

NEW HAMPSHIRE
DEPARTMENT OF STATE



William M. Gardner
Secretary of State

Robert P. Ambrose
Senior Deputy Secretary of State
David M. Scanlan
Deputy Secretary of State

October 22, 2018

His Excellency Governor Christopher T. Sununu
and the Honorable Executive Council
State House
Concord, NH 03301

Your Excellency and Members of the Honorable Council:

I respectfully submit the Department of State's Annual Report for the period July 1, 2017 through June 30, 2018.

Sincerely,

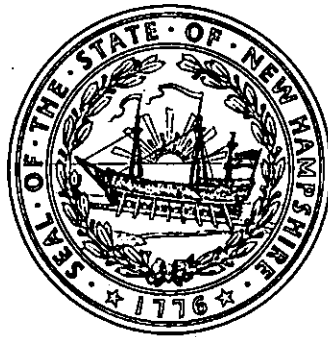
A handwritten signature in black ink, appearing to read "Wm Gardner".

William M. Gardner
Secretary of State

STATE OF NEW HAMPSHIRE

Department of State

Annual Report 2018



DEPARTMENT OF STATE
Programs, Services and Functions

ADMINISTRATION

- Keeper of Great Seal, attests Governor's signature and affixes the seal to all official documents. (RSA 5:5)
- Engrossing private acts. (RSA 5:10; 14:8)
- Attends Governor and Council meetings, records minutes, keeps register of all actions of Governor and Council. (Const. of N.H., Pt. 2, Art. 68)
- Prepares extradition and rendition papers. (RSA 612:23)
- Receives and keeps on file any filings made pursuant to: RSA 5-B Pooled Risk Management, RSA 447 Mechanics Liens, RSA 359-D Credit Service Organizations, and RSA 53-A Agreements between Governmental Units.
- Performs certain clerical responsibilities for the Ballot Law Commission and Board of Claims. (RSA 5:13)
- Prepares and issues all Notary Public and Justice of the Peace Commissions as well as Commissioner of Deeds Commissions. (RSA 5:10 and 456-B)
- Prepares commissions for persons appointed to special boards by Governor and Council. (RSA 5:10)
- Issues special marriage licenses for out-of-state ministers and priests to perform marriages in this state. (RSA 457:32)
- and for unordained ministers. (RSA 457:31)
- Issues special marriage licenses for judges.
- Issues Itinerant Vendor licenses. (RSA 321:4)
- Issues licenses for Bonded Warehouses. (RSA 348)
- Issues Hawker and Peddler licenses. (RSA 320:8)
- Indexes and files highway records. (RSA 233:16, 17; 228:4)
- Records all Treasury bonds and notes.
- Files city charters. (RSA 44:1-a)
- Files names, powers and boundaries of village districts. (RSA 52:24)
- Files records of perambulation of town lines. (RSA 51:4)
- Maintains file of private detective surety bonds. (RSA 106-E:5)
- Licenses Auctioneers. (RSA 311-A:4, 7)
- Receives claims for Board of Claims and makes payment to approved claimants (RSA 541-B)
- Records Athlete Agents (RSA 332-J)
- Issues Apostilles and Certificates (RSA 5-C)
- Lobbyists – registers lobbyists
- Records lobbyists reports filed quarterly (receipts and expenditures) (RSA 15)
- Prepares Justice of the Peace and Notary Public Manual with approval of Attorney General (RSA 455:17) {79 pages}
- Receives and keeps on file all Registrations and Annual Reports for Petroleum Sales Prepaid Contracts (RSA 339:79)

ELECTIONS/LEGISLATIVE DIVISION

- Administers state elections, prints ballots and election forms, instructs local election officials. (RSA 652-668)
- Prepares forms, and keeps on file receipts and expenditures filed under RA 664; Gifts & Honorariums filed by RSA 15-B, and Financial Disclosure form required by Ethics Committee (RSA 14-B, RSA 15-A and RSA 12-G)
- Serves legislature as required, engrosses all bills passed by the legislature, keeps permanent files of all bills introduced. (Const. of N.H., Pt. 2, Art. 68)
- Prepares forms & records reported by Boards & Commissions (RSA 21-G)
- Publishes the Manual for the General Court (Red Book). (RSA 20:5) {724 pages}
- Publishes the New Hampshire Election Laws (RSA 39,40, 655-671) {339 pages}
- Prepares and distributes with the approval of the Attorney General the Political Calendar {20-26 pages} and the Election Procedure Manual {183 pages}.
- Receives filings of candidacy for all political offices at Presidential Primary, Direct Primary and General Elections and Special Elections. (RSA 655:19, 48)
- Reviews and approves all proposed amendments on revisions to municipal charters for conformity with state law. (RSA 49-B)
- Complies with mandates in the Federal Help America Vote Act (HAVA) Public Law 107-252, 42 U.S.C. {63 pages}

CORPORATE DIVISION/BUREAU OF SECURITIES REGULATION

- Reserves names of corporations. (RSA 293-A)
- Examines and records all corporations, issues corporate charters, receives annual returns from all corporations doing business in the state. (RSA 293-A, 56)
- Collects annual return and franchise fees from all corporations. (RSA 293-A, 293:138, 139, 141)

- Prepares list of corporations delinquent for two years or more for dissolution purposes. (RSA 293-A)
- Records voluntary corporations and notifies same of return due every five years; publishes list of those that fail to file. (RSA 292)
- Keeps records of all foreign partnerships, collects fees. (RSA 305-A)
- Notifies all foreign partnerships that may have failed for two consecutive years to pay the fees required that they will be suspended as provided in RSA 305-A.
- Records trademarks, labels and log marks. (RSA 350:3, 453:1)
- Registers trade names and issues certificates for same. Notifies registrants of expiration date. (RSA 349)
- Issues certificates under seal. (RSA 5:10)
- Records filings under Uniform Commercial Code. (RSA 382-A, 402, 403)
- Receives service of process on corporations (RSA 406-B; RSA 510:4)
- Keeps records of all Investment Trusts (RSA 293-B)
- Keeps records of professional corporations (RSA 294-A)
- Keeps records of Limited Liability Partnerships (RSA 304-A)
- Keeps records of Limited Partnerships (RSA 304-B)
- Keeps records of Limited Liability Corporations (RSA 304-C)
- Keeps records of Professional Limited Liability Corporations (RSA 304-D)
- Keeps records of Health Service Corporations (RSA 420-A)
- Provides for annual licensing of agents, broker-dealers, and investment advisers. (RSA 421-B:7)
- Receives licensed broker-dealers financial statement each year. (RSA 421-B:8)
- Examines each domestic broker-dealer every 2 years, as well as the NH branches of any foreign broker-dealer. (RSA 421-B:9)
- Outline the certification process all new corporations, limited partnerships, and foreign corporations applying to do business in NH must complete. (RSA 421-B:13)
- Accepts financial statement required by corporations & partnerships with registered securities to file within 90 days of the close of the fiscal year. (RSA 421-B:15)
- Provides a fee schedule for licenses, renewals, and registrations. Annual fees are collected for open-end mutual funds. (RSA 421-B:31)
- Disclosure of Security Takeovers (RSA 421-A)
- Professional Bail Bondsmen & Bail Recovery Agent Statute (RSA 598-A)
- Pooled Risk Management Programs (RSA 5-B)

ARCHIVES/VITAL RECORDS/RECORDS MANAGEMENT

- Establishes and maintains programs for the orderly transferral, reference accessibility, and disposal of records with the various state agencies. (RSA 5)
- Accepts, arranges, describes and makes available to researchers the public archives of permanent historical value.
- Advises and assists state agencies and municipal officials with records retention programs. (RSA 5)
- Services the New Hampshire Historical Records Advisory Board. (RSA 5)
- Services the New Hampshire Municipal Records Board. (RSA 33-A)
- Provide access to vital records and vital records data while assuring the privacy of all New Hampshire citizens.
- Outline the confidentiality requirements for vital records.
- Set forth the procedures, conditions, and criteria for release of information regarding vital records data and statistics.
- Enforce the provisions of this chapter in regard to the collection, maintenance, and dissemination of vital records information.
- Provide guidance to data collectors pursuant to this chapter.
- Describe the informational requirements of the forms used by the division of vital records for the collection of vital records information.
- Establish, in conjunction with the department of health and human services, the procedures, conditions, and criteria for release of information regarding vital records data and statistics for health-related research pursuant to RSA 126:24-d.

DEPARTMENT OF STATE
RECEIPTS and EXPENDITURES
ADMINISTRATION and ELECTIONS

Expenditures

	As of June 30, 2017	As of June 30, 2018
1. Permanent Personnel	\$373,846	\$396,472
2. Current Expense	27,603	28,849
3. Equipment	-0-	-0-
4. Other Personal Services	3,997	3,380
5. Benefits	158,759	171,785
6. Travel In-State	-0-	-0-
7. Travel Out-of-State	-0-	324
8. Computer Expenses	-0-	-0-
9. Elections*	208,684	54,554
10. Red Book**	29,620	-0-
TOTAL	\$802,509	\$655,364

Receipts

1. Fees and Registrations	\$49,414,523	\$47,931,927
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*State primary and general election held every other year.

**Red Book is printed biennially in the odd numbered years.

Elections Annual Report – FY 2018

In FY 2018, the Secretary of State, in cooperation with local election officials, continued to implement new voter ID laws in state and municipal elections that required verifiable actions of domicile and instituted further affidavit inquiries, provided training to 1,729 election officials, staff and poll workers, prepared for the September, 2018 State Primary and the November, 2018 General Election. Office resources were devoted to implementing a new accessible voting system, conducting follow-up and inquiry on voter affidavits at the newly required level of detail, and revising and executing election management software for the 2018 election cycle.

In cooperation with local election officials, the office analyzed and followed up on 245 challenged voter affidavits, 338 domicile affidavits, 174 sworn statements of domicile, and 18 qualified voter affidavits signed by voters in the second half of 2017. The office analyzed and followed up on 173 challenged voter affidavits, 141 sworn statements of domicile, and 31 qualified voter affidavits signed by voters in the first half of 2018. The office sent at least 5 separate batches of letters to 255 affidavit signers in the second half of 2017, and prepared to send 3 separate batches of letters to 314 affidavit signers in the first half of 2018, and, with the help of the new office established for inquiries in these matters, provided extensive follow-up and reports on voter responses, reporting to the Legislature, the Attorney General, and the Department of Motor Vehicles, as required by law.

Using the statewide voter registration system (ElectioNet), an election management system, web reporting tools, and training programs to carry out the Help America Voter Act (HAVA), the Military and Overseas Voter Empowerment (MOVE), and implement 2017 election legislation to require verifiable actions of domicile and inquire further into affidavit follow-ups, the Secretary of State:

- a. Implemented an increasingly robust election management system that can more efficiently produce 11,520 ballots (960 ballots in the State Primary plus 320 ballots in the General Election X 9 distinct ballot formats) in an election cycle - printer-ready ballots, UOCAVA ballots, accessible voting system voice improvements, accessible voting system ballots-on-demand, accessible voting system pre-printed ballots, up-to-date candidate lists, and reports of election results, thereby ensuring compliance with federal and state laws;
- b. Prepared to program candidate and column rotations, distribute candidates' data to ballots, updated procedures and reports, improved one4all accessible voting system that relies on commercial off-the-shelf hardware and open source software;
- c. Implemented procedures, reports, and training to comply with the requirement to scan the checklist and report the state of out-of-state drivers' licenses on checklist;

- d. Implemented procedures, software, reports, and training to comply with the requirement to require individuals to submit verifiable action of domicile when they register to vote, establishing new follow-up methods.
- e. Upgraded ElectioNet software to integrate new laws and improved procedures, July 2017 – June, 2018
 - 1) Out-of-State Driver's Licenses update to report in ElectioNet (from manual approach)
 - 2) Application displaying State Special Elections – only in Districts
 - 3) Added Libertarians to Statewide Voter Registration System (ElectioNet) and Election Management System (ERT)
 - 4) ERT: Added 4 – column rotation
 - 5) ERT: Capability to wrap long candidate names – right and left justified
 - 6) Senate Bill 3 (2017): Voter registration form changes & Verifiable Actions of Domicile Reports
 - 7) New code for Removed/Merged Voters
 - 8) NHVRIN Death notice update – only going to the town where deceased is a registered voter
 - 9) Report screen updates same in Production and UAT applications

To ensure compliance with federal and state election laws, the Secretary of State maintains and provides training to election officials in 13 different formats and programs aimed at roughly 6,000 election officials, focusing separately on the roles of moderators, clerks, supervisors of the checklist, selectmen, and inspectors of election:

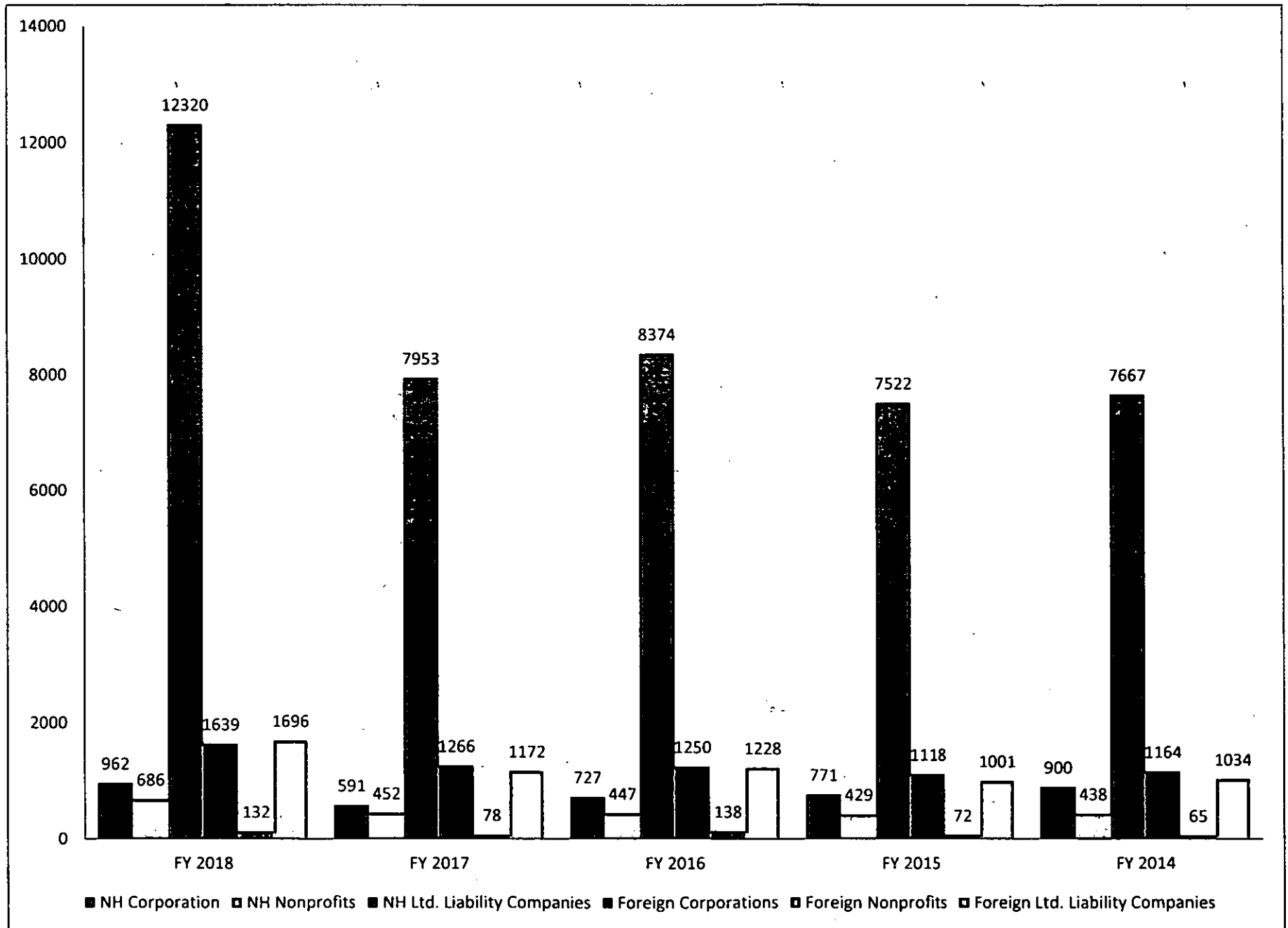
- (1) Clerks' Regional Spring Workshops (5 sessions in May and June of 2018);
- (2) Spring training on ElectioNet (11 sessions in March and April of 2018), computer training for 178 users;
- (3) NHVotes On-line Training - Substantial update of 2,000+ slides to reflect changes in election laws;
- (4) Fast and Curious ElectioNet computer training, advanced training for clerks and their staff, with 401 individuals trained at HAVA computer training room;
- (5) Senate Bill 3 training in late 2017 and early 2018, including new forms software, procedures, with 644 in attendance at different locations around the state;
- (6) Annual Conference of New Hampshire City and Town Clerks Association (September, 2017) with at least 210 in attendance;
- (7) Began work on Election Procedure Manual 2018-2019 published (300 pages) for all election officials;
- (8) Updated and improved comprehensive written and graphic how-to instructions, forms and procedures compiled and updated in ElectioNet/Help/Instructions;
- (9) New Clerks' Training (April, 2018), with 25 clerks and clerks' staff in attendance;

- (10) Clerks' Certification Training (August, 2017) using NHVotes On-line Training format, with 9 clerks and clerks' staff in attendance;
- (11) Secretary of State's election website (new forms and procedures each year), reflecting changes in law and court decisions;
- (12) Direct communications and new forms implementing Senate Bill 3 (verifiable action of domicile in order to register), updated affidavits and voter registration forms, Ballot Clerk Procedure, MOVE Act notices, HAVA reporting, ElectioNet changes.

**STATE OF NEW HAMPSHIRE
OFFICE OF THE SECRETARY OF STATE
CORPORATION DIVISION AND UNIFORM COMMERCIAL CODE SECTION
NEW BUSINESS CREATIONS**

<u>FILING TYPE</u>	<u>FY2018</u>	<u>FY2017</u>	<u>FY2016</u>	<u>FY2015</u>	<u>FY2014</u>
<u>New Hampshire</u>					
Corporations	962	591	727	771	900
Nonprofits	686	452	447	429	438
Ltd. Liability Companies	12320	7953	8374	7522	7667
Trade Names	7676	6147	6037	6050	6547
Trade Name Renewals	6037	6118	5370	5308	4973
Limited Partnerships	38	25	23	28	22
Trademarks	209	119	99	164	176
Ltd. Liability Partnerships	90	40	26	38	49
<u>Foreign</u>					
Corporations	1639	1266	1250	1118	1164
Nonprofits	132	78	138	72	65
Ltd. Liability Companies	1696	1172	1228	1001	1034
Ltd. & General Partnerships	32	23	18	21	12
Ltd. Liability Partnerships	19	12	8	6	5
<u>Uniform Commercial Code</u>					
Initial Filings	14264	18104	17713	16201	13990
Searches	13730	13430	16550	16992	16336
<u>Total Revenues (Unrestricted)</u>					
(000's)	4064	4205	4396	4347	4032

Corporation Division and Uniform Commercial Code Section



DIVISION OF ARCHIVES & RECORDS MANAGEMENT
FY 2018 Annual Report

Receipts and expenditures

Receipts:

All money received is included in the receipts reported by the Department of State.

Expenditures – General Fund

	As of June 30, 2018	As of June 30, 2017
010 & 011 Permanent personnel	\$261,149.60	\$248,167.90
020 Current expense	\$13,608.92	\$15,954.64
022 Rents/Lease other than State	\$617.16	\$2,000.00
024 Maintenance, other than Bldg/Grounds	-0-	-0-
026 Organizational Dues	\$1,000.00	\$1,000.00
030 Equipment	\$315.00	-0-
050 Other Personnel Services	\$21,098.19	\$31,055.64
060 Benefits	\$130,420.91	\$132,850.33
073 Grants Non Federal	-0-	-0-
080 Travel Out-of-State	-0-	-0-
TOTAL	\$428,209.78	\$431,028.51

Personnel Data

Unclassified	1	1
Classified Permanent	5	5
Temporary	1	1
Summer Interns	1	1

Records Transactions (Individual Files)

	As of June 30, 2018	As of June 30, 2017
Public & Agency Records Pulled	5489	5138
Public & Agency Records Refiled	4501	5971

Box of Records Transferred

Box Count at start of Fiscal Year	75124	78950
Cubic Feet Acquired (1 box = 1 cu. ft.)	1000	+3412
Cubic Feet Destroyed	3000	-7148
Box Count at End of FY at Records Center	73214	75214

Public Interaction

Visitors	856	619
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Acquisitions to the Records Collections added in FY 2018 include the following:

Microfilm of Town records (due to Moose Plate Grants):

Alstead
Auburn
Exeter
Manchester
Newport
Tamworth
Strafford County (Pauper records)

Other archival collections

Railroad plans
Aerial Photographs (Eastern Topo)
Survey Records (John Preston)
Survey Records (Norman Draper)
Walter Putnam Photograph Collection
Dunlap Photo Service Photograph Collection
Mary Louise Hancock Personal Papers

County Records

Hillsborough County Superior Court

Construction

Construction began at the beginning of April for the building of the new addition, the moving of Industrial Drive, the enlargement of the parking lot, the movement of the Lafayette Posts, and the renovation of the imaging lab

FamilySearch imaging

FamilySearch volunteers did not complete the Hillsborough County Probate records, but halted their operation due to space constraints as a result of the construction.

Brian Burford spoke to the NH Law Librarians on the subject of FUNDAMENTALS OF ARCHIVING in September. He spoke to the NH Archives Group and to the NH-VT Interlibrary Loan Assoc. in October on the subject to PRESERVING DIGITAL RECORDS. And he also spoke to the Meredith Historical Society in May of the subject of the MEREDITH PROPRIETORS AND THEIR ORIGINAL SETTLEMENT OF THE TOWN.

BUREAU OF SECURITIES FY 2018 ANNUAL REPORT

The Bureau of Securities once again had a very active year in the areas of licensing & registration, as well as handling of investor complaints and enforcement actions. In 2018, combined in-state and out-of-state broker-dealer agent registrations exceeded 108,000. Total revenues of \$43m for all registration types including investment advisors, broker dealers, mutual funds, and a variety of securities filings demonstrates a healthy securities industry in the state. The Bureau's audit team continues to conduct unannounced visits to registered offices to ensure licensee compliance with the N.H. Uniform Securities Act. Investor Education remains a priority for the Bureau. It is engaged in a variety of public outreach presentations throughout the State, with particular focus on Senior investor issues and fraud prevention. Staff members regularly appear radio programs with state-wide coverage promote safe investing. Bureau staff is also actively involved with the North American Securities Administrators Association serving on variety of committees and project groups focusing on enforcement training, cybersecurity, and investment advisory practices. The Bureau continues to actively participate as a member of an inter-agency working group of financial services regulators to improve inter-agency cooperation and information sharing.

	<u>REVENUE</u>	<u>EXPENSES</u>	<u>FINES</u>
2017	\$44,598,110	\$1,704,169	\$8,465,877
2018	\$43,252,717	\$1,000,470	\$1,142,447

THE DIVISION OF VITAL RECORDS FY 2018 ANNUAL REPORT

The Division of Vital Records Administration oversaw and completed the registration of several different kinds of life events. For the time interval between July 1, 2017, and June 30, 2018 (hereinafter "FY 2018"), the number and types of New Hampshire vital events/records saved in the state database are as follows:

Births	11,954
Deaths	12,390
Marriages	9,410
<i>Opposite gender</i>	9,121
<i>Same gender</i>	289
Divorces	3,807
Legal separations	56
Annulments	14
Civil Union dissolutions	0

The total revenue for FY 2018 was \$177,764.00. This revenue represents 12,971 certificates issued by DVRA staff. This includes 9221 first copies, 3557 additional copies, 13 heirloom birth certificates, and 89 certificates of foreign birth. Demand for pre-adoption records during that time interval stood at 91 requests. DVRA produced an additional 123 vital records for the Vermont Office of Child Support through a pre-paid contract with that office.

A mobile app which will allow death certifiers to certify death certificates from their mobile devices rather than a desktop computer, and created with the assistance of CNSI (the software vendor who created NHVRIN), named the electronic Cause Of Death (eCOD), went live in July 2017. DVRA received funding from the CDC for the development of eCOD for two years until August 2017. Members of the Office of the Chief Medical Examiner (OCME) have received this app and have certified hundreds of deaths with it. This app will be introduced during the next several months to death certifiers who work in hospitals and nursing homes.

DVRA is receiving funding to take eCOD to US jurisdictions who want their death certifiers to expedite the death certification process. The national platform is called the National electronic Cause Of Death (NeCOD). Funding for NeCOD from the CDC will end in September 2018. NeCOD has been demonstrated to several jurisdictions who have been impressed with this app.

DVRA has working with the CDC on a plan to improve the timeliness of death registration and the quality of death data since July 2016. In December 2017, in partial fulfillment of that contract, a Mortality Surveillance Agent (MSA) was hired, which has already yielded positive results. This contract was to last only two years, but an eight-month no-cost extension was implemented in February 2018, thus funding for this contract is expected to end in the spring.

Vital Records Expenditures – General Fund

	<u>June 30, 2017</u>	<u>June 30, 2018</u>
1. Permanent Personnel	\$364,951	\$347,935
2. Current Expense	11,519	12,780
3. Equipment	-0-	-0-
4. Other Personal Services	46,067	45,786
5. Benefits	160,165	142,720
6. Travel In-State	-0-	-0-
7. Travel Out-of-State	-0-	-0-
TOTAL	\$582,702	\$549,221