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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,

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

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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.

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 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.