

Committee Report

REGULAR CALENDAR

January 12, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Public Works and Highways to which
was referred HB 1456-FN,**

AN ACT relative to the Hampton marine memorial.

**Having considered the same, report the same with the
following amendment, and the recommendation that
the bill OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Edgar

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Public Works and Highways
Bill Number:	HB 1456-FN
Title:	relative to the Hampton marine memorial.
Date:	January 12, 2022
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2022-0039h

STATEMENT OF INTENT

The Hampton Marine Memorial is located in Hampton on Ocean Boulevard and is to recognize those service members that were buried or lost at sea. The bill expands the period of eligibility to include Operation Desert Shield, Desert Storm and the Wars on Terrorism following September 11, 2001 attack. The bill and amendment were unanimously approved.

Vote 17-0.

Rep. Michael Edgar
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Public Works and Highways

HB 1456-FN, relative to the Hampton marine memorial. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Edgar for Public Works and Highways. The Hampton Marine Memorial is located in Hampton on Ocean Boulevard and is to recognize those service members that were buried or lost at sea. The bill expands the period of eligibility to include Operation Desert Shield, Desert Storm and the Wars on Terrorism following September 11, 2001 attack. The bill and amendment were unanimously approved. **Vote 17-0.**

Original: House Clerk

Cc: Committee Bill File

Rep. Edgar, Rock. 21
January 10, 2022
2022-0039h
07/11

Amendment to HB 1456-FN

- 1 Amend the bill by replacing section 2 with the following:
- 2
- 3 2 Effective Date. This act shall take effect upon its passage.

Amendment to HB 1456-FN
- Page 2 -

2022-0039h

AMENDED ANALYSIS

This amendment changes the effective date from 60 days after passage to upon passage.

Voting Sheets

HOUSE COMMITTEE ON PUBLIC WORKS

EXECUTIVE SESSION on Bill # HB 1436

BILL TITLE: ...
DATE: 01/12/2022
LOB ROOM: 201

MOTION: (Please check one box)

OTP ITL Retain (1st year) Adoption of Amendment # 0039h
 Interim Study (2nd year) (if offered)

Moved by Rep. Edgar Seconded by Rep. Cloutier Vote: Noice

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. Edgar Seconded by Rep. McConky Vote: 12-0

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ____ YES NO

Minority Report? ____ Yes ____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: Mark L. Gh
Rep ~~Natalie Wells~~, Clerk
Martin Jack, Acting



2022 SESSION

Public Works and Highways

 Bill #: H01436 Motion: OTR/A AM #: 0039h Exec Session Date: 01/12/2022

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Graham, John A. Chairman	15		
McConkey, Mark E. Vice Chairman	1		
Milz, David E. Clerk	-		
Somero, Paul J.	2		
Fedolfi, Jim L.	3		
Newton, Clifford A.	-		
Blasek, Melissa	4		
Bordes, Mike <i>Gagne</i>	5		
Kaczynski, Thomas L.	-		
Kilanski, Ben M.	-		
Thompson, Dennis J.	6		
Boyd, Bill	-		
Cloutier, John R.	7		
Edgar, Michael A.	8		
Ebel, Karen E. <i>Telerski</i>	9		
Jack, Martin L.	10		
Abbott, Michael D.	11		
Faulkner, Barry	12		
Newman, Sue A.	13		
Eaton, Daniel A.	14		
Pedersen, Michael P.	-		



1/10/2022 9:08:54 AM
Roll Call Committee Registers
Report

2022 SESSION

Public Works and Highways

Bill #:	Motion:	AM #:	Exec Session Date:
Query, Joshua F.		16	
Bunker, Lisa H.		17	
TOTAL VOTE:			

Rep. Edgar, Rock. 21
January 10, 2022
2022-0039h
07/11

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2022-0039h

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Public Hearing

HOUSE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

PUBLIC HEARING ON HB1456

BILL TITLE: Relative to the Hampton marine memorial

DATE: 01/12/2022

LOB ROOM: 201

Time Public Hearing Called to Order: 10:00 am

Time Adjourned: 10:12 am

Committee Members: Reps. Graham, McConkey, Somero, Fedolfi, Blasek, Gagne, Thompson, Cloutier, Edgar, Telerski, Jack, Abbott, Faulkner, S. Newman, Eaton, Query and Bunker

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Mike Edgar, prime sponsor

The amendment that he will bring at the executive session changes the effective date to “on passage”. The memorial is in Hampton on Ocean Boulevard. The Lady of the Sea Memorial was dedicated in 1957 to honor servicemembers lost at sea. Initially these were mostly World War II but in 1990 Merchant Marine and Vietnam members were added. This bill adds later conflicts. The sponsor’s neighbor is honored on the memorial.

Berkley Bennett, Commander American Legion Post 35, Hampton

* Attachment A: Written testimony

He supports the legislation. The Federal government would not provide markers for servicemembers lost at sea. There were 248 names originally. The memorial was rededicatted in 1993. There are currently 290 names. Jonathan Currier and Garry Dillon would be added under the new authority. He learned that legislation was needed to add these names and that is how the bill came to be filed. Rep. Abbott asked who does the inscription and is DNCR involved. The response is yes, DNCR funds it.

Gail Wolek, Department of Natural and Cultural Resources, Deputy Director Division of Parks and Recreation

* Attachment B: Written testimony

* Attachment C: Letter from Philip Bryce

Read written testimony

Respectfully submitted,

Martin L. Jack
Acting Clerk

House Remote Testify

Public Works and Highways Committee Testify List for Bill HB1456 on 2022-01-12

Support: 2 Oppose: 0 Neutral: 0 Total to Testify: 0

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Watters, Senator David	Dover, NH david.watters@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/5/2022 12:33 PM
Sherman, Senator	SD24, NH jennifer.horgan@leg.state.nh.us	An Elected Official	SD24	Support	No	No	1/10/2022 2:56 PM

Testimony

Remarks in support of HB 1456



HB 1456

Good morning, Chairman Graham, I would like to thank you and the members of this committee for the opportunity to speak in favor of HB 1456, which would include recent conflicts and allow additional names to be added to the Hampton Marine Memorial at Hampton Beach. My name is Berkley Bennett, and I am the Commander of American Legion Post 35 in Hampton.

As a bit of background, the idea for a memorial came from Manchester resident William E. Downs. His son, Army Captain William D. Downs had died aboard ship while returning from the South Pacific in WW II, and was buried at sea in May 1945. Mr. Downs attempted to get a grave marker for a token burial plot for his son, but was told at the time the Federal government would not provide grave markers for those who had died at sea. Frustrated, he approached William Loeb of the Manchester Union Leader for help. This was the beginning of the creation of a memorial for those from NH who were lost at sea in all wars. In 1950, Governor Sherman Adams created the NH Marine Memorial Commission and after seven years of study, hard work, and fundraising, the "Lady of the Sea" Marine Memorial was dedicated on Decoration Day 1957. The Memorial included the names of 248 men, not only WW II veterans, but also two service members who were killed when the USS Maine exploded in Havana Harbor prior to the Spanish American War, five veterans of WW I who died when their ships were sunk while enroute to France, and one sailor who was lost when the destroyer USS Rueben James was torpedoed by a German U-Boat, just prior to America's entrance into WW II.

In 1990, legislation was adopted to include Viet Nam War veterans, and WW II Merchant Mariners on the Memorial. On Memorial Day 1993, the Memorial was rededicated, adding 42 names to the honor roll, including 24 Merchant Mariners. The Memorial presently has 290 names, but its design allows for over 400.

The purpose of this bill is to seek the addition of more recent New Hampshire service members who were lost at sea while serving in Operations Desert Shield/Desert Storm and the Global War on Terrorism.

One such member, Hampton native Marine Cpl Jonathan Currier, was believed to have fallen overboard while deployed aboard the amphibious assault ship USS Essex while sailing off the coast of the Philippines in August 2018. He was declared lost at sea, his body never recovered.

Another service member, Marine Captain Gary Dillon, of Concord, would also be eligible for inclusion if this bill is passed. Capt Dillon, a Marine Aviator, was killed in a helicopter mid air collision while conducting night vision google training in the Arabian Sea, just before the onset of hostilities in Desert Storm. His body was also never recovered.

When I spoke to the Division of Parks and Recreation about how to go about adding names to the Memorial, I was told the criteria is set through the Legislature, and that is when I reached out to Hampton State Representative, Mike Edgar, for help. His efforts have led to the bill that is before this committee. The Marine Memorial doesn't exist just to memorialize those lost in WW I or WW II. It needs to continue as a living monument, to honor those lost at sea defending our country today. Passing this bill will allow Jonathan's and Gary's names to be added to the stone. It would allow the "Lady of the Sea" Memorial to provide solace to the Currier family, where Jonathan played on the beach beneath her gaze as a child. With its location at the edge of the shore, overlooking the vast ocean that is the final resting place of so many of our heroes, an updated Memorial would allow the tens of thousands of people who visit Hampton Beach the opportunity to pause and reflect on the continuing cost of our freedom.

I thank you for the opportunity to address you this morning, and I strongly urge your support for this bill.



STATE OF NEW HAMPSHIRE
 DEPARTMENT of NATURAL and CULTURAL RESOURCES
 DIVISION of PARKS and RECREATION
 172 Pembroke Road Concord, New Hampshire 03301
 Phone: (603) 271-3556 Fax: (603) 271-3553
 Web: www.nhstateparks.org

January 12, 2022


 HB1456

The Honorable John Graham
 and the Public Works and Highways Committee
 Legislative Office Building, Rm 201
 33 North State Street
 Concord, NH 03301

RE: HB 1456 relative to the Hampton marine memorial

Dear Chair Graham and Members of the Committee,

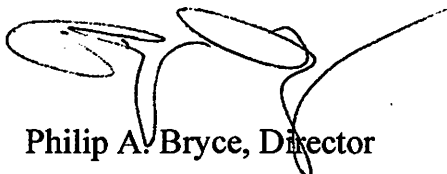
Please accept this testimony on behalf of the Department of Natural and Cultural Resources, Division of Parks and Recreation (“Division”) regarding HB 1456 relative to the Hampton marine memorial. **The Division supports this bill to honor the veterans by adding the names of those lost at sea to the Marine Memorial from recent military conflicts and the September 11, 2001 attack.**

We have conducted additional research since our submission of the fiscal note. The marine memorial has room to add up to 233 names. As of this writing, the estimated cost to add names to the memorial is \$9 per letter (or an average of \$180 per name at 20 characters), with a \$140 one-time set up fee. Using this information, approximately 50-55 names could be added for the cost of \$10K, as proposed in the fiscal note. As required by law, costs would be paid from existing departmental appropriations.

There is a two-year wait for new engraving work, but that time could be used to allow the appropriate veterans organizations to provide us with the names of veterans that need to be added to the marine memorial.

Thank you for the opportunity to provide testimony on this bill. Please let me know if I can answer questions or provide any additional information.

Sincerely,



Philip A. Bryce, Director

Cc: Sarah L. Stewart, Commissioner, Department of Natural and Cultural Resources



STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
DIVISION of PARKS and RECREATION
172 Pembroke Road Concord, New Hampshire 03301
Phone: (603) 271-3556 Fax: (603) 271-3553
Web: www.nhstateparks.org

January 12, 2022

The Honorable John Graham
and the Public Works and Highways Committee
Legislative Office Building, Rm 201
33 North State Street
Concord, NH 03301

RE: HB 1456 relative to the Hampton marine memorial

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Sincerely,

Philip A. Bryce, Director

Cc: Sarah L. Stewart, Commissioner, Department of Natural and Cultural Resources

Bill as
Introduced

HB 1456-FN - AS INTRODUCED

2022 SESSION

22-2316

07/04

HOUSE BILL ***1456-FN***

AN ACT relative to the Hampton marine memorial.

SPONSORS: Rep. Edgar, Rock. 21; Rep. Cushing, Rock. 21; Rep. Shurtleff, Merr. 11; Rep. Graham, Hills. 7; Rep. Cleaver, Hills. 35; Rep. Maggiore, Rock. 22; Rep. Pantelakos, Rock. 25; Rep. Grote, Rock. 24; Sen. Sherman, Dist 24; Sen. Watters, Dist 4

COMMITTEE: Public Works and Highways

ANALYSIS

This bill amends chapter 125 of the 1990 session laws to include veterans lost at sea during the military conflicts following the attacks on September 11, 2001 in the list of names on the Hampton Marine Memorial.

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.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the Hampton marine memorial.

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

1 1 Hampton Marine Memorial; Inclusion of Veterans from Desert Shield, Desert Storm, and the
2 Wars on Terrorism. Amend 1990; 125:2, I to read as follows:

3 I. The division of parks and recreation, department of [~~resources and economic development~~]
4 ***natural and cultural resources***, is directed to add to the list of names on the Hampton Marine
5 Memorial those ***veterans lost at sea during the periods including Operation Desert Shield,***
6 ***Operation Desert Storm, and the Wars on Terrorism following the September 11, 2001***
7 ***attack***. Such names shall be provided by the appropriate veterans organizations, and any costs
8 shall be paid from existing departmental appropriations.

9 2 Effective Date. This act shall take effect 60 days after its passage.

HB 1456-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to the Hampton marine memorial.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2022 through 2025.

AGENCIES CONTACTED:

Department of Natural and Cultural Resources