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Introduction Review of Selected 1970 California Legislation

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Introduction

This review of significant 1970 California Legislation is intended to be a brief analysis of the important enactments of the 1970 Regular Session. Despite the fact that 1970 was an election year, which might have reduced the output of the legislature, the 1970 session set a record as the longest in California's history. It was an important and productive session from the standpoint of major legislation in the fields of Consumer Protection, Business Regulations, and Environmental Protection.

In the field of Consumer Protection, the California attorney should become familiar with the new Consumers Legal Remedies Act, (see page 344); and the Consumer Warranty Act, (see page 347). In the field of Business Regulations, important legislation which should be reviewed include the Franchise Investment Act, (see page 296); and the Fictitious Business Name revisions, (see page 340).

Important revisions of California Civil Procedure include changes to property exemptions which afford protection to debtors' property from attachment and execution, (see pages 319-328); significant changes to *CCP §581a* regarding dismissal of civil actions, (see page 313); and new provisions to allow depositions for discovery in arbitration proceedings, (see page 333).

In Domestic Relations law, a new concept of quasi-community property has been enacted and courts are now permitted more flexibility when dividing community property, (see page 396). In the field of Property law, the legislature enacted a major reform in California landlord-tenant law, (see page 428); and a new procedure for arbitration in eminent domain cases, (see page 437). Finally, in the field of Taxation, new legislation includes increased interest rates for non-payment of state income tax, (see page 453); and a federal conformity measure reforming the "hobby loss" exemptions, (see page 461).

The major legislation included in this review is organized topically under fifteen titles listed in the Table of Contents rather than by California Code titles as in previous C.E.B. publications. However, a Table of Code Sections is included at page 488 to enable the reader to find a particular change immediately. Each summary is written in an

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effort to provide the reader with the significant additions or modifications enacted, a review of the law immediately prior to the 1970 change, and, when possible, some indication of legislative purpose. Also included in most of the summaries are references to collateral sources of information concerning the specific law, particularly WITKIN, which is generally within immediate access of most California attorneys.

The Editors of the Pacific Law Journal have done their utmost to assure the accuracy of this review, and hopefully, it will provide worthwhile information to all of its readers. Special appreciation is extended to the members of the administration and faculty of McGeorge School of Law who have assisted us in this effort, and especially Professor Horace Cecchettini for his helpful advice; to the California Continuing Education of the Bar for their assistance; to many of the members of the California Legislature and their staffs who patiently took the time to give assistance; and deserving special recognition, Tom Couris, David Robison, David Johnson and Brian Taugher of the Law Journal staff for their individual efforts in helping to publish this review.

Thomas Eres
Legislation Editor