

# Florida Forever becomes Florida never in the hands of the Legislature

June 7, 2020



Green Swamp. Photo from Southwest Florida Water Management District.

Much has been written about Amendment 1 and the abuse of our Legislators who pretend to second-guess their constituents. Their arrogance is perhaps rooted in bias, or more likely in their obligations to the lobbyists who run our state, certainly not in any superior wisdom. On the contrary. Our appreciation to Craig Pittman for keeping this issue alive. We have not forgotten, nor shall we.

Read the complete article [here in Florida Phoenix](#).

Comments by OSFR historian Jim Tatum.  
[jim.tatum@oursantaferiver.org](mailto:jim.tatum@oursantaferiver.org)  
– A river is like a life: once taken,  
it cannot be brought back © Jim Tatum

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## Florida Forever becomes Florida never in the hands of the Legislature

By Craig Pittman, June 4, 2020

Florida's Green Swamp, a treasure of cypress domes and forested wetlands. Credit: Southwest Florida Water Management District. Last week, at a time when we all needed a little good news, Florida's governor and Cabinet held one of their rare meetings and gave us something to cheer about.

They approved spending \$79 million to preserve nearly 32,000 acres of undeveloped land from the Panhandle down to the Green Swamp in Central Florida and even some panther habitat in Hendry County in South Florida.

"Conserving lands for future generations is vital to our state's environmental heritage," Gov. Ron DeSantis said in a news release.

As with many such releases from the governor's office, it also featured quotes from the secretary of the Florida Department of Environmental Protection (DEP) and other state employees praising the decision by their bosses, as if they'd say anything different.

But what DeSantis said is absolutely true.

In fact, there was a time when Florida had the best environmental land-buying program in the nation, one that preserved thousands of acres of forests, rivers, swamps, lakes, beaches and other vital parts of our fast-disappearing natural landscape.

It was financed in a fairly painless way, using taxes on real estate transactions, known as documentary stamps or “doc stamps” for short.

The program, first known as Preservation 2000 and then as Florida Forever, was extremely popular, too.

Well, popular with the voters, that is. Not so much with the Florida Legislature, which began siphoning off the money to the general revenue fund so they could spend it on lots of things other than saving the environment.

Meanwhile, in his first year in office, then-Gov. Rick Scott cut it out completely. His administration then set to work dismantling the DEP division in charge of assessing and acquiring environmental land, cutting its staff and funding.

Scott officials even proposed selling off some of the land that had been acquired in order to provide funding for buying more – but the list of lands proposed for sale stirred up so much opposition that they wound up selling not a single acre.

Florida’s voters got fed up with such high-handed behavior. In 2014, they voted to pass Amendment One, which put into the state Constitution a requirement that Florida set aside some \$10 billion in tax money over the next 20 years, to be used for purchasing environmentally sensitive land, creating the largest state-based conservation initiative in U.S. history.

The measure, officially named the Florida Water and Land

Conservation Amendment, passed with overwhelming support – 75 percent of the votes cast were in favor of it. (By contrast, Gov. Scott defeated former Gov. Charlie Crist to win reelection that year with a margin of slightly more than 1 percent.)

Yet Florida's legislators ignored it – just as they have ignored such prior voter-driven referendums on class sizes and allowing ex-felons to vote – and continued shortchanging Florida Forever.

At the first legislative session after passage, they set aside just \$17.4 million for the program – not the \$300 million called for by the amendment.

“Some legislators contended the public didn't know what they were voting for and they were very nasty about it,” said Republican Rep. Thad Altman, who represents part of Brevard County and has been a state legislator since 2003. “Public officials sometimes get out of touch.”

What money was there, they would designate for such things as paying salaries of forestry service fighters or operation of the agriculture department's office of water policy – “something that doesn't have anything to do with conserving land,” said Alisa Coe of Earthjustice, an environmental law firm.

So environmental groups, with help from Earthjustice, filed suit against the Legislature. The suit has been anything but speedy.

In 2018, a Tallahassee judge ruled that the way legislators had been spending the money violated the voters' intent. They appealed, of course, and last fall an appeals court decided one small part of the ruling was wrong and sent it back to the trial court to fix.

One group, Florida Defenders of the Environment, has asked the state Supreme Court to overturn the appellate decision, and so

everyone is now waiting to see what the high court will do.

Next year's \$93.2 billion state budget, which the Legislature passed in March but which DeSantis has not yet signed, has \$100 million for environmental land-buying, Altman said.

The big question is what will legislators do next year, after the coronavirus pandemic has cost the state billions in lost tax revenue. The fear among environmental groups is that they will see Florida Forever as a good place to cut state spending...

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