

By Representative Gibson

1 A bill to be entitled
2 An act relating to the North Lake County
3 Hospital District, Lake County; codifying
4 special laws relating to the district;
5 providing legislative intent; amending,
6 codifying, reenacting, and repealing chapters
7 95-508 and 97-332, Laws of Florida; providing
8 district boundaries; providing definitions;
9 providing for a board of trustees as the
10 governing body of the district; prescribing the
11 powers and duties of the board; providing for
12 compensation and meetings of the board;
13 providing a principal office of the district;
14 authorizing the board to levy an annual ad
15 valorem tax upon taxable property within the
16 district; providing for purpose of the tax;
17 providing for a method for such levy; exempting
18 property of the district for assessment;
19 prohibiting the board from transferring control
20 of the district's hospitals or facilities
21 except upon approval by referendum; providing
22 for severability; providing an effective date.

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

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26 Section 1. Pursuant to section 189.429, Florida
27 Statutes, this act constitutes the codification of all special
28 acts relating to the North Lake County Hospital District. It
29 is the intent of the Legislature in enacting this act to
30 provide a single comprehensive special act charter for the
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1 district, including all current authority granted to the
2 district by its several legislative enactments.

3 Section 2. Chapters 95-508 and 97-332, Laws of
4 Florida, creating the North Lake County Hospital District are
5 amended, codified, reenacted, and repealed as provided in this
6 act.

7 Section 3. The charter for the North Lake County
8 Hospital District is re-created and reenacted to read:

9 Section 1. ESTABLISHMENT OF DISTRICT; BOUNDARIES.--

10 A. All provisions contained in this act which are
11 contrary to the concurrent resolutions are deemed changed by
12 this act. This act may be cited as the "North Lake County
13 Hospital District Act."

14 B. There is created and established as an independent
15 special taxing district of the state a hospital district in
16 Lake County to be known as the "North Lake County Hospital
17 District," which shall comprise and include the territory
18 within Lake County described as follows:

19
20 Beginning at the range line dividing ranges 26
21 and 27 east at its intersection with the
22 township line separating townships 20 and 21
23 south of the Tallahassee meridian; thence north
24 on said range line to the township line
25 dividing townships 19 and 20 south; thence east
26 on said township line to the Wekiva River;
27 thence north along the thread of the said
28 Wekiva River to the St. Johns River; thence in
29 a northerly and northwesterly direction through
30 the thread of the St. Johns River to the
31 southwest shore of Lake George; thence north

1 along the west shore of Lake George to the
2 range line dividing ranges 26 and 27 east;
3 thence south on said range line to the township
4 line dividing townships 17 and 18 south; thence
5 west on said township line to the northeast
6 corner of section 1, township 18 south, range
7 25 east; thence run south along the east range
8 line for range 25 to the southeast corner of
9 section 36, township 18 south, range 25 east;
10 thence run east along the North boundary of
11 section 6, township 19 south, range 26 east, to
12 the waters of Lake Eustis; thence southwesterly
13 along the waters of Lake Eustis to the center
14 of the mouth of Dead River; thence
15 southwesterly along the center of Dead River to
16 an extension of the west boundary of section
17 24, township 19 south, range 25 east, extended
18 south into Lake Harris; thence run
19 southwesterly across Lake Harris to the
20 intersection of the eastern boundary of section
21 12, township 20 south, range 24 east, with the
22 waters of Lake Harris; thence run southeasterly
23 and south/southeasterly along the shoreline of
24 Lake Harris and Little Lake Harris to the south
25 boundary line of section 24, township 20 south,
26 range 25 east; thence run west to the northwest
27 corner of section 27, township 20 south, range
28 25 east; thence run south to the southwest
29 corner of section 34, township 20 south, range
30 25 east; thence run east along the township
31 line separating townships 20 and 21 south, to

1 the Tallahassee Meridian to the point of
2 beginning (hereinafter the "Northeast
3 Territory").
4 and
5 Begin at the northwest (NW) corner of section
6 6, in township 18 south, range 24 east, and run
7 east along the north township line of township
8 18 south, to the northeast corner of section 1,
9 township 18 south, range 25 east; thence run
10 south along the east range line of range 25 to
11 the southeast corner of section 36, township 18
12 south, range 25 east; thence run east along the
13 north boundary of section 6, township 29 south,
14 range 26 east, to the waters of Lake Eustis;
15 thence southwesterly along the waters of Lake
16 Eustis to the center of the mouth of Dead
17 River; thence southwesterly along the center of
18 Dead River to an extension of the west boundary
19 of section 24, township 19 south, range 25
20 east, extended south into Lake Harris; thence
21 run southwesterly across Lake Harris to the
22 point that the eastern boundary of section 12,
23 township 20 south, range 24 east intersects
24 with the waters of Lake Harris; thence run in a
25 general southeasterly direction along the
26 waters of Lake Harris to the point that the
27 southern boundary of section 24, township 20
28 south, range 25 east, and the waters of Lake
29 Harris intersect; thence run west along the
30 south boundary of sections 24, 23, and 22,
31 township 20 south, range 25 east, to the

1 southwest (SW) corner of said section 22,
2 township 20 south, range 25 east; thence run
3 south along the west boundary of sections 27
4 and 34, township 20 south, range 25 east to the
5 southwest (SW) corner of section 34, township
6 20 south, range 25 east; thence run west along
7 the south line of said township 20 to western
8 boundary of Lake County, and west boundary of
9 range 24 east; thence north along the west
10 boundary of said range 24 to the point of
11 beginning (hereinafter the "Northwest
12 Territory").
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14 Section 2. PURPOSE OF THE DISTRICT.--The purpose of
15 the North Lake County Hospital District as a local
16 governmental entity is to ensure continued hospital services
17 for the residents of the North Lake County Hospital District,
18 referred to in this act as the "district."
19 Section 3. MEMBERSHIP AND ORGANIZATION OF THE
20 GOVERNING BOARD OF THE DISTRICT.--
21 A. General.--
22 1. The North Lake County Hospital District shall be
23 governed by a board of trustees composed of six persons to be
24 elected by the electors residing within the North Lake County
25 Hospital District in a general election. The trustees
26 currently serving on the board shall continue in their
27 capacity to the completion of their terms. The term of office
28 of each trustee shall be 4 years and a trustee may not serve
29 more than two terms for a maximum of 8 years. The term of
30 office shall expire on the date of the general election held 4
31 years after the date on which that trustee was elected. All

1 elections for the office of trustee shall be conducted during
2 general elections.

3 2. The members of the board of trustees shall serve
4 without pay. Each member shall give a bond to the Board of
5 County Commissioners of Lake County and its successors in
6 office for the use and benefit of the North Lake County
7 Hospital District for the faithful performance of his or her
8 duties in the sum of \$1,000 with a surety company qualified to
9 do business in this state as surety, which bond shall be
10 approved and accepted by the Clerk of the Circuit Court of
11 Lake County. The premiums on such bond shall be paid by the
12 district as part of the expenses of the district.

13 3. Four of the trustees shall constitute a quorum, and
14 a vote of at least four of the trustees is necessary for the
15 transaction of any business of the district. The board of
16 trustees may select from among its membership a chair, vice
17 chair, secretary, and treasurer. The board of trustees shall
18 cause true and accurate minutes and records to be kept of all
19 business transacted by them and shall keep full, true, and
20 complete books of account and minutes, which minutes and books
21 shall be open and subject to the inspection of the inhabitants
22 of the district at all reasonable times during normal business
23 hours. Any person desiring to do so may obtain a copy of the
24 minutes and books of account or such portions thereof as he or
25 she may desire upon payment of the costs of reproduction.

26 B. Election of the board of trustees.--

27 1. Registration of electors.--Any person who is a
28 resident of the North Lake County Hospital District, at least
29 18 years of age, and registered with the Supervisor of
30 Elections for Lake County is eligible to vote for the election
31 of members of the board of trustees.

1 2. Qualifications of candidate.--All trustees must be
2 duly qualified electors who reside in the North Lake County
3 Hospital District. Three trustees must reside in the Northeast
4 Territory and three trustees must reside in the Northwest
5 Territory.

6 3. Vacancies.--Vacant trustee seats shall be filled
7 through appointment by the then-existing board of trustees;
8 appointees shall serve until the expiration of the term for
9 which they are appointed.

10 C. Annual meeting.--The annual meeting shall be held
11 during the month of January of each year at such time and
12 place within the district as is determined by the board of
13 trustees. Notice of the date, time, and place of the annual
14 meeting shall be published in a daily newspaper of general
15 circulation, in a section other than the legal ad or
16 classified ad sections, in the North Lake County Hospital
17 District once per week for 2 consecutive weeks. The date of
18 the first publication of such notice must be at least 15, and
19 not more than 30, days before the annual meeting. The agenda
20 at the annual meeting of the board of trustees shall include,
21 but is not limited to:

22 1. Call to order.

23 2. Presentation and approval of minutes of the last
24 annual meeting and of any special meeting held since that
25 meeting.

26 3. Financial report.

27 4. Presentation of the annual report of the board of
28 trustees.

29 5. Transaction of any business that may properly be
30 brought before the board.

31 6. Election of officers of the board of trustees.

1 D. Special meetings.--Special meetings of the board of
2 trustees may be called at any time by the chair or upon the
3 written request of four members of the board of trustees.
4 Notices of special meetings of the board of trustees shall be
5 by publication in a newspaper of general daily circulation in
6 the North Lake County Hospital District at least 7 days before
7 such meeting, stating the date and place and general matters
8 of the business to be considered.

9 E. Removal of members from the board of trustees.--Any
10 member of the board of trustees may be removed by the Governor
11 at any time, for cause, in which event such vacancy or
12 vacancies thereby occurring shall be filled through
13 appointment by the then-remaining board of trustees for the
14 unexpired term.

15 Section 4. POWERS, FUNCTIONS, AND DUTIES.--

16 A. Eminent domain.--The North Lake County Hospital
17 District, through its board of trustees, has the power of
18 eminent domain.

19 B. General Powers.--The Board of Trustees of the North
20 Lake County Hospital District has all the powers of a body
21 corporate, including the power to sue and be sued under the
22 name of the North Lake County Hospital District; to contract
23 and be contacted with; to adopt and use a common seal; and to
24 acquire, purchase, hold, lease, and convey such real and
25 personal property as the board of trustees deems proper or
26 expedient to carry out the purposes of this act.

27 C. Ad valorem taxation.--The Board of Trustees of the
28 North Lake County Hospital District may levy an ad valorem tax
29 in the district of 1 mill on the dollar of the value of all
30 nonexempt property within that area of Lake County which
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1 comprises the North Lake County Hospital District. Such tax
2 shall be paid into the district fund.

3 D. Tax proceeds to charitable foundations.--All future
4 tax proceeds generated from within the Northeast Territory,
5 less one-half of the amount reserved annually by the board to
6 pay for maintenance and services for the board, shall be paid
7 by the board of trustees to Florida Hospital Waterman
8 Foundation, Inc., upon written request by Florida Hospital
9 Waterman Foundation, Inc., that the funds are needed for
10 health care. All future proceeds generated from within the
11 Northwest Territory, less one-half of the amount reserved
12 annually by the board to pay for maintenance and services for
13 the board, shall be paid by the board of trustees to Leesburg
14 Regional Medical Center Charitable Foundation, Inc., upon
15 written request by Leesburg Regional Medical Center Charitable
16 Foundation, Inc., that the funds are needed for health care.

17 E. LifeStream Behavioral Center.--Leesburg Regional
18 Medical Center Charitable Foundations, Inc., and Florida
19 Hospital Waterman Foundation, Inc., have brought to the
20 attention of the respective boards that LifeStream Behavioral
21 Center should be entitled to receive the following sums, after
22 submission of a written request by LifeStream Behavioral
23 Center certifying that the funds are needed for indigent
24 health care. The request shall be made to Florida Hospital
25 Waterman Foundation, Inc., and Leesburg Regional Medical
26 Center Charitable Foundation, Inc. Florida Hospital Waterman
27 Foundation, Inc., and Leesburg Regional Medical Center
28 Charitable Foundation, Inc., shall pay the following sums to
29 LifeStream Behavioral Center from their respective share of
30 tax funds collected and received by Florida Hospital Waterman
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1 Foundation, Inc., and Leesburg Regional Medical Center
2 Charitable Foundation, Inc.
3 1. For each year after calendar year 1993, LifeStream
4 Behavioral Center shall be paid \$100,000 or 1/20 of 1 mill of
5 the tax moneys due Florida Hospital Waterman Foundation, Inc.,
6 from the Northeast Territory, whichever is greater, plus
7 \$100,000 or 1/20 of 1 mill of the tax moneys due Leesburg
8 Regional Medical Charitable Foundation, Inc., from the
9 Northwest Territory, whichever is greater. If Florida Hospital
10 Waterman Foundation, Inc., or Leesburg Regional Medical Center
11 Charitable Foundation, Inc., refuses to pay LifeStream
12 Behavioral Center the funds due under this section in any
13 given year, during the next fiscal year of the North Lake
14 County Hospital District, the Board of Trustees of the North
15 Lake County Hospital District shall directly pay LifeStream
16 Behavioral Center an amount equal to the funds withheld during
17 the previous year by the subject provider payable from funds
18 which would otherwise be payable to the subject provider.
19 2. Notwithstanding any of the provisions of this act,
20 the obligation to pay tax revenues to LifeStream Behavioral
21 Center under this act shall permanently terminate in the year:
22 a. When a countywide health taxing district is created
23 and funded pursuant to chapter 154, Florida Statutes, the
24 countywide health taxing district provides for reimbursement
25 on an accountability basis to medical providers for medical,
26 hospital, and emergency care, including psychiatric care
27 provided to indigent residing within the county, and the
28 countywide health taxing district actually reimburses
29 LifeStream Behavioral Center for medical services in an amount
30 greater than or equal to the tax revenues received under the
31 provisions of this act in 1 calendar year; or

1 b. If LifeStream Behavioral Center, for any reason,
2 loses, relinquishes, or forfeits its accreditation as a
3 hospital.

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5 Any reimbursement for medical services paid to LifeStream
6 Behavioral Center by any future countywide health taxing
7 district shall be deducted from the amount of tax revenues to
8 be paid under this act. It is the intent of this act that the
9 tax revenues payments provided for LifeStream Behavioral
10 Center in this act be reduced by the same amount that is
11 actually paid to the hospital by the countywide taxing
12 district.

13 F. Annual financial report.--Leesburg Regional Medical
14 Center Charitable Foundation, Inc., and its parent
15 corporation; Florida Hospital Waterman Foundation, Inc., and
16 its parent corporation; and LifeStream Behavioral Center shall
17 each file annual audited financial statements with the North
18 Lake County Hospital District.

19 G. Collection of taxes.--It is the duty of the
20 Property Appraiser of Lake County to assess, and the Tax
21 Collector of Lake County to collect, the 1-mill tax levied by
22 the Board of Trustees of the North Lake County Hospital
23 District upon the taxable property in the district. The tax
24 collector shall collect such tax as levied by the board of
25 trustees in the same manner as other taxes are collected and
26 shall pay the same over to the Board of Trustees of the North
27 Lake County Hospital District within the time and in the
28 manner prescribed by law for the payment of the Tax Collector
29 of Lake County taxes to the county depository. It is the duty
30 of the Department of Revenue to assess and levy on all the
31 railroad lines and telegraph lines properly situated or

1 located in the district, including all telephone lines and
2 cable television lines if legally permissible. The amount of
3 each county or state taxes and the taxes for the district
4 shall be assessed by the officer respectively as are county
5 taxes upon such property, and such tax shall be remitted by
6 the collecting officer to the Board of Trustees of the North
7 Lake County Hospital District. All such taxes shall be held by
8 the Board of Trustees of the North Lake County Hospital
9 District and paid out by them for purposes of this act.

10 H. Expenses.--The Board of Trustees of the North Lake
11 County Hospital District may pay from the funds of the
12 district all expenses of the organization of such Board of
13 Trustees and all expenses necessarily incurred with the
14 development of the district as well as all other reasonable
15 and necessary expenses, including the fees and expenses of a
16 certified public accountant and an attorney as needed in the
17 transaction of the business of the district in carrying out
18 and accomplishing the purposes of this act. The board shall
19 include in its annual budget a reserve in an amount deemed
20 necessary by the board for its yearly expenses.

21 I. Financial disclosure, notice, and reporting
22 requirements.--At least once every year, the Board of Trustees
23 of the North Lake County Hospital District shall make and file
24 with the Clerk of the Circuit Court of Lake County a complete
25 financial statement of all money received and distributed by
26 the board since the development of the district as to the
27 first statement so filed, and since the last statement so
28 filed as to any other year. Such statements shall also show
29 the several sources from which the funds were received and
30 shall show the balance on hand at the time of the making of
31 such statement. It shall show a complete statement of the

1 financial condition of the district. Notice of the statement
2 shall be filed with the Clerk of the Circuit Court of Lake
3 County and published in a newspaper regularly published in
4 Lake County, and the statement shall be made available at all
5 reasonable times to all residents of the district for their
6 inspection. The Board of Trustees of the North Lake County
7 Hospital District shall comply with all financial disclosure
8 and reporting requirements provided in general law.

9 J. Preparation of budget.--The Board of Trustees of
10 the North Lake County Hospital District shall prepare an
11 annual balanced budget in accordance with generally accepted
12 accounting practices and in the manner prescribed by section
13 218.34, Florida Statutes.

14 K. Liens and foreclosures.--Liens and foreclosure of
15 liens resulting from failure to pay ad valorem taxation shall
16 be treated as liens and foreclosures resulting from other ad
17 valorem taxes.

18 Section 5. ESTABLISHMENT AND DISSOLUTION OF THE
19 DISTRICT.--The North Lake County Hospital District established
20 pursuant to section 189.4042, Florida Statutes, is
21 reestablished by this act as a special district under chapter
22 189, Florida Statutes. The district may be dissolved by action
23 of the Legislature.

24 Section 6. AMENDMENTS TO THE CHARTER.--This act may
25 not be amended except by action of the Legislature.

26 Section 7. CONSTRUCTION OF ACT.--It is intended that
27 the provisions of this act be liberally construed for
28 accomplishing the purposes authorized and provided for by this
29 act.

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1 Section 8. COMPREHENSIVE PLANNING.--Except as may
2 otherwise be required by general law, comprehensive planning
3 is not required by this act.
4 Section 4. Chapters 95-508 and 97-332, Laws of
5 Florida, are repealed.
6 Section 5. If any provision of this act or its
7 application to any person or circumstance is held invalid, the
8 invalidity does not affect other provisions or applications of
9 the act which can be given effect without the invalid
10 provision or application, and to this end the provisions of
11 this act are declared severable.
12 Section 6. This act shall take effect upon becoming a
13 law.
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