

By Senator Campbell

32-2609-04

See CS/HB 1605

1                                   A bill to be entitled

2           An act relating to the South Broward Hospital

3           District, Broward County; providing for

4           codification of special laws regarding special

5           districts pursuant to section 189.429, Florida

6           Statutes, relating to South Broward Hospital

7           District, an independent special tax district

8           in Broward County; providing legislative

9           intent; codifying, repealing, amending, and

10          reenacting chapters 24415 (1947), 59-1125,

11          59-1126, 59-1128, 61-1925, 61-1932, 61-1935,

12          63-1180, 65-1296, 65-1339, 67-1164, 69-910,

13          70-618, 71-566, 71-577, 72-494, 74-436, 74-450,

14          75-346, 75-349, 76-337, 76-339, 79-431, 80-459,

15          80-466, 80-467, 80-469, 81-351, 82-269, 83-378,

16          84-400, 90-488, and 99-423, Laws of Florida;

17          providing district boundaries; providing for a

18          board of commissioners; providing powers,

19          functions, and duties of the district and its

20          board of commissioners; providing a district

21          charter; providing for liberal construction;

22          providing a saving clause in the event any

23          provision of the act is deemed invalid;

24          providing an effective date.

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

28           Section 1. Pursuant to section 189.429, Florida

29 Statutes, this act constitutes the codification of all special

30 acts relating to the South Broward Hospital District. It is

31 the intent of the Legislature in enacting this law to provide

1 a single, comprehensive special act charter for the district,  
2 including all current legislative authority granted to the  
3 district by its several legislative enactments and any  
4 additional authority granted by this act. It is further the  
5 intent to preserve all district authority, including the  
6 authority to annually assess and levy ad valorem taxes against  
7 all assessable property in the district.

8 Section 2. Chapters 24415 (1947), 59-1125, 59-1126,  
9 59-1128, 61-1925, 61-1932, 61-1935, 63-1180, 65-1296, 65-1339,  
10 67-1164, 69-910, 70-618, 71-566, 71-577, 72-494, 74-436,  
11 74-450, 75-346, 75-349, 76-337, 76-339, 79-431, 80-459,  
12 80-466, 80-467, 80-469, 81-351, 82-269, 83-378, 84-400,  
13 90-488, and 99-423, Laws of Florida, relating to the South  
14 Broward Hospital District, are codified, reenacted, amended,  
15 and repealed as herein provided.

16 Section 3. The South Broward Hospital District is  
17 re-created, and the charter for the district is re-created and  
18 reenacted to read:

19 Section 1. An independent special tax district is  
20 hereby created and incorporated, to be known as "South Broward  
21 Hospital District" in Broward County, which said district  
22 shall embrace and include the following described property in  
23 Broward County, to-wit:

- 24  
25 (1) Begin at a point where the North boundary  
26 line of Section 25, Township 50 South, Range 42  
27 east intersects the line of mean low tide of  
28 the Atlantic Ocean; thence run westerly along  
29 the North boundary line of Sections 25, 26, 27,  
30 28, 29 and 30 in Township 50 South, Range 42  
31 East, and continue westerly along the North

1 boundary line of Sections 25, 26, 27, 28, 29  
2 and 30 in Township 50 South, Range 41 East, to  
3 the westerly boundary of Range 41 East, thence  
4 continue in a southerly direction along the  
5 westerly boundary line of said Section 30 to a  
6 point of intersection with the North boundary  
7 line of Section 25, Township 50 South, Range 40  
8 East, extended easterly; thence westerly along  
9 the North boundary line of said Section 25 to  
10 the Northwest corner of said Section 25,  
11 Township 50 South, Range 40 East; thence in a  
12 southerly direction along the West boundary  
13 line of Sections 25 and 36 of Township 50  
14 South, Range 40 East, and continue southerly  
15 along the West boundary lines of Sections 1,  
16 12, 13, 24, 25 and 36, Township 51 South, Range  
17 40 East, to the southwest corner of said  
18 Section 36; thence easterly along the South  
19 boundary line of said Section 36 to the  
20 southeast corner thereof; thence run northerly  
21 along the East line of Section 36, Township 51  
22 South, Range 40 East to a point where the south  
23 boundary line of Section 30, Township 51  
24 South, Range 41 East, intersects the east  
25 boundary line of said Section 36, Township 51  
26 South, Range 40 East; thence run easterly along  
27 the south boundary line of Sections 30, 29, 28,  
28 27, 26 and 25 in Township 51 South, Range 41  
29 East, and continue easterly along the south  
30 boundary line of Sections 30, 29, 28, 27, 26  
31 and 25 in Township 51 South, Range 42 East, to

1       a point where the south boundary line of said  
2       Section 25, Township 51 South, Range 42 East;  
3       intersects the mean low tide of the Atlantic  
4       Ocean; thence run northerly along said mean low  
5       tide line of Atlantic Ocean to the point of  
6       beginning expressly excepting from the  
7       foregoing description all lands lying and being  
8       within the corporate limits of the City of Fort  
9       Lauderdale, Broward County, Florida, as the  
10       said limits existed on June 4, 1947.

11  
12       (2) Begin at the Northwest corner of Section  
13       25, Township 50 South, Range 40 East; thence  
14       run Westerly along the North boundary line of  
15       Sections 26 to 30, inclusive, of Township 50  
16       South, Range 40 East, and continue Westerly  
17       along the North boundary line of Sections 25 to  
18       30, inclusive, of Township 50 South, Range 39  
19       East, and continue Westerly along the North  
20       boundary line of Sections 25 to 30, inclusive,  
21       of Township 50 South, Range 38 East, and  
22       continue Westerly along the North boundary line  
23       of Sections 25 to 30, inclusive, of Township 50  
24       South, Range 37 East, to the East boundary line  
25       of Section 25, Township 50 South, Range 36  
26       East; thence run Northerly along said East  
27       boundary line of said Section 25 to the  
28       Northeast corner of said Section 25, Township  
29       50 South, Range 36 East; thence continue  
30       Westerly along the North boundary line of  
31       Sections 25 to 30, inclusive, of Township 50

1 South, Range 36 East, and continue Westerly  
2 along the North boundary line of Sections 25 to  
3 30, inclusive of Township 50 South, Range 35  
4 East, to the Western boundary line of Broward  
5 County, Florida; thence run Southerly along the  
6 said west boundary line of Broward County,  
7 Florida to the Southwest corner of Broward  
8 County, Florida; thence run Easterly along the  
9 South boundary line of Broward County, Florida  
10 to the Southwest corner of Section 36, Township  
11 51 South, Range 40 East; thence run North along  
12 the West boundary line of Sections 36, 25, 24,  
13 13, 12, and 1 of Township 51 South, Range 40  
14 East; continue Northerly along the west  
15 boundary line of Sections 36 and 25 of Township  
16 50 South Range 40 East to the Northwest corner  
17 of said Section 25, Township 50 South, Range 40  
18 East, which is the point of the beginning.

19  
20 Section 2. That said South Broward Hospital District  
21 shall be composed of the following subdistricts:

22  
23 (1) Sub-district No. 1 shall include the  
24 following described property:

25  
26 Beginning at the point where the north boundary  
27 line of Section 25, Township 50 South, Range 42  
28 East, Broward County, Florida, intersects the  
29 mean low water line of the Atlantic Ocean, run  
30 Westerly along the north line of Sections 25,  
31 26, 27, 28, 29 and 30 in Township 50 South,

1           Range 42 East, and continue Westerly along the  
2           north line of Sections 25, 26 and 27 in  
3           Township 50 South, Range 41 East to the  
4           northwest corner of said Section 27; thence,  
5           Southerly along the west line of Sections 27  
6           and 34 in Township 50 South, Range 41 East, and  
7           continue Southerly along the west line of  
8           Section 3, Township 51 South, Range 42 East, to  
9           the southwest corner of said Section 3, thence,  
10          Easterly along the south line of Sections 3, 2  
11          and 1, Township 51 South, Range 41 East, and  
12          continue Easterly along the south line of  
13          Sections 6, 5, 4, 3, 2 and 1 in Township 51  
14          South, Range 42 East, to the point of  
15          intersection with the mean low water line of  
16          the Atlantic Ocean; thence, Northerly along  
17          said mean low water line of the Atlantic Ocean  
18          to the point of beginning; expressly excepting  
19          from the foregoing description all lands, if  
20          any, lying and beginning within the corporate  
21          limits of the City of Fort Lauderdale, Broward  
22          County, Florida, as the said limits exist on  
23          the date of passage of this act.

24  
25          (2) Subdistrict No. 2 shall include the  
26          following described property:

27  
28          Beginning at the point where the south boundary  
29          line of Section 1, Township 51 South, Range 42  
30          East, Broward County, Florida, intersects the  
31          mean low water line of the Atlantic Ocean, run

1           Westerly along the south line of Sections 1, 2,  
2           3, 4, 5 and 6 in Township 51 South, Range 42  
3           East, and continue Westerly along the south  
4           line of Sections 1, 2 and 3 in Township 51  
5           South, Range 41 East, to the southwest corner  
6           of said Section 3; thence, Southerly along the  
7           west line of Sections 10, 15 and 22 in Township  
8           51 South, Range 41 East, to the Quarter Corner  
9           on the west boundary of said Section 22;  
10          thence, Easterly along the Quarter Section line  
11          through Sections 22, 23 and 24 in Township 51  
12          South, Range 41 East, and continue Easterly  
13          along the Quarter Section line through Sections  
14          19, 20, 21, 22, 23 and 24 in Township 51 South,  
15          Range 42 East, to the point of intersection  
16          with the mean low water line of the Atlantic  
17          Ocean; thence, Northerly along said mean low  
18          water line of the Atlantic Ocean to the point  
19          of beginning.

20  
21          (3) Subdistrict No. 3 shall include the  
22          following described property:

23  
24          Beginning at the point where the East-West  
25          Quarter Section line of Section 24, Township 51  
26          South, Range 42 East, Broward County, Florida,  
27          intersects the mean low water line of the  
28          Atlantic Ocean, run westerly along the Quarter  
29          Section line through Sections 24, 23, 22, 21,  
30          20 and 19, Township 51 South, Range 42 East,  
31          and continue Westerly along the Quarter Section

1 line, Range 41 East, to the west boundary of  
2 said Section 22; thence, Southerly along the  
3 west line of Sections 22 and 27 in Township 51  
4 South, Range 41 East, to the southwest corner  
5 of said Sections 27, 26 and 25 in Township 51  
6 South, Range 41 East, and continue Easterly  
7 along the south line of Sections 30, 29, 28, 27  
8 and 26 in Township 51 South, Range 42 East, to  
9 the point of intersection with the mean low  
10 water line of the Atlantic Ocean to the point  
11 of beginning.

12  
13 (4) Subdistrict No. 4 shall include the  
14 following described property:

15  
16 Beginning at the northeast corner of Section  
17 28, Township 50 South, Range 41 East, Broward  
18 County, Florida, run Westerly along the north  
19 line of Sections 28, 29 and 30 in Township 50  
20 South, Range 41, East, to the west line of  
21 Range 41 East, thence, Southerly along the west  
22 line of said Section 30 to a point of  
23 intersection with the north line of Section 25,  
24 Township 50 South, Range 40 East, extended  
25 easterly; thence, Westerly along the north line  
26 of Sections 25, 26, 27, 28, 29 and 30 in  
27 Township 50 South, Range 40 East and continue  
28 Westerly along the north line of Sections 25,  
29 26, 27, 28, 29 and 30 in Township 50 South,  
30 Range 39 East, and continue Westerly along the  
31 north line of Sections 25, 26, 27, 28, 29 and



1           30, Township 50 South, Range 37 East, to the  
2           east line of Section 25, Township 50 South,  
3           Range 36 East; thence Northerly along the east  
4           line of said Section 25 to the northeast corner  
5           of said Section 25; thence Westerly along the  
6           north line of Sections 25, 26, 27, 28, 29 and  
7           30, Township 50 South, Range 36 East, and  
8           continue Westerly along the north line of  
9           Sections 25, 26, 27, 28, 29 and 30, Township 50  
10           South, Range 35 East, to the west line of Range  
11           35 East, being the western limits of Broward  
12           County; thence Southerly along the west line of  
13           Range 35 to the southwest corner of Section 18,  
14           Township 51 South, Range 35 East; thence,  
15           Easterly along the south line of Sections 18,  
16           17, 16, 15, 14 and 13, Township 51 South, Range  
17           36 East to the east line of said Range 36 East;  
18           thence Southerly along said east line of Range  
19           36 East to the Southwest corner of Section 7,  
20           Township 51 South Range 37 East; thence,  
21           Easterly along the south line of Sections 7, 8,  
22           9, 10, 11 and 12, Township 51 South, Range 37  
23           East, and continue Easterly along the south  
24           line of Sections 7, 8, 9, 10, 11 and 12,  
25           Township 51 South, Range 38 East, and continue  
26           Westerly along the south line of Sections 7, 8,  
27           9, 10, 11 and 12, Township 51 South, Range 39  
28           East, and continue Easterly along the south  
29           line of Sections 7, 8, 9, 10, 11 and 12,  
30           Township 51 South, Range 40 East, and continue  
31           Easterly along the south line of Sections 7, 8,

1       and 9, Township 51 South, Range 41 East to the  
2       southeast corner of said Section 9; thence  
3       Northerly along the east line of Sections 9 and  
4       4, Township 51 South, Range 41 East, and  
5       continue Northerly along the east line of  
6       Sections 33 and 28, Township 50 South, Range 41  
7       East, to the point of beginning.

8  
9       (5) Subdistrict No. 5 shall include the  
10       following described property:

11  
12       Beginning at the northeast corner of Section  
13       16, Township 51 South, Range 41 East, Broward  
14       County, Florida, run Westerly along the north  
15       line of Sections 16, 17 and 18, Township 51  
16       South, Range 41 East, and continue Westerly  
17       along the north line of Sections 13, 14, 15,  
18       16, 17 and 18, Township 51 South, Range 40  
19       East, and continue Westerly along the north  
20       line of Sections 13, 14, 15, 16, 17 and 18,  
21       Township 51 South, Range 39 East, and continue  
22       Westerly along the north line of Sections 13,  
23       14, 15, 16, 17 and 18, Township 51 South, Range  
24       37 East, to the east line of Range 36 East to  
25       the northeast corner of Section 24, Township 51  
26       South, Range 36 East; thence, Westerly along  
27       the north line of Sections 24, 23, 22, 21, 20  
28       and 19, Township 51 South, Range 36 East, and  
29       continue Westerly along the north line of  
30       Sections 24, 23, 22, 21, 20 and 19, Township 51  
31       South, Range 35 East, to the west line of Range

1           35 East, being the western limits of Broward  
2           County; thence, Southerly along the west line  
3           of Range 35 to the south line of Township 51  
4           South; thence Easterly along the south line of  
5           said Township 51 to the west line of Range 37  
6           East; thence, Southerly along the west line of  
7           Range 37 to the southwest corner of Section 31,  
8           Township 51 South, Range 37 East; thence  
9           Easterly along the south line of Township 51 to  
10           the east line of Range 40 East; thence  
11           northerly along the east line of said Range 40  
12           to the southwest corner of Section 30, Township  
13           51 South, Range 41 East; thence, Easterly along  
14           the south line of Sections 30, 29 and 28 to the  
15           southeast corner of said Section 28; thence,  
16           Northerly along the east line of Section 28, 21  
17           and 16 to the point of beginning.

18  
19           (6) Subdistrict Nos. 6 and 7 shall both  
20           include all of the area within subdistrict Nos.  
21           1, 2, 3, 4 and 5.

22  
23           Section 3. The governing body of the South Broward  
24           Hospital District shall consist of seven commissioners who  
25           shall serve without compensation. All commissioners shall be  
26           qualified electors residing in Broward County for more than 1  
27           year and in said subdistricts for more than 90 days prior to  
28           the appointment; one of whom shall reside in subdistrict No.  
29           1, one of whom shall reside in subdistrict No. 2, one of whom  
30           shall reside in subdistrict No. 3, one of whom shall reside in  
31           subdistrict No. 4, one of whom shall reside in subdistrict No.

1 5, and two of whom shall reside in subdistricts 6 and 7, and  
2 they shall be known and designated as the "Board of  
3 Commissioners of the South Broward Hospital District." It is  
4 not a requirement for office that any commissioner be a  
5 freeholder. Commissioners shall be appointed for staggered  
6 terms of 4 years each and shall serve until their successors  
7 are appointed. The Governor shall have the power to remove any  
8 member of said board of commissioners for cause, and shall  
9 fill any vacancies that may at any time occur therein. Each  
10 member shall give bond to the Governor for the faithful  
11 performance of his or her duties in the sum of \$5,000 with a  
12 surety company qualified to do business in the state, as  
13 surety, which bond shall be approved and kept by the Clerk of  
14 the Circuit Court of Broward County. The premiums on said bond  
15 shall be paid as part of the expenses of said district. The  
16 respective terms of the commissioners in office at the time  
17 this law shall take effect shall continue for their term of  
18 office and shall thereafter continue until their successors  
19 are appointed and qualified as herein provided.

20 Section 4. (1) The Board of Commissioners of the  
21 South Broward Hospital District shall have all of the  
22 following governmental, corporate, and proprietary powers:

23 (a) To enable the board of commissioners to provide  
24 any and all types of health care facilities, equipment, and  
25 services and any and all types of facilities, equipment, and  
26 services related or incidental thereto, directly or  
27 indirectly, whether alone, or in conjunction with other public  
28 or private persons, not for profit or for profit.

29 (b) To sponsor, with any form of assistance not  
30 expressly prohibited by the State Constitution, the formation,  
31 organization, capitalization, and operation of public or

1 private persons, not for profit or for profit, providing or  
2 intending to provide any types of health facilities,  
3 equipment, and services or any facilities, equipment, or  
4 services related or incidental thereto, and to provide, from  
5 assets and resources then owned by the district, or assets and  
6 resources specifically acquired for the purpose, goods and  
7 services to such persons by sale, lease, contract, grant,  
8 gift, or otherwise upon such terms and conditions as the board  
9 of commissioners may determine in its sole discretion are in  
10 the public interest.

11 (c) To restructure and reorganize all or part of the  
12 assets, liabilities, and operations of the district into such  
13 public or private persons, not for profit or for profit, as  
14 the board of commissioners may in its sole discretion  
15 determine are in the public interest and are not expressly  
16 prohibited by the State Constitution, whether for the purpose  
17 of having such persons conduct operations previously conducted  
18 by the district or having such persons conduct operations  
19 which the district has the power to conduct directly but has  
20 not undertaken directly.

21 (d) Without limiting the generality of the foregoing,  
22 to exercise all of the powers of a corporation organized  
23 pursuant to chapter 607, Florida Statutes.

24 (e) To establish and maintain, or to sponsor the  
25 establishment and maintenance, directly or indirectly, alone  
26 or in conjunction with other public or private persons, not  
27 for profit or for profit, with any form of assistance from the  
28 district not expressly prohibited by the State Constitution,  
29 health maintenance organizations or services, preferred  
30 provider organizations or services, programs for cost  
31 containment, health insurance, or indemnity benefit systems,

1 service benefit systems, and any other organization or system  
2 that provides, or arranges for the provision of, health care  
3 services or otherwise pays for, or protects residents and  
4 nonresidents of the district against, the costs of health care  
5 services.

6 (f) To sue and be sued under the name of South Broward  
7 Hospital District.

8 (g) To contract and be contracted with.

9 (h) To adopt and use a common seal and to alter the  
10 same at pleasure.

11 (i) To acquire, purchase, hold, lease, and convey such  
12 real and personal property as the board deems proper or  
13 expedient.

14 (j) To appoint and employ a superintendent or  
15 administrator and such other agents and employees as the board  
16 deems advisable.

17 (k) To borrow money and to issue the notes, bonds, and  
18 other evidences of indebtedness of the district therefore to  
19 carry out the provisions of this act in the manner hereinafter  
20 provided.

21 (2) The provisions of this act shall be so construed  
22 as to secure and extend to the board of commissioners all  
23 powers, whether governmental, corporate, or proprietary, not  
24 expressly prohibited by the State Constitution and to remove  
25 any limitations judicially imposed or otherwise. No person  
26 whom the district sponsors, or with whom the district  
27 contracts, or to whom the district sponsors, or with personal  
28 property, goods, or services, by contract, lease, sales,  
29 grant, gift, or otherwise, shall be deemed an agency of the  
30 district. It is hereby found and declared to be a public  
31 purpose and necessity for the preservation of the public

1 health and for public use and for the welfare of the district  
2 and the residents thereof that the board of commissioners of  
3 the district have the broadest possible power to provide and  
4 structure health facilities and services, and facilities and  
5 services incidental or related thereto, in order to meet all  
6 types of health needs, and pursuant thereto to have the  
7 broadest flexibility to involve public and private persons,  
8 for profit and not for profit, in the establishment,  
9 maintenance, and operation of such facilities and services so  
10 as to provide the board of commissioners with the greatest  
11 flexibility permitted by the State Constitution to establish,  
12 maintain, and operate, alone or in conjunction with other  
13 public or private persons, not for profit and for profit, such  
14 health facilities and services, and facilities and services  
15 related or incidental thereto, which in the sole judgment of  
16 the board of commissioners are responsive to the health needs  
17 of the district and are in the public interest.

18 Section 5. Four of said commissioners shall constitute  
19 a quorum, and a vote of at least three of the commissioners  
20 shall be necessary to the transaction of any business of the  
21 district. The commissioners shall cause true and accurate  
22 minutes and records to be kept of all business transacted by  
23 them, and shall keep full, true, and complete books of account  
24 and minutes, which minutes, records, and books of account  
25 shall at all reasonable times be open and subject to the  
26 inspection of inhabitants of the district; and any person  
27 desiring to do so may make or procure a copy of the minutes,  
28 records, or books of account, or such portions thereof as he  
29 may desire.

30 Section 6. The South Broward Hospital District is  
31 authorized and empowered to create an employees' pension fund

1 so as to provide for life and/or disability and/or medical  
2 insurance for all or any of its employees or officers on a  
3 group insurance or other acceptable plan approved by said  
4 Board of Commissioners of South Broward Hospital District, and  
5 to establish and create by resolution an employees' pension,  
6 annuity, and/or retirement plan for any and all groups of  
7 officers and employees employed by the South Broward Hospital  
8 District and qualifying for such plan, and to pay all or such  
9 portion of the cost of any such employees' pension, annuity,  
10 and/or retirement plan from funds available to the district  
11 from its authorized sources with employees defraying the  
12 balance thereof, if any, as said board of commissioners by  
13 resolution may determine for any and all groups of officers  
14 and employees employed by said South Broward Hospital  
15 District.

16 Section 7. Without in any way limiting the powers set  
17 forth in section 4, the board of commissioners is hereby  
18 authorized and empowered to establish, construct, operate, and  
19 maintain such hospital or hospitals and other health  
20 facilities as in their opinion are necessary for the use of  
21 the people of the district, and to establish, construct,  
22 operate, and maintain such facilities for the care of such  
23 persons requiring limited medical care or treatment as in  
24 their opinion is necessary for the people of the district. The  
25 hospital or hospitals, other health facilities, and facilities  
26 for limited care and treatment shall be established,  
27 constructed, operated, and maintained by the board of  
28 commissioners for the preservation of the public health, for  
29 the public good, and for the use of the public of the  
30 district; and maintenance of the hospital or hospitals, other  
31 health facilities, and facilities for limited care and



1 treatment within the district is hereby found and declared to  
2 be a public purpose and necessary for the preservation of the  
3 public health, for public use, and for the welfare of the  
4 district and inhabitants thereof. The location and legal form  
5 and structure of such hospital or hospitals, other health  
6 facilities, and facilities for limited care and treatment  
7 shall be determined by the board.

8 Section 8. (1) The board of commissioners is hereby  
9 authorized and empowered at any time in their discretion to  
10 establish and maintain, in connection with such hospital, and  
11 as a part thereof, or in connection with any other educational  
12 or vocational institution in the state, a school or training  
13 program for nurses, paramedics, medical technicians, and other  
14 technical employees in the hospital, medical, or related  
15 field. Said board of commissioners are authorized and  
16 empowered to set up all rules and regulations necessary for  
17 the operation of such training program whether it be in a  
18 school, hospital, or within departments of the hospital, and  
19 they are further authorized to make all necessary expenditures  
20 in connection therewith, including payments and other  
21 assistance to other educational or vocational institutions in  
22 the state having such a curriculum or training program.

23 (2) In the event the schools are established within  
24 the hospital, the hospital may, upon completion of the  
25 prescribed course of training, give to such nurses,  
26 paramedics, medical, or related fields, who have  
27 satisfactorily completed the said course, a diploma or  
28 certificate of training. Similarly, the board is empowered to  
29 setup such cooperative doctors' residence programs with any  
30 institution of higher learning in the state.  
31

1       Section 9. The board shall have the power of eminent  
2 domain, and may thereby condemn and acquire any real or  
3 personal property within the territorial limits of this  
4 district, which the board may deem necessary for the use of  
5 said district. Such power of condemnation shall be exercised  
6 in the same manner as is now provided by the general law for  
7 the exercise of the power of eminent domain by cities and  
8 towns of the state.

9       Section 10. (1) The term "anticipation time warrants"  
10 means bond anticipation notes, grant anticipation notes,  
11 revenue anticipation notes, and tax anticipation notes; such  
12 anticipation time warrants may be issued in the form of  
13 commercial paper.

14       (2) The district is hereby authorized and empowered,  
15 in order to provide facilities, including real and personal  
16 property, and to carry out, exercise, and perform its powers  
17 and duties, and for any other lawful purpose, to borrow money  
18 from time to time, as the board determines is in the best  
19 interest of the district, and to issue and sell the  
20 anticipation time warrants of the district, and to refund the  
21 same by issuing the refunding anticipation time warrants of  
22 the district, all upon such terms, having such maturities,  
23 form, and terms, and bearing such rate or rates of interest,  
24 including variable rates, as may be determined by the board  
25 or, if issued in the form of commercial paper, as may be  
26 determined by the chair, vice chair, or the  
27 secretary-treasurer within guidelines and limits determined by  
28 the board, as hereinafter provided in this section.

29       (3) The district is authorized to borrow money and to  
30 issue bond anticipation notes in anticipation of the issuance  
31 of bonds under section 11 and in anticipation of the issuance

1 of revenue certificates under section 12, all as provided in  
2 section 215.431, Florida Statutes, as the said section may  
3 from time to time hereafter be amended, to expend the proceeds  
4 thereof for the purposes for which such bonds or revenue  
5 certificates are to be issued and to pledge, by resolution or  
6 contract, the proceeds to be derived from the sale of such  
7 bonds or revenue certificates and other legally available  
8 funds of the district for the payment of the principal  
9 thereof, premium, if any, and interest thereon.

10 (4) The district is hereby authorized to borrow money  
11 and to issue grant anticipation notes having a maturity of not  
12 more than 5 years in anticipation of the receipt of any  
13 federal, state, private, or other grant, to expend the  
14 proceeds thereof for the purposes for which such grant has  
15 been made, and to pledge, by resolution or contract, the  
16 moneys to be received from such grant and other legally  
17 available funds of the district for the payment of the  
18 principal thereof, premium, if any, and interest thereon.

19 (5) The district is hereby authorized to borrow money  
20 and to issue revenue anticipation notes having a maturity of  
21 not more than 5 years in anticipation of the receipt of  
22 revenues, other than ad valorem tax revenues, to expend the  
23 proceeds thereof for the purposes set forth in section 15 or  
24 for any other lawful purpose, and to pledge, by resolution or  
25 contract, revenues of the district, other than ad valorem tax  
26 revenues, for the payment of the principal thereof, premium,  
27 if any, and interest thereon.

28 (6) The district is hereby authorized to borrow money  
29 and to issue tax anticipation notes having a maturity of not  
30 more than 5 years and to levy and appropriate and to pledge,  
31 by resolution or contract, ad valorem taxes and other legally

1 available funds of the district in payment of the principal  
2 thereof, premium, if any, and interest thereon, provided,  
3 however, that no tax anticipation notes having a maturity of  
4 more than 12 months shall be issued unless first approved by  
5 an election as required by section 12, Article VII of the  
6 State Constitution.

7       (7) The district is hereby authorized to issue the  
8 notes described in subsections (3), (4), (5), and (6) in the  
9 form of commercial paper and, if issued in such form, the  
10 resolution authorizing the issuance thereof may provide for  
11 the renewal, refunding, or rollover thereof from time to time  
12 so long as no such renewal, refunding, or rollover note shall  
13 mature more than 5 years after the date of issue of the first  
14 such note issued pursuant to such resolution; provided,  
15 however, that in the case of tax anticipation notes issued  
16 without an election pursuant to subsection (6), no such  
17 renewal, refunding, or rollover note shall have a final  
18 maturity of more than 12 months from date of issue of the  
19 first such tax anticipation note issued pursuant to such  
20 resolution. The resolution authorizing the issuance of such  
21 notes in the form of commercial paper may set forth guidelines  
22 and limits pertaining to the maximum aggregate principal  
23 amount of such notes which may be outstanding at any one time,  
24 the longest maturity any such note may bear, the form of such  
25 notes, the terms (including redemption provisions, the maximum  
26 redemption premium which may be permitted, schedules for the  
27 amortization of principal and interest which may be permitted,  
28 and such other provisions as the board may determine), and the  
29 maximum rate of interest any such obligations may bear (which  
30 may be specified to be the maximum rate permitted by the laws  
31 of the state on the date such notes or renewal, refunding, or

1 rollover notes are issued) and may authorize the chair, the  
2 vice chair, or the secretary-treasurer, or any one or more of  
3 them, from time to time, to determine, within the aforesaid  
4 guidelines and limits, the date or dates on which said notes  
5 shall be issued, the aggregate principal amount of notes to be  
6 issued at such time, the maturity date or dates of such notes,  
7 the form and terms (including provisions for redemption  
8 thereof, the amount of any redemption premium, the schedule  
9 for the amortization of principal and payment of interest, and  
10 other provisions as the board shall have authorized), the rate  
11 or rates of interest payable thereon (which may be a variable  
12 rate) and to sell, issue, execute, and deliver the same  
13 pursuant to such authorization. Any resolution authorizing a  
14 negotiated sale of notes in the form of commercial paper to  
15 any class of purchaser may likewise authorize the negotiated  
16 sale of renewal, refunding, or rollover notes to such class of  
17 purchaser and may contain such other provisions as the board  
18 may authorize.

19 Section 11. The Board of Commissioners of the South  
20 Broward Hospital District is hereby authorized to issue bonds  
21 of said district of such form and denomination, becoming due  
22 not more than 40 years from the date of issuance, in an amount  
23 not to exceed \$50 million as the total bonded indebtedness of  
24 said district (excluding from such total bonded indebtedness  
25 such obligations of said district that are payable from moneys  
26 other than taxation raised annually within said district as  
27 provided in section 12), for the purpose of raising funds to  
28 establish, construct, acquire, add to, operate, and maintain  
29 such hospital or hospitals or other related medical facilities  
30 as in the board's opinion are necessary in said district; the  
31 said board of commissioners shall have the power to refund any

1 and all previous issues of bonds for any and all lawful  
2 purposes in such manner as said district determine to be in  
3 its best interests.

4 Section 12. Prior to the issuance of such bonds  
5 provided in section 11, said board of commissioners shall, by  
6 resolution, determine the amount which in their opinion will  
7 be necessary to be raised annually by taxation for an interest  
8 and sinking fund with which to pay the interest and principal  
9 of said bonds; and the said board is hereby authorized,  
10 empowered, and required to provide for the levy and collection  
11 annually of a sufficient tax upon all the taxable property in  
12 said district, not exempt by law, to pay such interest, and  
13 with which to provide and maintain a sinking fund for the  
14 payment of the principal of said bonds.

15 Section 13. All bonds issued by the South Broward  
16 Hospital District, except refunding bonds, revenue  
17 certificates, and anticipation time warrants, shall be issued  
18 only after the same shall have been approved at a bond  
19 election in the manner provided for by the State Constitution.

20 Section 14. The board of commissioners is hereby  
21 authorized and empowered to compromise and settle any accounts  
22 receivable or other claims on money due and owing to the  
23 district according to such terms and conditions as the board  
24 of commissioners, in its discretion, may determine. The  
25 factors which may be considered by the board of commissioners  
26 in any such compromise, are the ability of the debtors to pay  
27 and the probabilities of collection in full. The board of  
28 commissioners is further authorized and empowered to sell,  
29 assign, or convey to any person all of the right, title, and  
30 interest of the district in any account receivable, note  
31 receivable, or judgment owned by the district by payment for

1 such amount, note, or judgment of whatsoever value as the  
2 board of commissioners, in its discretion, may determine. The  
3 board of commissioners is further authorized and empowered to  
4 subordinate its interest in any mortgage or judgment lien to  
5 the interest of any third parties, according to such terms and  
6 conditions as the board of commissioners, in its discretion,  
7 may determine.

8 Section 15. The board of commissioners is hereby  
9 authorized to provide by resolution at one time or from time  
10 to time for the issuance of revenue certificates of the  
11 hospital district for the purpose of paying all or a part of  
12 the cost of acquisition, construction, planning, repairing,  
13 extensions to, additions, equipping, furnishing, and  
14 reconstruction of any hospital or hospitals of the district.  
15 The certificates of each issuance shall be dated, shall mature  
16 at such time or times not exceeding 40 years from their date  
17 or dates, shall be in such denominations, shall bear interest  
18 at such rate or rates as may be determined by the board of  
19 commissioners, and may be made redeemable before maturity at  
20 the option of the board of commissioners at such price or  
21 prices and under such terms and conditions as may be fixed by  
22 the board of commissioners prior to the issuance of the  
23 certificates. The board of commissioners shall determine the  
24 form of the certificates, including any interest coupons to be  
25 attached thereto, and the manner of execution of the  
26 certificates and coupons, and shall fix the denomination or  
27 denominations of the certificates and the place or places of  
28 payment of principal and interest, which may be at any bank or  
29 trust company within or without the state. In case any officer  
30 whose signature or a facsimile of whose signature shall appear  
31 on any certificates or coupons shall cease to be such officer

1 before the delivery of such certificates, such signature or  
2 such facsimile shall nevertheless be valid and sufficient for  
3 all purposes the same as if he had remained in office until  
4 such delivery. All certificates issued under the provisions of  
5 this act shall have and are hereby declared to have all the  
6 qualities and incidents of negotiable instruments under the  
7 law merchant and the laws of the state. The certificates may  
8 be issued in coupon or in registered form, or both, as the  
9 board of commissioners may determine, and provisions may be  
10 made for the registration of any coupon certificates as to  
11 principal alone and also as to both principal and interest,  
12 and for the reconversion into coupon certificates of any  
13 certificates registered as to both principal and interest. The  
14 issuance of such certificates shall not be subject to any  
15 limitations of conditions contained in any other law or  
16 considered as part of the total bonded indebtedness of the  
17 district as provided in section 11. Prior to the preparation  
18 of definitive certificates, the board of commissioners may,  
19 under like restrictions, issue interim receipts or temporary  
20 certificates with or without coupons, exchangeable for  
21 definitive certificates when such certificates have been  
22 executed and are available for delivery. The board of  
23 commissioners may also provide for the replacement of any  
24 certificates, which shall be mutilated or be destroyed or  
25 lost. The Board of Commissioners of the South Broward  
26 Hospital District shall have the authority to provide by  
27 resolution for the issuance of refunding certificates under  
28 such terms and conditions as the board of commissioners shall  
29 determine to be in the best interests of the district.

30 Section 16. As far as practicable, where not  
31 inconsistent with the provisions of this act, procedure



1 provided in the general laws of Florida for elections shall  
2 govern.

3 Section 17. All bonds issued under the provisions of  
4 section 11 shall be in the denomination of \$100 or \$1,000, or  
5 some multiple thereof, shall bear interest payable annually or  
6 semiannually, and both principal and interest shall be payable  
7 at such place or places as the governing authority may  
8 determine. The form of such bonds shall be fixed by the  
9 resolution of the board of commissioners and the said bonds  
10 shall be signed by the chair of said board and countersigned  
11 by the secretary of said board under the seal of the  
12 district. The coupons, if any, shall be executed by the  
13 facsimile signatures of said officers. The delivery at any  
14 subsequent date of any bond and coupon so executed shall be  
15 valid, although before the date of delivery the person signing  
16 such bonds or coupons shall cease to hold office.

17 Section 18. Bonds issued pursuant to the provisions of  
18 section 11 may be either registered or coupon bonds. Coupon  
19 bonds may be registered as to principal in the holder's name  
20 on the books of the hospital district, the registration being  
21 noted upon the bonds, after which no transfer shall be valid  
22 unless made on such hospital district's books by the  
23 registered holder and similarly noted on the bonds. Bonds  
24 registered as to principal may be discharged from registration  
25 by being transferred to bearer, after which they shall be  
26 transferable by delivery, but may be again registered as to  
27 principal as before. The registration of the bonds as to  
28 principal shall not restrain the negotiability of the coupons  
29 by delivery merely.

30 Section 19. Before any bonds of the South Broward  
31 Hospital District are issued pursuant to the provisions of

1 section 11, the board of commissioners shall investigate and  
2 determine the legality of the proceedings. The resolution  
3 authorizing the bonds may direct that they shall contain the  
4 following recital: "It is certified that this bond is  
5 authorized by and is issued in conformity with the  
6 requirements of the Constitution and Statutes of the State of  
7 Florida." Such recital shall be an authorized declaration by  
8 the governing body of the district and shall import that there  
9 is constitutional and statutory authority for incurring the  
10 debts and issuing the bonds; that all proceedings therefore  
11 are regular; that all acts, conditions, and things required to  
12 exist, happen, and be performed precedent to and in the  
13 issuance of the bond have existed, happened, and been  
14 performed in due time, form, and manner, as required by law;  
15 and that the amount of the bond, together with all other  
16 indebtedness, does not exceed any limit or limits prescribed  
17 by the Constitution and statutes of this state. If any bonds  
18 be issued containing said recital, it shall be conclusively  
19 presumed that said recital, construed according to the import  
20 hereby declared, is true, and the district shall not be  
21 permitted to question the validity or legality of the  
22 obligation in any court in any action or proceeding.

23 Section 20. In issuing bonds under the provisions of  
24 section 11 or revenue certificates under the provisions of  
25 section 15, it shall be lawful for the board of commissioners  
26 to include more than one improvement or hospital purpose in  
27 any such issue of bonds or revenue certificates.

28 Section 21. No resolution or proceeding in respect to  
29 the issuance of said bonds or certificate hereunder shall be  
30 necessary, except such as is required by this act. No  
31 publication or any resolution or proceeding relating to the

1 issuance of the said bonds or certificates shall be required  
2 except such as required by this act. Any publication  
3 prescribed hereby may be made in any newspaper conforming to  
4 the terms of this act, without regard to the designation  
5 thereof as the official organ of the district. Bonds issued  
6 hereunder have all the qualities of negotiable paper under the  
7 law merchant, shall not be invalid for any irregularity or  
8 defect in the proceedings for the issue and sale thereof, and  
9 shall be incontestable in the hands of bona fide purchasers or  
10 holders thereof for value.

11 Section 22. The Board of Commissioners of the South  
12 Broward Hospital District shall have the power to provide by  
13 resolution for the issuance of refunding bonds to refund  
14 principal and interest of an existing bond indebtedness,  
15 issued under the provisions of section 11, for the payment of  
16 which the credit of the hospital district is pledged, and such  
17 bonds may be issued at or prior to maturity of the bonds to be  
18 refunded. Such resolution may be adopted at a regular or  
19 special meeting, and at the same meeting at which it is  
20 introduced, by a majority of all of the members of the  
21 commission then in office. It is determined and declared as a  
22 matter of legislative intent that no election to authorize the  
23 issuance of refunding bonds shall be necessary, except in  
24 cases where an election may be required by the State  
25 Constitution. In all cases where it is not necessary under the  
26 constitution to hold an election on the issuance of such  
27 refunding bonds, such resolution shall take effect immediately  
28 upon the adoption thereof. No other proceedings or procedures  
29 of any character whatever shall be required for the issuance  
30 of such bonds by the said district.

31

1           Section 23. The resolution of the board of  
2 commissioners authorizing the issuance of the refunding bonds  
3 may provide that the refunding bonds may be issued in one or  
4 more series; may bear such date, may mature at such time, not  
5 exceeding 40 years from their respective dates; may bear  
6 interest at such rate, not exceeding the maximum rate of  
7 interest borne by the bonds refinanced thereby; may be in such  
8 denomination; may be in such form, either coupon or  
9 registered; may carry such registration and conversion  
10 privileges; may be executed in such manner; may be payable in  
11 such medium of payment, at such place; may be subject to such  
12 terms of redemption, with or without a premium; may be  
13 declared or become due before the maturity date thereof; may  
14 provide for the replacement of mutilated, destroyed, stolen,  
15 or lost bonds; may be authenticated in such manner and upon  
16 compliance with such conditions; and may contain such other  
17 terms and covenants as may be desired. Notwithstanding the  
18 form or tenor thereof, and in the absence of an express  
19 recital on the face thereof that the bond is nonnegotiable,  
20 all refunding bonds shall at all times be, and shall be  
21 treated as, negotiable instruments for all purposes.

22           Section 24. Refunding bonds bearing the signature of  
23 officers of the district in office on the date of the signing  
24 thereof shall be valid and binding obligations of the district  
25 for all purposes, notwithstanding that before the delivery  
26 thereof any or all of the persons whose signatures appear  
27 thereon shall have ceased to be officers of the district. Any  
28 resolution authorizing refunding bonds may provide that any  
29 such refunding bonds issued pursuant to the article may  
30 contain such a recital, and any refunding bond issued under  
31 authority of any such resolution shall be conclusively deemed

1 to be valid and to have been issued in conformity with the  
2 provisions of this act. The authority of the district to issue  
3 obligations under this act may be determined and obligations  
4 to be issued under this act may be validated as provided by  
5 law.

6 Section 25. Refunding bonds may be sold or exchanged,  
7 as follows:

8 (1) In installments of different times, or an entire  
9 issue or series may be sold or exchanged at one time. Any  
10 issue or series of refunding bonds may be exchanged in part or  
11 sold in parts in installments at different times or at one  
12 time. The refunding bonds may be sold or exchanged at any time  
13 on, before, or after the maturity of any of the outstanding  
14 bonds of the district. The refunding bonds may be exchanged  
15 for a like or greater principal amount of such bonds of the  
16 district, except that the principal amount of the refunding  
17 bonds may exceed the principal amount of such outstanding  
18 bonds to the extent necessary or advisable, in the discretion  
19 of the governing body, to fund interest in arrears or about to  
20 become due. The holder of such outstanding bonds need not pay  
21 accrued interest on the refunding bonds to be delivered in  
22 exchange therefore if and to the extent that interest is due  
23 or accrued and unpaid on such outstanding bonds to be  
24 surrendered.

25 (2) If the board of commissioners determines to  
26 exchange any refunding bonds, any such refunding bonds may be  
27 exchanged privately for and in payment and discharge of any of  
28 the outstanding bonds of the district. The refunding bonds may  
29 be exchanged for a like or greater principal amount of such  
30 bonds of the district, except that the principal amount of the  
31 refunding bonds may exceed the principal amount of such

1 outstanding bonds to the extent necessary or advisable, in the  
2 discretion of the governing body, to fund interest in arrears  
3 or about to become due. The holder of such outstanding bonds  
4 need not pay accrued interest on the refunding bonds to be  
5 delivered in exchange thereof if and to the extent that  
6 interest is due or accrued and unpaid on such outstanding  
7 bonds to be surrendered.

8 Section 26. The funds of said district shall be paid  
9 out only upon warrant signed by the chair of the board, and  
10 having thereto affixed the corporate seal of the district; and  
11 no warrant shall be drawn or issued against funds of said  
12 district except for a purpose authorized by this act, and no  
13 such warrant against funds of said district shall be drawn or  
14 issued until after the account or expenditure for which the  
15 same is to be given in payment has been ordered and approved  
16 by the board of commissioners.

17 Section 27. The Board of Commissioners of South  
18 Broward Hospital District is hereby authorized, empowered, and  
19 directed annually to levy upon real and personal taxable  
20 property of said district, not exempt by law, a sufficient tax  
21 necessary for the purposes and needs of the said district  
22 incurred in the exercise of the powers and purposes herein  
23 granted, the rate of taxation per annum shall not exceed 2.5  
24 mills on the dollar of the valuation of the property within  
25 the district for tax purposes, providing, however, that the  
26 2.5 mill limitation herein shall apply only for the purposes  
27 and needs of the district and not for the purposes of debt  
28 service requirements for bonds that may be issued pursuant to  
29 section 11 of this act.

30 Section 28. That the levy by said board of the taxes  
31 authorized by any provision of this act shall be by resolution

1 of said board duly entered upon the minutes of the board.  
2 Certified copies of such resolution executed in the name of  
3 the board by its chair, under its corporate seal, shall be  
4 made and delivered to the Board of County Commissioners of  
5 Broward County and to the Chief Financial Officer not later  
6 than the 15th day of June of each and every year. It shall be  
7 the duty of the County Commissioners of Broward County to  
8 order and require that the County Property Appraiser of said  
9 county to assess, and the County Tax Collector of said county  
10 to collect the amount of taxes so assessed or levied by the  
11 Board of Commissioners of said South Broward Hospital District  
12 upon the taxable property in said district, not exempt by law,  
13 at the rate of taxation adopted by said board of commissioners  
14 of said district for said year and include in the warrant of  
15 the property appraiser and attach to the assessment roll of  
16 taxes for said year and included in the warrant of the  
17 property appraiser and attach to the assessment roll of taxes  
18 for said county each year. The tax collector shall collect  
19 such tax so levied by said board in the same manner as other  
20 taxes are collected, and shall pay the same over to the Board  
21 of Commissioners of South Broward Hospital District within the  
22 time and in the manner prescribed by law for the payment by  
23 the tax collector of county taxes to the county depository. It  
24 shall be the duty of the Florida Department of Revenue to  
25 assess and levy on all the railroad lines and railroad  
26 property situated or located in said district, including as  
27 well all telephone lines. The amount of each said levy of each  
28 said county or state taxes and the said taxes shall be  
29 assessed by the same officer respectfully as are county taxes  
30 upon such property, and such taxes shall be remitted by the  
31 collecting officer to the Board of Commissioners of South

1 Broward Hospital District. All such taxes shall be held by  
2 said board of commissioners and paid out by them as provided  
3 in this act. The board is authorized to pay necessary expenses  
4 to the aforementioned officers for the assessment and collection  
5 of taxes on a reasonable fee basis.

6 Section 29. The board is authorized to pay from the  
7 funds of the district all expenses of the organization of said  
8 board and all expenses necessarily incurred with the formation  
9 of said district and all other reasonable and necessary  
10 expenses, including the fees and expenses of an attorney in  
11 the transaction of the business of the district, and in  
12 carrying out and accomplishing the purposes of the act. This  
13 section, however, shall not be construed to remit or instruct  
14 any of the powers vested in said board of commissioners by any  
15 other section or provision of this act.

16 Section 30. At least once in each year the board of  
17 commissioners shall publish once in some newspaper published  
18 in said district a complete detailed statement of all moneys  
19 received and disbursed by them since the creation of the  
20 district as to the first published statement and since the  
21 last published statement as to any other year. Such statements  
22 shall also show the several sources from which said funds were  
23 received and shall show the balance on hand at the time of the  
24 published statement. It shall show a complete statement of the  
25 condition of the district.

26 Section 31. Each hospital or clinic established under  
27 this act shall be for the use and benefit of the residents of  
28 this district. Such residents shall be admitted to such  
29 hospital or clinic and be entitled to hospitalization,  
30 subject, however, to the rules and regulations prescribed by  
31 the board of commissioners, which rules and regulations are



1 effective as of the date of admission of a patient or patients  
2 to said hospital or clinic. Such hospital or clinic may care  
3 for and treat without charge to patients who are found by the  
4 board of commissioners to be indigent. Such board may collect  
5 from patients financially able, such charges as the board of  
6 commissioners may from time to time establish. The board of  
7 commissioners may exclude from treatment and care any person  
8 having a communicable or contagious disease, where such  
9 disease may be a detriment to the best interests of such  
10 hospital or clinic or a source of contagion or infection to  
11 the patient in its care, unless such hospital has a separate  
12 building or ward for the special treatment of such patients,  
13 and can properly and with safety to the other patients retain  
14 such communicable or contagious case in such separate ward or  
15 building. Said board of commissioners may extend the  
16 privileges and use of such hospital or clinic to nonresidents  
17 of such district upon such terms and conditions as the said  
18 board may from time to time by its rules and regulations  
19 provide. Provided, however, that the residents of the district  
20 wherein such hospital or clinic is located, shall have first  
21 claim to admission.

22 Section 32. Realizing that factors other than  
23 professional must enter into the qualification of those who  
24 practice medicine and surgery, the Board of Commissioners of  
25 said South Broward Hospital District are hereby authorized and  
26 empowered to set up rules, regulations, and bylaws for the  
27 operation of the hospital and the hospital staff; the board of  
28 commissioners are authorized to give, grant, or revoke  
29 licenses and privileges of staff members so that the welfare  
30 and health of patients and the best interests of the hospital  
31 may at all times be best served. The board of commissioners of

1 the said district are further authorized and empowered to set  
2 up rules and regulations for the control of all professional  
3 and unprofessional employees of the hospital, which terms  
4 shall include nurses on general duty or on private duty  
5 attending patients, and all parties in the hospital either as  
6 employees or in any manner in attendance of patients.

7 Section 33. It is intended that the provisions of this  
8 act shall be liberally construed for accomplishing the work  
9 authorized and provided for or intended to be provided for in  
10 this act, and where strict construction would result in the  
11 defeat of the accomplishment of any part of the work  
12 authorized by this act, and a liberal construction would  
13 permit or assist in the accomplishment, thereof, the liberal  
14 construction shall be chosen.

15 Section 34. Any clause or section of this act which  
16 for any reason may be held or declared invalid may be  
17 eliminated and the remaining portion or portions thereof shall  
18 be and remain in full force and be valid, as if such invalid  
19 clause or section had not been incorporated therein.

20 Section 35. Notwithstanding the provisions of section  
21 218.33, Florida Statutes, the fiscal year of South Broward  
22 Hospital District shall commence May 1 and end on April 30 of  
23 each calendar year.

24 Section 36. (1) The bonds of the district may bear  
25 such rate or rates of interest, including a variable rate of  
26 interest, and may be sold at par or at such premium or  
27 discount as the board shall determine, as shall not, taking  
28 into account the stated interest rate and any discount or  
29 premium, cause the average net interest cost rate to exceed  
30 the maximum average net interest cost rate permitted by  
31 section 215.84, Florida Statutes, or any interest rate, or

1 average net interest cost rate, per annum permitted by general  
2 law amending or superseding section 215.84, Florida Statutes.

3 (2) The procedures for the sale of general obligation  
4 bonds or revenue bonds, as defined in section 218.385, Florida  
5 Statutes, of the district shall be governed by section  
6 218.385, Florida Statutes, or by any general law amending or  
7 superseding section 218.385, Florida Statutes.

8 Section 37. In addition to any investment authorized  
9 by general law, and to the extent created by the State  
10 Constitution, the Board of Commissioners of the South Broward  
11 Hospital District shall be and is hereby authorized and  
12 empowered to invest any funds in its control or possession in  
13 accordance with an investment policy approved by the board  
14 which mandates prudent investment practices which shall  
15 include, among other items, the investment objectives and  
16 permitted securities of the policy. Such investment policy  
17 shall be designed to maximize the financial return to the fund  
18 consistent with the risks incumbent in each investment and  
19 shall be designed to preserve the appropriate diversification  
20 of the portfolio. Accordingly, the following instruments are  
21 authorized for investment:

22 (1) In the trust fund known as Local Government  
23 Surplus Funds Trust Fund as created and established by section  
24 218.405, Florida Statutes.

25 (2) Bankers' acceptances which are drawn upon and  
26 accepted by a commercial bank which is a member bank of the  
27 Federal Reserve System maintaining capital accounts in excess  
28 of 7.5 percent of total assets, and which member bank of its  
29 holding company carries a credit rating in one of the two  
30 highest alphabetical categories from at least two nationally  
31 recognized debt rating agencies.

1           (3) Commercial paper of prime quality rated by at  
2 least two nationally recognized debt rating agencies in the  
3 highest letter and numerical rating of each agency. If not so  
4 rated, such prime quality commercial paper may be purchased if  
5 secured by a letter of credit provided by a commercial bank,  
6 which bank or its holding company carries a credit rating in  
7 one of the two highest alphabetical categories from at least  
8 two nationally recognized debt rating agencies.

9           (4) Interest-bearing bonds, debentures, and other such  
10 evidence of indebtedness with a fixed maturity of any domestic  
11 corporation within the United States which is listed on any  
12 one or more of the recognized national stock exchanges in the  
13 United States which is listed on any one or more of the  
14 recognized national stock exchanges in the United States and  
15 conforms with the periodic reporting requirements under the  
16 Securities Exchange Act of 1934. Such obligations shall either  
17 carry ratings in one of the two highest classifications of at  
18 least two nationally recognized debt rating agencies or be  
19 secured by a letter of credit provided by a commercial bank,  
20 which bank or its holding company carries a credit rating in  
21 one of the two highest alphabetical categories from at least  
22 two nationally recognized debt rating agencies.

23           (5) Negotiable direct obligations of, or obligations  
24 the principal and interest of which are unconditionally  
25 guaranteed by, the United States Government and obligations of  
26 the Federal Farm Credit Banks, Federal Home Loan Mortgage  
27 Corporations, or Federal Home Loan Bank or its district banks,  
28 including Federal Home Loan Mortgage Corporation participation  
29 certificates or obligations guaranteed by the Government  
30 National Mortgage Association, which are purchased and sold  
31 under repurchase agreements and reverse repurchase agreements.

1 Repurchase agreements and reverse repurchase agreements may be  
2 entered into only with a member bank of the Federal Reserve  
3 System or primary dealer in United States Government  
4 Securities. Further, any such repurchase agreements and  
5 reverse repurchase agreements shall be fully collateralized by  
6 the type of securities which are named in this subsection.  
7 Securities purchased or repurchased by the South Broward  
8 Hospital District shall be delivered to the South Broward  
9 Hospital District or its agent versus payment.

10 (6) Purchase of options so as to engage in bona fide  
11 hedging activities for the purpose of protecting the asset  
12 value of the underlying portfolio. However, the underlying  
13 security (that is, the security that must be delivered if a  
14 put option or call option contract is exercised) shall be  
15 negotiable direct obligations of, or obligations the principal  
16 and interest of which are unconditionally guaranteed by, the  
17 United States Government and obligations of the Federal Farm  
18 Credit Banks, Federal Home Loan Mortgage Corporations, or  
19 Federal Loan Bank or its district banks, including Federal  
20 Home Loan Mortgage Corporation participation certificates, or  
21 obligations guaranteed by the Government National Mortgage  
22 Association. Further, the options of said underlying  
23 securities shall be traded on a securities exchange or board  
24 of trade regulated by the Securities Exchange Commission or  
25 the Commodity Futures Trading Commission.

26 Section 38. (1) Notwithstanding the provisions of  
27 part III of chapter 163, Florida Statutes, the district is not  
28 a "public body" or "taxing authority," as those terms are used  
29 in part III, chapter 163, Florida Statutes.

30 (2) This section shall not apply with respect to any  
31 geographic area approved as appropriate for community

1 redevelopment by a resolution or ordinance adopted pursuant to  
2 section 163.355, Florida Statutes, by a governing body prior  
3 to January 1, 1998, or to any geographic area approved by the  
4 governing body pursuant to section 163.355, Florida Statutes,  
5 as a community redevelopment area prior to January 1, 1998.  
6 However, this section shall apply to any geographic area  
7 approved as appropriate for community redevelopment or added  
8 to a community redevelopment area by resolution or ordinance  
9 of a governing body adopted on or after January 1, 1998. The  
10 terms "governing body" and "community redevelopment area" mean  
11 the same as in part III, chapter 163, Florida Statutes.

12       Section 4. It is intended that the provisions of this  
13 action shall be liberally construed for accomplishment of the  
14 work authorized and provided for or intended to be provided  
15 for by this act, and where strict construction would permit or  
16 assist in the accomplishment of any apart of the work  
17 authorized by this act, the liberal construction shall be  
18 chosen.

19       Section 5. If any section, subsection, sentence,  
20 clause, or phrase of this act is held to be unconstitutional,  
21 such holding shall not affect the validity of the remaining  
22 portions of the act, the Legislature hereby declaring that it  
23 would have passed this act and each section, subsection,  
24 sentence, clause, and phrase thereof, irrespective of any  
25 other separate section, subsection, sentence, clause, or  
26 phrase thereof, and irrespective of the fact that any one or  
27 more other sections, subsections, sentences, clauses, or  
28 phrases thereof may be declared unconstitutional.

29       Section 6. Chapter 24415 (1947), Laws of Florida,  
30 which was approved by the electors for the district in  
31 referendum held on May 22, 1950, is repealed; provided,

1 however, that, as provided in section 189.429(3), Florida  
2 Statutes, nothing in this act, including specifically this  
3 section, shall modify, amend, or alter any covenants,  
4 contract, or other obligations of the district or board of  
5 commissioners with respect to the district's bonded  
6 indebtedness; and affect the ability of the board of  
7 commissioners and district to levy and collect taxes as  
8 permitted under prior law and herein. Chapters 24415 (1947),  
9 59-1125, 59-1126, 59-1128, 61-1925, 61-1932, 61-1935, 63-1180,  
10 65-1296, 65-1339, 67-1164, 69-910, 70-618, 71-566, 71-577,  
11 72-494, 74-436, 74-450, 75-346, 75-349, 76-337, 76-339,  
12 79-431, 80-459, 80-466, 80-467, 80-469, 81-351, 82-269,  
13 83-378, 84-400, 90-488, and 99-423, Laws of Florida, are  
14 hereby repealed.

15           Section 7. This act shall take effect upon becoming a  
16 law.

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