

HB 1426-FN - AS INTRODUCED

2026 SESSION

26-2539

08/06

HOUSE BILL            ***1426-FN***

AN ACT                requiring the department of environmental services to employ certified personnel in each program area.

SPONSORS:            Rep. Kesselring, Hills. 18; Rep. Cole, Hills. 26; Rep. Morse, Merr. 3; Rep. Markell, Rock. 18; Rep. Morton, Hills. 39; Rep. Drew, Hills. 19; Rep. Dupont, Hills. 20

COMMITTEE:          Resources, Recreation and Development

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ANALYSIS

This bill requires the department of environmental services to employ certified personnel in each program area.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                    requiring the department of environmental services to employ certified personnel in each program area.

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

1            1 New Paragraph; Departmental Functions; Certified On Call Individuals. Amend RSA 21-O:1  
2 by inserting after paragraph II the following new paragraph:

3            III. The department of environmental services shall seek, through recruitment and retention  
4 efforts, training, or state contracting to ensure that each of its program areas with regulatory,  
5 permitting, or enforcement responsibilities has at least one certified individual, either as a direct  
6 employee or through a contracted arrangement, who is on call to address program-related matters  
7 and any issues that may arise in the course of its operations. The department may use existing  
8 appropriations, federal grants, or program fees for costs associated with training and certification  
9 under this section. A certified individual shall be an employee who holds a current, valid  
10 certification or license in the program area they serve. Certified individuals employed by or  
11 contracted with a department of environmental services program area shall not be required to  
12 comply with certification maintenance requirements that present a conflict of interest, including but  
13 not limited to submitting work product to the department to maintain hours of work experience.  
14 Certified individuals employed by the department of environmental services shall not be responsible  
15 for paying licensing or certification fees to a department of environmental services program while so  
16 employed. No certified individual shall be liable for damages arising from their duties to carry out  
17 the statutory duty and regulatory requirements of their respective program at the department of  
18 environmental services.

19            2 Effective Date. This act shall take effect July 1, 2027.

**HB 1426-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT requiring the department of environmental services to employ certified personnel in each program area.

**FISCAL IMPACT: This bill does not provide funding.**

<b>Estimated State Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>Revenue</b>	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
<b>Expenditures*</b>	\$0	\$0	Indeterminable Increase \$100,000 to \$500,000	Indeterminable Increase \$100,000 to \$500,000
<i>Funding Source(s)</i>	General Fund and Multiple Other Agency Funds			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

**METHODOLOGY:**

This bill requires the Department of Environmental Services (DES) to ensure that each of its regulatory, permitting, or enforcement program areas has at least one certified individual available on call, either as an employee or through contracting.

DES states this bill will result in an indeterminable increase in state expenditures, estimated to be between \$100,000 to \$500,000 per a year starting in FY 2028. The Department notes that it would meet the requirements of the bill by incorporating certification or licensing requirements into job postings for vacant positions, identifying opportunities to upskill existing staff, and contracting for certified individuals when necessary. Costs would depend on the number of program areas requiring certified personnel, the availability of qualified applicants, training or upskilling expenses, and the need for contracted certified individuals.

Because the bill provides DES with flexibility by directing it to “seek... to ensure,” actual expenditures will vary and cannot be exactly determined.

**AGENCIES CONTACTED:**

Department of Environmental Services

