

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative(s) Bullard offered the following:

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3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5
6
7 Section 1. The facts stated in the preamble to this act
8 are found and declared to be true.

9 Section 2. Miami-Dade County is authorized and directed to
10 appropriate from funds of the county not otherwise appropriated
11 and to draw a warrant payable to Norka Laureiro in the amount of
12 \$999,100 for injuries and damages sustained due to the
13 negligence of the Miami-Dade County bus driver.

14 Section 3. This award is intended to provide the sole
15 compensation for any and all present and future claims arising
16 out of the factual situation in connection with the injury to

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17 Norka Laureiro. Not more than 25 percent of the award may be
18 paid by the claimant for attorney's fees, lobbying fees, costs
19 or other similar expenses.

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

21

22

23 ===== T I T L E A M E N D M E N T =====

24 Remove the entire title and insert:

25

26

27 A bill to be entitled

28 An act relating to Miami-Dade County; providing for the
29 relief of Norka Laureiro; authorizing and directing Miami-
30 Dade County to compensate Norka Laureiro for injuries
31 sustained as a result of a collision caused by a Miami-
32 Dade County bus; providing for a limitation on payment of
33 fees and costs; providing an effective date.

34

35 WHEREAS, on March 25, 1998, Norka Laureiro was transporting
36 children in a private school van when she approached an
37 intersection, and

38 WHEREAS, a Miami-Dade County bus ran a stop sign at the
39 intersection and collided with Ms. Laureiro's van, which caused
40 serious injuries to Ms. Laureiro and several children, and

41 WHEREAS, the driver of the Miami-Dade County bus had a
42 significant history of driving citations and safety violations,
43 and

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44 WHEREAS, as a result of the collision, Ms. Laureiro
45 suffered a crushing blow to her head which caused bone and nerve
46 damage, and she underwent reconstructive surgery; however, Ms.
47 Laureiro has permanent numbness on the right side of her face
48 due to damaged cranial nerves, and

49 WHEREAS, Ms. Laureiro also suffered permanent injury to her
50 Achilles tendon, several fractures to her right leg, and a
51 subtalar joint dislocation to her right foot which required two
52 major orthopedic surgeries, and because of the extent of the
53 break to and fragmentation of the bone in her foot, surgery
54 could not achieve complete alignment, and

55 WHEREAS, due to the resulting extensive arthritis and
56 progressive nature of the injury, Ms. Laureiro is unable to use
57 her foot normally, she will need additional surgeries in the
58 future, her foot swells, she is in constant pain, and, as a
59 result, Ms. Laureiro limps when she walks, which causes
60 additional pain in her hips, back, and legs, and

61 WHEREAS, since the accident, Ms. Laureiro has been under
62 the care of a neurologist for the nerve damage to her foot, leg,
63 and face and she has also been on antidepressants since the
64 collision, and

65 WHEREAS, before the accident, Ms. Laureiro owned her own
66 business that involved driving children to and from school 5
67 days a week, but due to the nature of her foot injury, she is
68 unable to continue her driving business, and she has not worked
69 since the accident, and

70 WHEREAS, on September 3, 2003, a jury from the Miami-Dade
71 County Circuit Court returned a verdict in favor of Ms. Laureiro
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HOUSE AMENDMENT

Bill No. CS/HB 629

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72 in the sum of \$1,550,685.38 and \$50,000 in favor of Ms.
73 Laureiro's husband, Fredy Laureiro, for his loss of consortium,
74 and

75 WHEREAS, Miami-Dade County appealed the verdict to the
76 Third District Court of Appeal, and while the appeal was
77 pending, the parties re-mediated the case and reached a
78 settlement of \$1 million, and

79 WHEREAS, on March 29, 2005, the Circuit Court of the
80 Eleventh Judicial Circuit issued a final consent judgment
81 against Miami-Dade County in favor of Ms. Laureiro in the sum of
82 \$1 million, NOW, THEREFORE,

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