

By Senator Geller

29-65A-00

1 A bill to be entitled
2 An act relating to the City of Fort Lauderdale;
3 providing for the relief of Earl Spencer;
4 authorizing and directing the City of Fort
5 Lauderdale to compensate him for personal
6 injuries suffered due to the negligence of the
7 city; providing an effective date.

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9 WHEREAS, on March 19, 1996, while on his way home from
10 visiting his sister at a hospital, Earl Spencer, a 35-year-old
11 husband and father of five children, was involved in an
12 automobile accident with an unmarked police vehicle owned by
13 the City of Fort Lauderdale and operated by an undercover
14 officer for the city, and

15 WHEREAS, Mr. Spencer was attempting to make a left-hand
16 turn onto N.W. 26th Street from N.W. 31st Avenue in Lauderdale
17 Lakes, Florida, when the city detective, who was on his way to
18 an off-duty detail and was traveling well in excess of the
19 posted speed limit, collided with Mr. Spencer's vehicle, and

20 WHEREAS, the city's own internal investigation revealed
21 that the detective driving the city-owned vehicle was
22 traveling at an estimated speed of 56-67 mph in a 45-mph zone
23 and that the accident never would have occurred if the
24 detective had been traveling within the posted speed limit,
25 and

26 WHEREAS, as a direct result of the accident, Earl
27 Spencer suffered a massive brain injury, which has left him in
28 a permanent vegetative state, confined to a wheelchair, and
29 unable to care for himself in any way, and

30 WHEREAS, since the accident, Mr. Spencer has resided in
31 various hospitals and rehabilitation facilities, and has been

1 residing in St. John's rehabilitation facility since February
2 14, 1997, and

3 WHEREAS, the law firm representing Mr. Spencer has
4 settled the case with the City of Fort Lauderdale for a total
5 of \$800,000, of which the city has paid \$200,000, leaving a
6 balance of \$600,000 remaining, NOW, THEREFORE,

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

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

12 Section 2. The City of Fort Lauderdale is authorized
13 and directed to compensate Earl Spencer in the amount of
14 \$600,000 out of funds of the city not otherwise appropriated
15 for injuries and damages sustained as a result of the
16 negligence of the city.

17 Section 3. This act shall take effect upon becoming a
18 law.

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