

Second Supplement to Memorandum 2022-30

Fish and Game Law: Narrow Reorganization in Place (Additional Discussion)

The Commission¹ has received a letter from Mark Hennelly, on behalf of the conservation group California Waterfowl Association. The letter is attached as an Exhibit.

In the letter, California Waterfowl Association expresses concern about any further work on improving the organization of the Fish and Game Code:

Our concerns are focused on potential confusion resulting from reorganization. Many of the regulated entities rely on ready access to the codes they use daily, and it is not clear what the benefit will be to simply making the code 'read better.'

More specifically for CDFW's law enforcement officers revising the code is counterproductive. For officers in the field to spend extra time looking for particular code sections to determine whether an offense was committed, issue citations or educate the public is unproductive and possibly dangerous.

The staff appreciates California Waterfowl's continued input on this topic.

Respectfully submitted,

Brian Hebert
Executive Director

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.



April 25, 2022

Mr. Rick Simpson, Chairman
California Law Revision Commission
c/o UC Davis School of Law
400 Mrak Hall Drive
Davis, CA 95616

Dear Mr. Simpson,

On behalf of the California Waterfowl Association (CWA), I am writing you to express the concern of stakeholders of the Department of Fish and Wildlife (CDFW) with the on-going effort by the CA Law Revision Commission (CLRC) to substantially reorganize the Fish and Game Code.

CWA is a nonprofit organization dedicated to the conservation of our waterfowl and wetland resources, and the protection of our hunting heritage. CWA represents the interests of about 70,000 waterfowl hunters, conservationists and landowners.

Our concerns are focused on potential confusion resulting from reorganization. Many of the regulated entities rely on ready access to the codes they use daily, and it is not clear what the benefit will be to simply making the code 'read better.'

More specifically for CDFW's law enforcement officers revising the code is counterproductive. For officers in the field to spend extra time looking for particular code sections to determine whether an offense was committed, issue citations or educate the public is unproductive and possibly dangerous.

Having participated in the CDFW Strategic Vision process and followed the actions of the CLRC to clarify the Fish and Game Code over the last ten years, we can say that your effort has been tremendous and will leave the Code in improved condition. We believe your mission has largely been accomplished or will be when the final bill is signed and implementing regulations are enacted.

We do not support further reorganization of the Code and have encouraged CDFW to redirect its effort toward our state's fish and wildlife and the habitats they depend on.

Sincerely,



Mark Hennelly, Vice President of Advocacy
California Waterfowl Association

CC:

Mr. Brian Hebert, Executive Director
bhebert@clrc.ca.gov

Angela Fontes, Deputy Legislative Secretary
Governor Newsom

Senator Roth, Member
Law Revision Commission

Assemblymember Kalra, Member
Law Revision Commission