed for a term of office which shall last for two (2)
21 years; and the third two (2) of whom shall be appointed for a
22 term of office which shall last for three (3) years. Without
23 restricting or attempting to restrict the appointive power of
24 the Governor, the Legislature recommends to the Governor that
25 the Trustees appointed by him or her be selected from persons
26 who may be nominated by the following Orange County
27 organizations, to wit: one (1) person who may be nominated by
28 the Winter Garden Rotary Club; one (1) person who may be
29 nominated by the Winter Garden Lions Club; one (1) person who
30 may be nominated by the Winter Garden Junior Welfare League;
31 one (1) person who may be nominated by the Town Council of

1 Oakland; one (1) person who may be nominated by the Woman's
2 Club of Ocoee; one (1) person who may be nominated by the Town
3 Council of Windermere; and one (1) person who may be nominated
4 by the Chamber of Commerce of Gotha. In the event any of the
5 above named organizations ceases to exist, the nomination
6 shall come from any other nonprofit organization designated by
7 the Board of Trustees in the community or area affected. The
8 successors of the Trustees first appointed shall be appointed
9 by the Governor for three (3) year terms, and the Legislature
10 here and now recommends to the Governor that such successors
11 be appointed upon the nomination of such Orange County
12 organizations the term of office of whose prior appointee has
13 expired. On July 1, 1971, the Board of Trustees shall be
14 increased from seven (7) Trustees to nine (9) Trustees to be
15 appointed by the Governor. The eighth Trustee shall be
16 appointed for a term to expire on September 24, 1972, and the
17 ninth Trustee shall be appointed for a term to expire on
18 September 24, 1973. All successive terms shall be for three
19 (3) years, and without restricting or attempting to restrict
20 the appointive powers of the Governor, the Legislature
21 recommends to the Governor that the eighth and ninth Trustees
22 appointed by him or her be selected from persons who may be
23 nominated by the following Orange County organizations: the
24 medical staff of the West Orange Memorial Hospital and the
25 West Orange Memorial Hospital Auxiliary. In the event any of
26 the above named organizations ceases to exist, the nominations
27 shall come from other nonprofit organizations designated by
28 the Board of Trustees in the community or area affected. The
29 successors of the first Trustees appointed in 1971 shall be
30 appointed by the Governor for three (3) year terms, and the
31 Legislature here and now recommends to the Governor that such

1 Trustees be appointed upon the nomination of such Orange
2 County organizations the term of office of whose prior
3 appointee has expired. On October 1, 1983, the Board of
4 Trustees shall be increased in number from nine (9) Trustees
5 to fifteen (15) Trustees to be appointed by the Governor.
6 Without restricting or attempting to restrict the appointive
7 powers of the Governor, the Legislature recommends to the
8 Governor that the six (6) additional Trustees appointed by him
9 or her be nominated by majority vote of the Board of Trustees
10 of West Orange Healthcare District provided, however, that no
11 member of said Board of Trustees whose term is expiring shall
12 have any vote in the nomination of his or her successor. The
13 tenth and eleventh Trustees shall be appointed for terms to
14 expire on September 30, 1984; the twelfth and thirteenth
15 Trustees shall be appointed for terms expiring on September
16 30, 1985; and the fourteenth and fifteenth Trustees shall be
17 appointed for terms expiring on September 30, 1986. The
18 successors of these six (6) additional Trustees shall be
19 appointed by the Governor for three (3) year terms, and the
20 Legislature here and now recommends to the Governor that such
21 successors to these additional six (6) Trustees be appointed
22 upon the nomination of the Board of Trustees as set out above.
23 On October 1, 1992, the Board of Trustees shall be increased
24 in number from fifteen (15) to sixteen (16) Trustees to be
25 appointed by the Governor. The additional Trustee shall be
26 appointed for a term expiring September 30, 1995, and all
27 successor terms shall be for three (3) years. Without
28 restricting or attempting to restrict the appointment powers
29 of the Governor, the Legislature recommends to the Governor
30 that the additional Trustee appointed by him or her be
31 nominated by the Orange County Homeowners Association. In the

1 event that the Orange County Homeowners Association ceases to
2 exist, it is recommended that the nomination come either from
3 another nonprofit organization, or from a governmental body
4 located within the territory described in Section 1 above,
5 designated by the Board of Trustees. Beginning October 1,
6 2000, the successors of the Trustees first appointed shall be
7 appointed by the Governor for four (4) year terms and the
8 Legislature here and now recommends to the Governor that such
9 successors be appointed upon the nomination of such Orange
10 County organizations, the term of office of whose prior
11 appointee has existed. Any member of the Board of Trustees
12 hereinabove designated may be removed by the Governor at any
13 time for cause. A vacancy or vacancies caused by the death,
14 resignation, or removal of a Trustee or Trustees for cause
15 shall be filled by the appointment of the Governor of a
16 replacement to serve until the end of the term of the Trustee
17 that the new appointee is replacing. The term of a Trustee
18 shall end on September 30 of the year in which the particular
19 Trustee's term ends which September 30 date is the end to the
20 tax district's fiscal year, except a trustee who resigns or
21 dies or is removed by the Governor for cause, shall continue
22 in office and shall serve until his or her successor is
23 appointed by the Governor. The members of the Board of
24 Trustees shall serve without pay. Each member shall give bond
25 to the Governor and his or her successors in office for the
26 use and benefit of the West Orange Healthcare District for the
27 faithful performance of his or her duties in the sum of two
28 thousand dollars (\$2,000) with a surety company qualified to
29 do business in the state as surety, which bond shall be
30 approved and kept by the Clerk of the Circuit Court of Orange
31 County. The premiums on the bonds shall be paid as part of the

1 expenses of the district. Each person appointed from time to
2 time shall be duly qualified electors and residents residing
3 in said district in Orange County. If a member of the Board of
4 Trustees shall fail to maintain the required residence, a
5 vacancy shall exist on the board as if the member had
6 resigned. Subsequent to the fiscal year ending September 30,
7 1999, any trustee who serves three (3) consecutive four (4)
8 year terms after September 30, 1999, will not be eligible for
9 reappointment until he or she has been off the Board of
10 Trustees for one (1) complete fiscal year.

11 Section 3. The Board of Trustees of said West Orange
12 Healthcare District shall have all the powers of a body
13 corporate including the power to sue and be sued under the
14 name of the West Orange Healthcare District, to contract and
15 to be contracted with, to adopt and use a common seal, and to
16 alter the same at pleasure; to acquire, purchase, hold, lease
17 and convey such real and personal property as said Board of
18 Trustees may deem proper or expedient to carry out the
19 purposes of this act; to appoint and employ a chief executive
20 officer and such other agents and employees as said Board may
21 deem advisable; to borrow money and to issue the notes, bonds,
22 and other evidences of indebtedness of said district therefor
23 to carry out the provisions of this act in the manner
24 hereinafter provided. The Board of Trustees is authorized and
25 empowered to own and operate an ambulance service within the
26 tax district.

27 Section 4. Five (5) of the trustees shall constitute a
28 quorum, and a vote of at least five (5) of the trustees shall
29 be necessary to the transaction of any business, except as
30 hereinafter provided, of the district. After the appointment
31 of the additional six (6) Trustees provided for in 1983, eight

1 (8) of the Trustees shall constitute a quorum and a vote of at
2 least eight (8) of the Trustees shall be necessary to the
3 transaction of any business, except as hereinafter provided,
4 of the district. After the appointment of the additional
5 Trustee provided for in 1992, nine (9) of the Trustees shall
6 constitute a quorum and a vote of at least nine (9) of the
7 Trustees shall be necessary to the transaction of any
8 business, except as hereinafter provided, of the district. The
9 number of Trustees required for a quorum shall be reduced by
10 one (1) Trustee and vote of Trustees needed to transact
11 business shall be reduced by one (1) Trustee for each two (2)
12 vacancies on the Board of Trustees as a result of: a death of
13 a Trustee or deaths of Trustees and/or resignation of a
14 Trustee or resignations of Trustees and/or removal of a
15 Trustee for cause by the Governor or removal of Trustees for
16 cause by the Governor. This reduction in the number of
17 Trustees required for a quorum and in the number of Trustees
18 required to transact business for the District shall remain in
19 effect until the vacancies are filled by appointment of the
20 Governor. The Board of Trustees herein named shall have the
21 power to select from among the membership thereof a Chair, a
22 Vice-Chair, and a Secretary and a Treasurer, and the Board
23 shall cause true and accurate minutes and records to be kept
24 of all business transacted by them, and shall keep full, true,
25 and complete books of account and minutes, which minutes,
26 records, and books of account shall at all reasonable times be
27 open and subject to the inspection of inhabitants of the
28 District. Any person desiring to do so may make or procure a
29 copy of the minutes, records, and books of account, or such
30 portions thereof as he or she may desire.
31

1 Section 5. Said Board of Trustees is hereby authorized
2 and empowered to establish, purchase, sell, construct,
3 operate, and maintain such hospital or hospitals as in their
4 opinion shall be necessary for the use of the people of said
5 district. Said hospital, or hospitals, shall be established,
6 purchased, sold, constructed, operated, and maintained by said
7 Board of Trustees for the preservation of the public health,
8 and for the public good, and for the use of the public of said
9 district; and the construction, purchase, sale, and
10 maintenance of such hospital, or hospitals, within said
11 district, is hereby found and declared to be a public purpose
12 and necessary for the preservation of the public health and
13 for the public use, and for the welfare of said district and
14 inhabitants thereof. The location of such hospital, or
15 hospitals, shall be determined by said Board of Trustees. For
16 the purposes of this act "hospital" or "hospitals" means one
17 (1) or more health care institutions, including hospitals,
18 nursing homes, extended care institutions, outpatient care
19 institutions, institutions providing in-home health care for
20 patients, whether or not located in a single building, which
21 shall have all or some of the following: an organized medical
22 staff with permanent facilities that include inpatient beds,
23 medical services including physicians' services and nursing
24 services for the purposes of diagnosis and treatment of
25 patients who have a variety of medical conditions, inpatient
26 and outpatient emergency care facilities, and including the
27 furnishing and staffing of the foregoing with all necessary
28 professional and nonprofessional personnel. The definition of
29 "hospital" or "hospitals" shall also mean and include any real
30 property or interest connection with its operations or
31 proposed operations, including, without limitation, real

1 property thereof, a clinic, computer facility, food service
2 and preparation facility, health care facility, long-term care
3 facility, interns' residence, laboratory, laundry, maintenance
4 facility, nurses' residence, nursing home, nursing school,
5 office, professional office building, parking structure and
6 area, ambulance service and facilities in connection
7 therewith, pharmacy, recreational facilities, research
8 facilities, storage facilities, utility, x-ray facilities, or
9 any combination of any of the foregoing, facilities to provide
10 in-home physical therapy, in-home skilled nursing, and other
11 types of in-home health care services facilities to provide
12 health services and consulting services to other health care
13 facilities; and such other structures or facilities related
14 thereto or required or useful for health care purposes, in
15 conducting of research, or the operation of a hospital or
16 other health care facility, including facilities or structures
17 essential or convenient for the orderly conduct of such
18 hospital or other health care facility, and other similar
19 items necessary or convenient for the operation of a
20 particular facility or structure in the manner for which its
21 use is intended.

22 Section 6. The Board shall have the power of eminent
23 domain, and may thereby condemn and acquire any real or
24 personal property which the Board may deem necessary for the
25 use of said district, whether within or without said district.
26 Such power of condemnation shall be exercised in the same
27 manner as is now provided by the general law for the exercise
28 of the power of eminent domain by cities and towns of the
29 State of Florida.

30 Section 7. A. The Board of Trustees is hereby
31 authorized and empowered, in order to provide for and carry

1 out the work of this act, to borrow money from time to time
2 for periods of time as determined by the board, and to issue
3 the note or notes, revenue bonds, certificates, or time
4 anticipation warrants of the district therefor and upon such
5 terms and bear such rates of interest, including, but not
6 limited to, variable rates as the board may deem advisable and
7 which rates do not exceed the maximum rate permitted by law at
8 the time of issuance. The amount or amounts to be borrowed
9 shall be determined by the Board of Trustees. The trustees may
10 secure the note or notes, revenue bonds, certificates, or time
11 anticipation warrants by mortgages, liens, and other kinds of
12 security upon any assets, real, personal or tangible, owned or
13 held by the hospital board.

14 B. This section shall be deemed to provide an
15 additional and alternative method for the doing of the things
16 authorized thereby and shall be regarded as supplemental and
17 additional to powers conferred by other laws.

18 Section 8. The Board of Trustees of said West Orange
19 Healthcare District is hereby authorized and empowered to
20 issue and to sell from time to time bonds of the district in
21 an amount or amounts determined by the Board of Trustees for
22 the purpose of raising funds to establish, construct, operate,
23 and maintain such hospital or hospitals as in its opinion are
24 necessary in the district, and to purchase any privately owned
25 hospital facilities which may be available whether completed
26 or not if the Board desires to do so; provided the issuance of
27 the bonds shall be approved by a majority of the qualified
28 electors voting in an election called for that purpose. The
29 Board of Trustees is hereby authorized to cause an election to
30 be held to determine whether or not bonds shall be issued, and
31 in so doing shall comply with the requirements of Section 12

1 of Article VII of the Constitution of the State of Florida,
2 and shall comply with the general laws of the state regulating
3 bond elections of tax districts. In the event a majority of
4 the qualified electors voting in the election approve the
5 issuance of the bonds, then all such bonds issued, as herein
6 authorized, shall be of the denomination of one thousand
7 (\$1,000) or multiple thereof, shall bear interest at such
8 rates including, but not limited to, variable rates as the
9 Board may deem advisable and which rates do not exceed the
10 maximum rate permitted by law at the times of issuance, and
11 both principal and interest shall be payable at such times and
12 at such place or places as the Board of Trustees may
13 determine. The form of such bonds shall be fixed by the
14 resolution of the Board of Trustees, and shall have the seal
15 of the West Orange Healthcare District affixed thereto.
16 Interest coupons shall be attached to the bonds and shall bear
17 the facsimile of the signature of the chair of the board. Said
18 bonds shall be due not less than five (5) nor more than forty
19 (40) years from the date thereof, and may mature serially, as
20 the Board of Trustees may determine, and may be callable at
21 any time after five (5) years, under such terms and conditions
22 as the Board of Trustees may determine and provide, and shall
23 be exempt from all state, county, and city taxation. The
24 notices of the calling of an election to determine whether or
25 not bonds shall be issued shall contain information as to the
26 amount of the bonds proposed to be issued, the interest rate
27 to be paid and the time when such bonds shall be due and
28 payable. All bonds issued by the West Orange Healthcare
29 District shall have all the quality of negotiable paper under
30 the law merchant, and shall not be invalidated for any
31 irregularity or defect in the proceeding for the issue and

1 sale thereof, and shall be incontestable in the hands of bona
2 fide purchasers or holders thereof for value. Upon the
3 approval of any bond issue all the proceeds derived therefrom,
4 exclusive of expenses, shall be deposited in a depository
5 selected by the board.

6 Section 9. The Board of Trustees shall offer said
7 bonds for sale by notice stating the amount of bonds for sale,
8 rate of interest, and when due and payable by advertising once
9 a week for two (2) weeks in a newspaper published in said
10 district. The Board of Trustees shall receive bids for the
11 purchase of said bonds or any part thereof on the day fixed by
12 said notice, being not less than twenty (20) days from the
13 date of first publication. They shall have the right to reject
14 any and all bids, and re-advertise the bonds or any portion
15 thereof remaining unsold.

16 Section 10. A bank, or banks, or other depository, or
17 depositories, to be designated by the Board of Trustees, shall
18 receive and be custodian of the bonds and all money arising
19 from the sale of said bonds.

20 Section 11. The funds of said district shall be paid
21 out only upon warrant signed by the Chair of the Board and
22 countersigned by the Secretary of said Board, and no warrant
23 shall be drawn or issued against funds of said district except
24 for a purpose authorized by this Act, and no such warrant
25 against funds of said district shall be drawn or issued until
26 after the account or expenditures for which the same is to be
27 given in payment has been ordered and approved by the duly
28 designated Finance Committee of said Board of Trustees, which
29 shall be composed of three (3) or more members as determined
30 and when elected by the Board of Trustees.

31

1 All funds of the hospital board shall be deposited in
2 banks which are qualified under state law to accept deposits
3 of public funds. The hospital board may deposit or invest its
4 surplus funds in interest-bearing accounts, instruments, or
5 securities, to the fullest extent permitted by general law.
6 In addition, the hospital board may invest its surplus funds
7 as follows:

8 (1) Without limitation in:

9 (a) Bonds, notes, or other obligations of the United
10 States or those guaranteed by the United States or for which
11 the credit of the United States is pledged for the payment of
12 the principal and interest or dividends thereof.

13 (b) State bonds pledging the full faith and credit of
14 the state and revenue bonds additionally secured by the full
15 faith and credit of the state.

16 (c) Bonds of the several counties or districts in the
17 state containing a pledge of the full faith and credit of the
18 county or district involved.

19 (d) Savings accounts in, or certificates of deposit
20 of, any bank, savings bank, or savings and loan association
21 incorporated under the laws of the United States doing
22 business and situated in this state, the accounts of which are
23 insured by the Federal Government or an agency thereof, in an
24 amount that does not exceed 15 percent of the net worth of the
25 institution, provided such savings accounts and certificates
26 of deposit are secured in the manner prescribed in chapter
27 280, Florida Statutes.

28 (e) Obligations of the Federal Farm Credit Banks and
29 obligations of the Federal Home Loan Bank and its district
30 banks.

31

1 (f) Obligations of the Federal Home Loan Mortgage
2 Corporation including participation certificates.

3 (g) Obligations guaranteed by the Government National
4 Mortgage Association.

5 (h) Commercial paper of prime quality of the highest
6 letter and numerical rating as provided for by at least one
7 nationally recognized rating service.

8 (i) Time drafts or bills or exchange drawn on and
9 accepted by a commercial bank, otherwise known as banker's
10 acceptances, which are accepted by a member bank of the
11 Federal Reserve System having total deposits of not less than
12 \$400 million.

13 (j) Short-term obligations not authorized elsewhere in
14 this section to be purchased individually or in pooled
15 accounts or other collective investment funds, for the purpose
16 of providing liquidity to any fund or portfolio.

17 (k) Securities of, or other interest in, any open-end
18 or closed-end management type investment company or investment
19 trust registered under the Investment Company Act of 1940, 15
20 U.S.C. ss. 60a-1 et seq., as amended from time to time,
21 provided that the portfolio of such investment company or
22 investment trust is limited to obligations of the United
23 States Government or any agency or instrumentality thereof and
24 to repurchase agreements fully collateralized by such United
25 States Government obligations and provided that such
26 investment company or investment trust takes delivery of such
27 collateral either directly or through an authorized custodian.

28 (2) With no more than 25 percent of its funds in:

29 (a) Bonds, notes, or obligations of any municipality
30 or political subdivision or any agency or authority of this
31 state, if such obligations are rated in any one of the three

1 highest ratings by two nationally recognized rating services.
2 However, if only one nationally recognized rating service
3 shall rate such obligations, then such rating service must
4 have rated such obligations in any one or the two highest
5 classifications heretofore mentioned.

6 (b) Notes secured by first mortgages on Florida real
7 property, insured or guaranteed by the Federal Housing
8 Administration or the United States Department of Veterans
9 Affairs.

10 (c) Mortgage pass-through certificates, meaning
11 certificates evidencing ownership of an undivided interest in
12 pools of conventional mortgages on real property which is
13 improved by a building or buildings used for residential
14 purposes for one to four families when:

- 15 1. Such real property is located in this state;
- 16 2. Such mortgages are originated by one or more banks
17 or savings and loan associations organized under the laws of
18 this state, by national banks or federal savings and loan
19 associations having their principle place of business in this
20 state, or by a lender that is approved by the Secretary of
21 Housing and Urban Development for the participation in any
22 mortgage insurance program under the National Housing Act and
23 has its principal place of business in this state, or by any
24 combination thereof; and
- 25 3. Such mortgages are transferred or assigned to a
26 corporate trustee acting for the benefit of the holders of
27 such certificates.

28 (d) Obligations of the Federal National Mortgage
29 Association.

30 (e) Group annuity contracts of the pension investment
31 type with insurers licensed to do business in the state except

1 that amounts invested by the board with any one insurer shall
2 not exceed 3 percent of its assets.

3 ((f) Certain interests in real property and related
4 personal property, including mortgages and related instruments
5 on commercial or industrial real property, with provisions for
6 equity or income participation or with provisions for
7 convertibility to equity ownership; and interests in
8 collective investment funds. Associated expenditures for
9 acquisition and operation of assets purchased under this
10 provision shall be included as a part of the cost of the
11 investment.

12 1. The title to real property acquired under this
13 paragraph shall be vested in the name of the respective fund.

14 2. For purpose of taxation of property owned by any
15 fund, the provisions of s. 196.199(2)(b), Florida Statutes, do
16 not apply.

17 3. Real property acquired under the provisions of this
18 paragraph shall not be considered state lands or public lands
19 and property as defined in chapter 253, Florida Statutes, and
20 the provisions of that chapter do not apply to such real
21 property.

22 (e) Group annuity contracts of the pension investment
23 type with insurers licensed to do business in the state except
24 that amounts invested by the board with any one insurer shall
25 not exceed 3 percent of its assets.

26 ((f) Certain interests in real property and related
27 personal property, including mortgages and related instruments
28 on commercial or industrial real property, with provisions for
29 equity or income participation or with provisions for
30 convertibility to equity ownership; and interests in
31 collective investment funds. Associated expenditures for

1 acquisition and operation of assets purchased under this
2 provision shall be included as a part of the cost of the
3 investment.

4 1. The title to real property acquired under this
5 paragraph shall be vested in the name of the respective fund.

6 2. For purposes of taxation of property owned by any
7 fund, the provisions of s. 196.199(2)(b), Florida Statutes, do
8 not apply.

9 3. Real property acquired under the provisions of this
10 paragraph shall not be considered state lands or public lands
11 and property as defined in chapter 253, Florida Statutes, and
12 the provisions of that chapter do not apply to such property.

13 (g) General obligations backed by the full faith and
14 credit of a foreign government which has not defaulted on
15 similar obligations for a minimum period of 25 years prior to
16 purchase of the obligation and has met its payments of similar
17 obligations when due.

18 (h) Obligations of agencies of the government of the
19 United States, provided such obligations have been included in
20 and authorized by the Florida Retirement System Total Fund
21 Investment Plan established in s. 215.475, Florida Statutes.

22 (i) United States dollar-denominated obligations by
23 foreign governments, or political subdivisions or agencies
24 thereof, or foreign corporations or foreign commercial
25 entities.

26 (3) With no more than 50 percent of its funds in
27 common stock, preferred stock, and interest-bearing
28 obligations of a corporation having an option to convert into
29 common stock, provided:

30
31

1 (a) The corporation is organized under the laws of the
2 United States, any state or organized territory of the United
3 States, or the District of Columbia.

4 (b) The corporation is listed on any one or more of
5 the recognized national stock exchanges in the United States
6 and conforms with the periodic reporting requirements under
7 the Securities Exchange Act of 1934.3

8
9 The board shall not invest more than 10 percent of the equity
10 assets of its funds in the common stock, preferred stock, and
11 interest-bearing obligations having an option to convert into
12 common stock, of any one issuing corporation; and the board
13 shall not invest more than 3 percent of the equity assets of
14 any funds in such securities of any one issuing corporation
15 except to the extent a higher percentage of the same issue is
16 included in a nationally recognized market index, based on
17 market values at least as broad as the Standard and Poor's
18 Composite Index of 500 Companies, or except upon a specific
19 finding by a board that such higher percentage is in the best
20 interest of the board. The board may only sell listed options
21 to reduce investment risks, to improve cash flow, or to
22 provide alternative means for the purchase and sale of
23 underlying investment securities. Reversing transactions may
24 be made to close out existing option position.

25 (4) With no more than 80 of its funds, in
26 interest-bearing obligations with a fixed maturity of any
27 corporation or commercial entity within the United States.

28
29 For the purpose of determining the above investment
30 limitations, the value of bonds shall be the par value
31 thereof, and the value of evidences of ownership and

1 interest-bearing obligations having an option to convert to
2 ownership shall be the cost thereof. Investments in any
3 securities authorized by this section may be under repurchase
4 agreements or reverse repurchase agreements. Investments made
5 by the hospital board administration may be designated to
6 maximize the financial return to the fund consistent with the
7 risks incumbent in each investment and shall be designed to
8 preserve an appropriate diversification of the portfolio. The
9 board is authorized to buy and sell futures and options,
10 provided the instruments for such purpose are traded on a
11 securities exchange or board of trade regulated by the
12 Securities and Exchange Commission or the Commodity Futures
13 Trading Commission, unless the board by rule authorizes a
14 different market. The board is authorized to invest in
15 domestic or foreign national principal contracts.

16 Section 12. The Board is authorized to pay from the
17 funds of the district all expenses of the organization of said
18 Board and all expenses necessarily incurred with the formation
19 of said district and all other reasonable and necessary
20 expenses of the district including, but not limited to,
21 expense incurred for professional recruitment for the hospital
22 or hospitals, the fees and expenses of an attorney in the
23 transaction of the business of the district, and expenses in
24 carrying out an accomplishing any and all of the purposes of
25 this act. This section, however, shall not be construed to
26 limit or destroy any of the power vested in said Board of
27 Trustees by any other section or provision of this act.

28 Section 13. At least once in each year the Board of
29 Trustees shall make and file with the Clerk of the Circuit
30 Court of Orange County, a complete financial statement of all
31 moneys received and disbursed by them since the creation of

1 the District as to the first statement so filed, and since the
2 last statement so filed as to any other year. Such statements
3 shall also show the several sources from which said funds were
4 received and shall show the balance on hand at the time of the
5 making of such statement. It shall show a complete statement
6 of the financial condition of the district. Notice of its
7 being filed with the Clerk of the Circuit Court of Orange
8 County, Florida, shall be published in a newspaper regularly
9 published in Orange County, Florida, and shall be made
10 available at all reasonable times to inhabitants of the
11 district for their inspection. For the fiscal year of the
12 District ending September 30, 1992, and for each fiscal year
13 of the District thereafter, a copy of such financial statement
14 shall also be sent to the Chairman of the Orange County
15 Legislative Delegation on or about the date of such financial
16 statement is filed with the Clerk of the Circuit Court of
17 Orange County.

18 Section 14. The Board of Trustees shall have plenary
19 authority to promulgate rules and regulations concerning the
20 regulation of the hospital, or hospitals, and the admission
21 for treatment of patients therein, and shall have the
22 authority and shall make rules and regulations regarding the
23 admission into the hospital of treatment of such indigent sick
24 in the County who apply for entrance, and who are residents of
25 the district. The Board shall formulate rules and regulations
26 as to the price to be charged patients who enter the hospital
27 and to provide for the collection thereof. Charity services
28 rendered to the indigent sick shall at no time be permitted by
29 the Board of Trustees to such an extent as to impair the
30 financial security of the district, or the economical and
31 efficient operation of any hospital or hospitals established

1 and operated in said district. The Board shall have power to
2 establish rules and regulations in regard to admission of
3 patients into the hospital who are not residents of the
4 district, but who pay the rates established by the Board. The
5 Board shall have the power further to furnish and extend the
6 benefits and privileges of such hospital and clinics and
7 treatment and out-patient department to the homes of the
8 indigent residents of the district. The Board shall in all
9 instances attempt to collect as nearly the amount established
10 as its regular rates as is feasible under the circumstances,
11 but, to the extent that the district is financially able in
12 the opinion of the Board, hospital services shall be furnished
13 to all who make application thereof; but all charity
14 treatments shall be completely under the regulation of the
15 Board, and the amount of free services rendered may be limited
16 by the Board.

17 Section 15. It is intended that the provisions of the
18 Act shall be literally construed for accomplishing the work
19 authorized and provided for by this Act, and where strict
20 construction would result in the defeat of the accomplishments
21 of any part of the work authorized by this Act, and a liberal
22 construction would permit or assist in the accomplishment
23 thereof, the liberal construction shall be chosen.

24 Section 16. Any clause or section of this Act, which
25 for any reason may be held or declared invalid, may be
26 eliminated and the remaining portion or portions thereof shall
27 be and remain in full force and be valid, as if such invalid
28 clause or section had not been incorporated therein.

29 Section 17. Any and all bonds issued under the
30 provisions of this Act may be validated by the Board of
31 Trustees for said West Orange Healthcare District under and in

1 accordance with the provision of the General Laws of Florida,
2 in the same manner as is therein provided for validation of
3 bonds, etc., by any county, municipality, taxing district,
4 etc., of the State of Florida.

5 Section 18. The Trustees of said West Orange
6 Healthcare District, in the administration of the business of
7 the district and of the hospital, or hospitals, herein
8 authorized to be established, shall have the power to select
9 from among its members, or otherwise, as it sees fit, a
10 committee of three or more members as determined by the Board
11 of Trustees, one of whom shall be the chair of the Board of
12 Trustees, which committee shall be known as the Executive
13 Committee, and said Executive Committee is herein and hereby
14 granted power and, with the exception of such restrictions as
15 are contained in this act, such grant of authority and
16 supervision as in the opinion of the Board of Trustees is fit
17 and proper, and under which said Executive Committee may, with
18 the exception of financial expenditures and the hiring of
19 employees, exercise under the supervision of the Board of
20 Trustees all such authority, supervision, and control in the
21 actual operations of any hospital or hospitals created as in
22 the opinion of the Board of Trustees shall under the
23 circumstances seem necessary.

24 Section 19. The Board shall have full power and
25 authority to accept all grants, benefits, devices, donations,
26 contributions, gifts, bequests, and offerings made to it for
27 the use of the Board in carrying out the purposes of this Act.

28 Section 20. All laws and parts of laws in conflict
29 herewith are herein and hereby repealed.

30 Section 21. In order that the citizens and residents
31 of the District may receive quality health care and, in

1 furtherance of the purposes of this act, the Board of Trustees
2 shall have the authority to form or reorganize as a
3 not-for-profit corporation and to enter into contracts and
4 lease agreements, and to convey real and personal property
5 with or to a not-for-profit corporation for the purpose of
6 operating, staffing, servicing, and managing the hospital and
7 any or all of its facilities of whatsoever kind and nature.

8 Section 4. Chapter 26066, Law of Florida, 1949;
9 chapter 57-1639, Laws of Florida; chapter 61-2588, Laws of
10 Florida; chapter 67-1827, Laws of Florida; chapter 70-839,
11 Laws of Florida; chapter 71-797, Laws of Florida; chapter
12 76-452, Laws of Florida; chapter 77-610, Laws of Florida;
13 chapter 81-446, Laws of Florida; chapter 83-479, Laws of
14 Florida; chapter 85-476, Laws of Florida; chapter 87-469, Laws
15 of Florida; chapter 92-257, Laws of Florida; chapter 93-385,
16 Laws of Florida; chapter 95-484, Laws of Florida; and chapter
17 95-486, Laws of Florida, are hereby repealed.

18 Section 5. In the event any section, or provision of
19 this act is determined to be invalid or unenforceable, such
20 determination shall not affect the validity of or
21 enforceability of each other section and provision of this
22 act.

23 Section 6. In the event of a conflict of the
24 provisions of this act, with the provisions of any other act,
25 the provisions of this act shall control to the extent of such
26 conflict.

27 Section 7. This act shall take effect October 1, 2000.
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