

CHAMBER ACTION

1 The Finance & Tax Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to Holmes County; amending chapter 30843,  
7 Laws of Florida (1955), as amended, relating to the Holmes  
8 County Hospital Corporation; revising provisions relating  
9 to the corporation's issuance of bonds to construct and  
10 erect a new hospital facility in Holmes County; repealing  
11 various provisions of said chapter; requiring a  
12 referendum; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16 Section 1. Section 1 of chapter 30843, Laws of Florida  
17 (1955), as amended, is amended to read:

18 Section 1. There is hereby created a public non-profit  
19 corporation which is hereby designated the Holmes County  
20 Hospital Corporation, for the purpose of establishing, acquiring  
21 or constructing, erecting, equipping, maintaining and operating  
22 at ~~Benifay~~, in Holmes County a public hospital primarily for the  
23 benefit of the citizens and residents of Holmes County, Florida,

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24 | which hospital shall be known as Holmes County Hospital; and  
 25 | authority is hereby given for said corporation to establish,  
 26 | acquire or construct, erect, equip, maintain and operate a  
 27 | public hospital ~~at Bonifay,~~ in Holmes County, Florida, to be  
 28 | known as Holmes County Hospital, such hospital to provide as  
 29 | many beds as practicable and said corporation is further  
 30 | authorized from time to time, when practicable, to extend,  
 31 | enlarge and otherwise increase the size of said hospital and the  
 32 | services to be rendered to the public by said hospital.

33 |       Section 2. Subsection (i) of section 3 of chapter 30843,  
 34 | Laws of Florida (1955), as amended, is amended to read:

35 |       Section 3.

36 |       (i) The board of trustees shall make and adopt such by-  
 37 | laws and rules and regulations for their own guidance and for  
 38 | the government of the hospital as may be deemed expedient for  
 39 | the economic and equitable conduct thereof, not inconsistent  
 40 | with this law ~~or the city ordinances of Bonifay, Florida,~~  
 41 | wherein such hospital is located. They shall have exclusive  
 42 | control of the expenditures of all moneys collected to the  
 43 | credit of the hospital fund.

44 |       Section 3. Section 12 of chapter 30843, Laws of Florida  
 45 | (1955), as amended, is amended to read:

46 |       Section 12. Immediately upon this act becoming a law and  
 47 | the trustees of said Holmes County Hospital Corporation are  
 48 | appointed and duly qualified, the said corporation shall be  
 49 | authorized to transact business and enter into contract looking  
 50 | to the establishment of the hospital herein provided for, to  
 51 | incur liabilities; borrow money at such rates of interest as the

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52 trustees may determine; issue its notes, bonds, or other  
 53 obligations; and secure any of its obligations by mortgage,  
 54 pledge, or assignment of all or any of its properties,  
 55 franchises, or income ~~and may, without rendering the corporation~~  
 56 ~~liable beyond the sources of money pledged, borrow money giving~~  
 57 ~~security therefor the bonds provided for herein.~~

58 Section 4. Section 15 of chapter 30843, Laws of Florida  
 59 (1955), as amended, is amended to read.

60 Section 15. (1) The trustees of Holmes County Hospital  
 61 Corporation are authorized to issue bonds or to have bonds  
 62 issued payable from legally available revenues, pledge therefore  
 63 property sufficient to pay the principal and interest as the  
 64 same become due on such bonds, which shall be in such form and  
 65 denomination bearing an interest rate that does not exceed that  
 66 authorized by general law. The form of such bonds shall be fixed  
 67 by resolution of the board of trustees of Holmes County Hospital  
 68 Corporation or the issuer and the bonds shall be signed by the  
 69 chair of the board countersigned by the secretary of the board  
 70 under the seal of the board of trustees of Holmes County  
 71 Hospital Corporation or as authorized by the issuer. Coupons, or  
 72 such legal requirements as to the issuer of bonds requires if  
 73 any, shall be executed by the facsimile signature of said  
 74 officers or the issuers. The delivery, at any subsequent date of  
 75 any bond and coupon so executed shall be valid, although before  
 76 the date of delivery, the person signing such bonds or coupons  
 77 shall cease to hold office or is authorized by the issuer.

78 (2) The bonds may be issued in the form and manner as  
 79 determined by the board of trustees of Holmes County Hospital

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80 Corporation, not inconsistent with general law or the issuer,  
 81 which is consistent with general law. This act shall be  
 82 construed to provide complete authority to issue debt in any  
 83 reasonable form and manner as determined by the board of  
 84 trustees of Holmes County Hospital Corporation that are not  
 85 inconsistent with general law.

86 (3) No resolution or proceeding in respect to the issuance  
 87 of bonds hereunder shall be necessary. The bonds authorized  
 88 ~~herein shall in no event exceed one hundred seventy-five thousand~~  
 89 ~~dollars (\$175,000.00) for the construction of the Holmes county~~  
 90 ~~hospital authorized herein and all proceeds from such bond sale~~  
 91 ~~remaining in the hands of the Holmes county hospital corporation~~  
 92 ~~after payment of all costs of construction of the hospital as~~  
 93 ~~herein authorized shall be used by said corporation for~~  
 94 ~~equipping, operating and maintaining such county hospital in~~  
 95 ~~connection with the hospital program outlined herein.~~

96 Section 5. Section 18 of chapter 30843, Laws of Florida  
 97 (1955), as amended, is amended to read:

98 Section 18. The board shall have the power of eminent  
 99 domain and may thereby condemn and acquire any real or personal  
 100 property ~~within the city limits of Bonifay, Florida,~~ which the  
 101 board may deem necessary for the use of said hospital  
 102 corporation such power of condemnation shall be exercised in the  
 103 same manner as is now provided by the general law for the  
 104 exercise of the power of eminent domain by cities and towns of  
 105 the state of Florida.

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106        Section 6. Sections 16, 17, 19, 20, 21, 22, 23, 26, and 27  
107 of chapter 30843, Laws of Florida (1955), as amended, are  
108 repealed.

109        Section 7. On or before December 30, 2006, the Holmes  
110 County Hospital Corporation shall call and the Supervisor of  
111 Elections of Holmes County shall conduct, in accordance with the  
112 provisions of law relating to elections currently in force, a  
113 referendum of the qualified voters of Holmes County on the  
114 question of whether the Holmes County Hospital Corporation shall  
115 amend its charter to increase the corporation's bonding  
116 authority to construct a new hospital facility in Holmes County  
117 pursuant to section 4 of this act.

118        Section 8. This act shall take effect only if a majority  
119 of those qualified electors of Holmes County voting in the  
120 referendum held pursuant to this act approve the referendum  
121 question in accordance with section 7, except that this section  
122 and section 7 of this act shall take effect upon becoming a law.