

By Senator Bennett

21-1461A-06

1 A bill to be entitled

2 An act relating to land management; creating s.

3 259.1053, F.S.; creating the Babcock Ranch

4 Preserve Act; providing purposes for which the

5 preserve is established; providing definitions;

6 creating Babcock Ranch, Inc., a Florida

7 not-for-profit corporation; providing that the

8 corporation is subject to the provisions of

9 chs. 119 and 286, F.S., requiring public

10 records and meetings; providing for the

11 corporation to be governed by the Babcock

12 Trustees; providing for the appointment of

13 trustees and terms of office; prohibiting a

14 trustee from voting on any measure that

15 constitutes a conflict of interest; providing

16 for the trustees to serve without compensation,

17 but to receive per diem and travel expenses;

18 requiring that each trustee obtain a surety

19 bond of a specified amount; authorizing the

20 trustees to appoint officers and employees;

21 authorizing state agencies to provide state

22 employees for purposes of administering the

23 Babcock Ranch Preserve; providing certain

24 powers and duties of the trustees; providing

25 for the corporation to establish and manage an

26 operating fund; requiring an annual financial

27 audit of the accounts and records of the

28 corporation; requiring annual reports by the

29 corporation to the Board of Trustees of the

30 Internal Improvement Trust Fund, the

31 Legislature, the Department of Agriculture and

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

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29 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Section 259.1053, Florida Statutes, is
2 created to read:

3 259.1053 Babcock Ranch Preserve; Babcock Ranch, Inc.;
4 creation; membership; organization; duties.--

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

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

13 (b) 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 having significant species
17 diversity and providing a model for sustainable land
18 development and use.

19 (c) The Babcock Ranch must be protected for current
20 and future generations by continued operation as a working
21 ranch under a unique management regime that protects the land
22 and resource values of the property and the surrounding
23 ecosystem, while allowing and providing for the ranch to
24 become financially self-sustaining. It is in the public's best
25 interest that the management regime for the Babcock Ranch
26 includes the development of an operational program for
27 appropriate preservation and development of the ranch's land
28 and resources. This management regime will best be provided
29 through the creation of a nonprofit public-private entity that
30 is capable of developing and implementing creative methods of
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1 public land management that will prove to be cost-effective
2 and environmentally sensitive.

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

4 (a) "Babcock Ranch Preserve" and "preserve" mean the
5 lands and facilities acquired in the Babcock Ranch Florida
6 Forever Acquisition as provided in s. 259.1052.

7 (b) "Babcock Ranch, Inc.," and "corporation" mean the
8 Florida not-for-profit corporation authorized and created to
9 operate and manage the Babcock Ranch Preserve.

10 (c) "Babcock Trustees" and "trustees" mean the
11 governing board of the Florida not-for-profit corporation
12 created under this section.

13 (d) "Commission" means the Fish and Wildlife
14 Conservation Commission.

15 (e) "Commissioner" means the Commissioner of
16 Agriculture.

17 (f) "Department" means the Department of Agriculture
18 and Consumer Services.

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

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

25 (i) "Management and operating expenditures" means
26 expenses of the Babcock Trustees, salaries and benefits of
27 staff, administrative and operating expenses, improvements to
28 and maintenance of lands and facilities of the Babcock Ranch
29 Preserve, and other similar expenses. Funds directly
30 appropriated by the Legislature to Babcock Ranch, Inc., and
31 funds appropriated by the Legislature to the Babcock Ranch,

1 Inc., through the Fish and Wildlife Conservation Commission or
2 the Department of Agriculture and Consumer Services are not
3 management and operating expenditures.

4 (j) "Multiple use" means the management of all of the
5 renewable surface resources of the Babcock Ranch Preserve to
6 best meet the needs of the public, including the use of the
7 land for some or all of the renewable surface resources or
8 related services over areas large enough to allow for periodic
9 adjustments in use to conform to the changing needs and
10 conditions of the preserve while recognizing that some of the
11 land will be used for less than all of the renewable surface
12 resources available on that land. The goal of multiple use is
13 the harmonious and coordinated management of the renewable
14 surface resources, each with the other, without impairing the
15 productivity of the land and considering the relative value of
16 the renewable surface resources, and not necessarily the
17 combination of uses providing the greatest monetary return or
18 the greatest unit output.

19 (k) "Sustained yield of the renewable surface
20 resources" means the achievement and maintenance of a
21 high-level annual or regular periodic output of the various
22 renewable surface resources of the Babcock Ranch Preserve
23 without impairing the productivity of the land.

24 (4)(a) Upon the date of acquisition of the Babcock
25 Ranch as provided in s. 259.1052, there is established the
26 Babcock Ranch Preserve, which shall be managed in accordance
27 with the purposes and requirements of this section.

28 (b) The preserve is established to protect and
29 preserve the environmental, agricultural, scientific, scenic,
30 geologic, watershed, fish, wildlife, historic, cultural, and
31 recreational values of the preserve and to provide for the

1 multiple use and sustained yield of the renewable surface
2 resources within the preserve consistent with this section.

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

7 (d) This section does not preclude Babcock Ranch,
8 Inc., before assuming management of the preserve and
9 thereafter, from allowing the use of common varieties of
10 mineral materials such as sand, stone, and gravel as necessary
11 for construction and maintenance of roads and facilities
12 within the preserve.

13 (e) This section does not affect the constitutional
14 responsibilities of the commission with respect to fish and
15 wildlife, including the regulation of hunting, fishing, and
16 trapping within the preserve.

17 (f) This section does not preclude the maintenance and
18 use of roads and trails or the relocation of roads in
19 existence on the effective date of this act, or the
20 construction, maintenance, and use of new trails, or any
21 motorized access necessary for the administration of the land
22 contained within the Babcock Ranch Preserve, including
23 motorized access necessary for emergencies involving the
24 health or safety of persons within the preserve.

25 (5)(a) The Legislature finds that the public interest
26 of this state will be served by the creation of a Florida
27 not-for-profit corporation whose primary mission is the
28 management and operation of the Babcock Ranch Preserve. The
29 purpose of the corporation is to provide management and
30 administrative services for the preserve, to establish and
31 implement management policies that will best achieve the

1 purposes and requirements of this section, to cooperate with
2 state agencies to further the purposes for which the preserve
3 was created, and to establish the administrative and
4 accounting procedures for the operation of the corporation.

5 (b) There is created a not-for-profit corporation, to
6 be known as "Babcock Ranch, Inc.," which shall be registered,
7 incorporated, organized, and operated in compliance with
8 chapter 617, and which shall not be a unit or entity of state
9 government. The Legislature determines, however, that public
10 policy dictates that the corporation operate in a manner that
11 is consistent with its public purpose and specifically
12 declares that the corporation and its governing board and
13 advisory committees or similar groups created by the
14 corporation, including any not-for-profit subsidiaries, be
15 subject to the provisions of chapter 119, relating to public
16 records, and those provisions of chapter 286 relating to
17 public meetings and records for any meetings of the
18 corporation. The corporation may be dissolved only by an act
19 of the Legislature.

20 (c) The corporation shall be governed by the Babcock
21 Trustees, a nine-member governing board, whose members shall
22 be appointed to staggered terms by the Board of Trustees of
23 the Internal Improvement Trust Fund; the executive director of
24 the commission; the Babcock Florida Company, a corporation
25 registered to do business in the State of Florida, or its
26 successors or assigns; the President of the Senate; and the
27 Speaker of the House of Representatives, in the following
28 manner:

29 1. The Board of Trustees of the Internal Improvement
30 Trust Fund shall appoint five voting members, at least one of
31 whom must be a resident of Charlotte County and at least one

1 of whom must be a resident of Lee County. An appointee may not
2 be an employee of any governmental entity. One appointee must
3 have expertise in aspects of domesticated livestock
4 management, production, and marketing, including range
5 management and livestock business management. One appointee
6 must have expertise in the management of game and nongame
7 wildlife and fish populations, including hunting, fishing, and
8 other recreational activities. One appointee must have
9 expertise in the sustainable management of forest lands for
10 commodity purposes. One appointee must have expertise in
11 financial management, budget and program analysis, and small
12 business operations. One appointee must be active in a
13 not-for-profit conservation organization concerned with the
14 activities of the ranch.

15 2. The executive director shall appoint one voting
16 member who has expertise in hunting, fishing, nongame species
17 management or wildlife habitat management, restoration, and
18 conservation.

19 3. The Babcock Florida Company, its successors or
20 assigns, shall appoint one voting member who has expertise in
21 the activities and management of the Babcock Ranch as of the
22 date of acquisition by the state.

23 4. The President of the Senate and the Speaker of the
24 House of Representatives shall each appoint one voting member,
25 who shall be a member of the public having expertise in any
26 area of ranch operations.

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

30 (e) A trustee may not vote in an official capacity
31 upon any measure that would inure to his or her special

1 private gain or loss; that he or she knows would inure to the
2 special private gain or loss of any principal by whom he or
3 she is retained or to the parent organization or subsidiary of
4 a principal by which he or she is retained; or that he or she
5 knows would inure to the special private gain or loss of a
6 relative or business associate of the trustee. Such trustee
7 shall, before the vote is taken, publicly state the nature of
8 the trustee's interest in the matter from which he or she is
9 abstaining from voting and, within 15 days after the vote
10 occurs, disclose the nature of his or her interest as a public
11 record in a memorandum filed with the person responsible for
12 recording the minutes of the meeting, who shall incorporate
13 the memorandum in the minutes.

14 (f) The Board of Trustees of the Internal Improvement
15 Trust Fund and the executive director shall make the initial
16 appointments of the Babcock Trustees within 90 days after the
17 initial acquisition of the Babcock Ranch by the state pursuant
18 to s. 259.1052. Four trustees initially appointed by the Board
19 of Trustees of the Internal Improvement Trust Fund shall each
20 be appointed to a 4-year term. The remaining initial
21 appointees shall each be appointed to a 2-year term.

22 (g) Each trustee appointed after the initial
23 appointments made by the Board of Trustees of the Internal
24 Improvement Trust Fund and the executive director shall be
25 appointed to a 4-year term. Any vacancy among the trustees
26 shall be filled in the same manner as the original
27 appointment, and any trustee appointed to fill a vacancy shall
28 be appointed for the remainder of that term. However, a
29 trustee may not serve more than 8 years in consecutive terms.

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

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

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

12 (k) There shall be no liability on the part of, and no
13 cause of action shall arise against, any member of the Babcock
14 Trustees, or the employees or agents of the corporation, for
15 any action taken in the performance of powers and duties under
16 this section.

17 (l) Each trustee, within 30 days after accepting an
18 appointment, must give the Board of Trustees of the Internal
19 Improvement Trust Fund a good and sufficient surety bond in
20 the sum of \$5,000, the cost thereof being borne by the
21 corporation, conditioned on the trustee's faithful performance
22 of his or her duties as a member of the governing board of
23 Babcock Ranch, Inc.

24 (m) The trustees shall elect a chair from among their
25 membership, and may appoint and fix the compensation and
26 duties of an executive director of the corporation and such
27 other officers and employees as the trustees consider
28 necessary. Except as provided in this section, officers and
29 employees of the corporation are not employees of the state
30 but are private employees. At the request of the trustees, the
31 state may provide state employees for the purpose of

1 implementing this section. Any state employee provided to
2 assist the trustees of the corporation in implementing the
3 requirements of this section for more than 30 days shall be
4 provided on a reimbursable basis.

5 (n) The trustees shall meet, at the call of the chair,
6 at least three times per year in Charlotte or Lee Counties in
7 sessions that are open to the public.

8 (o) Except for the constitutional powers of the
9 commission as provided in s. 9, Art. IV of the State
10 Constitution, the trustees of the corporation have all
11 necessary and proper powers for the exercise of the
12 authorities vested in the corporation, including, but not
13 limited to, the power to solicit and accept donations of
14 funds, property, supplies, or services from individuals,
15 foundations, corporations, and other public or private
16 entities for the purposes of this section. All funds received
17 by the corporation shall be deposited into the operating fund
18 authorized under this section unless otherwise directed by the
19 Legislature.

20 (p) The trustees may, with the written approval of the
21 commission and in consultation with the department, designate
22 hunting, fishing, and trapping zones and establish additional
23 periods when hunting, fishing, or trapping are not permitted
24 for reasons of public safety, administration, and the
25 protection and enhancement of nongame habitat and nongame
26 species, as defined in s. 372.001.

27 (6)(a) The corporation may establish and manage an
28 operating fund for the purposes of addressing the
29 corporation's unique cash-flow needs and facilitating the
30 fiscal management of the corporation. The corporation may
31 accumulate and maintain in the operating fund at any time a

1 cash balance reserve that is equal to not more than 25 percent
2 of its annual operating expenses. Upon dissolution of the
3 corporation, any remaining cash balances of funds shall revert
4 to the General Revenue Fund, or such other state funds
5 consistent with any appropriated funding, as provided by law.

6 (b) The corporation shall provide for an annual
7 financial audit of its accounts and records to be conducted by
8 an independent certified public accountant in accordance with
9 rules adopted by the Auditor General under s. 11.45. The audit
10 report shall be submitted within 9 months after the end of the
11 fiscal year to the Auditor General, the President of the
12 Senate, the Speaker of the House of Representatives, and the
13 appropriate substantive and fiscal committees of the
14 Legislature. The Auditor General, the Office of Program Policy
15 Analysis and Government Accountability, and the substantive or
16 fiscal committees of the Legislature to which legislation
17 affecting the Babcock Ranch Preserve may be referred may
18 require and receive from the corporation or from the
19 independent auditor any records relative to the operation of
20 the corporation.

21 (c) By January 15 of each year, the corporation shall
22 submit to the Board of Trustees of the Internal Improvement
23 Trust Fund, the President of the Senate, the Speaker of the
24 House of Representatives, the department, and the commission a
25 comprehensive and detailed report of its operations,
26 activities, and accomplishments for the prior year, including
27 information concerning the status of ecological, cultural, and
28 financial resources being managed by the corporation, and
29 benefits provided by the preserve to local communities. The
30 report must also include a section describing the
31 corporation's goals for the current year.

1 (d) The corporation shall prepare an annual budget
2 with the goal of achieving a financially self-sustaining
3 operation within 15 full fiscal years after management of the
4 preserve begins. The department shall provide necessary
5 assistance, including details as necessary, to the corporation
6 for the timely formulation and submission of an annual budget
7 request for appropriations, if any, to support the
8 administration, operation, and maintenance of the preserve.
9 Any request for appropriations shall be submitted to the
10 department and shall be included in the agency budget request
11 as a line item appropriation. Requests for appropriations
12 shall be submitted to the agency in time to allow the agency
13 to meet the requirements of s. 216.023. The department may not
14 deny a request or refuse to include in its annual legislative
15 budget submission a request for appropriations from the
16 corporation.

17 (e) Notwithstanding any other provision of law, all
18 moneys received from donations or from the management of the
19 preserve shall be retained by the corporation in the operating
20 fund and shall be available, without further appropriation,
21 for the administration, preservation, restoration, operation
22 and maintenance, improvements, repairs, and related expenses
23 incurred with respect to properties being managed by the
24 corporation. Except for the reversion of funds appropriated to
25 the corporation or as otherwise provided by the Legislature,
26 moneys received by the corporation from the management of the
27 preserve are not subject to distribution to the state. Upon
28 assuming management responsibilities for the preserve, the
29 corporation shall optimize the generation of income based on
30 existing marketing conditions to the extent that activities do
31 not unreasonably diminish the long-term environmental,

1 agricultural, scenic, and natural values of the preserve, or
2 the multiple-use and sustained-yield capability of the land.

3 (f) The corporation may sue and be sued in its own
4 name. For purposes of such suits, the residence of the
5 corporation shall be the State of Florida. The corporation
6 shall be represented by the Attorney General in any litigation
7 arising out of activities of the corporation, except that the
8 corporation may retain private attorneys to provide advice and
9 counsel.

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

12 (h) All parties in contract with the corporation and
13 all holders of leases from the corporation which are
14 authorized to occupy, use, or develop properties under the
15 management jurisdiction of the corporation must procure
16 insurance of an amount as is reasonable or customary to insure
17 against any loss in connection with such properties or with
18 activities authorized in such leases or contracts.

19 (i) The corporation has the sole and exclusive right
20 to use the words "Babcock Ranch, Inc.," and any seal, emblem,
21 or other insignia adopted by the trustees. Without the express
22 written authority of the corporation, a person may not use the
23 words "Babcock Ranch, Inc.," as the name under which that
24 person does or purports to do business or for the purpose of
25 trade or advertisement, and may not, in any manner, suggest
26 any connection with the corporation.

27 (j) The corporation may from time to time appoint
28 advisory committees to further any part of the provisions of
29 this section. The advisory committees shall be reflective of
30 the expertise necessary for the particular function for which
31 the committee was created, and may include public agencies,

1 private entities, and not-for-profit conservation and
2 agricultural representatives.

3 (7)(a) A comprehensive management plan for the
4 management of the preserve and amendments to a comprehensive
5 management plan may be developed only with input from the
6 department and the commission, and may be implemented only by
7 the corporation upon expiration of the Management Agreement
8 executed by Babcock Ranch Management LLC, a Florida limited
9 liability company, the Board of Trustees of the Internal
10 Improvement Trust Fund, the Fish and Wildlife Conservation
11 Commission, the Department of Agriculture and Consumer
12 Services, and Lee County on . Any final
13 decision of the trustees to adopt or amend a comprehensive
14 management plan or to approve any activity related to the
15 management of the land or renewable surface resources of the
16 preserve shall be made in sessions that are open to the
17 public. The trustees shall establish procedures for providing
18 adequate public information and opportunities for public
19 comment on proposed comprehensive management plans for the
20 preserve or for amendments to any comprehensive management
21 plan adopted by the trustees.

22 (b) Not less than 2 years before the corporation
23 assumes management responsibilities for the preserve, the
24 corporation, with input from the commission and the
25 department, must begin developing a comprehensive management
26 plan for the management of land, renewable surface resources,
27 and facilities within the preserve to carry out the purposes
28 of this section. To the extent consistent with such purposes,
29 the comprehensive management plan must provide for:

- 30 1. The operation of the preserve as a working ranch;
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1 2. The protection and preservation of the
2 environmental, agricultural, scientific, scenic, geologic,
3 watershed, fish, wildlife, historic, cultural, and
4 recreational values of the preserve;

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

8 4. Multiple use and sustained yield of renewable
9 surface resources within the preserve;

10 5. Public use of and access to the preserve for
11 recreation; and

12 6. Renewable resource use and management alternatives
13 that, to the extent practicable, benefit local communities and
14 small businesses and enhance the coordination of management
15 objectives with those on surrounding public or private lands.
16 Use of renewable resources and management alternatives should
17 provide cost savings to the corporation through the exchange
18 of services, including, but not limited to, labor and
19 maintenance of facilities, for resources or services provided
20 to the corporation.

21 (c) The corporation shall assume all authority
22 provided by this section to manage the preserve upon a
23 determination by the Board of Trustees of the Internal
24 Improvement Trust Fund which, to the maximum extent
25 practicable, shall be made no later than 60 days before the
26 termination of the Management Agreement specified in paragraph
27 (a), that the corporation is able to conduct business and that
28 provision has been made for essential management services on
29 the preserve.

30 (d) Upon assuming management of the preserve, and with
31 input from the commission and the department, the corporation

1 shall manage the land and resources of the preserve and the
2 use thereof, including, but not limited to, such activities as
3 administration and operation of the preserve; preservation and
4 development of the land and renewable surface resources of the
5 preserve; interpretation of the preserve and its history on
6 behalf of the public; the management, public use, and
7 occupancy of facilities and lands within the preserve; and
8 maintenance, rehabilitation, repair, and improvement of
9 property within the preserve.

10 (e) Upon assuming management of the preserve, the
11 corporation may develop programs and activities related to the
12 management of the preserve and may negotiate directly with and
13 enter into such agreements, leases, contracts, and other
14 arrangements with any person, firm, association, organization,
15 corporation, or governmental entity, including entities of
16 federal, state, and local governments, as are necessary and
17 appropriate to carry out its authorized activities or fulfill
18 the purposes of this section. The corporation shall establish
19 procedures for entering into lease agreements and other
20 agreements for the use and occupancy of the facilities of the
21 preserve. The procedures must ensure reasonable competition
22 and set guidelines for determining reasonable fees, terms, and
23 conditions for such agreements.

24 (8) The corporation may not dispose of any real
25 property in the preserve, and may not enter into any contract,
26 lease, or other agreement related to the use of ground or
27 surface waters on or through property titled in the name of
28 the state without the consent of the Board of Trustees of the
29 Internal Improvement Trust Fund, and must obtain any permits
30 that are required by the Department of Environmental
31 Protection and the appropriate water management district under

1 chapters 373 and 403. The corporation may not convey any
2 easements, and may not enter into any contract, lease, or
3 other agreement related to the use and occupancy of the
4 property within the preserve, for a period of greater than 10
5 years. Any easements to be conveyed for the use of, access to,
6 or ingress and egress across state property within the
7 preserve must be executed by the Board of Trustees of the
8 Internal Improvement Trust Fund as the owners of the state
9 property within the preserve.

10 (9) State laws and rules governing the procurement of
11 commodities and services by state agencies as provided in s.
12 287.057 apply to the corporation.

13 (10) Upon assuming management of the preserve, the
14 corporation may assess reasonable fees for admission to, use
15 of, and occupancy of the preserve in order to offset the costs
16 of operating the preserve as a working ranch. These fees are
17 independent of fees assessed by the commission for the
18 privilege of hunting, fishing, or pursuing outdoor
19 recreational activities within the preserve, and shall be
20 deposited into the operating fund established by the
21 corporation under the authority provided in this section.

22 (11) Upon dissolution of the corporation for any
23 reason, the management responsibilities provided in this
24 section shall revert to the managing agencies designated in
25 the Babcock Ranch Florida Forever Act created in s. 259.1052.

26 (12) Babcock Ranch, Inc., and its officers and
27 employees shall participate in the management of the Babcock
28 Ranch Preserve in an advisory capacity only until the
29 Management Agreement executed by Babcock Ranch Management LLC,
30 and the Board of Trustees of the Internal Improvement Trust
31 Fund, the Fish and Wildlife Conservation Commission, the

1 Department of Agriculture and Consumer Services, and Lee
2 County, Florida, is terminated or expires.

3 (13) On or before the date on which title to the
4 Babcock Ranch Florida Forever Acquisition authorized in s.
5 259.1052 is vested in the Board of Trustees of the Internal
6 Improvement Trust Fund, Babcock Ranch Management LLC shall
7 provide the commission and the department with the management
8 plan and business plan in place for the operation of the ranch
9 as of November 22, 2005, the date on which the board of
10 trustees approved the acquisition.

11 Section 2. This act shall take effect on the same date
12 that SB 1226 or similar legislation takes effect, if such
13 legislation is adopted in the same legislative session, or an
14 extension thereof, and becomes law.

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17 SENATE SUMMARY

18 Creates the Babcock Ranch Preserve Act. Provides for the
19 Babcock Ranch Preserve in Charlotte and Lee Counties to
20 be managed by Babcock Ranch, Inc., a nonprofit
21 public-private corporation. Provides for the appointment
22 of the Babcock Trustees to govern the corporation.
23 Specifies the duties of the trustees and the corporation.
24 Provides that the corporation is subject to the
25 public-records and public-meetings laws. Provides a goal
26 of the preserve being self-sustaining within 15 years.
27 Provides a procedure for the transfer of the management
28 duties of the Babcock Ranch Preserve to the Babcock
29 Trustees and Babcock Ranch, Inc. (See bill for details.)
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31