

**South Dakota Electronic Recording Commission  
Teleconference Meeting  
Thursday, October 18, 2018 9:30 am MT / 10:30 am CT  
MINUTES**

The South Dakota Electronic Recording Commission members participated in the meeting via a teleconference/audio link on Thursday, October 18, 2018. Commission Chair, Julie Risty called the meeting to order at 10:35 am CT / 9:35 am MT

Roll call was held and quorum established with the following South Dakota Electronic Recording Commission Members present:

Julie Risty, Chair – Minnehaha County Register of Deeds  
Elaine Reimer, Vice Chair – Brule County Register of Deeds  
Peggy Johnson – Sully County Register of Deeds  
Deb Young – Davison County Register of Deeds  
Lana Anderson – Meade County Register of Deeds  
Haven Stuck – South Dakota State Bar Association Representative  
Greg Wick – South Dakota Land Title Association Representative  
Mitch LaFleur – South Dakota Land Title Association Representative  
Donald Straka – South Dakota Bankers Association Representative  
Kris Jacobsen – SDACO Deputy Director  
Roger Tellinghuisen – Guest – SDACO Lobbyist  
Absent: Monte Watembach – Information Technology Professional

A motion to approve the Minutes of August 29, 2018 was made by Greg Wick, seconded by Elaine Reimer. With no abstention or opposition, motion carried by unanimous vote.

A motion to amend the agenda by adding discussion of members expiring terms and approving the amended agenda was made by Deb Young, seconded by Lana Anderson. With no abstention or opposition, motion carried by unanimous vote.

Discussion ensued regarding the re-appointment of several members due to retirement and expiring terms.

The following Commission Members' 2-year terms expire in 2018:

Deb Young, Davison County Register of Deeds – population under 20,000  
Lana Anderson, Meade County Register of Deeds – population of 20,000 or more but less than 75,000  
Mitch LeFleur, Licensed Title Abstractor  
Haven Stuck, SD Licensed Attorney  
Don Straka, Banking Industry

Elaine Reimer, Brule County Register of Deeds, is retiring. By the time she retires she will have finished one year of a two year term, therefore, there needs to be an appointment with no regard to population to fulfill her last year of her term.

Commission Chair, Julie Risty will draft letters to the affected associations.

Commission Chair, Julie Risty then led discussion of the upcoming Legislative Meeting and proposed e-Notarization Legislation concerning (1) e-Notarization and (2) Remote Notarization. Concerns and questions from the commission were raised following detailed input from various sources during previous meetings.

Julie Risty referenced the legislative notes on the Amendment to Revised Uniform Law on Notarial Acts. The notes encourage a jurisdiction to carefully consider various provisions of RULONA when contemplating legislation for eNotarization.

Guest, Roger Tellinghuisen, lobbyist for SDACO, advised that electronic notarization should probably be passed before or in conjunction with a remote online notarization bill.

After much discussion the consensus of the eRecording commission was to suggest delaying any legislation until the 2020 session. This will give enough time to research various other states' laws and the Model Acts that have been developed as well as give the newly elected Secretary of State time .

Roger Tellinghuisen advised sending a letter of our recommendation to Representative Johns, Senator Kennedy and the Secretary of State's office prior to their November 19 meeting.

Julie asked for public comment. Those in attendance that introduced themselves were Mandy Horner, Campbell County Register of Deed and Donna Mayer, Pennington County Register of Deeds.

A motion to adjourn the meeting was made by Don Straka, seconded by Deb Young. Motion carried by unanimous vote.