LEGISLATIVE COMMITTEE MINUTES

HB1456

Bill as Introduced

HB 1456-FN - AS AMENDED BY THE HOUSE

10Mar2022... 0039h

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

AMENDED ANALYSIS

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

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1456-FN - AS AMENDED BY THE HOUSE

10Mar2022... 0039h

22-2316 07/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT

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relative to the Hampton marine memorial.

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

- 1 Hampton Marine Memorial; Inclusion of Veterans from Desert Shield, Desert Storm, and the Wars on Terrorism. Amend 1990; 125:2, I to read as follows:
- I. The division of parks and recreation, department of [resources and economic development] natural and cultural resources, is directed to add to the list of names on the Hampton Marine Memorial those veterans lost at sea during the periods including Operation Desert Shield, Operation Desert Storm, and the Wars on Terrorism following the September 11, 2001 attack. Such names shall be provided by the appropriate veterans organizations, and any costs shall be paid from existing departmental appropriations.
- 2 Effective Date. This act shall take effect upon its passage.

LBA 22-2316 Revised 12/8/21

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

LBA 22-2316 Amended 3/22/22

HB 1456-FN FISCAL NOTE AS AMENDED BY THE HOUSE (AMENDMENT #2022-0039h)

AN ACT

relative to the Hampton marine memorial.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, as amended, 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

CHAPTER 40 HB 1456-FN - FINAL VERSION

10Mar2022... 0039h

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

AMENDED 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.

CHAPTER 40 HB 1456-FN - FINAL VERSION

10Mar2022... 0039h

22-2316 07/04

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT

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relative to the Hampton Marine Memorial.

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

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- I. The division of parks and recreation, department of [resources and economic development] natural and cultural resources, is directed to add to the list of names on the Hampton Marine Memorial those veterans lost at sea during the periods including Operation Desert Shield, Operation Desert Storm, and the Wars on Terrorism following the September 11, 2001 attack. Such names shall be provided by the appropriate veterans organizations, and any costs shall be paid from existing departmental appropriations.
 - 40:2 Effective Date. This act shall take effect upon its passage.

Approved: May 03, 2022 Effective Date: May 03, 2022

Committee Minutes

SENATE CALENDAR NOTICE Election Law and Municipal Affairs

Sen James Gray, Chair Sen Regina Birdsell, Vice Chair Sen Ruth Ward, Member Sen Donna Soucy, Member Sen Rebecca Perkins Kwoka, Member

Date: March 17, 2022

HEARINGS

Monday		03/21/2022		
(Day) Election Law and Municipal Affairs		(Date)		
		State House 100	1:00 p.m.	
(Name of Committee)		(Place) (Time)		
1:00 p.m. HB 1021		prohibiting regulation of religious land use based on the religiou nature of the assembly or speech taking place on the land or in t structure.		
1:15 p.m. HB 1026	relative to b	relative to budget information provided to a budget committee.		
1:30 p.m. HB 1122		authorizing municipalities to collect and resell construction an demolition debris.		
1:45 p.m. HB 1277	relative to the	relative to the reporting of cybersecurity incidents.		
2:00 p.m. HB 1456-FN	relative to the	relative to the Hampton marine memorial.		

EXECUTIVE SESSION MAY FOLLOW

Sponsors:			
HB 1021			
Rep. Wuelper	Rep. Gould	Rep. Ankarberg	
HB 1026	·		
Rep. Piemonte			
HB 1122			
Rep. Egan	Rep. Massimilla	Rep. Alexander Jr.	Rep. Weston
Sen. Hennessey			
HB 1277			
Rep. Somssich	Rep. Meuse	Rep. Hamblet	Rep. Ward
HB 1456-FN			
Rep. Edgar	Rep. Shurtleff	Rep. Graham	Rep. Cleaver
Rep. Maggiore	Rep. Pantelakos	Rep. Grote	Sen. Sherman
Sen. Watters			

Tricia Melillo 271-3077

<u>James P. Gray</u> Chairman

Senate Election Law and Municipal Affairs Committee Tricia Melillo 271-3077

HB 1456-FN, relative to the Hampton marine memorial.

Hearing Date:

J. W.

March 21, 2022

Members of the Committee Present: Senators Gray, Birdsell, Ward, Soucy and Perkins Kwoka

Members of the Committee Absent: None

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

Sponsors:

Rep. Edgar
Rep. Cleaver
Rep. Cleaver
Rep. Maggiore
Rep. Graham
Rep. Graham
Rep. Graham
Rep. Grote
Rep. Maggiore
Rep. Pantelakos
Sen. Sherman
Sen. Watters

Who supports the bill: Representative Michael Edgar, Senator David Watters, Berkley Bennett

Who opposes the bill: None

Summary of testimony presented in support:

Representative Mike Edgar

- The Hampton Marine Memorial is located in Hampton but it is a state memorial.
- It was created in 1957 to provide a place where those buried at sea or lost at sea would be recognized.
- Most of the names on the Memorial are service members and merchant marine service members that were lost at sea during WWII.
- In 1990 the eligibility requirement was extended to include those before mentioned merchant marines and those from the Vietnam conflict.
- HB 1456 increases eligibility for inclusion on the Hampton Marine Memorial to include Operation Desert Shield, Desert Storm and the Wars on Terrorism.
- This will provide a chance to honor USMC CPL Jonathan Currier, a Hampton native who was lost at sea on August 9, 2018 off the coast of the Philippines.

Berkley Bennett - Commander of the American Legion Post, Hampton

- The idea for this Memorial came from Manchester resident William E. Downs whose son had died aboard ship while returning from the South Pacific during WWII and was buried at sea.
- After seven years of study, hard work, and fundraising, the "Lady of the Sea" Marine Memorial was dedicated on Decoration Day 1957.
- At the time, the Memorial included the names of 248 men, not only WWII 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 WWI who died when their ships were sunk en route to France, and one sailor who was lost when the destroyer USS Rueben James was torpedoed by a German U-Boat.
- In 1990, legislation was adopted to include Vietnam War Veterans and WWII Merchant Mariners on the Memorial.
- The Memorial presently has 290 names, but its design allows for over 400.

- This bill will allow more recent New Hampshire service members who were lost at sea to be added.
- Hampton native Marine CPL Jonathan Currier was believed to have fallen overboard while deployed in 2018.
- He was declared lost at sea; his body never recovered.
- Service member, Marine Captain Gary Dillon of Concord, a Marine Aviator, was killed in a helicopter mid air collision while conducting night vision training in the Arabian Sea.
- · His body was also never recovered.
- Both of these heroes will be added if this legislation passes.
- The Marine Memorial needs to continue as a living monument to honor those lost at sea defending our country.

Summary of testimony presented in opposition: None

TJM

Date Hearing Report completed: March 23, 2022

Speakers

Senate Election Law and Municipal Affairs Committee SIGN-IN SHEET

Date: March 21, 2022 Time: 2:00 p.m.

HB 1456-FN AN ACT relative to the Hampton Marine Memorial.

PRIME: Representative Edgar

Name/Representing (please print neatly)					
Michael Elger BERKLEY BENNOW	Support	Oppose	Speaking?	Yes KQ	No
BERKLEY BENNOW	Support 🔼	Oppose	Speaking?	Yes 🛛	No
,	Support \Box	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
•	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
,	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose ,	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No
	Support	Oppose	Speaking?	Yes	No

Senate Remote Testify

Election Law and Municipal Affairs Committee Testify List for Bill HB1456 on 202 Support: 1 Oppose: 0

Name
Watters, Senator David

<u>Title</u>

An Elected Official

Representing

Myself

<u>Position</u>

Support

Testimony

HB1456 - The Hampton Marine Memorial - Expanding Conflicts That Qualify

For the record my name is Mike Edgar and I represent Hampton in the New Hampshire House.

Thank you, mister Chairman and committee members, for this opportunity to introduce bill HB1456 and Amendment 2022-0039h.

The amendment addresses changing the effective date from 60 days after its passage to taking affect upon passage.

The Hampton Marine Memorial is located in Hampton, on Ocean Boulevard across from Ashworth by the Sea, which is at 295 Ocean Boulevard.

The Hampton Marine memorial was created in 1957 to provide a place where those buried at sea or lost at sea and the bodies were not recovered, would be recognized. It depicts a Gold Star Mother laying a wreath on the sea.

Most of the names on the memorial are service members and merchant marine service members that were lost at sea during WWII.

In 1990 the eligibility requirement was extended to include those before mentioned merchant marine members and those from the Vietnam conflict.

HB1456 increases eligibility for inclusion on the Hampton Marine Memorial to include Operation Desert Shield, Desert Storm and the Wars on Terrorism following the September, 2001.

This will provide a chance to honor those service members and merchant marine service members that would qualify, including USMC CPL Johnathan Currier who was lost at sea on August 9, 2018 off the coast of the Philippines. CPL Currier, Johnathan, was my neighbor and a fine young man.

Berk Bennett, Commander of American Legion Post 35 was the individual that initiated action on this bill and will be speaking today. He will provide more details concerning the Memorial and efforts to identify additional individuals that would qualify under this proposal.

Please consider OTP/A for amendment 2022-0039h and the underlying bill HB1456.

Mike Edgar New Hampshire House of Representatives Rockingham 21 - Hampton

21 March 2022

Remarks in support of HB 1456

Good afternoon, Chairman Gary, 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, I live in Hampton, 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 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 Vietnam 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 each year the opportunity to pause and reflect on the continuing cost of our freedom.

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

New Hampshire Marine Memorial

- Original idea came from William E. Downs of Manchester.
- In 1950, New Hampshire Marine Memorial Commission formed.
- Two sites in Rye were proposed, but ultimately rejected.
- Under Gov. Gregg, Commission chose Hampton Beach location.
- Memorial designed by Alice Cosgrove of Concord.
- 24 ton block of granite cut from Swenson's Granite Quarries in Concord.
- Statue shaped by Vincenzo Andreani of Marr and Gordon, Inc., in Barre, VT.
- Marine Memorial dedicated on May 31, 1957, with 248 names.
- In 1990, legislation passed to allow Merchant Mariners and Vietnam veterans.
- May 23, 1993, Memorial rededicated with 42 additional names.
- Memorial Day, 2022 will be 65th anniversary of the Memorial.

Voting Sheets

Senate Election Law & Municipal Affairs Committee EXECUTIVE SESSION RECORD

2022 Session

- / \-			Bill HB	1456
Hearing date: $3/21/3$		~		
Executive Session date:	3/21	99		
Motion of:	ρ		Vote	: <u>6-0</u>
Committee Member Sen. Gray, Chair Sen. Birdsell, Vice Chair Sen. Ward Sen. Soucy Sen. Perkins-Kwoka	Present X X X X X	Made by	Second	Yes No
Motion of: CMDe	nt_		Vote	: 5-D
Committee Member Sen. Gray, Chair Sen. Birdsell, Vice Chair Sen. Ward Sen. Soucy Sen. Perkins-Kwoka	Present X X X X X	Made by	Second	Yes No
Motion of:			Vote	•
Committee Member Sen. Gray, Chair Sen. Birdsell, Vice Chair Sen. Ward Sen. Soucy Sen. Perkins-Kwoka	Present X X X X X	Made by	Second	Yes No
Reported out by: Som	.Sw	CY_		١
Notes:				

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE FOR THE CONSENT CALENDAR

Monday, March 21, 2022

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred HB 1456-FN

AN ACT

relative to the Hampton marine memorial.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Donna Soucy For the Committee

This bill will direct the Department of Natural and Cultural Resources to add to the list of names on the Hampton Marine Memorial those veterans lost at sea during the periods including Operation Desert Shield, Operation Desert Storm, and the Wars on Terrorism. Passage of this bill will allow the names of two New Hampshire Marines, lost at sea during these military operations to be added. This updated memorial will also provide those who view it the opportunity to reflect on the continuing cost of our freedom.

Tricia Melillo 271-3077

General Court of New Hampshire - Bill Status System

Docket of HB1456

Docket Abbreviations

Bill Title: relative to the Hampton marine memorial.

Official Docket of HB1456.:

Date	Body	Description
12/1/2021	Н	Introduced 01/05/2022 and referred to Public Works and Highways
1/8/2022	Н	Public Hearing: 01/12/2022 10:00 am LOB 201-203
1/27/2022	Н	Executive Session: 01/12/2022 01:00 pm LOB 205-207
1/18/2022	Н	Committee Report: Ought to Pass with Amendment # 2022-0039h (Vote 17-0; RC)
3/11/2022	Н	Amendment #2022-0039h: AA VV 03/10/2022 HJ 5
3/11/2022	Н	Ought to Pass with Amendment 2022-0039h: MA VV 03/10/2022 HJ 5
3/15/2022	S	Introduced 02/24/2022 and Referred to Election Law and Municipal Affairs; SJ 5
3/21/2022	S	Hearing: 03/21/2022, Room 100, SH, 02:00 pm; SC 12
3/22/2022	S	Committee Report: Ought to Pass, 03/31/2022; Vote 5-0; CC; SC 13
3/31/2022	S	Ought to Pass: MA, VV; OT3rdg; 03/31/2022; SJ 7
4/22/2022	S	Enrolled Adopted, VV, (In recess 04/21/2022); SJ 10
4/25/2022	Н	Enrolled (in recess of) 04/21/2022 HJ 10
5/6/2022	Н	Signed by Governor Sununu 05/03/2022; Chapter 40; eff 05/03/2022

NH House	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 1456-FVSenate Committee: ELMA
Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside
✓ Final docket found on Bill Status
Bill Hearing Documents: (Legislative Aides)
X Bill version as it came to the committee
X All Calendar Notices
≺ Hearing Sign-up sheet(s)
Prepared testimony, presentations, & other submissions handed in at the public hearing Hearing Report
Revised/Amended Fiscal Notes provided by the Senate Clerk's Office
Committee Action Documents: (Legislative Aides)
All amendments considered in committee (including those not adopted):
- amendment # amendment #
- amendment # amendment #
Executive Session Sheet
Committee Report
Floor Action Documents: (Clerk's Office)
All floor amendments considered by the body during session (only if they are offered to the senate):
- amendment # amendment #
- amendment # amendment #
Post Floor Action: (if applicable) (Clerk's Office)
Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
Enrolled Bill Amendment(s)
Governor's Veto Message
All available versions of the bill: (Clerk's Office)
as amended by the senate as amended by the house
final version
Completed Committee Report File Delivered to the Senate Clerk's Office By:
Tairin Merillo
Committee Aide Date

Senate Clerk's Office AL