

By Senator Bronson

18-101-00

1 A bill to be entitled
2 An act for the relief of Johnny Stubbs;
3 providing him with equitable relief for
4 injuries and damages resulting from early
5 retirement necessitated by an injury incurred
6 in the line of duty; providing an appropriation
7 from the State Treasury; providing an effective
8 date.
9

10 WHEREAS, in 1983, Mr. Johnny Stubbs, who was then 38
11 years of age, was employed as a firefighter for the Reedy
12 Creek Improvement District, a government agency, and
13 WHEREAS, Mr. Stubbs was an employee of that special
14 district for more than 15 years, and
15 WHEREAS, on November 7, 1983, Mr. Stubbs pulled a young
16 man from a burning car that had turned upside down, and
17 WHEREAS, as a consequence of his rescue efforts, he
18 suffered a back injury but continued to work in pain and with
19 serious side effects for almost 2 years, when it became
20 evident that he would need back surgery, and
21 WHEREAS, one of the problems that he faced was numbness
22 in his legs, and he did not want to continue driving a fire
23 truck and risk losing all feeling in his legs and possibly
24 injuring someone, and
25 WHEREAS, after having back surgery, he retired and took
26 early-retirement status, and
27 WHEREAS, because of problems in obtaining his workers'
28 compensation benefits, Mr. Stubbs hired an attorney, and he
29 received benefits for approximately 2 years until he reached a
30 settlement of his case which provided, in part, that any
31 treatment of his back will be covered, and

1 WHEREAS, Mr. Stubbs's physician, Dr. Markus Kornberg,
2 has attested that Mr. Stubbs is 100 percent disabled, and

3 WHEREAS, Mr. Stubbs has a TINS unit on his spine to
4 assist in walking, receives Social Security Disability, has
5 had seven or eight operations on his back, has had two heart
6 attacks, has an enlarged heart, and recently had pneumonia,
7 and

8 WHEREAS, Mr. Stubbs contends that his supervisor, who
9 is now deceased, should have advised him to seek disability
10 retirement but did not do so, nor did anyone else so advise
11 him, and, consequently, he has been receiving early-retirement
12 benefits in a lesser amount than the amount of disability
13 compensation would have been, and

14 WHEREAS, he receives \$420 per month in early-retirement
15 benefits and has received those benefits since January 1986,
16 and

17 WHEREAS, Johnny Stubbs is equitably entitled to receive
18 the difference between the amount he has received since his
19 retirement and the amount he would have received during that
20 period if he had been fully informed of his options, and

21 WHEREAS, Mr. Stubbs is also equitably entitled to
22 receive an amount that is equivalent to the sum he should
23 receive in disability-retirement benefits payable from the
24 effective date of this act until the end of his projected life
25 expectancy, NOW, THEREFORE,

26

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

28

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

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