VOREC

Vermont Outdoor Recreation Economic Collaborative

S.18 Model State Consumer Justice Enforcement Act
Senate Judiciary Committee

Wendy Knight, Commissioner, Tourism & Marketing
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Outdoor recreation is a major economic driver of the State's $2.8 billion tourism economy. Vermont's outdoor recreation opportunities and events are a primary reason why 13M people visit the state each year, why young professionals and early retirees relocate to Vermont, and why Vermonters choose to remain in the state.

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, encourage participation in outdoor recreation, and strengthen stewardship of our natural resources. Supporting and strengthening business opportunities for the outdoor industry are key elements of the recommendations developed by VOREC steering committee and embraced by the Administration.

While the recreation industry might not be the intended target of this legislation, it is clear that the bill puts this important sector at risk. This bill would hamper the ability of Vermont's recreation businesses, as well as educational and recreational non-profits to exist, much less grow. It would jeopardize the significant tax revenues and direct spending that tourism and outdoor recreation generate to the State. The tax revenue from out-of-State visitors alone is $391 million, which results in a tax savings of $1,450 for every Vermont household. The bill would deter international and national sporting events like the World Cup and U.S. Open Mountain Biking from choosing Vermont as a venue, thereby losing significant revenue and national media attention. And it would negatively impact the outdoor recreational and active lifestyle many Vermonters enjoy, and curtail participation in summer camps, sporting events, and recreation activities for our youth.

Participation agreements 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. The release and waiver approach is the foundation of a recreation-based economy, as it allows for providers, event organizers, landowners, and community groups to secure the necessary liability insurance to offer actives and host events.

States like Colorado and neighboring New Hampshire successfully rely on the acknowledgement of risk and waivers to both ensure participant safety and support a thriving outdoor recreational and sporting industry. Like Vermont, these states are highly dependent on recreation and have passed language to enforce waiver forms and strengthen inherent risk laws. Meanwhile, Vermont has failed to provide legislative protections for recreation providers.

If race and event organizers look elsewhere to hold events, especially other outdoor recreation-centric states like New Hampshire and Colorado, 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 consider the unintended negative consequences to Vermont's economy and Vermonter's quality of life of S.18.

Respectfully submitted,

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