



1 criminal activity there was a special concern that was well  
2 documented, and

3           WHEREAS, within the preceding 3 years, criminal  
4 incidents at the Welcome Center and nearby state-maintained  
5 rest areas were numerous and included armed robbery, theft,  
6 burglaries, and attempted murder and sexual battery, and

7           WHEREAS, Patricia D. Baker presented at trial Florida  
8 Department of Transportation memoranda that demonstrated that  
9 the Department of Transportation was aware of the serious  
10 criminal activity and security problems of each rest area, and

11           WHEREAS, Patricia D. Baker presented at trial expert  
12 witness testimony showing that the Department of  
13 Transportation was negligent in designing the restrooms at the  
14 Welcome Center, and

15           WHEREAS, following trial in this case the jury awarded  
16 Patricia D. Baker \$450,760.90, which was reduced by the court  
17 to \$445,313.42, and her husband received an award of \$100,000,  
18 and

19           WHEREAS, prior to trial the Bakers served upon the  
20 Florida Department of Transportation a demand for judgment  
21 pursuant to section 768.79, Florida Statutes, offering to  
22 settle for a reasonable amount of \$190,000, an offer that was  
23 rejected by the Florida Department of Transportation, and

24           WHEREAS, following trial and the jury determination,  
25 the trial judge on January 27, 1997, concluded and entered  
26 Final Judgment for the Bakers awarding reasonable costs of  
27 \$21,574.39, and in addition awarded the Bakers \$136,335.85 in  
28 reasonable attorney's fees, and

29           WHEREAS, the Bakers have received from the Department  
30 of Transportation \$100,000 each in satisfaction of the awarded  
31

1 Final Judgment as provided by the statutory limits of  
2 liability set forth in section 768.28, Florida Statutes, and  
3 WHEREAS, the unpaid Final Judgment of Patricia D. Baker  
4 is \$345,313.42 plus \$21,574.39 in reasonable costs and  
5 \$136,335.85 in reasonable attorney's fees, NOW, THEREFORE,  
6  
7 Be It Enacted by the Legislature of the State of Florida:

8  
9 Section 1. The facts stated in the preamble to this  
10 act are found and declared to be true.

11 Section 2. The Executive Office of the Governor is  
12 directed to transfer existing spending authority or establish  
13 spending authority from unappropriated trust fund balances in  
14 the Department of Transportation in the amount of \$503,223.66  
15 to a new category titled "Relief - Patricia D. Baker" as  
16 relief for injuries and damages sustained.

17 Section 3. The Comptroller is directed to draw his  
18 warrant in favor of Patricia D. Baker in the sum of  
19 \$503,223.66 upon funds of the Department of Transportation in  
20 the State Treasury, and the State Treasurer is directed to pay  
21 the same out of such funds in the State Treasury.

22 Section 4. This act shall take effect upon becoming a  
23 law.

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26 HOUSE SUMMARY

27 Provides an appropriation of \$503,223.66 for the relief  
28 of Patricia D. Baker as compensation for injuries and  
29 damages sustained as a result of the negligence of the  
30 Department of Transportation.  
31