

# Voters Dissatisfied With Legislative Leaders

June 23, 2015



**DISSATISFIED**

Christopher Curry has written a comprehensive article on how the fate of Amendment 1 has played out in Tallahassee. See the [link](#) here in the [Gainesville Sun](#) or continue reading for a re-publishing here.

***Unhappy Amendment 1 backers mull***

# ***their next move***

*By Christopher Curry*

*Staff writer*

*Published: Saturday, June 20, 2015 at 4:20 p.m.*

*Last Modified: Saturday, June 20, 2015 at 4:20 p.m.*

*Some of the driving forces behind Amendment 1 say the Legislature played the lottery and land conservation lost.*

*The political committee and others behind the water and land conservation constitutional amendment that passed with 75 percent support in November are drawing parallels between how the budget that lawmakers passed Friday spends the approximately \$742 million set aside by the measure and how the Legislature spent money generated by the Lottery following the 1986 voter referendum that approved over-the counter gambling in Florida.*



**Christopher Curry**

*The lottery was sold to voters as a way to enhance education funding but the money generated was quickly used as a substitute for general fund dollars and other sources in building the state education budget.*

*Representatives of Florida's Water & Land Legacy, the political action committee with members from more than a dozen environmental groups that formed to push Amendment 1, say the lawmakers are following that route again.*

*Aliki Moncrief with Florida's Water & Land Legacy estimated that nearly \$230 million of the money that the amendment put into the state's land acquisition trust fund will be used as a substitute for general fund dollars and other sources to fund*

*existing environmental programs' operating and administrative costs instead of going to restore the spending on land conservation purchases that dried up in the wake of the recession.*

*"Clearly that was not the intent," Alachua County Commissioner Robert "Hutch" Hutchinson, the former executive director of the Alachua Conservation Trust and an Amendment 1 backer, said of the Legislature's spending plan. "It's a Lottery switcharoo."*

*Leaders in the Legislature say they're spending the money legally and properly.*

*"There's not one word in the text of the amendment that prohibits land acquisition trust fund dollars from being spent on existing environmental programs that are otherwise eligible for funding under the amendment," House Agriculture & Natural Resources Subcommittee Chair Ben Albritton R-Bartow, said in prepared comments on the House floor Thursday. "If the amendment was intended to restrict the use of funds to new programs only, it could have been easily written to do so."*

*Eventually, a court may decide if the Legislature is following the letter of the law.*

*Moncrief said the Water & Land Legacy committee is keeping all options open at this point and has not ruled out a lawsuit or decided to pursue one.*

*What is certain right now is that Florida Forever – the state's signature conservation land purchasing program and the focal point of the political campaign to pass the amendment – will receive a pittance compared to salaries and personnel costs.*

*The 2015-16 budget puts \$15.1 in Amendment 1 monies and a total of \$17.4 million into Florida Forever, a far cry from the \$300*

*million a year heyday backers sought to see return.*

*By comparison, a review of the line items in the budget showed more than \$145 million going toward the salaries and benefits of employees in departments including the Florida Forest Service, the Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services and the Florida Geological Survey.*

*Of that total, \$40.55 million will go to salaries and benefits of employees in the Florida Forest Service, \$28 million to state parks employees' salaries and benefits and \$11 million for boating law enforcement employees in the FWC.*

*Money will also flow to risk management insurance, some vehicle replacements, miscellaneous program expenses and to pay the state Department of Management Services for handling human resources services. In his comments on the House floor, Albritton defended those spending decisions.*

*"Government programs cannot function without the people and resources necessary to implement them," he said. "We cannot manage our conservation lands without well-equipped land managers or improve water quality in our lakes and rivers without scientists and technicians who work in the field with the resources to get the job done. That's one reason Land Acquisition Trust Fund dollars are used to pay the salaries and other expenses necessary to implement environmental programs authorized by the amendment."*

*Albritton went on to say that Amendment 1 authorized spending in a broad series of areas, not just on the purchase of conservation land, and the Legislature was implementing the "letter and spirit" of the measure.*

Moncrief said the intent was to restore funding for programs gutted in recent years, to enhance spending to protect environmentally sensitive lands, springs and other water resources and add to the state's system of nature parks.

"When voters passed Amendment 1, they were not directing the Legislature to change how they do environmental bookkeeping," she said.

The ballot language for Amendment 1 says the measure will for 20 years direct one-third of the money raised by the state document stamp tax on real estate transactions to the land acquisition trust fund "to acquire, restore, improve, and manage conservation lands including wetlands and forests; fish and wildlife habitat; lands protecting water resources and drinking water sources, including the Everglades, and the water quality of rivers, lakes, and streams; beaches and shores; outdoor recreational lands; working farms and ranches; and historic or geologic sites."

The text of the constitutional amendment itself says the money will go "to finance or refinance the acquisition and improvement of land, water areas, and related property interests" including: conservation easements, wetlands, forests, fish and wildlife habitat; wildlife management areas; lands that protect water resources, drinking water sources, rivers, lakes, streams and springsheds; lands providing recharge for groundwater and aquifer systems; lands in the Everglades Agricultural Area and the Everglades Protection Area; beaches and shores; outdoor recreational lands such as recreational trails, parks, and urban open space; rural landscapes; working farms and ranches; and historic or geologic sites.

The money could also go to pay off the debt on prior

conservation land purchases – and there is \$191 million going toward that – and toward the “management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands.”

Of the money Amendment 1 directed to the land acquisition trust fund, nearly \$59 million goes to the Everglades restoration, more than \$38 million goes to springs restoration, \$25 million to beach renourishment, \$20 million to state parks improvements and \$15 million to conservation easements.

There’s also funding for some programs that springs groups in this area have questioned as ineffective or as an improper use of public springs protection money.

There’s nearly \$22 million to help agricultural businesses implement best management practices to reduce water use and pollution from things like nitrates. Of that, \$5 million is targeted toward operations near springs.

About \$10 million will go toward the state’s total maximum daily loads (TMDL) program that sets caps on pollution and clean-up targets for water bodies. Money will also go toward setting the minimum flows and levels on water bodies at a time when area springs advocates say the MFLs recently set for the Ichetucknee and Lower Santa Fe rivers do not sufficiently protect rivers already deemed to have a reduced flow.

State Rep. Keith Perry R-Gainesville, noted that the House had sought to put more monies toward land conservation purchases but some leaders in the Senate opposed the plan to do so by issuing bonds.

“In the end, as with a lot of bills, to get something passed, it is a compromise,” Perry said. “With the budget, and with every issue, someone is not going to be happy. One thing I can

*say is it is constitutional.”*

*State Sen. Rob Bradley, R-Fleming Island, whose district includes Alachua County, had pushed during the regular session to increase the flow of Amendment 1 monies toward conservation land purchases. Bradley says he’s pleased about the money going toward springs restoration, but he wants to see funding increased for the 2016-17 budget year.*

*“This was a unique session and the debate over health care took up a lot of air,” Bradley said. “I look forward to having a more robust discussion about Amendment 1 and long-term decisions on that money next session.”*

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