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S.79

Introduced by Senators Douglass, Beck, Collamore, Cummings, Gulick,
Harrison, Hart, Heffernan, Ingalls, Lyons, Major, Plunkett and
Williams

Referred to Committee on

Date:

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

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

An act relating to establishing the Recreational Trails Compensation Study
Committee

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

Sec. 1. RECREATIONAL TRAILS COMPENSATION STUDY

COMMITTEE; REPORT

(a) Creation. There is created the Recreational Trails Compensation Study
Committee to review whether real property owners who allow use of their

1 property for public recreational trails should receive compensation or other
2 benefit.

3 (b) Membership.

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

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

7 (B) the Commissioner of Taxes or designee;

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

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

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

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

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

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

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

3 (2) The Study Committee may invite other entities to participate in the
4 conduct of the study as nonvoting participants.

5 (c) Powers and duties. The Recreational Trails Compensation Study
6 Committee shall:

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

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

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

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

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

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

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

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

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

12 (f) Meetings.

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

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

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

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

20 (g) Compensation and reimbursement. Members of the Committee shall be
21 entitled to per diem compensation and reimbursement of expenses as permitted

1 under 32 V.S.A. § 1010 for not more than six meetings. These payments shall
2 be made from monies appropriated to the Agency of Natural Resources.

3 (h) Appropriation for Committee consulting. In addition to other funds
4 appropriated to the Department of Forests, Parks and Recreation in fiscal year
5 2026, the sum of \$250,000.00 is appropriated to the Department from the
6 General Fund in fiscal year 2026 to:

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

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

12 Sec. 2. EFFECTIVE DATE

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