

2000

Session Law 00-439

Florida Senate & House of Representatives

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REGULAR SESSION 1963

SPECIAL ACTS

ADOPTED BY THE

LEGISLATURE OF FLORIDA

At its Thirty-Ninth Regular Session

April 2nd to June 19th, 1963

UNDER THE CONSTITUTION OF A D 1885



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Under the Direction of
TOM ADAMS, SECRETARY OF STATE

Volume II. Part Two
1963

CHAPTER 63-1551

HOUSE BILL NO. 1729

AN ACT authorizing the board of county commissioners of Lee county to purchase vehicles to be used for county purposes; authorizing and allowing said board a monthly allowance for the use of their own private vehicles, providing an effective date.

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

Section 1 The board of county commissioners of Lee county is authorized to purchase and furnish compact or economy model vehicles or automobiles to be used in lieu of truck vehicles by the commissioners while engaged in county business.

Section 2. As an alternative, the board of county commissioners of Lee county is authorized and empowered to pay to themselves one hundred dollars (\$100 00) each and every month toward the expense of using their own private automobiles in connection with the duties of said office and while engaged in county business. Said one hundred dollars (\$100.00) expense allowance each and every month shall be over and above their present salaries and shall be budgeted and paid out of the general fund of said county and is hereby declared to be payment of money for county purposes.

Section 3. This act shall take effect immediately upon its becoming a law.

Became a law without the Governor's approval.

Filed in Office Secretary of State May 30, 1963.

CHAPTER 63-1552

HOUSE BILL NO. 1635

AN ACT relating to establishment of a public hospital and a nursing home in Lee county; authorizing the board of county commissioners to establish, acquire land and provide for the operation and maintenance of same; providing powers and duties of board regarding same; authorizing bond issue for certain purposes subject to referendum; providing for and regulating hospital board, and providing its duties and powers; providing effective date.

Be It Enacted by the Legislature of the State of Florida

Section 1 The board of county commissioners of Lee county, hereinafter called the county board, is hereby authorized to establish and to provide for the operation and maintenance of a public hospital and, if deemed necessary for the efficient operation of said hospital, a nursing home, to construct and equip the necessary buildings for the aforesaid purposes and to construct extensions, additions and improvements thereto from time to time, and to acquire any land or interest in land which may be necessary for such purposes. The county board is further authorized to accept the conveyance of any or all assets presently owned by Lee memorial, inc., a nonprofit corporation, and to dedicate such assets to hospital purposes as provided for herein.

Section 2 For the purpose of providing funds to finance construction and equipping of said hospital and other necessary buildings to be used in connection therewith, including the acquisition of land or any interest in land, and for the purpose of constructing extensions, additions and improvements to said hospital from time to time, the county board is authorized to issue bonds of the county in amounts necessary to pay such part of the cost thereof as exceeds that amount received, if any, from grants made by the federal or state government, or any agency thereof, and donations made by individuals, associations or corporations, which grants and donations the county board is hereby authorized to accept. Said bonds shall be issued only after their issuance shall have been approved by a majority of the votes cast at an election in which a majority of the freeholders who are qualified electors residing in Lee county shall participate. Notwithstanding the provisions of any other law, the election concerning the issuance of bonds may be held on the same day as an election held in said county for any other purpose, whether such other election be a primary, general or special election. The county board may submit the question of issuing bonds authorized by this act at one election and others thereof at one or more subsequent elections. The ballots used at any such election shall state the maximum amount of bonds proposed to be issued, the maximum period within which the bonds will mature and the maximum interest rate, provided, however, that the total amount of bonds outstanding at any one time shall not exceed four million dollars (\$4,000,000 00). In the event that at any election the issuance of bonds under the authority of this act

should not be approved, or if any such election be invalid or ineffective for any reason, the county board may call another election at any time for the same purpose. Except as otherwise provided herein, any election concerning the issuance of bonds as aforesaid shall be called and held and the result thereof canvassed, declared and recorded in the manner prescribed by chapter 100, Florida Statutes.

Section 3 The bonds herein authorized to be issued may be issued and sold at one time or from time to time, and shall bear such date or dates, be in such denomination or denominations, be payable at such place, bear interest at such rate or rates as may be determined at the sale thereof, not exceeding six per cent (6%) per annum, and shall mature at such stated time or times not exceeding thirty (30) years from their date, with or without the right of prior redemption by the county, all as may be determined by resolution of the county board, which resolution may prescribe the manner and terms of redemption of any bonds which the board may elect to make redeemable. The bonds shall be issued in coupon form, but may be registerable as to principal only, and shall be signed by the chairman and attested by the clerk of the county board and shall bear the seal of the board. The interest coupons attached to the bonds shall be authenticated by the facsimile signature of said officials. The bonds shall be sold at public sale for not less than ninety-five per cent (95%) of par value and accrued interest. Prior to sale they shall be advertised for sale on sealed bids, which advertisement shall be published once a week for three (3) weeks, the first publication to be made at least twenty-one (21) days preceding the date fixed for reception of bids, in a newspaper of general circulation published in Lee county. The county board may reject any and all bids. If the bonds be not sold pursuant to such advertisements, they may be sold by the county board at private sale within sixty (60) days after the date advertised for the reception of sealed bids, but no such private sale shall be made at a price less than the highest bid which shall have been received. If not so sold, said bonds shall be readvertised in the manner herein prescribed.

Section 4 When any bonds have been issued pursuant to this act, there shall be levied and assessed annually, so long as any of said bonds or the interest thereon remain unpaid, a tax upon all taxable property, not exempt by law, in Lee county, which tax

shall be sufficient in amount to pay the interest on said bonds as it becomes due and the principal thereof at maturity. Such tax shall be levied, assessed and collected by the same officers and in the same manner as other county taxes are levied, assessed and collected. The county board may allocate to the funds authorized to be raised under the provisions of this section any other public funds not otherwise appropriated or allocated to other uses.

Section 5 Any persons, firms, organizations, corporations or societies desiring to make donations of money, personal property or real estate for the benefit of such hospital shall have the right to vest title to the money, personal property or real estate so donated in the county, to be used when accepted according to the terms of the deed, gift, devise or bequest of such property.

Section 6 The county board is hereby authorized to accept grants or loans of money from the federal government or the state, or any authorized agency thereof, for the purpose of construction, improving or maintaining the public hospital authorized by this act.

Section 7 The construction and operation of the hospital and nursing home provided for herein are hereby determined to be public and county purpose.

Section 8 In the event that it should become necessary to acquire any land for hospital purposes under the authority of this act by eminent domain, the proceedings therefore shall be instituted by the county board and prosecuted in the manner provided by general law.

Section 9 The expenditure of all moneys collected or received for the purposes authorized by this act to be accomplished shall be subject to the control and supervision of the county board. Within thirty (30) days after this act becomes a law, the county board shall set a date for a nonpartisan election by a vote of the electorate of the county at large to elect the first board of hospital directors and said board shall consist of two (2) members from each of the five (5) county commissioner districts, said members shall be residents, registered voters and freeholders of the district from which they are elected and represent. The members of the first board of hospital directors from county commissioner districts num-

bers one (1), three (3) and five (5) shall hold office until midnight, December 31, 1964 and their successors who will have been elected at the general election on a non-partisan basis, in November 1964 shall then take office January 1, 1965. The members of the first board of hospital directors from county commissioner districts numbers two (2) and four (4) shall hold office until midnight, December 31, 1966 and their successors who will have been elected at the general election in November 1966 on a nonpartisan basis shall then take office January 1, 1967. Thereafter, each member of the board of hospital directors will be elected at the general election on a non-partisan basis and his term shall run concurrently with that of the county commissioner's district that the member represents.

Each candidate for election to the board of hospital directors shall pay a qualifying fee to the clerk of the circuit court in the amount of ten dollars (\$10.00) to cover expenses of placing the candidate's name on the ballot at each general election called for herein. He shall qualify with the said clerk at least forty-five (45) days prior to the said general election. To qualify, the candidate shall sign an oath that he is a legal resident of the county commissioner's district of Lee county, in which he is running for election, that he is a citizen of the United States, that he is a duly qualified elector in the state, that he is a freeholder, that he has not violated any of the laws of the state relating to electors and to the registration of electors, that he is seeking election as a member of the board of hospital directors from whatever county commissioner's district he resides in, that he has taken the oath as required by section 876.05, Florida Statutes, although the said candidate is not considered a county or state officer and will receive no compensation for his services as a member of the board of hospital directors.

Section 10. Immediately after the election of the first hospital board, the said board shall meet for the purpose of adopting recommendations to the county board relating to the calling of a bond election as provided for herein. Such recommendations shall include the time for holding a bond election, the amount of bonds proposed to be issued, the period within which said bonds will mature and the interest rate on said bonds. After receiving the recommendations of the hospital board and giving due consideration thereto, the county board shall call a bond election in the manner provided by law.

Section 11 Hospital board members shall receive no compensation for services as members of such board and shall not be deemed to be county or public officers, but such board shall be a county agency for the administration and management of the hospital. Each member of the hospital board, prior to the passage of any bond issue provided for herein, shall execute a bond payable to the county in a sum fixed by the county board for the faithful performance of his duties.

Section 12 The hospital board is authorized to pay all expenses of the organization of the hospital board and all expenses necessarily incurred with the formation of such public county hospital and all other reasonable and necessary expenses, including the fees and expenses of an attorney in the transaction of the business of the said public county hospital, and in carrying out and accomplishing the purposes of this act. This section, however, shall not be construed to limit or destroy any of the powers vested in said hospital board by any other section or provision of this act.

Section 13 Realizing that factors other than professional must enter into the qualification of those who are licensed to practice materia medica, commonly known as medicine, and surgery in the state, the hospital board is authorized to make appointments to the hospital staff, revoke appointments to the hospital staff, and grant privileges to the staff members so that the welfare and health of the patients and the best interests of the hospital may at all times be best served. The hospital board is further empowered to set up rules and regulations for all professional and nonprofessional employees of the hospital, which terms shall include registered nurses on general duty or on private duty attending patients, and all parties in the hospital either as employees or in any manner in attendance of patients.

Section 14 The public county hospital established under this act shall be for the use and benefit of the residents of the county. Such residents shall be admitted to the hospital and be entitled to hospitalization, subject, however, to the rules and regulations prescribed by the hospital board, which rules and regulations are effective as of the date of admission of a patient to the hospital. The hospital may care for and treat without charge those patients who are found by the hospital board to be indigent. The hospital board shall collect from patients financially able, such charges

as the hospital board may from time to time establish The hospital board may exclude from treatment and care any person having a communicable or contagious disease, where such disease may be a detriment to the best interests of the hospital or a source of contagion or infection to the patients in its care, unless such hospital has a separate building or ward for the treatment of such patients, and can properly and with safety to the other patients contain such communicable or contagious disease in such separate ward or building The hospital board may extend the privileges and use of the hospital to nonresidents of the county upon such terms and conditions as said board may from time to time by its rules and regulations provide The hospital board is authorized to accept moneys from the welfare funds available from other governmental agencies for payment of cost of treatment and care of indigent patients

Section 15 The hospital board shall make and adopt such by-laws, rules and regulations for its own guidance and for the government of the hospital and its staff as may be deemed necessary or expedient for the economic and equitable conduct thereof, not inconsistent with this act The hospital board shall elect from its members a chairman, vice-chairman and a secretary and treasurer, or a secretary-treasurer The hospital board shall cause true and accurate minutes and records to be kept of all business transacted by the board and shall keep full, true and complete books of account and records, which minutes, records and books of account shall at all reasonable times be open and subject to the inspection of inhabitants of the county Any person desiring to do so may make or procure a copy of any minutes, records or books of accounts, or any positions filled, as he may desire at his expense All meetings of the hospital board shall be open to the general public At least once a year the hospital board shall cause the financial records and accounts of the hospital to be audited by a certified public accountant authorized to practice public accounting in the state

Section 16 Funds of the hospital board shall be paid out only upon warrant signed by the chairman of the board, or his designee or designees, and no warrant shall be drawn or issued against funds of said board except for a purpose authorized by this act No such warrant against funds of said board shall be drawn or issued until

after the account or expenditure for which the same is to be given in payment has been ordered and approved by the hospital board. All funds of the hospital board shall be deposited in banks located within the county which are qualified to accept deposits of public funds.

Section 17 The hospital board shall make a report of its receipts and disbursements to the county board annually, or at more frequent periods if required by the county board, and shall also from time to time submit to the county board recommendations for such improvements or repairs of hospital facilities as the hospital board may deem necessary.

Section 18 The hospital board is hereby authorized and empowered, in order to provide for and carry out the work of this act, to borrow money from time to time for periods of time not exceeding one (1) year at any one time, and to issue the note or notes of the hospital board therefor upon such terms and upon such rates of legal interest per annum as said board may deem advisable, provided, however, that the aggregate amount of principal of money so borrowed shall not, at any one time, exceed five per cent (5%) of the gross revenues realized by said board through the operation of the hospital during the preceding calendar year.

Section 19 The hospital board may hire or appoint a superintendent, administrator and such other employees and assistants as may be deemed necessary for the efficient management and operation of the hospital.

Section 20 Nothing contained in this act shall be construed as preventing the issuance of bonds or other obligations of Lee county for the purpose of acquiring or constructing public hospitals or buildings to be used in connection therewith under the authority of any other law, it being intended that the powers conferred by this act shall be cumulative to, and not exclusive of, the powers vested in said county and its board of commissioners by the provisions of any other law.

Section 21 It is declared to be the legislative intent that if any section, subsection, sentence, clause or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 22 This act shall take effect immediately upon becoming law

Became a law without the Governor's approval.

Filed in Office Secretary of State May 31, 1963.

CHAPTER 63-1553

HOUSE BILL NO 1841

AN ACT relating to Lee county, amending section 3 of chapter 27676, Laws of Florida, 1951, by adding to the duties and powers of the Fort Myers Beach fire control district the authority to give first aid, perform rescues, and borrow money, providing an effective date

Be It Enacted by the Legislature of the State of Florida

Section 1 Section 3 of chapter 27676, Laws of Florida, 1951, is amended to read

Section 3 (1) Within ten (10) days after the qualification of its members, the board shall meet and elect from its membership a chairman or president, a secretary and a treasurer, provided, however, the same member may be both secretary and treasurer

(2) The board for and on behalf of the district is hereby authorized and empowered to establish, equip, operate, and maintain a fire and rescue department within the district, to buy, lease, sell, exchange, or otherwise acquire by gift or purchase, and to dispose of fire fighting, first aid, and rescue equipment and other property, real, personal or mixed, that it may from time to time deem necessary or needful to prevent and extinguish fires, to render and give first aid, to conduct and perform rescues, and to perform other governmental services

(3) The board, in order to carry out the above powers and duties, shall have the authority and power to hire the necessary personnel who shall serve at the board's pleasure

(4) The board is authorized to borrow money upon such terms and conditions that it may deem proper from any banking institution in the county and to pledge toward the repayment of same

H3 '25

HCL 19/5/49

1.000 - 401 - 3.000 - 200 + 10/1.250

CAF Not in FSA

1.000 - 401 - 3.000 - 200 + 10/1.250

Select Year: 2000

Select Chamber: House

[Go](#)[◀ Previous House Bill](#)[Next House Bill ▶](#)House 1615: Relating to Lee Co./Health Care System**H 1615 LOCAL BILL/1ST ENG by C. Green (Similar S 2786)**

Lee Co /Health Care System; codifies, revises, repeals, & reenacts provisions re public health care system, provides for said system in Lee Co to be named Lee Memorial Health System, provides for elected health care system board, & sets forth its duties & powers, provides for operation & maintenance of said public health care system; provides for deposit & investment of certain funds, provides for execution & enforcement of liens, etc EFFECTIVE DATE. 06/07/2000.

03/02/00 HOUSE Prefiled
 03/07/00 HOUSE Introduced -HJ 00104
 03/10/00 HOUSE Referred to Health Care Licensing & Regulation (HFC),
 Community Affairs (PRC); Finance & Taxation (FRC) -HJ 00283
 03/28/00 HOUSE On Committee agenda-- Health Care Licensing & Regulation
 (HFC), 03/30/00, 1:30 pm, Morris Hall
 03/30/00 HOUSE Comm. Action Favorable by Health Care Licensing & Regulation
 (HFC), YEAS 12 NAYS 0 -HJ 00441
 04/04/00 HOUSE Now in Community Affairs (PRC) -HJ 00441
 04/17/00 HOUSE On Committee agenda-- Community Affairs (PRC), 04/19/00, 8 00
 am, Morris Hall
 04/19/00 HOUSE Comm Action Favorable with 2 amendment(s) by Community
 Affairs (PRC), YEAS 7 NAYS 0 -HJ 00677
 04/21/00 HOUSE Now in Finance & Taxation (FRC) -HJ 00677
 04/26/00 HOUSE Withdrawn from Finance & Taxation (FRC) -HJ 00775; Placed on
 Calendar
 04/28/00 HOUSE Placed on Local Calendar, Read second time -HJ 01057,
 Amendment(s) adopted -HJ 01057; Read third time -HJ 01058,
 Passed as amended, YEAS 112 NAYS 0 -HJ 01058
 04/28/00 SENATE In Messages
 05/02/00 SENATE Received, referred to Rules and Calendar -SJ 00901
 05/04/00 SENATE Withdrawn from Rules and Calendar; Placed on Local Calendar
 -SJ 00994
 05/05/00 SENATE Placed on Local Calendar -SJ 01145, Read second and third
 times -SJ 01373, Passed, YEAS 39 NAYS 0 -SJ 01373
 05/05/00 HOUSE Ordered enrolled -HJ 02440
 05/24/00 Signed by Officers and presented to Governor
 06/07/00 Approved by Governor; Chapter No. 2000-439

Bill Text

Version:	Posted:	Format:
H 1615	08/28/2000	Web Page PDF
H 1615E1	08/28/2000	Web Page PDF
H 1615ER	08/28/2000	Web Page PDF

Amendments:

HB1615AM

Amendment:
525599
753123

Posted:
04/21/2000
04/21/2000

Format:
[Web Page](#) | [PDF](#)
[Web Page](#) | [PDF](#)

Handwritten notes:
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HB1615E1

Amendment.

Posted:

Format:

HB1615ER

Amendment:

Posted:

Format:

Bill Analysis:

Analysis:

H 1615

Sponsor

Health Care Licensing & Regulation

Format:

[PDF](#) 5/27

H 1615A

Health Care Licensing & Regulation

[PDF](#) 3/31

H 1615

Community Affairs

[PDF](#) 4/11

H 1615A

Community Affairs

[PDF](#) 4/3

H 1615Z

Health Care Licensing & Regulation

[PDF](#) 5/11

Vote History:

Chamber:Roll Call:

Date:

Format:

SENATE 0171

05/05/2000

[Web Page](#)

Citations - Statute

NO STATUTE CITATIONS FOUND FOR HOUSE BILL 1615.

Citations - Constitution

NO CONSTITUTION CITATIONS FOUND FOR HOUSE BILL 1615.

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GENERAL ACTS
RESOLUTIONS AND MEMORIALS
ADOPTED BY THE
SIXTEENTH LEGISLATURE OF FLORIDA
UNDER THE CONSTITUTION
AS REVISED IN 1968

During the Regular Session
March 7, 2000, through May 5, 2000



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Tallahassee
2000

in any one (1) year, except as provided in chapter 191, Florida Statutes, chapter 97-340, Laws of Florida, or any other applicable general law or special law, as said laws may be amended from time to time. In addition, the district shall have such authority to levy non-ad valorem assessments and charge impact fees and user charges as prescribed in chapter 191, Florida Statutes, chapter 97-340, Laws of Florida, and any other applicable general law or special law, as said laws may be amended from time to time.

Section 7 Assessment and collection of taxes, assessments, impact fees, and user charges—Taxes, assessments, impact fees, and user charges herein provided for shall be assessed and collected in the manner prescribed by applicable general law or special law, as said laws may be amended from time to time.

Section 4 This act shall be construed as a remedial act and shall be liberally construed to promote the purpose for which it is intended which is a codification, reenactment, and repeal of the several legislative enactments of the Tice Fire Protection and Rescue Service District.

Section 5 If any clause, section, or provision of this act is declared unconstitutional, unenforceable, or invalid for any cause or reason, it shall be eliminated from this act and the remaining portion of the act shall remain in full force and effect as if said unconstitutional, unenforceable, or invalid portion had not been incorporated herein.

Section 6. Except as specifically reenacted herein, chapters 76-410, 79-498, 81-414, 83-446, 83-454, 87-447, 88-545, and 93-396, Laws of Florida, as said laws relate to the Tice Fire Protection and Rescue Service District, are repealed.

Section 7 In the event of a conflict of the provisions of this act with the provisions of any other act, the provisions of this act shall control to the extent of such conflict.

Section 8 This act shall take effect upon becoming a law

Approved by the Governor June 5, 2000

Filed in Office Secretary of State June 5, 2000

CHAPTER 2000-439

House Bill No. 1615

An act relating to Lee County; codifying chapters 63-1552 and 78-552, Laws of Florida, as amended, revising said acts, as amended, repealing prior acts and reenacting portions thereof, providing for a public health care system in Lee County to be named Lee Memorial Health System; providing for an elected health care system board, and setting forth its duties and powers, providing compensation of board

members, providing for the operation and maintenance of said public health care system, providing for deposit and investment of certain funds, authorizing the issuance of bonds, providing for execution and enforcement of liens, providing for the effect of conflicting provisions, providing an effective date.

Be It Enacted by the Legislature of the State of Florida

Section 1. Chapter 63-1552, Laws of Florida, and amendments thereto made by chapters 69-1235, 72-600, 81-420, 83-452, 83-454, 84-465, 87-438, 91-410, 92-269, and 98-528, Laws of Florida, and chapter 78-552, Laws of Florida, are hereby repealed. Said prior acts are replaced in their entirety by this act. This act shall constitute a codification as required by section 189.429, Florida Statutes. It is declared to be the legislative intent that if any section, subsection, sentence, clause, or provision of this act is found to be invalid, the remainder of the act shall not be affected, and further, in order to assure the uninterrupted maintenance and operation of the public health care system provided for herein, that any of the prior acts set forth herein, or any portion thereof, shall survive and be deemed reenacted to the extent necessary to replace any section, subsection, sentence, clause, or provision of this act found to be invalid.

Section 2. The name of the public health care system provided for by this act shall be Lee Memorial Health System, which is a public body, and the governing body thereof shall be the Lee Memorial Health System Board of Directors.

Section 3. The operation and maintenance of the public health system, and the construction of health system facilities provided for in this act are declared to be a public purpose.

Section 4. The Lee Memorial Health System Board of Directors, hereinafter called the system board, is hereby authorized to establish and to provide for the operation and maintenance of a public health care system comprised of hospitals, satellite hospitals, clinics, or other facilities devoted to the provision of health care services intended to improve the physical, spiritual, emotional, or mental health of those persons utilizing such services, or of services to prevent sickness, injury, or disease, including those which are intended to promote a healthful lifestyle, and such other facilities or services as the system board shall deem appropriate to provide a full range of health care services to the population the public health care system may serve. The system board is authorized to construct and equip the necessary buildings for the aforesaid purposes and to construct extensions, additions, and improvements thereto from time to time, and to lease as lessee or lessor, or purchase or sell any land or any interest in land. The system board is authorized and empowered to carry out its functions directly or indirectly through other companies it controls through joint ventures or partnerships with other public or private organizations.

Section 5. In the event that it should become necessary to acquire any land for health system purposes under the authority of this act by eminent

domain, the proceedings therefor shall be instituted by the system board and prosecuted in the manner provided by general law.

Section 6 (1) The Lee Memorial Health System Board of Directors shall consist of ten directors, comprised of two directors from each of the five county health system districts, the boundaries of which have been established by resolution of the system board. Said directors shall be residents and registered voters of Lee County. Directors from the five county health system districts shall be residents of the district from which they are elected and which they represent. System board members shall be elected on a nonpartisan basis by a vote of the electorate of the county as a whole and shall serve staggered 4-year terms. Members of the Hospital Board of Directors of Lee County holding office on the effective date of this act shall continue to hold office for the terms to which they were elected or appointed. Thereafter, directors of the Lee Memorial Health System Board of Directors shall be elected at the general election on a nonpartisan basis for staggered 4-year terms.

(2) The five county health system districts provided for herein shall have such boundaries as exist on the effective date of this act. The system board may at any time, by resolution, make any change which it deems necessary in the boundaries of any or all of the five county health system districts after a public hearing held by the system board, and the publication of notice at least once in a newspaper published in Lee County 15 days prior to said public hearing; provided that such districts shall be as nearly equal in population as practicable, and provided further that no change that would affect the residence qualifications of any incumbent director shall disqualify such incumbent director during the term for which the director is elected. Changes in district boundaries shall be shown by resolutions included within the minutes of the system board. District boundary changes shall be made only in odd-numbered years.

(3) Each candidate for election to the system board shall pay a qualifying fee and qualify during the qualification period as provided by general law. To qualify, each candidate shall sign an oath that he or she is a legal resident of Lee County, that he or she is a citizen of the United States, that he or she is a duly qualified elector in the state, that he or she has not violated any of the laws of the state relating to electors and to the registration of electors, that he or she is seeking election as a director of the Lee Memorial Health System Board of Directors from the county health system district he or she resides in, and that he or she has taken the oath as required by section 876.05, Florida Statutes, although the said candidate is not considered a county or state officer. The candidate shall sign an oath that he or she is a legal resident of the county health system district of Lee County in which he or she is running for election.

(4) Any vacancy in the office of director shall be filled as provided by law.

Section 7 The system board shall elect annually from its members a chair, vice-chair, secretary, and treasurer, who shall be the officers of the system board. The system board shall cause true and accurate minutes and records to be kept of all business transacted by the system board and shall

keep full, true, and complete books of accounts and records, which minutes, records, and books of account and the current line item budget shall at all reasonable times be open and subject to inspection and copying pursuant to the provisions of the constitution and laws of Florida. All meetings of the system board shall be open to the general public pursuant to general law. At least once a year the system board shall cause the financial records and accounts of the health care system to be audited by a certified public accountant authorized to practice public accounting in Florida and a certified public account audit report to be prepared. The audit, together with a copy of the health system's current annual budget, shall be filed annually with the Clerk of the Circuit Court of Lee County.

Section 8 Lee Memorial Health System directors shall receive an annual compensation of up to \$10,000 for services as members of such board, if such compensation is approved by the board. On the first day of each fiscal year following the effective date of this act, the limit shall increase by an amount equal to the increase in the Consumer Price Index during the prior fiscal year published by the United States Department of Labor. Directors shall be reimbursed for travel pursuant to section 112.061, Florida Statutes, as the same may be amended or recodified from time to time, and, in addition, shall be reimbursed for mileage expenses and travel expenses incurred in attending meetings of the Lee Memorial Health System Board of Directors or its committees, notwithstanding that the meetings are held in Lee County, Florida. The system board may adopt policies, procedures, guidelines, and rules that it deems appropriate which will grant the system board members the same privileges, benefits, and allowances that are provided to the Lee Memorial Health System medical staff and volunteers. The system board may adopt a policy that permits board members to participate in the health system's health insurance program for system employees, provided that the cost of such health insurance shall be paid by the board member electing to participate in such plan, said cost to be not less than that set for employees. Each Lee Memorial Health System director shall post a bond as required by general law for the faithful performance of his or her duties.

Section 9 The Lee Memorial Health System Board of Directors shall establish and authorize a medical staff to direct and control practitioners with privileges to perform professional services in the hospitals and other facilities operated by the system board. The system board may establish bylaws, rules, and regulations governing the organization of such medical staffs, the appointment and reappointment of such medical staffs, the disciplining or removal of medical staff members, the delineation of medical staff privileges, the professional duties of members of the medical staffs, and such other matters as the system board may address so that the health and well-being of patients and the best interests of the hospital and other facilities authorized pursuant to this act may at all times be served. The system board shall have the ultimate authority regarding the medical staffs in the Lee Memorial Health System.

Section 10. The Lee Memorial Health System Board of Directors shall have the authority to operate and conduct the business of the public health system, and consistent therewith, shall have the following powers

(1) The system board is authorized to pay all expenses of operation of the Lee Memorial Health System and all other necessary expenses incurred, including the fees and expenses of attorneys retained by the system board or the chief executive officer of the Lee Memorial Health System, in the transaction of the business of the public health care system, and in carrying out and accomplishing the purposes of this act.

(2) The Lee Memorial Health System may sue and be sued in the name of Lee Memorial Health System, provided that in any suit, a change in personnel of the system board shall not abate the suit, which shall proceed as if such change had not taken place. In all suits against the Lee Memorial Health System, service of process shall be had on the chief executive officer of the hospital, or in his absence on any officer of the system board.

(3) To the fullest extent permitted by the state law, the system board may create, be a voting member of, choose directors to serve on the boards of, be a partner in, or participate in or control, any venture, corporation, partnership, or other organization, public or private, which the system board finds operates for the purposes consistent with, and in furtherance of, the purposes and best interests of the Lee Memorial Health System.

(4) The system board may make, or authorize its chief executive officer to make, contracts of all kinds, including, but not limited to, the sale or purchase of real property and may enter into leases of real and personal property of any kind or description, either as lessor or lessee.

(5) The system board is authorized to accept gifts, bequests, grants, endowments, and conveyances from any source.

(6) The system board is authorized and empowered, in order to provide for and carry out the work of this act, to borrow money from time to time and in accordance with the constitution and law, and to issue the notes or bonds of the Lee Memorial Health System upon such terms and upon such rates of interest as the system board may deem advisable, to the fullest extent permitted by general law.

(7) The system board may enter into any and all types of derivative agreements as may be used by prudent borrowers, lenders, or investors, which are intended to minimize the risk of financial loss or maximize the financial return in connection with its bonds, notes, or investments, or for any other purpose.

(8) The system board may, or may authorize its chief executive officer to, settle or compromise any claim, suit, or action brought against the Lee Memorial Health System or any of its subsidiaries, or affiliated organizations, or any of its directors, officers, or employees when such claim, suit, or action arises out of such directors', officers', or employees' acts or omissions in the course of employment or the performance of official duties, consistent with the provisions of the Florida Waiver of Sovereign Immunity Act, as such act may be in effect at the time of such settlement or compromise. This subsection shall not be construed as authorizing or requiring any settlement in excess of those limits imposed by the foregoing general act.

(9) The system board may take any other action consistent with the efficient and effective operation of the public health care system provided for by this act, consistent with the constitution and laws of Florida.

Section 11. The public health care system established under this act shall be primarily for the use and benefit of the residents of Lee County, but exists to provide health care services to all persons, including nonresidents of Lee County, who may seek such services. Persons seeking care may be admitted to Lee Memorial Health System hospitals or treated at its other facilities subject to the rules and regulations adopted by the system board. The system board may establish policies providing for the treatment without charge of those patients who, after reasonable inquiry, are found by Lee Memorial Health System management to be without the means to pay. The system board may, from time to time, establish guidelines for the hospital management in making such inquiry and determinations. The Lee Memorial Health System is authorized to collect from patients who are found to have the means to pay, such charges as the system board may, in its sole discretion, from time to time establish. The Lee Memorial Health System is authorized to bill and receive payment from insurance companies, governmental agencies, or other sources for treatment and care of patients or for other purposes.

Section 12. The Lee Memorial Health System Board of Directors may hire or appoint a chief executive officer, who shall have the title of president. The system board may make and adopt, or authorize the president to adopt such bylaws, rules, regulations, guidelines, or policies for its own guidance and for the organization, management, and operation of health care system facilities and services as may be deemed necessary for the efficient and economic conduct thereof. Subject to the annual health system budget and policy established by the system board, the president shall have the authority to see to the hiring or retention of such personnel as may be deemed necessary for the efficient management and operation of the public health care system and its subsidiaries and affiliated organizations, and to the firing or termination of such personnel. The president shall recommend the adoption of such general policies by the system board as may be deemed necessary and appropriate for the day-to-day management and operation of the hospital and its other facilities, and the system board may authorize the president to see to the establishment of specific policies, procedures, guidelines, and rules regarding such management and operation. The system board may authorize and delegate the enforcement of all such policies, procedures, guidelines, and rules to the president, who may, in turn, authorize and delegate enforcement of the same to such assistants as the president may deem appropriate or necessary. The president may delegate to assistants and subordinates the authority to manage the day-to-day operations of the public health care system, consistent with the president's authority as delegated by the system board pursuant to this section.

Section 13. Funds of the Lee Memorial Health System may be paid out only upon drafts, checks, or warrants signed by persons duly authorized by the system board to execute such instruments for purposes consistent with this act. The system board may adopt rules for the payment of lesser sums in cash, and a petty cash fund or funds may be established for such purpose.

with the maximum amount payable in cash in one transaction fixed by the system chief executive officer. All funds of the system board shall be deposited in banks which are qualified under state law to accept deposits of public funds. The system board may deposit or invest its surplus funds in interest-bearing accounts, instruments, or securities, to the fullest extent permitted by general law. In addition, the system board may invest its surplus funds as follows.

(1) Without limitation in,

(a) Bonds, notes, or other obligations of the United States or those guaranteed by the United States or for which the credit of the United States is pledged for the payment of the principal and interest or dividends thereof.

(b) State bonds pledging the full faith and credit of the state and revenue bonds additionally secured by the full faith and credit of the state.

(c) Bonds of the several counties or districts in the state containing a pledge of the full faith and credit of the county or district involved.

(d) Savings accounts in, or certificates of deposit of, any bank, savings bank, or savings and loan association incorporated under the laws of the United States doing business and situated in this state, the accounts of which are insured by the Federal Government or an agency thereof, in an amount that does not exceed 15 percent of the net worth of the institution, provided such savings accounts and certificates of deposit are secured in the manner prescribed in chapter 280, Florida Statutes.

(e) Obligations of the Federal Farm Credit Banks and obligations of the Federal Home Loan Bank and its district banks.

(f) Obligations of the Federal Home Loan Mortgage Corporation including participation certificates.

(g) Obligations guaranteed by the Government National Mortgage Association.

(h) Commercial paper of prime quality of the highest letter and numerical rating as provided for by at least one nationally recognized rating service.

(i) Time drafts or bills of exchange drawn on and accepted by a commercial bank, otherwise known as banker's acceptances, which are accepted by a member bank of the Federal Reserve System having total deposits of not less than \$400 million.

(j) Short-term obligations not authorized elsewhere in this section, to be purchased individually or in pooled accounts or other collective investment funds, for the purpose of providing liquidity to any fund or portfolio.

(k) Securities of, or other interest in, any open-end or closed-end management type investment company or investment trust registered under the Investment Company Act of 1940, 15 U.S.C. ss. 80a-1 et seq., as amended from time to time, provided that the portfolio of such investment company

or investment trust is limited to obligations of the United States Government or any agency or instrumentality thereof and to repurchase agreements fully collateralized by such United States Government obligations and provided that such investment company or investment trust takes delivery of such collateral either directly or through an authorized custodian

(2) With no more than 25 percent of its funds in

(a) Bonds, notes, or obligations of any municipality or political subdivision or any agency or authority of this state, if such obligations are rated in any one of the three highest ratings by two nationally recognized rating services. However, if only one nationally recognized rating service shall rate such obligations, then such rating service must have rated such obligations in any one of the two highest classifications heretofore mentioned.

(b) Notes secured by first mortgages on Florida real property, insured or guaranteed by the Federal Housing Administration or the United States Department of Veterans Affairs

(c) Mortgage pass-through certificates, meaning certificates evidencing ownership of an undivided interest in pools of conventional mortgages on real property which is improved by a building or buildings used for residential purposes for one to four families when:

1. Such real property is located in this state,

2. Such mortgages are originated by one or more banks or savings and loan associations organized under the laws of this state, by national banks or federal savings and loan associations having their principal place of business in this state, or by a lender that is approved by the Secretary of the United States Department of Housing and Urban Development for the participation in any mortgage insurance program under the National Housing Act and has its principal place of business in this state, or by any combination thereof, and

3. Such mortgages are transferred or assigned to a corporate trustee acting for the benefit of the holders of such certificates

(d) Obligations of the Federal National Mortgage Association

(e) Group annuity contracts of the pension investment type with insurers licensed to do business in this state, except that amounts invested by the board with any one insurer shall not exceed 3 percent of its assets

(f) Certain interest in real property and related personal property, including mortgages and related instruments on commercial or industrial real property, with provisions for equity or income participation or with provisions for convertibility to equity ownership, and interest in collective investment funds. Associated expenditures for acquisition and operation of assets purchased under this provision shall be included as a part of the cost of the investment

1. The title to real property acquired under this paragraph shall be vested in the name of the respective fund

2 For purposes of taxation of property owned by any fund, the provisions of section 196.199(2)(b), Florida Statutes, do not apply.

3. Real property acquired under the provisions of this paragraph shall not be considered state lands or public lands and property as defined in chapter 253, Florida Statutes, and the provisions of that chapter do not apply to such real property.

(g) General obligations backed by the full faith and credit of a foreign government which has not defaulted on similar obligations for a minimum period of 25 years prior to purchase of the obligation and has met its payments of similar obligations when due.

(h) Obligations of agencies of the government of the United States, provided such obligations have been included in and authorized by the Florida Retirement System Total Fund Investment Plan established in section 215.475, Florida Statutes.

(i) United States dollar-denominated obligations by foreign governments, or political subdivisions or agencies thereof, or foreign corporations or foreign commercial entities.

(3) With no more than 50 percent of its funds in common stock, preferred stock, and interest-bearing obligations of a corporation having an option to convert into common stock, provided.

(a) The corporation is organized under the laws of the United States, any state or organized territory of the United States, or the District of Columbia.

(b) The corporation is listed on any one or more of the recognized national stock exchanges in the United States and conforms with the periodic reporting requirements under the Securities Exchange Act of 1934.

The system board shall not invest more than 10 percent of the equity assets of its funds in the common stock, preferred stock, and interest-bearing obligations having an option to convert into common stock, of any one issuing corporation, and the system board shall not invest more than 3 percent of the equity assets of any funds in such securities of any one issuing corporation except to the extent a higher percentage of the same issue is included in a nationally recognized market index, based on market values at least as broad as the Standard and Poor's Composite Index of 500 Companies, or except upon a specific finding by the system board that such higher percentage is in the best interest of the system board. The system board may only sell listed options to reduce investment risks, to improve cash flow, or to provide alternative means for the purchase and sale of underlying investment securities. Reversing transactions may be made to close out existing option positions.

(4) With no more than 80 percent of its funds, in interest-bearing obligations with fixed maturity of any corporation or commercial entity within the United States.

For the purpose of determining the above investment limitations, the value of bonds shall be the par value thereof, and the value of evidences of ownership and interest-bearing obligations having an option to convert to ownership shall be the cost thereof. Investments in any securities authorized by this section may be under repurchase agreements or reverse repurchase agreements. Investments made by the system board may be designated to maximize the financial return to the fund consistent with the risks incumbent in each investment and shall be designed to preserve an appropriate diversification of the portfolio. The system board is authorized to buy and sell futures and options, provided the instruments for such purpose are traded on a securities exchange or board of trade regulated by the Securities and Exchange Commission or the Commodity Futures Trading Commission, unless the system board by rule authorizes a different market. The system board is authorized to invest in domestic or foreign national principal contracts.

Section 14. For the purpose of providing funds for any purpose that the system board may deem advisable, the system board is authorized to issue revenue bonds of the Lee Memorial Health System pursuant to the constitution and laws of Florida, in such amounts as the system board may by resolution establish. The principal and interest on such bonds shall be paid from the revenues of the Lee Memorial Health System.

Section 15. For the purpose of providing funds to be used in connection with the Lee Memorial Health System, including the acquisition of land or any interest in land, the system board, at its discretion, is authorized to issue general obligation bonds in amounts necessary to pay the cost thereof. Said bonds shall be issued only after their issuance shall have been approved by a majority of the votes cast at an election of the qualified electors residing in Lee County. Notwithstanding the provisions of any other law, the election concerning the issuance of bonds may be held on the same day as an election held in said county for any other purpose, whether such other election be a primary, general, or special election. The system board may submit the question of issuing bonds authorized by this act at one election and others thereof at one or more subsequent elections. The ballots used at any such election shall state the maximum amount of bonds proposed to be issued. In the event that at any election the issuance of bonds under the authority of this act should not be approved, or if any such election be invalid or ineffective for any reason, the system board may call another election at any time for the same purpose. Except as otherwise provided herein, any election concerning the issuance of bonds as aforesaid shall be called and held and the result thereof canvassed, declared, and recorded in the manner prescribed by chapter 100, Florida Statutes.

Section 16. When any bonds have been issued pursuant to section 15 hereof, there shall be levied and assessed annually, so long as any of said bonds or the interest thereon remain unpaid, an ad valorem tax upon all taxable property, not exempt by law, in Lee County, which tax shall be sufficient in amount to pay the interest on said bonds as it becomes due and the principal thereof at maturity. Such tax shall be levied, assessed, and collected by the same officers and in the same manner as other county ad valorem taxes are levied, assessed, and collected.

Section 17 The bonds herein authorized to be issued by this act may be issued and sold at one time or from time to time, and shall bear such date or dates, be in such denomination or denominations, be payable at such place, bear interest at such fixed or variable rate or rates, and bear such maturity dates as may be permitted by general law, with or without the right of prior redemption, all as may be determined by resolution of the system board, which resolution may prescribe the manner and terms of redemption of any bonds which the system board may elect to make redeemable. The bonds may be issued in coupon form or non-coupon form, may be validated as permitted by law and shall bear the seal of the Lee Memorial Health System. Neither the provisions of this section nor any other provision of this act shall impair, abate, suspend, or invalidate any bond or other debt obligation of the Hospital Board of Directors of Lee County issued prior to the effective date of this act. The Lee Memorial Health System Board of Directors shall, without interruption, continue to have all duties and responsibilities regarding such bonds or obligations as were had by the Hospital Board of Directors of Lee County.

Section 18 Lee Memorial Health System shall be entitled to a lien for all reasonable charges for hospital, physician, and other health care services provided by the Lee Memorial Health System to ill or injured persons, upon the proceeds of all causes of action, suits, claims, counterclaims, and demands accruing to said persons or to their legal representatives, and upon all judgments, settlements, and settlement agreements rendered or entered into by virtue thereof, on account of injuries giving rise to such causes of action, suits, claims, counterclaims, demands, judgments, settlements, or settlement agreements, which injuries shall have necessitated such hospital, physician, and other services provided to such ill or injured persons. Lee Memorial Health System shall perfect and be entitled to enforce such lien as follows.

(1) In order to perfect the lien provided for herein, the Lee Memorial Health System chief executive officer or an employee or employees of the Lee Memorial Health System authorized by the chief executive officer shall, before or within 10 days after such ill or injured person shall have been discharged from a Lee Memorial Health System hospital, file in the office of the Lee County Clerk of Circuit Court, a verified written notice of lien setting forth the name and address of the ill or injured person as they may appear in the records of said health system hospital, the name and location of said hospital, the name and address of the employee or other authorized person preparing the notice of lien, the date of admission to said hospital and the date of discharge from said hospital, the amount claimed to be due for hospital, physician, and other services provided, and to the best knowledge of the person preparing the notice of lien, the names and addresses of all persons, firms, or corporations who may be claimed by such ill or injured person or by the legal representative of such person, to be liable on account of such illness or injuries. When the notice of lien is filed, a copy thereof shall be sent by United States Postal Service to the ill or injured person, to said person's attorney, if known, and to all persons, firms, or corporations named in such notice of lien. The filing and mailing of the notice of lien in accordance with this section shall be notice thereof to all persons, firms, or corporations who may be liable on account of such illness or injuries, and to any

other persons, firms, or corporations that may have an interest in the afore-said causes of action, suits, claims, counterclaims, demands, judgments, settlements, or settlement agreements, whether or not they are named in the notice of lien, and whether or not a copy of the notice of lien shall have been received by them.

(2) The Lee County Clerk of Circuit Court shall endorse on the written notice of lien the date and hour of filing and shall record said notice of lien in the Official Records of Lee County. The Clerk of Circuit Court shall be entitled to a fee from the Lee Memorial Health System for filing and recording the notice of lien that shall be the same fee as provided by general law for the filing and recording of other instruments.

(3) No release or satisfaction of any cause of action, suit, claim, counter-claim, demand, judgment, settlement, or settlement agreement shall be valid or effectual as against the lien of Lee Memorial Health System unless the lienholder shall join therein or execute a release of its lien prior to the payment of any proceeds thereof. Any acceptance of a release or satisfaction of any cause of action, suit, claim, counterclaim, demand, judgment, settlement, or settlement agreement in the absence of a release or satisfaction of the lien of Lee Memorial Health System shall prima facie constitute an impairment of such lien and the lienholder shall be entitled to a cause of action for damages against any and all persons, firms, or corporations giving or accepting such release or satisfaction, or paying or accepting the proceeds from the same. In such action, Lee Memorial Health System may recover the full amount of its charges for such hospital, physician, or other health care services; regardless of the amount of proceeds paid or received in impairment of its lien. Satisfaction of a judgment rendered in favor of Lee Memorial Health System in such action shall operate as a satisfaction of the lien. The action by the lienholder shall be brought in the court in Lee County having jurisdiction of the amount of the lienholder's claim. If Lee Memorial Health System shall prevail in such action, it shall be entitled to recover from the defendant or defendants, in addition to costs otherwise allowable by law, all reasonable attorney fees and expenses.

(4) No person shall be entitled to recover or receive damages based on the expense of hospital, physician, or other health care services provided by Lee Memorial Health System unless that person shall affirmatively show that Lee Memorial Health System's charges have been paid. Provided, however, that in any action, suit, or counterclaim brought on account of illness or injury, the plaintiff or counterclaimant may include as an item of damages the expense of such hospital, physician, or other health care services provided by Lee Memorial Health System, if prior to trial he or she shall have notified Lee Memorial Health System in writing of the pendency of such action, suit, or counterclaim, whereupon the lienholder shall have the right, without leave of court, to intervene in the case and prove the amount of its charges for such hospital, physician, or other health care services. Any judgment rendered in favor of the plaintiff or counterclaimant shall provide that the amount proved by the lienholder to be due shall be deducted from the damages awarded and paid to the Lee Memorial Health System.

(5) The provisions of this section shall not be applicable to accidents or injuries within the purview of the workers' compensation laws of Florida.

Section 19 In the event of a conflict of the provisions of this act with the provisions of any other act, the provisions of this act shall control to the extent of such conflict.

Section 20 This act shall take effect upon becoming a law.

Approved by the Governor June 7, 2000.

Filed in Office Secretary of State June 7, 2000.

CHAPTER 2000-440

House Bill No. 1627

An act relating to Hillsborough County, repealing the requirements for completing performance audits of certain entities; repealing chapters 94-412, 96-516, and 98-482, Laws of Florida, relating to the Hillsborough County Aviation Authority, repealing section 20 of chapter 96-519 and chapter 98-481, Laws of Florida, relating to the Hillsborough County Civil Service Board; repealing chapters 94-405 and 96-513, Laws of Florida, relating to the Hillsborough County Environmental Protection Commission, repealing section 10 of chapter 96-449 and chapter 98-479, Laws of Florida, relating to the Hillsborough County Hospital Authority, repealing section 7 of chapter 97-351 and chapter 98-480, Laws of Florida, relating to the Hillsborough County City-County Planning Commission, repealing section 27 of chapter 95-488 and chapters 96-518 and 98-478, Laws of Florida, relating to the Tampa Port Authority, repealing chapters 94-408, 96-515, and 98-477, Laws of Florida, relating to the Hillsborough County Public Transportation Commission; repealing only sections 13A, 13B, and 13C of chapter 96-520, Laws of Florida, and chapter 98-476, Laws of Florida, relating to the Tampa Sports Authority, repealing chapter 99-476, Laws of Florida, relating to the completion dates of the performance audits; providing an effective date

Be It Enacted by the Legislature of the State of Florida

Section 1 Chapters 94-405, 94-408, 94-412, 96-513, 96-515, 96-516, 96-518, 98-476, 98-477, 98-478, 98-479, 98-480, 98-481, 98-482, and 99-476, Laws of Florida, section 27 of chapter 95-488, section 10 of chapter 96-449, and section 20 of chapter 96-519, Laws of Florida, only sections 13A, 13B, and 13C of chapter 96-520, Laws of Florida, and section 7 of chapter 97-351, Laws of Florida, are repealed.

Section 2 This act shall take effect upon becoming a law

Approved by the Governor June 7, 2000

Filed in Office Secretary of State June 7, 2000.

House Committee on Community Affairs
2000 ECONOMIC IMPACT STATEMENT

House policy requires that economic impact statements for local bills be prepared at the LOCAL LEVEL. This form should be used for such purposes. It is the policy of the House Community Affairs Committee that no bill will be considered by the Committee without an original Economic Impact Statement. This form must be completed whether or not there is an economic impact. If possible, this form must accompany the bill when filed with the Clerk for introduction. In the alternative, please submit it to the House Community Affairs Committee as soon as possible after the bill is filed.

BILL #: HB 1615
SPONSOR(S): C. Green
RELATING TO: Hospital Board of Directors of Lee County

[Indicate Area Affected (City, County, Special District) and Subject]

I. ESTIMATED COST OF ADMINISTRATION, IMPLEMENTATION, AND ENFORCEMENT:
FY 00-01 FY 01-02

Expenditures:

No additional costs will be incurred.

II. ANTICIPATED SOURCE(S) OF FUNDING:

FY 00-01 FY 01-02

Federal:

State:

Local: Fees from provision of services

III. ANTICIPATED NEW, INCREASED, OR DECREASED REVENUES:

FY 00-01 FY 01-02

Revenues:

Not applicable.

IV. ESTIMATED ECONOMIC IMPACT ON INDIVIDUALS, BUSINESS, OR GOVERNMENTS:

Advantages:

More efficient operation of the Lee Memorial Health System.
Economic impact is not quantifiable.

Disadvantages:


No economic disadvantage known at this time.

V. ESTIMATED IMPACT UPON COMPETITION AND THE OPEN MARKET FOR EMPLOYMENT:

None

VI. DATA AND METHOD USED IN MAKING ESTIMATES (INCLUDE SOURCE[S] OF DATA):

Not applicable.

PREPARED BY:  1-4-00
[Must be signed by Preparer] Date
Robert C. McCurdy
System Vice President,
TITLE: Legal Services and Risk Management
Hospital Board of Directors of Lee County
REPRESENTING: d/b/a Lee Memorial Health System
PHONE: (941) 334-5382

House Committee on Community Affairs

2000 LOCAL BILL CERTIFICATION

BILL #: HB 1615
 SPONSOR(S): C. Green
 RELATING TO: Lee County: Lee Memorial Health System
(Indicate Area Affected (City, County, Special District) and Subject)
 NAME OF DELEGATION: Lee County
 CONTACT PERSON: Jerri Veenstra
 SUNCOM or PHONE #: 488-2047

I. House policy requires that, before the House Committee on Community Affairs considers a local bill, three things must occur: (1) The members of the local legislative delegation must certify that the bill's purpose cannot be accomplished at the local level; (2) a public hearing must be held in the area affected, and (3) at or after the hearing, the bill must be approved by the legislative delegation. Local bills will not be considered by the Committee without a completed, original Local Bill Certification Form.

Does the delegation certify that the purpose of the bill cannot be accomplished locally?
 YES [] NO []

Has a public hearing been held? YES [] NO []

Date hearing held: NOV. 10, 1999
 Location: Et Myers, Lee County Courthouse

Was this bill formally approved by a majority of the delegation members?
 YES [] NO [] UNIT RULE [] UNANIMOUS []

II Article III, Section 10, of the State Constitution prohibits passage of any special act unless the bill has been advertised in advance (as provided in s 11 02, F S) or is conditioned to take effect only upon approval by referendum vote of the electors in the area affected

Has this Constitutional requirement been met?

Notice published: YES [] NO []

Referendum in lieu of publication: YES [] NO []

III. Article VII, Section 9(b), of the State Constitution prohibits passage of any bill creating a special taxing district, or changing the authorized millage rate for an existing special taxing district, unless the bill subjects the taxing provision to approval by referendum vote of the electors in the area affected

Has this constitutional requirement been met?
 YES [] NO [] NOT APPLICABLE []

IV. House policy requires that economic impact statements for local bills be prepared at the local level

Will there be any costs or economic benefits associated with this bill?
 YES [] NO []

Please complete the Economic Impact Statement form provided by the House Committee on Community Affairs whether or not there is an economic impact. It is the policy of the Committee that no bill will be considered without an original Economic Impact Statement. If possible, this form must accompany the bill when filed with the Clerk. In the alternative, please submit the form to the House Community Affairs Committee as soon as possible after bill is filed.

[Signature] 11/20/99
 Delegation Chair's Signature (Only) Date

NEWS-PRESS
Published every morning — Daily and Sunday
Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared _____
Kieanna Henry

who on oath says that he/she is the _____
Asst. Legal Coordinator of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County, Florida, that the
attached copy of advertisement, being a _____

special legislation
in the matter of _____

Special Legislation
in the _____ Court

was published in said newspaper in the issues of _____
January 6, 2000

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement, and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

Kieanna Henry

Sworn to and subscribed before me this
6th day of _____

January, 20 00 by
Kieanna Henry

who is personally known to me or who has produced

as identification, and who did or did not take an oath
Notary Public *Brenda Leighton*

Print Name _____

My Commission Expires

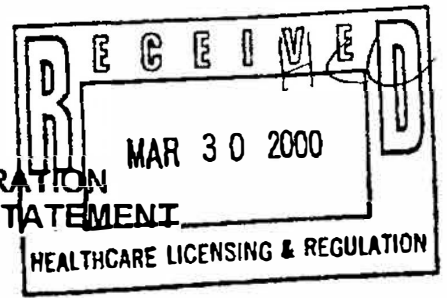
CLASS-18



Brenda Leighton
MY COMMISSION # CC808905 EXPIRES
February 14, 2003
BONDED THRU TROY FAIN INSURANCE INC.

HOSPITAL BOARD OF DIRECTORS OF LEE COUNTY INTENDS TO SEEK PASSAGE OF THE FOLLOWING SPECIAL LEGISLATION: A BILL CODIFYING AND REVISING ITS ENABLING ACT
A bill relating to Lee County; codifying Chapters 63-1552 and 78-552, Laws of Florida, as amended; repealing prior acts and revising and reenacting portions thereof; providing for a public healthcare system in Lee County to be named Lee Memorial Health System, authorizing the issuance of bonds to finance the same, providing for an elected healthcare system board, and setting forth its duties and powers; providing for the operation and maintenance of said public healthcare system; providing for a lien upon the proceeds of insurance and settlements, and providing an effective date.
HOSPITAL BOARD OF DIRECTORS OF LEE COUNTY
Copies of the proposed legislation may be obtained Free of charge from the Legal Services Department, Lee Memorial Health System, Lee Memorial Hospital Medical Office Building, 2780 Cleveland Avenue, Suite 459; Fort Myers, Florida. 941-334-5382.
Jan 6 No. 12059

F 3149



AGENCY FOR HEALTH CARE ADMINISTRATION
2000 BILL ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL#: HB 1615
RELATING TO: Lee County
SPONSOR(S): Representative C. Green
COMPANION BILLS:

REVIEWER NAME & DEPARTMENT: Kim A. Kellum, Office of the
General Counsel
CONTACT NUMBER: 922-0583

**COORDINATED WITH:
(NAME & DEPARTMENT)**

REVIEWER: Julie Bullard
Deputy Director

DATE: 3/24/00

REVIEWER: Christy Gugg
Administrative Services

DATE: 3/27/2000

REVIEWER: [Signature]
Legislative Affairs

DATE: 3/28/00

REVIEWER: [Signature]
External Affairs

DATE: 3/29/00

3/27/00

**AGENCY FOR HEALTH CARE ADMINISTRATION
2000 PARAGRAPH SUMMARY BILL ANALYSIS**

BILL #: HB 1615
RELATED TO: Lee County
SPONSOR(S) Representative C. Green

COMPANION BILL:

REVIEWER NAME & DEPARTMENT: Kim A. Kellum, Assistant General Counsel

CONTACT NUMBER: 922-0583/SC292-0583

COORDINATED WITH:

I. SUMMARY:

This bill repeals Chapter 63-1552, Laws of Florida, and the amendments made thereto. This act replaces the above-referenced acts in their entirety, and it constitutes a codification as required by Section 189.429, Florida Statutes. The above-referenced bill provides for the public health care system in Lee County to be named Lee Memorial Health System. It sets forth the organizational structure of the system and outlines the duties, powers, and responsibilities of the elected board. It further provides for the operation and maintenance of the system. Also, it provides for the investment of funds and the authority to enforce liens. In reference to the authority to enforce liens, Section 18 of the bill grants Lee Memorial Health System a lien for services it has provided against the proceeds of all cause of actions, suits, etc. and settlement agreements entered into as a result of injuries giving rise to causes of action, suits, etc. or settlements which necessitated the services. It should be noted that pursuant to Section 409.910, Florida Statutes, Medicaid has a first and superior lien. Medicaid is to be repaid in full from, and to the extent of, any third party benefits, regardless of whether a recipient is made whole or other creditors paid. It should be further noted that if a Medicaid provider accepts Medicaid payment for a service, it is considered payment in full. The provider is prohibited from collecting an additional amount for that service from the recipient.

II. FISCAL COMMENTS:

There is no apparent fiscal impact on the Agency.

House of Representatives COMMITTEE INFORMATION RECORD

Committee on Health Care Licensing & Regulation

19 3149

Date of Meeting March 30 2000

Time 1.30 pm

Place 17 HOB

BILL NO. HB 1615

FINAL ACTION: Favorable
 Favorable with _____ Amendments
 Favorable with Committee Substitute
 Unfavorable

Recommends Closed
 Unanimous Favorable

VOTE:

YEA	MEMBER	NAY
X	Argenio, Arthur	
X	Harrington, Lindsay	
X	Heyman, Sally	
X	Johnson, Randy	
X	Kelly, Everett	
X	Lee, F. Denise	
	Minton, Rick	
X	Morrone, John	
X	Ogles, Mark	
X	Ritter, Stacy	
X	Tullis, Jim	
X	Villalobos, J. Alex	
X	Fasano, Mike	

YEA	MEMBER	NAY

IF PRESENT, MEMBER WOULD HAVE VOTED:

Total Yeas 12 Total Nays 4

(Signature)
Chair

APPEARANCE RECORD

The following persons (other than legislators) appeared before the committee during the consideration of this bill.

Name	Representing	Address
<u>Pete Doragh</u>	<u>Lee Memorial Hospital</u>	<u>Tallahassee, FL</u>
<u>Debbie Zappi-Henley</u>	<u>Academy of Florida Trial Lawyers</u>	<u>Tallahassee, FL</u>

Note: Please indicate by an "X" any State employee appearing at the request of the Chair.

(FILE WITH CLERK)