

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Williams offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove lines 529-685 and insert:  
5 management agreement.

6 (b) Any final decision of Babcock Ranch, Inc., to adopt or  
7 amend the comprehensive business plan or to approve any activity  
8 related to the management of the renewable surface resources of  
9 the preserve shall be made in sessions that are open to the  
10 public. The board of directors shall establish procedures for  
11 providing adequate public information and opportunities for  
12 public comment on the proposed comprehensive business plan for  
13 the preserve or for amendments to the comprehensive business  
14 plan adopted by the members.

15 (c) Not less than 2 years prior to the corporation's  
16 assuming management and operation responsibilities for the  
17 preserve, the corporation, with input from the commission and  
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18 the department, must begin developing the comprehensive business  
19 plan to carry out the purposes of this section. To the extent  
20 consistent with these purposes, the comprehensive business plan  
21 shall provide for:

22 1. The management and operation of the preserve as a  
23 working ranch.

24 2. The protection and conservation of the environmental,  
25 agricultural, scientific, scenic, geologic, watershed, fish,  
26 wildlife, historic, cultural, and recreational values of the  
27 preserve.

28 3. The promotion of controlled high-quality hunting  
29 experiences for the public, with emphasis on deer, turkey, and  
30 other game species.

31 4. Multiple use and sustained yield of the renewable  
32 surface resources within the preserve.

33 5. Public use of and controlled access to the preserve for  
34 recreation.

35 6. The use of renewable resources and management  
36 alternatives that, to the extent practicable, benefit local  
37 communities and small businesses and enhance the coordination of  
38 management objectives with those on surrounding public or  
39 private lands. The use of renewable resources and management  
40 alternatives should provide cost savings to the corporation  
41 through the exchange of services, including, but not limited to,  
42 labor and maintenance of facilities, for resources or services  
43 provided to the corporation.

44 (d) On or before the date on which title to the portion of  
45 the Babcock Crescent B Ranch being purchased by the state is  
46 vested in the Board of Trustees of the Internal Improvement

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47 Trust Fund, Babcock Ranch Management, LLC, a limited liability  
48 company incorporated in the state, shall provide the commission  
49 and the department with the current proprietary management plan  
50 and business plan in place.

51 (e) The comprehensive business plan for the preserve shall  
52 be consistent with the management practices taking place on the  
53 Babcock Crescent B Ranch prior to the state taking title to the  
54 land.

55 (f) To achieve the goal of a financially self-sustaining  
56 operation, the comprehensive business plan must preserve to the  
57 maximum extent practicable environmental resources and wildlife  
58 habitats found on the preserve.

59 (12) MANAGEMENT OF PRESERVE; FEES.--

60 (a) The corporation shall assume all authority provided by  
61 this section to manage and operate the preserve as a working  
62 ranch upon a determination by the Board of Trustees of the  
63 Internal Improvement Trust Fund that the corporation is able to  
64 conduct business and that provision has been made for essential  
65 services on the preserve, which, to the maximum extent  
66 practicable, shall be made no later than 60 days prior to the  
67 termination or expiration of the management agreement.

68 (b) Upon assuming management and operation of the  
69 preserve, the corporation shall:

70 1. With input from the commission and the department,  
71 manage and operate the preserve and the uses thereof, including,  
72 but not limited to, the activities necessary to administer and  
73 operate the preserve as a working ranch; the activities  
74 necessary for the preservation and development of the land and  
75 renewable surface resources of the preserve; the activities

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76 necessary for interpretation of the history of the preserve on  
77 behalf of the public; the activities necessary for the  
78 management, public use, and occupancy of facilities and lands  
79 within the preserve; and the maintenance, rehabilitation,  
80 repair, and improvement of property within the preserve.

81 2. Develop programs and activities relating to the  
82 management of the preserve as a working ranch.

83 3. Negotiate directly with and enter into such agreements,  
84 leases, contracts, and other arrangements with any person, firm,  
85 association, organization, corporation, or governmental entity,  
86 including entities of federal, state, and local governments, as  
87 are necessary and appropriate to carry out the purposes and  
88 activities authorized by this section.

89 4. Establish procedures for entering into lease agreements  
90 and other agreements for the use and occupancy of the facilities  
91 of the preserve. The procedures shall ensure reasonable  
92 competition and set guidelines for determining reasonable fees,  
93 terms, and conditions for such agreements.

94 5. Assess reasonable fees for admission to, use of, and  
95 occupancy of the preserve for operation of the preserve as a  
96 working ranch. These fees are independent of fees assessed by  
97 the commission for the privilege of hunting, fishing, or  
98 pursuing outdoor recreational activities within the preserve and  
99 shall be deposited into the operating fund established by the  
100 board of directors under the authority provided in this section.

101 (13) MISCELLANEOUS PROVISIONS.--

102 (a) Except for the powers of the commissioner provided in  
103 this section and the powers of the commission provided in s. 9,

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104 Art. IV of the State Constitution, the preserve shall be managed  
105 by Babcock Ranch, Inc.

106 (b) Officers and employees of Babcock Ranch, Inc., are  
107 private employees. At the request of the board of directors, the  
108 commission and the department may provide state employees for  
109 the purpose of implementing this section. Any state employee  
110 provided to assist the directors in implementing this section  
111 for more than 30 days shall be provided on a reimbursable basis.  
112 Reimbursement to the commission and the department shall be made  
113 from the corporation's operating fund provided under this  
114 section and not from any funds appropriated to the corporation  
115 by the Legislature.

116 (14) DISSOLUTION OF BABCOCK RANCH, INCORPORATED.--

117 (a) The corporation may be dissolved only by an act of the  
118 Legislature.

119 (b) Upon dissolution of the corporation, the management  
120 responsibilities provided in this section shall revert to the  
121 commission and the department unless otherwise provided by the  
122 Legislature under the act dissolving Babcock Ranch, Inc.

123 (c) Upon dissolution of the corporation, any cash balances  
124 of funds shall revert to the General Revenue fund or such other  
125 state fund as may be provided under the act dissolving Babcock  
126 Ranch, Inc.

127 Section 2. (1) For the 2006-2007 fiscal year, the sum of  
128 \$310 million in nonrecurring funds is appropriated from the  
129 Florida Forever Trust Fund in the Department of Environmental  
130 Protection for the purchase of the Babcock Crescent B Ranch  
131 contingent upon the purchase or management agreement or both

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132 agreements containing or not conflicting with the following  
133 provisions:

134 (a) Babcock Ranch Management, LLC, shall be the managing  
135 entity of the working ranch for 5 years with an option to  
136 continue for an additional 5 years.

137 (b) Babcock Ranch, Inc., shall take over the management of  
138 the working ranch after the Babcock Ranch Management, LLC,  
139 ceases to be the ranch manager.

140 (c) Babcock Ranch, Inc., shall adopt a comprehensive  
141 business plan consistent with current ranch management practices  
142 when Babcock Ranch, Inc., takes over management of the working  
143 ranch.

144 (d) The working ranch shall continue to be operated in a  
145 financially self-sustaining manner.

146 (e) The following ranch operations shall not be prohibited  
147 or restricted except by general law:

148 1. Silvicultural operations, regardless of species and  
149 location; however, except in cases of salvage operations or  
150 invasive exotic control, no cypress tree that measures more than  
151 30 inches in diameter at breast height may be harvested and  
152 harvested areas are limited to no more than 100 acres per  
153 harvest tract.

154 2. Tenant farming on lands historically used for that  
155 purpose.

156 3. Hunting leases, provided that:

157 a. The issuance of leases allows for participation by  
158 interested persons; and

159 b. Periodic hunts are made available on the preserve to  
160 persons with disabilities and those under the age of 18.

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161 4. Any other bona fide agricultural use that is compatible  
162 with the environmental resources and wildlife habitat found on  
163 the preserve.

164 (2) The funds appropriated in subsection (1) shall be  
165 distributed to the seller in accordance with the terms of the  
166 purchase agreement, and no change to the purchase agreement  
167 shall be made without the consent of the seller.

168 (3) For the 2006-2007 fiscal year, the sum of \$50,000 is  
169 appropriated in nonrecurring funds from the Conservation and  
170 Recreation Lands Trust Fund in the Department of Environmental  
171 Protection for the operation and management of the Babcock Ranch  
172 Preserve, to be administered by Babcock Ranch, Inc., as provided  
173 for in this act.

174 (4) The Legislature may annually appropriate funds from  
175 the Land Acquisition Trust Fund for use only as state matching  
176 funds, in conjunction with private donations in aggregates of at  
177 least \$60,000, matched by \$40,000 of state funds, for a total  
178 minimum project amount of \$100,000 for capital improvement  
179 facility development at the ranch at either individually  
180 designated locations or for priority projects within the overall  
181 ranch system. The Babcock Ranch, Inc., may acquire private  
182 donations pursuant to this section, and matching state funds for  
183 approved projects may be provided in accordance with this  
184 subsection. The Babcock Ranch, Inc., is authorized to properly  
185 recognize and honor a private donor by placing a plaque or other  
186 appropriate designation noting the contribution on project  
187 facilities or by naming project facilities after the person or  
188 organization that provided matching funds.

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189       Section 3. Except as otherwise expressly provided in this  
190 act, this act shall take effect upon becoming a law.

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193 ===== T I T L E   A M E N D M E N T =====

194       Remove lines 59-61 and insert:

195 upon the dissolution of the corporation; providing for  
196 appropriations and certain conditions therefor; providing  
197 effective dates.