

PRECLEARANCE ISSUE FOR THE 1983 CHARTER

Because the Charter provided for a change in the elected officials who would govern the County--from five county commissioners elected at-large to seven commissioners, with four to be elected from single-member districts and three to be elected countywide--the County was required to submit the plan to the U.S. Attorney General for preclearance under the Voting Rights Act. Implementation of the Charter, set for November 1984, was delayed when the U. S. Attorney General officially lodged objections shortly before a scheduled primary election.

Additionally, plaintiffs in a then-pending lawsuit against the County and City of Tampa in federal district court sought to enjoin the election of county commissioners because the "4-3 plan" of four single-member districts and three at-large districts had not received preclearance. The district court granted the injunction and prohibited the election of county commissioners.

However, the County asked the Attorney General to reconsider his objections to the Charter's election plan.

Upon reconsideration of the Charter and its 4-3 election plan, the Attorney General withdrew his objections. The district court subsequently withdrew its bar to the election of commissioners, clearing the way for elections to be held. The first commissioners elected under the Charter took office and Charter government went into effect on May 28, 1985.