

SB 502-FN - AS AMENDED BY THE SENATE

01/29/2026 0116s

2026 SESSION

26-2098

07/08

SENATE BILL **502-FN**

AN ACT removing references to the department of business and economic affairs and the office of planning and development, and makes various changes to how certain committees and commissions participate or operate.

SPONSORS: Sen. Pearl, Dist 17; Sen. Lang, Dist 2; Sen. McGough, Dist 11; Rep. Moffett, Merr. 4; Rep. Wood, Merr. 13; Rep. Aures, Merr. 13

COMMITTEE: Executive Departments and Administration

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AMENDED ANALYSIS

This bill removes references to the department of business and economic affairs and the office of planning and development, and makes various changes to how certain committees and commissions participate or operate.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 removing references to the department of business and economic affairs and the office of planning and development relative to the department of energy.

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

1 1 The State and Its Government; New Hampshire Geographic Information System Committee;  
2 Geographic Information System (GIS) Committee Established. Amend RSA 4-F:1, I(a)(6) to read as  
3 follows:

4 (6) [~~Office of planning and development~~] **Department of business and economic**  
5 **affairs.**

6 2 The State and Its Government; Department of Business and Economic Affairs; Establishment;  
7 Purpose. Amend RSA 12-O:2, I and II to read as follows:

8 I. There shall be a department of business and economic affairs under the executive  
9 direction of a commissioner of business and economic affairs, consisting of but not limited to a  
10 division of economic development, **a division of planning and community development**, and a  
11 division of travel and tourism. The department's purpose shall be to ensure the efficient coordinated  
12 function of the department, economic development policies of the state of New Hampshire and the  
13 collaborative participation of all related state departments, agencies, and authorities.

14 II. The purpose of this chapter is to improve the administration of state government by  
15 providing unified direction of policies, programs, and personnel in the field of economic development,  
16 **planning and community development**, and travel and tourism development making possible  
17 increased efficiency and economies from integrated administration and operation of these related  
18 functions of the state government.

19 3 The State and Its Government; Department of Energy; General Provisions. Amend RSA 12-  
20 P:3, II to read as follows:

21 II. The department of energy is authorized to work with [~~the department of business and~~  
22 ~~economic affairs,~~] the public utilities commission[~~]~~ and the department of administrative services to  
23 coordinate the implementation of the establishment of the department, and to transfer  
24 appropriations and create the proper expenditure lines, if needed, for the establishment of their  
25 respective operations, including but not limited to the relocation of personnel, work stations, books,  
26 papers, personnel record files, and equipment, with the approval of the governor and council and of  
27 the director of personnel.

28 4 Towns, Cities, Village Districts, and Unincorporated Places; Regional Planning Commissions;  
29 Purposes. Amend RSA 36:45 to read as follows:

1 36:45 Purposes. The purpose of this subdivision shall be to enable municipalities and counties to  
 2 join in the formation of regional planning commissions whose duty it shall be to prepare a  
 3 coordinated plan for the development of a region, taking into account present and future needs with  
 4 a view toward encouraging the most appropriate use of land, such as for agriculture, forestry,  
 5 industry, commerce, and housing; the facilitation of transportation and communication; the proper  
 6 and economic location of public utilities and services; the development of adequate recreational  
 7 areas; the promotion of good civic design; and the wise and efficient expenditure of public funds. The  
 8 aforesaid plan shall be made in order to promote the health, safety, morals and general welfare of  
 9 the region and its inhabitants. To promote these purposes the ~~[office of planning and development]~~  
 10 **division of planning and community development** shall delineate planning regions for the state  
 11 so that each municipality of the state will fall within a delineated region and shall have the  
 12 opportunity of forming or joining the regional planning commission for that planning region. In  
 13 determining these regions the ~~[office]~~ **division** shall consider such factors as community of interest  
 14 and homogeneity, existing metropolitan and regional planning agencies, patterns of communication  
 15 and transportation, geographic features and natural boundaries, extent of urban development,  
 16 relevancy of the region for provision of governmental services and functions and its use for  
 17 administering state and federal programs, the existence of physical, social and economic problems of  
 18 a regional character, and other related characteristics. To accommodate changing conditions, the  
 19 ~~[office]~~ **division** may adjust the boundaries of the planning regions, after consultation with the  
 20 respective regional planning commissions.

21 5 Towns, Cities, Village Districts, and Unincorporated Places; Regional Planning Commissions;  
 22 Formation of Regional Planning Commissions. Amend RSA 36:46, I-II to read as follows:

23 I. If no regional planning commission exists in any specific planning region as delineated by  
 24 the ~~[office of planning and development]~~ **division of planning and community development**,  
 25 then 2 or more municipalities in said planning region and having planning boards may, by ordinance  
 26 or resolution adopted by the respective legislative bodies of said municipalities, form a regional  
 27 planning commission.

28 II. If a regional planning commission already exists in any specific planning region as  
 29 delineated by the ~~[office of planning and development]~~ **division of planning and community**  
 30 **development**, then any municipality in said planning region and having a planning board may, by  
 31 ordinance or resolution adopted by the respective legislative body of said municipality, become a  
 32 member of the regional planning commission. A regional planning commission may also include  
 33 municipalities located in an adjacent state.

34 6 Towns, Cities, Village Districts, and Unincorporated Places; Regional Planning Commissions;  
 35 General Powers and Duties. Amend RSA 36:47, III to read as follows:

36 III. In preparing a comprehensive plan for the development of the region within its  
 37 jurisdiction, each regional planning commission may use the framework for the state's

1 comprehensive development plan in RSA 9-A:1, III as the basis for its plan. Such plan shall be  
 2 updated every 5 years or sooner if desired by the regional planning commission. Prior to its adoption,  
 3 the plan shall be distributed to every library, planning board, and board of selectmen/aldermen/city  
 4 council in each of the communities within the region, and to the ~~[office of planning and development]~~  
 5 **division of planning and community development**. The regional planning commission shall  
 6 address in writing all comments received prior to the publication of a final draft. A public hearing  
 7 shall be held by the regional planning commission with 30 days' notice published in all newspapers  
 8 of general circulation in the region, and shall state where the document can be viewed, the time and  
 9 place of the public hearing, and shall allow for written comments. For each regional plan, the ~~[office~~  
 10 ~~of planning and development]~~ **division of planning and community development** shall offer  
 11 comments as to its consistency with the state plan. The first regional development plans affected by  
 12 this statute shall be adopted within 5 years of the effective date of this paragraph and renewed at  
 13 least every 5 years thereafter.

14 7 Public Safety and Welfare; Community Development Block Grant Program; The New  
 15 Hampshire Community Development Advisory Committee. Amend RSA 162-L:15, II to read as  
 16 follows:

17 II. The committee shall consist of 11 voting members as follows:

18 (a) The chairperson of the board of directors of the community development finance  
 19 authority, or designee, who shall serve as chairperson of the committee.

20 ~~[(b) The director of the division of planning and community development, or designee.]~~

21 ~~[(e)]~~ (b) The executive director of the New Hampshire housing finance authority, or  
 22 designee.

23 ~~[(d)]~~ (c) The director of the division of economic development, department of business  
 24 and economic affairs, or designee.

25 ~~[(e)]~~ (d) The executive director of a regional development organization, appointed by the  
 26 governor.

27 ~~[(f)]~~ (e) ~~[Six]~~ **Seven** public members, at least ~~[3]~~ **4** of whom shall be municipal officials,  
 28 who shall be appointed by and serve at the pleasure of the governor.

29 8 Housing and Redevelopment; Housing Finance Authority; General Powers. Amend RSA 204-  
 30 C:8, V to read as follows:

31 V. Collect and correlate information regarding housing projects and housing laws either  
 32 within or without the state, and upon request furnish local housing authorities, cities or towns,  
 33 information and advice in connection with any housing project; conduct studies of housing needs in  
 34 the state and use information gained thereby in planning how best to carry out the purposes of this  
 35 chapter; work with other state and federal agencies in such studies and planning; develop such plans  
 36 with the United States Department of Housing and Urban Development, the ~~[office of planning and~~  
 37 ~~development]~~ **department of business and economic affairs** and other state agencies; and when

1 in the opinion of the authority it is feasible to do so, select projects to fund consistent with the  
2 requirements of the plan;

3 9 Public Recreation; Expansion of State Park System; Development Plan. Amend RSA 216-A:3-  
4 c, V to read as follows:

5 V. In developing the plan, the department shall solicit local input. The director shall also  
6 consult with the division of historical resources of the department of natural and cultural resources.  
7 The ~~[office of planning and development]~~ **division of planning and community development**  
8 shall provide the director of parks and recreation with such information on the recreational needs of  
9 the state and other technical assistance as is necessary for the division to properly perform its  
10 responsibilities under this section.

11 10 Water Management and Protection; General Provisions; Authority of Commissioner. Amend  
12 RSA 481:3, X-a to read as follows:

13 X-a. To provide technical assistance to the ~~[division of economic development of the~~  
14 ~~department of business and economic affairs when the division]~~ **department of business and**  
15 **economic affairs when the department** requests such assistance in the promotion or development  
16 of a hydro-energy project;

17 11 Water Management and Protection; New Hampshire Rivers Management and Protection  
18 Program; River Corridor Management Plans. Amend RSA 483:10, I to read as follows:

19 I. The rivers coordinator shall provide technical assistance to local river management  
20 advisory committees, regional planning commissions, and municipalities, and shall encourage the  
21 development and implementation of local river corridor management plans pursuant to RSA 483:8-a,  
22 III(c). In developing these plans, the department shall coordinate with the department of natural  
23 and cultural resources, the department of fish and game, the ~~[office of planning and development]~~  
24 **division of planning and community development**, the department of agriculture, markets, and  
25 food, the department of transportation, the department of safety, and the division of historical  
26 resources.

27 12 Water Management and Protection; Shoreland Water Quality Protection Act; Enforcement by  
28 Commissioner; Duties. Amend RSA 483-B:5, I to read as follows:

29 I. The commissioner, with the advice and assistance of the ~~[office of planning and~~  
30 ~~development]~~ **division of planning and community development**, department of natural and  
31 cultural resources and department of agriculture, markets, and food, shall enforce the provisions of  
32 this chapter.

33 13 Water Management and Protection; Shoreland Water Quality Protection Act; Shoreland  
34 Exemptions. Amend RSA 483-B:12, III to read as follows:

35 III. With the advice of the ~~[office of planning and development]~~ **division of planning and**  
36 **community development**, the commissioner shall approve or deny the request for an exemption  
37 and shall issue written findings in support of his decision. A request for an exemption shall be

SB 502-FN - AS AMENDED BY THE SENATE

- Page 5 -

1 approved only if the municipality demonstrates, using the evidence required under paragraph II,  
2 that special conditions of urbanization exist along the portion of shoreland to be exempted.

3 14 New Paragraph; New Hampshire Retirement System; Independent Investment Committee.  
4 Amend RSA 100-A:14-b by inserting after paragraph III the following new paragraph:

5 IV. Notwithstanding RSA 91-A or any other provision of law to the contrary, independent  
6 investment committee members shall be permitted to participate in meetings by telephone, video  
7 conference, or other electronic means, provided that any independent investment committee member  
8 so participating shall be able to be heard by and to hear every other member of the committee  
9 participating in the meeting and, unless the committee is meeting in a nonpublic session as  
10 permitted by RSA 91-A:3, shall be able to be heard by all members of the public attending the  
11 meeting. Voting members of the independent investment committee participating electronically  
12 shall be treated as present at the meeting for all purposes, including the establishment of a quorum.  
13 Any meeting at which one or more committee members are participating electronically shall be  
14 recorded verbatim by magnetic tape or otherwise, and such recording shall be made available for  
15 public inspection to the same extent as minutes of the meeting, provided that the accidental  
16 destruction of a recording or the accidental failure to record any meeting shall not invalidate any  
17 action taken at that meeting.

18 15 New Paragraph; New Hampshire Health Care Workplace Safety Commission; Duties.  
19 Amend RSA 151-J:2 by inserting after paragraph II the following new paragraph:

20 III. Notwithstanding RSA 91-A or any other law to the contrary, commission members shall  
21 be permitted to participate in meetings by video or telephone, provided that any member so  
22 participating shall be able to be heard by and to hear every other member of the commission  
23 participating in the meeting. Voting members participating by video or telephone shall be treated as  
24 present at the meeting for all purposes, including the establishment of a quorum.

25 16 New Paragraph; Department of Labor; Labor Commissioner; Penalty Appeal Board. Amend  
26 RSA 273:11-b by inserting after paragraph V the following new paragraph:

27 VI. The penalty appeal board shall be an administratively attached agency under RSA 21-  
28 G:10, to the department of labor, but shall operate independently from the department. The  
29 commissioner shall hire and appoint an administrator for the board from department of labor staff,  
30 who shall serve at the pleasure of the commissioner. The administrator shall perform all the  
31 administrative duties of the board, including but not limited to, scheduling the docket, record  
32 keeping, providing liaison between the public and board members, conducting board meetings, and  
33 assigning committees to address regulatory, legislative and policy issues.

34 17 Safety and Health of Employees; Generally; Elevator Law. Amend RSA 277:1-a to read as  
35 follows:

36 277:1-a Elevator Law. The provisions of **RSA 157-A and** RSA 157-B also apply to all places  
37 covered by RSA 277:1.

**SB 502-FN - AS AMENDED BY THE SENATE**

**- Page 6 -**

- 1 18 Repeals. The following are repealed:
- 2 I. RSA 187-A:31, relative to the innovation research center grant program.
- 3 II. RSA 187-A:33-b, relative to fees collected by the innovation research center.
- 4 19 Effective Date. This act shall take effect 60 days after its passage.

LBA  
26-2098  
02/04/2026

**SB 502-FN- FISCAL NOTE**  
**AS AMENDED BY THE SENATE (AMENDMENT # 2026-0116s)**

AN ACT            removing references to the department of business and economic affairs and the office of planning and development, and makes various changes to how certain committees and commissions participate or operate.

**FISCAL IMPACT:**

This bill removes references to the Department of Business and Economic Affairs and the Office of Planning and Development, relative to the Department of Energy, to which will have no fiscal impact. This bill also create a Penalty Appeal Board administratively attached to the Department of Labor, which the Department of Labor states will have no fiscal impact is this is aligning the Department's current process with law. Additionally, this bill repeals the state-funded grant program and fees for the NH Innovation Research Center (NHIRC) established at the University System of New Hampshire. This will also have no fiscal impact as funding for this program was discontinued in 2021, and the NHIRC has been closed to research applications since that time.

**AGENCIES CONTACTED:**

Department of Labor and University System of New Hampshire