



S.105 Model State Consumer Justice Enforcement Act
House Judiciary Committee
Wendy Knight, Commissioner, Tourism & Marketing
Michael Snyder, Commissioner, Forests, Parks & Recreation
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Vermont's outdoor recreation opportunities and events are a primary reason why 13M people visit the state each year, contributing \$2.6B in spending. Through Executive Order on June 15, 2017, the Governor established the Vermont Outdoor Recreation Economic Collaborative (VOREC) to leverage the State's exceptional outdoor recreation assets to help grow our economy. Supporting and strengthening business opportunities for the outdoor industry are key elements of the recommendations developed by the 15-member private/public VOREC steering committee and embraced by the Administration.

It's not obvious if S.105 was intended to target the outdoor recreation industry; however, it is clear that the bill puts this important sector at risk. This bill would hamper the ability of Vermont's outdoor recreation businesses and non-profits to exist, much less grow, and jeopardize the significant tax revenues and direct spending that tourism and outdoor recreation generate to the State.

Waivers are an integral aspect of Vermont's recreational landscape. Ski resorts, guide services, trail-based organizations, recreation event providers, environmental and educational programs, college outing groups, land owners, and summer camps all use waivers for protection under the law when a participant in an activity has agreed to assume the associated risks. These entities depend on strong legislation to help them enforce waivers.

States like New York, Connecticut and Illinois, have proposed model consumer bills similar to S.105, which have not passed. New Hampshire and Colorado, states like Vermont that are highly dependent on recreation, have passed language to enforce waiver forms and strengthen inherent risk laws. Meanwhile, Vermont has failed to provide legislative protections for recreation providers. Further, this bill makes it easier for participants to sue and harder for recreation providers to secure liability insurance.

If race and event organizers look elsewhere to hold events, Vermont loses. We lose revenue, potential jobs, the exposure that comes from televised and promoted events, and the ability to capitalize on the State's incredibly strong outdoor recreation assets to attract visitors, future residents, and outdoor recreation businesses.

We strongly urge the Committee to reconsider S.105.

Respectfully submitted,

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