

A bill to be entitled

An act relating to the Board of Trustees of Bay Medical Center, Bay County; codifying, amending, reenacting, and repealing chapters 23183 (1945), 27396 (1951), 30578 (1955), 57-1140, 59-1073, 61-1871, 61-1876, 93-375, and 95-510, Laws of Florida, relating to the Board of Trustees of Bay Medical Center, an independent special district of the State of Florida; providing legislative intent for the ratification and confirmation of the establishment of the district; ratifying the appointments and terms of existing members of the board; deleting obsolete language; providing alternative methods for disbursing and receiving funds of the board; confirming inapplicability of the Administrative Procedure Act; providing an effective date.

WHEREAS, chapter 23183, Laws of Florida, 1945, authorized the establishment of a county hospital, formerly known as Bay Memorial Hospital of Bay County, Florida, now known as Bay Medical Center, and

WHEREAS, in 1948, the Board of County Commissioners of Bay County by resolution petitioned the Governor to appoint a board of trustees to administer the affairs of the hospital under the general laws of the state until such time as a special act might be enacted by the Legislature to establish the terms and authority by which the hospital would be administered and operated, and

WHEREAS, despite the decision of the board of county commissioners to divest itself of operational control of the hospital, a special act was not immediately enacted, and

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30 WHEREAS, nonetheless, the Legislature repeatedly has  
 31 recognized the existence of the board of trustees, first by  
 32 enacting chapter 27396 (1951), Laws of Florida, which authorized  
 33 the board of trustees to organize a medical staff, then by  
 34 enacting chapter 61-1871, Laws of Florida, which conferred upon  
 35 the board of trustees specific powers to provide hospitalization  
 36 insurance and other fringe benefits for its employees, and later  
 37 by enacting chapter 93-375, Laws of Florida, which revised the  
 38 method of appointing its members, and

39 WHEREAS, in chapter 95-510, Laws of Florida, the  
 40 Legislature again amended the method of selection of the board  
 41 of trustees and specifically affirmed the corporate authority of  
 42 the board as a body politic in existence and operating without  
 43 interruption since 1948, thus clarifying and confirming, once  
 44 and for all, its status as an independent special district, NOW,  
 45 THEREFORE,

46

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

48

49 Section 1. Pursuant to section 189.429, Florida Statutes,  
 50 this act constitutes the codification of all special acts  
 51 relating to Board of Trustees of Bay Medical Center, the  
 52 governing body of the county hospital authorized by chapter  
 53 23183 (1945), Laws of Florida, and subsequently recognized and  
 54 ratified as an independent special district by chapter 95-510,  
 55 Laws of Florida. It is the intent of the Legislature in enacting  
 56 this law to provide a single, comprehensive special act charter  
 57 for the district that ratifies and continues without  
 58 interruption all powers and authority granted to the board by,

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59 or implicit in, the several previous legislative enactments. In  
 60 furtherance of this intent, the Legislature finds that the Board  
 61 of Trustees of Bay Medical Center, formerly known as Bay  
 62 Memorial Hospital of Bay County, has continuously existed as a  
 63 body politic since 1948, and nothing herein shall be construed  
 64 to question or impair any contract currently outstanding or the  
 65 authority and power of the board to take the actions previously  
 66 taken and spread upon its minutes.

67 Section 2. Chapters 23183 (1945), 27396 (1951), 30578  
 68 (1955), 57-1140, 59-1073, 61-1871, 61-1876, 93-375, and 95-510,  
 69 Laws of Florida, are codified, reenacted, amended, and repealed  
 70 as provided in this act.

71 Section 3. The charter for the Board of Trustees of Bay  
 72 Medical Center is re-created and reenacted to read:

73 Section 1. This act may be cited as the "Bay Medical  
 74 Center District Act."

75 Section 2. The Board of Trustees of Bay Medical Center  
 76 (the "board of trustees" or the "board"), being formerly known  
 77 as Bay Memorial Hospital of Bay County, Florida, shall be and  
 78 have all the powers of a public body corporate and politic,  
 79 exercisable in the name of Bay Medical Center, to establish,  
 80 lease, acquire, own, and operate one or more hospitals or other  
 81 health care or ancillary facilities situated within Bay County  
 82 and, where supportive of those facilities, within health  
 83 planning districts 1, 2, and 3, as defined in section  
 84 408.032(5), Florida Statutes (1993); to provide health care  
 85 services determined by the board or its delegees to be in the  
 86 best interest of the persons utilizing such facilities and  
 87 services; to do and perform any and all acts or services that

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88 may be incidental or necessary to carry out those purposes or  
89 intended to improve the physical or mental health of the persons  
90 utilizing such facilities and services; to form, contribute to,  
91 and participate in all manner of alliances and organizations  
92 involved in the delivery, marketing, sale, and payment of health  
93 care services; and to engage in any lawful act or activity in  
94 which a not-for-profit corporation providing health care  
95 services may engage under the laws of Florida, including, but  
96 not limited to, the power, the exercise of which is declared to  
97 be for a public purpose:

98 (1) To have perpetual existence as a body politic and  
99 corporate.

100 (2) To adopt and use, and prescribe the use of, a common  
101 seal and one or more service marks, and to alter the same at  
102 pleasure.

103 (3) To contract and enter agreements with public and  
104 private entities.

105 (4) To sue and be sued pursuant to section 768.28, Florida  
106 Statutes, in the name of Bay Medical Center.

107 (5) To acquire, purchase, hold, develop, improve, modify,  
108 lease as lessee or lessor, and convey such real and personal  
109 property as the board may deem proper or expedient to further  
110 the purposes of this act.

111 (6) To appoint and employ such executive officers and such  
112 other agents and employees as the board may deem advisable.

113 (7) To borrow money, incur indebtedness, and, by  
114 resolution of the board, issue notes, revenue certificates,  
115 bonds, and other evidences of indebtedness payable from  
116 revenues, lease participations, or legally available funds by

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117 Bay Medical Center, and to fund or refund the same, all upon  
 118 such terms and conditions and containing such provisions as may  
 119 be approved by the board.

120 (8) To borrow money and, by resolution of the board, issue  
 121 anticipation notes payable from the anticipated proceeds of  
 122 bonds, notes, certificates, lease participations, revenues,  
 123 grants, agreements with public or private entities, or legally  
 124 available funds of Bay Medical Center, and to fund or refund the  
 125 same, all upon such terms and conditions and containing such  
 126 provisions as may be approved by the board.

127 (9) To make and adopt bylaws for the organization of and  
 128 the transaction of business by the board and for the governance  
 129 and operation of the facilities operated by Bay Medical Center.

130 (10) To establish and authorize a medical staff to direct  
 131 and control medical staff and allied health practitioners with  
 132 privileges to perform professional services in the hospitals and  
 133 other facilities operated by Bay Medical Center. The board  
 134 shall, after recommendation of the medical staff, establish  
 135 bylaws, rules, and regulations governing the organization of  
 136 such medical staff; the selection, appointment, and  
 137 reappointment of such medical staff members; the selection,  
 138 credentialing, and recredentialing of allied health  
 139 practitioners; the disciplining or removal of medical staff  
 140 members and allied health practitioners; the delineation of  
 141 clinical privileges; the professional and administrative duties  
 142 of members of the medical staff; and such other matters as the  
 143 board may address so that the health and well-being of patients  
 144 and the best interests of the hospital and other facilities  
 145 authorized pursuant to this act may at all times be served.

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146 (11) To determine the lines and levels of services to be  
147 delivered through the facilities operated by Bay Medical Center.

148 (12) To establish, fix, and charge rates, fees, rentals,  
149 and other charges for the use of the services and facilities  
150 operated by Bay Medical Center.

151 (13) To establish a risk management and retention program  
152 consisting of such self-insurance plans or commercial insurance,  
153 or both, as the board may deem prudent to protect against those  
154 risks of loss commonly insured against by businesses and  
155 organizations carrying out health care functions.

156 (14) To form Florida for-profit corporations and other  
157 business organizations, and to form, become a member of,  
158 participate in the governance of, including exercising control  
159 over such governance, and to contribute funds to Florida not-  
160 for-profit corporations. Bay Medical Center shall not hold in  
161 its name corporate stock or similar evidence of ownership  
162 (herein "stock") issued by any for-profit corporation or other  
163 business organization established under the authority of this  
164 section, but such stock may be held either by a not-for-profit  
165 corporation established by Bay Medical Center or by a third  
166 party in trust for Bay Medical Center under a written trust  
167 agreement. The corporations or other business organizations  
168 established under the authority of this section may be  
169 stockholders with and may enter into joint ventures and other  
170 cooperative projects with third-party individuals and entities  
171 as long as Bay Medical Center itself is not directly involved as  
172 a shareholder, joint venturer, or partner. The fact that a  
173 corporation or other business organization established by Bay  
174 Medical Center is a shareholder, joint venturer, or other type

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175 of participant in a business or cooperative project shall not,  
 176 alone, subject that business or cooperative project to the  
 177 requirements of section 119.07(1) or section 286.011, Florida  
 178 Statutes, except as otherwise provided by Florida law.

179 (15) To enter into arrangements with other public or  
 180 private hospitals or entities to provide for the cooperative  
 181 sharing of facilities and other resources, as well as to provide  
 182 for the merger or consolidation of hospitals or facilities into  
 183 Bay Medical Center, in order to improve the quality of the  
 184 patient care in Bay and neighboring counties, achieve higher  
 185 utilization of resources, improve cost-control measures, avoid  
 186 unnecessary duplication of resources within those counties, and  
 187 help make it possible for residents of those counties to obtain  
 188 and afford the benefits of technological and scientific  
 189 improvements in hospital care and services.

190 (16) To engage in, and pay from its funds those expenses  
 191 of the type normally incurred in, the establishment,  
 192 acquisition, operation, repair, maintenance, expansion, and  
 193 diversification of an integrated system for the delivery of  
 194 physical, emotional, mental, or other health care services,  
 195 consisting of, without limitation, hospitals, clinics, health  
 196 maintenance organizations, ambulatory care facilities, nursing  
 197 homes and congregate and assisted living facilities, home health  
 198 providers, hospice facilities, managed care organizations and  
 199 facilities, other alternative delivery systems now or hereafter  
 200 conceived, self-insurance and risk-retention programs, captive  
 201 insurance companies and support organizations, and organizations  
 202 and facilities intended to prevent sickness, injury, or disease  
 203 or to promote a healthy lifestyle. This subsection shall not be

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204 construed to restrict any of the powers vested in Bay Medical  
 205 Center by any other provision of this act or any provision of  
 206 general law.

207 (17) To provide either independently or in cooperation  
 208 with other public or private agencies, an appropriate location  
 209 or locations for the delivery of quality hospital care and  
 210 related services and treatment to patients who are determined  
 211 according to criteria established or approved by the board to be  
 212 medically indigent. The board may establish policies providing a  
 213 reduced charge or no charge for the treatment of those patients  
 214 who, after reasonable inquiry, are found by the hospital  
 215 management to be without the means to pay in full. The board  
 216 may, from time to time, establish guidelines for the hospital  
 217 management in making such inquiry and determinations. The board  
 218 may collect from patients who are found to have the means to pay  
 219 such charges as the hospital board may, in its sole discretion,  
 220 from time to time establish.

221 (18) To accept gifts and contributions; to accept moneys  
 222 or funds available from other private or governmental agencies  
 223 for payment of the cost of treatment and care of patients or for  
 224 other purposes; and to accept the grant, conveyance, or lease of  
 225 those assets now or hereafter owned by the Board of County  
 226 Commissioners of Bay County, (the "board of county  
 227 commissioners") and either in the possession of the board of  
 228 trustees or used or useful in the operation of Bay Medical  
 229 Center, which grant, conveyance, or lease is hereby authorized,  
 230 and to dedicate such assets to hospital, health care, and  
 231 ancillary purposes as provided herein.

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232       (19) To make contributions to charitable organizations  
 233       described in Section 501(c)(3) of the Internal Revenue Code of  
 234       1986, as amended, as well as to governmental agencies for such  
 235       purposes as the board may determine to further the physical and  
 236       mental health of the residents of Bay County or the persons  
 237       utilizing the facilities and services offered by the board.

238       (20) To create, be a voting member of, choose directors to  
 239       serve on the boards of, be a partner in, or participate in or  
 240       control any venture, corporation, partnership, or other  
 241       organization, public or private, and contribute funds thereto,  
 242       which the board finds operates for purposes consistent with, and  
 243       in furtherance of, the mission, purposes, and best interests of  
 244       the hospital and other facilities created, operated, or  
 245       authorized under this act.

246       (21) To enter one or more contracts, upon such terms and  
 247       conditions as the board may deem advisable, to receive or  
 248       provide management services, professional services, and skilled  
 249       or unskilled labor.

250       (22) To incur and pay reasonable expenditures for travel,  
 251       physician recruiting, employee recruiting, hospitality,  
 252       education, and marketing related to the furtherance of the  
 253       objectives of this act.

254       (23) To do all things which are customarily done by other  
 255       hospitals, public or private, similarly situated and which will  
 256       further the purposes of this act.

257       (24) To exercise all implied powers necessary to further  
 258       the purposes of this act, which implied powers, although not  
 259       named, are hereby expressly granted.

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260       (25) To provide and pay for employee benefits customarily  
 261 provided by private employers similarly situated, with or  
 262 without employee contribution, including, without limitation,  
 263 group health insurance through a self-insurance plan or a  
 264 commercial insurer, or both, with optional extension of coverage  
 265 to dependents, group life insurance, and group disability  
 266 insurance, and to allow varied discounts on the cost of drugs,  
 267 emergency care, diagnostic, and other hospital services to  
 268 employees of Bay Medical Center, members of the medical staff,  
 269 and allied health practitioners with credentials at facilities  
 270 operated by Bay Medical Center.

271  
 272 The express examples of powers enumerated herein shall not be  
 273 construed to limit or preclude the exercise of any other power,  
 274 express or implied. Nonetheless, the board shall have neither  
 275 the power to levy any tax nor the power to appropriate property  
 276 by right of eminent domain.

277       Section 3. The Board of Trustees of Bay Medical Center  
 278 shall consist of nine persons, one of whom shall be nominated  
 279 and confirmed by the board of county commissioners, six of whom  
 280 shall be nominated by the board of trustees and confirmed by the  
 281 board of county commissioners, and two of whom shall be  
 282 nominated by the medical staff of the primary hospital operated  
 283 by the board of trustees and confirmed by the board of county  
 284 commissioners. Each medical staff nominee shall be selected by  
 285 majority vote of active medical staff members conducted in  
 286 accordance with the bylaws governing regular medical staff  
 287 affairs and approved by the board of trustees for submission to  
 288 the board of county commissioners. The board of county

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289 commissioners shall nominate and confirm its single appointee  
290 approximately 30 days prior to the end of the expiring term. For  
291 all other appointments, one qualified person shall be nominated  
292 for each vacancy approximately 60 days prior to the end of the  
293 expiring term. The board of county commissioners shall confirm  
294 or reject such nominee within 30 days after the nomination is  
295 made. If the nominee is rejected, one additional qualified  
296 person shall be nominated within 30 days thereafter and the  
297 process shall be repeated in like manner until the appointment  
298 is complete or three nominations have been made. If the third  
299 nominee is rejected, the board of county commissioners alone  
300 shall make the appointment. The appointment of all members of  
301 the board of trustees in office on the effective date of this  
302 act, and the seats and terms for which they were appointed, are  
303 hereby ratified and validated. Upon the expiration of their  
304 respective terms, successors to Seats One, Two, Three, Four,  
305 Five, and Six shall be nominated by the board of trustees and  
306 confirmed by the board of county commissioners for a term of 4  
307 years; successors to Seats Eight and Nine shall be nominated by  
308 the medical staff as provided herein and confirmed by the board  
309 of county commissioners for a term of 4 years; and successors to  
310 Seat Seven shall be nominated and confirmed by the board of  
311 county commissioners alone for a term of 4 years. In the event a  
312 seat becomes vacant by reason of resignation, death, removal,  
313 suspension, or otherwise, the bodies or body nominating and  
314 confirming that member shall by similar procedure nominate and  
315 confirm a member to fill the vacant seat for the remainder of  
316 the term or, in the event of a suspension, the period of  
317 suspension. Every member shall serve until the expiration of

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318 that member's term or the confirmation of that member's  
319 successor by the board of county commissioners, whichever occurs  
320 later. A person who has served two full, consecutive terms as a  
321 member of the board of trustees shall not be eligible for  
322 reconfirmation until the next regular appointment process  
323 occurring approximately 2 years after that person's termination  
324 of service. Each member of the board of trustees shall be and  
325 remain a citizen and resident of the state, of sound mind and  
326 good moral character, and without economic or other interests  
327 either in competition with the best interests of the facilities,  
328 services, and businesses operated and provided by Bay Medical  
329 Center or likely to create a continuing or frequently recurring  
330 temptation to disregard the member's fiduciary duty to Bay  
331 Medical Center. Without limiting the foregoing, the following  
332 persons are declared to be disqualified from service on the  
333 board of trustees: any person employed by Bay Medical Center or  
334 any entity controlled by Bay Medical Center; any person employed  
335 by, holding a material interest in, or serving as an officer,  
336 director, manager of, or business consultant or advisor to, any  
337 business entity operating or providing facilities or services  
338 the majority of which are in competition with the facilities or  
339 health care services operated or offered by Bay Medical Center  
340 or any entity controlled by Bay Medical Center; and any person  
341 serving upon any executive, administrative, or credentialing  
342 committee of the medical staff of any facility or organization  
343 operated by Bay Medical Center or any entity controlled by Bay  
344 Medical Center. As used herein, "material interest" means direct  
345 or indirect, legal, equitable, or beneficial ownership of or  
346 interest in more than 5 percent of the total assets or capital

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347 stock of any business entity. For purposes of this act, indirect  
 348 ownership includes, without limitation, ownership by a spouse or  
 349 minor child. A determination by the board of county  
 350 commissioners, after full and fair disclosure of all relevant  
 351 facts, that a nominee or board member is qualified  
 352 notwithstanding the appearance of a conflict shall constitute a  
 353 legislative determination of that fact. Members of the board of  
 354 trustees may be removed by the Governor for cause.  
 355 Notwithstanding the qualifications for members of the board of  
 356 trustees set forth above, any otherwise valid act of the board  
 357 of trustees shall be valid notwithstanding a subsequent  
 358 determination that one or more members of the board of trustees  
 359 were not qualified under this act to serve at the time such  
 360 action was taken.

361 Section 4. The board shall elect from its members a chair  
 362 and vice chair and either a secretary and a treasurer or a  
 363 secretary-treasurer. Five of the members shall constitute a  
 364 quorum, but no action, except to recess or adjourn, shall be  
 365 effective unless five of the members concur therein. The board  
 366 shall cause true and accurate minutes and records to be kept of  
 367 all business transacted by the board and shall keep full, true,  
 368 and complete books of accounts and records. Except as provided  
 369 by law, such minutes, records, and books of accounts and the  
 370 current budget shall at all reasonable times be open and subject  
 371 to public inspection, and any person desiring to do so may make  
 372 or procure a copy of any minutes, records, or books of accounts  
 373 or position filled, as he or she may desire at the person's  
 374 expense. Except as provided by law, all meetings of the board  
 375 shall be open to the general public. At least once a year the

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376 board shall cause the financial records and accounts of the  
377 hospital to be audited by a certified public accountant  
378 authorized to practice public accounting in the state.

379 Section 5. The board shall hire or appoint a chief  
380 executive officer, who shall have the title of president. The  
381 president shall be responsible to see to the hiring or retention  
382 of such vice presidents, assistants, and personnel as he or she  
383 may deem necessary for the efficient management and operation of  
384 the hospital and its other facilities. The president shall  
385 recommend the adoption of such general policies by the board as  
386 may be deemed necessary and appropriate for the day-to-day  
387 management and operation of the hospital and its other  
388 facilities, and the board may authorize the president to see to  
389 the establishment of specific policies, procedures, guidelines,  
390 and rules regarding such management and operation. The board may  
391 authorize and delegate the enforcement of all such policies,  
392 procedures, guidelines, and rules to the president, who may, in  
393 turn, authorize and delegate enforcement of the same to such  
394 assistants, staff, or contractors as the president may deem  
395 appropriate or necessary.

396 Section 6. Funds of the board may be paid out or received  
397 for purposes consistent with this act only upon drafts, checks,  
398 or warrants signed by persons duly authorized by the board to  
399 execute such instruments or, if authorized by the board and  
400 subject to all restrictions and limitations contained in any  
401 such authorization, by electronic funds transfers, wire  
402 transfers, direct credits, direct debits, purchasing cards, or  
403 any other electronic means as may be provided or authorized by  
404 the Federal Reserve Bank. The board may authorize the use of

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405 facsimile signatures under conditions specified by the board.  
 406 The board may adopt rules for the payment of lesser sums in  
 407 cash, not to exceed \$100, and a petty cash fund or funds may be  
 408 established for such purpose with the maximum amount payable in  
 409 cash in one transaction fixed by the board. All funds of the  
 410 board shall be deposited in banks which are qualified under  
 411 state law to accept deposits of public funds. The board may  
 412 deposit or invest its surplus funds in interest-bearing  
 413 accounts, instruments, or securities, to the fullest extent  
 414 permitted by general law.

415 Section 7. The public hospital operated under this act  
 416 shall be for the primary use and benefit of the residents of Bay  
 417 County. Such residents may be admitted to the hospital or  
 418 treated at its other facilities, including additional hospitals  
 419 owned, acquired, leased, or operated by Bay Medical Center,  
 420 subject, however, to the rules and regulations adopted by the  
 421 board. The board may extend the use of the hospital and its  
 422 other facilities to nonresidents of Bay County upon such terms  
 423 and conditions as the board may from time to time by its rules  
 424 and regulations provide. The provisions of chapter 120, Florida  
 425 Statutes, shall not apply to the board.

426 Section 8. The board of county commissioners and the board  
 427 of trustees, jointly, are hereby authorized by a majority vote  
 428 of the board of county commissioners and a two-thirds vote of  
 429 the board of trustees, to grant, give, sell, convey, lease, or  
 430 otherwise dispose of all of the assets and property, real,  
 431 personal, and mixed, constituting the health care and ancillary  
 432 facilities owned or controlled by the board of trustees,  
 433 including property owned by the board of county commissioners,

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434 to a for-profit or not-for-profit corporation or other entity,  
435 upon a finding by a majority vote of the board of county  
436 commissioners and a two-thirds vote of the board of trustees,  
437 that such grant, gift, sale, conveyance, lease, or other  
438 disposition is in the best interest of the continued delivery of  
439 comprehensive, quality health care for the residents of Bay  
440 County, reasonably ensures the continued availability of such  
441 care regardless of ability to pay, and will provide for the  
442 continued treatment of indigent patients pursuant to the Florida  
443 Health Care Responsibility Act and pursuant to chapter 87-92,  
444 Laws of Florida, to the extent that the board of trustees is  
445 then providing such treatment pursuant to those acts. Such a  
446 finding shall constitute a determination that any such action  
447 serves a public purpose. The authority granted in this section  
448 is cumulative and in addition to all other powers of the board  
449 of trustees and nothing in this section shall be interpreted or  
450 construed to diminish or limit any such power. Following any  
451 such grant, gift, sale, conveyance, lease, or other disposition,  
452 and after paying or making provision for the payment of all  
453 liabilities of the board of trustees, the board of county  
454 commissioners and the board of trustees, jointly, are hereby  
455 authorized, by a majority vote of the former and a two-thirds  
456 vote of the latter, to dissolve the board of trustees, in which  
457 event any other assets of the board of trustees shall be  
458 distributed to the board of county commissioners. In the event,  
459 for any reason, the board of county commissioners is unable or  
460 unwilling to accept any or some of the assets distributed to it,  
461 a court of competent jurisdiction, in an action brought for that  
462 purpose, shall order the disposition of such nondistributable

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463 assets to such organization or organizations organized and  
464 operated for charitable, educational, or scientific purposes as  
465 shall at that time qualify as an exempt organization under  
466 section 501(c)(3) of the Internal Revenue Code of 1986, as  
467 amended (or the corresponding provision of any future United  
468 States Internal Revenue law), and as the court shall determine  
469 to be best calculated to carry out the purposes of this act. In  
470 the event that either the board of county commissioners or the  
471 board of trustees proposes to exercise the authority granted in  
472 this section and the other board does not agree, either board  
473 may place the proposed grant, gift, sale, conveyance, lease, or  
474 other disposition, and the general terms thereof, to a vote of  
475 the electors of Bay County at the next general election or at a  
476 special election called for such purpose. Upon approval of such  
477 action by a majority of the electors voting in a referendum upon  
478 such action, the board making the proposal shall be authorized,  
479 but not required, to take such action alone within a period of  
480 180 days after the referendum.

481 Section 9. The effectuation of the authorized purposes  
482 under the provisions of this act shall be in all respects for  
483 the benefit of the people of Bay County and is hereby declared  
484 to be for the preservation of the public health, for the public  
485 good, and for the use of the public of the county; and, since  
486 the board will be performing essential governmental functions in  
487 effectuating such purposes, the board or any other agency,  
488 instrumentality, or body in charge of the hospital shall not be  
489 required to pay any taxes or assessments of any kind or nature  
490 whatsoever upon any property required or used for or in  
491 connection with any additions, extensions, and improvements to

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492 such hospital or hospitals or system or systems, or any rates,  
 493 fees, rentals, receipts, or income at any time received from the  
 494 operation thereof; and all bonds issued hereunder, their  
 495 transfer, and the income therefrom, including any profits made  
 496 on the sale thereof, shall at all times be free from taxation of  
 497 any kind by the state or by any political subdivision, taxing  
 498 agency, or instrumentality thereof.

499 Section 10. The Legislature intends that the provisions of  
 500 this act shall be liberally construed in order to accomplish the  
 501 remedial purposes of this act which are to give the board a  
 502 reasonable opportunity to manage and develop a public hospital  
 503 or hospitals and other facilities in an increasingly competitive  
 504 and rapidly changing marketplace in order to provide quality and  
 505 comprehensive health care for the residents of Bay County,  
 506 regardless of ability to pay. Where strict construction of this  
 507 act would result in the defeat of the accomplishment of any of  
 508 the purposes of this act, and a liberal construction would  
 509 permit or assist in the accomplishment thereof, the liberal  
 510 construction shall be chosen. In the event any provision of this  
 511 act is held to be unconstitutional or otherwise unenforceable,  
 512 the remainder of this act shall continue in full force and  
 513 effect and be liberally construed to advance the remedial  
 514 purposes of this act.

515 Section 4. Chapters 23183 (1945), 27396 (1951), 30578  
 516 (1955), 57-1140, 59-1073, 61-1871, 61-1876, 93-375, and 95-510,  
 517 Laws of Florida, are repealed.

518 Section 5. This act shall take effect upon becoming a law.