

1 H.147

2 Introduced by Representatives Marcotte of Coventry, Bosch of Clarendon,
3 Boutin of Barre City, Burditt of West Rutland, Carris-Duncan
4 of Whitingham, Cina of Burlington, Cooper of Pownal, Duke of
5 Burlington, Graning of Jericho, Kascenska of Burke, Lalley of
6 Shelburne, Lipsky of Stowe, Masland of Thetford, Nigro of
7 Bennington, Noyes of Wolcott, Ode of Burlington, Olson of
8 Starksboro, Priestley of Bradford, Squirrel of Underhill,
9 Surprenant of Barnard, Torre of Moretown, Waszazak of Barre
10 City, and White of Bethel

11 Referred to Committee on

12 Date:

13 Subject: Conservation and development; real property; trail use; compensation

14 Statement of purpose of bill as introduced: This bill proposes to establish the
15 Recreational Trails Compensation Study Committee to review and recommend
16 to the General Assembly whether real property owners who allow use of their
17 property for public recreational trails should receive compensation or other
18 benefit.

19 An act relating to establishing the Recreational Trails Compensation Study
20 Committee

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. RECREATIONAL TRAILS COMPENSATION STUDY

3 COMMITTEE; REPORT

4 (a) Creation. There is created the Recreational Trails Compensation Study
5 Committee to review whether real property owners who allow use of their
6 property for public recreational trails should receive compensation or other
7 benefit.

8 (b) Membership.

9 (1) The Recreational Trails Compensation Study Committee shall be
10 composed of the following members:

11 (A) the Commissioner of Forests, Parks and Recreation or designee;

12 (B) the Commissioner of Taxes or designees;

13 (C) a representative of the Vermont Trails and Greenways Council,
14 appointed by the Governor;

15 (D) a representative of the Vermont Outdoor Recreation Economic
16 Collaborative, appointed by the Speaker of the House;

17 (E) a representative of a land conservation organization, appointed by
18 the Committee on Committees;

19 (F) a private landowner who has a conservation easement that
20 includes recreation, appointed by the Governor;

1 (G) a private landowner who does not have a conservation easement
2 on the land and currently provides public access, appointed by the Speaker of
3 the House;

4 (H) a representative who has expertise in trail planning, design,
5 building, and maintenance, appointed by the Committee on Committees; and

6 (I) a representative of the Vermont League of Cities and Towns,
7 appointed by the Governor.

8 (2) The Study Committee may invite other entities to participate in the
9 conduct of the study as non-voting participants.

10 (c) Powers and duties. The Recreational Trails Compensation Study
11 Committee shall:

12 (1) review how private property currently is made available for use by
13 public recreational trails;

14 (2) summarize the costs and liabilities that private property owners incur
15 when private property is used by public recreational trails;

16 (3) assess available economic data and other relevant available data or
17 analysis and conduct further necessary economic analysis to determine the
18 value that recreational trail access provides to the State and to local economies;

19 (4) investigate whether and how private property owners in other
20 jurisdictions are compensated for allowing use of property for public
21 recreational trails or other public outdoor recreation;

1 (5) recommend to the General Assembly whether real property owners
2 who allow use of their property for public recreational trails should receive
3 compensation or other benefit and, if so, the source of the compensation or
4 other benefit;

5 (6) how to ensure trail siting, design, construction, and management
6 meet minimum standards; and

7 (7) how to ensure that new trail development is established based on the
8 merit of the opportunity being created in comparison to any incentive provided
9 to a private landowner.

10 (d) Assistance. The Recreational Trails Compensation Study Committee
11 shall have the administrative, technical, and legal assistance of the Department
12 of Forests, Parks and Recreation.

13 (e) Report. On or before December 15, 2026, the Recreational Trails
14 Compensation Study Committee shall submit a written report to the General
15 Assembly with its findings and any recommendations for legislative action.

16 (f) Meetings.

17 (1) The Commissioner of Forests, Parks and Recreation or designee
18 shall call the first meeting of the Recreational Trails Compensation Study
19 Committee to occur on or before September 15, 2025.

20 (2) The Commissioner of Forests, Parks and Recreation or designee
21 shall be the chair of the Study Committee.

1 (3) A majority of the membership shall constitute a quorum.

2 (4) The Committee shall cease to exist on March 1, 2027.

3 (g) Compensation and reimbursement. Members of the Committee shall be
4 entitled to per diem compensation and reimbursement of expenses as permitted
5 under 32 V.S.A. § 1010 for not more than six meetings. These payments shall
6 be made from monies appropriated to the Agency of Natural Resources.

7 (h) Appropriation for Committee consulting. In addition to other funds
8 appropriated to the Department of Forests, Parks and Recreation in fiscal year
9 2026, the sum of \$250,000.00 is appropriated to the Department from the
10 General Fund in fiscal year 2026 to:

11 (1) contract with one or more consultants to assist with the required
12 evaluation of the economic impact of the outdoor recreation industry on the
13 economy of Vermont; and

14 (2) support the powers and duties of the Study Committee on
15 development of the report required under this section.

16 Sec. 2. EFFECTIVE DATE

17 This act shall take effect on July 1, 2025.