

1 A bill to be entitled
2 An act relating to land management; creating s. 259.1053,
3 F.S.; creating the Babcock Ranch Preserve Act; providing
4 purposes for which the preserve is established; providing
5 definitions; creating Babcock Ranch, Inc., a not-for-
6 profit corporation incorporated in the state; providing
7 that the corporation is subject to the provisions of chs.
8 119 and 286, F.S., requiring public records and meetings;
9 providing for the corporation to be governed by the
10 Babcock Trustees; providing for the appointment of
11 trustees and terms of office; prohibiting a trustee from
12 voting on any measure that constitutes a conflict of
13 interest; providing for the trustees to serve without
14 compensation but to receive per diem and travel expenses;
15 requiring that each trustee obtain a surety bond of a
16 specified amount; authorizing the trustees to appoint
17 officers and hire employees; authorizing state agencies to
18 provide state employees for purposes of administering the
19 Babcock Ranch Preserve; providing certain powers and
20 duties of the trustees; providing for the corporation to
21 establish and manage an operating fund; requiring an
22 annual financial audit of the accounts and records of the
23 corporation; requiring annual reports by the corporation
24 to the Board of Trustees of the Internal Improvement Trust
25 Fund, the Legislature, the Department of Agriculture and
26 Consumer Services, and the Fish and Wildlife Conservation
27 Commission; requiring that the corporation prepare an
28 annual budget; specifying a goal of self-sustaining

29 operation within a certain period; providing for the
 30 corporation to retain donations and other moneys;
 31 authorizing the corporation to sue and be subject to suit;
 32 requiring that the corporation adopt articles of
 33 incorporation and bylaws; requiring insurance; providing
 34 for the exclusive use of a certain title; authorizing the
 35 corporation to appoint advisory committees; providing
 36 requirements for a comprehensive management plan;
 37 specifying the procedures by which the corporation shall
 38 assume management authority of the Babcock Ranch Preserve;
 39 prohibiting the corporation from taking certain actions
 40 without the consent of the Board of Trustees of the
 41 Internal Improvement Trust Fund; requiring that the
 42 corporation be subject to certain state laws and rules
 43 governing the procurement of commodities and services;
 44 authorizing the corporation to assess fees; providing for
 45 reversion of the management responsibilities to certain
 46 agencies upon the dissolution of the corporation;
 47 providing for management of the Babcock Ranch Preserve
 48 until expiration of a current management agreement;
 49 providing an effective date.

50
 51 Be It Enacted by the Legislature of the State of Florida:

52
 53 Section 1. Section 259.1053, Florida Statutes, is created
 54 to read:

55 259.1053 Babcock Ranch Preserve; Babcock Ranch, Inc.;
 56 creation; membership; organization; duties.--

HB 1347

2006

57 (1) This section may be cited as the "Babcock Ranch
58 Preserve Act."

59 (2) (a) The Babcock Ranch comprises the largest private
60 undeveloped single-ownership tract of land in Charlotte County
61 and contains historical evidence in the form of old logging
62 camps and other artifacts that indicate the importance of this
63 land for domesticated livestock production, timber supply, and
64 other bonafide agricultural uses.

65 (b) The careful husbandry of the Babcock Ranch, including
66 selective timbering, limited grazing and hunting, and the use of
67 prescribed burning, has preserved a mix of healthy range and
68 timberland having significant species diversity and providing a
69 model for sustainable land development and use.

70 (c) The Babcock Ranch must be protected for current and
71 future generations by continued operation as a working ranch
72 under a unique management regime that protects the land and
73 resource values of the property and the surrounding ecosystem
74 while allowing and providing for the ranch to become financially
75 self-sustaining. It is in the public's best interest that the
76 management regime for the Babcock Ranch include the development
77 of an operational program for appropriate preservation and
78 development of the ranch's land and resources. This management
79 regime will best be provided through the creation of a nonprofit
80 public-private entity that is capable of developing and
81 implementing creative methods of public land management that
82 will prove to be cost-effective and environmentally sensitive.

83 (3) As used in this section, the term:

84 (a) "Babcock Ranch Preserve" and "preserve" mean the lands

85 and facilities acquired in the Babcock Ranch Florida Forever
86 Acquisition.

87 (b) "Babcock Ranch, Inc.," and "corporation" mean the not-
88 for-profit corporation authorized and created under this section
89 to operate and manage the Babcock Ranch Preserve.

90 (c) "Babcock Trustees" and "trustees" mean the governing
91 board of the not-for-profit corporation created under this
92 section.

93 (d) "Commission" means the Fish and Wildlife Conservation
94 Commission.

95 (e) "Commissioner" means the Commissioner of Agriculture.

96 (f) "Department" means the Department of Agriculture and
97 Consumer Services.

98 (g) "Executive director" means the executive director of
99 the Fish and Wildlife Conservation Commission.

100 (h) "Financially self-sustaining" means management and
101 operation expenditures that are equal to or less than the
102 revenues derived from fees and other receipts for resource use
103 and development, interest, and invested funds.

104 (i) "Management and operating expenditures" means expenses
105 of the Babcock Trustees, salaries and benefits of staff,
106 administrative and operating expenses, improvements to and
107 maintenance of lands and facilities of the Babcock Ranch
108 Preserve, and other similar expenses. Funds directly
109 appropriated by the Legislature to Babcock Ranch, Inc., and
110 funds appropriated by the Legislature to the Babcock Ranch,
111 Inc., through the Fish and Wildlife Conservation Commission or
112 the Department of Agriculture and Consumer Services are not

HB 1347

2006

113 management and operating expenditures.

114 (j) "Multiple use" means the management of all of the
115 renewable surface resources of the Babcock Ranch Preserve to
116 best meet the needs of the public, including the use of the land
117 for some or all of the renewable surface resources or related
118 services over areas large enough to allow for periodic
119 adjustments in use to conform to the changing needs and
120 conditions of the preserve while recognizing that some of the
121 land will be used for less than all of the renewable surface
122 resources available on that land. The goal of multiple use is
123 the harmonious and coordinated management of the renewable
124 surface resources, each with the other, without impairing the
125 productivity of the land and considering the relative value of
126 the renewable surface resources, and not necessarily the
127 combination of uses providing the greatest monetary return or
128 the greatest unit output.

129 (k) "Sustained yield of the renewable surface resources"
130 means the achievement and maintenance of a high-level annual or
131 regular periodic output of the various renewable surface
132 resources of the Babcock Ranch Preserve without impairing the
133 productivity of the land.

134 (4) (a) Upon the date of acquisition of the Babcock Ranch,
135 there is established the Babcock Ranch Preserve, which shall be
136 managed in accordance with the purposes and requirements of this
137 section.

138 (b) The preserve is established to protect and preserve
139 the environmental, agricultural, scientific, scenic, geologic,
140 watershed, fish, wildlife, historic, cultural, and recreational

HB 1347

2006

141 values of the preserve and to provide for the multiple use and
142 sustained yield of the renewable surface resources within the
143 preserve consistent with this section.

144 (c) Except for the powers of the commissioner as
145 enumerated in this section and the powers of the commission as
146 enumerated in s. 9, Art. IV of the State Constitution, the
147 preserve shall be managed by the Babcock Ranch, Inc.

148 (d) This section does not preclude Babcock Ranch, Inc.,
149 before assuming management of the preserve and thereafter, from
150 allowing the use of common varieties of mineral materials such
151 as sand, stone, and gravel as necessary for construction and
152 maintenance of roads and facilities within the preserve.

153 (e) This section does not affect the constitutional
154 responsibilities of the commission with respect to fish and
155 wildlife, including the regulation of hunting, fishing, and
156 trapping within the preserve.

157 (f) This section does not preclude the maintenance and use
158 of roads and trails or the relocation of roads in existence on
159 the effective date of this act, or the construction,
160 maintenance, and use of new trails, or any motorized access
161 necessary for the administration of the land contained within
162 the Babcock Ranch Preserve, including motorized access necessary
163 for emergencies involving the health or safety of persons within
164 the preserve.

165 (5) (a) The Legislature finds that the public interest of
166 this state will be served by the creation of a not-for-profit
167 corporation the primary mission of which is the management and
168 operation of the Babcock Ranch Preserve. The purpose of the

169 corporation is to provide management and administrative services
 170 for the preserve, to establish and implement management policies
 171 that will best achieve the purposes and requirements of this
 172 section, to cooperate with state agencies to further the
 173 purposes for which the preserve was created, and to establish
 174 the administrative and accounting procedures for the operation
 175 of the corporation.

176 (b) There is created a not-for-profit corporation, to be
 177 designated as "Babcock Ranch, Inc.," which shall be registered,
 178 incorporated, organized, and operated in this state and in
 179 compliance with chapter 617, and which shall not be a unit or
 180 entity of state government. The Legislature determines, however,
 181 that public policy dictates that the corporation operate in a
 182 manner that is consistent with its public purpose and
 183 specifically declares that the corporation and its governing
 184 board and advisory committees or similar groups created by the
 185 corporation, including any not-for-profit subsidiaries, are
 186 subject to the provisions of chapter 119, relating to public
 187 records, and those provisions of chapter 286 relating to public
 188 meetings and records for any meetings of the corporation. The
 189 corporation may be dissolved only by an act of the Legislature.

190 (c) The corporation shall be governed by the Babcock
 191 Trustees, a nine-member governing board, whose members shall be
 192 appointed to staggered terms by the Board of Trustees of the
 193 Internal Improvement Trust Fund; the executive director of the
 194 commission; the Babcock Florida Company, a corporation
 195 registered to do business in the state, or its successors or
 196 assigns; the President of the Senate; and the Speaker of the

197 House of Representatives, in the following manner:

198 1. The Board of Trustees of the Internal Improvement Trust
 199 Fund shall appoint five voting members, at least one of whom
 200 must be a resident of Charlotte County and at least one of whom
 201 must be a resident of Lee County. An appointee may not be an
 202 employee of any governmental entity. One appointee must have
 203 expertise in aspects of domesticated livestock management,
 204 production, and marketing, including range management and
 205 livestock business management. One appointee must have expertise
 206 in the management of game and nongame wildlife and fish
 207 populations, including hunting, fishing, and other recreational
 208 activities. One appointee must have expertise in the sustainable
 209 management of forest lands for commodity purposes. One appointee
 210 must have expertise in financial management, budget and program
 211 analysis, and small business operations. One appointee must be
 212 active in a not-for-profit conservation organization concerned
 213 with the activities of the ranch.

214 2. The executive director shall appoint one voting member
 215 who has expertise in hunting, fishing, nongame species
 216 management or wildlife habitat management, restoration, and
 217 conservation.

218 3. The Babcock Florida Company, or its successors or
 219 assigns, shall appoint one voting member who has expertise in
 220 the activities and management of the Babcock Ranch as of the
 221 date of acquisition by the state.

222 4. The President of the Senate and the Speaker of the
 223 House of Representatives shall each appoint one voting member,
 224 who shall be a member of the public having expertise in any area

225 of ranch operations.

226 (d) A trustee may not be an officer, a director, or a
 227 shareholder in any entity that contracts with or receives funds
 228 from the corporation or its subsidiaries.

229 (e) A trustee may not vote in an official capacity upon
 230 any measure that would inure to his or her special private gain
 231 or loss; that he or she knows would inure to the special private
 232 gain or loss of any principal by whom he or she is retained or
 233 to the parent organization or subsidiary of a principal by which
 234 he or she is retained; or that he or she knows would inure to
 235 the special private gain or loss of a relative or business
 236 associate of the trustee. Such trustee shall, before the vote is
 237 taken, publicly state the nature of the trustee's interest in
 238 the matter from which he or she is abstaining from voting and,
 239 no later than 15 days after the vote occurs, disclose the nature
 240 of his or her interest as a public record in a memorandum filed
 241 with the person responsible for recording the minutes of the
 242 meeting, who shall incorporate the memorandum in the minutes.

243 (f) The Board of Trustees of the Internal Improvement
 244 Trust Fund and the executive director shall make the initial
 245 appointments of the Babcock Trustees no later than 90 days after
 246 the initial acquisition of the Babcock Ranch by the state. Four
 247 trustees initially appointed by the Board of Trustees of the
 248 Internal Improvement Trust Fund shall each be appointed to a 4-
 249 year term. The remaining initial appointees shall each be
 250 appointed to a 2-year term.

251 (g) Each trustee appointed after the initial appointments
 252 made by the Board of Trustees of the Internal Improvement Trust

253 Fund and the executive director shall be appointed to a 4-year
254 term. Any vacancy among the trustees shall be filled in the same
255 manner as the original appointment, and any trustee appointed to
256 fill a vacancy shall be appointed for the remainder of that
257 term. However, a trustee may not serve more than 8 years in
258 consecutive terms.

259 (h) A member of the Babcock Trustees may be removed for
260 cause by the official who appointed that member. Absence from
261 three consecutive meetings results in automatic removal.

262 (i) A majority of the trustees constitutes a quorum for
263 the purpose of conducting business, and the governing board may
264 take official action by a majority vote of the members present
265 at any meeting at which a quorum is present.

266 (j) The trustees shall serve without compensation, but are
267 entitled to receive from funds of the corporation reimbursement
268 for per diem and travel expenses as provided by s. 112.061.

269 (k) There shall be no liability on the part of, and no
270 cause of action shall arise against, any member of the Babcock
271 Trustees, or the employees or agents of the corporation, for any
272 action taken in the performance of powers and duties under this
273 section.

274 (l) Each trustee, no later than 30 days after accepting an
275 appointment, must give the Board of Trustees of the Internal
276 Improvement Trust Fund a good and sufficient surety bond in the
277 sum of \$5,000, the cost thereof being borne by the corporation,
278 conditioned on the trustee's faithful performance of his or her
279 duties as a member of the governing board of Babcock Ranch, Inc.

280 (m) The trustees shall elect a chair from among their

281 membership, and may appoint and fix the compensation and duties
282 of an executive director of the corporation and such other
283 officers and employees as the trustees consider necessary.
284 Except as provided in this section, officers and employees of
285 the corporation are not employees of the state but are private
286 employees. At the request of the trustees, the state may provide
287 state employees for the purpose of implementing this section.
288 Any state employee provided to assist the trustees of the
289 corporation in implementing the requirements of this section for
290 more than 30 days shall be provided on a reimbursable basis.

291 (n) The trustees shall meet, at the call of the chair, at
292 least three times per year in Charlotte County or Lee County in
293 sessions that are open to the public.

294 (o) Except for the constitutional powers of the commission
295 as provided in s. 9, Art. IV of the State Constitution, the
296 trustees of the corporation have all necessary and proper powers
297 for the exercise of the authorities vested in the corporation,
298 including, but not limited to, the power to solicit and accept
299 donations of funds, property, supplies, or services from
300 individuals, foundations, corporations, and other public or
301 private entities for the purposes of this section. All funds
302 received by the corporation shall be deposited into the
303 operating fund authorized under this section unless otherwise
304 directed by the Legislature.

305 (p) The trustees may, with the written approval of the
306 commission and in consultation with the department, designate
307 hunting, fishing, and trapping zones and establish additional
308 periods when hunting, fishing, or trapping are not permitted for

HB 1347

2006

309 reasons of public safety, administration, and the protection and
310 enhancement of nongame habitat and nongame species, as defined
311 in s. 372.001.

312 (6) (a) The corporation may establish and manage an
313 operating fund for the purposes of addressing the corporation's
314 unique cash-flow needs and facilitating the fiscal management of
315 the corporation. The corporation may accumulate and maintain in
316 the operating fund at any time a cash balance reserve that is
317 equal to not more than 25 percent of its annual operating
318 expenses. Upon dissolution of the corporation, any remaining
319 cash balances of funds shall revert to the General Revenue Fund,
320 or such other state funds consistent with any appropriated
321 funding, as provided by law.

322 (b) The corporation shall provide for an annual financial
323 audit of its accounts and records to be conducted by an
324 independent certified public accountant in accordance with rules
325 adopted by the Auditor General under s. 11.45. The audit report
326 shall be submitted no later than 9 months after the end of the
327 fiscal year to the Auditor General, the President of the Senate,
328 the Speaker of the House of Representatives, and the appropriate
329 substantive and fiscal committees of the Legislature. The
330 Auditor General, the Office of Program Policy Analysis and
331 Government Accountability, and the substantive or fiscal
332 committees of the Legislature to which legislation affecting the
333 Babcock Ranch Preserve may be referred may require and receive
334 from the corporation or from the independent auditor any records
335 relative to the operation of the corporation.

336 (c) By January 15 of each year, the corporation shall

HB 1347

2006

337 submit to the Board of Trustees of the Internal Improvement
338 Trust Fund, the President of the Senate, the Speaker of the
339 House of Representatives, the department, and the commission a
340 comprehensive and detailed report of its operations, activities,
341 and accomplishments for the prior year, including information
342 concerning the status of ecological, cultural, and financial
343 resources being managed by the corporation, and benefits
344 provided by the preserve to local communities. The report must
345 also include a section describing the corporation's goals for
346 the current year.

347 (d) The corporation shall prepare an annual budget with
348 the goal of achieving a financially self-sustaining operation
349 within 15 full fiscal years after management of the preserve
350 begins. The department shall provide necessary assistance,
351 including details as necessary, to the corporation for the
352 timely formulation and submission of an annual budget request
353 for appropriations, if any, to support the administration,
354 operation, and maintenance of the preserve. Any request for
355 appropriations shall be submitted to the department and shall be
356 included in the agency budget request as a line item
357 appropriation. Requests for appropriations shall be submitted to
358 the agency in time to allow the agency to meet the requirements
359 of s. 216.023. The department may not deny a request or refuse
360 to include in its annual legislative budget submission a request
361 for appropriations from the corporation.

362 (e) Notwithstanding any other provision of law, all moneys
363 received from donations or from the management of the preserve
364 shall be retained by the corporation in the operating fund and

365 shall be available, without further appropriation, for the
366 administration, preservation, restoration, operation and
367 maintenance, improvements, repairs, and related expenses
368 incurred with respect to properties being managed by the
369 corporation. Except for the reversion of funds appropriated to
370 the corporation or as otherwise provided by the Legislature,
371 moneys received by the corporation from the management of the
372 preserve are not subject to distribution to the state. Upon
373 assuming management responsibilities for the preserve, the
374 corporation shall optimize the generation of income based on
375 existing marketing conditions to the extent that activities do
376 not unreasonably diminish the long-term environmental,
377 agricultural, scenic, and natural values of the preserve, or the
378 multiple-use and sustained-yield capability of the land.

379 (f) The corporation may sue and be sued in its own name.
380 For purposes of such suits, the residence of the corporation
381 shall be the state. The corporation shall be represented by the
382 Attorney General in any litigation arising out of activities of
383 the corporation, except that the corporation may retain private
384 attorneys to provide advice and counsel.

385 (g) The corporation shall adopt articles of incorporation
386 and bylaws necessary to govern its activities.

387 (h) All parties in contract with the corporation and all
388 holders of leases from the corporation that are authorized to
389 occupy, use, or develop properties under the management
390 jurisdiction of the corporation must procure insurance of an
391 amount as is reasonable or customary to insure against any loss
392 in connection with such properties or with activities authorized

393 in such leases or contracts.

394 (i) The corporation has the sole and exclusive right to
 395 use the words "Babcock Ranch, Inc.," and any seal, emblem, or
 396 other insignia adopted by the trustees. Without the express
 397 written authority of the corporation, a person may not use the
 398 words "Babcock Ranch, Inc.," as the name under which that person
 399 does or purports to do business or for the purpose of trade or
 400 advertisement, and may not, in any manner, suggest any
 401 connection with the corporation.

402 (j) The corporation may from time to time appoint advisory
 403 committees to further any part of the provisions of this
 404 section. The membership of an advisory committee shall be
 405 reflective of the expertise necessary for the particular
 406 function for which the committee was created and may include
 407 public agencies, private entities, and not-for-profit
 408 conservation and agricultural representatives.

409 (7) (a) A comprehensive management plan for the management
 410 of the preserve and amendments to a comprehensive management
 411 plan may be developed only with input from the department and
 412 the commission and may be implemented only by the corporation
 413 upon expiration of the management agreement executed by Babcock
 414 Ranch Management LLC, a limited liability company incorporated
 415 in the state, the Board of Trustees of the Internal Improvement
 416 Trust Fund, the Fish and Wildlife Conservation Commission, the
 417 Department of Agriculture and Consumer Services, and Lee County.
 418 Any final decision of the trustees to adopt or amend a
 419 comprehensive management plan or to approve any activity related
 420 to the management of the land or renewable surface resources of

HB 1347

2006

421 the preserve shall be made in sessions that are open to the
422 public. The trustees shall establish procedures for providing
423 adequate public information and opportunities for public comment
424 on proposed comprehensive management plans for the preserve or
425 for amendments to any comprehensive management plan adopted by
426 the trustees.

427 (b) Not less than 2 years before the corporation assumes
428 management responsibilities for the preserve, the corporation,
429 with input from the commission and the department, must begin
430 developing a comprehensive management plan for the management of
431 land, renewable surface resources, and facilities within the
432 preserve to carry out the purposes of this section. To the
433 extent consistent with such purposes, the comprehensive
434 management plan must provide for:

435 1. The operation of the preserve as a working ranch;

436 2. The protection and preservation of the environmental,
437 agricultural, scientific, scenic, geologic, watershed, fish,
438 wildlife, historic, cultural, and recreational values of the
439 preserve;

440 3. The promotion of high-quality hunting experiences for
441 the public, with emphasis on deer, turkey, and other game
442 species;

443 4. Multiple use and sustained yield of renewable surface
444 resources within the preserve;

445 5. Public use of and access to the preserve for
446 recreation; and

447 6. Renewable resource use and management alternatives
448 that, to the extent practicable, benefit local communities and

449 small businesses and enhance the coordination of management
450 objectives with those on surrounding public or private lands.
451 Use of renewable resources and management alternatives should
452 provide cost savings to the corporation through the exchange of
453 services, including, but not limited to, labor and maintenance
454 of facilities, for resources or services provided to the
455 corporation.

456 (c) The corporation shall assume all authority provided by
457 this section to manage the preserve upon a determination by the
458 Board of Trustees of the Internal Improvement Trust Fund which,
459 to the maximum extent practicable, shall be made no later than
460 60 days before the termination of the management agreement
461 specified in paragraph (a), that the corporation is able to
462 conduct business and that provision has been made for essential
463 management services on the preserve.

464 (d) Upon assuming management of the preserve, and with
465 input from the commission and the department, the corporation
466 shall manage the land and resources of the preserve and the use
467 thereof, including, but not limited to, such activities as
468 administration and operation of the preserve; preservation and
469 development of the land and renewable surface resources of the
470 preserve; interpretation of the preserve and its history on
471 behalf of the public; management, public use, and occupancy of
472 facilities and lands within the preserve; and maintenance,
473 rehabilitation, repair, and improvement of property within the
474 preserve.

475 (e) Upon assuming management of the preserve, the
476 corporation may develop programs and activities related to the

477 management of the preserve and may negotiate directly with and
478 enter into such agreements, leases, contracts, and other
479 arrangements with any person, firm, association, organization,
480 corporation, or governmental entity, including entities of
481 federal, state, and local governments, as are necessary and
482 appropriate to carry out its authorized activities or fulfill
483 the purposes of this section. The corporation shall establish
484 procedures for entering into lease agreements and other
485 agreements for the use and occupancy of the facilities of the
486 preserve. The procedures must ensure reasonable competition and
487 set guidelines for determining reasonable fees, terms, and
488 conditions for such agreements.

489 (8) The corporation may not dispose of any real property
490 in the preserve, may not enter into any contract, lease, or
491 other agreement related to the use of ground or surface waters
492 on or through property titled in the name of the state without
493 the consent of the Board of Trustees of the Internal Improvement
494 Trust Fund, and must obtain any permits that are required by the
495 Department of Environmental Protection and the appropriate water
496 management district under chapters 373 and 403. The corporation
497 may not convey any easements, and may not enter into any
498 contract, lease, or other agreement related to the use and
499 occupancy of the property within the preserve, for a period of
500 greater than 10 years. Any easements to be conveyed for the use
501 of, access to, or ingress and egress across state property
502 within the preserve must be executed by the Board of Trustees of
503 the Internal Improvement Trust Fund as the owners of the state
504 property within the preserve.

HB 1347

2006

505 (9) State laws and rules governing the procurement of
506 commodities and services by state agencies as provided in s.
507 287.057 apply to the corporation.

508 (10) Upon assuming management of the preserve, the
509 corporation may assess reasonable fees for admission to, use of,
510 and occupancy of the preserve in order to offset the costs of
511 operating the preserve as a working ranch. These fees are
512 independent of fees assessed by the commission for the privilege
513 of hunting, fishing, or pursuing outdoor recreational activities
514 within the preserve and shall be deposited into the operating
515 fund established by the corporation under the authority provided
516 in this section.

517 (11) Upon dissolution of the corporation for any reason,
518 the management responsibilities provided in this section shall
519 revert to the managing agencies designated in the Babcock Ranch
520 Florida Forever Act.

521 (12) Babcock Ranch, Inc., and its officers and employees
522 shall participate in the management of the Babcock Ranch
523 Preserve in an advisory capacity only until the management
524 agreement executed by Babcock Ranch Management LLC and the Board
525 of Trustees of the Internal Improvement Trust Fund, the Fish and
526 Wildlife Conservation Commission, the Department of Agriculture
527 and Consumer Services, and Lee County is terminated or expires.

528 (13) On or before the date on which title to the Babcock
529 Ranch Florida Forever Acquisition is vested in the Board of
530 Trustees of the Internal Improvement Trust Fund, Babcock Ranch
531 Management LLC shall provide the commission and the department
532 with the management plan and business plan in place for the

HB 1347

2006

533 | operation of the ranch as of November 22, 2005, the date on
534 | which the board of trustees approved the acquisition.

535 | Section 2. This act shall take effect July 1, 2006.