

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 497 State Designations
SPONSOR(S): Agriculture & Natural Resources Subcommittee; Jenne
TIED BILLS: **IDEN./SIM. BILLS:** SB 288

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Agriculture & Natural Resources Subcommittee	13 Y, 0 N	Gregory	Harrington
2) State Affairs Committee	17 Y, 0 N	Gregory	Camechis

SUMMARY ANALYSIS

In 1954, Broward County acquired the area now known as the John U. Lloyd Beach State Park, designated it as an African-American beach, and promised to make the beach accessible. However, a road was never built. By 1961, the beach still lacked tables, restrooms, shelter, and fresh water. In response, Eula Johnson, Dr. Von D. Mizell, and many others led a series of protest “wade-ins” on all white public beaches in Fort Lauderdale. Approximately 200 African American residents took part in the wade-ins between July and August 1961. These protests received national press attention. The City of Fort Lauderdale requested an injunction to end the wade-ins. The court disagreed with the municipality’s position and entered an order in favor of the defendants, effectively ending segregation of public beaches. In 1973, the state designated the area as the John U. Lloyd Beach State Park in recognition of Mr. Lloyd’s efforts to acquire the land for Broward County.

The bill redesignates the John U. Lloyd Beach State Park in Broward County as the Von D. Mizell–Eula Johnson State Park. Further, the bill directs the Department of Environmental Protection (DEP) to erect suitable markers to designate the area as the Von D. Mizell–Eula Johnson State Park.

The bill will likely have an insignificant negative fiscal impact on the state by requiring DEP to erect signs to reflect the renaming of the park.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

African Americans living in South Florida in the earlier part of the 20th century traveled from as far away as Palm Beach and Miami to use Fort Lauderdale's beaches, but met significant resistance from oceanfront property owners.¹ In 1946, a delegation from the Negro Professional and Business Men's League, Inc., petitioned the Board of County Commissioners "seeking a public bathing beach for colored people in Broward County."² In 1954, Broward County acquired a barrier island site, designated it for segregation, and promised to make the beach accessible.³

By 1961, the beach still lacked road access, tables, restrooms, shelter, and fresh water.⁴ In response, Eula Johnson (president of the Fort Lauderdale NAACP chapter from 1959 to 1967),⁵ Dr. Von D. Mizell, and many others led a series of protest "wade-ins" on all white public beaches in Fort Lauderdale.⁶ Approximately 200 African American residents took part in the wade-ins between July and August 1961.⁷ These protests attracted national press attention.⁸

The City of Fort Lauderdale requested an injunction to end the wade-ins.⁹ The court disagreed with the municipality's position and entered an order in favor of the defendants, effectively ending segregation of public beaches. This inspired a larger civil rights movement that soon brought integration to local schools.¹⁰

The state purchased the park from Broward County on August 23, 1973.¹¹ The state designated the Broward Beach State Recreation Area as the John U. Lloyd Beach State Park in recognition of Mr. Lloyd's efforts in acquisition of the land.¹² Mr. Lloyd served as Broward County's attorney from 1945 to 1975.¹³

Today, the park area encompasses 310 acres between the Atlantic Ocean and the Intracoastal Waterway, stretching from Port Everglades Inlet on the north to Dania on the south.¹⁴ In fiscal year 2014-2015, the John U. Lloyd Beach State Park attracted 581,850 visitors, 15th overall for state parks, and generated \$1,033,769 in revenue, 22nd overall for state parks.¹⁵

¹ Florida State Parks, *Welcome to John U. Lloyd Beach State Park*, <https://www.floridastateparks.org/park-history/Lloyd-Beach> (last visited December 3, 2015).

² *Id.*

³ *Id.*

⁴ William G. Crawford, Jr., *The Long Hard Fight for Equal Rights: A History of Broward County's Colored Beach and the Fort Lauderdale Beach 'Wade-Ins' of the Summer of 1961*, p. 30, available at <http://www.floridasbigdig.com/uploads/ColoredBeachWadeInTequesta0001.pdf> (last visited December 3, 2015).

⁵ South Florida Times, *Eula Johnson Arrived, Jim Crow Had to Go*, <http://www.sfltimes.com/uncategorized/eula-johnson-arrived-jim-crow-had-to-go> (last visited December 3, 2015).

⁶ Crawford, *supra* note 4, at 30.

⁷ Department of State, *Florida Historical Markers Programs – Marker: Broward*, <http://apps.flheritage.com/markers/markers.cfm?ID=broward> (last visited December 3, 2015).

⁸ Crawford, *supra* note 4, at 30 – 32.

⁹ Crawford, *supra* note 4.

¹⁰ Department of State, *supra* note 7.

¹¹ Florida State Parks, *supra* note 1.

¹² Chapter 76-300, Laws of Fla.

¹³ Broward County Bar Association, *History of the Broward County Courthouse*, <https://www.browardbar.org/history-of-the-broward-county-courthouse/> (last visited December 3, 2015).

¹⁴ Florida State Parks, *supra* note 1.

¹⁵ Department of Environmental Protection, Final Balance Report FY 14-15, on file with the Agriculture and Natural Resources Subcommittee.

Effect of the Proposed Changes

The bill redesignates the John U. Lloyd Beach State Park in Broward County as the Von D. Mizell–Eula Johnson State Park. Further, the bill directs DEP to erect suitable markers to designate the area as the Von D. Mizell–Eula Johnson State Park.

B. SECTION DIRECTORY:

Section 1. Redesignates the John U. Lloyd Beach State Park in Broward County as the Von D. Mizell–Eula Johnson State Park.

Section 2. Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill will likely have an insignificant negative fiscal impact on the state by requiring DEP to erect signs to reflect the renaming of the park. DEP may also have to change the name of the park on promotional and other materials.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Other Comments: Naming Conventions

Florida state parks are typically named with their use in the middle of the name (e.g., Alfred B. McClay Gardens State Park; Stump Pass Beach State Park). The name in the bill does not follow that naming convention.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On January 12, 2016, the Agriculture & Natural Resources Subcommittee adopted one amendment and reported the bill favorably with committee substitute. The amendment added Dr. Von D. Mizell to the name of the state park to redesignate the park the "Von D. Mizell–Eula Johnson State Park."

This analysis is drafted to the committee substitute as approved by the Agriculture & Natural Resources Subcommittee.