

Florida conservation amendment faces hurdles

By [Kate Bradshaw](#)

ST. PETERSBURG — A proposed state constitutional amendment dedicating money for environmental preservation is yet another source of contention between Republicans and Democrats aiming to win, or keep, seats representing Pinellas County in the Legislature.

Amendment 1, which will be on all ballots in Florida, has gotten perhaps a fraction of the attention of Amendment 2, its medical marijuana-legalizing counterpart.

Those opposed to the amendment include industry and agriculture leaders, as well as many Republican candidates and office holders. Environmentalists, meanwhile, see it as a crucial measure with economic and environmental benefits.

The law, if approved by 60 percent of voters, would dedicate one-third of the documentary stamp tax, which the state collects on every real estate transaction, to environmental and water quality.

The money could be used, for example, to buy land that serves as recharge sites for the Floridan Aquifer, an underground layer of porous limestone that stores much of the state's drinking water. It could be used to fund dune grass restoration on Florida's beaches or management of state and local areas as well.

Such a provision was on the books as Florida 2000 and subsequently Florida Forever, but it lapsed in 2009 and has not been renewed. The amendment got onto the ballot by way of 1 million signatures on petitions.

"It's a citizen's amendment and that's what we do in Florida when we're not being listened to by our representatives," said Cathy Harrelson, Florida director of the Gulf Restoration Network, an environmental nonprofit group. "This funding has always been there. It's simply a matter of designating it properly."

Although Pinellas is the most densely populated county in the state, supporters say it can benefit from the measure.

"Pinellas County draws from sources outside of the county for drinking water and we would be protecting some of those water resources," said Will Abberger, campaign manager for Florida's Water and Land Legacy, the group that's pushing the amendment. "There's also a number of opportunities to reclaim open space in urban areas in Pinellas."

Yet some are concerned that it could spell trouble down the road.

"I don't believe that we should handcuff future Legislatures by telling them how to spend money," said Chris

Latvala, a Republican who is running for Largo-area State House District 67.

The amendment's proponents say the fund would constitute 1 percent of the state's \$77 billion budget. But some Republican incumbents who were in office during the recession say even that would be too much.

"We went through a period when I was first elected of being \$4 billion short," said District 66 State Rep. Larry Ahern, who is running for re-election in his Seminole district.

The amendment does have some Republican support, namely in State Sen. Jeff Brandes, who represents St. Petersburg's District 22, a swing district that leans slightly Democratic.

"Senator Brandes supports environmental conservation and preservation, so he will be supporting Amendment 1," Brandes' campaign spokesman said in an emailed statement. "He has some concerns that Amendment 1 will limit funds available for appropriation by future Legislatures because those funds will be constitutionally mandated to be spent in a certain way, but ultimately it is a decision for the voters and he stands with the outcome of the electorate."

The Sierra Club announced its endorsement last week of Brandes' Democratic opponent, political science professor Judithanne McLauchlan, who also supports the amendment.

"I am a strong supporter of Amendment 1," McLauchlan said in a written statement. "We need to pass this important conservation plan, because the Legislature has failed. The beauty of Florida's environment and Floridians' access to clean drinking water should not be held hostage by Tallahassee's special interests."

Pointing to the Legislature's inability to adopt such a measure on its own in recent years, Democrats vying to become or remain part of Pinellas' legislative delegation unanimously back Amendment 1.

"I believe when you call something a trust, that word's supposed to mean 'trust,'" said District 68 State Rep. Dwight Dudley, a Democrat running for re-election. "Not a piggy bank when general revenue is not the way you want it to be and you're going to slash taxes for all these other interests."

Dudley's challenger, Republican Bill Young, has said he opposes the amendment.

If it's adopted, the Legislature would take on the task of interpreting and implementing it, as it does with all amendments.

"It'll be adopted into the constitution and it'll be examined by a committee on the best way to comply with that new law," Ahern said. "The interpretation will be through the legislative process."

Advocates of past constitutional amendments, such as one governing school class size and one requiring "fair" drawing of legislative and congressional districts, have complained that they weren't implemented as intended. Supporters have said they are not concerned that a Republican majority in the Legislature could impact the way the law is implemented should voters approve it.

"The short answer, I think, is no," Abberger said. "We believe Florida voters will strongly support Amendment 1 and we believe Amendment 1 will send a resounding message to the Legislature."