

Memorandum 2018-68

**Fish and Game Law:
Conforming Revisions**

The Commission¹ is presently studying a recodification of the existing Fish and Game Code, which would repeal that code in its entirety and replace it with a new Fish and Wildlife Code. A draft tentative recommendation proposing that recodification has been distributed, and is scheduled to be considered at the Commission's December meeting.²

If the proposed recodification is enacted, provisions in every other code that refer to a provision of the existing Fish and Game Code, or to that code generally, will need to be conformed to reflect that recodification. The staff has recently completed a working draft that proposes each of these conforming revisions, but regrettably with insufficient time to allow for meaningful review by the Commission at the December meeting.³

Therefore, rather than present a draft of these conforming revisions as an attachment to a memorandum, it would be the staff's intention to incorporate the proposed revisions in a separate draft tentative recommendation relating to the revisions, which would be presented at the Commission's February meeting.⁴ Consistent with past Commission practice,⁵ this tentative recommendation would circulate separately from the tentative recommendation proposing the recodification itself. However, the requested return date for comments would be synchronized with the requested date for comments on the recodification,

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 Memorandum 2018-67 and its First Supplement.

3. The draft is nearly 300 pages long, and proposes revision of well over 200 code sections.

4. The staff expects to make this draft tentative recommendation available to the Commission and stakeholders at least a month before the Commission's February meeting.

5. See Memorandum 2009-11 (relating to Nonsubstantive Reorganization of Deadly Weapon Statutes).

thereby preserving the opportunity for the Commission to recommend a single final recommendation in this study to the Legislature, if it desires.⁶

Is this approach acceptable to the Commission?

Respectfully submitted,

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6. In the Commission's study of nonsubstantive reorganization of the deadly weapons statutes, it also decided to submit separate final recommendations to the Legislature.