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**Civics 101: NH**

**The Secretary of State**

**Daniela Allee:** [00:00:00] There are milestones in life. Getting married, starting a family, starting a business, or running for office. And we archive these moments on Instagram, photo albums or if you're really old school, newspaper clippings. Our lives leave behind this paper trail of birth certificates, marriage licenses, business licenses. So really you're not just sharing landmark moments with the folks you love. You're also sharing them with the New Hampshire secretary of state's office.

[00:00:28] You might say the office is sort of like a filing cabinet. One you didn't know you had. Your filing cabinet might just sit there gathering dust for a lot of the time but God knows when you need to dig something out of there like to think a little bit more that will file cabinet.

**Ben Henry:** [00:00:45] This is Civics 101: New Hampshire. Today producer Daniela Allee who is herself so much more than a file cabinet, will unpack the secretary of state's office. Who are they. What do they do. And what role does this office play in our day to day lives.

[00:01:06] Dave Scanlan has been deputy secretary of state for the last 16 years.

**Dave Scanlan:** [00:01:09] There are no two days that are the same.

[00:01:12] This is an old office. It's been part of New Hampshire government since the state constitution was ratified in 1784. So the secretary of state is basically an administrator for state government and they're going to oversee statewide and federal elections in New Hampshire. And say you want to start a business. You've got to file it with them. The office is also the state record keeper. So it archives vital records like birth certificates and those sort of things. And back in the day the secretary of state's job was a little less complicated.

[00:01:43] Here's what article 68 says.

**Archival:** [00:01:45] The records of the state shall be kept in the office of the secretary and he shall attend to the Governor and Council in the Senate and representatives in person by deputy as they may require.

**Daniela Allee:** [00:01:57] New Hampshire is just one of three states where the legislature votes for the secretary of state and anyone can run. You don't need previous experience as a legislator or politician.

**Anna Brown:** [00:02:08] But in most other states it's going to be appointed by the governor or elected by the voters in the public.

**danie:** [00:02:14] That's Anna Brown. She's director of research analysis for the nonpartisan organization Citizens count by day an amateurM.A fighter by night. For the last 43 years the New Hampshire legislature has elected the same man for this office. Bill Gardner to give you an idea of how much power the secretary has. He is called the King bill by some and he is currently the longest serving secretary of state in the country. His claim to fame apart from time in office is making sure that New Hampshire has the first presidential primary in the nation. It's in our state law.

**Jacqueline Benson:** [00:02:47] We have to try to set our primary date before anybody else.

**Daniela Allee:** [00:02:51] That's Jacqueline Benson. She's a swashbuckling feminist historical fiction writer and content editor for citizens count. In 1975 both parties were tired of national politics. Watergate had just happened. The Vietnam War was going on and interest in the presidential primary was lagging.

[00:03:09] But State Rep Jim Splaine wanted New Hampshire to maintain its first in the nation status. He thought it was important that candidates would have to talk to everyday people. So he sponsored the bill that would become law. And it also helped that Governor Meldrim Thompson was planning to run for president. And while he pointed out it won't be too bad if the state kept that first in the nation primary status. The bill garnered a lot of support after that. Since then New Hampshire's presidential primary has always come first and built Bill Gardner's already looking towards the next one in 2020. He's talked with plenty of presidential hopefuls and here's his piece of advice from 2015 for how to campaign in the Granite State.

**Archival:** [00:03:49] Get out there. And. Be comfortable. In your own skin and let people see you because a campaign. Is. It's part of what keeps a democracy healthy because candidates learn they learn about their government.

[00:04:10] But the presidential primary isn't the only election. The secretary coordinates their statewide elections every two years. Special elections and general elections for each one the secretary of state maintains a list of registered voters prints ballots and provides official results to the legislature. If there are changes to election law Gardner has to make sure folks on the local level are all on the same page. The poll workers the moderators the town clerks.

[00:04:38] In the past few years the topic of voter fraud has become a central talking point in elections. President Trump put together a committee to investigate it which Gardner was a part of. And that wasn't without controversy within New Hampshire the secretary of state now has the ability to investigate alleged incidents of voter fraud. The office does the initial investigating and hands those cases over to the attorney general for any kind of final investigation or action.

[00:05:05] And then there's campaign finance. The secretary of state provides a system for candidates to report expenditures. All those receipts are filed away. And all of this requires a lot of delegation along with the other records kept by the Department of State.

**Jacqueline Benson:** [00:05:24] So the secretary of state is like Anna says, the administrator it's like your your office business manager who takes care of all the paperwork for everything.

**Daniela Allee:** [00:05:34] This office oversees a lot. Administration Archives and Records Management Corporation division Elections Division securities regulation uniform commercial code. And last but not least vital records some of these divisions register people who want to say justices of the peace athlete agents notaries financial advisers.

**Jacqueline Benson:** [00:05:56] The reasons for all of these different registration requirements are going to be varied delightfully varied.

**Daniela Allee:** [00:06:03] They can lead to negative legislative history. Take for example the hawker and peddler law passed by the legislature in 1931 during the Great Depression. Folks who wanted to sell things on the street had to get a special license and register with the office. It was a steep price for people trying to make their living on the streets.

**Jacqueline Benson:** [00:06:22] And I'm guessing they were trying to make it so there weren't any hawkers and peddlers.

**Daniela Allee:** [00:06:26] The Great Depression ended. But this law is still on the books and as with most registrations at the secretary of state's office they have to pay some fees.

**Jacqueline Benson:** [00:06:34] For hawking and peddling you have to come up with fifty dollars for your state license.

**Daniela Allee:** [00:06:38] Those licensing fees to be a hawker and peddler or to be a financial adviser in the state. Well they add up.

**Dave Scanlan:** [00:06:45] We raise a lot of money for the state of New Hampshire.

**Daniela Allee:** [00:06:47] That's Dave Scanlan again. Deputy Secretary of State. In fiscal year 2017 the departments revenue was about 48 million dollars. But that department's budget was about ten million dollars.

[00:07:08] This office is also one way the public can keep tabs on what the legislature is doing and how a bill changes as it makes its way to the governor's desk.

**Dave Scanlan:** [00:07:16] There is a folder that is assigned to each piece of legislation.

**Daniela Allee:** [00:07:20] The secretary of state keeps track of every single change shuttling bills between the House and Senate as they work on it and add amendments.

**Dave Scanlan:** [00:07:28] Whereas if we were not involved you might not know whether the bill is sitting in the drawer of the speaker of the House or the Senate president or somebody else.

**Daniela Allee:** [00:07:38] As though the office wasn't keeping track of enough. The secretary also keeps minutes of the Executive Council and Governor meetings and prepares those meeting agendas.

**Dave Scanlan:** [00:07:47] The secretary of state's office is in charge of keeping the state's records.

**Daniela Allee:** [00:07:52] That means historical documents housed in the state archives and agency records from say the Department of Justice or the Department of Environmental Services and regular folks like you and me we can access a lot of these records. Say you want to figure out some family history. You can go to the genealogical research center on ratification way and search through birth and death records.

[00:08:13] If you have a question or complaint you could make the call or walk into the office on the second floor of the Capitol building. All of this just scratches the surface of the daily grind at the Department of State. But checking lists counting beans and pushing paper is essential.

**Anna Brown:** [00:08:32] Do you want a government that works. Then you need a secretary of states because otherwise nobody knows who's running for office or doing business. Or born or dead.