

# Bill as Introduced

SB 481 - AS INTRODUCED

2010 SESSION

10-2895  
06/10

SENATE BILL

**481**

AN ACT

relative to appropriations for certain turnpike system projects.

SPONSORS:

Sen. Hassan, Dist 23; Sen. Fuller Clark, Dist 24; Rep. A. Perkins, Rock 14; Rep. L. Perkins, Rock 14; Rep. Weare, Rock 14; Rep. Stiles, Rock 15; Rep. Cushing, Rock 15

COMMITTEE:

Finance

---

ANALYSIS

This bill re-appropriates funds for certain turnpike system projects.

-----

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Ten*

AN ACT                   relative to appropriations for certain turnpike system projects.

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

- 1           1 Turnpike System; Funds Provided. Amend RSA 237:7, I(k) to read as follows:  
2                   (k) Toll collection equipment. RSA 237:2, VIII, IX.                   ~~[110,000,000]~~ **116,000,000**  
3           2 Funds Provided. Amend RSA 237:7, I(q) to read as follows:  
4                   (q) Repairs and improvements to the bridge on N.H. 107                   ~~[2,000,000]~~ **4,000,000**  
5 over I-95 in Seabrook.  
6           3 Funds Provided. Amend RSA 237:7, I(s) to read as follows:  
7                   (s) Construction of noise barriers along I-95 in Portsmouth                   ~~[1,000,000]~~ **2,000,000**  
8           4 Matching Funds Required. Under an agreement with the state, the town of Seabrook shall  
9 match the state funding by providing no less than 20 percent of the funds required for the repairs  
10 and improvements to the bridge on N.H. 107 over I-95 in Seabrook under RSA 237:7, I(q).  
11           5 Effective Date. This act shall take effect 60 days after its passage.

# Committee Minutes

# Finance Committee

## Hearing Report

**To:** Members of the Senate

**From:** Sonja Caldwell  
*Legislative Aide*

**Re:** **SB481** – *relative to appropriations for certain turnpike system projects.*

**Hearing date:** February 4, 2010

**Members present:** Sen. D’Allesandro, Sen. Janeway, Sen. Hassan, Sen. Sgambati,  
Sen. Odell, Sen. Gallus

**Members absent:** Sen. Larsen

---

**Sponsor(s):** Sen. Hassan, Dist 23; Sen. Fuller Clark, Dist 24; Rep. A. Perkins, Rock 14; Rep. L. Perkins, Rock 14; Rep. Weare, Rock 14; Rep. Stiles, Rock 15; Rep. Cushing, Rock 15

**What the bill does:** This bill re-appropriates funds for certain turnpike system projects.

**Who supports the bill:** Sen. Hassan, Sen. Fuller Clark, Rep. Nancy Stiles, Barry Brenner (Seabrook Town Manager), Brendan Kelly (Seabrook Selectman), Rep. Lawrence Perkins, Rep. Amy Perkins

**Who opposes the bill:** No one

### Summary of testimony received:

#### Senator Hassan

This is an adjustment to an appropriation we made in the budget last year with regard to a section of road improvements and financing changes of the I-95 system. DOT sold a section of I-95 to the turnpike system to bring some cash flow in to finance open road tolling at Hampton. In addition, some of the money was to be used to build a sound barrier and widen the bridge over I-95 in Seabrook. The original amount we set forth for open road tolling was about \$22 million, but the project came in under estimate. The bridge widening and sound barrier need a little more money so this bill changes the appropriation for the bridge from \$2 million to \$4 million and requires Seabrook come up with a match. The bill also increases the appropriation for

the sound barrier from \$1 million to \$2 million. This doesn't change the overall appropriation just the allocation.

She said open road tolling will be critical for her part of the state because of back ups at the tolls, which creates traffic on the local streets. Two other issues about the bridge in Seabrook: currently exit 1 is the last one to get off before the tolls so lot of people do it; its also the most effective east west rout through Seabrook. The Exeter Hospital access route from east Seabrook is over this bridge and its also part of the evacuation route for Seabrook power plant. The bridge is always congested. Rockingham Planning Commission has identified the widening of this bridge as the most important thing to do on the seacoast right now.

**Senator Sgambati** asked with regard to the two amounts that were increased, was there an increase in cost to the project.

**Senator Hassan** said there wasn't an increase in cost, they thought the most DOT could give to the project on the bridge was \$2 million last year and the town was going to look to raise money. DOT said they should do a two lane widening and the original plan was one lane widening, so that expanded the scope of the project.

**Senator Sgambati** asked if this \$3 million should instead be added to the highway plan. She asked if we are adhering to the highway plan in terms of what would be next on the list for that \$3 million.

**Senator Janeway** asked why the sound barriers project needed more money. He asked if they are twice as high.

**Senator Hassan** said she would defer to Jeff Brillhart.

**Rep. Amy Perkins** - resident of Seabrook. The 107 bridge is an evacuation route, and lacks a way for pedestrian traffic to cross bridge. There is increased traffic on route 1. We invested \$14.5 million (in the capital budget) for the Hampton Beach project. They hope to quadruple hotel and hospitality industry on Hampton Beach but have no good way to bring people to the beach. This would help enhance that project. Seabrook services three hospitals, and sits in the middle of all three; the 107 bridge is vital to get to all three. The power plant is one of the biggest employers on the seacoast and the bridge is often congested with people trying to get to work.

**Rep. Lawrence Perkins** - firefighter. The bridge is a logistical nightmare for emergency responders currently. They are a border town, with retail and liquor stores, which contribute to traffic. A mall project has been held up because of the bottleneck in this area and difficulties with traffic flow.

**Barry Brenner**

This is the top priority of the town planning board. The current two lane width is inadequate - lots of traffic gridlock because of the bridge. It also presents a public safety problem, as its the only route to access the west side of the community and the emergency responders are on the east side.

**Brendan Kelly**

Bridge widening has been the number one project for Seabrook since 2000. They started \$12 million construction on a water treatment plan required by the federal government but if they could have had a choice, they would have done the bridge. He said the 20% match is no problem - they have the money sitting there.

**Jeff Brillhart - DOT**

DOT supports the widening of the bridge and the construction of the sound wall.

**Senator D'Allesandro** asked if we can do it within the confines of these changes.

**Mr. Brillhart** said many bid prices went down as much as 25% this year and the open road was one of them.

**Senator Sgambati** asked where these project fall in line with the rest of the transportation plan.

**Mr. Brillhart** said they are somewhat independent of the 10 year plan because they are on the turnpike system, which as a different funding source from the highway plan, which is federal money and betterment aid. Also, due to increases at the Hampton toll, increased revenues generated from that are slated to go to these projects. This is not going to upset the turnpike plan.

**Senator Sgambati** asked if the turnpike authority has its own set of priorities?

**Mr. Brillhart** said yes and added that because open road tolling came in below estimate, it creates room to do these projects better.

**Senator Sgambati** said there are cases that can be made for other areas of the state and she wants to make sure we're following our own plans and protocols

**Mr. Brillhart** said these projects are in the 10 year plan and in the turnpike plan which is subset of the ten year plan. Revenues from the turnpike system are being used for these.

**Senator Sgambati** asked - since a number of projects are coming in under bid, how is that money being applied to other priorities?

**Mr. Brillhart** said they haven't seen underbids on the turnpike system to the point they can add more projects but it frees up room for these projects.

**Senator Janeway** asked about the increase for the sound barriers. He asked if the original million dollar appropriation was all that was available at the time.

**Mr. Brillhart's** response was that the \$2 million figure is real and that the \$1 million was underestimated. He explained that it's a high level bridge, very complicated, and more expensive than the first estimate which was not given enough thought.



# Speakers



# Testimony



Donnalee Lozeau  
Mayor  
City of Nashua



February 3, 2010

Senate Finance Committee  
State House, Room 100  
107 N. Main Street  
Concord, NH 03301

**RE: Senate Bill 465-FN-LOCAL:** relative to transition period for implementing the adequacy aid formula  
**Senate Bill 462-FN-LOCAL:** relative to distribution of funds for education

Honorable Committee Members:

I am writing to express the City of Nashua's position on Senate Bills 462 and 465 and our desire to ensure that passage of either of these bills will not lead to further reductions in education or other revenue to the City of Nashua. We understand the difficulties facing the state and share in the pain that these economic times have inflicted on governments, both state and local. It is not our intention to oppose either bill, as they will maintain the level of aid that is currently in place for Nashua, and we continue to support the belt-tightening necessary to bring in balanced budgets.

That said, we also do not wish to endure further cuts in state revenues that we must pass on to our taxpayers either in the form of additional taxes or cuts in core services. Nashua has borne additional costs with the suspension of \$2.4 million in revenue sharing; the deferral of over \$2 million in DES funds; the cost shifting of over \$1 million in the state's share of retirement subsidies; and the substantial increase in retirement rates due to the expense of additional benefits approved over the years by the state legislature. All of this has created a significant financial burden on our community.

I often refer to Nashua as the economic engine of the state. I am sure you would agree that keeping Nashua and other cities financially healthy is the key to a more rapid and sustainable recovery statewide. The best way to an economically strong state is through economically strong cities.

I ask you to please consider these points as you deliberate on these and other bills that could negatively impact municipalities and school districts such as ours throughout the state.

Sincerely,

  
Donnalee Lozeau

cc: Legislation sponsors  
Senator Lasky, Senator Gilmour  
B. Michael Gilbar, CFO

# CIP Form #2

## Project Description & Justification

Department: Planning Board  
Submitted by Planning Board

Priority: High  
Rank: 1

Project Title: **Route 107 Bridge over I-95**

### Project Description

The Planning Board proposes a new or expanded bridge, to include four travel lanes, one turning lanes, two breakdown lanes, and two 6' wide sidewalks. The Planning Board aspires to an adequate bridge, one that is destined to serve as the only link between the eastern and western parts of town. The project may require modifications to bridge approaches, as well as full signalization at the ramps. The project should include the bridge approaches, that is to say, the Route 107 corridor extending from US Route 1 to Batchelder Road.

### Project Justification

The bridge's two-lane width is inadequate. Along the Route 1 corridor, we anticipate a substantial increase in retail development. Seabrook's commercial district is under enormous developmental pressure due to New Hampshire's absence of a sales tax, and the town's strategic location on I-95 immediately adjacent to the Massachusetts. It is a frequent occurrence that traffic is gridlocked at the Rt. 107 and Rt.1 intersection due to the back-up caused by this bridge.

The bridge's inadequacy presents a significant public safety problem because the Town's emergency responders are based east of I-95, and the bridge is the only route within Seabrook that crosses I-95 to the western part of town. Were 107 to

become impassable at the bridge, it would take fire and ambulance vehicles 30 minutes or more to reach western Seabrook via alternate routes.

The bridge is also a vital link in Seabrook's evacuation planning to be implemented in the event of natural disasters or an adverse event at the Seabrook nuclear power plant.

When the New Hampshire Turnpike (I-95) was widened in the 1960's, Seabrook was the only municipality along the I-95 corridor that was reduced to one turnpike crossing. From a public safety perspective, that was poor planning. The Town seeks to remedy that error.

The Planning Board proposes to escrow funds contributed by commercial developers in order to improve the Routes 1 & 107 corridors. To date, the Kohls development has committed \$800,000. DDR Seabrook has committed \$686,205 in conjunction with their proposed Target store, while DDR proposes an additional \$989,054 to satisfy the impact of their Phase II retail proposal at 700 Lafayette Road. The Town anticipates escrowing additional funds as other commercial development projects emerge, however it is noted that state law allows the Town to retain these funds for no more than six years, therefore it is imperative that the bridge project get underway in the near future.

In December 2000, the Planning Board adopted the following recommendation in the Seabrook Master Plan: *"Widen the Route 107 bridge over I-95 to five lanes."*

Other Supporting Documentation (available at the Seabrook Planning Board Office):

- DDR traffic studies
- List of property that may be developed for retail in the near future
- Documentation supporting financial commitments by Karp and DDR
- Seabrook Master Plan 2000, page 262

# Voting Sheets

# Senate Finance Committee

## EXECUTIVE SESSION

Bill # SB481

Hearing date: 2-4-10

Room: State House - Room 100

Executive session date: \_\_\_\_\_

Motion of: OTP

VOTE: 5-0

Made by D'Allesandro   
Senator: Janeway   
 Larsen   
 Hassan   
 Sgambati   
 Odell   
 Gallus

Seconded D'Allesandro   
by Senator: Janeway   
 Larsen   
 Hassan   
 Sgambati   
 Odell   
 Gallus

<u>Committee Member</u>	<u>Present</u>	<u>YES</u>	<u>NO</u>	<u>Reported out by</u>
Senator D'Allesandro	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>D'Allesandro</u>
Senator Janeway	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Senator Larsen	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Senator Hassan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Senator Sgambati	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Senator Odell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Senator Gallus	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

\*Amendments: \_\_\_\_\_

NOTES: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



# Committee Report

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Date: February 18, 2010

THE COMMITTEE ON Finance

to which was referred Senate Bill 481

AN ACT                      relative to appropriations for certain turnpike system  
   projects.

Having considered the same, the committee recommends that the Bill:

**OUGHT TO PASS**

BY A VOTE OF:    5-0

AMENDMENT # {Type 4-digits here}s

Senator Lou D'Allesandro  
For the Committee

Sonja Caldwell 271-2117