

Meeting Agenda
SOUTH DAKOTA ABSTRACTERS' BOARD OF EXAMINERS
Ramkota Hotel & Watertown Event Center- Cottonwood/Big Stone Room
1901 9th Ave. SW
Watertown, SD 57201

June 8, 2023 – 4:00 p.m. CDT

Persons wishing to join the meeting by teleconference may do so by calling (866) 705-2554, key in the access code of 263756.

- A. Call to Order
- B. Roll Call/Introductions
- C. Approval of the agenda
- D. Public Comment
- E. Approval of the Minutes of February 1, 2023
- F. FY Financial Update
- G. Plant Exams Update
- H. Legislative Updates
- I. Application for Abstracter's Examination and Licensure- Form Update
- J. Election of Officers
- K. Renewal Update
- L. Schedule Next Meeting(s)
- M. Executive Session-Pursuant to SDCL 1-25-2
 - a. Complaints/Investigations-If any
- N. Other Business
- O. Adjourn

Meeting Minutes
SOUTH DAKOTA ABSTRACTERS BOARD OF EXAMINERS
Drifters Event Center
325 Hustan Avenue
Fort Pierre, SD 57532

February 1, 2023 – 4:00 p.m. CST

President Wick called the meeting to order at 4:04 p.m. CST

Members Present: Yvon Burtz, Terra Fisher, Dan Roe, Greg Wick, Victoria Wilds (via teleconference)

Members Absent: None

Others Present: Carol Tellinghuisen, Executive Secretary; Brooke Tellinghuisen Geddes, Executive Assistant; Jerry McCabe Board Attorney, Department of Labor; Melissa Bitterman, First Dakota Title; Christina Marta, SoDak Title; Michael Anderson, First Dakota Title; Ellen Margheim, Homestead Holdings; Billy Stitz, Tri State Title; Eric Hanson, Dakota Homestead.

Tellinghuisen Geddes conducted roll call; Wick, Burtz, Roe, Fisher and Wilds were in attendance. A quorum was present.

Approval of the Agenda: Burtz made a motion to approve the agenda as presented. Fisher seconded the motion. **MOTION PASSED** by unanimous voice vote.

Public Comment: Wick asked for comments from the public. There were no comments offered.

Approval of the Minutes from October 17, 2022: Roe made a motion to approve the minutes from October 17, 2022. Burtz seconded the motion. **MOTION PASSED** by unanimous voice vote.

FY Financial Update: Tellinghuisen Geddes reported fiscal year-to-date figures as of December 31, 2022: revenue of \$10,245.23, expenditures of \$19,360.75 and cash on hand of \$346,799.80.

Plant Exams Update: Tellinghuisen Geddes reported recently completed plant exams in Haakon County and Grant County. Wilds reported that she and Burtz examined one plant in Pennington County. Tellinghuisen Geddes reported that the Board has three other pending plant exams.

Discussion on Levying Fines: McCabe advised that the Board has authority with chapter 36-1C to impose fines up to \$500 and that authority could be granted to the administrator of the Board. Following discussion, Wick advised that a maximum fee of \$500 may not be effective. It may be a discussion in the future when the Board decides to amend the administrative rules.

Legislative Updates: Discussion was held on SB 76 which is an expansion of SDCL 36-1D, which addresses licensure by reciprocity. McCabe advised that although this bill would impact this Board, the licensure boards are ultimately provided with sufficient discretion to impose

requirements for licensure that they already require which provides flexibility to issue licenses rather than being required to. Other upcoming bills that may impact the Board were mentioned and McCabe advised that he will be looking into those closer.

Schedule Next Meeting: The next meeting was scheduled as follows: Testing on Wednesday, June 7th, 2023 at 12:00 p.m. CST at the Ramkota Event Center in Watertown; Board Meeting on Thursday, June 8, 2023 at 4:00 p.m. CST at the Ramkota Event Center in Watertown.

Executive Session: The Board did not have a need to enter executive session as there are no pending complaints.

Executive Secretary Contract Renewal: Burtz made a motion to renew the Executive Contract with Professional Licensing at its current rate with a cost-of-living increase consistent with the cost-of-living increase granted by the state. Fisher seconded the motion. **MOTION PASSED** by unanimous voice vote.

Other Business: Burtz, Roe, Wilds and Wick met with four applicants yesterday to administer abstracter licensing examinations.

Roe made a motion to adjourn. Burtz seconded the motion. **MOTION PASSED** by unanimous voice vote. The meeting adjourned at 4:37 p.m. CST.

Respectfully submitted,



Carol Tellinghuisen
Executive Secretary
Abstracters Board of Examiners

STATE OF SOUTH DAKOTA
REVENUE SUMMARY BY BUDGET UNIT
FOR PERIOD ENDING: 03/31/2023

AGENCY 10 LABOR & REGULATION
BUDGET UNIT 1038 ABSTRACTERS BD OF EXAMINERS - INFO

CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE
	COMPANY NO 6503				
	COMPANY NAME	PROFESSIONAL & LICENSING BOARDS			
1038000698	6503	4293920	NEW LICENSE FEES	.00	2,100.00
1038000698	6503	4293921	REEXAMINATION FEES	.00	250.00
1038000698	6503	4293922	EXAMINATION FEES	500.00	3,500.00
1038000698	6503	4293923	RENEWAL FEES	.00	3,150.00
ACCT: 4293			BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)	500.00	9,000.00 *
ACCT: 42			LICENSES, PERMITS & FEES	500.00	9,000.00 **
1038000698	6503	4539001	OTHER CHARGES	1,569.67	2,892.73
ACCT: 4539			OTHER CHARGES (STATE INTRA-GOVERNMENT)	1,569.67	2,892.73 *
1038000698	6503	4596001	EDUCATIONAL MATERIAL-NHA	300.00	900.00
ACCT: 4596				300.00	900.00 *
1038000698	6503	4920045	CHARGES FOR SALES & SERVICES	1,869.67	3,792.73 **
ACCT: 4920			NONOPERATING REVENUES	.00	2,923.18
1038000698	6503	49500000	REFUND OF PRIOR YEARS EXP	.00	2,923.18 *
ACCT: 4950			REFUND OF PRIOR YEARS EXPENDITURES	.00	750.67
ACCT: 49			OTHER REVENUE	.00	750.67 *
CNTR: 1038000698				.00	3,673.85 **
COMP: 6503				2,369.67	16,466.58 ***
B UNIT: 1038				2,369.67	16,466.58 ****
				2,369.67	16,466.58 *****

STATE OF SOUTH DAKOTA
MONTHLY OBJECT/SUB-OBJECT REPORT BY BUDGET UNIT
FOR PERIOD ENDING: 03/31/2023

AGENCY 10
BUDGET UNIT 1038
CENTER-5 10380

LABOR & REGULATION
ABSTRACTERS BD OF EXAMINERS - INFO
ABSTRACTERS BOARD OF EXAMINERS

COMPANY NO	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE
1038000698	6503	51010100	F-T EMP SAL & WAGES	18.84	480.33
1038000698	6503	51010300	BOARD & COMM MBR FEES	.00	2,100.00
ACCT: 5101			EMPLOYEE SALARIES		
1038000698	6503	51020100	OAST-EMPLOYER'S SHARE	18.84	2,580.33
1038000698	6503	51020200	RETIREMENT-ER SHARE	1.38	199.62
1038000698	6503	51020500	HEALTH/LIFE INS.-ER SHARE	1.13	28.96
1038000698	6503	51020800	WORKER'S COMPENSATION	2.03	53.67
1038000698	6503	51020900	UNEMPLOYMENT COMPENSATION	.00	1.07
ACCT: 5102			EMPLOYER BENEFITS		
ACCT: 51			PERSONAL SERVICES	4.58	283.44
1038000698	6503	52030300	AUTO-PRIV (IN-ST.) H/RTE	23.42	2,863.77
1038000698	6503	52031000	LODGING/IN-STATE	196.86	1,674.90
1038000698	6503	52031400	TAXABLE MEALS/IN-STATE	.00	1,062.35
1038000698	6503	52031500	NON-TAXABLE MEALS/IN-ST	.00	48.00
1038000698	6503	52032300	AUTO-PRIV. (OUT-STATE) H/R	40.00	670.00
1038000698	6503	52032600	AIR-COMM-OUT-OF-STATE	.00	47.94
1038000698	6503	52033200	INCIDENTALS-OUT-OF-STATE	.00	415.89
ACCT: 5203			TRAVEL		84.90
1038000698	6503	52040500	COMPUTER CONSULTANT	236.86	4,003.98
1038000698	6503	52040900	MANAGEMENT CONSULTANT	200.00	1,235.00
1038000698	6503	52042000	CENTRAL SERVICES	.00	24,522.27
1038000698	6503	52045300	TELECOMMUNICATIONS SRVCS	313.12	1,316.43
1038000698	6503	52045800	TRUCK-DRAWAGE & FREIGHT	.00	66.55
ACCT: 5204			CONTRACTUAL SERVICES	1,159.51	1,159.51
1038000698	6503	522800	OFFER TRANS OUT -NON BUDGT	1,672.63	28,299.76
ACCT: 5228			NONOP EXP/NONBUDG OP TR	79.36	112.77
ACCT: 52			OPERATING EXPENSES	1,515.13	32,416.51
COMP: 6503			PROFESSIONAL & LICENSING BOARDS	1,538.55	35,280.28
CENTER: 1038000698				1,538.55	35,280.28
B UNIT: 1038				1,538.55	35,280.28

BAL409R1

STATE OF SOUTH DAKOTA
CASH CENTER BALANCES
AS OF: 03/31/2023

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AGENCY: 10 LABOR & REGULATION
BUDGET UNIT: 1038 ABSTRACTERS BD OF EXAMINERS - INFO

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	1038000698	1140000	337,101.62	DR	ABSTRACTERS BOARD OF EXAMINERS
COMPANY/SOURCE TOTAL 6503 698			337,101.62	DR *	
COMP/BUDG UNIT TOTAL 6503 1038			337,101.62	DR **	
BUDGET UNIT TOTAL 1038			337,101.62	DR ***	



2023 South Dakota Legislature

Senate Bill 76

Introduced by: *Senator Stalzer*

1 **An Act to provide for licensure by endorsement for certain licensed professionals**
 2 **and occupations.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That § 36-1D-1 be AMENDED:**

5 **36-1D-1.** Notwithstanding any existing provisions related to licensure by
 6 endorsement or licensure by reciprocity in any applicable licensing statute, a licensing
 7 board or a department secretary, if the secretary is responsible for issuing the license,
 8 shall issue a license, certificate, registration, or permit to an applicant to allow practice in
 9 this state if, upon application to the licensing board, the applicant satisfies all of the
 10 following conditions:

- 11 (1) Holds a current license, certificate, registration, or permit from another state,
 12 territory, or country and the licensing board determines that state's, territory's, or
 13 country's requirements are substantially equivalent to or exceed the requirements
 14 established in this state;
- 15 (2) Demonstrates competency in the profession or occupation through methods
 16 determined by the licensing board or a department secretary, if the secretary is
 17 responsible for issuing the license, ~~including having completed continuing~~
 18 ~~education or having experience in the profession or occupation for at least two of~~
 19 ~~the five years preceding the date of the application under this section;~~
- 20 (3) Has not committed any act that constitutes grounds for refusal, suspension, or
 21 revocation of a license, certificate, registration, or permit to practice that profession
 22 or occupation in this state unless the licensing board determines, in its discretion,
 23 that the act should not be an impediment to the granting of a license, certificate,
 24 registration, or permit to practice in this state;
- 25 (4) Is in good standing and has not been disciplined by the jurisdiction that issued the
 26 license, certificate, registration, or permit unless the licensing board determines,

- 1 in its discretion, that the discipline should not be an impediment to the granting of
 2 a license, certificate, registration, or permit to practice in this state; and
 3 (5) Pays any fees established by the licensing board by rules promulgated pursuant to
 4 chapter 1-26.

5 **Section 2. That § 36-1D-2 be AMENDED:**

6 **36-1D-2.** A licensing board or a department secretary, if the secretary is
 7 responsible for issuing the license, may issue a provisional license, certificate, registration,
 8 or permit to an applicant for licensure by endorsement while the applicant is satisfying
 9 remaining requirements for the licensure by endorsement as determined by the board.
 10 The holder of a provisional endorsement license issued under this section may practice
 11 until any of the following occurs:

- 12 (1) A license, certificate, registration, or permit is denied by the licensing board under
 13 this section;
 14 (2) The expiration of the provisional endorsement license as established by the board
 15 by regulation; or
 16 (3) The holder of the provisional endorsement license fails to comply with the terms of
 17 the provisional license.

18 **Section 3. That § 36-1D-3 be AMENDED:**

19 **36-1D-3.** Nothing in this chapter may be construed to override, supersede, or
 20 invalidate any compact or agreement already in place with regard to the regulation of any
 21 profession ~~under title 36~~listed under § 36-1D-4.

22 **Section 4. That § 36-1D-4 be AMENDED:**

23 **36-1D-4.** The provisions of this chapter apply to ~~those practitioners licensed~~
 24 ~~pursuant to chapters 36-4, 36-4A, 36-4B, 36-4C, 36-9, 36-9A, 36-9C, 36-10, 36-10B, 36-~~
 25 ~~11, 36-19, 36-26, 36-27A, 36-29, 36-31, 36-32, 36-33, 36-34, 36-37, 36-38, and 34-11~~
 26 any of the following:

- 27 (1) Any occupation licensed pursuant to title 36;
 28 (2) Emergency medical technicians and emergency medical responders licensed
 29 pursuant to chapter 34-11;
 30 (3) Water and wastewater operators licensed pursuant to chapter 34A-3;

- 1 (4) Teachers, administrators, and other educational professionals licensed pursuant to
2 chapter 13-42; and
3 (5) Commercial pesticide applicators licensed pursuant to chapter 38-21.

South Dakota Abstracters' Board of Examiners

Frequently Asked Questions

Does the Board require continuing education hours to maintain licensure?

No. The South Dakota Abstracters' Board of Examiners does not have a continuing education requirement.

I'm a licensed abstracter in another state. Does South Dakota offer reciprocity licensing?

No. South Dakota does not offer reciprocity licensing. Please see our [licensing page](#) for more information on licensure requirements and the licensing process in South Dakota.

How often are examinations given? How can I register?

The examination is given three times a year — February, June and October. You can register for the examination by downloading an application form and, if needed, a form to order a study guide. Both forms are available from our [Forms](#) Web page. Please see our [licensing page](#) for more information on the exam, or [contact us](#) using the information at the bottom of this page.

How often must I renew my license?

Individual licensees do not need to renew their licenses. Individual abstracters who do not engage in the business of abstracting for one year must re-apply for licensure when they come back to the profession. An abstracter's plant registration, on the other hand, must be renewed biennially.

[Contact Us](#)

SOUTH DAKOTA DEPARTMENT OF LABOR AND REGULATION
SOUTH DAKOTA ABSTRACTERS' BOARD OF EXAMINERS

810 N. Main St. #298, Spearfish, SD 57783
Tel: 605.642.1600 Fax: 605.722.1006 dlr.sd.gov/abstracters

**APPLICATION FOR ABTRACTER'S
EXAMINATION AND LICENSURE**

Directions for completion of the application: Please type or write legibly. All items must be completed or the application will not be processed. The application must be accompanied by all fees - \$50.00 per section of the test (see below).

Name: _____
(Last) (First) (Middle) (Maiden)

Mailing Address: _____
(Street/PO Box) (City) (State) (Zip)

Home Telephone: _____ Office Number _____

Cell Number: _____ Fax Number _____

Date of Birth _____ Social Security Number _____

E-mail Address: _____

Employer: _____

Address of Employer: _____
(Street)

(City) (State) (Zip)

PLEASE INDICATE WHICH SECTIONS OF THE EXAMINATION YOU WILL BE TAKING:

- Section I - Descriptions
- Section II - Instruments
- Section III - Code, Rules and Regulations
- Section IV - Miscellaneous
- Section V - Title Insurance

Number of Sections to be taken: _____ x \$50.00 = \$ 0.00 (total examination fee owed)

Number of Sections to be re-taken: _____ x \$25.00 = \$ 0.00 (total examination fee owed)

PERSONAL REFERENCES

Name, Mailing Address, City, State and Zip

1.

2.

3.

MISCELLANEOUS

1. Have you ever been convicted of a crime other than misdemeanor traffic offenses? Yes No
If yes, give complete details on a separate sheet, including copies of the court's judgment and any written decisions in that case.

2. To your knowledge, has a complaint ever been filed against you or a company owned by you with the South Dakota Abstracters' Board of Examiners or any board of examiners in another state, territory or jurisdiction?
 Yes No
If yes, give complete details on a separate sheet, including copies of any decision, stipulation or agreement reached in the action(s).

3. Are you currently or have you ever been licensed in another state? Yes No
If yes, in which state or states?

4. Has any state rejected your application for licensure or revoked your professional license or certificate in any field or profession? Yes No
If yes, give complete details on a separate sheet.

AFFIRMATIONS

By applying for licensure to the South Dakota Abstracters' Board of Examiners, I:

* have obtained, pursuant to SDCL 36-13-11.1, fingerprint cards from the Sheriff in the county in which I wish to be licensed. I will physically present the fingerprint cards at the time of examination.

* authorize Board representatives to consult with others who have been associated with me and/or who may have information bearing on my competence and qualifications;

* consent to Board representatives' inspection of all records and documents that may be material to an evaluation of my professional qualifications and competence to carry out the privileges I request, of my physical and mental health status and of my professional and ethical qualifications;

* release from any liability all Board representatives or any state licensure board for their acts performed in good faith and without malice in connection with evaluation of me and my credentials;

* release from any liability all individuals and organizations who provide information, including otherwise privileged or confidential information, to the South Dakota Board of Abstracters' Examiners in good faith and without malice concerning my competence, professional ethics, character, physical and mental health, emotional stability, and other qualifications; and

* declare and affirm under the penalties of perjury that this application has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.

Applicant's signature

Print name as it is to appear on license

Date