



Journal of the Senate

Number 1—Special Session E

Wednesday, April 7, 1982

At a Special Session of the Florida Legislature convened under Article 3, Section 16, of the Constitution of the State, as revised in 1968, begun and held at the Capitol, in the City of Tallahassee, in the State of Florida.

The Senate was called to order by the President at 6:00 p.m. A quorum present—38:

Mr. President	Hair	Maxwell	Steinberg
Anderson	Henderson	McClain	Stevens
Barron	Hill	McKnight	Stuart
Beard	Jenne	Neal	Thomas
Carlucci	Jennings	Peterson	Tobiassen
Childers, D.	Johnston	Poole	Trask
Dunn	Kirkpatrick	Rehm	Vogt
Frank	Langley	Renick	Ware
Gersten	Lewis	Scott	
Grizzle	Margolis	Skinner	



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this Proclamation convening the Legislature in Special Apportionment Session, at the Capitol, this 7th day of April 1982.

BOB GRAHAM
Governor

ATTEST:
George Firestone
Secretary of State

Excused: Senator Gordon

By direction of the President, the Proclamation of the Governor convening the Legislature in Special Session was read:

PROCLAMATION

State of Florida
Executive Department
Tallahassee

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND THE HOUSE OF REPRESENTATIVES:

WHEREAS, the Legislature of the State of Florida convened in Regular Session for the year 1982 on January 18, 1982, and

WHEREAS, the Legislature on March 18, 1982 extended the Regular Session and adjourned sine die March 25, 1982, and

WHEREAS, the Legislature, during the Regular Session of 1982 and the extension thereof, failed to apportion the State as required by Article III, Section 16 of the Florida Constitution, and

WHEREAS, it is my duty as Governor under Article III, Section 16 of the Florida Constitution to reconvene the Legislature in Special Apportionment Session,

NOW, THEREFORE, I, BOB GRAHAM, as Governor of the State of Florida, in obedience to my constitutional duty and by virtue of the power and authority vested in me by Article III, Section 16 of the Florida Constitution, do hereby proclaim as follows:

Section 1.

That the Legislature of the State of Florida be and is hereby convened in Special Apportionment Session pursuant to Article III, Section 16 of the Florida Constitution, commencing at 6:00 p.m., Wednesday, April 7, 1982 which shall not exceed thirty consecutive days.

Section 2.

That, pursuant to Article III, Section 16 of the Florida Constitution, no other business than apportionment shall be considered at this Special Apportionment Session and it shall be the mandatory duty of the Legislature to adopt a joint resolution of apportionment.

By Senators Barron, Henderson, W. D. Childers, Scott, Kirkpatrick, Skinner, Jenkins, Grizzle, Maxwell, Poole, Ware, Lewis, McKnight, Gersten, Neal, Beard, Hill, D. Childers, Frank, Jenne, Margolis, Stevens, Hair, Rehm, Vogt, Jennings, Langley, Thomas, Anderson, Carlucci, Johnston, Peterson, Stuart, Trask, McClain and Tobiassen—

SJR 1-E—A joint resolution of apportionment; providing for the apportionment of the House of Representatives and the Senate; adopting the federal decennial census for use in such apportionment; providing for omitted areas; providing severability of invalid portions.

—was read the first time by title and referred to the Committee on Apportionment.

On motions by Senator Barron, by two-thirds vote SJR 1-E was withdrawn from the Committee on Apportionment and taken up instanter.

On motions by Senator Barron, by two-thirds vote SJR 1-E was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Hair	Margolis	Skinner
Anderson	Henderson	Maxwell	Steinberg
Barron	Hill	McClain	Stevens
Beard	Jenkins	McKnight	Stuart
Carlucci	Jenne	Neal	Thomas
Childers, D.	Jennings	Peterson	Tobiassen
Dunn	Johnston	Poole	Trask
Frank	Kirkpatrick	Rehm	Vogt
Gersten	Langley	Renick	Ware
Grizzle	Lewis	Scott	

Nays—None

On motion by Senator Barron, the Senate recessed at 6:06 p.m. awaiting the call of the President.

The Senate was called to order by the President at 8:52 p.m. A quorum present—38:

Mr. President	Beard	Dunn	Grizzle
Anderson	Carlucci	Frank	Hair
Barron	Childers, D.	Gersten	Henderson

Hill	Lewis	Poole	Thomas
Jenkins	Margolis	Rehm	Tobiassen
Jenne	Maxwell	Renick	Trask
Jennings	McClain	Scott	Vogt
Johnston	McKnight	Skinner	Ware
Kirkpatrick	Neal	Stevens	
Langley	Peterson	Stuart	

Marco at the St. Johns River and then extend over 20 miles to the northern boundary of Atlantic Beach at the ocean and then extend almost 40 miles south into St. Johns County to the Vilano Bridge just across the waterway from downtown St. Augustine. This district encompasses the only two Republican House members from Duval County.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable W. D. Childers, President

I am directed to inform the Senate that the House of Representatives has passed with amendment—

SJR 1-E—A joint resolution of apportionment; providing for the apportionment of the House of Representatives and the Senate; adopting the federal decennial census for use in such apportionment; providing for omitted areas; providing severability of invalid portions.

(Amendment attached to original bill)

—and requests the concurrence of the Senate.

Allen Morris, Clerk

On motion by Senator Barron, the rules were waived and the House Amendment to SJR 1-E was not printed in the Journal.

On motion by Senator Barron, the Senate concurred in the House amendment.

SJR 1-E passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Hair	Margolis	Skinner
Anderson	Henderson	Maxwell	Stevens
Barron	Hill	McClain	Stuart
Beard	Jenkins	McKnight	Thomas
Carlucci	Jenne	Neal	Tobiassen
Childers, D.	Jennings	Peterson	Trask
Dunn	Johnston	Poole	Vogt
Frank	Kirkpatrick	Rehm	Ware
Gersten	Langley	Renick	
Grizzle	Lewis	Scott	

Nays—None

The bill was ordered engrossed and then enrolled.

Explanation of Vote

I am going to vote for this bill, however, I do not support the plan proposed by the House of Representatives for the House Districts in Duval County.

That plan is less than fair to the people in Duval County who live east of the Intercoastal Waterway in the area known as the Beaches, as well as the folks who live in St. Johns County along the Atlantic Ocean shoreline north of the Vilano Bridge. It is unnatural that one House district can be a mile or two wide at the western end located in San

Marco at the St. Johns River in the northern half of San Marco, runs twenty some odd miles to the mouth of the St. Johns River at Mayport. At the beaches, it takes in both Mayport and Seminole Beach. The census tracts for these two areas total 9687. If a district were drawn to take these two beaches areas and the beaches areas previously referred to, the total population would be 46,618 people and would provide more than a majority for a "Beaches District". As it is, the beaches population is split and neither of the two districts has a majority living at the beaches.

In my opinion, the two above mentioned districts violate most of the House criteria for districts. They are not compact. They do not preserve communities of common interests. They do not utilize political and geographical boundaries. They place both current members of the minority party in the same district. They do not demonstrate good faith to the beaches area.

There are two districts drawn for the west and southwest portion of Duval County. They split the Ortega area of Duval County when they could be redrawn to keep areas of common interests together. The district which contains the northern half of Ortega, as well as Venetia, Avondale, and Riverside could be redrawn to include all of Ortega along the St. Johns River south to the northern Clay County line. This would keep the areas of common interests together, make the district more compact and better utilize natural geographic boundaries. Additionally, the twenty some odd percent of minorities residing in that district could be included in another district to provide better access to the House for minorities.

The Senate Apportionment Committee chose not to draw House district boundaries. Hence, Senators, particularly those not on the committee, were placed in the posture of not being able to take any action regarding House districts.

The Senate computer was set up to work on a census tract basis. The House computer was able to go down to the block level. This created another impairment to an opportunity for a Senate member to draw House districts with minimum deviations.

Reapportionment is a process designed to protect the public interest, and to be of benefit to the public only. It is a process that should not involve personalities or personality differences. The Senate did not misuse the process.

The Senate did its job and did it well. The record will reflect the truth. It will show prompt action on our part.

The Senate committee staff was outstanding. They were always available and willing to assist.

Joe Carlucci, 8th District

On motion by Senator Barron, the Senate in special session adjourned sine die at 8:55 p.m.

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Monday, April 19, 1982

ENROLLING REPORT

SJR 1-E has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on April 19, 1982.

Joe Brown, Secretary

CERTIFICATE

THIS IS TO CERTIFY that the foregoing pages numbered 1 and 2 constitute a complete, true and correct journal and record of the proceedings of the Senate of the State of Florida, in Special Session, convened at 6:00 p.m. on the 7th day of April, 1982, adjourned at 8:55 p.m. on the 7th day of April, 1982. Additionally, there has been included a record of the transmittal of Acts subsequent to sine die adjournment of the Special Session.

JOE BROWN
Secretary of the Senate

Tallahassee, Florida
April 19, 1982