

CHAPTER 116  
SB 80 – FINAL VERSION

01/29/2015 0040s  
15Apr2015... 1217h  
05/14/2015 1635EBA

2015 SESSION

15-0885  
06/04

SENATE BILL **80**

AN ACT establishing a committee on rail trails.

SPONSORS: Sen. Carson, Dist 14; Sen. Birdsell, Dist 19; Sen. Pierce, Dist 5; Rep. Leishman, Hills 24; Rep. Kidder, Merr 5; Rep. Sykes, Graf 13; Rep. Chirichiello, Rock 6

COMMITTEE: Transportation

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AMENDED ANALYSIS

This bill establishes a committee to study and make recommendations for legislation regarding rail trails.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fifteen*

AN ACT                    establishing a committee on rail trails.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            116:1 Committee Established. There is established a committee to study the use of abandoned  
2 railroad beds for recreational purposes.

3            116:2 Membership and Compensation.

4            I. The members of the committee shall be as follows:

5                (a) One member of the senate, appointed by the president of the senate.

6                (b) Two members of the house of representatives, appointed by the speaker of the house  
7 of representatives.

8            II. Members of the committee shall receive mileage at the legislative rate when attending to  
9 the duties of the committee.

10           III. Members of the committee shall solicit testimony from, but not limited to, the following:

11                (a) Londonderry Trailways.

12                (b) Windham Rail Trails.

13                (c) The Mascoma River Greenway Coalition.

14                (d) The New Hampshire Railroad Revitalization Association.

15                (e) The New Hampshire Horse Council.

16                (f) The New Hampshire Off Highway Vehicle Association (NHOHVA).

17                (g) The chief supervisor of the bureau of trails, department of resources and economic  
18 development, or designee.

19                (h) Representatives of the department of transportation.

20                (i) A representative from the freight railroad industry.

21            116:3 Duties. The committee shall:

22            I. Distinguish between abandoned and used railroad beds and those currently in use, and  
23 determine the usage for such beds.

24            II. Examine the recreational use immunity laws, including liability and insurance.

25            III. Consider whether or not to include more rail trails in the New Hampshire heritage trail  
26 or other historic pathways.

27            IV. Examine all of the department of transportation's policies, both in law and in rules, that

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1 facilitate the process of converting rails to trails with the goal of making the process easier and less  
2 expensive for volunteer groups who engage in this process.

3 V. Examine the fee structure regarding rails to trails conversion.

4 VI. Decide whether the state trails plan should be updated. If the committee decides that  
5 the plan should be updated, the committee shall propose a new name for the plan, along with  
6 recommendations for funding, and shall require the director of aeronautics, rail, and transit to  
7 update the plan within 2 years of the effective date of this act.

8 VII. Discuss any other subject the committee believes to be necessary.

9 116:4 Chairperson; Quorum. The members of the study committee shall elect a chairperson  
10 from among the members. The first meeting of the committee shall be called by the senate member.  
11 The first meeting of the committee shall be held within 45 days of the effective date of this section.  
12 Two members of the committee shall constitute a quorum.

13 116:5 Report. The committee shall report its findings and any recommendations for proposed  
14 legislation to the president of the senate, the speaker of the house of representatives, the senate  
15 clerk, the house clerk, the governor, and the state library on or before November 1, 2016.

16 116:6 Effective Date. This act shall take effect upon its passage.

17  
18 Approved: June 8, 2015

19 Effective Date: June 8, 2015