

Senate Election Law and Municipal Affairs Committee

Jessica Bourque 271-2104

HB 164-FN, relative to local records retention.

Hearing Date: March 3, 2026

Time Opened: 9:15 a.m.

Time Closed: 9:24 a.m.

Members of the Committee Present: Senators Gray, Lang, Rochefort and Long

Members of the Committee Absent: Senator Perkins Kwoka

Bill Analysis: This bill funds and equips the local government record manager with online storage of records that are available for public access.

Sponsors:

Rep. Alexander Jr.

Rep. Lynn

Rep. Kuttab

Rep. Berch

Sen. Innis

Sen. Murphy

Who supports the bill: Senator Dan Innis, Sarah Burke Cohen (NH Municipal Association), Josh Yokela, Cory Stone, Gerry Panuczak, Daniel Richardson

Who opposes the bill: Carol Morrison, Jennifer Favreau

Summary of testimony presented:

Sen. Lang introduced the bill on behalf of the Prime Sponsor.

Former Representative Josh Yokela, Fremont

- He was the original prime sponsor of this legislation in 2024 when he was a representative, but Rep. Alexander later took over it.
- Collaborated with the Secretary of State's office and the NH Municipal Association to find ways to ease the burden on municipalities when fulfilling Right to Know (RTK) requests while maintaining transparency for the public.
- This bill proposes creating a website at the State Archives that standardizes and digitizes information.
- The idea is that municipalities could submit the information to the archives, allowing the public to access it without needing to request it from the towns.
- This has passed the Senate and the House before, but the obstacle has been the costs associated with creating this position. As he remembers it, the cost would be about \$150,000.

Senator Long asked if, when an RTK is sent to a municipality, the municipality would then refer the requester to the website.

Mr. Yokela said this would replace the municipality's need to fulfill the request. So yes, they would direct them to the website.

Senator Lang asked about 91-A requests, noting that towns must ensure all information is uploaded to the site; otherwise, there will always be a potential for a 91-A request locally. He asked if this is the case, wouldn't that now involve both the state archivists' records and those of the municipality?

Mr. Yokela said this option allows municipalities to ease their workload by not having to handle those documents that have been uploaded to the website. They would still be responsible for documents that haven't been uploaded to the website.