



## Legislative Research Council

# SOUTH DAKOTA CODE COMMISSION MINUTES

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**Ninety-eighth Meeting**  
**Thursday, February 16, 2006**

**LRC Conference Room**  
**Third Floor, State Capitol**  
**Pierre, South Dakota**

The ninety-eighth meeting of the South Dakota Code Commission was called to order by Chair Michael DeMersseman at 4:10 p.m., February 16, 2006, in the LRC Conference Room on the Third Floor of the State Capitol, Pierre, South Dakota.

A quorum was determined with the following members answering the roll call: Commissioners Eric Bogue (Vice-Chair), Michael DeMersseman (Chair), and Tom Lee. Excused were Commissioners Thomas Deadrick and Lee McCahren.

In attendance as an interested party were Ms. Lila Hambleton, Thompson West Publishing (appearing telephonically) and Mr. Lary Zastrow, State Bar of South Dakota.

Staff member present was Doug Decker, Code Counsel.

All material distributed at the meeting is attached to the original minutes on file in the Legislative Research Council. For the purpose of continuity, these minutes are not necessarily in chronological order.

### **Approval of Minutes**

*Commissioner Bogue moved, seconded by Commissioner Lee, to approve the minutes of the June 17, 2005, meeting. Motion prevailed on a voice vote*

### **Pocket Parts**

Chair DeMersseman opened the discussion regarding the need to reprint a particular volume due to the number of pages in the pocket parts. The Commission reviewed a report entitled "Pocket Part Growth Report" prepared by Ms. Hambleton (**Document 1**). The report compared each volume of the Code and compared the number of pages in the pocket part to the number of pages in the main volume. As a general rule, when the number of pages in a pocket part is equal to or greater than 25% of the number of pages in the main volume, the volume is considered for reprinting. This year two volumes and their pocket parts met this criteria, Volume 14 and Volume 27.

The Volume 14 pocket part is a pamphlet produced last year to include the major criminal code revision from the 2005 Legislature. The Commission determined that Volume 14 should be reprinted because it will make the volume and the amendments to the criminal code easier to use because the amendments will be incorporated into the main volume. After discussion by the Commission, *Commissioner Bogue moved, seconded by Commissioner Lee, that Volume 14 be reprinted. Motion carried on a roll call vote with 3 ayes and 2 excused. Members voting aye: Bogue, DeMersseman, and Lee. Excused: Deadrick and McCahren.*

Volume 27, which includes the Model Business Corporation Act from the 2005 legislative session, was discussed and it was determined that it would not be necessary to reprint Volume 27 at this time.

The pocket parts for this year will be issued as usual by July and the new replacement volume will be published in November.

There being no further discussion, *Commissioner Lee moved, seconded by Commissioner Bogue to adjourn. Motion prevailed on a voice vote.*

The meeting adjourned at 4:30 p.m.

