



CHAMBER ACTION

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The Committee on Local Government & Veterans' Affairs recommends the following:

**Committee Substitute**

Remove the entire bill and insert:

A bill to be entitled

An act relating to the Lee County Trauma Services District, an independent district; providing for establishment of the Lee County Trauma Services District for the purpose of financially supporting trauma services in Lee County; providing that such trauma services shall be provided through a designated Level II Trauma Center; providing for a governing board; providing for officers of the governing board; providing for audit of books; providing for quarterly meetings; prescribing the powers and duties of the board; stating a public purpose; providing for a budget; providing severability; providing an effective date.

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

Section 1. District; creation, jurisdiction, and purpose.-  
-The Lee County Trauma Services District is hereby created as an



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29 independent special district, pursuant to chapter 189, Florida  
30 Statutes, encompassing all the territory comprising Lee County,  
31 Florida, and shall be established for all the purposes set forth  
32 in this act, including, but not limited to, financially  
33 supporting the provision of trauma services in Lee County, which  
34 trauma services shall be defined as comprehensive emergency  
35 medical services for victims of trauma and trauma-related  
36 injuries, provided by the State of Florida designated Level II  
37 Trauma Center operated by Lee Memorial Health System.

38 Section 2. Governing board; establishment, officers,  
39 meeting.--

40 (1) The governing body of the Lee County Trauma Services  
41 District shall be composed of the members of the Board of  
42 Directors of the Lee Memorial Health System, a political entity,  
43 as duly constituted by law and any amendments thereto, and shall  
44 be called the Board of Directors of the Lee County Trauma  
45 Services District.

46 (2) The Board of Directors of the Lee County Trauma  
47 Services District shall have the same officers as those officers  
48 of the Board of Directors of the Lee Memorial Health System.

49 (3) The Board of Directors of the Lee County Trauma  
50 Services District shall meet no less than quarterly at such  
51 date, time, and place as may be fixed by the board. Proper  
52 notice of such meetings shall be filed and given, minutes shall  
53 be kept in accordance with general law, and all meetings of the  
54 board shall be open to the public.

55 (4) The Board of Directors of the Lee County Trauma  
56 Services District shall serve without compensation.



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57           Section 3. Powers, functions, and duties.--

58           (1) The Board of Directors of the Lee County Trauma  
59 Services District shall have the powers, functions, and duties  
60 set forth in this act, in addition to such powers, functions,  
61 and duties as may be set forth in chapter 189, Florida Statutes,  
62 as same may be amended from time to time.

63           (2) The District is hereby authorized to operate and  
64 conduct the business of the District and, consistent therewith,  
65 shall have the following powers:

66           (a) The board is authorized to pay all expenses of  
67 operation of the District and all other necessary expenses  
68 incurred, including the fees and expenses of attorneys retained  
69 by the board or the management of the District, in the  
70 transaction of the business of the District, and in carrying out  
71 and accomplishing the purposes of this act.

72           (b) The Lee County Trauma Services District may sue and be  
73 sued in the name of Lee County Trauma Services District,  
74 provided that in any suit, a change in personnel of the board  
75 shall not abate the suit, which shall proceed as if such change  
76 had not taken place. In all suits against the Lee County Trauma  
77 Services District, service or process shall be had on any  
78 officer of the board or its legal representative.

79           (c) To the fullest extent permitted by state law, the  
80 board may make, or authorize its management to make, contracts.

81           (d) To provide for the financial support for the District,  
82 the board is authorized to accept gifts, bequests, grants,  
83 endowments, and conveyances from any source for the use and  
84 benefit of the Lee County Trauma Services District.



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85        (e) The board may, or may authorize its management to,  
86 settle or compromise any claim, suit, or action brought against  
87 the Lee County Trauma Services District or any of its  
88 subsidiaries or affiliated organizations, or any of its  
89 directors, officers, or employees when such claim, suit, or  
90 action arises out of such directors', officers', or employees'  
91 acts or omissions in the course of employment or the performance  
92 of official duties, consistent with the provisions of the  
93 Florida Waiver of Sovereign Immunity Act, as such act may be in  
94 effect at the time of such settlement or compromise.

95        (f) The board may take action consistent with the  
96 efficient and effective operation of the Lee County Trauma  
97 Services District or the trauma center provided for by this act,  
98 consistent with the Constitution and laws of the State of  
99 Florida.

100        Section 4. Public purpose.--The operation and maintenance  
101 of the Lee County Trauma Services District and the operation of  
102 health facilities provided for in this act are declared to be a  
103 public purpose.

104        Section 5. Financial planning, budgets, notice, audits,  
105 report.--

106        (1) The fiscal year of the Lee County Trauma Services  
107 District shall be the same as that of the Lee Memorial Health  
108 System. The board shall prepare a tentative budget for the  
109 District covering its planned and proposed operation and  
110 requirements for the ensuing fiscal year. The budget shall set  
111 forth the proposed expenditures of the District for operation  
112 and maintenance of the Level II Trauma Center and payment for



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113 trauma-related physician services and for the conduct of the  
114 affairs of the District generally. The budget shall be in such  
115 form as the board may decide.

116 (2) The budget shall also include the estimated amount  
117 obligated for commitments which have been made but not  
118 completed, shall indicate the estimated balance of unobligated  
119 funds which shall be on hand at the beginning of the fiscal  
120 year, and shall indicate the estimated amount to be raised.

121 (3) The provision of notice to the public and the  
122 opportunity for public comment regarding the district budget  
123 shall be as provided by general law.

124 (4) The books and accounts of the Lee County Trauma  
125 Services District shall be audited annually by an independent  
126 certified public accountant selected by the board of the  
127 District. The report of such audit shall be open for inspection  
128 by the public.

129 (5) The District shall prepare and submit reports,  
130 budgets, and audits in accordance with chapter 189, Florida  
131 Statutes.

132 Section 6. Amendments.--The district charter created by  
133 this act shall be amended only by special act of the  
134 Legislature.

135 Section 7. It is declared to be the legislative intent  
136 that if any section, subsection, sentence, clause, provision, or  
137 part thereof of this act is held invalid, unenforceable, or  
138 unconstitutional, it shall not affect the remainder of the act,  
139 and the remainder of the act shall remain in force and effect as  
140 if the invalid portion had not been enacted.



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141 |           Section. 8. This act shall take effect upon becoming a  
142 | law.