

# Bill as Introduced

HB 534-FN-A - AS INTRODUCED

2011 SESSION

11-0692  
01/03

HOUSE BILL

**534-FN-A**

AN ACT

relative to nonprofit reporting requirements with the division of charitable trusts, department of justice and making an appropriation therefor.

SPONSORS: Rep. Munck, Straf 2

COMMITTEE: Judiciary

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ANALYSIS

This bill makes an appropriation to the department of justice to allow trustees of charitable trusts and nonprofit corporations to file the forms required pursuant to New Hampshire law electronically.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 534-FN-A - AS INTRODUCED

11-0692  
01/03

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Eleven*

AN ACT                   relative to nonprofit reporting requirements with the division of charitable trusts,  
department of justice and making an appropriation therefor.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

- 1           1 Statement of Intent. The general court recognizes that trustees of charitable trusts and  
2 nonprofit corporations are required to file certain forms with the federal government and with the  
3 state of New Hampshire. The general court notes that such forms may be filed with the federal  
4 government electronically and with the Urban Institute. Therefore, the general court hereby makes  
5 an appropriation to the department of justice to also allow the state forms to be filed electronically.  
6           2 Appropriation. The sum of \$45,000 is hereby appropriated to the division of charitable trusts,  
7 department of justice for the fiscal year ending June 30, 2012 for the purposes of initial startup costs  
8 to allow for electronic filing of the forms required under RSA 7:28. The governor is authorized to  
9 draw a warrant for said sum out of any money in the treasury not otherwise appropriated.  
10          3 Effective Date. This act shall take effect July 1, 2011.

LBAO  
11-0692  
01/14/11

**HB 534-FN-A - FISCAL NOTE**

AN ACT relative to nonprofit reporting requirements with the division of charitable trusts, department of justice and making an appropriation therefor.

**FISCAL IMPACT:**

The Department of Justice states this bill will increase state general fund expenditures by \$45,000 in FY 2012. There is no fiscal impact on county and local expenditures or state, county and local revenue.

This bill appropriates \$45,000 in FY 2012 of state general funds to the Department of Justice's division of charitable trust for the purposes of this bill.

**METHODOLOGY:**

The Department of Justice states this bill provides an appropriation of \$45,000 to the department's division of charitable trust to allow the division to setup a process for trustees of charitable trusts and nonprofit corporations to electronically file required federal and state forms. The Department states the \$45,000 appropriation will be sufficient to allow for the conversion to electronic receipt of filings. The Department anticipates any recurring fees or costs associated with the electronic filing can be absorbed by existing resources as there may be savings related to personnel and other costs once the conversion is complete; therefore this bill is not expected to have an additional fiscal impact.

# Speakers



# Hearing Minutes

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HOUSE BILL 534-FN-A

**BILL TITLE:** relative to nonprofit reporting requirements with the division of charitable trusts, department of justice and making an appropriation therefor.

**DATE:** February 8, 2011

**LOB ROOM:** 208                      **Time Public Hearing Called to Order:** 10:40 am

**Time Adjourned:** 10:58 am

(please circle if present)

**Committee Members:** Reps. Rowe, Sore, Souza, Hagan, Silva, Andolina, Giuda, LaCasse, McClarren, Murphy, Palmer, Peterson, Tregenza, Wheaton, Wall, Potter, Weber, and Watrous.

**Bill Sponsors:** Rep. Munch, Straf 2

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**\*Rep. Munch, sponsor**

Introduced the bill. New Hampshire has 1,000 non-profit organizations. To be a nonprofit, you must prove you conform to services annually. Urban institutions and Internal Revenue Service forms can be done electronically, but cannot be done in New Hampshire. This would help setup systems to file electronically and would reduce enormous amounts of filing and reduce staff time. Requires no extra cost to the state. Would also advance searching for files.

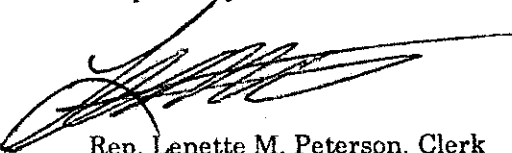
**\*Terry Knowles, Asst. Director of Charitable Trusts, Office of Attorney General - supports**

Sine 1981, never received state funding. Always meet budget. Always accumulate paper, managing the paper is tough, 30 buckets or reports to be filed by hand, May 15, November 15. This bill will allow electronically filing and reporting.

**Michelline Dufort, New Hampshire Center for Nonprofits - supports**

Would bring charitable organizations up to par electronically.

Respectfully submitted,

  
Rep. Lenette M. Peterson, Clerk



HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 534

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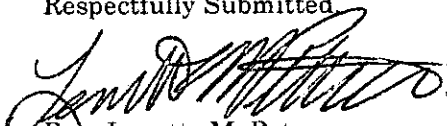
Bill Sponsors: Rep. Munck, Straf 2

TESTIMONY

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\* Rep Munck - NH has 1,000s non-profit organizations. To be non-profit, annually prove you conform to services. Urban Inst. & IRS forms can be done electronically, can't be done in NH. This would help set up systems to file electronically, will reduce enormous amounts of filing + on staff time. Requires no extra costs to state. Will advance searching for files.  
\* Terry Knowles - (support) Since 1981, never received state funding. Always meet budget  
ATT. General Off.

Respectfully Submitted

  
Rep. Lenette M. Peterson

Always accommodate paper, managing the paper is  
tough. 30 buckets of reports to be filed by hand  
May 15, Nov. 15. - This Bill will allow electronically  
filing reports

Michelline DuFort - (Supports) would bring Charitable  
NHI center for Nonprofits organizations up to par  
electronically.

# Sub-Committee Actions

HOUSE COMMITTEE ON JUDICIARY  
SUBCOMMITTEE WORK SESSION ON HB 534-FN-A

**BILL TITLE:** relative to nonprofit reporting requirements with the division of charitable trusts, department of justice and making an appropriation therefor.

**DATE:** February 8, 2011

**Subcommittee Members:** Reps. ~~Silva~~ ~~Peterson~~ ~~Giuda~~ ~~LaCasse~~ ~~McClarren~~ ~~Wheaton~~ ~~Souza~~,  
~~Weber~~ and ~~Watrous~~

**Comments and Recommendations:**

**Amendments:**

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. B. Giuda

Seconded by Rep. K. Souza

Vote: 3-6

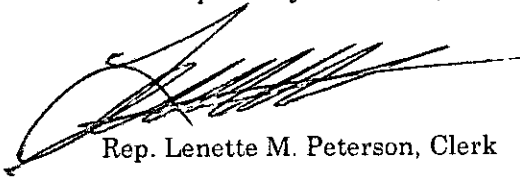
**Motions:** OTP OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. McClarren

Seconded by Rep. L. Weber

Vote: 6-3

Respectfully submitted,

  
Rep. Lenette M. Peterson, Clerk

HOUSE COMMITTEE ON JUDICIARY

SUBCOMMITTEE WORK SESSION ON HB 534

BILL TITLE: relative to nonprofit reporting requirements with the division of charitable trusts, department of justice and making an appropriation therefor.

DATE: {Type DATE} 2.8-11

Subcommittee Members: Reps. Silva, Peterson, Giuda, LaCasse, McClarren, Wheaton, Souza, Weber and Watrous

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, (ITL) Retained (Please circle one.)

Moved by Rep. Giuda
Seconded by Rep. Souza
Vote:
3-6 Fails

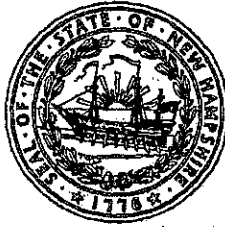
Motions: (OTP) OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. McClarren
Seconded by Rep. Weber
Vote:
6-3 pass

Respectfully submitted,
[Signature]
Rep. {Type NAME}
Subcommittee Chairman/Clerk

# Testimony

Department of Justice  
33 Capitol Street  
Concord, NH 03301-6397



ANNUAL FILING FEE: \$75.00  
Make check payable to:  
STATE OF NEW HAMPSHIRE

**ANNUAL REPORT CERTIFICATE**

Somersworth Festival Association  
PO Box 255  
Somersworth NH 03878

Fiscal Year End: Sep 2010  
State Registration # 6344

Under the penalties of perjury set forth in RSA 641:1-3, I declare that I have examined the attached report, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct and complete.

PLMundk  
Signature of President, Treasurer or Trustee

1/14/11  
Date

Philip L Mundk  
(print or type) Name of Officer/Trustee

Treasurer  
Title

THE SIGNATURE OF THE EXECUTIVE DIRECTOR IS NOT ACCEPTABLE. (If the organization does not have the office of "President" or "Treasurer", please attach an explanation or definition of the authority vested in the signator.)

STATE OF  
New Hampshire

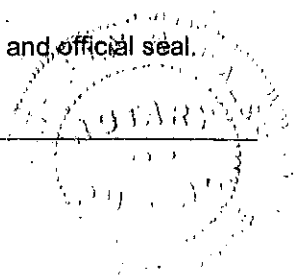
COUNTY OF  
Strafford

On this the 14th day of January, 20 11 before me personally appeared the above named officer or trustee who acknowledged himself/herself to be the officer/trustee, President, or Treasurer of the above named organization and took oath or affirmed that the attached report, including accompanying schedules and statements, is, to the best of his/her knowledge and belief, true, correct and complete.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires:

Kathleen R. Walsh  
Notary Public



KATHLEEN R. WALSH  
NOTARY PUBLIC  
NEW HAMPSHIRE  
MY COMMISSION EXPIRES  
10-7-2014

Somersworth Festival Association  
Board of Directors  
at Sept. 30, 2010

Brian Gauthier President	20 Francoeur Drive Somersworth, NH 03878	603-692-0419
Patty Roberge LeHoullier Vice President	43 Davis Street Somersworth, NH 03878	603-692-9868
Philip Munck Treasurer	4 Woodchuck Ln Somersworth, NH 03878	603-692-3316
Caroline Morgan Secretary	29 Rouleau Drive Somersworth, NH 03878	603-692-2334
Kathy Butler	P.O. Box 255 Somersworth, NH 03878	603-692-5869
Jim Butterfield	85 Indigo Hill Rd Somersworth, NH 03878	603-692-5617
Darryl Cauchon	11 Turgeons Lane Somersworth, NH 03878	603-692-5828
Paul Dubois	P.O. Box 714 Dover, NH 03820	603-343-4533
Lisa Flanagan	11 William St. Somersworth, NH 03878	603-973-2348
Grace Fuller	50 Cemetery Rd. Somersworth, NH 03878	603-692-2476
Dina Gagnon	10B Maloney St. Somersworth, NH 03878	603-692-7692
Denise Gauthier	20 Francoeur Dr. Somersworth, NH 03878	603-692-0419
Richard Hamilton	14 Chelsey Ave Somersworth, NH 03878	603-692-5183
Anna Houde	6 Lakeview Drive Somersworth, NH 03878	603-692-5335
Kirsten Larsen	219 West High St Somersworth, NH 03878	603-785-8415
Jeanne Lemelin	11 Maize Drive Somersworth, NH 03878	603-692-4088
Jason Morrison	438 Hall Rd Barrington, NH 03825	603-664-3383
Joanne Pepin	54 Rocky Hill Rd Somersworth, NH 03878	603-692-4436
Marty Pepin	54 Rocky Hill Rd Somersworth, NH 03878	603-692-4436
Richard Perreault	33 Veterans Terrace Somersworth, NH 03878	603-692-0189
Martin Perreault	14 Kim Lane Rochester, NH 03867	603-332-3647
David Roberge	10 Pleasant St Somersworth, NH 03878	603-692-2848
Patricia Soucy	5 Quarry Rd Somersworth, NH 03878	603-692-0920
Arnold Tarr	6 Francoeur Drive Somersworth, NH 03878	603-692-4256
Heather Wass	114 Tideview Rd Dover, NH 03820	603-743-0808



OFFICE OF THE NEW HAMPSHIRE ATTORNEY GENERAL  
CHARITABLE TRUSTS UNIT  
33 Capitol Street, Concord, NH 03301-6397

**MUST BE COMPLETED**  
**AND ATTACHED TO FILING**

**APPENDIX TO ANNUAL REPORT**

Name of Organization: Somersworth Festival Association

1. Is there currently a conflict of interest policy in effect? Yes  No   
A Conflict of Interest Policy is required by law (see RSA 7:19 II)

2. Did any officer, Director, Trustee or member of the immediate family obtain a pecuniary benefit from the organization in the last year other than reasonable compensation for services rendered and expenses incurred in connection with their official duties?  
Yes  No

**If yes, complete the following:**

A. Was any real estate transaction involved? Yes  No

B. Was a loan made to any director, officer or trustee? Yes  No

C. Was a pecuniary benefit paid in excess of \$500? Yes  No   
If yes, attach copy of meeting minutes.

D. Was a pecuniary benefit paid in excess of \$5,000? Yes  No   
If yes, attach a copy of:  
o Public Notice  
o Meeting Minutes  
o Employment Contract

E. Provide a list of each pecuniary benefit transaction involving a director, officer, trustee or member of the immediate family. Include names of recipient(s) and amount(s) of benefit as required under RSA 7:28.  
**NOTE:** The Director of Charitable Trusts may request **copies** of all contracts, payment records, vouchers and financial records or documents involving a director, officer, trustee or member of the immediate family as required under RSA 7:24.

Somersworth Festival Association

P.O. Box 255

Somersworth, NH 03878-0255

State Registration # 6344

Fiscal Year 2009-10 Annual Report Appendix Attachment

During the fiscal year, the Association engaged Director Richard Perreault as a performer for two events for a total price of \$875.

# Somersworth Festival Association Minutes

## May 10, 2010

**Members Present:** Dave Roberge, Paul Dubois, Joanne Pepin, Grace Fuller, Lindsey Gagnon, Dina Gagnon, Dick Perreault, Jim Butterfield, Pat Soucy, Arnie Tarr, Tom and Diane Brown, Cheryl Dean, Marty Perreault, Dick Hamilton, Patty RL, Phil Munck, Jason Morrison, and Ken Gregoire.

**Staff Present:** Sue Gregoire

**Excused:** Heather Wass, Denise Gauthier, Brian Gauthier, Caroline Morgan, Marty Pepin and Milton Dean.

Call to order: 6:31pm

**Approval/changes to agenda:** Added T-shirts to old business. Added Ken-diabetes to new business. Tom motioned, Cheryl seconded, motion carried.

**Secretary's Report:** Tom motioned, Diane seconded, motion carried.

**Treasurer's Report:** Jim B. motioned to accept report. Paul seconded. Motion accepted.

Previous Balance	17,361.81
Deposits	7,961.19
Withdrawals	-6,322.24
Net Surplus	1,638.95
Net Balance	19,000.76
Credit Union	11,034.32

**Membership:** Lisa Flanagan was nominated to be a new member by Tom Brown

**Directors Report:** Will be covered during committee reports.

### Committee Reports:

**Technical:** Issues with Hilltop Chevrolet concerning the trucks for festival day. Need 2 trucks for Friday and Saturday. Need to check for another source. Also, materials have been loaned out to various organizations. All tables need to be returned.

**AIS/A&C:** Feedback letter returned from Hilltop School was passed around the meeting. Maplewood acknowledged Festival funds.

**World Cultures:** Working

**City:** Paul, Brian, Sue and the Mayor met concerning Pride Day. Mayor Soldati said he would be here tonight after his meeting. Mayor wants to have another Pot Luck Dance on June 25<sup>th</sup>, to honor the Festivals members and volunteers. \$10 per person plus a dish (pot luck). \$3000 for Pride Week coming from the city. All \$3000 should go towards the Friday night before the Festival.

Scholarship: Four applications from SHS.

Website: Thank you letter received from Dean. Cheryl advises that we need a link to wine tasting.

Entertainment: Getting there. Need to discuss and vote on Tricky Dick for performances because of conflict of interest on payment. \$500 for 2 performances on the library stage, in-between acts and parade on Festival day. \$250 for Kids Koncert. Tom motioned, Cheryl seconded, motioned carried. Dick abstained.

Carnival: Carnival held August 12<sup>th</sup> to 15<sup>th</sup>, possible 11<sup>th</sup>. All set. 50/50 proceeds with St. Ignatius of Loyola Church. If either side decides to do something extra, it must be accepted by all three ahead of time. Festival, Church and Carnival.

Pumpkinfest: Meeting on Tuesday, June 8<sup>th</sup> at the Coolidge Law Firm.

Kid's Koncerts: Tricky Dick, Toe-Jam Puppet Theatre, Wildlife Encounters and Wayne from Maine are locked in. One act still pending confirmation.

Craft Fairs: Applications already being received for craft fairs.

Wine Tasting: May 20<sup>th</sup> from 6-8pm. Auction a go. Ticket sales a must. 2 pairs of tickets to go to the Channel 11 Auction. 2 wineries and 2 breweries. .

30<sup>th</sup> Anniversary: No one present.

Youth Committee: Small group had 2nd meeting. Would like to earn official pin. Will reach "gold level" to get pin. Would like to have a mentor to go to.

Action item list: List gone over and reviewed.

## Old Business

T-shirts: Ash gray for men. Orchid for women. Combining old and new logo. Price will be \$10 each. Phil motioned not to exceed \$600 to purchase t-shirts from Imaging with the understanding that Pat is a board member. Seconded by Joanne. Motioned carried. Pat abstained.

## New Business

Ken Gregoire: Talked about his Diabetes Kids Camp at The Works. Kids normally do jewelry projects. Kids are looking for sponsors. Needs 50 people to donate \$12 for USB medical wristbands. Flyers passed out.

BAH/BOH: Sue provided information.

Adjourned: Motion made to adjourn by Cheryl, seconded by Pat. Motioned carried.

Next Meeting: June 7th, 6:30pm at Fillion Terrace

Respectfully submitted, Caroline Morgan, Secretary

Document also include

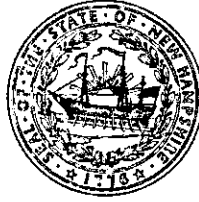
Somersworth Festival  
Association

2009 IRS Form 990-EZ

**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

MICHAEL A. DELANEY  
ATTORNEY GENERAL



February 8, 2011

Hon. Robert Rowe, Chair  
House Judiciary Committee  
Room 208 LOB  
Concord, NH 03301

RE: HB 534-FN-A

Dear Chairman Rowe and Members of the Committee:

For the record I am Terry M. Knowles, the Assistant Director of Charitable Trusts, Office of the Attorney General. The Attorney General supports the passage of HB 534 as introduced.

The Attorney General has the common law and statutory responsibility to regulate, supervise, enforce, and administer charitable trusts, charitable organizations, and telemarketers soliciting donations on behalf of charities. This regulatory process includes the authority "to prepare and maintain a register of all charitable trusts heretofore or hereafter established or active in this state." RSA 7:19

The Registry of Charitable Trusts was established by the Attorney General in 1943 and continues to the present day. There are over 8,000 active files in the Registry and the Charitable Trusts Unit registers 60 – 70 new nonprofits each month. The Unit closes about 400 files annually resulting in a net increase of 300 – 400 new files each year and, as Representative Munck illustrated, our biggest challenge is managing the avalanche of paper that arrives in the Unit each day. Filing paper documents for 8,000 trusts and nonprofits necessitates the purchase of file folders and labels, while shelving and storing the paper takes up an ever-increasing amount of space in the Attorney General's Office and in State Archives.

The paper handling function affects workflow in the Unit by taking time away from the more important duties of insuring the donations given to or for the benefit of nonprofit organizations are invested and expended in a manner that will insure the directives of donors are honored, in the investigation and prosecution of those charities that misappropriate, waste, or embezzle charitable dollars donated by NH citizens, and in providing training and technical assistance to volunteer nonprofit boards. Staff time is

also required to retrieve, copy, and mail paper documents in response to right-to-know requests filed by the press, the public and others.

A work-flow study conducted by Berry, Dunn, McNeil, and Parker in 2001 recommended the Charitable Trusts Unit implement an e-filing system in order to improve its internal processes and to better serve the citizens of New Hampshire.

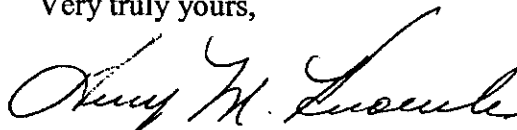
Since 1981 the Charitable Trusts Unit has been and is funded through fees paid by charities, charitable trusts, and telemarketers; the Unit receives no general fund money to carry out its day-to-day operations. The fees are established through statute (RSA 7:28-c and 7:28-a) and were last increased in the year 2002. These filing fees cover the Charitable Trusts Unit's appropriation in full and, in most years, a very small amount of surplus funds lapse to the general fund at the close of the fiscal year. This lapse, however, is not adequate to cover the cost of implementing an electronic filing system.

The \$45,000 appropriation request in HB 534 is a one-time, nonrecurring, expenditure which will be used to install a turn-key system including the development of a new database, all necessary software, software licenses, and installation of the technology which will enable the Attorney General's servers to upload information from the Urban Institute's servers automatically.

The Urban Institute's National Center for Charitable Statistics' system is currently in operation in the states of Pennsylvania, Hawaii, and Michigan and is being tested in the states of New York and Mississippi. Based on the experience in other states, we estimate 20% - 25% of the organizations in the N.H. Registry will file electronically during the first twelve months following full implementation of the system.

Thank you for your consideration of HB 534. I am pleased to answer any questions the Committee may have.

Very truly yours,



Terry M. Knowles, Assistant Director  
Charitable Trusts Unit

[terry.knowles@doj.nh.gov](mailto:terry.knowles@doj.nh.gov)

603-271-3591



NATIONAL CENTER FOR CHARITABLE STATISTICS at the  **Urban Institute**

e-file and print your Form 990 and state registration forms

Home
Support
Links
Log out

## Electronic filing in Hawaii



### For charitable organizations that solicit contributions in Hawaii

- **This site can be used for two purposes:**
  - Charities that solicit contributions must complete a one-time **REGISTRATION** with Hawaii Attorney General's Office. This started January 15, 2009. There is no fee to register. Click [HERE](#) to learn more about which charities are required to register.
  - Registered charities must also complete and submit an **ANNUAL FINANCIAL REPORT (also known as the Annual Transmittal Form)** and pay annual fees. This site will be open for these filings on March 23, 2009.
- **One-Time Charity Registration**
  - **What do I need to do to get started with my one-time registration?**
    - Request a Login ID and password for two officers of the organization.
    - You do **NOT** need your Form 990/990-EZ/990-N for your initial registration.
    - It is possible that you may need PDF copies of the organizing documents for your organization and/or correspondence from the IRS regarding your tax exempt status. The system will tell you if you need these documents as you enter the registration information.
  - **What are the steps for entering and filing the one-time State Charity Registration?**
    1. Request Login IDs for two officers of your organization.
    2. Create your Registration using the Filing Creation Wizard.
    3. Once the filing has been created using the Wizard, you must enter the information into your State Charity Registration using the online State Registration System.
    4. When you have finished entering the information into the system, verify the Registration form and then, when it verifies with no errors, mark the filing as complete.
    5. Authenticate (electronically sign) the Registration Form (this step must be performed separately by two different officers).
  - **Ready to get started?**
    - Click [here](#) to request a Login ID and password (Note: You will need to request Login ID's for two officers).
    - If you already have a Login ID and password, click [here](#) to create your Hawaii Charity Registration using the Filing Creation Wizard.
    - If you have already started your Hawaii Charity Registration, and you want to go back in and edit it, click [here](#) to go to the control panel.
- **Annual Financial Report (also known as the Annual Transmittal Form)**
  - **What is the Hawaii Charity Annual Financial Report?**
    - Provides that the report shall be the charity's IRS Form 990 or 990-EZ.
    - Must be filed with the Attorney General on or before the date that the charity files the Form 990 or 990-EZ with the IRS.
    - Charities must also pay an annual fee through the State of Hawaii's payment portal.
  - **What documents do I need to file the Annual Financial Report?**
    - A copy of your organization's IRS Form 990/990-EZ
    - Requires submission of an audited financial statement if the charity has over \$500,000 in gross revenues, or where the charity prepares an audited financial statement pursuant to a requirement by a governmental authority or third party. Gross revenues do not include grants from governmental authorities of funds held in trust by the organization.
  - **What are my options in filing my organization's IRS Form 990/990-EZ/990-N for the Annual Financial Report?**
    1. The Form 990 may be completed on our site and transmitted to Hawaii at the same time that the electronic data is transmitted to the IRS.
    2. The Form 990 may be completed on our site or through any other system, uploaded as a PDF file, and then transmitted with the HI Transmittal Form.
    3. The Form 990, if initially done by hand, can be converted to PDF format, uploaded, and then transmitted with the HI Transmittal Form.
  - **What are the steps for entering and filing the Annual Financial Report?**



1. Many organizations will have already created a Login ID in our system when they filed their One-Time Initial Charity Registration. Your Login ID is your organization's EIN without the dash, followed by a two digit number (i.e. 01, 02, etc.).
  2. Create your Annual Financial Report using the Filing Creation Wizard.
  3. After you create the filing in the Create Filing Wizard, you can enter the information into your Annual Financial Report.
  4. When you have finished entering the information into the system, verify the Annual Financial Report and then, when it verifies with no errors, mark the filing as complete.
  5. One officer must electronically "sign" or Authenticate the Annual Financial Report. After you authenticate your Annual Financial Report, the filing will be transmitted to the State of Hawaii within 24 hours.
  6. After the Annual Financial Report has been transmitted, you will receive an acknowledgment e-mail. This e-mail will contain a link that will take you to the Hawaii Attorneys General's webpage to pay your Hawaii Charity Annual Fees.
- o **Tutorials**
    - o **Hawaii Charity Registration Form Tutorial**
      - Click [here](#) to view the tutorial online (the tutorial will open in a new browser window).
      - Click [here](#) to view the pdf version of the tutorial. **NOTE:** This PDF file is very large (over 6 megs). We recommend that, rather than viewing it online, you first download it to your computer. You can do that by right clicking the link and then selecting "Save Target As" from the popup menu.
    - o **Hawaii Charity Annual Financial Report**
      - Click [here](#) to view the tutorial online (the tutorial will open in a new browser window).
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  - o **Need Help?**
    - o Go to the [Hawaii Charity Resource Page](#)
    - o View the Hawaii Charity Registration [FAQs](#)
    - o For Questions about registering in Hawaii, contact the Hawaii Attorney General's office as follows:  
  
Tax Division  
Department of the Attorney General  
425 Queen Street  
Honolulu, Hawaii 96813  
(808) 586-1470  
[Marlene.Baba@hawaii.gov](mailto:Marlene.Baba@hawaii.gov)
  - o For Technical problems using this website, click [here](#) to go to the 990 Online Support page

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Questions or problems regarding this web site should be directed to [Tech Support](#)

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Last modified: January 27, 2011.



## **3.0 CHARITABLE TRUSTS UNIT**

### **3.1 Charitable Trusts Unit Overall Recommendations**

In our review of the business processes performed by the Charitable Trusts Unit, we found that the processes were efficient. The small staff size and close working relationship between staff members has allowed them to develop effective, efficient processes using the currently available information technology resources.

The major area of process improvement for Charitable Trusts involves its ability to reduce the quantity of paper records, and move to an electronic document storage and management system. As such, the issues and recommendations identified for the Charitable Trusts Unit in this report identifies areas where a document management system would particularly benefit the unit. The flowcharts in the following sections contain arrows that indicate the point in the process where an issue or problem was identified. The number on the arrow corresponds to the number of the "issue and recommendation" which appear in the Sections 3.2 through 3.6 of this report.

# Attorney General Charitable Trusts Unit Annual Reports from N.H. Non-Profit Organizations

Current Files In the Department of Justice Charitable Trusts Unit Records Room



Files in the Hallway at Department of Justice Waiting Transfer to State Warehouse



Final Disposition ??



with apologies to Lucas Films



[contact us](#)



[Home](#)

[NCCS > Projects](#)

[About NCCS](#)

**Projects**

The national clearinghouse of data on the nonprofit sector in the United States.

[Find an Organization](#)

In addition to our core research activities, NCCS is involved in a wide array of activities involving data collection and the development of the information and data to meet the needs of the nonprofit sector.

[U.S. Nonprofit Sector](#)

**Electronic Filing Project**

[Data](#)

In collaboration with the National Association of Attorney's General/National Association of State Charity Officials (NAAG/NASCO) and GuideStar, NCCS has developed an online system, the 990 Online, for charities to complete all their federal Form 990 and state registration filing requirements and file these forms electronically.

[NTEE & Classification Systems](#)

E-Filing of IRS Form 990s and state charity forms benefits nonprofit organizations, regulators, researchers, and donors alike. NCCS has been working since 1999 to make it a reality. We now offer an easy-to-use web-based system, 990 Online, for completing your IRS Form 990, 990-EZ, 8868 (application for extension), or 990-N (e-Postcard). The system is completely free for organizations with less than \$100,000 in gross receipts and there is a sliding scale for larger organizations.

[NCCS Projects](#)

[Electronic Filing Project](#)

Try the 990 filing system or the e-Postcard filing system.

[Outcome Indicators Project](#)

**Outcome Indicators Project**

[Nonprofit Fundraising & Administrative Costs](#)

A joint project of the Urban Institute and The Center for What Works The Outcome Indicators Project provides a framework for tracking nonprofit performance. It suggests candidate outcomes and outcome indicators to assist nonprofit organizations that seek to develop new outcome monitoring processes or improve their existing systems.

[State Charity Officials](#)

**Subsector Analyses**

[Unified Chart of Accounts](#)

NCCS's 5-year plan calls for the development of detailed studies of different nonprofit subsectors. Analyses of the following subsectors are underway or already completed (links to be provided when available):

- Environment: The Broader Movement: Nonprofit Environmental and Conservation Organizations, 1989-2005
- Arts
- Small organizations: To be released in early 2011
- Health
- Education

[File Form 990 Online](#)

[Knowledge](#)

[Register](#)

[FAQ](#)

**Fundraising Effectiveness Project**

Begun in 2006, the Fundraising Effectiveness Project (FEP) is cosponsored by NCCS; the Association of Fundraising Professionals (AFP); the Center on Philanthropy at Indiana University in Indianapolis; the National Committee on Planned Giving in Indianapolis and other nonprofit sector organizations. The project works with more than a dozen fundraising software firms around the country to establish standards for reporting on fundraising costs and revenues, to collect uniform data designed to help nonprofits increase giving at a faster pace, and to help the nonprofit community learn more about improving donor recruitment and retention.

Participating nonprofit organizations that submit their data electronically through NCCS's electronic portal can compare their growth-in-giving performance with the performance of like organizations as determined by total amount raised, average gift size, type of organization, age of development program, geographic location, fundraising budget and number of personnel, as well as combinations of these criteria. In subsequent years, the project plans to collect more detailed information, including costs (by fundraising method), gift type and other variables.

Participating fundraising software firms have developed automated upload features in their products so that users can, with the click of a button or checkbox, either send the data directly to us, or have the firm send the data annually.

More information about the project is available at the AFP's website and on the [NCCS wiki](#).

**Nonprofit Fundraising and Administrative Costs**

From 1999 to 2004, researchers at the Urban Institute's National Center for Charitable Statistics (NCCS)/ Center on Nonprofits and Philanthropy and the Center on Philanthropy at Indiana University explored issues of nonprofit fundraising and administrative cost reporting. The goal of the project is to increase understanding of cost reporting, and to work with practitioners, policymakers, and the accounting profession to improve measurement and reporting. The project has come to be known as the "Nonprofit Overhead Cost Study."

**State Charity Officials**

NCCS has worked closely with the IRS, State Charity officials, and GuideStar over more than two decades to improve the quality and quantity of information available about nonprofit organizations. Current projects include the annual IRS Form 990 meeting, the NASCOnet SuperSchema, and various state database and e-filing systems. To learn more about NCCS e-filing, please view our E-Filing Project home page or go to <http://efile.form990.org> to see our IRS-certified Form 990 e-filing system.

**Unified Chart of Accounts**

UCOA, the Unified Chart of Accounts for nonprofit organizations, is a chart of accounts freely available on this site to any nonprofit organization, accountant, or consultant. The system is designed so that nonprofits can quickly and reliably translate their financial statements into the categories required by the IRS Form 990, the federal Office of Management and Budget, and into other standard reporting formats. UCOA also seeks to promote uniform accounting practices throughout the nonprofit sector.

©2009 Center on Nonprofits and Philanthropy — Advancing Practice, Informing Policy

[Home](#)**National Center for Charitable Statistics**The national clearinghouse  
of data on the nonprofit  
sector in the United States.[About NCCS](#)

The National Center for Charitable Statistics (NCCS) is the national clearinghouse of data on the nonprofit sector in the United States.

[Find an Organization](#) **News from the Center**[U.S. Nonprofit  
Sector](#)**NCCS Community Platform!**NCCS combines our data with maps and other new web tools to help communities and nonprofit organizations work together more effectively. Click here to learn more about the **NCCS Community Platform**.[Data](#)**New Report!** Nonprofit Fundraising Survey Results - November 2010.

Thirty-seven percent of organizations reported a decline in private contributions for the first nine months of 2010 compared to the same period in 2009. The major factors cited for the decline included fewer individuals donating and gifts of smaller amounts.

[NTEE &  
Classification  
Systems](#)**New Toolkit!** Operating Reserves Policy Toolkit.

Wondering how to strike a prudent balance between program spending and saving for the future? The Toolkit can help. (From the Nonprofit Operating Reserves Initiative Workgroup).

[NCCS Projects](#)[File Form 990 Online](#)**Resources for Nonprofit Leaders!** Stay up-to-date on your organization's filing requirements with the Stay Tax-Exempt website from the IRS (<http://www.stayexempt.org/>). The site includes news and information as well as workshops and mini-courses to help 501(c)(3) leaders comply with federal tax rules.[Knowledge](#)[Register](#)**Add information about your organization!** Adding information about your organization, such as telephone, e-mail, website, mission statement and upcoming events, is easy. Click here for step-by-step instructions.[FAQ](#) **Nonprofit Statistics**

NCCS provides numerous tools and resources to help you learn about the US Nonprofit Sector as well as nonprofits working in your community.

**Select "U.S. Nonprofit Sector" from the menu on the left to:**

- Learn quick facts and figures about the nonprofit sector
- Generate a listing of nonprofits by state, county or zip code
- View Top 10 lists of organization by size and location
- Learn about the different types of nonprofits
- Create custom reports by type, state, year and other criteria
- Read the latest "Nonprofit Sector in Brief" report

**Select "Data" from the left-hand menu to:**

- Learn about the datasets NCCS has available
- Download data (request form to access NCCS data)
- View other advanced tools

**Did you know?**

More than 30,000 new nonprofit organizations registered with the IRS between January and August of 2010. More quick facts about the U.S. nonprofit sector.

**File your Form 990**

Fill out and e-file and print your Form 990 with our easy-to-use website.

**File your Form 990-N  
(e-Postcard)**

Fill out and submit your Form 990-N on our e-Postcard website.

**NTEE Code Search**

Search nonprofit classification categories or find a code for a particular organization.

**Register**

Register to use NCCS' powerful data analysis tools.

**NCCS DataWeb**

Create custom reports, generate univariate statistics, combine data files, &amp; access individual organization records via the NCCS DataWeb.

**FAQ**

Answers to frequently asked questions about nonprofits, NCCS data, and this website.

# Voting Sheets



HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HOUSE BILL 534-FN-A

**BILL TITLE:** relative to nonprofit reporting requirements with the division of charitable trusts, department of justice and making an appropriation therefor.

**DATE:** February 14, 2011

**LOB ROOM:** 208

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study, RETAIN (Please circle one.)

Moved by Rep. G. Wheaton

Seconded by Rep. B. Palmer

Vote: 7-10 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. G. Sorg

Seconded by Rep. B. Giuda

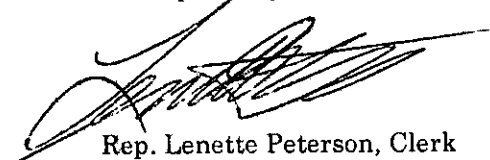
Vote: 16-1 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: YES NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep. Lenette Peterson, Clerk

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 534

BILL TITLE: relative to nonprofit reporting requirements with the division of charitable trusts, department of justice and making an appropriation therefor.

DATE: ~~{Type DATE}~~ 2-14-11

LOB ROOM: 208

Amendments:

Sponsor: Rep. OLS Document #:  
Sponsor: Rep. OLS Document #:  
Sponsor: Rep. OLS Document #:

Motions: OTP OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Wheaton

Seconded by Rep. Palmer

Vote: (Please attach record of roll call vote.) 7-10

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Sorg 76-1

Seconded by Rep. Cicca

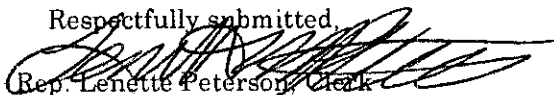
Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: {Type VOTE}

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

  
Rep. Lenette Peterson, Clerk

**JUDICIARY**

Bill #: HB 534 Title: \_\_\_\_\_

PH Date:      /      /     

Exec Session Date: 2 / 14 / 11

Motion: OTP Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Rowe, Robert H, Chairman		✓
Sorg, Gregory M, V Chairman		✓
Souza, Kathleen F		✓
Hagan, Joseph M	✓	
Silva, Peter L		✓
Andolina, Donald C		✓
Giuda, J. Brandon		✓
LaCasse, Paul D <i>Hend</i>		✓
McClarren, Donald B <i>Paletky</i>		✓
Murphy, Brian JX <i>Quant</i>		✓
Palmer, Barry J	✓	
Peterson, Lenette M	✓	
Tregenza, Norman A		✓
Wheaton, Gary W	✓	
Wall, Janet G	✓	
Potter, Frances D	✓	
Weber, Lucy M	✓	
Watrous, Rick H	—	—
	7	10

TOTAL VOTE:  
Printed: 1/4/2011

# JUDICIARY

Bill #: \_\_\_\_\_ Title: \_\_\_\_\_

PH Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Exec Session Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Motion: ITL

Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Rowe, Robert H, Chairman	✓	
Sorg, Gregory M, V Chairman	✓	
Souza, Kathleen F	✓	
Hagan, Joseph M	✓	
Silva, Peter L	✓	
Andolina, Donald C	✓	
Giuda, J. Brandon	✓	
LaCasse, Paul D <i>Head</i>	✓	
McClarren, Donald B <i>Palfrey</i>	✓	
Murphy, Brian JX <i>Quayt</i>	✓	
Palmer, Barry J	✓	
Peterson, Lenette M	✓	
Tregenza, Norman A	✓	
Wheaton, Gary W	✓	
Wall, Janet G	✓	
Potter, Frances D	✓	
Weber, Lucy M		✓
Watrous, Rick H	✓	✓
	16	1
TOTAL VOTE:		

# Committee Report

CONSENT CALENDAR

February 15, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on JUDICIARY to which was referred

HB 534-FN-A,

AN ACT relative to nonprofit reporting requirements with the division of charitable trusts, department of justice and making an appropriation therefor. Having considered the same, report the same with the following Resolution: RESOLVED, That it is INEXPEDIENT TO LEGISLATE.

Rep. Gregory M. Sorg

FOR THE COMMITTEE

## COMMITTEE REPORT

Committee:	JUDICIARY
Bill Number:	HB 534-FN-A
Title:	relative to nonprofit reporting requirements with the division of charitable trusts, department of justice and making an appropriation therefor.
Date:	February 15, 2011
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

### STATEMENT OF INTENT

This bill calls for the appropriation of \$45,000 to the Division of Charitable Trusts of the Department of Justice for the purpose of paying the startup costs to allow the electronic filing of the reporting forms required under authority of RSA 7:28. The Committee was intrigued by the efficiencies such a change could bring about, but concluded that by reason of the budget constraints this session of the Legislature has made a priority, coupled with the testimony of the Assistant Director that the activities of the Division are already fully funded by the fees charged to regulated trusts, this bill should not be passed this year.

Vote 16-1.

Rep. Gregory M. Sorg  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

### JUDICIARY

**HB534-FN-A**, relative to nonprofit reporting requirements with the division of charitable trusts, department of justice and making an appropriation therefor. **INEXPEDIENT TO LEGISLATE.** Rep. Gregory M Sorg for JUDICIARY. This bill calls for the appropriation of \$45,000 to the Division of Charitable Trusts of the Department of Justice for the purpose of paying the startup costs to allow the electronic filing of the reporting forms required under authority of RSA 7:28. The Committee was intrigued by the efficiencies such a change could bring about, but concluded that by reason of the budget constraints this session of the Legislature has made a priority, coupled with the testimony of the Assistant Director that the activities of the Division are already fully funded by the fees charged to regulated trusts, this bill should not be passed this year. **Vote 16-1.**

Original: House Clerk  
Cc: Committee Bill File



## Draft Judiciary Committee Report

HB 534-FN-A Inexpedient to Legislate

Rep Gregory M. Sorg for the Majority of Judiciary:

This bill calls for the appropriation of \$45,000 to the Division of Charitable Trusts of the Department of Justice for the purpose of paying the startup costs to allow the electronic filing of the reporting forms required under authority of RSA 7:28. The Committee was intrigued by the efficiencies such a change could bring about, but concluded that by reason of the budget constraints this session of the Legislature has made a priority, coupled with the testimony of the Assistant Director that the activities of the Division are already fully funded by the fees charged to regulated trusts, this bill should not be passed this year.

Vote: 16-1

A handwritten signature in black ink, appearing to be the initials 'GMS' with a long horizontal stroke extending to the right.