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1                                    **APPROVED** MINUTES OF MEETING  
2                                    CALIFORNIA LAW REVISION COMMISSION  
3                                    December 16, 2021

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4            A meeting of the California Law Revision Commission was held on  
5            December 16, 2021. Consistent with Government Code Section 11133, the  
6            meeting was held as an online video webinar.

7            Only those members of the public who expressly consented to being  
8            identified in the Minutes are listed as attendees.

9            **Commission:**

10            *Present:*            Richard Simpson, Chairperson  
11                                David A. Carrillo, Vice-Chairperson  
12                                Ana Cubas  
13                                Victor King  
14                                Jane McAllister

15            *Absent:*                Assembly Member Ash Kalra  
16                                Senator Richard D. Roth  
17                                Cara Jenkins, Legislative Counsel

18            **Staff:**                    Brian Hebert, Executive Director  
19                                Barbara Gaal, Chief Deputy Director  
20                                Kristin Burford, Staff Counsel  
21                                Steve Cohen, Staff Counsel

22            **Other Persons:**

23            Angela Donlan, Department of Fish and Wildlife  
24            Bianca Blomquist  
25            Mark Lomax

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APPROVAL OF ACTIONS TAKEN

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Unless otherwise indicated, the Commission decisions noted in these Minutes were approved by all members present at the meeting. If a member who was present at the meeting voted against a particular decision, abstained from voting, or was not present when the decision was made, that fact will be noted below.

6

MINUTES

7

The Commission considered Memorandum 2021-59, presenting draft Minutes of the November 18, 2021, meeting. The Commission approved the Minutes without change.

10

ADMINISTRATIVE MATTERS

11

**Report of Executive Director**

12

The Executive Director reported on the following matters:

13

- Commissioner Cubas was reappointed to serve another term.

14

- The Commission has two vacancies in positions that are appointed by the Governor.

15

16

- The Committee on Revision of the Penal Code released its Annual Report.

17

18

After the Executive Director’s report, the Chair noted that the Executive Director had served in that position for 15 years. He was thanked for his leadership and given a memento to mark the occasion.

19

20

1 **Annual Report**

2 The Commission considered Memorandum 2021-60, presenting a staff draft  
3 of the body of the Commission’s 2021-22 Annual Report, and the appendix that  
4 contains Commissioner biographies.

5 The Commission approved the report for publication and distribution to the  
6 Legislature and the Governor, subject to technical changes, the addition of  
7 completed appendices, and any changes that are needed to reflect decisions that  
8 the Commission will make in January 2022, regarding its 2022 work priorities.

9 STUDY E-200 – RECODIFICATION OF TOXIC SUBSTANCE STATUTES

10 The Commission considered Memoranda 2021-65 and 2021-66, discussing the  
11 2021 legislative changes that affect the Commission’s recommendations on  
12 *Hazardous Substance Account Recodification Act* and *Hazardous Substance Account*  
13 *Recodification Act: Conforming Revisions*, respectively.

14 For both memoranda, the Commission approved the attached proposed  
15 legislation to conform to the 2021 legislative changes. The Commission also  
16 decided to update its recommendations accordingly.

17 STUDY J-1407 — STATUTES MADE OBSOLETE BY TRIAL COURT  
18 RESTRUCTURING (PART 8)

19 The Commission considered Memorandum 2021-63, which reports that there  
20 were no comments on the tentative recommendation on *Statutes Made Obsolete by*  
21 *Trial Court Restructuring: Part 8* (Sept. 2021).

22 For the reasons described in that memorandum, the Commission decided not  
23 to make further efforts to solicit comments.

24 The Commission directed the staff to prepare a draft of a final  
25 recommendation, for consideration at its next meeting. The draft  
26 recommendation should take the same approach as the tentative  
27 recommendation, including the proposed amendment of Government Code  
28 Section 990.2 and the proposed repeal of Government Code Section 26524.

1                   STUDY J-1408 — STATUTES MADE OBSOLETE BY TRIAL COURT  
2                                   RESTRUCTURING (PART 9)

3           The Commission considered Memorandum 2021-64, which presents a draft of  
4 a tentative recommendation to expressly clarify the jurisdictional classification of  
5 a drug asset forfeiture proceeding.

6           The Executive Director orally reported on a discussion he had with the Chair  
7 of the Committee on Revision of the Penal Code (Michael Romano) about this  
8 project and whether it would interfere with the Committee’s work.

9           After considering that report, hearing comments from Mark Lomax, and  
10 discussing various other points, the Commission approved the draft attached to  
11 Memorandum 2021-64 as a tentative recommendation, to be posted to the  
12 Commission’s website and circulated for comment.

13                               STUDY L-3032.5 — STOCK COOPERATIVES  
14                               AND REVOCABLE TRANSFER ON DEATH DEEDS

15           The Commission considered Memorandum 2021-62 and its First Supplement,  
16 discussing the enforcement of an off-record restriction on property that has been  
17 transferred by revocable transfer on death deed. The Commission decided to  
18 postpone decision on the issues discussed in the memorandum until January, to  
19 give further opportunity for input from experts on real property conveyancing.

20                               STUDY R-100 — FISH AND GAME LAW

21           The Commission considered Memorandum 2021-57, presenting proposed  
22 revisions to the Fish and Game Code. The Commission provisionally approved  
23 them for inclusion in a draft recommendation, pending commenter review of the  
24 proposed language.

25           The Commission also considered Memorandum 2021-58. No Commission  
26 action was required or taken with regard to that memorandum.