

MEMORANDUM 2024-22

Commission Handbook

The Commission¹ has long maintained a [Handbook of Practices and Procedures](#) to memorialize its decisions about how it operates.² At its May 2024 meeting, the Commission concluded that it views itself as an advisory body for the purposes of the teleconferencing authority provided by [Government Code Section 11123.5](#) and directed the staff to propose implementing Handbook language.³ In this memorandum, the staff offers proposed text to memorialize that decision for the Commission’s consideration.

This memorandum also discusses Commissioner communication with individual stakeholders. The Commission staff has received questions about the rules governing such communications. This memorandum provides some background on this topic and identifies relevant language in the Handbook.

Finally, this memorandum discusses several other staff-proposed changes to the Handbook to better align with current practices. These matters are presented as proposed consent items. The Commission previously directed the staff to utilize proposed consent procedures to “streamline consideration of purely technical and uncontroversial matters.”⁴ While the proposed changes are not purely technical, the staff believes that the proposed changes are all uncontroversial. Absent a Commissioner question or request to present these items, the staff does not intend to discuss these items individually at the meeting.

For ease of reference and to allow the proposed text to be seen in context, this memorandum includes, as an attachment, a copy of the Handbook. The attached document shows proposed changes in strikeout and underscore. The sections are highlighted in gray when the changes are not designated for proposed consent treatment.

¹ Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission’s website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission’s staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

² See, e.g., [Memorandum 69-145](#).

³ Minutes (May 2024).

⁴ See [Minutes \(July 2019\)](#), p. 2.

UPDATING PROVISION ON TELECONFERENCE MEETINGS

In May, the Commission determined that a recent amendment⁵ of the Bagley-Keene Open Meeting Act authorizes a new way for the Commission to conduct meetings via teleconference.⁶ The current language in the Handbook on teleconference meetings predates the COVID-19 pandemic and the Commission's shift to meeting by teleconference. That section provides:

360. Teleconference meetings

(a) The Commission believes that in-person attendance is important. Teleconference is disruptive and changes the character of the discussion and deliberations.

(b) In general, the Commission discourages the use of teleconference at meetings and will not grant a request to appear by teleconference. In extraordinary situations, the Chairperson may authorize the use of teleconferencing.

(c) Any use of teleconferencing must satisfy the requirements of the Bagley-Keene Open Meeting Act.⁷

During the COVID-19 pandemic, the Commission met via teleconference pursuant to the Governor's executive order and later statutory changes waiving certain statutory requirements to facilitate the use of teleconferencing for public meetings.⁸ The waivers under which the Commission was operating expired in late 2023.⁹ However, the Bagley-Keene Open Meeting Act was amended in 2023 to authorize an additional means for advisory bodies to meet via teleconference.¹⁰ The Commission considered this new authority and determined that the Commission views itself as an advisory body for the purposes of that teleconference meeting authority.

The staff proposes to amend Section 360 of the Handbook to reflect the Commission's decision. In particular, the staff proposes to replace the current text of Section 360 with the following:

360. Teleconference meetings

(a) The Commission views itself as an advisory body for the purposes of the teleconferencing authority provided by Government Code Section [11123.5](#). The Commission reserves the right to meet via teleconference as the Commission deems appropriate and in conformance with the requirements of the Bagley-Keene Open

⁵ 2023 Cal. Stat. ch. 216 ([SB 544](#)).

⁶ [Gov't Code § 11123.5](#), as amended by 2023 Cal. Stat. ch. 216, § 2.

⁷ Citations omitted. The current Handbook is available on the Commission's website at [Handbook of Practices and Procedures](#).

⁸ See, e.g., [Memorandum 2020-21](#), [Memorandum 2022-25](#), [Memorandum 2022-43](#), [First Supplement to Memorandum 2023-35](#).

⁹ See [First Supplement to Memorandum 2023-35](#), p. 1.

¹⁰ [Gov't Code § 11123.5](#), as amended by 2023 Cal. Stat. ch. 216, § 2.

Meeting Act.¹¹

(b) The staff will consult with the Commission to determine whether particular meetings should be conducted in person or via teleconference.

(c) The Commission may meet in person to host expert speakers and receive stakeholder comments. The Commission may use the teleconference option for routine meetings and when Commissioners are unavailable to meet in person and a quorum can otherwise not occur.

(d) Commissioners may attend in-person Commission meetings via teleconference when Commissioners are unable to attend in person. Commissioners should notify staff at least two days in advance of the meeting to comply with the public notice requirement in Government Code Section [11123.5\(d\)](#).¹²

Does the Commission approve the proposed text for Section 360 presented above?

[PROPOSED CONSENT] Minor Changes to Conform to Teleconference Practices and Rules

In reviewing the Handbook, the staff identified two sections that are in need of update to reflect current practices or applicable rules for meetings and teleconferencing. Each of those items is described briefly below.

Meeting Locations

Section 300(c) currently states that “[i]n order to facilitate live-streaming, the Commission will meet in State Capitol hearing rooms.¹³” With the ongoing reconstruction of the State Capitol and the Commission’s interest in providing a teleconferencing option for experts and stakeholders to attend Commission meetings (even those held in person), this rule does not reflect current practices. For this reason, the staff proposes to revise Section 300(c) to read:

(c) The Commission shall meet in hearing rooms that facilitate remote participation by electronic means.

Approval of Actions

Section 455(e) allows for actions of the Commission to be taken by unanimous assent. This rule is in tension with a statutory requirement that requires that “[a]ll votes taken

¹¹ Minutes (May 2024). See also Gov’t Code § [11123.5](#), as amended by 2023 Cal. Stat. ch. 216, § 2 (this section expires on January 1, 2026).

¹² Gov’t Code § [11123.5\(d\)](#) states “[t]he state body shall provide notice to the public at least 24 hours before the meeting that identifies any member who will participate remotely by posting the notice on its internet website and by emailing notice to any person who has requested notice of meetings of the state body under this article. The location of a member of a state body who will participate remotely is not required to be disclosed in the public notice or email and need not be accessible to the public. The notice of the meeting shall also identify the primary physical meeting location designated pursuant to subdivision (f).”

¹³ [Minutes \(April 2019\)](#), p. 2.

during a teleconferenced meeting shall be by roll call.”¹⁴ The staff proposes to amend the final subdivisions of Section 455 as follows (with changes shown in ~~strikeout~~ and underscore):

...

(e) Actions for in-person meetings may also be taken by unanimous assent. If the staff asks whether a certain actions should be taken, and no Commissioner objects after having been given an opportunity to do so, the action is deemed approved by the unanimous assent of those present.

(f) All votes taken during a teleconferenced meeting shall be by roll call.¹⁵

(g) (f) The Commission may give the staff informal instructions or guidance without taking formal action.

COMMISSIONER COMMUNICATIONS WITH STAKEHOLDERS

The staff has received questions from individual Commissioners about the rules governing communications with stakeholders outside of Commission meetings (also known as “ex parte communications”). Nothing in the Commission’s originating statutes¹⁶ places restrictions on these exchanges, nor does the Bagley-Keene Open Meeting Act,¹⁷ which governs Commission meetings. However, Commissioners must take care to avoid serial meetings, which are defined as “a series of communications of any kind, directly or through intermediaries, [by which a majority of Commission members] discuss, deliberate, or take action on any item of business that is within the subject matter of the [Commission].”¹⁸ This restriction extends to all forms of communication, whether face-to-face or by email, to prevent circumventing open meeting requirements.¹⁹ The Attorney General’s Guide on the Bagley-Keene Open Meeting Act provides some guidance on how a serial meeting might occur through intermediaries:

Serial meetings may also occur indirectly through go-betweens or delegates who are not state body members, in the same two ways that they may occur directly—sequentially or selectively. When member A’s delegate communicates with member B’s delegate, who then communicates with member C’s delegate, a serial meeting has occurred if the delegates then transmit the communications to these members or act on the members’ behalf. Alternatively, when a non-member acts as the hub of a wheel and communicates individually with selected spokes (members A, B, and C), the members have engaged in a serial meeting. For

¹⁴ See *infra* note 14.

¹⁵ [Gov’t Code § 11123\(b\)\(1\)\(D\)](#).

¹⁶ [Gov’t Code §§ 8280 – 8298](#).

¹⁷ [Gov’t Code §§ 11120 – 11132](#).

¹⁸ [Gov’t Code § 11122.5\(b\)\(1\)](#).

¹⁹ Office of the Attorney General, California Department of Justice, [Bagley-Keene Open Meeting Act Guide](#) (2024), pp. 6 – 8.

example, when the trustees of a community college met individually with a mediator during settlement negotiations, a court determined that the trustees had engaged in serial meetings with an intermediary (the mediator), in violation of open-meeting rules.

Conversely, an individual state body member may communicate with another member or any other person as long as the communication does not amount to deliberation by a majority of the state body. Thus, where a member of the public sends an email message to the entire state body and other members of the public, and one state body member replies by email solely to the sender and the other members of the public, this email exchange is not deliberation by a majority of the state body.²⁰

As indicated above, individual conversations between Commissioners and stakeholders can be problematic when those conversations cumulatively amount to deliberation by a majority of the Commission.

Given that, each individual Commissioner can use their discretion in deciding whether to meet with interested parties outside of the Commission's public forums on issues before the Commission. In considering whether to accept or decline meeting requests, Commissioners are encouraged to heed the guidance of a similarly situated body, the Little Hoover Commission (LHC):

In deciding whether to conduct ex parte meetings, Commissioners should bear in mind LHC's reputation for objective evaluation and consideration of important topics. Issue advocates who have private discussions with Commissioners will undoubtedly share that fact with their stakeholders. Members of the public will learn of those exchanges and may wonder if Commissioner's opinions and perspectives are influenced by those conversations. There will be members of the public who will feel disadvantaged if they didn't have the opportunity to discuss their position with Commissioners outside of meetings and public comment. While there is no restriction on ex parte communication with Commissioners, these are some aspects that deserve your consideration.²¹

Handbook Section 375 currently provides the following guidance to Commissioners about communications outside public meetings.

375. Communication to individual Commissioner

(a) If the staff receives a written communication addressed to the Chairperson or to an individual Commissioner regarding a Commission study, the staff will treat the communication in the same manner as a communication to the Commission as a whole. If the communication relates to a topic under study, it will be treated in the same way as any other public comment on a study. If the communication relates to other business of the Commission, the staff will normally respond to the

²⁰ *Id.* at 7.

²¹ Little Hoover Commission, *Guidelines for Ex Parte Contact* (February 2023).

communication.

(b) If the Chairperson or an individual Commissioner receives a written or oral communication from an interested person regarding a Commission study, it is recommended that the Chairperson or individual Commissioner inform the staff of the substance of the communication and, if possible, provide a copy of the communication to the staff.

(c) Email to Commissioners should be sent to <commission@clrc.ca.gov>, where it will be treated like any other communication to the Commission.

Does the Commission propose any changes to the current Handbook guidance on communications with an individual Commissioner?

Electronic Communications

On a related topic, Handbook Section 380(c) governs the use of electronic communications for Commission business. The section currently requires a Commissioner to forward all emails from a personal account related to Commission business to the Executive Director at the end of the Commissioner's term of service. In some cases, a Commissioner may choose to share emails contemporaneously with staff. This practice may lessen the burden on Commissioners and works well for records retention. The staff recommends that Section 380(c) be amended to allow for either practice (i.e., emails shared with staff as they are sent or received vs. emails shared with staff, as a batch, at the end of the Commissioner's term of service). The section will be amended to indicate emails may be sent at any time "prior to the end of a Commissioner's term of service," whether batched or sent as received.

Where a Commissioner receives an email that is intended as a public comment to the Commission, the staff requests that the Commissioner share that email with staff shortly after receipt so that the staff can add that comment to the public record for consideration by the Commission.

In addition, the staff proposes to clarify that Commissioners who use a personal email account for Commission business do not have to retain emails to or from Commission staff because the staff will already have those records. Commission staff also proposes to clarify that messages "related to Commission business" are ones that must be retained and forwarded to the Executive Director.

The staff-proposed changes to Section 380(c) are shown below.

380. Electronic communications

...

(c) If a Commissioner uses a personal account to send or receive an email message that relates to the conduct of the Commission's business, the Commissioner shall store the message in a location that is used exclusively for that

purpose. However, emails to or from Commission staff do not need to be stored. ~~When a~~ Prior to the end of a Commissioner's term of service ends, the Commissioner shall forward all ~~such~~ messages related to Commission business to the Executive Director for retention.

Does the Commission approve the staff-proposed changes to Section 380(c)?

[PROPOSED CONSENT] MINOR REVISIONS

In reviewing the Handbook, the staff identified a number of minor updates to improve clarity and consistency within the Handbook. Those proposed revisions are described below.

The Commission should decide whether to approve these proposed revisions.

Addition of Definition

Handbook Section 25 defines terms used in the Handbook. The staff proposes adding an additional definition to clarify the meaning of “Agency” as used in one section:²²

“Agency” means the California Law Revision Commission and the Committee on Revision of the Penal Code.

Changes to Reflect Current Practices

Handbook Section 410 relates to staff-produced material. Subsection (c) addresses how the staff should indicate changes to a “former draft” and subsection (d) specifies that the staff should deliver meeting material “no more than 5 working days before the meeting.” The staff proposes to clarify that the “former draft” language refers to “proposed legislative language or text of a Commission recommendation.” And the staff proposes to amend the rule to specify that meeting material should be delivered “no fewer than 5 working days before a meeting,” which has been the staff’s practice.

Handbook Section 505 relates to meeting recordings. This section established parameters for meeting recordings at a time when storing media was more difficult, and staff was advised to make audio recordings “for the purpose of preparing Minutes and redrafting statutes.” The staff proposes to update this section by replacing the term “audio” with “electronic” and deleting the purpose language. The staff also recommends modifying the language to reflect the Commission’s current practice of posting a link to the meeting recordings on the Commission’s website and deleting the following text: “[d]ue to storage limitations, the staff does not routinely post recording files to the Commission’s website.

²² The term is used in Handbook Section 200(a), which specifies that “[t]he Executive Director serves as the administrative head of the agency and represents the Commission to the Executive Branch and Legislature.”

However, on request, the staff will post a specific recording. After sufficient time for the requestor to download the file, the recording will be removed.” This is no longer current practice.

Changes for Clarity

Handbook Section 55(c) specifies that the Commission’s Resolution of Authority “will be introduced” at least once per legislative session. The staff proposes changing this to read “the staff will seek introduction” of the Resolution of Authority to eliminate passive voice and clarify that the staff is responsible for seeking introduction.

Handbook Section 125 identifies voting rules that apply to the Commission’s legislative members. Staff proposes to move references to the relevant statutes and constitutional provisions imposing voting limitations from the section text to the footnotes for ease of reading.

Changes for Improved Consistency Within Handbook

The staff proposes to adjust references to the “Calendar of Topics” in Handbook Sections 55 and 60 and to capitalize “Agency” in Section 200 to mirror the defined terms in the Handbook’s definition section (Section 25).

The Handbook predominantly uses the phrase “electronic notice list” to refer to the list used to distribute Commission information to interested parties. The staff proposes to change the terms “mailing list,” “notice list.” and “list” in Sections 250, 655, and 825, respectively, to “electronic notice list.”

Changes to Improve Consistency with Statutory Language

Handbook Section 100 describes the Commission’s membership. The staff proposes revising the language to more closely mirror the statute.²³

Handbook Section 565 details how the Commission staff may assist a Commission bill author. The staff proposes changes for better consistency with the language of the statutory rule.²⁴ Specifically, the staff proposes to replace term “approval” in subdivisions (a), (b), and (c) with “passage or defeat.” The staff also proposes to replace “support” with “approval or veto” in subdivision (e), which prohibits advocacy when communicating with the Governor. The staff also proposes to clarify references to specified committees in

²³ [Government Code Section 8281\(a\)](#) states “[t]he commission consists of one Member of the Senate appointed by the Senate Committee on Rules, one Member of the Assembly appointed by the Speaker of the Assembly, and seven members appointed by the Governor with the advice and consent of the Senate. The Legislative Counsel is an ex officio member of the commission.”

²⁴ [Gov’t Code § 8288](#).

sections (b) and (d).

The staff proposes adding a footnote to Section 810(b) to note the source of the Commission’s authority to cooperate with the State Bar and other entities.²⁵

Changes to Remove Gendered Language

Handbook Section 150(d) addresses succession of Commission officers and limits the eligibility of an officer to succeed “himself or herself” in the same office. The staff proposes to replace “himself or herself” with “themselves.” The staff did not find any other gendered language in the Handbook.

Addition of Links Throughout Handbook & Updating Citations

The staff has added hyperlinks to referenced Commission materials,²⁶ California statutes,²⁷ and other sections of the Handbook²⁸ to facilitate use of the electronic version of the document. In some cases, minor changes were made to remove the full web address from the text and provide it as a link instead.²⁹

In populating these hyperlinks, the staff identified a few seemingly erroneous citations and citations in need of update. The staff proposes to delete the seemingly erroneous citations and make the needed updates to the outdated citations.³⁰

Respectfully submitted,

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²⁵ [Government Code Section 8296](#) states “[t]he commission and the committee may cooperate with any bar association or other learned, professional, or scientific association, institution, or foundation in any manner suitable for the fulfillment of the purposes of this article.”

²⁶ See, e.g., Handbook footnote 20, which provides a link to minutes of the Commission’s [January 1995 meeting](#).

²⁷ See, e.g., Handbook footnote 16, which references [Gov’t Code § 8281](#).

²⁸ See, e.g., Handbook Section 450, which references Handbook Section 455.

²⁹ See, e.g., Handbook Section 105 (formerly, the text spelled out web addresses for the Fair Political Practices Commission, Ethics Training Course, and California Department of Human Resources).

³⁰ See, e.g., proposed changes to Handbook footnotes 25 (deletion of erroneous citation), 82 (update of cross-reference to California Public Records Act).



California Law Revision Commission

Handbook of Practices and Procedures

Last Revised: ~~November 29, 2023~~ June 20, 2024

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HANDBOOK OF COMMISSION PRACTICES AND PROCEDURES

PART 1. PRELIMINARY PROVISIONS

10. Content of Handbook

(a) This Handbook memorializes some of the Commission’s current practices and procedures.

(b) Some provisions of the Handbook are the result of a formal decision of the Commission. In those instances, a footnote cites the Minutes for the meeting at which the decision was made.

(c) Some provisions describe an informal practice that has been established over time, without having been formally adopted by the Commission. No citation is provided as authority for such a procedure.

(d) Some provisions are based on a statutory requirement. In those instances, the governing statute is cited in a footnote.

(e) The staff has discretion to make technical revisions of this Handbook as needed.¹

15. Handbook is nonregulatory

(a) The provisions of this Handbook are not regulations. They relate primarily to internal matters and do not bind the Commission or the public.

(b) Despite their nonbinding nature, there are good reasons for the Commission to follow the practices and procedures described in this Handbook and it generally does so. Most of those practices and procedures are time-tested and successful. In many cases, they are the result of Commission deliberation, after a weighing of possible alternative approaches.

(c) The Commission is free at any time to waive or change a provision of this Handbook (except to the extent that a provision is based on a statutory requirement).

20. Handbook is a public document

This Handbook is a public document. It will be made available on the Commission’s [website](#).

25. Definitions

As used in this Handbook, the following terms have the indicated meanings:

(a) “Agency” means the California Law Revision Commission and the Committee on Revision of the Penal Code.

(ab) “Calendar of Topics” means the that is required by [Government Code Section 8293](#). The Calendar of Topics forms the basis for the Commission’s Resolution of Authority.

1. [Minutes](#) (Aug. 2018), p. 3.

(bc) “Bound Volume” means a hardbound volume of the Commission’s official compilation of “[Reports, Recommendations, and Studies](#).”

(ed) “Commission bill” means a bill introduced to implement a Commission recommendation.

(de) “Pre-print report” means a report that is final as to substance but has not yet been put into final form and published in a Bound Volume.

(ef) “Recommendation” means a final Commission report that recommends a specific change to statutory law.

(fg) “Report” means a final Commission report that provides information and analysis without recommending any specific change to statutory law.

(gh) “Resolution of Authority” means the concurrent resolution of the Legislature that is introduced each legislative session to grant the Commission authority to study specified topics. It is required by Government Code Section [8293](#).

(hi) “Revised Comment report” means a report that sets out revised Comments that supersede those in a Commission recommendation, to correct technical errors or conform to the effect of amendments to a Commission bill.

PART 2. GENERAL PROVISIONS

CHAPTER 1. MISSION AND AUTHORITY

50. Mission

(a) The Commission studies topics assigned by the Legislature in order to recommend statutory reforms that improve the law.

(b) Some Commission studies address purely technical reforms, such as error correction and restatement of the law. Others involve substantive policy reforms, or a mixture of both technical and policy reforms.

(c) The Commission’s goal is to improve the fairness and efficiency of California law, through an open, participatory, and even-handed deliberative process.

(d) The Commission is politically neutral. It strives to develop balanced reforms that accommodate competing policy interests.

55. Authority

(a) By statute, the Commission may only study topics that have been authorized by concurrent resolution or statute.²

(b) In each Annual Report, the Commission will recommend a Calendar of Topics Authorized for Study. The eCalendar of tTopics will include authority for any new studies the Commission wishes to undertake. The eCalendar of tTopics will continue the Commission’s existing authority, except when the Commission decides to remove a topic that is unlikely to receive further study.³

2. Gov’t Code § [8293](#).

3. *Id.*

(c) At least once per legislative session, the staff will seek introduction of the Resolution of Authority ~~will be introduced~~ to authorize the most recent eCalendar of ~~†~~Topics.⁴ The content of the Resolution of Authority is not bound by the Commission's recommended eCalendar of ~~†~~Topics. The Legislature is free to remove or add authority contrary to or in addition to the Commission's recommendation.

(d) The Commission has general authority to correct technical and minor substantive defects in the statutes, without a specific grant of authority from the Legislature.⁵

60. New topics⁶

(a) Any person or organization may contact the Commission to propose a topic for study.

(b) Any Commissioner may propose a study topic at any time.

(c) Any person who proposes a new topic for study, including a Commissioner, is encouraged to provide written background that describes the problem to be addressed.

(d) A proposed topic may be brought to the Commission's attention when a suggestion is received, but proposed topics will generally be considered as a group, in an annual staff memorandum entitled "New Topics and Priorities." This gives the Commission a useful overview for deciding which new topics to request authority to study and for planning the next year's work priorities.

(e) If the Commission decides to study a topic for which it does not have current authority, it will recommend adding the topic to its Calendar of Topics ~~Authorized for Study~~. Implementing language will be included in the next next resolution of authority.⁷ The Legislature will then decide whether to grant the requested authority.

65. Proposed legislation affecting Commission

(a) The staff should notify the Commission when the staff becomes aware of pending legislation directly affecting the Commission.⁸

(b) The Executive Director may respond to inquiries from the Legislature regarding the practicability of a potential new study assignment.

70. Deference to prior recommendations

Unless there is a good reason for doing so, the Commission will not recommend changes to laws that were enacted on Commission recommendation.⁹

4. *Id.*

5. Gov't Code § 8298.

6. [Minutes](#) (Sept. 1970), [p. 8](#); revised to reflect current practice.

7. See [Section 55](#).

8. [Minutes](#) (Oct. 1986), [p. 4](#).

9. [Minutes](#) (Dec. 1971), [p. 3](#).

CHAPTER 2. MEMBERS

100. Members

(a) The Commission has ten members. Seven are appointed by the Governor. One is a ~~m~~Member of the Assembly appointed by the Speaker of the Assembly; another is a ~~m~~Member of the Senate appointed by the Senate Committee on Rules. The Legislative Counsel is also a an ex officio member.¹⁰

(b) The members who are appointed by the Governor serve four-year terms in two staggered groups.¹¹

(c) If a member is not reappointed, that member may serve until replaced¹² or for 60 days after the end of the term,¹³ whichever comes sooner.

105. Member ethics¹⁴

(a) The appointed members of the Commission are state employees and are subject to the legal and ethical requirements that govern state employees.

(b) Information about those requirements can be found at the following websites:

(1) [Fair Political Practices Commission](#)

(2) [Ethics Training Course](#)

(3) [California Department of Human Resources](#)

110. Member duties

(a) The most important duty of a Commissioner is to attend the Commission's meetings. Attendance is critical to achieving a quorum, which is a prerequisite to taking action at a meeting. Full attendance also improves the Commission's deliberative process, by ensuring that a range of views are represented.

(b) Commissioners are presumed to have read all the material to be considered at a meeting.

115. Compensation

When attending a Commission meeting, Commissioners are entitled to statutory per diem and the reimbursement of actual expenses, including travel expenses. Commissioners receive no other compensation for service on the Commission.¹⁵

120. New Commissioners

When a new Commissioner takes office, the Executive Director will brief the new Commissioner, to provide a detailed introduction to the Commission's process and

10. Gov't Code § [8281](#).

11. *Id.*

12. *Id.*

13. Gov't Code § [1774](#).

14. [Minutes](#) (Aug. 2018), pp. 1-2.

15. Gov't Code § [8282](#).

current work. New Commissioners will be provided with a copy of this Handbook and other introductory materials.

125. Legislative member voting

~~(a) Government Code Section 8281(b), Section 3 of Article III of the California Constitution, and Section 13 of Article IV of the California Constitution, impose limitations on the actions that may be taken by the Commission's legislative members.~~

~~(a)~~ To ensure compliance with ~~these~~ statutory¹⁶ and Constitutional¹⁷ limitations, the Commission's legislative members will not vote on any matter that implicates the sovereign powers of the State, including, but not limited to, voting on contracts or personnel matters.

~~(b)~~ Nothing in this section affects the authority of the Commission's legislative members to participate in the development of a law reform recommendation, for submission to the Legislature. Such participation includes, but is not limited to, voting on the following matters:

- (1) Approving the Commission's work priorities.
- (2) Requesting new study authority.
- (3) Directing staff work on studies.
- (4) Approving a background report, discussion draft, tentative recommendation, or final recommendation.
- (5) Deciding whether an amendment to a Commission-recommended bill is compatible with the Commission's recommendation.
- (6) Deciding whether to revise a Commission report to conform to an amendment to a Commission-recommended bill.

CHAPTER 3. OFFICERS

150. Officers

(a) The officers of the Commission are the Chairperson¹⁸ and the Vice Chairperson.

(b) The terms of office are one year, commencing on September 1.¹⁹ Officers hold office until the following September 1 or the election of successors, whichever is later.²⁰

(c) In case of a vacancy in the office of Chairperson or Vice Chairperson, the Commission shall elect new officers for the remainder of the term.²¹

16. Gov't Code § 8281(b).

17. Cal. Const. art. III, §3; art. IV, § 13.

18. Gov't Code § 8283.

19. Minutes (Oct. 1986), p. 2; Minutes (Dec. 1981), p. 2.

20. Minutes (Jan. 1995), p. 3, current practice.

21. Minutes (Jan. 1995), *Id.*

(d) No officer is eligible to succeed ~~himself or herself~~ themselves in the same office in which the officer has served a full term.²² However, an officer who has served for less than a full term may succeed ~~himself or herself~~ themselves in the same office for a full term.²³ If the Chairperson is reelected to office under this provision, the incumbent Vice Chairperson is eligible for reelection even though reelection may result in the Vice Chairperson succeeding ~~himself or herself~~ themselves for another full term.²⁴

(e) Before the terms of the Chairperson and Vice Chairperson end, the staff will prepare a memorandum entitled “Election of Officers” for the Commission to consider at an upcoming meeting. This will provide an opportunity for the Commission to elect officers for the coming term.

155. Officer duties

(a) The Chairperson officiates at Commission meetings. Between meetings, the Chairperson may be required to consult with the staff about legislative developments or administrative matters. Such consultation includes, but is not limited to the following:

(1) Provisional approval of an amendment of a bill that would implement a Commission recommendation.

(2) Approval of staff-drafted revisions to a tentative recommendation, recommendation, or report.

(b) If the Chairperson is unavailable or there is a vacancy in the office of Chairperson, the Vice Chairperson will perform the duties of the Chairperson.²⁵

(c) If both the Chairperson and Vice Chairperson are absent at any point in a meeting, or are unavailable to take action required between meetings, any Commissioner may act as temporary Chairperson until an officer becomes available.²⁶

160. Recognition of service

The Commission will present a commemorative plaque to the Chairperson shortly after the end of the Chairperson’s term of office.

CHAPTER 4. STAFF

200. Executive director

(a) The Executive Director serves as the administrative head of the ~~a~~Agency and represents the Commission to the Executive Branch and Legislature.

22. [Minutes](#) (Jan. 1960), p. 3.

23. [Minutes](#) (Dec. 1960), p. 2.

24. [Minutes](#) (Jan. 1962), p. 2.

25. [Minutes](#) (Feb. 2000); [Minutes](#) (Jan. 1995), p. 3.

26. [Minutes](#) (Feb. 2010), p. 3; [Minutes](#) (June 2007), p. 2; [Minutes](#) (July 1998), pp. 2-3.

(b) Unless otherwise indicated, any of the acts in this Handbook that may be done by the Executive Director may also be done by a member of the staff designated by the Executive Director.²⁷

205. Reporting structure

(a) Between meetings, the Executive Director reports to the Chairperson. At a Commission meeting, the Executive Director reports to the Commission as a body.

(b) The Chief Deputy Counsel reports to the Executive Director.

(c) Other staff attorneys report to the Executive Director and, with respect to work that is supervised by the Chief Deputy Counsel, to the Chief Deputy Counsel.

(d) Administrative staff report to the Executive Director.

210. Personnel action²⁸

(a) The appointment, promotion, or involuntary termination of the Executive Director or Chief Deputy Counsel shall first be approved by the Commission.

(b) The appointment, promotion, or involuntary termination of staff counsel shall first be approved by the Chairperson. Commission approval is not required.

(c) Except as otherwise provided in this section, the Executive Director is authorized to take all actions with respect to appointment, promotions, terminations, leave, merit increases, other salary increases, and the like, for Commission employees other than the Executive Director. Any other person authorized to sign personnel documents has similar authority but, except in emergency circumstances, this authority should be exercised only after consulting with the Executive Director. No such action shall be taken over the objection of the employee involved unless the Chairperson or the Commission first indicates approval of the action proposed to be taken by the Executive Director.

(d) Except as otherwise provided in this section, the Chairperson is authorized to take all actions, with respect to appointment, termination, leave, merit increases, and other salary increases, and similar matters for the position of Executive Director.

(e) The Chief Deputy Counsel is authorized to approve sick leave and vacation leave requests of the Executive Director.

215. Incompatible activities²⁹

Each employee shall notify the Executive Director of any outside activities that might reasonably be deemed incompatible, inconsistent, or in conflict with the employee's duties to the Commission under either Government Code [Section 19990](#) or the Commission's Incompatible Activities Statement.

27. [Minutes](#) (May 2005), p. 3; see also [Memorandum](#) 2005-15, p. 8.

28. [Minutes](#) (Feb. 2010); [Minutes](#) (Oct. 1971), see also [Memorandum](#) 71-74, pp. 16-17; [Minutes](#) (Oct. 1965) pp. 4-5.

29. [Minutes](#) (Feb. 2013), p. 3.

PART 3. STUDY PROCESS

250. Commencement of study

(a) Some studies begin with the preparation of a background report by a consultant.³⁰ In recent years, resource limitations and short deadlines have made it less practicable to solicit the preparation of a formal background report. Instead, the staff has done the necessary background research and analysis.

(b) At the commencement of a new study, the staff will reach out to groups and individuals who are expected to have an interest and expertise in the subject of the study and invite their participation. Those who are interested will be added to the Commission's ~~mailing~~ electronic notice list for the study. The staff will provide Commissioners with a list of the groups and individuals that were invited to participate.³¹

(c) When commencing a new study that is part of the Commission's Calendar of Topics authorized by concurrent resolution, the Executive Director "shall submit a detailed description of the scope of work to the chairs and vice chairs of the Assembly Committee on Judiciary and the Senate Committee on Judiciary, and any other policy committee that has jurisdiction over the subject matter of the study, and if during the course of the project there is a major change to the scope of work, submit a description of the change." In recent years, this requirement has been imposed as a condition in the Commission's Resolution of Authority.³²

(d) The Commission does not use standing subcommittees to initially review studies on the Commission's agenda and submit their recommendations to the Commission.³³

255. Development of proposed law

(a) In this stage of the study process, the staff will prepare memoranda that provide background information, the results of legal research and analysis, public comments, and draft legislation.

(b) At its public meetings, the Commission will consider these staff memoranda and will make decisions to address the matters discussed in the memoranda or that come up during discussion of the memoranda.

(c) The staff will present these memoranda orally at the Commission's meetings, making sure that all decision points are presented for Commission action. In presenting a memorandum, the staff will presume that the Commissioners are familiar with its content.

30. See [Part 8](#) *infra*.

31. [Minutes](#) (Oct. 2014), [p. 3](#).

32. See, e.g., 2016 Cal. Stat. res. ch. 150.

33. [Minutes](#) (May 1960), [p. 4](#); [Minutes](#) (Jan. 1960), [p. 5](#).

260. Tentative recommendation

(a) Once the Commission has made provisional decisions about the content of a proposed reform, the staff will prepare a draft tentative recommendation. It will include (1) a narrative explanation of the problem and the proposed solution, (2) draft legislation to implement the proposed reform, and (3) an official “Comment” for every section of the proposed legislation. Comments describe the derivation and general effect of a proposed revision. They may also include brief explanatory background information.

(b) Once approved by the Commission, a tentative recommendation will be released to the public for review and comment (for a period specified in the tentative recommendation).

265. Public comment

(a) The Commission welcomes public comment at any stage of its study process.

(b) Comment can be submitted in a formal letter, by email, or by oral testimony at a meeting.

(c) The Commission will consider all public comment on a tentative recommendation and decide whether to make any changes to the tentative recommendation.

(d) In rare instances, the changes made to a tentative recommendation may be so significant that the Commission decides to release a revised tentative recommendation and conduct a further round of public comment.

270. Final recommendation

(a) When the Commission has considered and addressed all public comment on a tentative recommendation and has reached the end of deliberation, the staff will prepare a draft of a final recommendation for the Commission’s consideration. A final recommendation contains all of the same content as a tentative recommendation, except that it does not invite public comment.

(b) When the Commission approves a staff draft as its final recommendation, the recommendation will be prepared for publication and distribution.

(d) Occasionally, when time is of the essence, the Commission will approve a final recommendation subject to minor changes that have not yet been drafted. Instead, the drafting of the changes is delegated to the staff, subject to final approval of the draft language by the Chairperson.

PART 4. MEETINGS

CHAPTER 1. SCHEDULING

300. Meeting dates and locations

(a) Regular meetings are scheduled approximately once every two months, or more frequently as required. During the legislative session, meetings will be

scheduled to accommodate the schedule of the Commission's legislative members; this will usually involve meeting on Thursday.³⁴

(b) Most regular meetings are one-day meetings, but the staff may propose multi-day meetings if the workload requires it.

(c) ~~In order to facilitate live streaming,~~ The Commission will shall meet in State Capitol hearing rooms that facilitate remote participation by electronic means.³⁵

(d) In the second half of each calendar year, the staff will present a memorandum proposing a meeting schedule for the next year. The Commission will decide whether to approve the proposed schedule, with or without changes.

305. Special and rescheduled meetings

The Chairperson is authorized to call a special meeting and to change the date, times, and place of a previously scheduled meeting when necessary to improve attendance at the meeting or for other good reason. Notice of a special or rescheduled meeting shall be given immediately.³⁶

310. Meeting starting time

Commission meetings are not commenced if absent members are known to be in the area where the meeting is being held and are known to be planning to attend the meeting.³⁷ However, meetings should not be delayed more than 15 minutes from the originally scheduled starting time to await the arrival of an absent member who is known to be planning to attend the meeting.³⁸

CHAPTER 2. PUBLIC PARTICIPATION

350. Open meetings

Meetings of the Commission are open to the public and are subject to the provisions of the Bagley-Keene Open Meeting Act.³⁹ Any person may attend as an observer and may address the Commission or participate in the discussion as authorized by the Chairperson.⁴⁰

34. [Minutes](#) (Nov. 1996), [p. 3](#); [Minutes](#) (Sept. 1995), [p. 3](#); current practice.

35. [Minutes](#) (April 1984), [Minutes](#) (June 2024).

36. Notice of special meetings is also governed by provisions of the Bagley-Keene Open Meeting Act. See, e.g., Gov't Code §§ [11125.3](#), [11125.4](#), [11125.5](#).

37. [Minutes](#) (April 1984), [p. 3](#).

38. [Minutes](#) (April 1987), [p. 4](#). ~~[Minutes](#) (Aug. 1985).~~

39. Gov't Code §§ [11120-11132](#).

40. [Minutes](#) (Feb. 1960), [p. 2](#). See also Gov't Code § [11125.7](#).

355. Commissioner identification

Commissioners should be identified with a name plate or other form of identification so that members of the public are able to identify Commissioners at meetings.⁴¹

360. Teleconference meetings

~~(a) The Commission believes that in person attendance is important. Teleconference is disruptive and changes the character of the discussion and deliberations.⁴²~~

~~(b) In general, the Commission discourages the use of teleconference at meetings and will not grant a request to appear by teleconference.⁴³ In extraordinary situations, the Chairperson may authorize the use of teleconferencing.⁴⁴~~

~~(c) Any use of teleconferencing must satisfy the requirements of the Bagley-Keene Open Meeting Act.~~

(a) The Commission views itself as an advisory body for the purposes of the teleconferencing authority provided by Government Code Section 11123.5. The Commission reserves the right to meet via teleconference as the Commission deems appropriate and in conformance with the requirements of the Bagley-Keene Open Meeting Act.⁴⁵

(b) The staff will consult with the Commission to determine whether particular meetings should be conducted in person or via teleconference.

(c) The Commission may meet in person to host expert speakers and receive stakeholder comments. The Commission may use the teleconference option for routine meetings and when Commissioners are unavailable to meet in person and a quorum can otherwise not occur.

(d) Commissioners may attend in-person Commission meetings via teleconference when Commissioners are unable to attend in person. Commissioners should notify staff at least two days in advance of the meeting to comply with the public notice requirement in Government Code Section 11123.5.⁴⁶

41. Minutes (May 9 & 15, 1996), p. 3.

42. Minutes (Nov. 2002).

43. Minutes (Jan. 1995).

44. See, e.g., Minutes (Aug. 1999); Minutes (May 9 & 15, 1996).

45. Minutes (May 2024). Minutes (Nov. 2002). See also Gov't Code § 11123.5 as amended by 2023 Cal. Stat. ch. 216, § 2; this section expires on January 1, 2026.

⁴⁶ Gov't Code § 11123.5(d) states "[t]he state body shall provide notice to the public at least 24 hours before the meeting that identifies any member who will participate remotely by posting the notice on its internet website and by emailing notice to any person who has requested notice of meetings of the state body under this article. The location of a member of a state body who will participate remotely is not required to be disclosed in the public notice or email and need not be accessible to the public. The notice of the meeting shall also identify the primary physical meeting location designated pursuant to subdivision (f)."

365. Written comments generally⁴⁷

A written communication to the Commission that is relevant to matters currently under consideration may be attached as an exhibit to a staff memorandum. In general, the memorandum will discuss the points made in the written comments. However, there may be situations in which a written communication is provided without analysis (e.g., the communication is received shortly before a meeting or has a plain meaning that does not require discussion).

370. Particular types of written comments

(a) The Commission does not ordinarily receive communications on a confidential basis. The notice on the cover of a Commission tentative recommendation should state that any comments received will be a part of the public record and may be considered at a public meeting. The same statement should be included in the footer on the first page of each staff memorandum.⁴⁸

(b) Although the Commission encourages persons to identify themselves and their affiliations, a communication to the Commission may be anonymous. The Commission can take the anonymity of the author into account in evaluating an anonymous communication. The identity of a source is sometimes helpful in assessing the merits of an idea or how much weight it should be given.⁴⁹

(c) A communication that is off-topic, defamatory, obscene, invasive of personal privacy or confidentiality, or that is similarly inappropriate for republication will not be reproduced as an exhibit to a memorandum unless it is redacted to eliminate the inappropriate material. Any redaction shall be clearly indicated.

(d) Email transmission details (such as time of transmission and email addresses of recipients) and personal contact information shall be routinely omitted in presenting an email communication, and this type of omission need not be noted.

(e) A communication that is not reproduced as an exhibit may be summarized in a staff memorandum.

375. Communication to individual Commissioner⁵⁰

(a) If the staff receives a written communication addressed to the Chairperson or to an individual Commissioner regarding a Commission study, the staff will treat the communication in the same manner as a communication to the Commission as a whole. If the communication relates to a topic under study, it will be treated in the same way as any other public comment on a study. If the communication relates to other business of the Commission, the staff will normally respond to the communication.

47. [Minutes](#) (Feb. 2010), p. 4; [Minutes](#) (March & May 2005), p. 3; [Minutes](#) (March 2005), pp. 2-3; see also [Memorandum](#) 2010-1, pp. 6-7; [Memorandum](#) 2005-15, pp. 4-6.

48. [Minutes](#) (Feb. 2010), pp. 3-4; [Minutes](#) (May 2005), p. 3; see also [Memorandum](#) 2010-1, p. 6; [Memorandum](#) 2005-15, pp. 3-4.

49. [Minutes](#) (May 2005), p. 3.

50. [Minutes](#) (May 2005), p. 3; see also [Memorandum](#) 2005-15; [Memorandum](#) 87-39.

(b) If the Chairperson or an individual Commissioner receives a written or oral communication from an interested person regarding a Commission study, it is recommended that the Chairperson or individual Commissioner inform the staff of the substance of the communication and, if possible, provide a copy of the communication to the staff.

(c) Email to Commissioners should be sent to <commission@clrc.ca.gov>, where it will be treated like any other communication to the Commission.

380. Electronic communications⁵¹

(a) Commissioners and members of the staff shall not use text messaging or social media to send or receive a message that relates to the conduct of the Commission's business.

(b) Members of the staff should only use an official account to send or receive email messages that relate to the conduct of the Commission's business. In the event that a staff member uses a personal account for such a purpose, the staff member shall forward a copy of the message to an official account.

(c) If a Commissioner uses a personal account to send or receive an email message that relates to the conduct of the Commission's business, the Commissioner shall store the message in a location that is used exclusively for that purpose. However, emails to or from Commission staff do not need to be stored. When a Prior to the end of a Commissioner's term of service ends, the Commissioner shall forward all such Commission messages related to Commission business to the Executive Director for retention.

(d) For the purposes of this section, "official account" means an email account within the domain "clrc.ca.gov." "Personal account" means any email account that is not an official account.

(e) The Commission's annual memorandum discussing "Open Government Laws" shall reiterate these practices.

CHAPTER 3. MEETING MATERIALS

400. Agenda⁵²

(a) Typically, the staff will prepare and release a tentative agenda several weeks before a meeting date, followed by a final agenda that is released no later than 10 days before the meeting date. If significant changes are made to a tentative agenda, such as a change in the meeting's date or location, the staff may prepare and release a revised tentative agenda.

51. See [Minutes](#) (Sept. 2017), p. 3; [Minutes](#) (Aug. 2017), p. 4; see also [Memorandum](#) 2017-40, pp. 2-3.

52. [Minutes](#) (Jan. 1969). See also [Minutes](#) (June 1968), pp. 2-4.

(b) The staff shall schedule no more work for any particular meeting than can reasonably be considered at the meeting.⁵³

(c) At the meeting, the Chairperson may change the order of items on the agenda to accommodate persons in attendance or for other good reason.

(d) When useful to fit the schedule of a consultant or other persons planning to attend the meeting, the staff may schedule a special order of business for consideration of a topic.

405. Staff memoranda

(a) Ordinarily, the staff will prepare one or more memoranda for each item on the meeting agenda.⁵⁴

(c) When beneficial, the staff may prepare supplements to the memoranda listed on an agenda. Supplements provide a way to provide further information or to segment a lengthy discussion.

410. Staff-produced material

(a) All staff-produced meeting materials will be posted to the Commission's website and distributed to Commissioners and to any members of the public who have subscribed to receive them.

(b) The staff will bring one complete set of the staff-produced meeting materials to each meeting. This set of materials will be made available for public inspection at the meeting.⁵⁵

(c) In preparing meeting materials, the staff should indicate changes to a former draft of proposed legislative language or text of a Commission recommendation by some appropriate means. This may be done by written description or by the use of strikeout and underscore.⁵⁶

(d) The staff will attempt to deliver meeting materials no fewer ~~more~~ than 5 working days before a meeting. If that is not possible, the staff will either deliver the material as soon as possible or distribute it at the meeting.

415. Material received at meeting

If the Commission receives written public comment at a meeting, that material will be attached to a memorandum, which will be posted and distributed after the meeting.

53. [Minutes \(Jan. 1969\)](#), p. 2.

54. The exceptions are for items that are limited to oral discussion (e.g., Executive Director's Report).

55. [Minutes \(Feb. 2018\)](#), p. 2.

56. [Minutes \(Oct. 1987\)](#), p. 3.

CHAPTER 4. DECISIONMAKING

450. Quorum

(a) Five members of the Commission constitute a quorum.⁵⁷

(b) If a quorum is established at any time during a meeting of the Commission, the Commission may thereafter act for the duration of the meeting notwithstanding the absence of any member who is part of the quorum.⁵⁸ Any action may be taken by a majority of those present after a quorum is established, except as provided in subdivision (c) of [Section 455](#).⁵⁹

(c) If a quorum is not established at a particular meeting, members present act as a subcommittee and no final action may be taken at the meeting.⁶⁰ Decisions of a Commission subcommittee may be ratified by the Commission when a quorum is attained, whether at the same meeting or a later meeting.⁶¹

(d) The Commission may establish a quorum by teleconference in accordance with open meeting act rules.⁶²

455. Approval of actions

(a) Commission actions are generally made by a motion approved by the Commission.⁶³

(b) Approval of a motion requires an affirmative vote of a majority of the Commissioners present when the vote is taken.

(c) A final report or recommendation must be approved by the affirmative votes of at least three Commissioners.⁶⁴

(d) The Chairperson, or other Commission member acting as Chairperson, may make motions, second motions, and vote on motions in the same manner as Commission members generally, without the need to vacate the chair temporarily.⁶⁵

(e) Actions for in-person meetings may also be taken by unanimous assent. If the staff asks whether a certain actions-should be taken, and no Commissioner objects after having been given an opportunity to do so, the action is deemed approved by the unanimous assent of those present.

57. Gov't Code § [8283\(a\)](#).

58. [Minutes](#) (Jan. 1993), pp. 2-3.

59. [Minutes](#) (Jan. 1993), pp. 2-3; [Minutes](#) (Feb. 1966), p. 2; [Minutes](#) (April 1963), p. 6; [Minutes](#) (March 1959), p. 4.

60. [Minutes](#) (Jan. 1993), pp. 2-3; [Minutes](#) (April 1987), p. 4; [Minutes](#) (April 1963), p. 6. [Minutes](#) (Jan. 1958).

61. See, e.g., [Minutes](#) (Feb. 1997), pp. 2-3; [Minutes](#) (May 9 & 15, 1996), p. 2.

62. See [Minutes](#) (June 1999), pp. 3-4; Gov't Code § [11123](#). But see [Section 360](#) (teleconference disfavored).

63. [Minutes](#) (April 1987); [Minutes](#) (Jan. 1985), p. 2.

64. [Minutes](#) (Jan. 1993), p. 2; [Minutes](#) (Feb. 1966), p. 2; [Minutes](#) (April 1963), p. 6; [Minutes](#) (March 1959), p. 4.

65. [Minutes](#) (March May 1994), p. 3.

(f) All votes taken during a teleconference meeting shall be by rollcall.⁶⁶

(fg) The Commission may give the staff informal instructions or guidance without taking formal action.

460. Termination of deliberations

The Chairperson should terminate prolonged deliberations on any matter either by bringing it to a vote when appropriate or by referring the matter to the staff for further research or redrafting.⁶⁷

CHAPTER 5. RECORD

500. Transcripts⁶⁸

As a general rule, the staff will not make a transcript of a Commission meeting.

505. Meeting recordings

(a) The staff shall make an ~~audio~~ electronic recording of each meeting ~~for the purpose of preparing Minutes and redrafting statutes and post a link on the Commission's website.~~

(b) The recordings are public records.

~~(c) Due to storage limitations, the staff does not routinely post recording files to the Commission's website. However, on request, the staff will post a specific recording. After sufficient time for the requestor to download the file, the recording will be removed.~~

510. Minutes

(a) The staff will prepare draft Minutes for each meeting, to record actions taken by the Commission.

(b) The Minutes shall record each Commissioner's vote on each action taken at a meeting. If a Commissioner abstained from voting or was not present when a vote was taken, the Minutes shall record that fact.⁶⁹

(c) Ordinarily, the Minutes do not describe oral statements made at a meeting.⁷⁰

(d) At each meeting, the Commission shall decide whether to approve the draft Minutes of the prior meeting, with or without changes. After the approval of draft Minutes, the staff will prepare a final draft of the Minutes, including any changes made by the Commission, for posting to the Commission's website.

PART 5. LEGISLATIVE PROCESS

66. [Gov't Code § 11123\(b\)\(1\)\(D\)](#).

67. [Minutes](#) (March 1959), p. 4.

68. [Minutes](#) (May 2005), p. 3; see also [Memorandum](#) 2005-15, pp. 2-3.

69. [Minutes](#) (April 2015), p. 3; see also [Memorandum](#) 2015-8, p. 7.

70. Exceptions include matters that involve oral reports (e.g., the Executive Director's Report).

550. Identifying potential authors

(a) After a recommendation has been approved, the Executive Director will identify legislators or legislative committees that might be interested in introducing a bill to implement the recommendation. In identifying potential authors, the Executive Director may consult with legislative staff.

(b) The Executive Director will contact potential authors to provide a copy of the recommendation, explain its background and purpose, and answer any questions about the recommendation or the Commission's process.

555. Introduction of Commission bill⁷¹

Although a Commission bill will generally be introduced in the form in which it was recommended by the Commission, any of the following changes to the Commission's recommended language may be made before introduction:

(a) Technical changes proposed by the Office of the Legislative Counsel. These may be made at the staff's discretion.

(b) Unrelated content may be included in the bill, at the discretion of the author. This is especially common when a Commission recommendation is part of an omnibus bill.

(c) The staff may make a technical correction or other minor change that appears to be proper. Such a change shall be approved in the same way as an amendment of a Commission bill.

560. Amendment of Commission bill⁷²

(a) The author of a Commission bill has unlimited authority to decide whether to amend a Commission bill. However, the Commission will request that the author consult with the Executive Director before doing so.

(b) If a proposed amendment is nonsubstantive, the Executive Director may approve the amendment without first consulting either the Commission or its Chairperson.

(c) If a proposed amendment is substantive, the Executive Director shall take the following steps:

(1) If time permits, the Executive Director shall brief the Commission on the proposed amendment at its next meeting, before the amendment is made.

(2) If the author proposes to make a substantive amendment before the Commission's next scheduled meeting, the Executive Director shall consult with the Chairperson before the amendment is made. If the amendment is made, the Executive Director shall consult with the full Commission at the next scheduled meeting.

(d) When the Commission or Chairperson considers a proposed amendment to a Commission bill, it will typically take one of the following positions:

71. [Minutes](#) (Jan. 1959), p. 5; revised to reflect current practice.

72. [Minutes](#) (Dec. 2010), p. 2; [Minutes](#) (Sept. 1987), p. 3; see also [Memorandum 2010-51](#), p. 3.

(1) Approve the proposed amendment. If the amendment is made, the Commission may revise its recommendation to include the amendment.

(2) Do not approve the amendment, but find that it is compatible with the Commission's recommendation. If the amendment is made, the Commission will take no position on the amendment. However, to avoid confusion in the record, the Commission may revise its Comments to conform to the amendment.

(3) Disapprove the amendment as incompatible with the Commission's recommendation. The Commission will take no position on the merits of the amendment, but will make clear that the amendment is not based on the Commission's recommendation.

565. Staff assistance to author

(a) The staff will offer to provide technical assistance to the author of a Commission bill, by answering questions and drafting explanatory background materials. The staff will not advocate for passage or defeat ~~approval~~ of the Commission bill.

(b) Shortly before a legislative policy committee hears a Commission bill, the staff will send an explanatory letter and a copy of the recommendation (including any revised Comment report) to each member of the policy committee. The letter will not advocate for passage or defeat ~~approval~~ of the bill.

(c) A member of the staff will appear as a witness at any policy committee hearing of a Commission bill. The staff's testimony will be limited to explaining the Commission's recommendation and answering questions. The staff will not advocate for passage or defeat ~~approval~~ of the Commission bill.

(d) Ordinarily, the staff will not send letters to or appear before an appropriations committee that is hearing a Commission bill. However, the staff may do so if requested by the author or the appropriations committee, or if the staff determines that the bill involves an important fiscal issue.

(e) When a Commission bill has passed the Legislature and is being sent to the Governor for approval, the staff will send an explanatory letter and a copy of the recommendation (including any revised Comment report) to the Governor. The letter will not advocate for approval or veto ~~approval~~ of the bill.

570. Staff contacts with Legislature or Governor's Office⁷³

(a) Except as otherwise authorized by this Handbook, the staff should not contact a member of the Legislature, the Governor, or their staff about a pending Commission bill.

(b) Such contact is permitted if a person in the Legislature or the Governor's Office has raised an issue about a Commission bill that seems to be based on a misunderstanding of the Commission's recommendation or the reasons for it. If it

73. [Minutes](#) (Feb. 2010), p. 2; [Minutes](#) (May 2005), pp. 3-4; [Minutes](#) (Jan. 1971), p. 4; see also [Memorandum](#) 2010-1, pp. 7-8; [Memorandum](#) 2005-15, pp. 6-7.

appears desirable, the Executive Director may contact that person to answer questions about the bill and otherwise explain it. Care must be taken not to advocate or appear to be advocating for enactment of the Commission bill.

575. New legislators

The staff should send a letter to and attempt to meet with new legislators to provide background on the Commission and its function. The staff should explain that the Legislature sets the Commission's agenda, and that the Commission provides a resource legislators should consider using where there are issues appropriate for Commission study. The staff should provide a brief overview explaining how the Commission operates and offering to provide additional information.⁷⁴

**PART 6. RECOMMENDATIONS, REPORTS,
AND OTHER WRITTEN MATERIALS**

CHAPTER 1. CONTENT

600. Recommendation

(a) A recommendation typically includes (1) a narrative description of the Commission's findings and recommendation, (2) proposed legislation, and (3) a Comment for each provision of the proposed legislation.

(b) Commission Comments briefly state the derivation of a provision of the proposed law. A Comment may also provide a brief explanation of the purpose or effect of the proposed revision or a reference to related law. Comments are an important source of legislative history. Overly-long Comments and Comments that establish rules not found in the statute itself are disfavored.

605. Annual Report

(a) Each year, the Commission is required to prepare an Annual Report.

(b) The Annual Report summarizes the Commission's recent and current work, provides background information about the Commission generally, identifies any United States or California Supreme Court decisions holding a California statute unconstitutional or repealed by implication, and makes a recommendation to the Legislature regarding the Commission's Calender of Topics ~~Authorized for Study~~.

(c) The Annual Report may also include appendices that set out revisions to Commission Comments that were made to conform to amendments to Commission bills.

74. [Minutes](#) (Nov. 1994), p. 4.

610. Approval date

A recommendation or report is dated as of the month in which the Commission approved it. The names of the members of the Commission at that time shall be listed in the letter of transmittal.⁷⁵

615. Citation

A recommendation or report that has been published in a Bound Volume should be cited by its title, volume and page number, and year of approval. The Commission uses the following citation format:

Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act, 43 Cal. L. Revision Comm'n Reports 755 (2013)

625. Prefatory note⁷⁶

Each Commission recommendation should include a prefatory note stating:

This report includes an explanatory Comment to each section of the recommended legislation. The Comments are written as if the legislation were already operative, since their primary purpose is to explain the law as it will exist to those who will have occasion to use it after it is operative. The Comments are legislative history and are entitled to substantial weight in construing the statutory provisions. For a discussion of cases addressing the use of Law Revision Commission materials in ascertaining legislative intent, see the Commission's most recent Annual Report.

630. Dissents

Dissenting votes of Commission members on all or part of a recommendation or report are not reported in the recommendation or report. However, any vote against approving a recommendation or report will be recorded in the Minutes for the meeting at which the recommendation or report was approved. In addition, the Commission's Annual Report states that "occasionally one or more members of the Commission may not join in all or part of a recommendation submitted to the Legislature by the Commission."⁷⁷

635. Special reports⁷⁸

(a) At the discretion of the Executive Director, the staff may prepare special reports to provide the public with useful information, in a convenient form, about laws that were enacted on the Commission's recommendation.

(b) Such reports will be posted to the Commission's website. The Executive Director shall decide whether the report should also be included in a bound volume or distributed by other means.

75. [Minutes](#) (Oct. 1960), [p. 5](#); revised to reflect current practice.

76. [Minutes](#) (July 2002), [p. 3](#).

77. [Minutes](#) (Aug. 1960), [p. 6](#). See also [Minutes](#) (July 1960), [p. 4](#).

78. [Minutes](#) (Feb. 2010), [p. 2](#); [Minutes](#) (March 1960); see also [Memorandum](#) 2010-1, pp. 1-3 & Attachments.

CHAPTER 2. DISTRIBUTION

650. Website⁷⁹

(a) The Commission maintains a website on the Internet at <www.clrc.ca.gov>.

(b) Background information and information on current activities, such as agendas, bills, tentative recommendations out for comment, and the like, are kept current on the website.

(c) Commission meeting agendas, staff memoranda, minutes, tentative recommendations, printed reports, and other publicly-distributed materials are available for downloading from the website.

(d) Commission members may, as an individual choice, provide their direct email or business website addresses for linking from the Commission website. The Commission has decided not to provide Commissioners' biographical information on the website.⁸⁰

655. Electronic notice lists

(a) The staff maintains electronic notice lists for each of its active study topics, meeting agendas, and press releases.

(b) Members of the public may subscribe or unsubscribe to any of the Commission's electronic notice lists, using tools on the Commission's website.

(c) Whenever new materials are uploaded to the Commission's website, electronic notice will be emailed to the related electronic notice list. The email will include a link to download the new material. Such notices are also sent to all Commissioners.

(d) The only information that must be provided in order to subscribe to an electronic notice list is an email address. That information will not be used for any other purpose.

660. Hard copy distribution

(a) While nearly all of the Commission's meeting materials and reports are distributed by website posting and emailed notice, the staff may distribute hard copies in appropriate circumstances.

(b) In general, members of the Legislature are sent a copy of a final report or recommendation only on request.⁸¹

665. Mailing list privacy

If a person requests disclosure of a mailing list maintained by the Commission, the Commission must balance the policies of the Public Records Act requiring disclosure⁸² against the policies of the Information Practices Act requiring

79. Minutes (Feb. 2010), p. 4; current practice.

80. Minutes (May 2001), p. 3; Minutes (May 1996), p. 3; see also Memorandum 2001-22, p. 1.

81. See Gov't Code § 9795.

82. Gov't Code § 7921.000.

protection of personal information.⁸³ The Commission (or the staff, as appropriate in the circumstances) should make this determination on a case-by-case basis, evaluating the specific circumstances of each particular request.⁸⁴

CHAPTER 3. REVISION OF RECOMMENDATIONS AND REPORTS

700. Pre-print status

(a) Until a recommendation or report has been printed in a bound volume, it is identified as a “pre-print.”

(b) A pre-print bears the date of its approval or its last revision, whichever is later.

705. Revisions to conform recommendation to bill amendments

(a) When a Commission bill is amended, the Commission may wish to revise its recommendation to conform to the amendment. This may reflect Commission approval of the amendment or it may be done to avoid confusion in the historical record.

(b) If the recommendation is in pre-print form, such revisions can be made in the recommendation itself.

(c) If the recommendation has already been printed in a Bound Volume, and the Commission only wishes to revise its Comments, it may do so in a Revised Comment report, which will be printed as an appendix to the next Annual Report.

(d) If the recommendation has already been printed in a Bound Volume and the Commission wishes to revise more than just the Comments, it may approve and print a “Revised Recommendation” that supersedes the initial recommendation. A Revised Recommendation shall be distributed in the same way as any other recommendation.

710. Revision to correct error or conform to Commission policy

When preparing a recommendation for publication, the staff may make any revisions necessary to conform to the Commission’s policy decisions or to correct technical defects. Members of the Commission may submit suggested editorial revisions of that type to the staff for consideration.⁸⁵

83. Civ. Code §§ ~~6250-6276.48~~ [1798-1798.78](#).

84. [Minutes](#) (July 2002), pp. 3-4.

85. [Minutes](#) (Oct. 1979), p. 7; revised to reflect current practice.

CHAPTER 4. BOUND VOLUMES⁸⁶

750. Content

Each Commission recommendation, report, and Annual Report, is incorporated into a hardbound volume of the Commission's REPORTS, RECOMMENDATIONS, AND STUDIES.

755. Frequency

(a) In general, one bound volume is prepared each year, but that may vary due to fluctuations in the volume of Commission recommendations and budgetary constraints.

(b) The Executive Director determines when material should be printed. However, no recommendation shall be printed, or distributed, unless the recommendation has first been approved for printing and distribution by the Commission.⁸⁷

760. Distribution

(a) The Executive Director shall determine how many copies of the bound volume to order for the Commission's use.

(b) Complimentary copies of Bound Volumes are sent to a limited number of government officials, legal publishers, and others. Bound volumes are also sent to current members of the Commission and to members whose tenure is covered in the volume.⁸⁸

(c) Copies of Bound Volumes are also available for purchase.

(d) Softcover versions of the bound volumes are distributed to legal depository libraries by the Office of State Publishing under the Library Distribution Act.

PART 7. COOPERATION WITH OTHER ENTITIES

800. Committee on Revision of the Penal Code

(a) Before proposing any extraordinary expenditure of funds or other resources, the Chairperson will consult with the Executive Director about the effect of the expenditure on the Committee on Revision of the Penal Code. The Executive Director has sole discretion to require that the expenditure be approved by the Committee on Revision of the Penal Code before it is made.⁸⁹ The Committee on Revision of the Penal Code shall not unreasonably withhold its approval.

86. [Minutes](#) (Feb. 2010), p. 2; see also [Memorandum](#) 2010-1, pp. 1-3 & Attachments p. 10.

87. [Minutes](#) (Feb. 2010), p. 2; [Minutes](#) (March 1960); see also [Memorandum](#) 2010-1, pp. 1-3 [9-10](#) & Attachments.

88. For the current Publication Distribution Policy, see Appendix D.

89. The Executive Director is personally liable for any expenditure in excess of the amount approved in the State Budget. Gov't Code § 13324 ("Every person who incurs any expenditure in excess of the allotments or other provisions of the fiscal year budget as approved by the department

(b) For the purpose of this section, “extraordinary expenditure of funds or resources” means an expenditure that exceeds the allocation to the Committee provided in the State Budget.

805. Legislative committees

By statute, the Commission is required to confer and cooperate with any legislative committee on revision of the law.⁹⁰ In practice, this typically means that the staff will provide what assistance it can in response to legislative inquiries. The staff will make clear that any assistance it provides is informal and does not represent any position of the Commission as an entity.

810. State Bar, California Lawyers Association, and other associations

(a) The State Bar is required to “assist the commission in any manner the commission may request within the scope of its powers or duties.”⁹¹ The staff presumes that this obligation now extends to the California Lawyers Association (“CLA”).

(b) The Commission may cooperate with the State Bar or any other “learned, professional, or scientific association, institution or foundation” in any manner suitable for the fulfillment of the Commission’s duties.⁹²

(c) In practice, the Commission solicits input on its studies from relevant sections of the CLA and other relevant organizations. Those groups are requested to provide written comment on Commission materials and to attend Commission meetings.

815. Legal publishers

(a) Near the end of each year’s legislative session, the Commission provides legal publishers electronic copies of all Commission recommendations and final Comments for Commission bills enacted that year. These are used by the publishers to prepare annotations for affected code sections.

(b) Historically, legal publishers (Thomson-Reuters, LexisNexis, California Continuing Education of the Bar) have provided the Commission complimentary copies of legal publications. These have included annotated code sets, desktop code volumes, subject matter treatises, and the like.

(c) In the past, the Commission occasionally assisted the California Continuing Education of the Bar (CEB) in their publication of educational materials for their use in connection with programs designed to instruct lawyers concerning major Commission legislative enactments.

or as subsequently changed by or with the approval of the department, is liable both personally and on his official bond for the amount of the excess expenditures.”).

90. Gov’t Code § [8295](#).

91. Gov’t Code § [8287](#).

91. Gov’t Code § [8296](#).

820. Law reviews

(a) A background study may be published in a law review if it is accompanied by the substance of the following note:

This article was prepared to provide the California Law Revision Commission with background information to assist the Commission in its study of this subject. The opinions, conclusions, and recommendations contained in this article are entirely those of the author and do not necessarily represent or reflect the opinions, conclusions, or recommendations of the Law Revision Commission.

(b) A tentative recommendation may not be published in a law review unless Commission permission is first obtained.⁹³ If a tentative recommendation is published in a law review or otherwise distributed, it should be accompanied by the substance of the following note:⁹⁴

The purpose of this tentative recommendation is to solicit public comment on the Commission's tentative conclusions. A comment submitted to the Commission will be considered at a public meeting when the Commission determines what, if any, recommendation it will make to the Legislature. It is just as important to advise the Commission that you approve the tentative recommendation as it is to advise the Commission that you believe revisions should be made to it.

The Commission will often substantially revise a proposal in response to comment it receives. Thus, this tentative recommendation is not necessarily the recommendation the Commission will submit to the Legislature.

(c) A letter should be obtained from a law review publishing a Commission study or tentative recommendation recognizing that the Commission itself may republish the article in a Commission Bound Volume.

825. Tribal consultation policy⁹⁵

Consistent with the Governor's Executive Order B-10-11, the Commission shall take all practicable steps to encourage early and frequent communication and consultation with California Native American Tribes, including all of the following:

(a) Before the Commission begins a new study, it shall send notice to Tribes explaining the scope and nature of the study, inviting consultation regarding the study, and offering to add Tribes to the ~~distribution~~ electronic notice list for materials prepared as part of the study. This notice shall be sent by the Commission's Chair or Executive Director.

93. [Minutes](#) (Dec. 1965), p. 6.

94. [Minutes](#) (June 1966) p. 3; current practice.

95. [Minutes](#) (Sept. 2016), p. 3; [Memorandum](#) 2016-42.

(b) If an official of a Tribe wishes to address the Commission at one of its public meetings, the Commission shall set aside time for that purpose.

(c) The Executive Director shall be available for consultation with representatives of Tribes on their request.

PART 8. RESEARCH CONSULTANTS

850. Meeting attendance

Consultants are requested to attend Commission meetings when appropriate.

855. Compensation

(a) Compensation of research consultants is on a modest scale, as paid in connection with public service rather than at regular professional rates.⁹⁶ Payment is made in a lump sum (rather than on an hourly basis) under a contract made with the consultant.⁹⁷ Partial payments may be made for portions of a research study that have been completed.

(b) Consultants may be reimbursed for travel expenses when attending Commission meetings.

860. Statement of scope of background study

(a) The Commission considers it important that there be a clear understanding concerning the scope of the background study so that the background study includes an adequate discussion of those matters that the Commission believes are in need of study. For this reason, a statement of the scope of the study is prepared by the staff in cooperation with the Commission's consultant. The statement identifies those aspects of the topic to be studied that are considered by the Commission to be of particular importance. Where appropriate, the statement may indicate uniform or model acts or statutes of other jurisdictions that are to be considered in the background study. The statement is intended to ensure that the background study includes an adequate discussion of the matters that are described in the statement, but is not intended to restrict the consultant in any way.

(b) In some cases, the Commission may invite the consultant to meet with the Commission before commencing work on the background study to discuss the scope and methodology of the study. This will enable the Commission to gain additional understanding of the subject matter and ensure that the background study will address all of the matters the Commission believes would be useful in considering the topic.

96. [Minutes](#) (June 1955), p. 5.

97. *Id.*

865. Form and content of background study

(a) The consultant is completely free to determine the form and content of the background study, but the background study should include an adequate discussion of the specific matters that the statement of the scope of the study indicates should be discussed in the background study and such other matters as the consultant believes should be considered in the background study. The background study ordinarily is prepared in the form of one or more law review articles.

(b) A background study is most useful to the Commission if it includes the following:

(1) An identification of the specific problems that may require legislative action.

(2) A discussion of existing California decisional and statutory law with respect to each such problem and, where the consultant considers it useful, a discussion of uniform and model acts, statutes of other jurisdictions, and other material.

(3) The alternative methods by which each problem might be solved, the advantages and disadvantages of each alternative, and the consultant's recommendations as to which alternative is best. The consultant is completely free to make any recommendations the consultant considers appropriate or desirable.

(b) If views expressed in a consultant's study are not in agreement with the final recommendation of the Commission on the subject, the consultant may be asked to review pertinent parts of the study. The consultant is not required, however, to conform the study to the views of the Commission, nor are any portions of the study eliminated when the study is published merely because they are inconsistent with the final action of the Commission.⁹⁸

(c) Whenever possible, a consultant's study should be published in a California law review or other publication and may be republished by the Commission. In some cases, a study may be published only in the Commission's reports. Studies are printed with a note explaining that the views expressed are not necessarily the views of the Commission.

870. Presentations by consultant to other persons or groups⁹⁹

If a consultant makes any presentation of a background study and recommendations to any person, or legislative or other group, the consultant shall make clear at the time the presentation is made that:

(a) The consultant's recommendations are not recommendations of the Commission and do not represent the views or recommendations of the Commission.

(b) The Commission may or may not make recommendations on the particular matter and, if the Commission does make recommendations, those

98. [Minutes](#) (Aug. 1960), p. 3.

99. [Minutes](#) (Jan. 1990), pp. 2-3; [Minutes](#) (Jan. 1982), pp. 3-4. For further discussion of this matter, see [Memorandum](#) 90-02; [Memorandum](#) 89-74.

recommendations will be made in the Commission's printed report to the Legislature.

875. Involvement of consultant in litigation¹⁰⁰

A consultant is free to continue professional activities in an area related to the subject for which the consultant was hired to advise the Commission, including involvement in litigation. However, if the consultant becomes involved in litigation on the side of a party or as amicus curiae, the consultant shall do the following:

(a) Advise the Commission of involvement in the litigation.

(b) When the person's status as a Commission consultant becomes known to the parties litigant or the court, make clear that the consultant's views do not represent the views or recommendations of the Commission and that the Commission's recommendations, if any, will be made in the Commission's printed report to the Legislature.

880. Advisers to commission consultant¹⁰¹

Although the Commission encourages consultants to seek the views of other experts and interested persons in the course of preparing a background study, the Commission does not approve the consultant setting up an advisory committee or similar named group.

885. Additional funding of consultant studies

A consultant retained by the Commission for the preparation of a background study may seek to obtain grants or funding from foundations or other sources for the purpose of preparing the study required by the Commission, but no grant or funding shall be accepted by the consultant without the prior approval of the Commission, which approval shall be set out in the Minutes of the meeting at which the approval was given.¹⁰²

890. Report on status of research studies

Periodically, the Executive Director is to submit for Commission review the status of each research study being prepared by an outside research consultant.¹⁰³

PART 9. GENERAL ADMINISTRATION

100. [Minutes](#) (Jan. 1990), p. 2; see [Memorandum 90-02](#), p. 2.

101. [Minutes](#) (Jan. 1990), p. 2. *Id.*

102. [Minutes](#) (Sept. 1987).

103. [Minutes](#) (April 1971), pp. 3-4; revised to reflect current practice.

CHAPTER 1. SIGNATURE AUTHORITY

900. Contracts and leases

(a) The Executive Director is authorized to sign on behalf of the Commission all leases and contracts previously approved by the Commission.¹⁰⁴

(b) The Executive Director is authorized to execute contracts covering equipment maintenance, equipment rental, subscriptions, and the like.

905. Personnel and financial documents¹⁰⁵

(a) The Chairperson, Executive Director, and Chief Deputy Counsel are authorized to sign all personnel and financial documents.

(b) The Executive Director shall determine the particular types of documents that the Chief Deputy Counsel and other Commission employees can sign.

(c) The Chairperson and the Executive Director are authorized to sign any documents that must be executed to allow a Commissioner or Commission employee to sign personnel or financial documents.

CHAPTER 2. TRAVEL

950. Travel claims

(a) The staff is responsible for overseeing the travel claim process.

(b) To make a claim, a Commissioner must first complete a staff-provided worksheet and submit it to the staff. All required information must be provided and specified receipts must be attached. If required information or receipts are missing, reimbursement may be delayed or limited.

(c) From the worksheet information, the staff prepares the formal travel claim and sends it to the Commissioner for signature. The claim is then returned to the Commission office for final approval and submission to the State Controller for payment.

(d) Current information concerning travel expense regulations and claims is sent to Commissioners periodically or on request. Questions about travel claims or the procedure should be directed to the responsible staff member.

955. Out-of-state travel ¹⁰⁶

The Chairperson is authorized to approve requests for authorization by the Department of Finance and the Governor of unbudgeted out-of-state travel by the staff. Requests for budgeted out-of-state travel are presented for approval by the Department of Finance and Governor by submission of the necessary document by the Executive Director.

104. [Minutes](#) (July 1964), p. 2.

105. [Minutes](#) (Feb. 2010), p. 2; see also [Memorandum 2010-1](#), p. 10; [Minutes](#) (Oct. 1965), p. 3.

106. [Minutes](#) (Oct. 1965), p. 5.

960. Photo identification cards

Any Commissioner may request that the staff provide a photo identification card that will affirm the Commissioner's status as a member of the Commission. These cards may be useful in obtaining state contract rates on accommodations when staying overnight for a Commission meeting.¹⁰⁷

107. [Minutes](#) (May 2018), pp. 2-3; [Minutes](#) (May 2002), p. 4.