

# Two Bills Explained By Chapel

By CHARLES E. CHAPEL, Assemblyman, 46th District

My two bills regarding malpractice are Assembly Bill No. 1336 and Assembly Bill No. 1337. As repeatedly stated in this column, you can obtain two free copies of any bill by writing to the Legislative Bill Room, Room 215, State Capitol, Sacramento 14, enclosing a self-addressed, stamped envelope. I must continue to repeat this information because many people continue to write to me for bills when they can get them much faster by writing to the Legislative Bill Room.

The two bills regarding malpractice were introduced at the request of many people licensed in the healing arts, including doctors of medicine, doctors of osteopathy, doctors of chiropractic, doctors of optometry, registered nurses, and others.

IN ADDITION, several judges and many lawyers have requested legislation on malpractice because they cannot find any definition of malpractice in any of the California Codes (laws).

This failure of the California laws to define malpractice has resulted in a lack of uniform justice in both civil and criminal cases. Even the insurance companies who insure people in the healing arts complain that the lack of a definition of malpractice in the California laws causes them a vast amount of trouble.

THE LEGISLATIVE Counsel for the State of California, the Honorable A.C. Morrison, at my request, prepared an analysis of A.B. 1336 on March 8, 1963. It bears his File Number 11547, and reads as follows:

"That bill would make malpractice by anyone licensed in the healing arts a misdemeanor. Persons licensed in the healing arts include the following: clinical laboratory bioanalysts, clinical laboratory technologists, clinical laboratory technologist trainees, dentists, dental hygienists, physicians and surgeons, podiatrists, dispensing opticians, physical therapists, nurses, vocational nurses, psychologists, optometrists, pharmacists, psychiatric technicians and veterinarians.

"Malpractice is defined as the failure to exercise diligence, care, and skill such as is ordinarily possessed by members of the profession or business to which the person charged with malpractice belongs."

JUDGES, LAWYERS and men and women in various professions and trades have asked me for several years to have a definition in the California Codes (laws) defining malpractice without any direct reference to the healing arts because it is possible for architects, engineers, plumbers, electricians and others to be guilty of malpractice. By having two laws, one directly referring to the healing arts and the other covering all professions, trades and businesses, we would not be in the position of inferring that only those in the healing arts can be guilty of malpractice. For these reasons, the Legislative Counsel, at my request, on March 8, 1963, wrote his Opinion No. 11553, which reads as follows:

"That bill would add Section 1873 to the Code of Civil Procedure to provide that when malpractice is a fact in dispute in a court proceeding, it is established by proof of the failure to exercise diligence, care and skill such as is ordinarily possessed by members of the profession or business to which the person charged with the malpractice belongs."

After you have obtained copies of the above two bills from the Legislative Bill Room, or if you understand the bills from the above Legislative Counsel's Analyses, please write to me at Room 4001, State Capitol, and tell me if you are for or against the bills and your reasons for support or opposition.

## South Sets Concert

The junior class at South High School will sponsor the school's second annual jazz concert, "Jazz at the Shores," featuring Shelly Manne and His Men, and jazz vocalist Irene Kral, tomorrow night in the South High gymnasium, at 8 p.m. Tickets are \$1.75 and may be purchased at the door.

# Ban on Sunday Selling Certain To Draw Blasts

By VINCENT THOMAS, Assemblyman, 68th District

Volumes have been written about the relationship between private business and legislative bodies. As our dynamic economy continues to move in new directions, legislative responsibility to make sure that business is protected and encouraged without undue legal restrictions increases constantly. Every session of our California Legislature is confronted by many bills affecting business which must be carefully evaluated before action is taken.

As an example of the sort of

situation I am writing about, take that which results from the recent introduction of a Senate bill to prohibit Sunday selling of many lines of retail merchandise. The measure has organized, active support, but past experience indicates that stiff opposition will be aroused.

AT OUR 1961 session a bill to prohibit the Sunday selling of automobiles passed the Assembly, but died in Senate committee. The current bill is far broader in its scope.

If enacted, the measure would make illegal the selling on Sunday of automobiles,

clothing and accessories, furniture, appliances, TV sets, radios, cameras, jewelry, and other goods whose sale that day would not be necessary for public health and safety. Not affected would be the sale of food, drugs, gasoline and auto supplies, newspapers, novelties, real estate, souvenirs, and items primarily sold for recreational purposes. The restrictions would apply to all stores within a 10-mile radius of every city of over 5,000 population, which means that most of the state's population would be affected.

MOST OTHER states have laws or regulations governing Sunday selling, many of which have been on the statute books for years. Eleven other states are reported to be considering enactment of similar legislation this year.

Proponents of the legislation argue that the proposal does not call for enactment of a "Sunday blue law" of the kind which has aroused such controversy in some eastern states. They state that it is based on a recent U.S. Supreme Court decision that this type of law is secular in purpose, rather than religious.

Supporters further argue that the bill is needed to stem the practice of making every day of the week alike by selling on Sunday non-essential items handled by traditional retail stores.

THEY CITE three purposes for the proposed law: 1) to prevent thousands of large and small merchants from being driven into "Sunday business slavery"; 2) to secure the privilege of Sunday off for thousands of California workers employed in retailing and allied lines; and 3) to protect the state from the evils and economic damage caused by Sunday selling.

Opponents of this type of legislation maintain that it is discriminatory, in that the classifications of merchandise to be restricted or left out ignore the needs of the buying public. Also, it is aimed at certain types of retailers who have sought to give the public convenience in shopping.

ANOTHER LINE of objection is that such laws injure merchants of religious faiths which hold days other than Sunday to be their days of worship.

This proposed legislation indicates only too well the diffi-

## Glass Distributor To Attend Meeting

Kenneth E. Olson of Olson Glass Co., Inc., independent Torrance glass distributor, is attending a three-day financial management conference held March 12 to 14 at Hotel Mark Hopkins, San Francisco.

culty which can arise in making laws to regulate business. How far government should intervene so as to protect the public, the economy, and workers, without giving any competitive advantage to any business segment, requires careful and close evaluation of the many factors involved.

## RIK'S U.S.D.A. CHOICE BEEF



# ROUND STEAK 75¢ lb

BONE-IN RUMP ROAST . . . . . 75¢ lb

CUBE STEAKS . . . . . 98¢ lb

CORN KING Bacon 45¢ lb

SIRLOIN TIP STEAK . . . . . 98¢ lb

SIRLOIN TIP ROAST . . . . . 95¢ lb

M.J.B.

# COFFEE

LB. CAN

# 55¢

2-LBS. — 1.09  
3-LBS. — 1.65

## DEL MONTE DOLLAR SALE

CUT GREEN BEANS	303 CANS	4	FOR
GOLDEN CREAM CORN	303	6	FOR
WHOLE KERNEL CORN	303	6	FOR
SWEET SUGAR PEAS	303 CANS	5	FOR
CATSUP	20-OZ. BOTTLES	4	FOR
CATSUP	14-OZ. BOTTLES	6	FOR
COCKTAIL SAUCE	20-OZ.	4	FOR

# \$ 1

KRAFT'S

# VELVEETA

2-LB. LOAF

# 69¢

PRODUCE DEPT.

- ANTHONY'S NOODLES LB. PKGS. 3 FOR 1.00
- COTTAGE CHEESE FOREMOST 2-LB. CARTON . . . 49¢
- ZEE NAPKINS 80 COUNT — PAPER WRAP 10¢
- HORMEL'S SPAM 12-OZ. TIN . . . . . 43¢
- SWANSON'S TV DINNERS . . . . . 59¢
- CORNED BEEF HASH LIBBY'S 303 CANS 2 for 69¢
- MARGARINE QUEEN'S TASTE . . . . . 8 for 1.00
- SALTINE CRACKERS NABISCO LB. PKG. 27¢
- CORN KRISPS 6 REGULAR 10¢ INDIVIDUAL LUNCH PACKS, 6½-OZ. PKG. 39¢
- AJAX LIQUID PRICE INCLUDES 13¢ OFF GIANT SIZE . . . . . 59¢
- AJAX LIQUID PRICE INCLUDES 7¢ OFF 15-OZ. SIZE . . . . . 33¢
- KRAFT CHEESES Longhorn, Mild Cheddar, Monterey Jack 10¢ Off

LARGE GRADE AA

# EGGS

Dozen

# 39¢

GIANT SIZE

# TIDE

69¢

PLAIN or IODIZED

# MORTON'S SALT

26-oz. Round 10¢

MIRACLE

# WHIP

Quart 49¢

FOREMOST

BUTTER Grade AA . . . . . 67¢

BIG DIP ½-Gal. . . . . 49¢

ICE CREAM Premium ½-Gal. 75¢

ICE CREAM Family ½-Gal. 65¢

DEL MONTE

# PINK SALMON

Tall Can 69¢

- PILLSBURY BISCUITS . . . . . 12 for 1.00
- CAMPBELL'S TOMATO SOUP . . . . . 10¢
- KITCHEN CHARM WAX PAPER . . . . . 19¢

BLEACH — ½ GAL.

# PUREX

39¢

DI CARLOS — REGULAR 35¢

# BREAD

1-LB., 6½-OZ. LOAF . . . . . 29¢

CENTRAL AMERICAN

# BANANAS

. . . . . 12¢

WHITE ROSE

# POTATOES

. . . 10 lb. 29¢

SOLID HEAD

# CABBAGE

. . . . . 5¢

BROWN ONIONS . . . . . 5¢

LIBBY'S

# Vienna Sausages

5 FOR 1.00

LIBBY'S

# CORNED BEEF

12-OZ. TIN

# 39¢

BIG "D" DI CARLO'S

# BREAD

REG. 31¢

# 3 FOR 69¢

- OUR EVERY DAY SHELF PRICES
- 24-OZ. Wesson Oil . . . . . 39¢
  - GERBER'S—STRAINED Baby Foods 3 FOR 27¢
  - C&H SUGAR 5 LB. BAG 52¢
  - BEST FOODS — Quart Jar MAYONNAISE 61¢
  - SKIPPY PEANUT BUTTER REG. 29¢ — 6-OZ. JAR . . . . . 27¢ REG. 49¢ — 12-OZ. JAR . . . . . 45¢ REG. 67¢ — 18-OZ. JAR . . . . . 63¢ REG. 97¢ — 28-OZ. JAR . . . . . 93¢

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