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A bill to be entitled

An act relating to the West Volusia Hospital Authority; codifying, amending, reenacting, and repealing the prior special acts of the authority, an independent special tax district in Volusia County; providing legislative intent; providing minimum charter requirements in accordance with s. 189.404(3), F.S.; eliminating full faith and credit and ad valorem tax bonding capacity; revising indigence provisions; clarifying purpose and powers; harmonizing with general law; reducing maximum allowable millage rate; repealing all prior special acts related to the West Volusia Hospital Authority; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the West Volusia Hospital Authority, an independent special tax district. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the authority including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act. It is further the intent of this act to preserve all district authority in addition to any authority contained in general law.

Section 2. Chapters 27949 (1951), 57-1929, 57-2085, 59-1949, 61-2974, 63-2014, 65-2344, 67-2152, 69-1696, 69-1698, 71-951, 71-955, 82-383, 88-473, and 96-455, Laws of Florida, are codified, reenacted, repealed, and amended as herein provided.

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30 Section 3. The West Volusia Hospital Authority is re-  
 31 created and the charter for the authority is re-created and  
 32 reenacted to read:

33 Section 1. An independent special tax district is hereby  
 34 created and incorporated to be known as "The West Volusia  
 35 Hospital Authority" in Volusia County for the purpose of, either  
 36 directly or through third parties, providing access to  
 37 healthcare for indigent residents of the district ("purpose").  
 38 Health care is to be provided or overseen by licensed health  
 39 care professionals or entities and may only be provided for  
 40 nonindigents and nonresidents incidental to the provision of  
 41 services to indigent residents of the district. This purpose is  
 42 hereby found and declared to be a public purpose and necessary  
 43 for the general welfare of the residents of the district, which  
 44 the district shall embrace and include the following described  
 45 property in Volusia County, to wit:

46 Commencing at a point on the East Shore of Lake George  
 47 where same is intersected by the Putnam-Volusia County  
 48 line and run Northeasterly with the line to the  
 49 Southern-most point of Lake Crescent; thence East with  
 50 shore line of Lake Crescent to the mouth of Haw Creek;  
 51 thence up the Creek to its intersection with the East  
 52 line of Range 28 East; run thence South with the range  
 53 line (it being the Flagler-Volusia County line) to the  
 54 Northwest corner of Section 30, Township 14 South  
 55 Range 29 East; thence run East 12 miles to the  
 56 Northeast corner of Section 25, Township 14 South  
 57 Range 30 East; thence run South two miles to the  
 58 Southeast corner of Township 14 South Range 30 East;

59 thence run West along the Township line to the  
 60 Northeast corner of Township 15 South Range 30 East;  
 61 thence run South with the range line between Ranges 30  
 62 and 31 East about six miles to the Southeast corner of  
 63 Township 15 South Range 30 East; run thence East along  
 64 the North line of Township 16 South Range 31 East  
 65 about six miles to the Northeast corner of the  
 66 Township 16 South Range 31 East; run thence South on  
 67 the range line between Ranges 31 and 32 East about  
 68 twelve miles to the Southeast corner of Township 17  
 69 South Range 31 East; run thence East with the line  
 70 between Townships 17 and 18 South to the Northeast  
 71 corner of Township 18 South Range 32 East; run thence  
 72 South on the range line between Ranges 32 and 33 East  
 73 to the Southeast corner of Township 18 South Range 32  
 74 East; run thence East on the line between Township 18  
 75 South Range 33 East and Township 19 South Range 33  
 76 East about three miles to the Northeast corner of  
 77 Section 4 Township 19 South Range 33 East. Run thence  
 78 South on the East line of Sections 4-9-16-21-28 and  
 79 33, Township 19 South Range 33 East to the Southeast  
 80 corner of Section 33, Township 19, South Range 33  
 81 East; run thence east on the line between Township 19  
 82 South Range 33 East and Township 20 South Range 33  
 83 East to the Northeast corner of Township 20 South  
 84 Range 33 East; run thence South on the East line of  
 85 Township 20 South Range 33 East and along the East  
 86 line of Township 21 South Range 33 East to the  
 87 Southeast corner of Section 36, Township 21 South

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88 Range 33 East; run thence West along the South line of  
 89 Township 21 South Range 33 East to the intersection of  
 90 the Township line with the St. Johns River; thence run  
 91 down the St. Johns River in a generally Northwesterly  
 92 direction to Lake George and with the East Shore line  
 93 of the Lake George to the place of beginning. All of  
 94 the above described property lying and being in the  
 95 County of Volusia, State of Florida.

96 Section 2. The governing body of the West Volusia Hospital  
 97 Authority shall consist of five commissioners who shall be  
 98 qualified residing in the district. At the general election held  
 99 in the year A.D. 1962, there were elected five commissioners,  
 100 three of whom were elected for a term of 2 years, and which  
 101 commissioners were identified as Group A; and two of whom were  
 102 elected for a term of 4 years, and which commissioners were  
 103 identified as Group B. Candidates shall identify themselves to  
 104 either Group A or Group B. Thereafter, in subsequent elections,  
 105 each commissioner shall be elected for a term of 4 years. Each  
 106 commissioner shall give bond to the Governor for the faithful  
 107 performance of his or her duties in the sum of \$5,000, with a  
 108 surety company qualified to do business in the state as surety,  
 109 which bond shall be approved and kept by the Clerk of the  
 110 Circuit Court of Volusia County. The premiums on the bonds shall  
 111 be paid as part of the expenses of the district.

112 (1) The commissioners in Group A and Group B shall qualify  
 113 for and be elected to the office of commissioner on a  
 114 nonpartisan basis by qualifying in groups as provided by section  
 115 101.254, Florida Statutes, as candidates in a primary election  
 116 to be held at the time of the first state primary election,

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117 prior to the general election, and in the general election in  
 118 the same manner as provided by Florida law for the election of  
 119 nonpartisan county officers in the County of Volusia.

120 (2) Should a vacancy or vacancies in the office of a  
 121 commissioner on the board of commissioners arise by reason of  
 122 the death, resignation, absence, or mental or physical  
 123 disability or incompetency of a member or members of the board  
 124 for a period of 6 months or more, the board shall by majority  
 125 action of the remaining members appoint a commissioner or  
 126 commissioners to fill any vacancy or vacancies in office from  
 127 among the qualified persons residing in the district to serve  
 128 until the expiration of the term of each such vacancy in office,  
 129 or until the election and qualification of a successor or  
 130 successors following the next general election. Should the  
 131 remaining board members be unable to appoint a commissioner or  
 132 commissioners to fill any vacancy or vacancies in office from  
 133 among the qualified persons residing in the district after 45  
 134 days from the vacancy's occurrence, then the vacancy or  
 135 vacancies shall be filled by the Governor pursuant to section  
 136 114.04, Florida Statutes, as it may be amended from time to  
 137 time, such qualified person or persons to serve until the  
 138 expiration of the term of each such vacancy in office, or until  
 139 the election and qualification of a successor or successors  
 140 following the next general election. In the event that under the  
 141 laws of the state a general election is to be held after the  
 142 creation of a vacancy in the office of commissioner and before  
 143 the expiration of the term of that office, as provided by the  
 144 sections of this act assigning such office to Group A or Group  
 145 B, a person or persons shall be nominated and elected to fill

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146 out the balance of the term of the vacancy in office and to  
 147 succeed in that office and for that term, the person or persons  
 148 appointed by the hospital commissioners. Such nomination and  
 149 election shall be carried out in the same manner as is provided  
 150 for in this act for the nomination and election of hospital  
 151 commissioners, except that the primary and general election  
 152 ballot shall identify the candidate for such vacancy in office  
 153 by the group to which such office is assigned by the provisions  
 154 of this act. Nothing herein shall be construed to prevent a  
 155 person appointed by the board of commissioners from being a  
 156 candidate to succeed himself or herself in the office to which  
 157 he or she was appointed.

158 (3) The board of commissioners shall take office and  
 159 organize at the first meeting in the month of January of each  
 160 year by the election from among their number a chair, vice  
 161 chair, secretary, treasurer, and such other officers as the  
 162 board may deem necessary to accomplish the purposes of this act.  
 163 All such officers shall serve for the year in which elected and  
 164 until their successors are elected and installed.

165 Section 3. (1) The Board of Commissioners of the West  
 166 Volusia Hospital Authority shall have all the powers of a body  
 167 corporate, including the power to sue and be sued under the name  
 168 of the West Volusia Hospital Authority; to contract and be  
 169 contracted with; to adopt and use a common seal and to alter the  
 170 same at pleasure; to acquire, purchase, hold, lease, sell, and  
 171 convey such real and personal property as the board may deem  
 172 proper or expedient to carry out the purposes of this act; to  
 173 appoint and employ a qualified hospital administrator whose  
 174 qualifications are approved by the board of commissioners as

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175 being in the best interest of the hospital; to provide for the  
176 election of a chief of staff by the medical staff of the  
177 hospital and employ such other agents and employees as the board  
178 may deem advisable; and to borrow money and issue notes, bonds,  
179 and other evidences of indebtedness of the district to carry out  
180 the provisions of this act in the manner hereinafter provided.

181 (2) Realizing that factors other than professional must  
182 enter into the qualifications of those who practice medicine,  
183 surgery, and dentistry, the Board of Commissioners of the West  
184 Volusia Hospital Authority are hereby authorized and empowered  
185 to set up rules, regulations, and bylaws for the operation of  
186 the hospital and the medical and dental staffs. The board of  
187 commissioners is authorized to give, grant, limit, or revoke  
188 membership on the medical or dental staff or the privileges of  
189 medical or dental staff members for practicing in or about the  
190 hospital under this act. So that the welfare and health of  
191 patients and the best interests of the hospital may at all times  
192 be best served, privileges of medical or dental staff membership  
193 and appointment to the medical or dental staff may be  
194 authorized, granted, limited, or revoked by the board of  
195 commissioners and shall be made for a period of 1 year or until  
196 the end of the fiscal year of the hospital or until the end of  
197 such probationary period as the board shall determine. It shall  
198 be the duty of the medical and dental staffs of the hospital to  
199 organize in the manner prescribed by the board of commissioners  
200 of this district. The board of commissioners is further  
201 authorized and empowered to set up rules and regulations for the  
202 control of all professional and nonprofessional employees of the  
203 hospital, which terms shall include nurses on general duty or on

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204 private duty attending patients, and all parties in the  
 205 hospital, either as employees or in any manner in attendance of  
 206 patients.

207 (3) Three of the commissioners shall constitute a quorum,  
 208 and a vote of at least two of the commissioners shall be  
 209 necessary for the transaction of any business of the district.  
 210 The commissioners shall cause true and accurate minutes and  
 211 records to be kept of all business transacted by them, and shall  
 212 keep full, true, and complete books of account and minutes,  
 213 which minutes, records, and books of account shall at all  
 214 reasonable times be open and subject to the inspection of  
 215 inhabitants of the district; and any person desiring to do so  
 216 may make or procure copy of the minutes, records, or books of  
 217 account, or such portions thereof as he or she may desire.

218 Section 4. The board of commissioners is hereby authorized  
 219 and empowered to establish, construct, operate, and maintain  
 220 such hospital and hospitals as in their opinion shall be  
 221 necessary for the use of the people of the district. Said  
 222 hospital or hospitals shall be established, constructed,  
 223 operated, and maintained by the board of commissioners for the  
 224 preservation of the public health and for the public good and  
 225 for the use of the public of the district. Maintenance of such  
 226 hospital or hospitals within the district is hereby found and  
 227 declared to be a public purpose and necessary for the  
 228 preservation of the public health and for the public use and for  
 229 the welfare of the district and inhabitants thereof. The  
 230 location of the hospital or hospitals shall be determined by the  
 231 board.

232 (1) The term "hospital" or "hospitals," as used in this



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233 act, shall mean one or more health care institutions, including  
 234 hospitals, extended care institutions, and outpatient care  
 235 institutions, whether or not located in a single building, which  
 236 shall have some or all of the following: an organized medical  
 237 staff with permanent facilities that include inpatient beds and  
 238 with medical services including physicians' services and  
 239 continuing nursing services to provide diagnosis and treatment  
 240 for patients who have a variety of medical conditions, including  
 241 both those who require inpatient care and those who are  
 242 primarily ambulatory, whether or not such patients require  
 243 continuous hospital services, including the furnishing and  
 244 staffing with professional and nonprofessional personnel of both  
 245 outpatient and inpatient emergency departments.

246 (2) The term "operate and maintain," as used in this act,  
 247 shall mean to administer, supervise, control, and manage the  
 248 hospital or hospitals referred to by this act and to obtain,  
 249 construct, employ, furnish, and replenish the equipment,  
 250 facilities, including buildings, and professional and  
 251 nonprofessional personnel, including licensed physicians,  
 252 required to provide the services, treatment, and facilities  
 253 related to such hospital and hospitals as defined in this act.

254 Section 5. In order to carry out the purpose of this act,  
 255 and notwithstanding other provisions of this act, and in  
 256 extension and not in limitation of the provisions contained in  
 257 any other section of this act:

258 (1) The board of commissioners may acquire, construct,  
 259 reconstruct, extend, make additions to, enlarge, improve,  
 260 repair, remodel, restore, equip, and furnish hospital and other  
 261 health care facilities now or hereafter located in the district

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262 and which are or may be owned by or under the supervision,  
 263 operation, and control of the district. For the purposes of this  
 264 section, the term "hospital" or "health care facilities" means  
 265 any real property or interest therein, building, structure,  
 266 facility, machinery, equipment, furnishings, or other property  
 267 suitable for use by the district in connection with its  
 268 operations or proposed operations, including, without  
 269 limitation, real property therefor, a clinic, computer facility,  
 270 food service and preparation facility, health care facility,  
 271 long-term care facility, hospital, interns' residence, nursing  
 272 home, nursing school, office, professional office building,  
 273 parking structure and area, pharmacy, recreational facility,  
 274 research facility, storage facility, utility, or x-ray facility,  
 275 or any combination of the foregoing, and other structures or  
 276 facilities related thereto or required or useful for health care  
 277 purposes, the conducting of research, or the operation of a  
 278 hospital or other health care facility, including facilities or  
 279 structures essential or convenient for the orderly conduct of  
 280 such hospital or other health care facility and other similar  
 281 items necessary or convenient for the operation of a particular  
 282 facility or structure in the manner for which its use is  
 283 intended.

284 (2) The board of commissioners shall provide for the  
 285 health or mental health care of indigents and provide such other  
 286 health or mental health related services for indigents in such  
 287 manner as the board selects, including the purchase of  
 288 institutional services from any private or publicly owned  
 289 medical facility, as the board determines are needed for the  
 290 general welfare of the residents of the district.

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291 (3) The board of commissioners may collect information and  
292 statistical data that will be helpful to the board and the  
293 county in deciding the health or mental health care needs in the  
294 county.

295 (4) The board of commissioners may assume funding for the  
296 county's share of state or federal indigent health or mental  
297 health care programs for district residents which require  
298 financial participation by the county.

299 (5) The board of commissioners may issue negotiable  
300 revenue bonds of the district for the purpose of paying or  
301 refinancing all or any part of the cost of any hospital or other  
302 health care facility. In anticipation of the sale of such  
303 revenue bonds, the district may issue negotiable bond  
304 anticipation notes and may renew the same from time to time, but  
305 the maximum maturity of any such note, including renewals  
306 thereof, shall not exceed 50 years from the date of issue of the  
307 original note. Such notes shall be paid from any revenues or  
308 other funds of the district legally available therefor and not  
309 otherwise pledged or from the proceeds of sale of the revenue  
310 bonds of the district in anticipation of which they were issued.  
311 The notes shall be issued in the same manner as the revenue  
312 bonds. Such notes and the resolution authorizing them may  
313 contain any provisions, conditions, or limitations which a bond  
314 resolution of the board of commissioners may contain.

315 (a) The revenue bonds and notes of every issue shall be  
316 payable solely out of revenues derived by the district from  
317 hospital and other health care facilities within the district  
318 and owned by or under the supervision, operation, and control of  
319 the district, together with any other funds of the district

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320 legally available for the purpose. Notwithstanding that revenue  
 321 bonds and notes may be payable from a special fund, they shall  
 322 be for all purposes negotiable instruments, subject only to any  
 323 provisions of the revenue bonds and notes for registration.

324 (b) The revenue bonds may be issued as serial bonds, as  
 325 term bonds, or otherwise, or the board of commissioners may  
 326 issue bonds of all types. The revenue bonds shall be authorized  
 327 by resolution of the board of commissioners and shall bear such  
 328 date; mature at such time not exceeding 50 years from their  
 329 respective dates; bear interest at such rates, including  
 330 variable rates, but not exceeding the maximum rate permitted by  
 331 law at the time of issuance; be payable at such time; be in such  
 332 denominations; be in such form, either coupon or registered or  
 333 both; carry such registration privileges and conversion or  
 334 exchange privileges; be executed in such manner; be payable in  
 335 lawful money of the Unites States at such place; and be subject  
 336 to such terms of redemption, including redemption prior to  
 337 maturity, as such resolution may provide. The board of  
 338 commissioners shall determine the form and manner of execution  
 339 of the bonds, including any interest coupons to be attached  
 340 thereto, and shall fix the denomination of the bonds and the  
 341 place of payment of principal and interest, which may be at any  
 342 bank or trust company within or without the state. In case any  
 343 officer whose signature, or a facsimile of whose signature,  
 344 appears on any bonds or coupons ceases to be such officer before  
 345 the delivery of such bonds, such signature or facsimile shall  
 346 nevertheless be valid and sufficient for all purposes the same  
 347 as if he or she had remained in office until such delivery. The  
 348 board of commissioners may also provide for the authentication

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349 of the bonds by a trustee or fiscal agent. The revenue bonds or  
 350 notes may be sold in such manner, either at public or private  
 351 sale, and for such price as the board of commissioners  
 352 determines. Pending preparation of the definitive bonds, the  
 353 board of commissioners may issue interim receipts or  
 354 certificates which may be exchanged for such definitive bonds.

355 (c) The board of commissioners may require that any issue  
 356 of revenue bonds be secured by a trust agreement by and between  
 357 the district and a corporate trustee, which may be any trust  
 358 company or bank having the powers of a trust company within or  
 359 without the state. Such trust agreement or resolution may pledge  
 360 or assign all or any part of the revenues and other funds of the  
 361 district legally available for the payment of such revenue  
 362 bonds. The resolution may contain such provisions for protecting  
 363 and enforcing the rights and remedies of the bondholders as may  
 364 be reasonable and proper and not in violation of law, including  
 365 covenants setting forth the duties of the district in relation  
 366 to the acquisition, construction, improvement, maintenance,  
 367 operation, repair, equipping, and insurance of the facilities;  
 368 the fees and other charges to be fixed and collected for the use  
 369 of any facility or part thereof; the sale of any facility or  
 370 part thereof or other property; the terms and conditions for the  
 371 issuance of additional bonds; and the custody, safeguarding, and  
 372 application of all moneys. Any bank or trust company  
 373 incorporated under the laws of the state which may act as such  
 374 depository may furnish such indemnity bonds or may pledge such  
 375 securities as may be required by the board of commissioners.  
 376 Such resolution or trust agreement may set forth the rights and  
 377 remedies of the bondholders and the trustee and may restrict the

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378 individual right of action by the bondholders. In addition, such  
 379 resolution or trust agreement may contain such other provisions  
 380 as the board of commissioners may deem reasonable and proper for  
 381 the security of the bondholders. All expenses incurred in  
 382 carrying out such trust agreement or resolution may be treated  
 383 as a part of the cost of the facility in connection with which  
 384 such bonds are issued or as part of the expense of operation of  
 385 such facility. The resolution or trust agreement providing for  
 386 the issuance of the revenue bond may also contain such  
 387 limitations upon the issuance of additional revenue bonds as the  
 388 board of commissioners may deem proper, and such additional  
 389 bonds shall be issued under such restrictions or limitations as  
 390 may be prescribed by such resolution or trust agreement.

391 (d) Revenue bonds issued under the provisions of this  
 392 section shall not be deemed to constitute a debt, liability, or  
 393 obligation of the district, Volusia County, or the state, or any  
 394 political subdivision thereof, or a pledge of the faith and  
 395 credit or the taxing power of the district, Volusia County, or  
 396 of the state, or any political subdivision thereof, but shall be  
 397 payable solely from the revenue and funds provided therefor. All  
 398 such revenue bonds shall contain on the face thereof a statement  
 399 to the effect that the district shall not be obligated to pay  
 400 the same or the interest thereon except from the revenues and  
 401 other funds of the district provided for such payment, and that  
 402 neither the faith and credit nor the taxing power of the  
 403 district, nor of Volusia County, nor of the state, nor any  
 404 political subdivision thereof, is pledged to the payment of the  
 405 principal or of the interest on such bonds. The issuance of  
 406 revenue bonds under the provisions of this section shall not

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407 directly, indirectly, or contingently obligate the district,  
 408 Volusia County, or the state, or any political subdivision  
 409 thereof, to levy or to pledge any form of taxation whatever nor  
 410 make any appropriation for their payment.

411 (e) All bonds issued under the provisions of this section  
 412 shall have all the qualities and incidents, including  
 413 negotiability, of investment securities under the Uniform  
 414 Commercial Code, but no provision of such code respecting the  
 415 filing of a financing statement to perfect a security interest  
 416 shall be necessary for, or applicable to, any security interest  
 417 created in connection with the issuance of any such bonds.

418 (f) The exercise of the powers granted by this section  
 419 shall be in all respects for the benefit of the people of this  
 420 state; for the increase of their commerce, welfare, and  
 421 prosperity; for the improvement of their health and living  
 422 conditions; and because the operation and maintenance of  
 423 hospital and other health care facilities by the district will  
 424 constitute the performance of an essential public and  
 425 governmental purpose. Any bonds issued under the provisions of  
 426 this section, together with interest, their transfer, and the  
 427 income therefrom, including any profit made on the sale thereof,  
 428 shall at all times be free from taxation of every kind by the  
 429 state, Volusia County, and municipalities and other political  
 430 subdivisions in the state, except for those taxes imposed by  
 431 chapter 220, Florida Statutes, on interest, income, or profits  
 432 on debt obligations owned by corporations.

433 (g) The board of commissioners may provide for the  
 434 issuance of revenue bonds of the district for the purpose of  
 435 refunding any of its revenue bonds then outstanding, including

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436 the payment of any redemption premium thereon and any interest  
437 accrued or to accrue to the earliest or subsequent date of  
438 redemption, purchase, or maturity of such revenue bonds. The  
439 proceeds of any such revenue bonds issued for such purpose may,  
440 in the discretion of the board of commissioners, be applied to  
441 the purchase or retirement at maturity or redemption of such  
442 outstanding revenue bonds either on their earliest or any  
443 subsequent redemption date, or upon the purchase, or at the  
444 maturity thereof, and may, pending such application, be placed  
445 in escrow to be applied to such purchase or retirement at  
446 maturity or redemption on such date as may be determined by the  
447 board of commissioners, and pending such application to  
448 purchase, retirement or redemption may be invested and  
449 reinvested in securities selected by or in such manner as the  
450 board of commissioners may provide.

451 (h) Bonds issued by the board of commissioners under the  
452 provisions of this section are hereby made securities in which  
453 all public officers and public bodies of the state and its  
454 political subdivisions and all banks, trust companies, bankers,  
455 banking associations, savings banks and institutions, building  
456 and loan associations, savings and loan associations, investment  
457 companies, and other persons carrying on a banking or investment  
458 business; all insurance companies, insurance associations, and  
459 other persons carrying on an insurance business; and all  
460 executors, administrators, curators, trustees, and other  
461 fiduciaries may properly and legally invest funds, including  
462 capital in their control or belonging to them. Such bonds are  
463 hereby made securities which may properly and legally be  
464 deposited with and received by any state or municipal officer or



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465 any agency or political subdivision of the state for any purpose  
 466 for which the deposit of bonds or obligations of the state is  
 467 now or may hereinafter be authorized by law.

468 (6) No election in the district shall be required as a  
 469 condition precedent to the exercise by the board of  
 470 commissioners of any of the powers conferred by this section  
 471 unless such election shall be required by the Florida  
 472 Constitution.

473 (7) Revenue bonds may be issued under the provisions of  
 474 this section without obtaining, except as otherwise expressly  
 475 provided in this section, the consent of any department,  
 476 division, commission, board, body, bureau, or agency of the  
 477 state, or any political subdivision thereof, and without any  
 478 other proceedings or the happening of any conditions or things  
 479 other than those proceedings, conditions, or things which are  
 480 specifically required by this section and the provisions of the  
 481 resolution authorizing the issuance of such bonds or the trust  
 482 agreement securing the same.

483 (8) This section shall be deemed to provide an additional  
 484 and alternative method for the doing of the things authorized  
 485 hereby and shall be regarded as supplemental and additional to  
 486 powers conferred by other laws.

487 Section 6. In the course of the operation and maintenance  
 488 of the health care facilities as defined by this act, including,  
 489 but not limited to, section 4 and including all hospitals and  
 490 facilities owned and operated by the authority, the term  
 491 "operate and maintain," as defined in section 4, shall include:

492 (1) The West Volusia Hospital Authority may advise the  
 493 public and medical community of the medical, hospital, or other

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494 services and accommodations available at the facilities owned or  
 495 operated by the West Volusia Hospital Authority, as defined by  
 496 this act, by paying for the use of the media, including, but not  
 497 limited to, newspapers, radio, television, videotape, audio  
 498 tape, direct mail, handbills, leaflets, billboards, advertising  
 499 signs, advertisements and announcements in magazines, brochures,  
 500 trade publications, programs of public events, and by other  
 501 means and mechanisms similar to the uses and the media  
 502 enumerated, reaching the same or similar audiences as those  
 503 reached by the media enumerated.

504 (2) The West Volusia Hospital Authority is authorized to  
 505 create such award programs as the authority shall deem desirable  
 506 for the purpose of rewarding the employees and staff of the  
 507 facilities and hospitals owned or operated by the authority for  
 508 their services to such facilities or hospitals. Such awards may  
 509 include, but not be limited to, certificates of recognition,  
 510 pins, emblems, and insignia, as well as the grant of special  
 511 compensation or privileges.

512 (3) The West Volusia Hospital Authority is authorized to  
 513 make available to patients, visitors, staff, and employees  
 514 services and products, including, but not limited to, foods,  
 515 coffee, and other beverages as the authority shall deem  
 516 advisable; to promote good will and the use of hospital services  
 517 by the public; and the cooperation of the employees and staff in  
 518 furnishing services to and for the benefit of the hospital or  
 519 other facilities enumerated in this act or to the general  
 520 public, which shall include, but not be limited to, the  
 521 furnishing of beverage and food products to meetings, patients,  
 522 and the relatives of patients, pursuant to a program approved by

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523 the authority, either for the specific instance or according to  
 524 a policy adopted by the authority which permits the exercise of  
 525 discretion by the hospital administrator or persons designated  
 526 by such administrator.

527 (4) The authority is authorized to advance the costs of  
 528 employees and staff members of the hospitals and medical  
 529 facilities owned and operated by the authority attending  
 530 educational programs and seminars, according to policy  
 531 established by the authority, which may include the costs of the  
 532 seminars, per diem, and traveling.

533 (5) The authority may require that physical inventories be  
 534 performed periodically instead of annually, at such times and in  
 535 such manner as shall be determined by the authority, but in  
 536 accordance with generally accepted accounting principles.

537 Section 7. The board shall have the power of eminent  
 538 domain, and may thereby condemn and acquire any real or personal  
 539 property which the board may deem necessary for the use of the  
 540 district, whether within or without the district. Such power of  
 541 condemnation shall be exercised in the same manner as is now  
 542 provided by the general law for the exercise of the power of  
 543 eminent domain by cities and towns of the state.

544 Section 8. The board of commissioners is hereby authorized  
 545 and empowered to borrow money from time to time in order to  
 546 provide for and carry out the purposes of this act. The district  
 547 may issue the notes of the district, determine the aggregate  
 548 amount of principal therefor, and set terms and rates of  
 549 interest.

550 Section 9. The funds of the district shall be paid out  
 551 only upon warranty signed by two members of the board of

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552 commissioners or by the hospital administrator and one member of  
 553 the board of commissioners and having thereto affixed the  
 554 corporate seal of the district, which may be a facsimile or  
 555 printed, and no warranty shall be drawn or issued against funds  
 556 of the district except for the purpose authorized by this act.  
 557 No such warrant against funds of the district shall be drawn or  
 558 issued until after the account or expenditure for which the same  
 559 is to be given in payment has been ordered and approved by the  
 560 board of commissioners. No funds of the district shall be paid  
 561 to a member of the board of commissioners as compensation for  
 562 his or her services in that office excepting only the necessary  
 563 expense of travel in the performance of the duties of his or her  
 564 office, including attendance at meetings or conventions relating  
 565 to the duties of his or her office, when such travel is  
 566 authorized by a standing or special resolution adopted by the  
 567 board of commissioners.

568 Section 10. It shall be the duty of the board of  
 569 commissioners to annually assess and levy against the taxable  
 570 property within the district a tax to be collected and paid into  
 571 the district fund and used by the board of commissioners for the  
 572 purpose of this act, including the operation, maintenance,  
 573 repair, and construction of a hospital or hospitals established  
 574 as authorized by this act, or for the payment of any outstanding  
 575 indebtedness authorized by section 8, or for the payment of  
 576 other necessary expenses in carrying on and transacting the  
 577 business of the district. However, the rate of taxation per  
 578 annum under the taxing authority granted to the Board of  
 579 Commissioners of the West Volusia Hospital Authority by this  
 580 section for the purpose of this act, including the operating,

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581 maintaining, repairing, and constructing of any hospital or  
 582 hospitals established as authorized by this act or for the  
 583 payment of any outstanding indebtedness authorized by section 8,  
 584 or for the payment of other necessary expenses in carrying on  
 585 and transacting the business of the district, shall not exceed 4  
 586 mills on the dollar of the valuation of the taxable property  
 587 within the district.

588 Section 11. The levy by the board of the taxes authorized  
 589 by any provision of this act shall be by resolution of the board  
 590 duly entered upon the minutes of the board. Certified copies of  
 591 such resolution executed in the name of the board by its chair,  
 592 under its corporate seal, shall be made and delivered to the  
 593 County Council of Volusia County, Florida, and to the Florida  
 594 Department of Revenue in the same manner and within the same  
 595 time period as required by independent special districts  
 596 pursuant to general law. The county council shall order and  
 597 require the tax collector of the county to assess and to collect  
 598 the amount of taxes so assessed or levied by the Board of  
 599 Commissioners of the West Volusia Hospital Authority upon the  
 600 nonexempt property in the district, at the rate of taxation as  
 601 fixed, levied, and adopted by the board of commissioners of the  
 602 district for the year and included in the warrant of the  
 603 property appraiser and attached to the assessment roll of taxes  
 604 for the county each year. The Tax Collector of Volusia County  
 605 shall collect such tax so levied by the board in the same manner  
 606 as other taxes are collected, and shall remit the taxes  
 607 collected to the district within the time and in the manner  
 608 prescribed by law for the collection and handling of taxes. All  
 609 revenues so collected shall be held, used, invested, and

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610 disbursed by the district as provided in this act or as  
 611 otherwise provided by law.

612 Section 12. The board is authorized to pay from the funds  
 613 of the district all expenses of the organization of the board  
 614 and all expenses necessarily incurred with the formation of the  
 615 district and all other reasonable and necessary expenses,  
 616 including the fees and expenses of an attorney in the  
 617 transaction of the business of the district, and in carrying out  
 618 and accomplishing the purposes of this act. This section,  
 619 however, shall not be construed to limit or restrict any of the  
 620 powers vested in the board of commissioners by any other section  
 621 or provision of this act.

622 Section 13. At least once in each year the board of  
 623 commissioners shall publish once in some newspaper published in  
 624 the district a complete detailed statement of all moneys  
 625 received and disbursed by the board since the creation of the  
 626 district as to the first published statement and since the last  
 627 published statement as to any other year. Such statements shall  
 628 also show the several sources from which the funds were received  
 629 and shall show the balance on hand at the time of the published  
 630 statement. It shall also show a complete statement of the  
 631 condition of the district.

632 Section 14. Each hospital and clinic established under  
 633 this act shall be for the use and benefit of the indigent sick  
 634 and other residents of the district. Such residents shall be  
 635 admitted to such hospital and clinic and be entitled to medical  
 636 care without charge, subject to the rules and regulations  
 637 prescribed by the board of commissioners. Such hospitals and  
 638 clinics shall care for and treat without charge or,

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639 alternatively, for a reduced charge according to a sliding  
 640 scale, patients who are found by such board of commissioners to  
 641 be indigent, but the board may collect from financially able  
 642 patients such charges as the board of commissioners may from  
 643 time to time establish. The board of commissioners shall have  
 644 the power to extend the benefits and privileges of such  
 645 hospitals and clinics and treatment and outpatient department to  
 646 the homes of the indigent residents of such county. Said board  
 647 of commissioners may extend the privileges and use of such  
 648 hospitals and clinics to nonresidents of such district upon such  
 649 terms and conditions as the board may from time to time by its  
 650 rules and regulations provide; provided, however, that the  
 651 indigent residents of the district wherein such hospital and  
 652 clinic are located shall have the first claim to admission.

653 Section 15. It is intentional that the provisions of this  
 654 act shall be liberally construed for accomplishing the work  
 655 authorized and provided for or intended to be provided for in  
 656 this act, and where strict construction would result in the  
 657 defeat of the accomplishment of any party of the work authorized  
 658 by this act, and a liberal construction would permit or assist  
 659 in the accomplishment thereof, the liberal construction shall be  
 660 chosen.

661 Section 16. Any and all bonds issued under the provisions  
 662 of this act may be validated by the Board of Commissioners of  
 663 the West Volusia Hospital Authority under and in accordance with  
 664 the provisions of the general laws of Florida, in the same  
 665 manner as is therein provided for validation of bonds, etc., by  
 666 any county, municipality, or taxing district, etc., of the  
 667 state.

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668 Section 17. The district and the board of commissioners of  
 669 the district shall have the power to purchase, construct and  
 670 erect, lease, equip, operate, and maintain or manage a hospital  
 671 or hospitals in the district for the care of the sick or infirm  
 672 or those suffering from any disease or injury to or of the body  
 673 or mind.

674 Section 18. In accordance with section 189.404(3), Florida  
 675 Statutes, the following subsections shall constitute the minimum  
 676 charter requirements for the district:

677 (1) The district is organized and exists for the purpose  
 678 set forth in this act, as it may be amended from time to time.

679 (2) The powers, functions, and duties of the district,  
 680 including, but not limited to, ad valorem taxation, bond  
 681 issuance, other revenue-raising capabilities, budget preparation  
 682 and approval, liens and foreclosure of liens, use of tax deeds  
 683 and tax certificates as appropriate for non-ad valorem  
 684 assessments, and contractual agreements shall be as set forth in  
 685 this act, chapters 189 and 197, Florida Statutes, or any other  
 686 applicable general or special law, as they may be amended from  
 687 time to time.

688 (3) The district was created by special act of the Florida  
 689 Legislature by chapter 57-2085, Laws of Florida, as amended.

690 (4) The district's charter may be amended only by special  
 691 act of the Legislature.

692 (5) In accordance with chapter 189, Florida Statutes, and  
 693 this act, the district is governed by a five-member board of  
 694 commissioners as provided for herein.

695 (6) The compensation of the board of commissioners shall  
 696 be as provided for by this act.



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697       (7) The administrative duties of the board of  
698       commissioners shall be as set forth in this act and chapter 189,  
699       Florida Statutes, as they may be amended from time to time.

700       (8) Requirements for financial disclosure, meeting  
701       notices, reporting, public records maintenance, and per diem  
702       expenses for officers and employees shall be as set forth in  
703       chapters 112, 119, 189, and 286, Florida Statutes, and this act,  
704       as they may be amended from time to time.

705       (9) The procedures and requirements governing the issuance  
706       of bonds, notes, and other evidence of indebtedness by the  
707       district shall be as set forth in this act, and applicable  
708       general laws, as they may be amended from time to time.

709       (10) The procedures for conducting district elections and  
710       for qualification of electors shall be pursuant to this act and  
711       chapter 189, Florida Statutes, as they may be amended from time  
712       to time.

713       (11) The district may be financed by any method  
714       established in this act, and applicable general laws, as they  
715       may be amended from time to time.

716       (12) The district does not collect non-ad valorem  
717       assessments, fees, or service charges as set forth in chapter  
718       197, Florida Statutes.

719       (13) The district's planning requirements shall be as set  
720       forth in chapter 189, Florida Statutes, and this act, as they  
721       may be amended from time to time.

722       (14) The district's geographic boundary limitations shall  
723       be as set forth in this act.

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724 (15) This section shall not be construed to limit or  
 725 restrict any of the powers vested in the board of commissioners  
 726 by any other section or provision of this act.

727 Section 4. If any provision of this act or the application  
 728 thereof to any person or circumstance is held invalid, the  
 729 invalidity shall not affect other provisions or applications of  
 730 the act which can be given effect without the invalid provision  
 731 or application, and to this end the provisions of this act are  
 732 declared severable.

733 Section 5. This act shall be construed as a remedial act  
 734 and shall be liberally construed to promote the purpose for  
 735 which it is intended.

736 Section 6. Chapters 27949 (1951), 57-1929, 57-2085, 59-  
 737 1949, 61-2974, 63-2014, 65-2344, 67-2152, 69-1696, 69-1698, 71-  
 738 951, 71-955, 82-383, 88-473, and 96-455, Laws of Florida, are  
 739 repealed.

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