

MEMORANDUM 2023-32

**Minutes of Meeting on June 22, 2023 (Draft)**

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The California Law Revision Commission held a meeting on June 22, 2023, by teleconference.<sup>1</sup> A draft of Minutes for that meeting is attached for Commissioners to review.

The attached draft will be deemed final after it is approved by a vote of the Commission. When voting, the Commission may make specific changes to the Minutes. If so, those changes will be memorialized in the Minutes for the meeting at which the vote occurred.

The Bagley-Keene Open Meeting Act provides that attendees cannot be required to identify themselves.<sup>2</sup> As a means of observing that rule, the Commission is only listing teleconference attendees who have affirmatively consented to being identified in the Minutes, as part of the registration process required for those who wish to attend the meeting.

Respectfully submitted,

Brian Hebert  
Executive Director

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<sup>1</sup> 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](http://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.

<sup>2</sup> Gov't Code § 11124.

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***DRAFT* MINUTES OF MEETING**  
**CALIFORNIA LAW REVISION COMMISSION**

June 22, 2023

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A meeting of the California Law Revision Commission was held on June 22, 2023. The meeting was held as an online video webinar.

ATTENDANCE

**Commission**

*Present*    Amb. (r.) David Huebner, Vice-Chairperson  
                  Xochitl Carrion  
                  Ana Cubas  
                  Cara Jenkins, Legislative Counsel  
                  Victor King  
                  Jane McAllister  
                  Richard Simpson

*Absent*     David A. Carrillo, Chairperson  
                  Assembly Member Ash Kalra  
                  Senator Richard D. Roth

**Staff, Invited Presenters, and Assistants**

Brian Hebert, Executive Director  
Kristin Burford, Chief Deputy Director  
Steve Cohen, Staff Counsel  
  
Professor Alison Jones, King's College London  
  
ASL Translators: Judy Spohn and Elise Thompson

**Other Attendees<sup>1</sup>**

Blue Aldrich, June Barlow, George Cavinta, Kaitlyn Harger, Katie Lindsay, Mickey Pierce, Dan Robbins, Aniko Sherry, Jessica Twining, Caleb Williamson

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<sup>1</sup> Members of the public are only identified in the Minutes as attendees if they expressly consented to being identified.

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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.

CLOSED SESSION

The Commission met in closed session to consider personnel matters, pursuant to Government Code Section 11126. On returning to open session, the acting Chairperson announced the following decision: The Commission selected one of the applicants for the upcoming Executive Director vacancy. The staff will make a formal offer to that person.

*(Commissioners Carrion and Jenkins were not present when this decision was made.)*

MINUTES

The Commission considered Memorandum 2023-30, presenting draft Minutes of the May 18, 2023, meeting. The Commission approved the Minutes without change.

*(Commissioner Jenkins was not present when this decision was made. Commissioner McAllister abstained.)*

## ADMINISTRATIVE MATTERS

### Report of the Executive Director

The Executive Director reported on the following matters:

- Unless a budget bill extends the current waiver of certain provisions of the Bagley-Keene Open Meeting Act, the August 2023 meeting will be held in person, probably with a teleconference component. If the waiver is extended by an immediately effective statute, the August meeting will be conducted by teleconference.
- Transitioning back to in-person meetings will present logistics problems (related to inclusion of a teleconference component and provision of ASL translation service).
- ASL translation services for this meeting were provided by staff of the Department of Rehabilitation, at no cost. The Executive Director expressed his appreciation for that generous assistance.

### Commissioner Suggestions

There were no suggestions made by Commissioners.

## 2023 LEGISLATIVE PROGRAM

The Commission considered Memorandum 2023-31 and its First Supplement, discussing the Commission's 2023 legislative program.

No Commission decisions were required or made.

## STUDY B-750 — ANTITRUST LAW

Professor Alison Jones, of King's College London, made a presentation to the Commission on "European Union Competition Law."

The Commission also considered Memorandum 2023-29, which provided a status report on the staff's work on the antitrust study.

No Commission decisions were required or made.

## STUDY E-200 — RECODIFICATION OF TOXIC SUBSTANCE STATUTES

The Commission considered Memorandum 2023-33, presenting a draft of proposed Chapter 6 of Part 1, and Part 2, of Division 44 of the Health and Safety Code.

The Commission provisionally approved the draft for inclusion in a future tentative recommendation.