**South Dakota Electronic Recording Commission**

**Teleconference Meeting**

**Wednesday, December 19, 2018 9:00 am MT / 10:00 am CT**

**MINUTES**

The South Dakota Electronic Recording Commission members participated in the meeting via a teleconference/audio link on Wednesday, December 19, 2018. Commission Chair, Julie Risty called the meeting to order at 10:03 am CT / 9:03 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

Greg Wick – South Dakota Land Title Association Representative

Donald Straka – South Dakota Bankers Association Representative

Kris Jacobsen – SDACO Deputy Director

Monte Watembach – Information Technology Professional

Absent: Mitch LaFleur – South Dakota Land Title Association Representative

 Haven Stuck – South Dakota State Bar Association Representative

Guests: Roger Tellinghuisen – SDACO Lobbyist

 Roberta Nichols - Brown County Register of Deeds

 Gwen Geditz – Edmunds County Register of Deeds

 Donna Mayer – Pennington County Register of Deeds

 Audra – Pennington County Deputy Register of Deeds

A motion to approve the Minutes of October 18, 2018 was made by Deb Young, seconded by Greg Wick. With no abstention or opposition, motion carried by unanimous vote.

A motion to approve the agenda was made by Elaine Reimer, seconded by Donald Straka. With no abstention or opposition, motion carried by unanimous vote.

Mitch LaFleur – South Dakota Land Title Association Representative joined the meeting.

Commission Chair, Julie Risty then led discussion by giving an overview to the committee of the December 3, 2018 joint teleconference meeting held with Representative Johns, Senator Kennedy, and Deputy Secretary of State Tom Deadrick regarding draft e-notarization legislation. Concerns were expressed over the lack of security requirements and various other issues. From that discussion, draft legislation was amended and sent to the E-Recording committee for review.

After much discussion the consensus of the eRecording commission was to again suggest delaying any legislation until the 2020 session to avoid piecing together incorrect legislation. 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 to be familiar with the process as well as developing a secure system to prevent fraud. Greg Wick offered to contact Representative Johns as did SDACO Lobbyist, Roger Tellinghuisen. A working group consisting of Elaine Reimer, Greg Wick and Mitch LaFleur will create a bullet list of concerns for Representative Johns and Senator Kennedy. Commission Chair Julie Risty will reply to Legislative Research Council Attorney Wenzel Cummings that the E-Recording commission is working on questions and concerns regarding this draft legislation and are not in a position to support.

The next meeting was set for January 4, 2019 at 10:00 am CT / 9:00 am MT. Commission members will be appointed/re-appointed as well as elections for a new chair and vice chair.

The opportunity for public comment was given. A question offered by Donna Mayer was addressed.

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