

By Senator Turner

36-93-98

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 followup 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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