

By the Committee on Community Affairs; and Senators Dean,  
Bennett, and Storms

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1                                   A bill to be entitled  
2       An act relating to working waterfront property;  
3       creating s. 193.704, F.S.; providing definitions;  
4       creating s. 193.7041, F.S.; identifying property that  
5       is eligible for classification as working waterfront  
6       property; requiring the assessment of working  
7       waterfront property based on current use; requiring an  
8       application for classification of property as working  
9       waterfront property; authorizing a property appraiser  
10      to approve an application that is not filed by a  
11      certain deadline due to extenuating circumstances;  
12      providing for the waiver of annual application  
13      requirements; providing for the loss of classification  
14      upon a change of ownership or use; requiring that  
15      property owners notify the property appraiser of  
16      changes in use or ownership of property; imposing a  
17      penalty on a property owner who fails to notify the  
18      property appraiser of an event resulting in the  
19      unlawful or improper classification of property as  
20      working waterfront property; requiring the imposition  
21      of tax liens to recover penalties and interest;  
22      providing for the assessment of a portion of property  
23      within a working waterfront property which is not used  
24      as working waterfront property; requiring that a  
25      property appraiser make a list relating to  
26      applications to certify property as working waterfront  
27      property; creating s. 193.7042, F.S.; requiring that  
28      property appraisers notify property owners of the  
29      denial of an application to classify property as

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30 working waterfront property; providing for the appeal  
31 of such denial to the value adjustment board;  
32 requiring a filing fee of a certain amount; providing  
33 for the appeal of a denial of a petition to the value  
34 adjustment board to the circuit court; requiring that  
35 property appraisers notify property owners whose  
36 property was classified as working waterfront property  
37 by a value adjustment board or court to recertify that  
38 the use and ownership of the property have not  
39 changed; authorizing the waiver of certain notice and  
40 certification requirements; amending s. 259.105, F.S.;  
41 renaming the "Stan Mayfield Working Waterfronts  
42 Program" within the Florida Communities Trust as the  
43 "Stan Mayfield Commercial Waterfronts Restoration and  
44 Preservation Program"; amending s. 380.502, F.S.;  
45 conforming provisions to changes made by the act;  
46 amending s. 380.503, F.S.; deleting a definition for  
47 the term "working waterfronts" for purposes of the  
48 Florida Communities Trust Act; amending s. 380.507,  
49 F.S.; providing a cross-reference; clarifying  
50 provisions relating to the authority of the Florida  
51 Communities Trust to provide grants or loans for  
52 certain projects; clarifying the trust's rulemaking  
53 authority; deleting obsolete provisions; amending s.  
54 380.508, F.S.; deleting provisions relating to the  
55 purpose of working waterfront projects; amending s.  
56 380.5105, F.S.; conforming provisions to changes made  
57 by the act; providing a definition for the term  
58 "commercial waterfront"; providing that certain

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59 property does not qualify as commercial waterfront  
60 property; providing for water-dependent commercial  
61 activities; limiting participation in the program to  
62 counties and municipalities effective on a specified  
63 date; limiting the uses of acquired property in  
64 perpetuity; requiring that the Florida Communities  
65 Trust adopt rules establishing procedures and an  
66 application process; providing an effective date.

67  
68 Be It Enacted by the Legislature of the State of Florida:

69  
70 Section 1. Section 193.704, Florida Statutes, is created to  
71 read:

72 193.704 Working waterfront property; definitions.—As used  
73 in ss. 193.704-193.7042, the term:

74 (1) "Accessible to the public" means routinely available to  
75 the public, with or without charge, from sunrise to sunset and  
76 having appropriate public accommodations, such as public parking  
77 or public boat ramps.

78 (2) "Commercial fishing operation" has the same meaning as  
79 in s. 379.2351.

80 (3) "Drystack" means a vessel-storage facility or building  
81 in which the storage spaces for vessels are available for use by  
82 the public on a first-come, first-served lease basis without  
83 automatic renewal rights or conditions. The term does not  
84 include drystacks in which boat storage is limited to persons  
85 who purchase, receive, or rent a storage space as a condition of  
86 homeownership or tenancy.

87 (4) "Land used predominantly for commercial fishing

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88 purposes" means land used in good faith in a for-profit  
89 commercial fishing operation for the taking or harvesting of  
90 freshwater fish or saltwater products, as defined in s. 379.101,  
91 for which a commercial license to take, harvest, or sell such  
92 freshwater fish or saltwater products as required under chapter  
93 379.

94 (5) "Marina" means a commercial facility licensed to do  
95 business in Florida which provides secured public moorings or  
96 drystacks for boats on a first-come, first-served leased basis  
97 and without automatic renewal rights or conditions. The term  
98 does not include marinas that limit mooring or storage of  
99 vessels to persons who purchase, receive, or rent a mooring slip  
100 or storage space as a condition of homeownership or tenancy.

101 (6) "Marine manufacturing facility" means a facility that  
102 manufactures vessels for use in waters that are navigable.

103 (7) "Marine vessel construction and repair facilities"  
104 means facilities such as shipyards or dockyards that construct  
105 and repair vessels that travel over waters that are navigable.  
106 As used in this section, the term "repair" includes retrofitting  
107 and maintenance.

108 (8) "Open to the public" means for hire to the public and  
109 accessible during normal operating hours.

110 (9) "Support activities" means those facilities that are  
111 typically colocated with marine vessel construction and repair  
112 facilities, such as shop, equipment, or salvage facilities.

113 (10) "Water-dependent" means that the operations of a  
114 facility require direct access to the water.

115 (11) "Waterfront" means property that is on, over, or  
116 abutting waters that are navigable.

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117 (12) "Waters that are navigable" means the waters of the  
118 state which are capable of supporting boating and are used or  
119 may be used in their ordinary condition as highways for commerce  
120 for which trade or travel are or may be conducted in the  
121 customary modes of trade or travel on water.

122 Section 2. Section 193.7041, Florida Statutes, is created  
123 to read:

124 193.7041 Working waterfront property; classification and  
125 assessment; loss of classification; penalty.—

126 (1) Pursuant to s. 4(j), Art. VII of the State  
127 Constitution, effective January 1, 2010, the following  
128 waterfront property is eligible for classification as working  
129 waterfront property:

130 (a) Land used predominantly for commercial fishing  
131 purposes.

132 (b) Land that is accessible to the public and used for  
133 vessel launches into waters that are navigable.

134 (c) Marinas and drystacks that are open to the public.

135 (d) Water-dependent marine manufacturing facilities.

136 (e) Water-dependent commercial fishing facilities.

137 (f) Water-dependent marine vessel construction and repair  
138 facilities and their support activities.

139 (2) Property classified as working waterfront property  
140 pursuant to this section must be assessed on the basis of  
141 current use. Assessed value must be calculated using the income  
142 approach to value as described in The Appraisal of Real Estate,  
143 Thirteenth Edition, as subsequently revised and published by the  
144 Appraisal Institute, and in effect on January 1 of the  
145 assessment year. The capitalization rate used to determine

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146 assessed value must be based upon a debt coverage ratio formula  
147 in which the overall capitalization rate equals the debt  
148 coverage ratio multiplied by the mortgage capitalization rate  
149 multiplied by the loan-to-value ratio for comparable properties.  
150 The overall capitalization rate must be calculated and updated  
151 annually. In assessing working waterfront property, a property  
152 appraiser shall use data from lenders for industrywide loan  
153 interest rates, loan-to-value ratios, amortization terms,  
154 payment periods, debt coverage ratio requirements, market rental  
155 rates, market expense rates, and market vacancy rates. The data  
156 must be county-specific unless insufficient data is available,  
157 in which case the property appraiser shall use data for  
158 surrounding counties.

159 (3) (a) Property may not be classified as working waterfront  
160 property unless an application for the classification is filed  
161 with the property appraiser on or before March 1 of each year in  
162 the county in which the property is located. Before classifying  
163 the property as working waterfront property, the property  
164 appraiser may require the property owner to establish that the  
165 property is used as required under this section. The owner of  
166 property classified as working waterfront property in the prior  
167 year may reapply on a short form adopted by rule by the  
168 Department of Revenue.

169 (b) Failure of a property owner to apply for the  
170 classification as working waterfront property by March 1  
171 constitutes a waiver of the classification for 1 year. However,  
172 the property appraiser may approve a late application and grant  
173 a working waterfront classification if the property owner  
174 establishes that extenuating circumstances prevented the

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175 property owner from filing an application by the deadline.

176 (c) A county may, at the request of the property appraiser  
177 and by a majority vote of its governing body, waive the  
178 requirement that an annual application or short form be filed  
179 with the property appraiser for renewal of the classification of  
180 property as working waterfront property. The waiver may be  
181 revoked by a majority vote of the governing body of the county.

182 (d) Notwithstanding paragraph (c), a new application for  
183 classification as working waterfront property must be filed with  
184 the property appraiser after the property receiving the  
185 classification is sold or otherwise disposed of or the ownership  
186 changes in any manner.

187 (e) The property appraiser shall remove from the  
188 classification as working waterfront property any property for  
189 which the classified use has been abandoned or discontinued. The  
190 removed property shall be assessed at just value pursuant to s.  
191 193.011.

192 (f)1. The owner of classified working waterfront property,  
193 who is not required to file an annual application under this  
194 section, must notify the property appraiser promptly if the use  
195 of the property or the ownership changes in a manner that  
196 changes the classified status of the property. If a property  
197 owner fails to notify the property appraiser and the property  
198 appraiser determines that, for any year within the prior 10  
199 years, the property was not qualified to receive the  
200 classification, the owner of the property is subject to taxes  
201 otherwise due and owing as a result of the failure plus 15  
202 percent interest per annum and a penalty of 50 percent of the  
203 additional taxes owed.

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204       2. A property appraiser who determines that a property  
205 owner failed to provide the required notice of change in use or  
206 ownership must record a tax lien against real property owned by  
207 the person or entity. The property is subject to the payment of  
208 all taxes and penalties. If the person or entity no longer owns  
209 property in the county in which the unlawfully or improperly  
210 classified working waterfront property is located, the property  
211 appraiser shall record a tax lien against other properties owned  
212 by the person or entity in other counties of the state. Any tax  
213 lien recorded pursuant to this paragraph must identify the  
214 property that was unlawfully or improperly classified as working  
215 waterfront property and the property to which the lien applies.

216       (g) For property in which a portion receives a working  
217 waterfront classification, the portion not eligible for  
218 classification as a working waterfront property must be assessed  
219 pursuant to s. 193.011.

220       (h) The property appraiser must make a list of all  
221 applications for classification as working waterfront property.  
222 The list must include the acreage, the just value of the  
223 property determined pursuant to s. 193.011, the value of the  
224 property if classification as working waterfront property is  
225 granted or the reason if classification is denied, the name of  
226 the property owner, the name of any business operating on the  
227 property, and the address of the property.

228       Section 3. Section 193.7042, Florida Statutes, is created  
229 to read:

230       193.7042 Working waterfront property; denial of  
231 classification; appeal process.—

232       (1) The property appraiser must provide written notice to a



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233 property owner applying for a working waterfront classification  
234 of the denial of an application to classify property as working  
235 waterfront property on or before July 1 of the year for which  
236 the application was filed. The notice must advise the property  
237 owner of his or her right to appeal the denial to the value  
238 adjustment board and of the deadline for filing an appeal.

239 (2) Any property owner whose application for classification  
240 as working waterfront property is denied may appeal the denial  
241 to the value adjustment board by filing a petition requesting  
242 that the application for classification be approved. The  
243 petition may be filed at any time during the taxable year on or  
244 before the 25th day after the property appraiser mails the  
245 assessment notice pursuant to s. 194.011(1). Notwithstanding s.  
246 194.013, the petitioner must pay a nonrefundable fee of \$15 upon  
247 filing the petition. The value adjustment board shall grant the  
248 petition if the petitioner establishes that the property is  
249 qualified to be classified as working waterfront property.

250 (3) A denial of a petition for classification by the value  
251 adjustment board may be appealed to the circuit court.

252 (4) (a) Property that receives a working waterfront  
253 classification from the value adjustment board or the circuit  
254 court under this section retains that classification in any  
255 subsequent year until the use of the property as working  
256 waterfront property is abandoned or discontinued or the  
257 ownership changes in any manner. The property appraiser shall,  
258 no later than January 31 of each year, notify a property owner  
259 receiving a classification under this subsection to certify that  
260 the ownership and the use of the property has not changed. The  
261 department shall prescribe by rule adopted pursuant to ss.

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262 120.536(1) and 120.54 the form of the notice to be used by the  
263 property appraiser.

264 (b) If a county has waived the requirement that an annual  
265 application or short form be filed for classification of the  
266 property under s. 193.7041, the county may, by majority vote of  
267 its governing body, waive the notice and certification  
268 requirements of this subsection and shall provide the property  
269 owner with the same notification as provided to property owners  
270 granted a working waterfront classification by the property  
271 appraiser. The waiver may be revoked by a majority vote of the  
272 county governing body.

273 Section 4. Paragraph (j) of subsection (3) of section  
274 259.105, Florida Statutes, is amended to read:

275 259.105 The Florida Forever Act.—

276 (3) Less the costs of issuing and the costs of funding  
277 reserve accounts and other costs associated with bonds, the  
278 proceeds of cash payments or bonds issued pursuant to this  
279 section shall be deposited into the Florida Forever Trust Fund  
280 created by s. 259.1051. The proceeds shall be distributed by the  
281 Department of Environmental Protection in the following manner:

282 (j) Two and five-tenths percent to the Department of  
283 Community Affairs for the acquisition of land and capital  
284 project expenditures necessary to implement the Stan Mayfield  
285 Commercial Waterfront Restoration and Preservation Working  
286 Waterfronts Program within the Florida Communities Trust  
287 pursuant to s. 380.5105.

288 Section 5. Paragraph (a) of subsection (3) of section  
289 380.502, Florida Statutes, is amended to read:

290 380.502 Legislative findings and intent.—

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291 (3) It is the intent of the Legislature to establish a  
292 nonregulatory agency that will assist local governments in  
293 bringing local comprehensive plans into compliance and  
294 implementing the goals, objectives, and policies of the  
295 conservation, recreation and open space, and coastal elements of  
296 local comprehensive plans, or in conserving natural resources  
297 and resolving land use conflicts by:

298 (a) Responding promptly and creatively to opportunities to  
299 correct undesirable development patterns, restore degraded  
300 natural areas, enhance resource values, restore deteriorated or  
301 deteriorating urban waterfronts, restore and preserve commercial  
302 waterfront property ~~working waterfronts~~, reserve lands for later  
303 purchase, participate in and promote the use of innovative land  
304 acquisition methods, and provide public access to surface  
305 waters.

306 Section 6. Subsection (18) of section 380.503, Florida  
307 Statutes, is amended to read:

308 380.503 Definitions.—As used in ss. 380.501-380.515, unless  
309 the context indicates a different meaning or intent:

310 ~~(18) "Working waterfront" means:~~

311 ~~(a) A parcel or parcels of land directly used for the~~  
312 ~~purposes of the commercial harvest of marine organisms or~~  
313 ~~saltwater products by state-licensed commercial fishermen,~~  
314 ~~aquaculturists, or business entities, including piers, wharves,~~  
315 ~~docks, or other facilities operated to provide waterfront access~~  
316 ~~to licensed commercial fishermen, aquaculturists, or business~~  
317 ~~entities; or~~

318 ~~(b) A parcel or parcels of land used for exhibitions,~~  
319 ~~demonstrations, educational venues, civic events, and other~~

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320 ~~purposes that promote and educate the public about economic,~~  
321 ~~cultural, and historic heritage of Florida's traditional working~~  
322 ~~waterfronts, including the marketing of the seafood and~~  
323 ~~aquaculture industries.~~

324 Section 7. Subsections (2), (6), (7), and (11) of section  
325 380.507, Florida Statutes, are amended to read:

326 380.507 Powers of the trust.—The trust shall have all the  
327 powers necessary or convenient to carry out the purposes and  
328 provisions of this part, including:

329 (2) To undertake, coordinate, or fund activities and  
330 projects which will help bring local comprehensive plans into  
331 compliance and help implement the goals, objectives, and  
332 policies of the conservation, recreation and open space, and  
333 coastal elements of local comprehensive plans, or which will  
334 otherwise serve to conserve natural resources and resolve land  
335 use conflicts, including, but not limited to:

336 (a) Redevelopment projects.

337 (b) Resource enhancement projects.

338 (c) Public access projects.

339 (d) Urban waterfront restoration projects.

340 (e) Site reservation.

341 (f) Urban greenways and open space projects.

342 (g) Commercial waterfront restoration and preservation  
343 projects under s. 380.5105 Working waterfronts.

344 (6) Except as provided in s. 380.5105, to award grants and  
345 make loans to local governments and nonprofit organizations for  
346 the purposes listed in subsection (2) and for acquiring fee  
347 title and less than fee title, such as conservation easements or  
348 other interests in land, for the purposes of this part.

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349           (7) Except as provided in s. 380.5105, to provide by grant  
350 or loan up to the total cost of any project approved according  
351 to this part, including the local share of federally supported  
352 projects. The trust may require local funding participation in  
353 projects. The trust shall determine the funding it will provide  
354 by considering the total amount of funding available for the  
355 project, the fiscal resources of other project participants, the  
356 urgency of the project relative to other eligible projects, and  
357 other factors which the trust shall have prescribed by rule. The  
358 trust may fund up to 100 percent of any local government land  
359 acquisition costs, if part of an approved project.

360           (11) Except as provided in s. 380.5105, to make rules  
361 necessary to carry out the purposes of this part and to exercise  
362 any power granted in this part, pursuant to the provisions of  
363 chapter 120. The trust shall adopt rules governing the  
364 acquisition of lands using proceeds from the Preservation 2000  
365 Trust Fund and the Florida Forever Trust Fund, consistent with  
366 the intent expressed in the Florida Forever Act. Such rules for  
367 land acquisition must include, but are not limited to,  
368 procedures for appraisals and confidentiality consistent with  
369 ss. 125.355(1)(a) and (b) and 166.045(1)(a) and (b), a method of  
370 determining a maximum purchase price, and procedures to assure  
371 that the land is acquired in a voluntarily negotiated  
372 transaction, surveyed, conveyed with marketable title, and  
373 examined for hazardous materials contamination. Land acquisition  
374 procedures of a local land authority created pursuant to s.  
375 380.0663 or s. 380.0677 may be used for the land acquisition  
376 programs described by ss. 259.101(3)(c) and 259.105 if within  
377 areas of critical state concern designated pursuant to s.

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378 380.05, subject to approval of the trust.

379 Section 8. Paragraphs (e) and (f) of subsection (4) of  
380 section 380.508, Florida Statutes, are amended to read:

381 380.508 Projects; development, review, and approval.-

382 (4) Projects or activities which the trust undertakes,  
383 coordinates, or funds in any manner shall comply with the  
384 following guidelines:

385 ~~(e) The purpose of working waterfront projects shall be to~~  
386 ~~restore and preserve working waterfronts as provided in s.~~  
387 ~~380.5105.~~

388 (e) ~~(f)~~ The trust shall cooperate with local governments,  
389 state agencies, federal agencies, and nonprofit organizations in  
390 ensuring the reservation of lands for parks, recreation, fish  
391 and wildlife habitat, historical preservation, or scientific  
392 study. In the event that any local government, state agency,  
393 federal agency, or nonprofit organization is unable, due to  
394 limited financial resources or other circumstances of a  
395 temporary nature, to acquire a site for the purposes described  
396 in this paragraph, the trust may acquire and hold the site for  
397 subsequent conveyance to the appropriate governmental agency or  
398 nonprofit organization. The trust may provide such technical  
399 assistance as is required to aid local governments, state and  
400 federal agencies, and nonprofit organizations in completing  
401 acquisition and related functions. The trust shall not reserve  
402 lands acquired in accordance with this paragraph for more than 5  
403 years from the time of acquisition. A local government, federal  
404 or state agency, or nonprofit organization may acquire the land  
405 at any time during this period for public purposes. The purchase  
406 price shall be based upon the trust's cost of acquisition, plus

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407 administrative and management costs in reserving the land. The  
408 payment of this purchase price shall be by money, trust-approved  
409 property of an equivalent value, or a combination of money and  
410 trust-approved property. If, after the 5-year period, the trust  
411 has not sold to a governmental agency or nonprofit organization  
412 land acquired for site reservation, the trust shall dispose of  
413 such land at fair market value or shall trade it for other land  
414 of comparable value which will serve to accomplish the purposes  
415 of this part. Any proceeds from the sale of such land shall be  
416 deposited in the Florida Communities Trust Fund.

417  
418 Project costs may include costs of providing parks, open space,  
419 public access sites, scenic easements, and other areas and  
420 facilities serving the public where such features are part of a  
421 project plan approved according to this part. In undertaking or  
422 coordinating projects or activities authorized by this part, the  
423 trust shall, when appropriate, use and promote the use of  
424 creative land acquisition methods, including the acquisition of  
425 less than fee interest through, among other methods,  
426 conservation easements, transfer of development rights, leases,  
427 and leaseback arrangements. The trust also shall assist local  
428 governments in the use of sound alternative methods of financing  
429 for funding projects and activities authorized by this part. Any  
430 funds over and above eligible project costs, which remain after  
431 completion of a project approved according to this part, shall  
432 be transmitted to the state and deposited in the Florida  
433 Communities Trust Fund.

434 Section 9. Section 380.5105, Florida Statutes, is amended  
435 to read:

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436           380.5105 The Stan Mayfield Commercial Waterfront  
437 Restoration and Preservation Program ~~Working Waterfronts;~~  
438 ~~Florida Forever~~ program.—

439           (1) As used in this section, the term "commercial  
440 waterfront" means real or improved property that provides direct  
441 access for water-dependent commercial activities. The term does  
442 not include seaports or any property classified as working  
443 waterfront property under s. 193.7041. Water-dependent  
444 commercial activities include, but are not limited to, public  
445 lodging or eating establishments; aquaculturists; and docks,  
446 wharves, piers, wet or dry marinas, boat ramps, boat hauling  
447 facilities, and boat repair facilities that are not eligible for  
448 classification as working waterfront property under s. 193.7041  
449 and s. 4(j), Art. VII of the State Constitution.

450           (2) ~~(1)~~ Notwithstanding any other provision of this chapter,  
451 it is the intent of the Legislature that the Florida Communities  
452 Trust shall administer the commercial waterfront restoration and  
453 preservation ~~working waterfronts~~ program as set forth in this  
454 section. Effective July 1, 2009, participation in this program  
455 is limited to counties and municipalities that acquire, in fee  
456 simple or less-than-fee simple, commercial waterfront property  
457 for restoration or preservation purposes and limit the use of  
458 the property in perpetuity to the water-dependent commercial  
459 activities authorized under this section.

460           (3) ~~(2)~~ The Florida Communities Trust and the Department of  
461 Agriculture and Consumer Services shall jointly develop and  
462 adopt rules ~~specifically~~ establishing the procedures to be  
463 followed for acquisitions under this section which use Florida  
464 Forever funds provided to the trust under s. 259.105 and rules



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465 to develop an application process and a process to evaluate,  
466 score, and rank commercial waterfront restoration and  
467 preservation for the evaluation, scoring and ranking of working  
468 waterfront acquisition projects. ~~The proposed rules jointly~~  
469 ~~developed pursuant to this subsection shall be promulgated by~~  
470 ~~the trust.~~ Such rules shall establish a system of weighted  
471 criteria to give increased priority to projects:

472 (a) Within a municipality with a population less than  
473 30,000;

474 (b) Within a municipality or area under intense growth and  
475 development pressures, as evidenced by a number of factors,  
476 including a determination that the municipality's growth rate  
477 exceeds the average growth rate for the state;

478 (c) Within the boundary of a community redevelopment agency  
479 established pursuant to s. 163.356;

480 (d) Adjacent to state-owned submerged lands designated as  
481 an aquatic preserve identified in s. 258.39; or

482 (e) That provide a demonstrable benefit to the local  
483 economy.

484 ~~(4)-(3)~~ For projects that will require more than the grant  
485 amount awarded for completion, the county or municipality  
486 ~~applicant~~ must identify in the ~~their~~ project application funding  
487 sources that will provide the difference between the grant award  
488 and the estimated project completion cost. ~~Such rules may be~~  
489 ~~incorporated into those developed pursuant to s. 380.507(11).~~

490 ~~(5)-(4)~~ The trust shall develop a ranking list based on  
491 criteria identified in subsection (2) for ~~proposed~~ fee simple  
492 and less-than-fee simple acquisition projects proposed for  
493 acquisition under ~~developed pursuant to~~ this section. The trust

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494 shall, by the first meeting of the Board of Trustees of the  
495 Internal Improvement Trust Fund ~~meeting~~ in February of each  
496 year, present the ranking list ~~pursuant to this section~~ to the  
497 board of trustees for final approval of projects for funding.  
498 The board of trustees may remove projects from the ranking list  
499 but may not add projects.

500 (6)~~(5)~~ Grant awards, ~~acquisition approvals~~, and terms of  
501 fee simple and less-than-fee acquisitions shall be approved by  
502 the trust. Counties and municipalities ~~Waterfront communities~~  
503 that receive grant awards must submit annual progress reports to  
504 the trust identifying completed project activities ~~which are~~  
505 ~~complete~~, and the progress achieved in meeting the goals  
506 outlined in the project application. The trust must implement a  
507 process to monitor and evaluate the performance of grant  
508 recipients in completing projects that are funded through the  
509 commercial waterfront restoration and preservation ~~working~~  
510 ~~waterfronts~~ program.

511 Section 10. This act shall take effect July 1, 2009.