



STATE OF WASHINGTON

Electronic Recording Standards Commission (ERSC)

Tuesday, June 11, 2013 – 11:00am-12:30pm

County Auditors Elections Conference

DoubleTree by Hilton

18740 International Boulevard, Seattle, Washington, 98188

MEETING MINUTES

Members Present: Vicky Dalton – Spokane County Auditor; Dee McComb – Escrow Association of Washington; Kris Swanson – Cowlitz County Auditor; Steve Excell – State Archivist; Walter Washington – Kitsap County Auditor; Paul Merz – Imaged Library Company; Milene Henley – San Juan County Auditor

Staff Present: Julie Blecha – Office of the Secretary of State/Staff to the Commission

Guests Present: Marc Aronson, Pennsylvania Association of Notaries (via phone); Karl Klessig – Ingeo

I. ROUTINE ITEMS

A. Call to Order

1. The meeting was called to order at 11:00am.

B. Approval of Minutes for March 20, 2013 Meeting

1. **Motion** to adopt the minutes as presented: Washington, second by Swanson.

C. Adoption of June 11, 2013 Agenda

1. **Motion** to adopt the agenda as presented: McComb; second by Merz.

II. NEW BUSINESS/ACTION ITEMS

A. Review Standard #6 – Notary Acknowledgment

Carolyn Ableman, PRIA/PREP National Coordinator, suggested that Marc Aronson, President of the Pennsylvania Association of Notaries, be available to provide expertise during this meeting. He shared with members that he attended Pennsylvania's first Electronic Records Standards Commission meeting yesterday, and is happy to attend today's meeting by phone.

Members discussed the current standard's exclusion of notarized documents from other states and countries. After determining that RCW 42.44.130 - 150 recognizes the legitimacy of notarial acts performed by officials of other jurisdictions, federal authorities, and foreign authorities, Members decided to modify the language and submit a revised Report to the Secretary of State. The new Notary Acknowledgment standard shall read as follows:

Notarizations under this act must:

- *Be performed by a notary public who has been appointed by the Washington State Department of Licensing, or a person authorized by the laws of another jurisdiction outside of the state of Washington, in accordance with chapter 42.44 RCW; and,*

1. **Motion** to accept the amended language as drafted: Merz; second by Excell.

Members then reviewed concerns about the second bulleted item, which states that notarizations must “Comply with all requirements for performing a notarial act as found in chapter 42.44 RCW...”. It was decided that the addition of “applicable” would provide better definition and clarity. In addition, some Members stated that the existing reference to “electronic notarization” was confusing, as this is not a standardized term. It was agreed that removal of the reference AND the definition (farther down the page) could be completed with no loss of integrity to the standard. The following language was drafted:

- *Comply with all applicable requirements for performing a notarial act as found in chapter 42.44 RCW and chapter 308-30 WAC, as amended from time to time, except that in the case of notarizations performed electronically, an impression of the official seal or stamp is not required.*
2. **Motion** to modify the language in the second bulleted item as drafted: Washington; second by Swanson.
 3. **Motion** to eliminate the definition of “Electronic notarization” in the Notary Acknowledgment standard on page 13 and eliminate the “Electronic Notary” entry in the glossary on page 18: Washington; second by Henley.

Dalton asked Blecha to compile other modifications that may be necessary in other parts of the Report due to changes approved today. Blecha will post the draft 2013 Report online for ERSC and public review.

Dalton reminded Members that the ERSC report is a living, breathing document that will need to be changed over time to keep up with changes in technology.

III. NEXT MEETING – WACO Conference (September 30-October 4), Date & Time To Be Determined

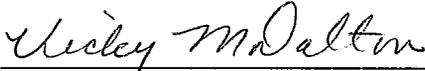
The next meeting will be scheduled to take place during the Washington Association of County Officials (WACO) conference the week of September 30th to October 4th in SeaTac. Specific date, time, and locale will be determined.

IV. ADJOURNMENT

- A. The chair adjourned the meeting at 11:59am.

CERTIFICATION OF MEETING MINUTES OF THE eRecording Standards Commission:

I, Vicky Dalton, Chair of eRecording Standards Commission, certify that the above is a true and correct transcript of the minutes of a public meeting of the eRecording Standards Commission of the State of Washington held at the DoubleTree Hilton in SeaTac on June 11, 2013, and that the public meeting was duly called and held in all respects in accordance with the laws of the State of Washington, and that a quorum was present.



Chair Signature



Date