

**New Hampshire City & Town Clerks Association
Executive Board Meeting Minutes
August 19, 2009**

Attendance: Kathy Seaver, Deb Clark, Sue McKinnon, Rita Eigenbrode, Tricia Piecuch, Kimberly Johnson, Pat Waterman, Deb Cornett, Judy White, Susan Wagoner, and Phyllis Thompson. Kathleen Valliere arrived late. Absent from the meeting were Jeanette Vinton, Jean Oleson, Theresa Upton, Lori Holmes, Linda Hardy, and Judy Rogers. Guests present were Sandy Rowe.

President Sever called the meeting to order at 9:37 AM.

Census 2010

Leslie Vogt, Census 2010 was first to address the board.

Wants all city and town clerks to be reasonably informed about the census as they will probably be receiving phone calls from the public as procedurally they start to do address canvassing in the spring. The questionnaires sent out will be a short form with only 10 questions on it. The long form (American Community Survey) has been done through the mail, on a monthly basis since 2005 where they randomly choose 6% of the households throughout the year. Will have information available at the LGC Conference and was also requesting time at the regional meetings next year as that will be the time they will be knocking on doors for those that did not return questionnaires.

Secretary's Report

A motion was made by Pat to approve the July 2009 minutes. Duly seconded by Sue. There being none opposed, the motion carried.

Treasurer's Report

Rita presented the Treasurer's report, reporting that the Association currently has \$28,852.05 noting that money for the conference was coming in. Motion by Tricia to accept the Treasurer's report as submitted. Duly seconded by Kim. There being none opposed, the motion carried.

Legislative Report

Kathy S. discussed the email from Dennis Parker who resigned as our lobbyist. Discussion ensued about how to proceed and it will be decided by the next President and Executive Board on what action to take.

Office of Information Technology

Dennis Roffman was next to address the Board.

As of July 29th Ezpass went online. At this point there is nothing in the system against registrations but it will be interesting to see what happens over the next few months if violations start to appear.

On August 1st the implementation of the fee changes went online. Prior to that there was a lot of testing on the browsers and msp's and that they are aware of no problems have been reported.

Registrations

Karen Patterson was next to address the Board.

Only Concord can do ANTI plates, unless they want a vanity. Customers are being sent to substations and are upset when told they have to go to Concord.

Controlled plates are NOT to be included in the document pile. Make a copy for the pile and send the original certificate in the daily work envelope as these are returned to the Director's Office

Cash mail transactions – Agents should not process registrations as cash mail now that all agents are online. If the transaction cannot be processed through MAAP, complete the local portion and have the customer complete the state portion at another MA office or a State location. There should be no offline processing of State work.

If you are working on an issue with an MA Help Desk member, please speak with that person regarding updates, etc. Sometimes we have 2-3 people working on the same problem because it wasn't known that someone else was already researching it.

A town has asked us touch on the subject of towns making statements that other towns are wrong in the procedures that we follow. Please be mindful of customer service and remember we are all on the same team. If there is a town that is consistently having issues, then please feel free to contact her to address the issue.

To qualify for a 60 day temporary plate, the customer must be both new to NH and have an out of state lienholder. If the lienholder is in state, the customer must contact the lienholder and then get the title or have the lienholder complete the CTA.

Want to pass on something that Deb Clark passed on to them as she just had to change out the toner that came with her printer. It was telling her it was low back in February, but she kept shaking it and this week it finally started to get light, so it was changed. She got 2,771 prints out of it. So we don't want people to panic when it says the toner is low, just keep shaking it until it starts to get light and you will get many more prints out of it,

Regarding non-operation of motor vehicle, the law is pretty detailed and falls under RSA 261:141, VI and is also covered under Saf-C 511:15 which are both outlined below. This came about because a customer came in to register a vehicle that had been stored for four months during the winter and did not want to pay for those months.

Saf-C 511:15 Late Renewal – Proof of Non-Operation

- (a) Determination by a town clerk that an applicant for late renewal has not operated his/her motor vehicle since expiration of the registration shall constitute satisfactory proof of non-operation within the meaning of RSA 261:141, VI (see below). If the town clerk is not satisfied that the applicant has not operated his/her vehicle since expiration of the registration and the applicant so desires, an appeal may be taken to the director. In such a case, not municipal permit shall be issued
- (b) A person, after making a request of the director, shall be deemed to have not operate his/her motor vehicle since expiration of the registration if he/she can show, by a preponderance of the evidence, that:
 - (1) His/her privilege to operate the motor vehicle in question has been under

suspension or revocation for the majority of the time since expiration of the registration, and he/she has not been arrested for a conviction of a driving offense alleged to have occurred during that period of time;

(2) The registrant or primary operator of the vehicle in question has been seriously ill for the majority of the time since expiration of the registration;

(3) The registrant or primary operator of the vehicle in question has been absent from the state without the vehicle for the majority of the time since expiration of the registration; or

(4) Any other convincing proof of non-operation.

- (c) If the director finds that the applicant has not operated the vehicle in question since expiration of the registration, a letter stating such shall be given to the applicant. The applicant shall present this letter to the appropriate town clerk who, upon receipt, shall compute fees by pro-rating from the month of application

RSA 261:141, VI Fees to be collected

VI. If a vehicle has been previously registered with the division, pursuant to RSA 261:141, III and RSA 261:153, said vehicle registration shall not be renewed for less than a 12 month fee, provided that the renewal registration is effected within 12 months of the expiration of the registrant's last valid registration. If a vehicle has been previously registered, and the owner of said vehicle fails to renew the vehicle registration in the month said renewal was legally required to be made when said renewal is obtained within 12 months of the last valid registration, the 12 months renewal fees charged hereunder shall be computed at the applicable mill rate which applied in the month when the vehicle should have been legally registered. If the registration is renewed beyond the 12 months immediately succeeding the last valid registration, the 12 months fee charged shall be computed at the mill rate applicable on the date when any successive registration period would have begun, and the minimum fee in such cases shall be for 12 months, except in those cases where the registrant can demonstrate to the satisfaction of the director that the vehicle has not been operated since the expiration of the last valid registration, in which case the registrant may register at the applicable mill rate on the date of registration.

Karen did mention that the Director would back whatever the decision is made by the clerk and that the customer must have written proof that they did not operate the vehicle during the time in question. Kathy V. asked if you have to prorate the new fee and Karen stated if a clerk should have to do this, then to contact the MA desk and they will help calculate the rates.

On four (4) month early renewals is covered by RSA 261:12 Expiration of Registration and states (note this is only part of the RSA):

- I. The registration of every vehicle registered in the name of a **corporation, partnership or other legal entity** other than a private individual or private individuals, **shall expire at midnight on the last day of the month** as designated by the director as the renewal month for said registration, **provided that:**
 - (a) if **an original registration is issued in one of the next 4 months preceding and including the month in which the registrant's birth is observed**, the registration shall expire at midnight on the last day of the month in which the second anniversary of the registrant's birth following the date of issue is observed.....
- II. **The registration of every other vehicle shall expire at midnight on the last day of the month in which the first anniversary of the registrant's birth** following the date of issue is observed, **provided that:**

- (a) **If an original registration is issued in one of the next 4 months preceding and including the month in which the registrant's birth is observed**, the registration shall expire at midnight on the last day of the month in which the second anniversary of the registrant's birth following the date of issue is observed....
- (d) **If the month of expiration will one of the next 4 months, a registration may be issued** which will commence upon the expiration of the current registration and expire at midnight on the last day of the month in which the second anniversary of the registrant's birth following the date of issue is observed...

So a four (4) month renewal is more like three (3) months as you need to include the month you are in and the month of expiration and is based on the expiration of the registration.

They are looking into an update of the CASS system which would automatically update the last four digits of the zip code of the mailing address and will advise once they have more.

On midstream plate changes you can't go from Passenger to AGRI or FARM.

If someone wants to change the gross vehicle weight, it must be done at a substation.

If you are having a new person come in to work for you, remember that you can only have 3 supervisors due to auditing concerns, on at a time. If you have another town clerk coming in to help you they will need to be a supervisor in your town as well, so you will have to lower the permission of someone else in your office. In order to change permissions, you need to contact the MA desk for help. Remember that the Director has to sign off on the form and then it will get forwarded to the IT Department who will implement the change, so you need to provide at least a week's notice. Coming up with a new form to change permissions and it will list each role and what they can do, so that the roles are more defined.

Title Bureau

Krista was next to address the Board and noted that she had nothing to report.

Some Board members asked if certain substations were closing and according to Karen and Krista they had not heard anything.

Sue stated she put in a 1999 Chevy pickup and it came up as GENE and should it be changed as she did change it. Krista said it should be changed and she would follow-up with Karen.

Elections

Anthony Stevens was next to address the Board.

Did the online training at certification for the six clerks and it took them between three to five hours to complete and everybody passed. Kathy S. noted that she would like to incorporate it into the program and that some may be doing it on their own and will need to show that they passed in order to graduate.

Completed the ballot clerk online training module and that Manchester was going to be a pilot site.

They have invited election officials to a retention meeting on August 27th in LOB Room 306. This

is legislation that they are looking to put out for September.

Congress is still working on different legislation and we could see changes coming. One could increase the distance from the primary election to the general election as they may look at giving 45 days to get absentee ballots out to voters in lieu of the current 30 days. They may also look at getting rid of the two cycle requirement of keeping absentee ballot requests and change it to a one cycle requirement. There may also be legislation dealing with people tracking their absentee ballots online, so there is a lot going on and they will keep us informed.

Vital Records Administration

Steve Wurtz was next to address the Board.

Steve provided the Board with a draft of the new marriage worksheet. The forms should be available to all city and town clerks by the beginning of October so they were in compliance with the new same gender marriage law and the 90 day time period. He covered how they plan to implement all requirements of the same gender marriages in three phases (please see attached implementation schedule) and this will be his entire focus at the conference. Discussion ensued about the form, the new law and about what documents clerks should require to apply for a license since there are no age waivers allowed on same gender marriages as there are for a traditional marriages as well as those that may be transgenders who may have had a legal name change, but not a change of sex on the birth certificate. This is important as the worksheet now shows male/female and when checked off in the system it will prompt the correct fields. Its was the consensus of the Board that ALL city and town clerks should ask for birth certificates for all marriage licenses once this new form comes out or as of October 1st so that everyone in the state is doing it the same way. Steve stated it was within the law for clerks to request this information.

Reminder that marriage license and civil union forms cannot be given out or mailed out to people except for military. These forms must be completed in the clerk's office according to law.

Deb Cornett stated she contact Steve as somebody wanted to be buried on their property and according to law (RSA 289:3) people may be buried on their property as long as they meet all the requirements of the RSA.

Conference

Rita has received the 25 year clocks and will bring them to the conference.

Vendor Game – Pat mentioned last year that we had given \$50 cash to the winner of the vendor game and asked if Board would like to do the same again this year and discussion ensued. Motion by Pat to provide the winner of the vendor prize with \$50 cash. Duly seconded by Deb Cornett. There being none opposed, the motion carried.

Other Business

Kathy S. stated she was invited to attend the graduation ceremony of the New England Municipal Clerks Institute (NEMCI) where Denise Morrissette of Gilford and Tricia Picuch of Nashua graduated and saw that other state associations were providing gifts to their graduates. She had talked to Deb Patrick of Berlin who is a Board member of NEMCI and found out that she had purchased gifts for the graduates along with Kelli Barnaby of Portsmouth. Discussion ensued about the process and Sue made the motion of \$25 per gift for a clerk graduating from NEMCI. Duly

seconded by Phyllis. There being none opposed, the motion carried.

Motion by Pat to adjourn. Duly seconded by Kathy V. There being none opposed, the motion carried.

Meeting adjourned at 12:15 PM.

Respectfully submitted,

Tricia Piecuch
Secretary