

CHAPTER 94
HB 311 - FINAL VERSION

03/25/2021 0864s

2021 SESSION

21-0414
04/05

HOUSE BILL **311**

AN ACT establishing a committee to study rail trail best management practices.

SPONSORS: Rep. Suzanne Smith, Graf. 8; Rep. Weston, Graf. 8; Rep. Gould, Hills. 7

COMMITTEE: Resources, Recreation and Development

ANALYSIS

This bill establishes a committee to study and develop rail trail best management practices.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT establishing a committee to study rail trail best management practices.

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

1 94:1 Findings. The general court finds that:

2 I. Many former rail lines were abandoned years ago and appear to be nearly reclaimed by
3 nature. Others have been repurposed as recreational trails which are used by residents and visitors
4 for walking, bicycling, skiing, snowshoeing, as well as for snowmobiles and 4-wheel OHRVs.

5 II. In some instances adjacent industrial activities, historic loading practices, leaks during
6 material transfers or storage, and repair activities have contaminated soil with oil or hazardous
7 materials. In addition, residual contamination can often be found along the length of the line,
8 incidental to the maintenance and use of the railway itself.

9 III. Redevelopment of former rail lines to recreational trails can be accomplished in a way
10 that protects public health and the environment. It requires recognizing potential problems and
11 implementing actions to safeguard nearby residents, workers, and trail users throughout the life of
12 the project.

13 94:2 Committee Established. There is established a committee to study rail trail management
14 practices.

15 94:3 Membership and Compensation.

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

17 (a) Three members of the house of representatives, at least 2 of whom shall be from the
18 resources, recreation, and development committee, appointed by the speaker of the house of
19 representatives.

20 (b) One member of the senate, appointed by the president of the senate.

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

23 94:4 Duties. The committee shall:

24 I. Develop best management practices for repurposing former rail beds into rail trails and
25 develop best management practices for maintaining rail trails to reduce or limit exposure of possible
26 contamination to users.

27 II. Seek input from state agencies including the department of environmental services, the
28 department of transportation, and the department of natural and cultural resources, bureau of
29 trails.

30 III. Solicit advice and testimony from experts in areas of study including, but not limited to:

CHAPTER 94
HB 311 - FINAL VERSION
- Page 2 -

- 1 (a) Residual contamination from railroad operations.
- 2 (b) Contamination from other sources.
- 3 (c) Identifying areas of contamination concern.
- 4 (d) Establishing goals of best management practices.
- 5 (e) Pre-and post-construction concerns.
- 6 (f) Fugitive dust.
- 7 (g) Impact on vegetation.
- 8 (h) Impact on abutters.
- 9 (i) Motorized vehicle impact.
- 10 (j) Pedestrian impact.
- 11 (k) Animal impact.

12 94:5 Chairperson; Quorum. The members of the study committee shall elect a chairperson from
13 among the members. The first meeting of the committee shall be called by the first-named house
14 member. The first meeting of the committee shall be held within 45 days of the effective date of this
15 section. Three members of the committee shall constitute a quorum.

16 94:6 Report. The committee shall submit an interim report of its findings and any
17 recommendations for proposed legislation to the speaker of the house of representatives, the
18 president of the senate, the house clerk, the senate clerk, the governor, and the state library on or
19 before November 1, 2021 and shall submit a final report on or before November 1, 2022.

 94:7 Effective Date. This act shall take effect upon its passage.

Approved: July 01, 2021
Effective Date: July 01, 2021