

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1312

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “prepare a certain public access plan” and substitute “consider the feasibility of providing certain public access”; in line 10, strike “local governing bodies” and substitute “subdivisions”; strike beginning with “prepare” in line 10 down through “plans” in line 11 and substitute “consider the feasibility of providing certain public access”; strike beginning with “and” in line 12 down through “land” in line 14; in line 21, after “(c),” insert “and”; and in lines 21 and 22, strike “and (b)(2), and 5-906(b)”.

AMENDMENT NO. 2

On page 2, in lines 11, 17, and 23, in each instance, strike “MAXIMUM”.

On page 3, in line 7, strike “TO THE MAXIMUM EXTENT FEASIBLE”; in lines 23 and 24, strike “TO THE MAXIMUM EXTENT FEASIBLE”; in line 21 after “(5)” insert “(I)”; in line 22, strike “PREPARE AND SUBMIT A PLAN” and substitute “CONSIDER WHETHER IT IS FEASIBLE”; and after line 24, insert:

“(II) WHEN CONSIDERING WHETHER IT IS FEASIBLE TO PROVIDE PUBLIC ACCESS TO A SITE UNDER THIS PARAGRAPH, THE DEPARTMENT MAY CONSIDER:

1. THE AVAILABILITY OF FUNDS AVAILABLE UNDER THIS PROGRAM OR FROM OTHER SOURCES TO PROVIDE PUBLIC ACCESS TO THE SITE;

2. PUBLIC SAFETY AND LIABILITY ISSUES IF PUBLIC ACCESS WERE PROVIDED TO THE SITE;

(Over)

3. WHETHER THE SITE WAS ACQUIRED AS A PART OF A LARGER RECREATIONAL AND OPEN SPACE PROJECT THAT IS NOT YET COMPLETED AND READY FOR PUBLIC ACCESS; AND

4. THE EXISTENCE OF A CONTRACTUAL COMMITMENT ON THE SITE THAT WOULD LIMIT PUBLIC ACCESS FOR A PERIOD OF TIME, INCLUDING A HOME, AGRICULTURAL, OR HUNTING LEASE.”.

AMENDMENT NO. 3

On page 4, in line 32, strike “PARTICIPATING LOCAL GOVERNING BODY” and substitute “SUBDIVISION, FOR EACH PROPOSED PROJECT UNDER THIS SUBSECTION”; and strike the colon and substitute “CONSIDER WHETHER IT IS FEASIBLE TO PROVIDE PUBLIC ACCESS TO THE PROPOSED PROJECT.”.

On page 5, strike in their entirety lines 1 through 7, inclusive, and substitute:

“(IV) WHEN CONSIDERING WHETHER IT IS FEASIBLE TO PROVIDE PUBLIC ACCESS TO A PROPOSED PROJECT UNDER THIS PARAGRAPH, A SUBDIVISION MAY CONSIDER:

1. THE AVAILABILITY OF FUNDS AVAILABLE UNDER THIS PROGRAM OR FROM OTHER SOURCES TO PROVIDE PUBLIC ACCESS TO THE PROPOSED PROJECT;

2. PUBLIC SAFETY AND LIABILITY ISSUES IF PUBLIC ACCESS WERE PROVIDED TO THE SITE;

3. WHETHER THE SITE FOR THE PROPOSED PROJECT WAS ACQUIRED AS A PART OF A LARGER RECREATIONAL AND OPEN

SPACE PROJECT THAT IS NOT YET COMPLETED AND READY FOR PUBLIC ACCESS;  
AND

4. THE EXISTENCE OF A CONTRACTUAL  
COMMITMENT ON THE SITE FOR A PROPOSED PROJECT THAT WOULD LIMIT  
PUBLIC ACCESS FOR A PERIOD OF TIME, INCLUDING A HOME, AGRICULTURAL,  
OR HUNTING LEASE.”;

and strike in their entirety lines 8 through 32, inclusive.