

Minutes of Meeting
NCCUSL Study Committee on
Revisions to the Uniform Law on Notarial Acts

By Teleconference December 20, 2006

The Study Committee on Revisions to the Uniform Law on Notarial Acts had its first meeting by teleconference December 20, 2006. Participating in the call were Study Committee chair Patricia B. Fry and members Duchess Bartmess, Sue Ann Derr, Frank W. Daykin, and Neal Ossen, Division Chair Dale G. Higer, and Executive Director William Henning. Also participating in the call were Marc Aronson and Ray Janicko of the United States Notary Association, Tom Wrosch of the Office of the Secretary of State in Oregon, Tim Poulin of the Office of the Secretary of State in Maine and representing the International Association of Commercial Administrators, and John Jones of ArionZoe.

Bill Henning stated that there were two specific modes of staff support which the committee may want to consider: obtaining funding and support for a stakeholder's meeting and obtaining a grant from the Uniform Law Foundation and hiring someone to conduct needed research. The committee concurred that seeking such support should await further action by the committee.

The committee discussed the original charge to the Study Committee, as well as the provisions of the Uniform Law on Notarial Acts, approved by the National Conference of Commissioners on Uniform State Laws in 1982 and enacted by eleven states. It also discussed the wide variation found in state laws on notaries and heard desires expressed for both uniformity and guidance for the states. It was noted that the emergence of electronic markets and national markets for such things as mortgage loans has created a particular need for guidance on electronic notarizations and revealed the vast lack of consistency amongst state notarial laws. The chair proposed that a memorandum be prepared outlining the possible scope of a law on notarial acts, including topics described in both the 1982 act, others mentioned by participants, and the topics mentioned in the original proposal to Scope & Program and circulate the memorandum to the participants on the call. This memorandum might then be used by members as they discuss the project with various stakeholders.

After further discussion, including description of the model law prepared by the National Notary Association and the revision currently in process and identification of various stakeholders which should be contacted, it was agreed that the Chair would provide committee members with links to relevant websites and a list of the stakeholders which were identified during the call. Each committee member would review the laws of their respective states relevant to notaries and would review the list of stakeholders to identify any additional stakeholders who should be contacted and to identify those stakeholders with whom they have contacts. Each committee member would be responsible for contacting several of the identified parties to solicit their comments and

suggestions and participation in the study process. It was agreed the committee would attempt to meet by teleconference in late January 2007.