

By Representative Sembler

1 A bill to be entitled
2 An act relating to Manatee County; providing
3 for the relief of Frank H. Holliday; providing
4 for an appropriation to compensate him for
5 injuries and damages sustained as a result of
6 the negligence of the Manatee County Sheriff's
7 Department; providing an effective date.

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9 WHEREAS, on June 28, 1996, Frank Holliday was driving
10 his motorcycle south on 15th Street East in Manatee County,
11 and

12 WHEREAS, a vehicle in the northbound lane was stopped
13 waiting to turn left on 74th Avenue Drive East, and

14 WHEREAS, the roadway in this location consists of one
15 lane for southbound traffic and one lane for northbound
16 traffic, and

17 WHEREAS, as Frank Holliday's motorcycle approached 74th
18 Avenue Drive East, the vehicle which had stopped in the
19 northbound lane was struck from behind by a Manatee County
20 Sheriff's Department patrol car, whose operator failed to see
21 the stopped car, and

22 WHEREAS, the impact of this rear-end collision
23 propelled the vehicle which was stopped in the northbound lane
24 across the center line of the roadway and directly into the
25 path of Frank Holliday's motorcycle, which was traveling
26 southbound, and

27 WHEREAS, as a result of the accident, Frank Holliday's
28 left leg was crushed between the front bumper of that vehicle
29 and his motorcycle, and Frank Holliday was ejected onto the
30 roadway, and

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1 WHEREAS, Frank Holliday was rushed to Doctor's Hospital
2 in Sarasota, but immediately thereafter was transported by
3 helicopter to Bayfront Medical Center in St. Petersburg, due
4 to the extreme injuries he suffered and his need for immediate
5 surgeries, and

6 WHEREAS, Frank Holliday sustained extremely serious
7 injuries, including compound fractures of the left tibia and
8 fibula, fracture of the left hip, dislocation of the left hip,
9 fracture of the nose, facial lacerations, and multiple
10 abrasions, and

11 WHEREAS, Frank Holliday's initial hospitalization time
12 at Bayfront Medical Center was from June 28, 1996, through
13 July 12, 1996, during which time he underwent multiple
14 surgical procedures, including open reduction and internal
15 fixation of the fractures in his left leg, and

16 WHEREAS, these procedures involved installation of
17 surgical hardware inside the leg and outside of the leg to
18 stabilize the fracture sites, which surgical hardware remains
19 in Frank Holliday's left leg, and

20 WHEREAS, Frank Holliday sustained a non-union fracture
21 and additionally underwent hip surgery during his initial
22 hospitalization at Bayfront Medical Center, and

23 WHEREAS, Frank Holliday underwent follow-up surgery at
24 Bayfront Medical Center on November 11, 1996, during which
25 bone was grafted into the left leg fracture sites in an effort
26 to promote union of the bones, and

27 WHEREAS, Frank Holliday faces future surgery on the
28 left knee to address the knee injuries which, in combination
29 with the fractures, make it impossible for him to bear weight
30 or walk on the left leg, and

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1 WHEREAS, to date, Frank Holliday has incurred medical
2 bills totaling approximately \$118,000, and

3 WHEREAS, Frank Holliday is unlikely to ever fully
4 recover from his injuries and faces a long, painful course of
5 rehabilitation as well as future surgical procedures, and

6 WHEREAS, based on the clear injuries sustained by Frank
7 H. Holliday, and in an effort to resolve this case without
8 protracted and costly litigation, the claimant and Manatee
9 County have approved a settlement of this claim in the amount
10 of \$335,000, and

11 WHEREAS, Manatee County has paid Frank Holliday
12 \$100,000, representing its statutory obligation under section
13 768.28, Florida Statutes, and

14 WHEREAS, Manatee County affirmatively supports the
15 passage of a claim bill for \$235,000, which represents the
16 remaining amount of the claim, NOW, THEREFORE,

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

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20 Section 1. The facts stated in the preamble to this
21 act are found and declared to be true.

22 Section 2. The Manatee County Sheriff's Department is
23 authorized and directed to appropriate from funds of the
24 department not otherwise appropriated and to draw a warrant in
25 the sum of \$235,000 payable to Frank H. Holliday as
26 compensation for injuries and damages sustained.

27 Section 3. This act shall take effect upon becoming a
28 law.

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