

1 A bill to be entitled

2 An act relating to the Lake Shore Hospital Authority,
 3 Columbia County; amending, codifying, reenacting, and
 4 repealing chapters 24443 (1947), 25736 (1949), 30264
 5 (1955), 61-2048, 63-1247, 65-1414, 72-509, 90-409, and 92-
 6 229, Laws of Florida, relating to the authority; providing
 7 definitions; providing for a governing body; providing for
 8 the governing body's purposes, powers, duties, and
 9 responsibilities; authorizing the issuance of revenue
 10 bonds, incidental powers, and refunding bonds; providing
 11 remedies for any holder of bonds or trustee; providing
 12 exemption of property from taxation; providing that bonds
 13 shall constitute legal investments; providing that act is
 14 complete and additional authority; providing taxing
 15 authority, including authority to levy ad valorem taxes;
 16 providing construction of act; providing severability;
 17 repealing special acts relating to the authority;
 18 providing an effective date.

19
 20 Be It Enacted by the Legislature of the State of Florida:

21
 22 Section 1. Pursuant to section 189.429, Florida Statutes,
 23 this act constitutes the codification of all special acts
 24 relating to the Lake Shore Hospital Authority. It is the intent
 25 of the Legislature in enacting this law to provide a single,
 26 comprehensive special act charter for the authority, including
 27 all current legislative authority granted to the authority by
 28 its several legislative enactments and any additional authority

29 granted by this act. It is further the intent of this act to
 30 preserve all authority of the Lake Shore Hospital Authority,
 31 including the authority to annually assess and levy against the
 32 taxable property in Columbia County taxes. This act shall not be
 33 construed to modify, amend, or alter any covenants, contracts,
 34 or other obligations of the authority with respect to bonded
 35 indebtedness or otherwise. Nothing pertaining to the act shall
 36 be construed to affect the ability of the authority to levy and
 37 collect taxes, assessments, fees, or charges for the purpose of
 38 redeeming or servicing bonded indebtedness of the authority or
 39 for any other authorized purpose.

40 Section 2. Chapters 24443 (1947), 25736 (1949), 30264
 41 (1955), 61-2048, 63-1247, 65-1414, 72-509, 90-409, and 92-229,
 42 Laws of Florida, are codified, reenacted, amended, and repealed
 43 as herein provided.

44 Section 3. The charter for the Lake Shore Hospital
 45 Authority is re-created and reenacted to read:

46 Section 1. Creation and establishment.--There is created
 47 and established a body corporate and politic to be known as the
 48 Lake Shore Hospital Authority of Columbia County.

49 Section 2. Definitions.--The following terms whenever used
 50 or referred to in this act shall have the following meanings,
 51 except in those instances where the context clearly indicates
 52 otherwise:

53 (1) "Authority" means the body politic and corporate
 54 created by this act and known as the Lake Shore Hospital
 55 Authority of Columbia County.

56 (2) "Bonds" means and includes the notes, revenue bonds,
 57 refunding revenue bonds, or other evidence of indebtedness or
 58 obligations in either temporary or definitive form which the
 59 authority is authorized to issue pursuant to this act.

60 (3) "County" means the County of Columbia.

61 (4) "Facility" or "facilities" means the Lake Shore
 62 Hospital, other hospitals, clinics, outpatient departments, and
 63 other appurtenant facilities of the authority.

64 (5) "Federal agency" means and includes the United States,
 65 the President of the United States, and any department of, or
 66 corporation, agency, or instrumentality heretofore or hereafter
 67 created, designated, or established by, the United States.

68 (6) "Members" means the governing body of the authority
 69 and the term "member" means one of the individuals constituting
 70 such governing body.

71 (7) "Revenues" means all rates, fees, rentals, and other
 72 charges derived from the operation of the facilities of the
 73 authority.

74
 75 Words importing singular number shall include the plural number
 76 in each case and vice versa, and words importing persons shall
 77 include firms and corporations.

78 Section 3. Governing body.--

79 (1) The governing body of the authority shall consist of
 80 seven members. Such members shall be citizens and residents of
 81 Columbia County who shall be appointed by the Governor. One
 82 member shall be a physician engaged in the practice of medicine
 83 at the Lake Shore Hospital. The present trustees of the Lake

84 Shore Hospital Authority, having been appointed by the Governor,
85 shall serve as the initial members of the authority until their
86 respective terms of office expire. Thereafter, the term of
87 office of each appointed member shall be for 4 years. Each
88 appointed member shall hold office until his or her successor
89 has been appointed and qualified. A vacancy occurring during a
90 term shall be filled only for the balance of the unexpired term.

91 (2) No elected public official shall be a member of the
92 authority.

93 (3) The members of the authority shall not be entitled to
94 compensation as such, but shall be entitled to reimbursement for
95 their actual and necessary expenses incurred in the performance
96 of their official duties.

97 (4) Four members of the authority shall constitute a
98 quorum and ordinances or resolutions enacted or adopted by a
99 vote of a majority of the members shall become effective without
100 publication or posting or any further action of the authority.

101 Section 4. Officers.--Immediately after the effective date
102 of this act, the members of the authority shall meet and qualify
103 by taking the oath of office regularly prescribed for state and
104 county officials in the state. They shall maintain a place
105 within Columbia County for the principal office of the
106 authority, where the members shall meet at least once each month
107 for the transaction of business. The members shall annually
108 elect from among their number a chair, one or more vice chairs,
109 and a secretary and treasurer, except that the offices of
110 secretary and treasurer may be combined. The chair, or a vice
111 chair presiding in his or her absence, shall not be entitled to

112 vote upon any matter before the authority except when the votes
 113 that have been cast shall be evenly divided. The treasurer shall
 114 give a bond by a reputable bonding company authorized to do
 115 business in the state, in an amount to be designated by a
 116 majority vote of the members, conditioned upon the faithful
 117 performance of his or her duties. The members are hereby
 118 authorized to pay the secretary and the treasurer salaries and
 119 expenses commensurate with the work done and in keeping with the
 120 salaries paid from time to time by other businesses for like
 121 work.

122 Section 5. Duties of secretary and treasurer.--It shall be
 123 the duty of the secretary to keep full and correct minutes of
 124 all proceedings and meetings of the authority and it shall be
 125 the duty of the treasurer to keep separate accounts of all
 126 receipts and disbursements of the authority.

127 Section 6. Control of expenditures.--The members shall
 128 have exclusive control of all expenditures of and from the
 129 moneys, loan proceeds, contributions, receipts, revenues, and
 130 collections of the authority, except that persons who shall
 131 desire to make contributions for the benefit of any facility or
 132 facilities of the authority shall have the right to attach
 133 conditions to their gifts, and the authority, upon accepting any
 134 such contribution, shall be controlled by the terms of the gift,
 135 bequest, or devise.

136 Section 7. Purposes and powers.--The authority is created
 137 and shall have the power generally to acquire, construct,
 138 improve, enlarge, repair, equip, operate, and maintain hospitals
 139 and hospital facilities in Columbia County. The authority is

140 granted the following rights and powers and shall have and may
141 exercise all powers necessary or appurtenant, convenient, or
142 incidental to the carrying out of the powers enumerated in this
143 act:

144 (1) To sue and be sued, implead, complain, and defend in
145 all courts.

146 (2) To adopt, use, and alter at will a corporate seal.

147 (3) To acquire, own, hold, purchase, construct, improve,
148 maintain, operate, extend, equip, repair, and lease hospitals,
149 clinics, outpatient departments, and other appurtenant
150 facilities, including, without limitation, all lands, buildings,
151 structures, furniture, fixtures, machinery, equipment, books,
152 records, and all other real and personal property of any kind
153 and nature whatsoever presently owned, controlled, maintained,
154 and operated or which was heretofore or may hereafter be
155 acquired, constructed, or improved by the Lake Shore Hospital
156 Authority of Columbia County.

157 (4) To acquire, purchase, hold, own, operate, and lease
158 and use any franchises, properties, real, personal, or mixed,
159 tangible or intangible, or any interest therein necessary or
160 desirable for carrying out the purposes of the authority and
161 this act and to sell, lease, transfer, and dispose of any
162 property or interest therein at any time acquired by it.

163 (5) To provide at one time or from time to time for the
164 issuance of bonds as hereinafter provided.

165 (6) To enter into and make leases, either as lessee or
166 lessor, for such period or periods of time and under such terms
167 and conditions as the authority shall determine. Such leases may

168 be entered into for buildings, structures, or facilities
 169 constructed or acquired or to be constructed or acquired by the
 170 authority, or may be entered into for lands owned by the
 171 authority when the lessee of said lands agrees as a
 172 consideration for said lease to construct or acquire buildings,
 173 structures, or facilities on said lands which will become the
 174 property of the authority under such terms, rentals, and other
 175 conditions as the authority shall deem proper.

176 (7) To fix, alter, charge, establish, and collect rates,
 177 fees, rentals, and other charges for the services and facilities
 178 of hospitals, clinics, outpatient departments, and other
 179 appurtenant facilities related thereto, or any part thereof, at
 180 reasonable and uniform rates to be determined exclusively by the
 181 authority for the purposes of carrying out the provisions of
 182 this act.

183 (8) (a) To furnish temporary relief to the indigent of
 184 Columbia County and study the cause of their poverty; to seek a
 185 plan for their permanent rehabilitation; generally, to assist
 186 them to support themselves whenever possible to the end that
 187 they may cease to be a charge upon the community and, instead,
 188 become useful citizens thereof; and to bury the indigent dead of
 189 Columbia County and provide cemeteries for that purpose.

190 (b) To enter into contracts or other agreements with
 191 hospitals, health care providers, and facilities located in
 192 Columbia County for the provision of health care services to
 193 indigent residents of Columbia County.

194 (9) To make contracts of every kind and nature and to
 195 execute all instruments necessary or convenient for the carrying
 196 on of its business.

197 (10) Without limitation of the foregoing, to borrow money
 198 and accept grants, contributions, or loans from, and to enter
 199 into contracts, leases, or other transactions with the United
 200 States Government or any agency thereof, the state, or any
 201 agency thereof, the County of Columbia, the City of Lake City,
 202 or with any other public body of any nature whatsoever.

203 (11) To pledge, hypothecate, or otherwise encumber all or
 204 any part of the revenues and other available funds of the
 205 authority as security for all or any of the bonds issued by the
 206 authority.

207 (12) To employ an executive director, physicians,
 208 surgeons, accountants, attorneys, bacteriologists, chemists,
 209 contractors, engineers, architects, superintendents, nurses,
 210 technicians, managers, construction and financial experts,
 211 radiologists, or any other person or persons skilled in hygiene
 212 or medical research, and such other employees and agents as may,
 213 in the judgment of the authority, be necessary, and fix their
 214 compensation.

215 (13) To provide for those inhabitants of Columbia County
 216 who, by reason of age, infirmity, or misfortune, have claims
 217 upon the aid and sympathy of society.

218 (14) To receive and accept grants, gifts, and donations
 219 from any person, firm, or governmental agency.

220 (15) To do all acts and things necessary or convenient in
 221 the carrying out of the powers granted herein.

222 Section 8. Maintenance and operation.--The Board of County
 223 Commissioners of Columbia County is hereby directed and charged
 224 with the duty of providing sufficient revenue for the
 225 maintenance and operation of the facilities of the authority
 226 from year to year, which such revenue, when made available,
 227 shall be paid over to the authority to be expended for such
 228 purposes.

229 Section 9. Revenue bonds.--

230 (1) The authority is authorized to provide by resolution
 231 at one time or from time to time for the issuance of bonds of
 232 the authority for the purpose of paying all or a part of the
 233 cost of acquisition, construction, equipping, repairing,
 234 extending, maintaining, and reconstructing any facility or
 235 facilities or any combination of facilities of the authority.
 236 The bonds of each issue shall be dated, shall bear interest at
 237 such rate or rates not exceeding the maximum rate authorized by
 238 general law, shall mature at such time or times not exceeding 40
 239 years from their date or dates, as may be determined by the
 240 authority, and may be made redeemable before maturity, at the
 241 option of the authority, at such price or prices and under such
 242 terms and conditions as may be fixed by the authority prior to
 243 the issuance of the bonds. The authority shall determine the
 244 form of the bonds, including any interest coupons to be attached
 245 thereto, and the manner of execution of the bonds and coupons,
 246 and shall fix the denomination or denominations of the bonds and
 247 the place or places of payment of principal and interest, which
 248 may be at any bank or trust company within or without the state.
 249 In case any officer whose signature or a facsimile of whose

250 signature shall appear on any bonds or coupons shall cease to be
251 such officer before the delivery of such bonds, such signature
252 or such facsimile shall nevertheless be valid and sufficient for
253 all purposes the same as if he or she had remained in office
254 until such delivery. All bonds issued under the provisions of
255 this act shall have all the qualities and incidents of
256 negotiable instruments under the negotiable instruments laws of
257 the state. The bonds may be issued in coupon or in registered
258 form, or both, as the authority may determine, and provisions
259 may be made for the registration of any coupon bonds as to
260 principal alone and also as to both principal and interest, and
261 for the reconversion into coupon bonds of any bonds registered
262 as to both principal and interest. The issuance of such bonds
263 shall not be subject to any limitations or conditions contained
264 in any other law, and the authority may sell such bonds in such
265 manner and for such price as it may determine to be for the best
266 interest of the authority. Prior to the preparation of
267 definitive bonds, the authority may, under like restrictions,
268 issue interim receipts or temporary bonds with or without
269 coupons, exchangeable for definitive bonds when such bonds have
270 been executed and are available for delivery. The authority may
271 also provide for the replacement of any bonds which shall be
272 mutilated, destroyed, or lost.

273 (2) Such bonds may be payable from the revenues derived
274 from the operation of the facilities or of any combination
275 thereof and from any other funds legally available therefor. The
276 bonds shall be entitled to such priorities on such revenues as
277 the authority shall provide. The issuance of such bonds shall

278 not directly, indirectly, or contingently obligate the county to
 279 levy ad valorem taxes for their payment and the authority shall
 280 not convey or mortgage such facilities or any part thereof as
 281 security for payment of the bonds.

282 Section 10. Incidental powers.--

283 (1) In the discretion of the authority, each or any issue
 284 of such bonds may be secured by a trust agreement by and between
 285 the authority and a corporate trustee, which may be any trust
 286 company or bank having the powers of a trust company within or
 287 outside of the state. Such trust agreement may pledge or assign
 288 the revenues to be received by the authority. The resolution
 289 providing for the issuance of bonds or such trust agreement may
 290 contain such provisions for protecting and enforcing the rights
 291 and remedies of the bondholders as may be reasonable, proper,
 292 and not in violation of law, including covenants setting forth
 293 the duties of the authority in relation to the acquisition,
 294 construction, improvement, maintenance, operation, repair, and
 295 insurance of the facilities and the custody, safeguarding, and
 296 application of all moneys. It is lawful for any bank or trust
 297 company incorporated under the laws of the state to act as such
 298 depository and to furnish such indemnifying bonds or to pledge
 299 such securities as may be required by the authority. Such
 300 resolution or such trust agreement may restrict the individual
 301 rights of action by bondholders as is customary in trust
 302 agreements securing bonds or debentures of corporations. In
 303 addition to the foregoing, such resolution or such trust
 304 agreement may contain such other provisions as the authority may
 305 deem reasonable and proper for the security of the bondholders.

306 Except as in this act otherwise provided, the authority may
 307 provide, by resolution or by trust agreement, for the payment of
 308 the proceeds of the sale of the bonds and the revenues to such
 309 officer, board, or depository as it may determine for the
 310 custody thereof, and for the method of disbursement thereof,
 311 with such safeguards and restrictions as it may determine. All
 312 expenses incurred in carrying out such trust agreement may be
 313 treated as a part of the cost of operation of the facility or
 314 facilities affected by such trust agreement.

315 (2) The resolution or trust agreement providing for the
 316 issuance of the bonds may also contain such limitations upon the
 317 issuance of additional revenue bonds as the authority may deem
 318 proper, and such additional bonds shall be issued under such
 319 restrictions or limitations as may be prescribed by such
 320 resolution or trust agreement.

321 (3) Bonds may be issued under the provisions of this act
 322 without obtaining the consent of any commission, board, bureau,
 323 or agency of the state or county and without any other
 324 proceedings or the happening of any condition or thing other
 325 than those proceedings, conditions, or things which are
 326 specifically required by this act.

327 (4) The proceeds of the bonds shall be used solely for the
 328 payment of the cost of the facility or facilities for which such
 329 bonds shall have been authorized and shall be disbursed in the
 330 manner provided in the resolution or in the trust agreement
 331 authorizing the issuance of such bonds. If the proceeds of the
 332 bonds of any issue shall exceed the amount required for the
 333 purpose for which the same shall have been issued, the surplus

334 shall be set aside and used only for paying the principal of and
 335 interest on such bonds.

336 Section 11. Refunding bonds.--The authority is hereby
 337 authorized to provide by resolution for the issuance of
 338 refunding revenue bonds for the purpose of refunding any bonds
 339 then outstanding and issued under the provisions of this act.
 340 The authority is further authorized to provide by resolution for
 341 the issuance of bonds for the combined purpose of paying the
 342 cost of any acquisition, construction, repair, extensions,
 343 additions, equipping, and reconstruction of any facilities of
 344 the authority, and refunding bonds of the authority which shall
 345 theretofore have been issued under the provisions of this act
 346 and shall then be outstanding. The issuance of such obligations,
 347 the maturities and other details thereof, the right and remedies
 348 of the holders thereof, and the rights, powers, privileges,
 349 duties, and obligations of the authority with respect to the
 350 same shall be governed by the foregoing provisions of this act
 351 insofar as the same may be applicable.

352 Section 12. Remedies.--Any holder of bonds issued under
 353 the provisions of this act or any of the coupons appertaining
 354 thereto and the trustee under any trust agreement, except to the
 355 extent that the rights herein given may be restricted by such
 356 trust agreement, may, either at law or in equity, by suit,
 357 action, mandamus, or other proceedings, protect and enforce any
 358 and all rights under the laws of the state or granted hereunder
 359 or under such trust agreement or the resolution authorizing the
 360 issuance of such bonds, and may enforce and compel the
 361 performance of all duties required by this act or by such trust

362 agreement or resolution to be performed by the authority or by
363 any officer thereof.

364 Section 13. Exemption of property from taxation.--The
365 effectuation of the purposes of the authority created under this
366 act is in all respects for the benefit of the people of the
367 state and of Columbia County, for the increase of their commerce
368 and prosperity. The exercise of the powers by the authority,
369 conferred by this act, to effect such purposes constitutes the
370 performance of essential county functions and is declared to be
371 a county purpose. As the facilities owned, operated, supervised,
372 and controlled by the authority, under the provisions of this
373 act, constitute public property and are used for county
374 purposes, the authority shall not be required to pay any taxes
375 or assessments upon any such facilities or any parts thereof.

376 Section 14. Bonds to constitute legal investments.--Any
377 bonds issued pursuant to this act shall be and constitute legal
378 investments for banks, savings banks, trustees, executors,
379 administrators, and all other fiduciaries for all state,
380 municipal, and public funds and shall also be and constitute
381 securities eligible for deposit as security for all state,
382 municipal, or other public funds notwithstanding the provisions
383 of any other law or laws to the contrary.

384 Section 15. Act complete and additional authority.--The
385 powers conferred by this act shall be in addition and
386 supplemental to the existing powers of the authority, if any,
387 and this act shall not be construed as repealing any of the
388 provisions of any other law or laws inconsistent with the

389 provisions of this act and provides a complete method for the
 390 exercise of the powers granted herein.

391 Section 16. Taxing authority.--

392 (1) The members of the Lake Shore Hospital Authority of
 393 Columbia County are authorized to request, by resolution of said
 394 hospital authority, the Board of County Commissioners of
 395 Columbia County to levy a tax not to exceed 3 mills on all
 396 taxable property in the county for the purpose of maintenance
 397 and operation of the hospital and facilities and for providing
 398 health care for the indigent residents of Columbia County.

399 (2) Upon request by resolution of the Lake Shore Hospital
 400 Authority, the Board of County Commissioners of Columbia County
 401 shall levy a tax upon all the taxable property in the county for
 402 the purpose of maintenance and operation of the hospital and
 403 facilities and care of the indigent residents of Columbia County
 404 in an amount not to exceed 3 mills. Upon the assessment and
 405 collection of said tax, the county tax collector shall remit the
 406 moneys thereby collected to the director of the authority.

407 Section 17. Construction of act.--This act shall be
 408 construed as remedial and shall be liberally construed to
 409 promote the purpose for which it is intended.

410 Section 18. If any section, clause, or provision of this
 411 act shall be held unconstitutional, void, or ineffective for any
 412 reason in whole or in part, to the extent that it is not
 413 unconstitutional or ineffective, it shall be valid and
 414 effective, and no other section, clause, or provision shall on
 415 account thereof be deemed invalid or ineffective.

416 Section 4. Chapters 24443 (1947), 25736 (1949), 30264
417 (1955), 61-2048, 63-1247, 65-1414, 72-509, 90-409, and 92-229,
418 Laws of Florida, are repealed.

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