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CITY COUNCIL MEETING

AUGUST 18, 1982

City Clerk Reimche presented a letter which had been received from Assemblyman Alister McAlister expressing appreciation to the Lodi City Council for its support for Senator Beverly's SB500 which would have reformed the law of joint and several liability.

Discussion followed with questions being directed to the City Attorney and to Staff.

SACRAMENTO OFFICE  
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GLORIA ROMAYOR  
ADMINISTRATIVE ASSISTANT

# Assembly California Legislature

COMMITTEES  
CHAIRMAN, FINANCE  
INSURANCE, AND COMMERCE  
CRIMINAL JUSTICE  
LABOR AND EMPLOYMENT  
CALIFORNIA LAW REVISION  
COMMISSION  
JOINT COMMITTEE ON  
STATE ECONOMY  
REGULATORY OVERSIGHT  
CITY CLERK  
CITY OF LODI

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ALISTER MCALISTER  
ASSEMBLYMAN, TWENTY-FIFTH DISTRICT  
CHAIRMAN  
FINANCE, INSURANCE, AND COMMERCE

August 16, 1982

Hon. Alice M. Reimche  
City Clerk  
City of Lodi  
Post Office Box 320  
Lodi, California 95241

Dear Ms. Reimche:

Thank you for your expression of support for Senator Beverly's SB 500, which would have reformed the law of joint and several liability.

On August 4, 1982, I voted in favor of this measure in the Assembly Judiciary Committee. Unfortunately, despite my "yes" vote, the measure was defeated by a vote of 6 "yes" to 4 "no", 8 "yes" votes being required for passage in the 14-member committee.

I have authored similar measures and have long advocated substantial tort reforms so as to bring about a better balance in tort litigation. It is clear that in California the legal situation has become completely unbalanced in favor of tort claimants. This imbalance has resulted because of many decisions over the past generation handed down by the California Supreme Court creating or distorting one legal doctrine after another in favor of plaintiffs. The Legislature must bear its share of the responsibility, however, since it has not acted to correct these decisions; in fact, by its inaction the Legislature has only encouraged our State Supreme Court to become ever bolder in its process of continually reshaping and expanding the California laws of liability.

If any constructive change is going to occur, it will require the active and concerted organizational efforts of all of those individuals and organizations that are dedicated to the cause of tort reform. Otherwise, those who continue to benefit from ever more liberal tort recoveries will continue to prevail in the halls of the Legislature.

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August 16, 1982

In this era of recession and fiscal difficulties for government, it is especially regrettable that tax monies that could otherwise be devoted to useful public services must instead be committed to the process of litigation and payment of claims and judgments. I hope that the day will soon come when far more of my legislative colleagues, both liberals who would like to spend more money on social programs and conservatives who would like to save money for the taxpayer as well as maintain basic services such as law enforcement, come to the hard realization that their objectives cannot be met if excessive monies must be committed to the tort litigation system. Hopefully, they will also come to realize that the excessive commitment of monies by business organizations to this same civil liability system diminishes the ability of our private sector to provide the jobs that are necessary for a prosperous economy. Unrealistic and excessive products liability can go so far as to discourage innovative and productive technologies, to the detriment of our continued economic growth.

Sincerely yours,

  
ALISTER McALISTER

AM:cdf

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SELECT COMMITTEE ON  
REGULATORY OVERSIGHT

ALISTER McALISTER  
ASSEMBLYMAN, TWENTY-FIFTH DISTRICT  
CHAIRMAN  
FINANCE, INSURANCE, AND COMMERCE

August 16, 1982

Mr. Ronald M. Stein  
City Attorney  
City of Lodi  
Post Office Box 320  
Lodi, California 95241

Dear Mr. Stein:

Thank you for your expression of support for Senator Beverly's SB 500, which would have reformed the law of joint and several liability.

On August 4, 1982, I voted in favor of this measure in the Assembly Judiciary Committee. Unfortunately, despite my "yes" vote, the measure was defeated by a vote of 6 "yes" to 4 "no", 8 "yes" votes being required for passage in the 14-member committee.

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ALISTER McALISTER

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