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1                                    **APPROVED** MINUTES OF MEETING  
2                                    CALIFORNIA LAW REVISION COMMISSION  
3                                    February 16, 2023

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4            A meeting of the California Law Revision Commission was held on February  
5 16, 2023. The meeting was held as an online video webinar. Members of the  
6 public are only identified in the Minutes as attendees if they expressly consented  
7 to being identified.

8    **Commission:**

9            *Present:*        David A. Carrillo, Chairperson  
10                            Amb. (r.) David Huebner, Vice-Chairperson  
11                            Xochitl Carrion  
12                            Ana Cubas  
13                            Cara Jenkins, Legislative Counsel  
14                            Victor King  
15                            Jane McAllister  
16                            Richard Simpson

17            *Absent:*            Assembly Member Ash Kalra  
18                            Senator Richard D. Roth

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

22    **Invited Speakers:** Prof. Cary Franklin, Faculty Director of Williams Institute at  
23                                            UCLA School of Law  
24                            Thomas Greene  
25                            Dean Brad Sears, Executive Director of Williams Institute at  
26                                            UCLA School of Law

27    **Other Persons:**

28            Michael Acton  
29            Sahil Alim  
30            Amir Dezfuli  
31            Angela Donlan, Department of Fish and Wildlife  
32            Kathleen Foote  
33            Prof. Richard Gilbert  
34            Lee Hepner  
35            Cheryl Johnson  
36            Prof. Christopher Leslie  
37            Prof. Roger Noll  
38            Prof. Dan Robbins

1 Tracy Rosenberg  
2 David Woodsmall, Department of Fish and Wildlife

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3 APPROVAL OF ACTIONS TAKEN

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

8 MINUTES

9 The Commission considered Memorandum 2023-8, presenting draft Minutes  
10 of the January 19, 2023, meeting. The Commission approved the Minutes without  
11 change.

12 ADMINISTRATIVE MATTERS

13 **Report of Executive Director**

14 The Executive Director reported that it will be financially feasible to hire an  
15 Executive Director one month before the retirement of the current Executive  
16 Director. This will provide an overlap period, to ease the transition. With that  
17 determination made, the staff will start advertising for recruitment of the  
18 position.

19 **Commissioner Suggestions**

20 There were no suggestions from Commissioners.

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2023 LEGISLATIVE PROGRAM

The Commission considered Memorandum 2023-9, discussing the Commission's 2023 legislative program.  
No Commission action was required or taken.

STUDY B-750 — ANTITRUST LAW

Thomas Greene made a presentation to the Commission on “The Consumer Welfare Standard and Antitrust Injury.”  
The Commission also considered Memorandum 2023-11, which provided a status report on the staff's work on the antitrust study.  
No Commission action was required or taken.

STUDY I-100 — EQUAL RIGHTS AMENDMENT

The Commission was joined by Dean Brad Sears and Professor Cary Franklin of the Williams Institute at UCLA School of Law. Dean Sears and Professor Franklin provided information about sexual orientation and gender identity discrimination and the legal history of sex discrimination.  
The Commission considered Memorandum 2023-10, discussing the scope of “sex” for the purposes of this study. The Commission decided that the term “sex” should be understood broadly to encompass the different issues described in the memorandum, consistent with federal discrimination law.  
The Commission also considered the first supplement to Memorandum 2023-10, providing an update on stakeholder outreach. No Commission decisions were required or made with respect to the supplemental memorandum.

STUDY R-100 — FISH AND GAME LAW

The Commission considered Memorandum 2023-12, presenting a staff draft of the narrative part of a recommendation on *Fish and Game Law: Technical Revisions and Minor Substantive Improvements (Part 3)*, along with additions and changes to the proposed legislation that was approved at the January meeting.  
The Commission approved the narrative and changes to the proposed legislation and approved a final recommendation that incorporates those decisions, for publication and submission to the Governor and the Legislature.