



An Important Victory for the Voters

For all of you who worked with us to gather signatures on the petitions to put Amendment 1, the Florida Land and Water Conservation Amendment, on the ballot in 2014, there is very good news. Leon County Circuit Judge Charles Dodson has ruled in favor of several environmental organizations that sued state lawmakers for failing to appropriate the funds intended by the Amendment for land acquisition through the Florida Forever program.

Amendment 1, which had 75% voter support, directs the legislature to allocate one third of the state's real estate stamp tax revenues to acquire land for preservation, recreation and protection of our water supply. Instead the legislature has used much of the money for ordinary expenses to help balance the state budget. The legislative leadership claimed that because of loopholes they were not bound to use Amendment 1 funds for land acquisition but were free to use it on just about anything remotely related to conservation.

Well, Judge Dodson disagreed, saying the legislature improperly diverted funds that should have gone to the Land Acquisition Trust Fund for use for use in the Florida Forever program. He granted accelerated judgment in favor of the plaintiffs in the lawsuit, which means the case will not have to go to trial in July as had been expected.

David Guest, lead counsel for the organizations that brought the suit and the keynote speaker at COTI's annual meeting in March, called it a "100 percent victory." He was quoted as saying, "The people of Florida voted with a firm, clear voice and the court today said that counts."

The ruling by Judge Dodson does not end the case because lawyers for the legislature have said they will appeal his decision. The next step could be a hearing before the District Court of Appeal but it might be appealed directly to the Florida Supreme Court, which will have the final say in the case. For now at least it's a

victory worth celebrating.

Larry Schopp, Chair, COTI Land Use Planning Committee

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