
1 **APPROVED** MINUTES OF MEETING
2 CALIFORNIA LAW REVISION COMMISSION
3 May 12, 2022

4 A meeting of the California Law Revision Commission was held on May 12,
5 2022. The meeting was held in a hybrid format, including both in-person and
6 teleconference participation. Members of the public who attended by
7 teleconference are only identified in the Minutes as attendees if they expressly
8 consented to being identified.

9 **Commission:**

10 *Present:* Richard Simpson, Chairperson
11 Xochitl Carrion
12 Ana Cubas
13 Amb. (r.) David Huebner
14 Cara Jenkins, Legislative Counsel
15 Jane McAllister

16 *Absent:* Assembly Member Ash Kalra
17 Senator Richard D. Roth
18 David A. Carrillo, Vice-Chairperson
19 Victor King

20 **Staff:** Brian Hebert, Executive Director
21 Kristin Burford, Staff Counsel
22 Steve Cohen, Staff Counsel

23 **Other Persons:**

24 David Bess, Department of Fish and Wildlife
25 Clark Blanchard, Department of Fish and Wildlife
26 Wendy Bogdan, Department of Fish and Wildlife
27 Kimberly Delfino
28 Angela Donlan, Department of Fish and Wildlife
29 Jennifer Fearing
30 Patrick Foy, Department of Fish and Wildlife
31 Mark Hennelly, California Waterfowl Association
32 Frederick Hull, Mountain Lion Foundation
33 Mikaila Kruse, Office of Senator Richard Roth
34 Elaine Roberts Musser
35 Sarah Poss, Governor's Office of Emergency Services
36 Savannah Tapia, Governor's Office of Emergency Services
37 Valerie Termini, Department of Fish and Wildlife

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APPROVAL OF ACTIONS TAKEN

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.

MINUTES

The Commission considered Memorandum 2022-24, presenting draft Minutes of the March 17, 2022, meeting. The Commission approved the Minutes without change. (*Commissioner Carrion was not present when the decision was made.*)

ADMINISTRATIVE MATTERS

Report of Executive Director

The Executive Director explained that the meeting would be held in a hybrid format, with both in-person and remote participation. Commissioners Carrion and McAllister would participate remotely, to accommodate a temporary disability.

The Executive Director introduced new Commission employee, Megan Hayenga.

Meeting Schedule

The Commission considered Memorandum 2022-25, discussing the Commission’s meeting schedule for 2022.

The Commission decided to delete all of its scheduled meeting dates, except for August 18, 2022, and November 17, 2022. The Commission retained December 15, 2022, as a possible meeting date, if needed.

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2022 LEGISLATIVE PROGRAM

The Commission considered Memorandum 2022-26, discussing the Commission’s 2022 legislative program. No Commission decisions were required or made.

On the suggestion of Commissioner Cubas, the staff will investigate the possible use of subcommittees in conducting future studies. Commissioner Cubas volunteered to serve on a subcommittee, if one is formed for work on the study that is proposed in Senate Concurrent Resolution 92 (Leyva).

STUDY R-100 — FISH AND GAME LAW

The Commission considered Memorandum 2022-28, presenting proposed revision of the Fish and Game Code. The Commission approved the staff recommendation made in the memorandum.

The Commission also considered Memorandum 2022-29. No Commission action was required or taken with regard to that memorandum.

The Commission also considered Memorandum 2022-30 and its First through Fifth Supplements, discussing whether the Commission should continue to work on making organizational improvements to the Fish and Game Code. The Commission decided to discontinue that work. The staff will prepare a draft of a report explaining that decision, for consideration at a future meeting.

STUDY X-100 — EMERGENCY-RELATED REFORMS

The Commission considered Memorandum 2022-27, which discusses a proposed method and structure for drafting an informational report on emergency law. While no Commission decisions were required or made, individual Commissioners suggested that the report address the following issues:

- Ensuring that emergencies are declared only in emergency situations.
- Spending during an emergency.
- Distinguishing between rules that are discretionary and mandatory.
- Discussing the apparent rationale behind different policy approaches.