

By Senator Rich

34-1926-06

See HB 1245

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A bill to be entitled  
An act relating to the North Broward Hospital  
District, Broward County; codifying, amending,  
reenacting, and repealing chapters 27438  
(1951), 61-1931, 61-1937, 63-1192, 65-1316,  
65-1319, 67-1170, 67-1171, 69-895, 69-898,  
69-914, 70-622, 71-567, 71-576, 71-578, 73-411,  
73-412, 73-413, 74-449, 75-347, 75-348, 76-338,  
77-508, 78-481, 80-464, 80-468, 81-354, 84-399,  
86-369, 87-508, 90-485, 91-351, 97-372, and  
2002-363, Laws of Florida; codifying the  
district charter; providing severability;  
providing an effective date.

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

Section 1. (1) The reenactment of existing law in this act shall not be construed as a grant of additional authority to, nor to supersede, the authority of any entity pursuant to law. Exceptions to law contained in any special act that are reenacted pursuant to this act shall continue to apply.

(2) The reenactment of existing law in this act shall not be construed to modify, amend, or alter any covenants, contracts, or other obligations of the district with respect to bonded indebtedness. Nothing pertaining to the reenactment of existing law in this act shall be construed to affect the ability of the district to levy and collect taxes, assessments, fees, or charges for the purpose of redeeming or servicing bonded indebtedness of the district.

1           Section 2. Chapters 27438 (1951), 61-1931, 61-1937,  
2 63-1192, 65-1316, 65-1319, 67-1170, 67-1171, 69-895, 69-898,  
3 69-914, 70-622, 71-567, 71-576, 71-578, 73-411, 73-412,  
4 73-413, 74-449, 75-347, 75-348, 76-338, 77-508, 78-481,  
5 80-464, 80-468, 81-354, 84-399, 86-369, 87-508, 90-485,  
6 91-351, 97-372, and 2002-363, Laws of Florida, are codified,  
7 reenacted, amended, and repealed as provided in this act.

8           Section 3. The North Broward Hospital District is  
9 re-created and the charter for the district is re-created and  
10 reenacted to read:

11           Section 1. Created.--A special tax district is hereby  
12 created and incorporated, to be known as the "North Broward  
13 Hospital District" in Broward County, which district shall  
14 embrace and include the following described property, situate,  
15 lying, and being in Broward County:

16           Begin at a point where the North boundary line  
17 of Section 25, Township 50 South, Range 42  
18 East, intersects the line of mean low tide of  
19 the Atlantic Ocean; thence run westerly along  
20 the North boundary line of Sections 25, 26, 27,  
21 28, 29 and 30 in Township 50 South, Range 42  
22 East, and continue westerly along the North  
23 boundary line of Sections 25, 26, 27, 28, 29  
24 and 30 in Township 50 South, Range 41 East, to  
25 the westerly boundary of Range 41 East; thence  
26 southerly along the westerly boundary line of  
27 said Section 30 to a point of intersection with  
28 the North boundary line of Section 25, Township  
29 50 South, Range 40 East, extended easterly;  
30 thence westerly along the North boundary line  
31 of Section 25, Township 50 South, Range 40

1 East, to the northwest corner of said Section;  
2 thence southerly along the west boundary line  
3 of said Section 25 and Section 36, Township 50  
4 South, Range 40 East, and continuing southerly  
5 along the west boundary lines of Sections 1,  
6 12, 13, 24, 25 and 36 of Township 51 South,  
7 Range 40 East, to the southwest corner of said  
8 Section 36, the same being the south boundary  
9 line of Broward County; thence westerly along  
10 the south boundary line of Broward County to  
11 the southwest corner of said County; thence  
12 northerly along the west boundary line of  
13 Broward County, Florida, to the northwest  
14 corner of said County; thence easterly along  
15 the northern boundary line of Broward County,  
16 Florida, to a point where the north boundary  
17 line of Broward County intersects the line of  
18 mean low tide of the Atlantic Ocean; thence  
19 southerly along the mean low tide line of the  
20 Atlantic Ocean to the point of beginning,  
21 together with all areas within the corporate  
22 limits of the City of Fort Lauderdale, lying  
23 south of the south boundary line of the  
24 above-described property.

25 Section 2. Subdistricts.--The North Broward Hospital  
26 District shall be composed of the following subdistricts:

27 (1) Subdistrict No. 1 shall include the areas of  
28 Broward County from the north boundary line thereof south to a  
29 line running east and west along the boundary line between the  
30 City of Pompano Beach and the City of Lighthouse Point and  
31 extended east and west along the section lines which comprise

1 said boundary to intersect with the Atlantic Ocean on the east  
2 and the western boundary of Broward County on the west.

3 (2) Subdistrict No. 2 shall include that area of  
4 Broward County south of the south boundary line of subdistrict  
5 No. 1 to a line running east and west along the center of  
6 McNab Road and extended east and west along the section lines  
7 which bisect the right-of-way of said McNab Road to intersect  
8 with the Atlantic Ocean on the east and the western boundary  
9 of Broward County on the west.

10 (3) Subdistrict No. 3 shall include that area of  
11 Broward County bounded on the north by the south boundary line  
12 of subdistrict No. 2, on the south along the center of Sunrise  
13 Boulevard, on the west by a line running north and south along  
14 the center of U.S. 441 (State Road #7), and on the east by the  
15 Atlantic Ocean.

16 (4) Subdistrict No. 4 shall include that area of  
17 Broward County bounded on the north by the south boundary line  
18 of subdistrict No. 3, on the south by the south boundary line  
19 of the North Broward Hospital District, on the west by a line  
20 running north and south along the center of U.S. 441 (State  
21 Road #7), and on the east by the Atlantic Ocean.

22 (5) Subdistrict No. 5 shall include that area of  
23 Broward County bounded on the north by the south boundary line  
24 of subdistrict No. 2, on the south by the south boundary line  
25 of the North Broward Hospital District, on the west by the  
26 western boundary of Broward County, and on the east by a line  
27 running north and south along the center of U.S. 441 (State  
28 Road #7).

29 (6) Subdistrict No. 6 shall include that area of  
30 Broward County which comprises the entire North Broward  
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1 Hospital District and shall be considered a subdistrict at  
2 large.

3 (7) Subdistrict No. 7 shall include that area of  
4 Broward County which comprises the entire North Broward  
5 Hospital District and shall be considered a subdistrict at  
6 large.

7 Section 3. Board of commissioners generally.--The  
8 governing body of the North Broward Hospital District shall  
9 consist of seven commissioners, one of whom may be a licensed  
10 practitioner of the healing arts as defined in chapter 458,  
11 Florida Statutes. All commissioners shall serve without  
12 compensation. Each subdistrict shall have one representative  
13 on the Board of Commissioners of the North Broward Hospital  
14 District who has resided in said subdistrict for more than 1  
15 year prior to appointment. Said commissioners shall be known  
16 and designated as the Board Of Commissioners of North Broward  
17 Hospital District. Members of the board of commissioners shall  
18 be appointed by the Governor for terms of 4 years each. The  
19 Governor shall have the power to remove any member of said  
20 board of commissioners for cause and shall fill any vacancies  
21 that may at any time occur therein. Each member shall give  
22 bond to the Governor for the faithful performance of his or  
23 her duties in the sum of \$5,000 with a surety company  
24 qualified to do business in the state, as surety, which bond  
25 shall be approved and kept by the Clerk of the Circuit Court  
26 of Broward County. The premiums on said bonds shall be paid as  
27 part of the expenses of said district.

28 Section 4. Powers of board of commissioners  
29 generally.--

30 (1) The Board of Commissioners of the North Broward  
31 Hospital District shall have all the powers of a body

1 corporate, including the power to sue and be sued under the  
2 name of the North Broward Hospital District; to contract and  
3 be contracted with; to adopt and use a common seal and to  
4 alter the same at pleasure; to acquire, purchase, hold, lease  
5 as lessee or lessor, and convey such real and personal  
6 property as said board may deem proper or expedient to carry  
7 out the purposes of this act (any lease of real or personal  
8 property entered into by the board of commissioners shall be  
9 for such terms as the board of commissioners determines is in  
10 the best interest of the district); to appoint and employ a  
11 superintendent and such other agents and employees as said  
12 board may deem advisable; to borrow money, incur indebtedness,  
13 and issue notes, revenue certificates, bonds, and other  
14 evidences of indebtedness of said district; to establish and  
15 support subsidiary or affiliate organizations to assist the  
16 district in fulfilling its declared public purpose of  
17 providing for the health care needs of the people of the  
18 district and, to the extent permitted by the State  
19 Constitution, to support not-for-profit organizations that  
20 operate primarily within the district, as well as elsewhere,  
21 and that have as their purposes the health care needs of the  
22 people of the district by means of nominal interest loans of  
23 funds, nominal rent leases of real or personal property, gifts  
24 and grants of funds, or guaranties of indebtedness of such  
25 subsidiaries, affiliates, and not-for-profit organizations  
26 (any such support of a subsidiary or affiliate corporation or  
27 nonaffiliated, not-for-profit corporation is hereby found and  
28 declared to be a public purpose and necessary for the  
29 preservation of the public health and for public use and for  
30 the welfare of the district and inhabitants thereof); to the  
31 extent permitted by the State Constitution, to participate as

1 a shareholder in a corporation, or as a joint venture in a  
2 joint venture, which provides health care or engages in  
3 activities related thereto, to provide debt or equity  
4 financing for the activities of such corporations or joint  
5 ventures, and to utilize, for any lawful purpose, the assets  
6 and resources of the district to the extent not needed for  
7 health care and related activities; and to carry out the  
8 provisions of this charter in the manner hereinafter provided.  
9 Said board of commissioners, pursuant to chapter 218, Florida  
10 Statutes, is authorized and empowered, as the board of a  
11 special tax district of the state, to invest district "surplus  
12 funds," as defined in that chapter, in such a manner as  
13 allowed under section 218.415 Florida Statutes, or by any  
14 general law amending or superseding section 218.415, Florida  
15 Statutes. The board of commissioners shall also have the power  
16 to delegate its authority to invest these surplus funds, as  
17 outlined above, to a state or national banking organization  
18 acting pursuant to a written trust agreement as a trustee of  
19 district funds, provided that such delegation is made in  
20 writing by the board of commissioners.

21 (2) In addition to any investment authorized by  
22 general law, and to the extent created by the State  
23 Constitution, the board of commissioners shall be and is  
24 hereby authorized and empowered to invest any funds in its  
25 control or possession in accordance with an investment policy  
26 approved by the board which mandates prudent investment  
27 practices, which shall include, among other items, the  
28 investment objectives and permitted securities of the policy.  
29 Such investment policy shall be designed to maximize the  
30 financial return to the fund consistent with the risks  
31 incumbent in each investment and shall be designed to preserve

1 the appropriate diversification of the portfolio. Accordingly,  
2 the following instruments are authorized for investment:

3 (a) Bankers' acceptances that are drawn upon and  
4 accepted by a commercial bank that is a member bank of the  
5 Federal Reserve System, that maintains capital accounts in  
6 excess of 7.5 percent of total assets, and which member bank  
7 or its holding company carries a credit rating that is one of  
8 the two highest alphabetical categories from at least two  
9 nationally recognized debt-rating agencies.

10 (b) Commercial paper of prime quality rated by at  
11 least two nationally recognized debt-rating agencies in the  
12 highest letter and numerical rating of each agency. If not  
13 rated, such prime quality commercial paper may be purchased if  
14 secured by a letter of credit provided by a commercial bank,  
15 which bank or its holding company carries a credit rating in  
16 one of the two highest alphabetical categories from at least  
17 two nationally recognized debt-rating agencies.

18 (c) Interest-bearing bonds, debentures, and any other  
19 such evidence of indebtedness with a fixed maturity of any  
20 domestic corporation within the United States which is listed  
21 on any one or more of the recognized national stock exchanges  
22 in the United States and conforms with the periodic reporting  
23 requirements under the Securities Exchange Act of 1934. Such  
24 obligation shall either carry ratings in one of the two  
25 highest classifications of at least two nationally recognized  
26 debt-rating agencies or be secured by a letter of credit  
27 provided by a commercial bank, which bank or its holding  
28 company carries a credit rating in one of the two highest  
29 alphabetical categories from at least two nationally  
30 recognized debt-rating agencies.

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1           (d) Negotiable direct obligations of, or obligations  
2 the principal and interest of which are unconditionally  
3 guaranteed by, the United States Government at the  
4 then-prevailing market rate for such securities; and  
5 obligations of the Federal Farm Credit Banks, Federal Home  
6 Loan Mortgage Corporation, Federal National Mortgage  
7 Association, or Federal Home Loan Bank or its district banks,  
8 including Federal Home Loan Mortgage Corporation participation  
9 certificates, or obligations guaranteed by the Government  
10 National Mortgage Association, which are purchased and sold  
11 under repurchase agreements and reverse repurchase agreements.  
12 Repurchase agreements and reverse repurchase agreements may be  
13 entered into only with a member bank of the Federal Reserve  
14 System or primary dealer in United States government  
15 securities. Securities purchased or repurchased by the  
16 hospital board shall be delivered to the hospital board or its  
17 agent versus payment.

18           (e) The purchase of options so as to engage in bona  
19 fide hedging activities for the purpose of protecting the  
20 asset value of the underlying portfolio, provided the  
21 instruments for such purpose are traded on a securities  
22 exchange or board of trade regulated by the Securities and  
23 Exchange Commission or the Commodities Futures Trading  
24 Commission.

25           (f) Equity securities of any corporation that is  
26 organized under the laws of the United States, any state, or  
27 the District of Columbia and that is listed on any one or more  
28 of the recognized national stock exchanges in the United  
29 States and conforms with the periodic reporting requirements  
30 under the Securities Exchange Act of 1934. Such securities  
31 must carry a rating in one of the two highest alphabetical

1 categories from at least two nationally recognized equity  
2 ratings agencies.

3 (3) The Board of Commissioners of the North Broward  
4 Hospital District shall have the power to enter into and  
5 execute:

6 (a) Any contract known or referred to as, or which  
7 performs the function of, an interest rate swap agreement,  
8 forward payment conversion agreement, or futures contract.

9 (b) Any contract providing for payments based on  
10 levels of, or changes or differences in, interest rates.

11 (c) Any contract to exchange cash flows, payments, or  
12 series of payments.

13 (d) Any type of contract called or designed to perform  
14 the function of interest rate floors or caps, options, puts,  
15 or calls to hedge or minimize any type of financial risk,  
16 including, without limitation, payment, rate, or other  
17 financial risk.

18 (e) Any other type of contract or arrangement that the  
19 Board of Commissioners of the North Broward Hospital District  
20 determines is to be used, or is intended to be used, to manage  
21 or reduce the cost of indebtedness, to convert any element of  
22 indebtedness from one form to another, to maximize or increase  
23 investment return, to minimize investment return risk, or to  
24 protect against any type of financial risk or uncertainty.

25 Section 5. Board of commissioners; rules of  
26 procedure.--Four commissioners shall constitute a quorum, and  
27 a vote of at least three commissioners shall be necessary to  
28 the transaction of any business of the district. The  
29 commissioners shall cause true and accurate minutes and  
30 records to be kept of all business transacted by them and  
31 shall keep full, true, and complete books of account and

1 minutes, which minutes, records, and books of account shall at  
2 all reasonable times be open and subject to the inspection of  
3 inhabitants of said district, and any person desiring to do so  
4 may make or procure copy of said minutes, records, books of  
5 account, or such portions thereof as he or she may desire.

6 Section 6. Authority to establish and maintain health  
7 care facilities.--The board of commissioners is hereby  
8 authorized and empowered to establish, construct, operate, and  
9 maintain such hospital or hospitals, supportive facility or  
10 facilities, including offices for physicians and other  
11 medically related personnel, entities, and activities, and  
12 facilities for the care of such persons requiring limited  
13 medical care and treatment as in their opinion shall be  
14 necessary for the needs and use of the people of said  
15 district. Said hospital or hospitals, supportive facility or  
16 facilities, and facilities for limited care and treatment  
17 shall be established, constructed, operated, and maintained by  
18 said board of commissioners for the preservation of the public  
19 health, for the public good, and for the use of the public of  
20 said district, and the maintenance of said hospital or  
21 hospitals, supportive facility or facilities, and facilities  
22 for limited care and treatment within said district is hereby  
23 found and declared to be a public purpose and necessary for  
24 the preservation of the public health and for public use and  
25 for the welfare of said district and inhabitants thereof. The  
26 location, establishment, operation, and maintenance of such  
27 hospital or hospitals, supportive facility or facilities, and  
28 facilities for limited care and treatment, as well as the  
29 terms, conditions, and consideration for the use thereof,  
30 shall be as determined and fixed by said board of  
31 commissioners and shall be under the exclusive authority of

1 said board. The provisions and procedures shall be without  
2 reference to section 20. The board of commissioners is hereby  
3 further authorized and empowered to establish, operate, or  
4 support such subsidiaries, either for profit or not for  
5 profit, and not-for-profit affiliates for the furtherance and  
6 assistance of the district's fulfilling its purpose of  
7 provision for the health care needs of the people of the  
8 district as in the board's opinion shall be necessary. The  
9 board of commissioners is hereby further authorized and  
10 empowered, to the extent permitted by the State Constitution,  
11 to support nonaffiliated, not-for-profit organizations that  
12 operate primarily within the district, as well as elsewhere,  
13 and that have as their purpose the furtherance of the  
14 district's provision for the health care needs of the people  
15 of the district, by such means as in the board's opinion are  
16 necessary and appropriate. The board of commissioners is  
17 hereby further authorized, to the extent permitted by the  
18 State Constitution, to participate in, and to provide debt or  
19 equity financing for, a corporation in which the district is a  
20 shareholder or a joint venture in which the district is a  
21 joint venturer, so long as any such corporation or joint  
22 venture provides health care services or engages in activities  
23 related thereto that benefit the people of the district, as  
24 well as others. The establishment, operation, or support of  
25 such subsidiaries or affiliates, the support of such  
26 nonaffiliated, not-for-profit organizations, and the  
27 participation in and funding of such health care corporations  
28 or joint ventures are each hereby found and declared to be a  
29 public purpose and necessary for the preservation of the  
30 public health and welfare of the district and inhabitants  
31 thereof. Notwithstanding the provisions of its charter, the

1 district shall comply with the requirements of section  
2 155.40(2)(a)-(e), Florida Statutes, in implementing the powers  
3 provided in this section, section 4, and subsection (4) of  
4 section 20.

5 Section 7. Nurse training schools; medical training  
6 and research programs.--

7 (1) The board of commissioners is hereby authorized  
8 and empowered at any time in its discretion to establish and  
9 maintain, in connection with such hospital and as a part  
10 thereof, in accordance with state laws and regulations, a  
11 training school for nurses and, upon completion of a  
12 prescribed course of training, shall give to such nurses who  
13 have satisfactorily completed the course a diploma. The board  
14 of commissioners is authorized and empowered to set up all  
15 rules and regulations necessary for the operation of a nurses  
16 training school and to make all necessary expenditures in  
17 connection therewith.

18 (2) The board of commissioners is further authorized  
19 and empowered to establish and maintain such clinics, medical  
20 training, and medical research programs in connection with the  
21 operation of district hospitals, including the training of  
22 interns and resident physicians, as the board of  
23 commissioners, in their discretion, might determine to be  
24 necessary or beneficial to the professional services in the  
25 district hospitals.

26 Section 8. Eminent domain.--The board shall have the  
27 power of eminent domain and may thereby condemn and acquire  
28 any real or personal property within the territorial limits of  
29 the district which the board may deem necessary for the use of  
30 said district. Such power of condemnation shall be exercised  
31 in the same manner as is now provided by general law for the

1 exercise of the power of eminent domain by cities and towns of  
2 the state.

3 Section 9. Indebtedness generally.--

4 (1) In this act:

5 (a) The term "anticipation notes" means indebtedness  
6 authorized pursuant to subsections (2)-(6) which is payable  
7 from funds of the district as set forth therein.

8 (b) The term "indebtedness" means any bonds, notes,  
9 certificates, lease participations, guaranties, or other forms  
10 of indebtedness payable from general revenues and other  
11 legally available funds of the district.

12 (2) The district may, in order to provide facilities,  
13 including real and personal property, and to carry out,  
14 exercise, and perform its powers and duties, and for any other  
15 lawful purpose, borrow money from time to time as the board  
16 determines is in the best interest of the district and issue  
17 and sell the anticipation notes of the district and refund the  
18 same by issuing the refunding anticipation notes of the  
19 district, all upon such terms and having such maturities,  
20 form, and terms as may be determined by the board of  
21 commissioners or, if issued in the form of commercial paper,  
22 as may be determined by the chair, the vice chair, or the  
23 secretary-treasurer within guidelines and limits determined by  
24 the board of commissioners as provided in this section. The  
25 rate or rates of interest for such borrowing shall be as  
26 provided by general law. Further, all indebtedness incurred by  
27 the district shall, where required by the State Constitution,  
28 be contingent upon voter approval.

29 (3) The district may borrow money and issue bond  
30 anticipation notes in anticipation of the issuance of bonds,  
31 all as provided in general law; expend the proceeds thereof

1 for the purposes for which such bonds are to be issued; and  
2 pledge, by resolution or contract, the proceeds to be derived  
3 from the sale of such bonds and other legally available funds  
4 of the district for the payment of the principal thereof,  
5 premium therefor, if any, and interest thereon.

6 (4) The district may borrow money and issue grant  
7 anticipation notes having such maturity as the board may  
8 determine in anticipation of the receipt of any federal,  
9 state, private, or other grant; expend the proceeds thereof  
10 for the purposes for which such grant has been made; and  
11 pledge, by resolution or contract, the moneys to be received  
12 from such grant and other legally available funds of the  
13 district for the payment of the principal thereof, premium  
14 therefor, if any, and interest thereon.

15 (5) The district may borrow money and issue revenue  
16 anticipation notes having such maturity as the board may  
17 determine in anticipation of the receipt of revenues; expend  
18 the proceeds thereof for any other lawful purpose; and pledge,  
19 by resolution or contract, revenues of the district for the  
20 payment of the principal thereof, premium therefor, if any,  
21 and interest thereon.

22 (6) The district may borrow money and issue tax  
23 anticipation notes having such maturity as the board may  
24 determine and levy, appropriate, and pledge, by resolution or  
25 contract, ad valorem taxes and other legally available funds  
26 of the district in payment of the principal thereof, premium  
27 therefor, if any, and interest thereon.

28 (7) The district may issue, from time to time,  
29 indebtedness (which may be denominated as notes or bonds) of  
30 the district for the purpose of paying all or part of the cost  
31 of acquisition, construction, planning, and repairing of,

1 extensions and additions to, and equipping, furnishing, and  
2 reconstruction of any hospital or hospitals or related  
3 facilities incidental to the foregoing as in the opinion of  
4 the board of commissioners are necessary or beneficial for the  
5 district, for refinancing any indebtedness incurred to finance  
6 any of the foregoing, or for reimbursement of the district for  
7 any cost it incurred for any of the foregoing. The  
8 indebtedness of each issuance shall be dated, shall mature at  
9 such time or times not exceeding 50 years after their date or  
10 dates, shall be in such denominations, shall bear interest at  
11 such rate or rates, including variable rates, allowed by  
12 general law, and may be made redeemable before maturity at the  
13 option of the board of commissioners at such price or prices  
14 and under such terms and conditions as may be fixed by the  
15 board of commissioners prior to the issuance of the  
16 indebtedness.

17 (8) The district may issue all forms of indebtedness  
18 described in subsections (3)-(7) in the form of commercial  
19 paper and, if issued in such form, the resolution authorizing  
20 the issuance thereof may provide for the renewal, refunding,  
21 or rollover thereof from time to time, having such maturity as  
22 the board shall determine. The resolution authorizing the  
23 issuance of such indebtedness in the form of commercial paper  
24 may set forth guidelines and limits pertaining to the maximum  
25 aggregate principal amount of such indebtedness which may be  
26 outstanding at any one time, the longest maturity any such  
27 indebtedness may bear, the form of such indebtedness, the  
28 terms (including redemption provisions, the maximum redemption  
29 premium which may be permitted, schedules for the amortization  
30 of principal and interest which may be permitted, and such  
31 other provisions as the board of commissioners may determine),



1 and the maximum rate of interest authorized by general law and  
2 may authorize the chair, the vice chair, the  
3 secretary-treasurer, or any one or more of them, from time to  
4 time, to determine, within such guidelines and limits, the  
5 date or dates on which said indebtedness shall be issued, the  
6 aggregate principal amount of indebtedness to be issued at  
7 such time, the maturity date or dates of such indebtedness,  
8 and the form and terms of such indebtedness (including  
9 provisions for redemption thereof, the amount of any  
10 redemption premium, the schedule for the amortization of  
11 principal and payment of interest, and other provisions as  
12 authorized by the board) and to sell, issue, and deliver the  
13 same pursuant to such authorization. Any resolution  
14 authorizing a negotiated sale of indebtedness in the form of  
15 commercial paper to any class of purchaser may likewise  
16 authorize the negotiated sale of renewal, refunding, or  
17 rollover indebtedness to such class of purchaser and may  
18 contain such other provisions as the board may authorize.

19       (9) Any indebtedness authorized pursuant to  
20 subsections (3)-(7) may be issued in the form of demand  
21 obligations or obligations which the holder thereof may  
22 request payment for by the district upon the occurrence of  
23 specified events. The board of commissioners shall determine  
24 the form of such indebtedness, which shall be executed  
25 according to general law, and shall fix the denomination or  
26 denominations of indebtedness and the place or places of  
27 payment of principal of and interest thereon, which may be at  
28 any bank or trust company within or without the state. All  
29 forms of indebtedness shall be executed in the name of the  
30 district by the chair of the board of commissioners and  
31 countersigned and attested by the secretary of the board, and

1 its corporate seal or facsimile shall be attached thereto or  
2 reproduced thereon, all in the manner provided by the  
3 resolution authorizing such indebtedness. All indebtedness  
4 issued under the provisions of this act is hereby declared to  
5 have all the qualities and incidents of negotiable instruments  
6 under the Uniform Commercial Code and the laws of this state.  
7 Such indebtedness shall be issuable in bearer form or shall be  
8 registrable in the name of the owner or nominee thereof in the  
9 manner provided by general law.

10 (10) The district is hereby authorized to enter into  
11 agreements providing for the issuance, repayment, and securing  
12 of letters of credit, insurance, or any other credit  
13 enhancement device with any financial institution, as the  
14 board of commissioners may determine, to further secure any of  
15 its indebtedness.

16 Section 10. Bonds.--District bonds shall be issued or  
17 sold in such manner and at such rate or rates of interest as  
18 authorized by general law. Such bonds may be sold at par or at  
19 such premium or discount as the board of commissioners  
20 determines, in keeping with general law.

21 Section 11. Acceptance of promissory notes.--The board  
22 of commissioners is hereby authorized and empowered, in order  
23 to provide for and carry out the purposes of this act, to  
24 compromise and settle any accounts receivable or other claim  
25 for money due and owing to the district through the acceptance  
26 of promissory notes according to such terms and conditions as  
27 the board, in its discretion, may determine; however, said  
28 board of commissioners is hereby prohibited from assigning,  
29 selling, or setting over said promissory note to commercial  
30 institutions or private collection agencies for collection.

31

1           Section 12. Payment of funds.--The funds of the North  
2 Broward Hospital District shall be paid out and disbursed  
3 according to the manner and procedure established by the board  
4 of commissioners of said district. The board of commissioners  
5 is hereby authorized and empowered to designate disbursing  
6 agents to act on behalf of the North Broward Hospital District  
7 for approval of warrants for payment and for the execution of  
8 checks and drafts upon district accounts.

9           Section 13. Property tax authorized.--The Board of  
10 Commissioners of the North Broward Hospital District is hereby  
11 authorized, empowered, and directed annually to levy upon all  
12 the real and personal taxable property in said district a  
13 sufficient tax, not to exceed 2.5 mills, necessary for the  
14 purposes herein granted and to levy other lawful taxes to pay  
15 interest and provide and maintain a sinking fund for payment  
16 of interest and principal of the bonds provided for and  
17 authorized by this act.

18           Section 14. Property tax levy.--The levy by said board  
19 of commissioners of the taxes authorized by any provision of  
20 this act shall be by resolution of said board duly entered  
21 upon the minutes of the board. Certified copies of such  
22 resolution executed in the name of the board by its chair,  
23 under its corporate seal, shall be made and delivered to the  
24 Board of County Commissioners of Broward County and to the  
25 Florida Chief Financial Officer not later than 60 days after  
26 the millage is certified by the property appraiser or such  
27 other time as may be specified by general law. It shall be the  
28 duty of the County Commissioners of Broward County to order  
29 and require the county property appraiser of said county to  
30 assess, and the county tax collector of said county to  
31 collect, the amount of taxes so assessed or levied by the

1 board upon the taxable property in said district, not exempt  
2 by law, at the rate of taxation adopted by said board of  
3 commissioners of said district for said year and included in  
4 the warrant of the property appraiser and attached to the  
5 assessment roll of taxes for said county each year. The tax  
6 collector shall collect such tax so levied by said board in  
7 the same manner as other taxes are collected and shall pay the  
8 same over to the Board of Commissioners of the North Broward  
9 Hospital District within the time and in the manner prescribed  
10 by law for the payment by the tax collector of county taxes to  
11 the county depository. It shall be the duty of the Florida  
12 Chief Financial Officer to assess and levy taxes on all the  
13 railroad lines and railroad property and telegraph lines and  
14 telegraph property situated or located in said district,  
15 including all telephone lines. The taxes shall be assessed by  
16 the same officer as are county taxes upon such property, and  
17 such taxes shall be remitted by the collecting officer to the  
18 Board of Commissioners of the North Broward Hospital District.  
19 All such taxes shall be held by said board of commissioners  
20 and paid out by them as provided in this act. The board is  
21 authorized to pay necessary expenses to the aforementioned  
22 officers for the assessment and collection of taxes on a  
23 reasonable fee basis.

24 Section 15. Payment of district expenses.--The board  
25 of commissioners is authorized to pay from the funds of the  
26 district all expenses of the organization of said board, all  
27 expenses necessarily incurred with the formation of said  
28 district, and all other reasonable and necessary expenses,  
29 including the fees and expenses of an attorney in the  
30 transaction of the business of the district and in carrying  
31 out and accomplishing the purposes of this act. This section,

1 however, shall not be construed to restrict any of the powers  
2 vested in said board of commissioners by any other section or  
3 provision of this act.

4 Section 16. Publication of annual financial  
5 statement.--At least once in each year, the board of  
6 commissioners shall publish once in a newspaper published in  
7 the district a complete detailed statement of all moneys  
8 received and disbursed by them since the creation of the  
9 district as to the first published statement and since the  
10 last published statement as to any other year. Such statement  
11 shall also show the several sources from which said funds were  
12 received and shall show the balance on hand at the time of the  
13 published statement. It shall show a complete statement of the  
14 condition of the district.

15 Section 17. Persons authorized to be treated at  
16 facilities.--Each hospital or clinic established under this  
17 act shall be for the use and benefit of the residents of the  
18 district. Such residents shall be admitted to such hospital or  
19 clinic and be entitled to hospitalization, subject, however,  
20 to the rules and regulations prescribed by the board of  
21 commissioners, which rules and regulations are effective as of  
22 the date of admission of a patient or patients to said  
23 hospital or clinic. Such hospital or clinic may care for and  
24 treat without charge patients who are found by the board of  
25 commissioners to be indigent, but such board may collect from  
26 patients financially able such charges as the board of  
27 commissioners may from time to time establish. The board of  
28 commissioners may exclude from treatment and care any person  
29 having a communicable or contagious disease, where such  
30 disease may be a detriment to the best interests of such  
31 hospital or clinic or a source of contagion or infection to

1 the patients in its care, unless such hospital has a separate  
2 building or ward for the special treatment of such patients  
3 and can properly and with safety to the other patients retain  
4 such communicable or contagious case in such separate ward or  
5 building. Said board of commissioners may extend the  
6 privileges and use of such hospital or clinic to nonresidents  
7 of the district upon such terms and conditions as the board  
8 may from time to time by its rules and regulations provide;  
9 however, the residents of the district wherein such hospital  
10 or clinic is located shall have first claim to admission.

11 Section 18. Medical staff generally.--

12 (1) The Board of Commissioners of the North Broward  
13 Hospital District shall authorize and establish one medical  
14 staff for the direction and control of the practitioners, and  
15 to ensure the performance of necessary professional services,  
16 in the hospitals and facilities operated by the North Broward  
17 Hospital District. The board of commissioners is hereby  
18 authorized and empowered to establish reasonable bylaws,  
19 rules, and regulations thereof and to prescribe and establish  
20 in said bylaws, rules, and regulations reasonable professional  
21 duties and responsibilities for members of the staff so that  
22 the welfare and health of the patients and the best interest  
23 of the hospitals may at all times be served.

24 (2) The board of commissioners is hereby authorized  
25 and empowered to grant or refuse, revoke, and suspend  
26 membership on the staff and to grant or refuse, revoke, or  
27 suspend any privileges attendant to such membership so that  
28 the welfare and health of the patients and the best interest  
29 of the hospitals may at all times be best served. In addition:

30 (a) The board of commissioners is hereby authorized  
31 and empowered to establish such standards of good moral

1 character, professional ethics, professional competency, and  
2 professional conduct to be prerequisites for membership on the  
3 staff as the board, in its reasonable discretion, shall  
4 determine to be necessary for the protection of the health and  
5 welfare of the patients and the hospital, but the failure of  
6 the board of commissioners to establish such standards by rule  
7 or regulation shall not destroy the power of the board to  
8 determine membership on the staff according to the authority,  
9 requirements, and standards otherwise prescribed by this act.  
10 The board of commissioners is further authorized and empowered  
11 to require members of the staff to abide by all the rules,  
12 regulations, and bylaws established by the board of  
13 commissioners under the authorization of this act; to require  
14 the performance of those professional duties and  
15 responsibilities prescribed by said rules, regulations, and  
16 bylaws; and to enforce such requirements by the revocation and  
17 suspension of staff membership and privileges. No person shall  
18 be eligible for membership on the staff, be eligible for any  
19 privilege of the practice of medicine in any hospital or  
20 facility operated by said district, or retain or possess any  
21 membership upon the staff or any privilege of the practice of  
22 medicine in any of said hospitals or facilities unless he or  
23 she is a graduate of a medical school recognized and approved  
24 by the Florida Board of Medicine with the degree of doctor of  
25 medicine and possesses a valid license to practice medicine as  
26 prescribed and required by chapter 458, Florida Statutes, or,  
27 in the alternative, unless he or she possesses a valid license  
28 from the Florida Board of Dentistry to practice dentistry as  
29 prescribed and required by chapter 466, Florida Statutes.  
30 (b) Whenever the board of commissioners considers the  
31 refusal, revocation, or suspension for a period of more than

1 30 days of staff membership of any person, or any privileges  
2 attendant to such membership, a hearing shall be held before  
3 the board of commissioners, or before such examining board as  
4 the board of commissioners might establish for the purpose of  
5 taking and hearing testimony and evidence and reporting to the  
6 board thereon, upon the objections to such person's membership  
7 and privileges.

8 (c) Whenever a hearing upon the staff membership and  
9 privileges of any person is required by this act, reasonable  
10 notice shall be given to the person concerned by registered  
11 mail of the time and place of such hearing, and the nature of  
12 the objections to the person's membership and privileges shall  
13 be made solely upon the record of such hearing and the  
14 findings and conclusions made therefor.

15 (d) The board of commissioners, or such administrative  
16 personnel and personnel of the staff and hospitals as the  
17 board may authorize and designate, is authorized and empowered  
18 to suspend any membership on the staff, and any or all  
19 privileges attendant thereto, for a period of less than 31  
20 days without hearing prior to such suspension whenever it  
21 appears that delay in such suspension would cause an immediate  
22 danger to the hospital or any patient thereof or whenever it  
23 appears that the suspended physician has failed to abide by a  
24 prescribed rule of administrative or staff procedure in  
25 willful or negligent violation of hospital discipline. It is  
26 further provided that any staff member suspended for a period  
27 of less than 31 days without hearing shall, upon written  
28 request to the chair of the board of commissioners, be granted  
29 by said chair a speedy hearing in the same manner and  
30 according to the same procedure as prescribed for other  
31 determinations of staff membership and privileges.



1           (e) A decision of the board of commissioners to  
2 refuse, revoke, or suspend membership on the staff or to  
3 refuse, revoke, or suspend any privilege attendant to such  
4 membership is hereby declared to be a quasi-judicial function  
5 of the board, and any hearing held for the purpose set forth  
6 in this section shall be held and conducted in accordance with  
7 general law relating to quasi-judicial hearings and  
8 determinations. Judicial review of such decision shall be by  
9 certiorari to the Fourth District Court of Appeal in the time  
10 and manner prescribed by the Florida Appellate Rules unless  
11 the provisions of such appellate rules confer exclusive  
12 jurisdiction upon the Supreme Court of Florida. The board of  
13 commissioners shall establish such rules of procedure for  
14 hearing required by this act as are reasonably necessary to  
15 ensure an orderly, fair, and impartial proceeding in which all  
16 facts relevant to the objections to the person's membership  
17 and privileges may be heard by the examining authority.

18           (f) The testimony at any hearing required by this  
19 section shall be stenographically or mechanically recorded,  
20 and such record shall thereafter be transcribed. Such  
21 transcription, together with all notices to the person  
22 concerned; all documents, exhibits, and demonstrative evidence  
23 submitted to the examining authority for consideration at the  
24 hearing; all findings and recommendations of the examining  
25 authority, if any; and all findings and decisions of the board  
26 of commissioners relevant to those proceedings shall be  
27 preserved by the district as a permanent record of the  
28 proceedings. The physician concerned shall be entitled to a  
29 copy or copies of such permanent record, certified by the  
30 chair of the board of commissioners to be a true copy thereof,  
31

1 upon written request and payment of a reasonable cost of  
2 preparation.

3 (g) All documents, testimony, and evidence relevant to  
4 the proceeding or the issues thereof and the official record  
5 of such proceeding shall be confidential to the North Broward  
6 Hospital District and the physician concerned, or his or her  
7 attorneys and agents, as provided by law. After the final  
8 decision of the board of commissioners upon the refusal,  
9 revocation, or suspension of membership on the staff or the  
10 privileges attendant thereto, the official record of such  
11 proceeding as required by this act may be made public upon the  
12 mutual agreement of the board of commissioners and the  
13 physician concerned or may be made public by the filing  
14 thereof with a court of law for purposes of judicial review.

15 (3) The Board of Commissioners of the North Broward  
16 Hospital District is hereby authorized and empowered to employ  
17 professional and nonprofessional personnel necessary to the  
18 effective and lawful operation of the hospital and facilities  
19 of the district, including, but not limited to:

20 (a) Registered, practical, and student nurses and  
21 nurse's aides.

22 (b) Physicians licensed or approved by the Florida  
23 Board of Medicine necessary to provide emergency medical care  
24 and treatment in the emergency rooms of the district  
25 hospitals.

26 (c) Interns and resident physicians who are engaged in  
27 an authorized medical training program of the district.

28 (d) Physicians licensed by the Florida Board of  
29 Medicine and technicians specially trained in the basic  
30 sciences allied with, and necessary to, the practice of  
31 medicine who are necessary to an authorized medical training

1 program of the district or who are necessary to provide  
2 professional advice and services to medical staff physicians.

3  
4 All physicians employed by the North Broward Hospital District  
5 as authorized in this subsection shall be members of the  
6 medical staff and subject to the medical staff bylaws, rules,  
7 and regulations.

8 (4) The Board of Commissioners of the North Broward  
9 Hospital District is further authorized and empowered to  
10 establish reasonable rules and regulations to govern the  
11 operation of district hospitals and facilities and to govern  
12 and control the conduct of all employees, patients, private  
13 duty nurses, guests, visitors, or any other parties or persons  
14 who are in any manner upon or using the premises and  
15 facilities of any district hospital or facility so that the  
16 health and welfare of the patients and the best interest of  
17 the hospital will at all times be served.

18 Section 19. Pension plan and insurance benefits for  
19 employees.--The North Broward Hospital District is authorized  
20 and empowered to create an employees' pension fund to provide  
21 for life, disability, and medical insurance for all or any of  
22 its employees or officers on a group insurance or other  
23 acceptable plan approved by said Board of Commissioners of  
24 North Broward Hospital District; to establish and create by  
25 resolution an employees' pension, annuity, and retirement plan  
26 for any and all groups of officers and employees employed by  
27 the North Broward Hospital District and qualifying for such  
28 plan; and to pay all or such portion of the cost of any such  
29 employees' pension, annuity, and retirement plan from funds  
30 available to the district from its authorized sources, with  
31 the employees defraying the balance thereof, if any, as said

1 board of commissioners by resolution may determine for any and  
2 all groups of officers and employees employed by said North  
3 Broward Hospital District. The Board of Commissioners of the  
4 North Broward Hospital District is authorized to invest and  
5 reinvest available funds of the pension fund in accordance  
6 with the provisions of sections 215.44-215.53, Florida  
7 Statutes.

8 Section 20. Sale or lease of property.--The board of  
9 commissioners is authorized and empowered to lease or sell any  
10 real or personal property owned by the North Broward Hospital  
11 District or to otherwise relinquish and dispose of the  
12 district's title in such property according to the following  
13 terms and conditions:

14 (1) Any real or personal property of a fair value of  
15 less than an amount to be determined from time to time by  
16 resolution of the board of commissioners may be sold, or the  
17 title disposed of, according to the manner and procedure and  
18 the terms and conditions the board of commissioners at the  
19 time might determine.

20 (2) Any real or personal property of a fair value in  
21 excess of the amount established from time to time by  
22 resolution of the board of commissioners pursuant to  
23 subsection (1) may be sold or disposed of after the board of  
24 commissioners has determined by appropriate resolution that  
25 such property is surplus to the needs and requirements of the  
26 district and after the board of commissioners has submitted  
27 the property to the general public for offers by publishing a  
28 notice of intent to dispose of property in a newspaper of  
29 general circulation in the North Broward Hospital District at  
30 least 30 days in advance of such sale or other disposition.  
31 Any person desiring such property shall submit his or her

1 offer to buy to the board of commissioners during such 30-day  
2 period, or during such longer period as the board might  
3 establish, along with the terms and conditions of such offer.  
4 The published notice shall be sufficient if it reasonably  
5 identifies the property in question and informs any persons  
6 interested in such property that the board of commissioners  
7 desires to dispose of said property and seeks offers to buy  
8 thereon. It is not required that such notice specify the terms  
9 or conditions desired by the district, and if such terms and  
10 conditions are included in such notice or otherwise provided,  
11 they are to be for general information only and shall not  
12 prevent the board of commissioners from accepting different  
13 terms and conditions which the board might determine to be  
14 more beneficial to the district. Offers submitted by the  
15 bidders are not required to be sealed or to be kept  
16 confidential to the district, unless otherwise specified in  
17 the published notice, and any bidder may submit any number of  
18 alternate offers at any time during the bidding period.

19       (3) The board of commissioners is hereby authorized  
20 and empowered to accept any bid upon surplus property and to  
21 sell or otherwise convey said property in accordance with the  
22 provisions of this section or to reject all the bids as the  
23 board of commissioners might determine to be in the best  
24 interests of the district.

25       (4) The board of commissioners is authorized and  
26 empowered to convey to Broward County, to any municipality or  
27 any other governmental body or agency of the state or of the  
28 United States located partially or entirely within the  
29 boundaries of the North Broward Hospital District, to any  
30 subsidiary, either for profit or not for profit, to any  
31 not-for-profit affiliate of the district, or to any

1 not-for-profit organization that operates primarily within the  
2 district and that supports the district's provision for the  
3 health care needs of the people of the district any property  
4 for a nominal consideration and according to those terms and  
5 conditions as the board of commissioners may at that time  
6 determine, regardless of the value of such property, whenever  
7 it appears to the board of commissioners that such conveyance  
8 would be in the best interests of the district and the  
9 residents thereof; however, such conveyance for nominal  
10 consideration to other than such subsidiaries, affiliates, or  
11 not-for-profit organizations as described in this subsection  
12 shall not be made until at least 30 days after the terms and  
13 conditions thereof have been published in a newspaper of  
14 general circulation in the North Broward Hospital District or  
15 until residents and taxpayers of the district have been  
16 afforded an opportunity to be heard upon such conveyance at a  
17 regular meeting of the board of commissioners. It is further  
18 provided, however, that the board of commissioners is  
19 authorized to give, grant, sell, or convey any easements or  
20 rights-of-way for the use of the public, for the use of public  
21 utilities, or to support in any manner deemed necessary and  
22 appropriate by the board of commissioners a subsidiary,  
23 affiliate, or not-for-profit organization as described in this  
24 subsection without any requirement for advertising or public  
25 hearing.

26 Section 21. Donations to district.--Any person or  
27 persons, firm, organization, corporation, or society, public  
28 or private, desiring to make donations of money, personal  
29 property, or real estate for the benefit of such district  
30 shall have the right to vest title of the money, personal  
31 property, or real estate so donated in said county to be

1 controlled when accepted by the commissioners of said district  
2 according to the terms of the deed, gift, devise, or bequest  
3 of such property.

4 Section 22. Acquisition of property from the City of  
5 Fort Lauderdale.--The Board of Commissioners of the North  
6 Broward Hospital District is authorized and empowered to  
7 acquire, by gift, purchase, lease, or otherwise, personal or  
8 real property for the benefit of such hospital or hospitals;  
9 to enter into agreements or contracts in the acquisition of  
10 such real estate or personal property; and to pledge,  
11 encumber, or mortgage the acquired property as security for  
12 the debt incurred in the acquisition or purchase thereof.  
13 Notwithstanding the Charter of the City of Fort Lauderdale to  
14 the contrary, the Board of Commissioners of the North Broward  
15 Hospital District and the City of Fort Lauderdale are  
16 authorized and empowered to negotiate for the sale, transfer,  
17 acquisition, purchase, or conveyance of the present hospital  
18 or hospitals now owned by the City of Fort Lauderdale under  
19 such terms, conditions, and agreements as are acceptable to  
20 the City of Fort Lauderdale and to the district. All sales,  
21 transfers, or conveyances by the City of Fort Lauderdale to  
22 the North Broward Hospital District are hereby declared to be  
23 valid and binding, and all laws in conflict therewith are  
24 hereby declared to be repealed and invalid.

25 Section 23. Establishment of hospitals without  
26 issuance of bonds.--If the Board of Commissioners of the North  
27 Broward Hospital District, by reason of funds on hand,  
28 donations, or otherwise, is able to build and establish a  
29 hospital or hospitals without issuing bonds, the board of  
30 commissioners is hereby authorized and empowered to establish  
31 such hospital or hospitals.

1           Section 24. Competitive bids to be sought; procedure;  
2 authority to negotiate contracts; group purchasing.--

3           (1)(a) All purchases of supplies, equipment, and  
4 materials for use in the operation and maintenance of a  
5 hospital or hospitals in excess of an amount to be determined  
6 from time to time by resolution of the board of commissioners  
7 not to exceed 1.5 mills of the total annual district revenues,  
8 and all contracts for construction of improvements authorized  
9 under this act at a contract price in excess of said amount,  
10 shall be approved only after competitive conditions have been  
11 maintained and competitive bids sought from at least three  
12 different sources of supply, but this does not necessarily  
13 require newspaper advertising. The board of commissioners  
14 shall have the authority to modify or negotiate to the extent  
15 provided in subsection (2).

16           (b) All purchases of supplies, equipment, and  
17 materials for use in the operation and maintenance of a  
18 hospital or hospitals in excess of an amount to be established  
19 from time to time by resolution of the board of commissioners  
20 not to exceed 1.5 mills of the total annual district revenues,  
21 and all contracts for construction of improvements authorized  
22 under this act at a contract price in excess of said amount,  
23 shall be made or let only after an advertisement inviting bids  
24 upon such purchases or contracts has been published in a  
25 newspaper of general circulation in the North Broward Hospital  
26 District. The board of commissioners shall have the authority  
27 to modify or negotiate to the extent provided in subsection  
28 (2).

29           (c) Bids upon such purchases or contracts shall be  
30 sealed and shall not be opened by the North Broward Hospital  
31



1 District until after the last bid to be considered has been  
2 received by the district.

3 (d) All purchases of supplies, equipment, and  
4 materials for use in the operation and maintenance of a  
5 hospital or hospitals made by the district may be made through  
6 participation in group purchasing plans by or with other  
7 governmental or nongovernmental agencies at the discretion of  
8 the board of commissioners. The district may purchase in  
9 accordance with prices established by such group purchasing  
10 plans where it can be demonstrated that savings to the  
11 district would be realized.

12 (2) Any plans and specifications provided to  
13 prospective bidders shall be solely for the purpose of  
14 identifying the purchase or construction desired, and the  
15 board of commissioners is hereby authorized and empowered to  
16 deviate from such plans, specifications, and instructions in  
17 the acceptance of any bid so long as the contract or purchase  
18 accepted is substantially similar in function and purpose to  
19 that identified. The board of commissioners is further  
20 authorized and empowered to agree with the successful bidder  
21 for changes and modifications to the successful bid, the total  
22 value of changes and modifications not to exceed 20 percent of  
23 the agreed price, without voiding the existing contract and  
24 without any further bidding procedure.

25 (3) No bidding procedure prescribed in this section  
26 shall apply to work performed by regular employees of the  
27 district.

28 (4) Whenever it reasonably appears to the board of  
29 commissioners that, by reason of an emergency or unusual  
30 conditions, compliance with the bidding procedures prescribed  
31 by this section would be detrimental to the interests of the

1 North Broward Hospital District, the board of commissioners  
2 may by appropriate resolution identify such emergency or  
3 unusual condition and authorize the purchase or construction  
4 desired without compliance with the prescribed bidding  
5 procedures of this section.

6 Section 25. Bad debts.--The board of commissioners is  
7 authorized to declare accounts receivable uncollectible and to  
8 write such accounts off the active books and financial records  
9 of the district as bad debts. The board of commissioners is  
10 further authorized to destroy the account records of those  
11 accounts declared to be bad debts, but such records shall not  
12 be destroyed earlier than 4 years after the annual audit of  
13 the district reflecting such writeoff has been sent to the  
14 office of the Florida Chief Financial Officer, as required by  
15 law.

16 Section 26. Settlement of claims of district against  
17 others.--The board of commissioners shall be authorized and  
18 empowered to compromise and settle any accounts receivable or  
19 other claim on money due and owing to the district according  
20 to such terms and conditions as the board of commissioners in  
21 its discretion might determine. It is expressly provided that  
22 factors which may be considered by the board of commissioners  
23 in such compromise are the ability of the debtors to pay and  
24 the probabilities of collection in full. The board of  
25 commissioners is further authorized and empowered to sell,  
26 assign, or convey to any person the right, title, and interest  
27 of the district in any account receivable or judgment owned by  
28 the district by full or partial payment of such account or  
29 judgment as the board of commissioners in its discretion might  
30 determine. The board of commissioners is further authorized  
31 and empowered to subordinate its interest in any mortgage or

1 judgment lien to the interests of any third parties according  
2 to such terms and conditions as the board of commissioners in  
3 its discretion might determine.

4 Section 27. Payments to other medical  
5 institutions.--The board of commissioners is authorized and  
6 empowered to obligate the district for the payment of hospital  
7 and nursing home expenses for patients transferred from  
8 hospitals of the district to such other institutions at the  
9 district's request, provided that said patients shall be first  
10 certified to be medically indigent by the North Broward  
11 Hospital District, based upon the definition and standards  
12 used by the state. The authority to obligate the district to  
13 such institutions may be delegated by the board of  
14 commissioners to such administrative officers of the district  
15 as the board might believe to be necessary and proper, and  
16 such obligations may be incurred by the district according to  
17 such circumstances, terms, and conditions as the board of  
18 commissioners might determine or specify.

19 Section 28. Parking facilities.--The board of  
20 commissioners is authorized and empowered to establish,  
21 construct, and maintain such automobile parking facilities  
22 upon district property as the board of commissioners in its  
23 discretion might determine to be necessary and proper to a  
24 hospital facility. The board of commissioners is further  
25 authorized and empowered to charge such fee for the use of  
26 such facilities as it might determine.

27 Section 29. Medical research.--The board of  
28 commissioners is hereby authorized and empowered at any time  
29 in its discretion to establish, maintain, or participate in  
30 such programs and projects of and for medical research,  
31 education, and development affecting human physical or mental

1 health and well being as it may deem desirable. In connection  
2 with such programs and projects, the board of commissioners is  
3 authorized and empowered to cooperate with public and private  
4 educational or research institutions, corporations,  
5 foundations, or organizations of any and all types as well as  
6 agencies, departments, divisions, branches, or bodies of  
7 government, or created by government, whether federal, state,  
8 county, municipal, or otherwise. In furtherance of such  
9 programs and projects, said board of commissioners is further  
10 authorized and empowered to expend moneys and utilize assets  
11 and property, real or personal, of the district and to receive  
12 donations, grants, or gifts of money or property, real or  
13 personal, from any person or persons, firm, organization,  
14 corporation, society, institution, foundation, or legal entity  
15 of whatever nature, whether private, governmental, or public.

16 Section 30. Fiscal year.--Notwithstanding the  
17 provisions of section 218.33, Florida Statutes, the fiscal  
18 year of the North Broward Hospital District shall commence  
19 July 1 and end June 30 of each calendar year.

20 Section 31. Use of Florida Industrial Development  
21 Financing Act.--The district is hereby declared to be a local  
22 agency as defined in section 159.27, Florida Statutes, and  
23 shall have all additional powers set forth in part II of  
24 chapter 159, Florida Statutes, to be exercised in furtherance  
25 of the purposes of the district.

26 Section 32. Transfer or lease of facilities to  
27 not-for-profit corporations authorized.--

28 (1) The district shall have the authority to transfer,  
29 by lease, installment sale agreement, or otherwise, any or all  
30 of its hospitals and other facilities to one or more Florida  
31 not-for-profit corporations for the purpose of operating and

1 managing such facilities and to enter into leases with one or  
2 more Florida not-for-profit corporations for the operating of  
3 such facilities. The term of any such lease, contract, or  
4 agreement and the conditions, covenants, and agreements to be  
5 contained therein shall be determined by the board.

6 (2) Any lease, contract, or agreement made pursuant to  
7 subsection (1) shall:

8 (a) Provide that the articles of incorporation of such  
9 not-for-profit corporations initially be subject to the  
10 approval of the board of commissioners of the district.

11 (b) Require that the not-for-profit corporations  
12 become qualified under s. 501(c)(3) of the United States  
13 Internal Revenue Code.

14 (c) Provide for the orderly transition of such  
15 facilities to not-for-profit corporations.

16 (d) Provide for the return of such facility to the  
17 district upon the termination of such agreement or the  
18 dissolution of such not-for-profit corporations.

19 Section 33. Community Redevelopment Act of 1969.--

20 (1) Notwithstanding the provisions of part III of  
21 chapter 163, Florida Statutes, the Community Redevelopment Act  
22 of 1969, the North Broward Hospital District shall not be  
23 deemed to be a public body or taxing authority as those terms  
24 are used in part III of chapter 163, Florida Statutes.

25 (2) This section shall not apply with respect to  
26 community redevelopment agencies established prior to January  
27 1, 2002.

28 Section 34. Liberal construction of act.--The  
29 provisions of this act shall be liberally construed for  
30 accomplishing the work authorized and provided for or intended  
31 to be provided for in this act, and where strict construction

1 would result in the defeat of the accomplishment of any part  
2 of the work authorized by this act and a liberal construction  
3 would permit or assist in the accomplishment thereof, the  
4 liberal construction shall be chosen.

5 Section 4. Severability.--Any provision of this act  
6 which for any reason may be held or declared invalid or  
7 unenforceable may be eliminated, and the remaining portion or  
8 portions thereof shall remain in full force and be valid and  
9 enforceable as if such invalid or unenforceable provision had  
10 not been incorporated therein.

11 Section 5. Chapters 27438 (1951), 61-1931, 61-1937,  
12 63-1192, 65-1316, 65-1319, 67-1170, 67-1171, 69-895, 69-898,  
13 69-914, 70-622, 71-567, 71-576, 71-578, 73-411, 73-412,  
14 73-413, 74-449, 75-347, 75-348, 76-338, 77-508, 78-481,  
15 80-464, 80-468, 81-354, 84-399, 86-369, 87-508, 90-485,  
16 91-351, 97-372, and 2002-363, Laws of Florida, are repealed.

17 Section 6. This act shall take effect upon becoming a  
18 law.

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