

# **NOTARY STUDY COMMITTEE MEETING**

## **Minutes**

**August 20, 2002**

### **QUORUM NOT PRESENT**

The Fourth Notary Study Committee meeting was called to order at the State Capitol, Baton Rouge, Louisiana in House Committee Room No. 1 at 10:00 a.m., authorized by House Concurrent Resolution No. 81 from the 2001 Regular Session of the Legislature.

Meeting was called to order by Chairman, Cynthia Cotten.

Roll called by Chairman, Cynthia Cotten.

The following committee members were present: Warren Ponder, Executive Counsel for the Secretary of State, Stephen Broussard, Paul Bello, Walter Brunty, Kathleen Clark, Sue Dier, Alan Jennings, Jo Landry, Jim Estes.

William L. Pratt, Randy David, Wendy Hilker, Narciso Lomeli, Linda Davidson, Carvel Sims, John Shidler, Glenn Stallings were absent.

No quorum was reached but discussion went forward. Cynthia Cotten explained there were 16 members of the committee needing nine for a quorum.

Mr. Ponder thanked all for attending. He explained that ex-officio notaries, justice of the peace and attorneys are not in the directive from the legislature of this study committee. We have touched on these three issues in the scope of these meetings but the legislature has limited what we can propose to their committee. Since we don't have a quorum we can not vote on the reports and we do not have a report from Sub-committee #3. Mr. Ponder asked for volunteers to get a report in order to move forward.

Ms. Cotten stated the committee needed to put together an ad hoc committee to get a report together concerning standards and enforcement.

Mr. Bello has spoken with Mr. Pratt and thinks he has a report in the works. Mr. Bello has in his proposed revisions to Title 35 incorporated monitoring and standards in that report.

Ms. Cotten asked Mr. Bello if he wanted to pull that out of the revision report and submit it to the committee as a report.

Mr. Bello does not want to write the report for the Sub-Committee #3 but as a committee person would assist the chair if directed.

Mr. Estes asked to defer to the comments made by Carvel Sims at the last meeting. Mr. Estes believed Mr. Sims was to have that report to the chair by this meeting.

Ms. Cotten stated she had no report from Mr. Sims.

Mr. Estes stated the wording on the commission goes on the presumption that we will have mandatory continuing education which nobody wants.

Mr. Ponder agreed the Standards Sub-Committee does have to assume that some requirements will be made so standards will have to be met. He said we don't know what the legislature is going to do with the first two reports so we are trying to anticipate if they are going to do something, this is what the committee recommend they do with standards and enforcement.

Mr. Estes asked if he and Mr. Brunty worked on the report could they put a disclaimer in the report.

Mr. Ponder said yes, you can present anything. He said when we have all the reports in hand and have a quorum we will ask for concurrence as to whether you agree or disagree.

Mr. Brunty stated he will serve with Mr. Estes to put a report together. He then asked all committee members to get him any reports from other meetings. Toll free fax number 800-252-2913. Call 888-575-3152 and e-mail address is [wjbrunty@bellsouth.net](mailto:wjbrunty@bellsouth.net)

Mr. Ponder suggested to postpone discussion until next meeting, urging members to attend in order to get a quorum and have a full discussion.

Mr. Broussard asked to get response from committee members ahead of time to find out if there would be a quorum before traveling to Baton Rouge.

Ms. Cotten urged committee members to respond when asked to confirm your attendance.

Mr. Jennings asked the chair to consider asking committee members if they wish to continue to serve on the committee and if they do not, not to count them in the quorum.

Mr. Ponder stated we would need a formal withdrawal, formal resignation to reduce our quorum requirement.

Ms. Dier asked to continue the discussion and recognize any witnesses in audience.

Ms. Cotten opened the floor to witness discussion, committee discussion.

Mr. Bello asked to adjourn for 15 or 20 minutes to wait for a quorum, expecting to hear from Mr. Pratt.

Mr. Broussard asked to adjourn until the third sub-committee report comes in.

Mr. Jennings moved for adjournment

Mr. Brunty seconded the motion.

Mr. Ponder agreed to the adjournment. Set Tuesday, October 8, 2002 , for next meeting. He was asked if proxy voting would be allowed and the answer was no.