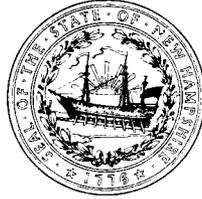


NEW HAMPSHIRE  
DEPARTMENT OF STATE

3E

**William M. Gardner**  
*Secretary of State*



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

May 4, 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, 2016 through June 30, 2017.

Sincerely,

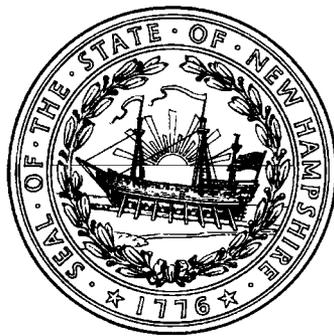
A handwritten signature in black ink, appearing to read "Wm Gardner".

William M. Gardner  
Secretary of State

# STATE OF NEW HAMPSHIRE

## Department of State

*Annual Report 2017*



**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**

- 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)

## **ARCHIVES & 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)

## **SECURITIES REGULATION**

- 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)

## **VITAL RECORDS**

- 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, 2016	As of June 30, 2017
1. Permanent Personnel	\$368,842	\$373,846
2. Current Expense	28,554	27,603
3. Equipment	-0-	-0-
4. Other Personal Services	4,071	3,997
5. Benefits	160,035	158,759
6. Travel In-State	101	-0-
7. Travel Out-of-State	-0-	-0-
8. Computer Expenses	-0-	-0-
9. Elections*	152,846	208,684
10. Red Book**	-0-	29,620
<b>TOTAL</b>	<b>\$795,045</b>	<b>\$802,509</b>

Receipts

1. Fees and Registrations	\$49,141,252	\$49,414,523
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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 2017**

In FY 2017, the Secretary of State, in cooperation with local election officials, continued to implement new voter ID laws in state and municipal elections, provided training to 1,719 election officials, staff and poll workers, executed the September, 2016 State Primary and the November, 2016 General Election. Office resources were devoted to implementing a new accessible voting system, conducting follow-up on voter affidavits, and revising and executing election management software for the 2016 election cycle.

In cooperation with local election officials, the office analyzed and followed up on 1,423 challenged voter affidavits, 6,033 domicile affidavits, and 764 qualified voter affidavits signed by voters in the second half of 2016. The office analyzed and followed up on 153 challenged voter affidavits, 338 domicile affidavits, and 7 qualified voter affidavits signed by voters in the first half of 2017. The office sent 3 separate batches of letters to the 8,220 affidavit signers in the second half of 2016, and 3 separate batches of letters to the 498 affidavit signers in the first half of 2017, and 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 2016 election legislation, the Secretary of State:

- a. Implemented an increasingly robust election management system that can more efficiently produce 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 deadlines;
- b. Programmed candidate and column rotations, distributed candidates' data to ballots, prepared procedures and reports, delivered equipment and rolled out training for new one4all accessible voting system relying on commercial off-the-shelf hardware and open source software;
- c. Trained clerks and provided posters to educate voters about a Secretary of State website that enables voters to: (i) determine whether they are registered to vote, (ii) find their clerk, polling place location and official polling hours, (iii) determine their absentee ballot status if they are an absentee voter, (iv) if their absentee ballot has been rejected, ascertain the reason for the rejection; and (v) view their own ballot in the coming election.
- d. Implemented procedures, reports, and training to comply with the requirement to record and report the state of out-of-state drivers' licenses on checklist, and to

- implement the requirement to take pictures of those who do not present photo IDs or get verified by election officials at the polls in order to vote;
- e. Using ElectioNet, the office had found 21,599 possible duplicate voters on local checklists (including 11,325 voters that are active and 10,273 voters that have been removed), created new software interface to reduce duplicate creation, and followed up on duplicates;
  - f. Worked with moderators, selectmen, and clerks to upgrade and modify polling places as needed to ensure that all of the state's polling places are accessible, relying on up to 50 inspectors from the Attorney General's office to personally monitor and report on 2016 election day compliance.
  - g. Upgraded ElectioNet software to integrate new laws and improved procedures:
    - a. UOCAVA new voter: added dropdown in Voter Registration for military or domestic (was in absentee ballot module)
    - b. Matched NHRVIN Death Records System Reminders & Report
    - c. Updated Qualified Vote Affidavit ("QVA") reports to reflect special elections
    - d. Fixed Challenged Voter Affidavit ("CVA") reports, which had been doubling numbers for special elections
    - e. Added Libertarians to ElectioNet voter registration module; all reports updated to reflect Libertarian party status
    - f. Print voter registration card updated to reflect "current status"
    - g. System Reminders: Updated voters moved out of city/town to display 100 voters/page; print list for all labels in alpha order of last name – same as report
    - h. System Reminders: Pending removal voter screen:
      - i. Added pagination for all screens to look alike
      - ii. Added "Change Reason" to "Print List"
    - i. Undeclared re-registration: Updated report to include ""LIB" (Libertarian)
    - j. Added column to Challenged Voter Affidavit (CVA) report to reflect the election they signed the CVA for
    - k. Updated and reworked 30-day letter process
    - l. Added new role numbers to reflect Deputy Town Clerk, Assistant Town Clerk, and Assistant Supervisor of the Checklist
    - m. Updated DMV license field to reflect new drivers' license formatting
    - n. Updated "Return to Undeclared" report, not to include confidential voters
    - o. Updated new voter registration form, printed to show "New Voter" or "Transfer from NH town"

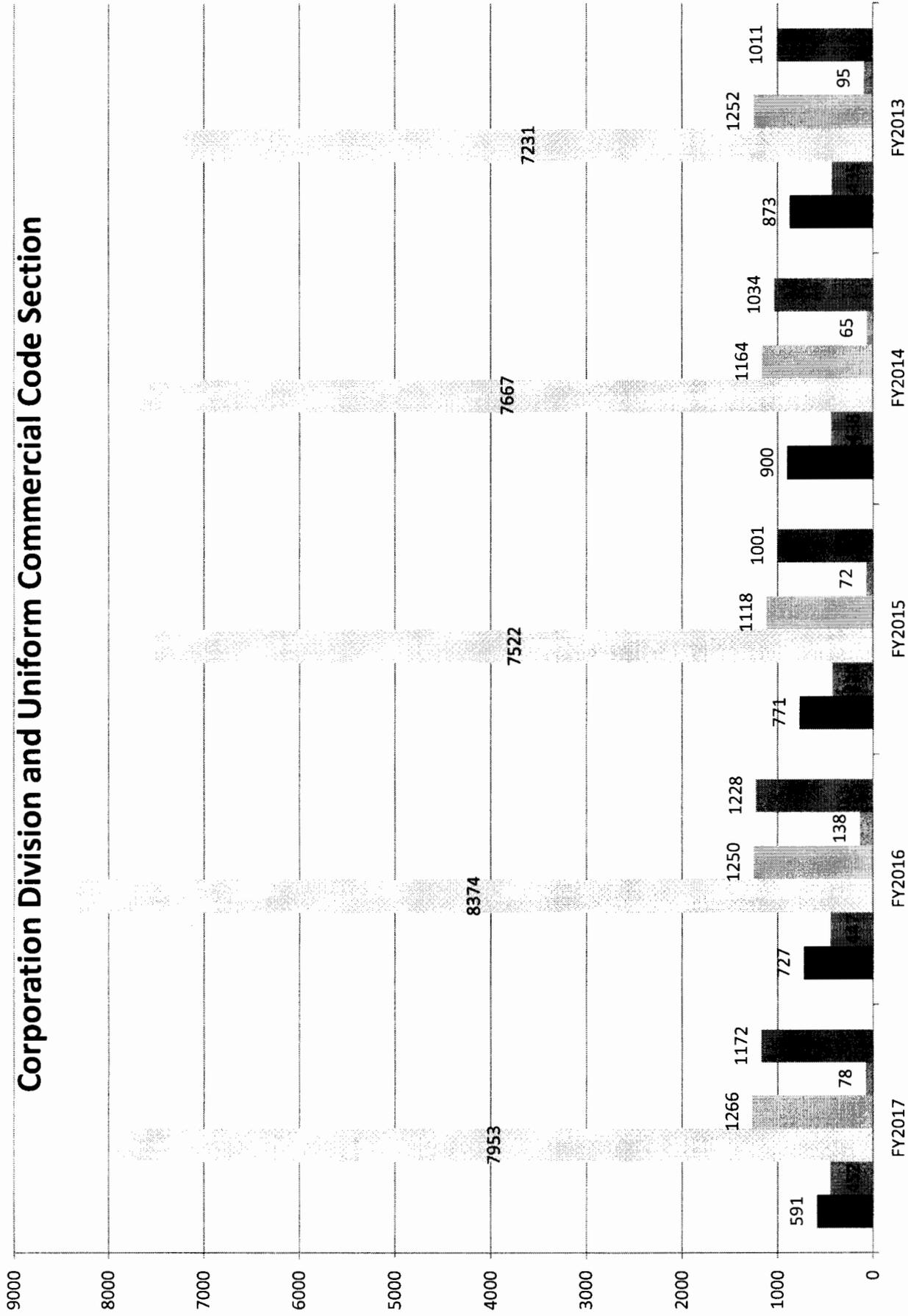
To ensure compliance with federal and state election laws, the Secretary of State maintains and delivers 13 different election officials training formats and programs aimed at roughly 6,000 election officials, focusing separately on the roles of moderators, clerks, supervisors of the checklist, selectmen,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

- (1) Clerks' Regional Spring Workshops (5 sessions in May and June of 2017);
- (2) Spring training on ElectioNet (12 sessions in March and April of 2017), trained 127 users among 1,217 users in ElectioNet;
- (3) 2016 Election Law Training - 12 sessions in Summer of 2016, reaching 216 towns and training 1060 individuals (moderators, clerks, supervisors of the checklist, selectmen, and ballot clerks);
- (4) NHVotes On-line Training - Partial update of 2,000+ slides to reflect changes in election laws;
- (5) Annual Conference of New Hampshire City and Town Clerks Association (October 19 – 21, 2016) with at least 218 in attendance;
- (6) Election Procedure Manual 2016 – 2017 published (189 pages) for all election officials;
- (7) Comprehensive written and graphic how-to instructions, forms and procedures compiled and updated in ElectioNet/Help/Instructions;
- (8) New Clerks' Training (April, 2017), with 23 clerks and clerks' staff in attendance;
- (9) Clerks' Certification Training (August, 2016) using NHVotes On-line Training format, with 10 clerks and clerks' staff in attendance;
- (10) Secretary of State's election website (new forms and procedures each year);
- (11) Direct communications and new forms implementing photo ID, updated affidavits, Ballot Clerk Procedure, Camera Procedure, MOVE Act notices, HAVA reporting, ElectioNet changes, importing disk files to Excel, and FPCA flowchart.

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

<b><u>FILING TYPE</u></b>	<b><u>FY2017</u></b>	<b><u>FY2016</u></b>	<b><u>FY2015</u></b>	<b><u>FY2014</u></b>	<b><u>FY 2013</u></b>
<b><u>New Hampshire</u></b>					
Corporations	591	727	771	900	873
Nonprofits	452	447	429	438	435
Ltd. Liability Companies	7953	8374	7522	7667	7231
Trade Names	6147	6037	6050	6547	6419
Trade Name Renewals	6118	5370	5308	4973	4830
Limited Partnerships	25	23	28	22	21
Trademarks	119	99	164	176	165
Ltd. Liability Partnerships	40	26	38	49	38
<b><u>Foreign</u></b>					
Corporations	1266	1250	1118	1164	1252
Nonprofits	78	138	72	65	95
Ltd. Liability Companies	1172	1228	1001	1034	1011
Ltd. & General Partnerships	23	18	21	12	25
Ltd. Liability Partnerships	12	8	6	5	12
<b><u>Uniform Commercial Code</u></b>					
Initial Filings	18104	17713	16201	13990	12188
Searches	13430	16550	16992	16336	17525
<b><u>Total Revenues (Unrestricted)</u></b>					
(000's)	4205	4396	4347	4032	4019

# Corporation Division and Uniform Commercial Code Section



NH Corporations
  NH Nonprofits
  NH Ltd. Liability Companies
  Foreign Ltd. Liability Companies

DIVISION OF ARCHIVES & RECORDS MANAGEMENT  
FY 2017 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, 2017	As of June 30, 2016
010 & 011 Permanent personnel	\$248,167.90	\$204,836.96
020 Current expense	\$15954.64	\$17,245.29
022 Rents/Lease other than State	\$2,000.00	\$1,964.94
024 Maintenance, other than Bldg/Grounds	-0-	-0-
026 Organizational Dues	\$1,000.00	-0-
030 Equipment	-0-	\$232.85
050 Other Personnel Services	\$31,055.64	\$38,199.42
060 Benefits	\$132,850.33	\$97,717.73
073 Grants Non Federal	-0-	-0-
080 Travel Out-of-State	-0-	-0-
<b>TOTAL</b>	<b>431,028.51</b>	<b>360,197.19</b>

Personnel Data

Unclassified	1	1
Classified Permanent	5	5
Temporary	1	2
Summer Interns	1	1

Records Transactions (Individual Files)

	As of June 30, 2017	As of June 30, 2016
Public & Agency Records Pulled	5138	7391
Public & Agency Records Refiled	5971	3120

Box of Records Transferred

Box Count at start of Fiscal Year	78950	78103	
Cubic Feet Acquired (1 box = 1 cu. ft.)	+3412	+ 3547	
Cubic Feet Destroyed	-7148	- 2700	
Box Count at End of Fiscal Year at Records Center (capacity 82,769)	75214	78950	

Public Interaction

Visitors	619	753	
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**Acquisitions to the Records Collections added in FY 2017** include the following:

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

- Manchester
- Newport
- Ossipee
- Unity

Other archival collections

- Charles Brereton Personal Papers
- Robert L. Stark Personal Papers
- Donald Duval Survey Records
- Donald Blanchard Survey Records
- Merrimack County Probate Files, 1823-1972
- Railroad Survey Map Books

Construction Design of new addition, including box storage, new vault, and imaging center.  
Also renaming Industrial Drive to Ratification Way, and increasing parking.  
Design was brought to 75% level.

FamilySearch imaging

The NH State Archives continued to host Tim and Phyllis Mayville of Weare, who are imaging Probate Court Records.

Accepted 35 pallets of records from Dept of Transportation, Division of Turnpikes, who cancelled their contract with an EZ Pass vendor in New Jersey, and the vendor was returning past records.

## BUREAU OF SECURITIES FY 2017 ANNUAL REPORT

The mission of the Bureau of Securities Regulation is to administer and enforce the N.H. Securities Act, RSA 421-B and N.H. Risk Pools pursuant to RSA 5-B. Our focus is to protect and educate N.H. investors while promoting the integrity of securities sales and capital formation. 2017 was a very active period for the Bureau. In general, market conditions continue to improve, resulting in an increase of licensing and registration activity. As of January 1, 2017, 1,329 broker-dealer firms and 108,249 broker-dealer agents renewed licenses with the Bureau. 2,089 Investment Advisor firms and 4,231 Investment Advisor representatives also renewed during the period. Several major enforcement actions were initiated with resulting fines and penalties. Investor Education presentations were held throughout the state during the fiscal year including frequent staff appearances on radio and television to further educate the investing public. Bureau staff continues to be actively involved with the North American Securities Administrators Association, holding leadership positions on a variety of board level committees and project groups.

	<u>REVENUE</u>	<u>EXPENSES</u>	<u>FINES</u>
2016	\$43,079,522	\$975,237	\$1,998,759
2017	\$44,598,110	\$1,704,169*	\$8,465,877

\*due to the change in budget accounting structure in Securities beginning FY 2017, all three categories of expenditures were combined into a single aggregate amount

## THE DIVISION RECORDS OF VITAL RECORDS FY 2017 ANNUAL REPORT

The division oversaw and completed the registration of several different kinds of life events. For the time interval between July 1, 2016, and June 30, 2017 (hereinafter “FY 2017”), the number and types of New Hampshire vital events/records saved in the state database are as follows:

Births	12,210
Deaths	12,160
Marriages	9,254
<i>Opposite gender</i>	8,899
<i>Same gender</i>	355
Divorces	4,205
Legal separations	52
Annulments	8
Civil Union dissolutions	0

The total revenue for FY 2017 was \$170,140.00. This revenue represents 12,152 certificates issued by DVRA staff. This includes 9444 first copies, 2540 additional copies, 20 heirloom birth certificates, 91 certificates of foreign birth.

There were 600 adoptions completed during FY 2016. Demand for pre-adoption records during that time interval stood at 57 requests.

CNSI (the software vendor who created NHVRIN), Databank (a database solutions firm) and DVRA worked together during FY 2017 to bring approximately one million decades-old records into DVRA’s electronic database. CNSI and Databank worked with DVRA to correct any unusual or inconsistent values in Databank’s work. The data was imported into DVRA’s database in March 2017. DVRA continues to perform data quality edits on the imported records.

Since July 2015, DVRA has received funding from the Centers for Disease Control (CDC) to develop a mobile app which will allow death certifiers to certify death certificates from their mobile devices rather than a desktop computer. This application, named the electronic Cause Of Death (eCOD), was created with the assistance of CNSI. The expected go-live date for eCOD is July 2017. Funding from the CDC for the development of eCOD continues until just over two years from the award date. The final payment is expected to be received in August 2017.

DVRA is working with the CDC on two more projects: a plan to improve the timeliness of death registration and the quality of death data, and a plan to take eCOD to US jurisdictions who want their death certifiers to expedite the death certification process. Both contracts went underway in July 2016 and August 2016 respectively. The former contract lasts two years.

Vital Records Expenditures – General Fund

	<u>June 30, 2016</u>	<u>June 30, 2017</u>
1. Permanent Personnel	\$350,167	\$364,951
2. Current Expense	15,071	11,519
3. Equipment	-0-	-0-
4. Other Personal Services	39,504	46,067
5. Benefits	152,105	160,165
6. Travel In-State	-0-	-0-
7. Travel Out-of-State	-0-	-0-
TOTAL	\$556,847	\$582,702