**South Dakota Electronic Recording Commission**

**Teleconference**

**Wednesday, June 3, 2015**

**MINUTES**

The South Dakota Electronic Recording Commission met via teleconference on Wednesday, June 3, 2015. The meeting was called to order by Chairperson Julie Risty at 10:00 a.m. CT/9:00 a.m. MT. Roll call was made and a quorum was established with the following members present:

Julie Risty, Minnehaha County Register of Deeds

Elaine Reimer, Brule County Register of Deeds

Deb Young, Davison County Register of Deeds

Sheree Green, Lawrence County Register of Deeds

Haven Stuck, South Dakota State Bar Representative

Greg Wick, South Dakota Land Title Association Representative

Mitch LeFleur, South Dakota Land Title Association Representative

Donald J. Straka, South Dakota Bankers Association Representative

Monte Watembach, Information Technology Professional

Peggy Johnson, Sully County Register of Deeds, joined the conference at 10:30 a.m.

Kris Jacobsen, SDACO Deputy Director, serving as support staff.

A motion to approve the March 24, 2015, Minutes was made by Greg Wick and seconded by Sheree Green. With no abstention or opposition, motion carried by unanimous vote.

A motion to approve the June 3, 2015, Agenda was made by Deb Young and seconded by Mitch LeFleur. With no abstention or opposition, motion carried by unanimous vote.

The Commission reviewed and discussed the proposed administrative rules and standards, and made various suggestions for changes in the first draft of the proposed rules. Don Straka suggested that the definitions section follow the Statement of Purpose. It was also suggested that the definition for South Dakota Codified Law also be included for proper reference throughout the rules. Don volunteered to assist with re-writing the next draft, to help provide proper form and reference in the proposed rules. It was also suggested that Definition #8 – Document Receipt – be moved from the definitions section to its own section under Electronic Recording Processing Requirements. Discussion was further held concerning the receipt of documents in Register of Deeds offices, as well as more detailed items in the various sections of the rules. It was agreed that another draft, implementing the proposed changes and additions that were discussed, would be prepared and submitted to the Commission for their review.

Discussion was also held concerning the PRIA (Property Records Industry Association) organization, including who comprises the membership and its purpose, since we are including reference to specific documents formulated by PRIA, which we are using as documents to be followed by submitters if they are attempting to deliver documents electronically.

Haven Stuck then discussed the administrative rules procedure, giving insight as to how the process is done, and providing various statutes that set out the administrative rules process. Haven indicated that the South Dakota Electronic Recording Commission is considered an agency, under South Dakota law, since we are a commission. Haven also discussed the various statutes, timeline and requirements we must meet to attempt to establish administrative rules. Haven has agreed to assist our commission with meeting all of the administrative rule requirements and bringing them before the committee for adoption.

The meeting was then opened up for public comment. Melanie Gornik from Simplifile, introduced herself and spoke briefly on Memorandums of Understanding and how they are more particular to each county’s needs. There were no other comments from the public.

The next meeting of the South Dakota Electronic Recording Commission was tentatively set for July 15th at 10:00 a.m. CT

There being no further business, the motion to adjourn was made by Deb Young, seconded by Greg Wick, and unanimously carried.

Meeting Adjourned.