

Bill No. CS for CS for SB 1226, 1st Eng.

Barcode 541908

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senators Dockery and Bennett moved the following amendment:

Senate Amendment

Delete everything before the enacting clause

and insert:

A bill to be entitled

An act relating to land acquisition and management; amending s. 201.15, F.S.; providing that taxes distributed to pay debt service on Preservation 2000 bonds, Florida Forever bonds, and Save Our Everglades bonds shall, under specified circumstances, be collectively distributed on a pro rata basis; correcting a cross-reference; deleting obsolete provisions; amending s. 215.619, F.S.; providing that Everglades restoration bonds are on a parity basis with other land acquisition bonds; amending s. 259.032, F.S.; authorizing the use of funds in the Conservation and Recreation Lands Trust Fund for management, maintenance,

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1 and capital improvements for conservation and
2 recreation lands, including lands acquired
3 under the Babcock Crescent B Ranch Florida
4 Forever acquisition; revising requirements for
5 the development of an individual land
6 management plan; amending s. 259.105, F.S.;
7 establishing the Legislature's intent that the
8 protection and buffering of military
9 installations is of great importance; directing
10 the Acquisition and Restoration Council to also
11 give priority consideration to the acquisition
12 of lands that protect and buffer military
13 installations; amending s. 259.1051, F.S.;
14 conforming the distribution of funds from the
15 Florida Forever Trust Fund; creating s.
16 259.1052, F.S.; providing for the acquisition
17 of the state's portion of the Babcock Crescent
18 B Ranch; providing a definition; granting
19 authority to the Department of Environmental
20 Protection to distribute funds for the
21 acquisition of the Babcock Crescent B Ranch;
22 creating s. 259.10521, F.S.; authorizing the
23 creation of a citizen support organization;
24 providing duties and responsibilities; creating
25 s. 259.106, F.S.; creating the Babcock Ranch
26 Preserve Act; providing definitions; creating
27 the Babcock Ranch Preserve, a conservation
28 acquisition with certain goals; creating
29 Babcock Ranch, Inc., a not-for-profit
30 corporation to be incorporated in the state;
31 providing that the corporation shall act as an

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1 instrumentality of the state for purposes of
2 sovereign immunity under s. 768.28, F.S.;

3 providing that the corporation shall not be an
4 agency under s. 20.03, F.S., or a unit or
5 entity of state government; providing that the
6 corporation is subject to the provisions of
7 chs. 119 and 286, F.S., relating to public
8 records and meetings; requiring public records
9 and meetings; providing for the corporation to
10 be governed by a board of directors; providing
11 for the qualifications, appointment, removal,
12 and liability of board members and their terms
13 of office; prohibiting any board member from
14 voting on any measure that constitutes a
15 conflict of interest; providing for the board
16 members to serve without compensation, but to
17 receive per diem and travel expenses; providing
18 for organization and meetings; authorizing
19 state agencies to provide state employees for
20 purposes of implementing the Babcock Ranch
21 Preserve; providing certain powers and duties
22 of the corporation; providing limitations on
23 the powers and duties of the corporation;
24 providing that the corporation and its
25 subsidiaries must provide equal employment
26 opportunities; providing for the corporation to
27 establish and manage an operating fund;
28 requiring an annual financial audit of the
29 accounts and records of the corporation;
30 requiring annual reports by the corporation to
31 the Board of Trustees of the Internal

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1 Improvement Trust Fund, the Legislature, the
2 Department of Agriculture and Consumer
3 Services, and the Fish and Wildlife
4 Conservation Commission; requiring that the
5 corporation prepare an annual budget;
6 specifying a goal of financially
7 self-sustaining operation within a certain
8 period; providing for the corporation to retain
9 donations and other moneys; requiring that the
10 corporation adopt articles of incorporation and
11 bylaws subject to the approval of the Board of
12 Trustees of the Internal Improvement Trust
13 Fund; authorizing the corporation to appoint
14 advisory committees; providing requirements for
15 a comprehensive business plan; specifying the
16 procedures by which the corporation shall
17 assume the management and operation of the
18 Babcock Ranch Preserve; prohibiting the
19 corporation from taking certain actions without
20 the consent of the Board of Trustees of the
21 Internal Improvement Trust Fund; requiring that
22 the corporation be subject to certain state
23 laws and rules governing the procurement of
24 commodities and services; authorizing the
25 corporation to assess reasonable fees;
26 providing for management of the Babcock Ranch
27 Preserve until expiration of a current
28 management agreement; providing for reversion
29 of the management and operation
30 responsibilities to certain agencies upon the
31 dissolution of the corporation; providing that

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1 the corporation may be dissolved only by an act
 2 of the Legislature; providing for reversion of
 3 funds upon the dissolution of the corporation;
 4 providing for appropriations and certain
 5 conditions therefor; providing effective dates.

6
 7 WHEREAS, the Babcock Ranch comprises the largest
 8 private undeveloped single-ownership tract of land in
 9 Charlotte County and contains historical evidence in the form
 10 of old logging camps and other artifacts that indicate the
 11 importance of this land for domesticated livestock production,
 12 timber supply, and other bona fide agricultural uses, and

13 WHEREAS, the careful husbandry of the Babcock Ranch,
 14 including selective timbering, limited grazing and hunting,
 15 and the use of prescribed burning, has preserved a mix of
 16 healthy range and timberland with significant species
 17 diversity and provides a model for sustainable land
 18 development and use, and

19 WHEREAS, the Babcock Ranch must be protected for
 20 current and future generations by continued operation as a
 21 working ranch under a unique management regime that protects
 22 the land and resource values of the property and the
 23 surrounding ecosystem while allowing and providing for the
 24 ranch to become financially self-sustaining, and

25 WHEREAS, it is in the public's best interest that the
 26 management regime for the Babcock Ranch include the
 27 development of an operational program for appropriate
 28 preservation and development of the ranch's land and
 29 resources, and

30 WHEREAS, the public's interest will be served by the
 31 creation of a not-for-profit corporation to develop and

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1 implement environmentally sensitive, cost-effective, and
2 creative methods to manage and operate a working ranch, NOW,
3 THEREFORE,

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