

Torrance Herald

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Japanese Film To Be Shown

"Golden Demon," a film about a tragic love affair during Japan's transition from a feudalistic to a modern society, will be shown here Friday, October 23.

The color film, produced in Japan but with English subtitles, will be run at 7 and 8:30 p.m. at the old City Hall, 1511 Cravens Ave.

Coffee will be served during the intermission and admission is free. Showing of the movie from the circuit of the Los Angeles County Museum is being sponsored by the Torrance Recreation Dept. and the Torrance Art Group.

If children are brought to "Golden Demon," it is asked that they attend the first performance.

ACCIDENTS FIFTH

Only four illnesses — heart disease, cancer, cerebral hemorrhage and nephritis — take a greater toll of lives today than accidents.

Steel Firm To Continue Benefit Plan

Coverage under the program of insurance benefits for employees of United States Steel Corp. who do not work because of the strike will be continued through the month of October, it was announced by Don W. Lasell, general superintendent, Torrance Works, Columbia-Geneva Steel Division, United States Steel Corp.

"This means that premiums will be paid from the insurance fund, and any unpaid employee contributions will be deducted from the earnings of participating employees after they have returned to work," Lasell said.

State Has No Power to Control Jets, Legislative Counsel Says

By CHARLES E. CHAPEL, Assemblyman, 46th District

At the request of many of my constituents in the 46th Assembly District, I asked the Legislative Counsel of the State of California to prepare a legal opinion regarding the power of the State to do anything about objectionable jet noises. His Opinion No. 490, dated September 22, 1959, is as follows:

"Dear Mr. Chapel: "QUESTION "You state that in certain areas of your district the noise from commercial jet aircraft landing, taking off and flying over the area interrupts school classes, church meetings, business transactions and disturbs the residents. In this connection, you ask whether the State may enact legislation to prevent this disturbance.

"OPINION "Since legislation of this type would appear necessarily to be a form of regulation of air traffic, we are of the opinion that the State has no power to enact such legislation.

"ANALYSIS "Recent decisions of the federal courts have indicated that the subject of air traffic regulation is one within the sole jurisdiction of the federal government. Such was the holding in the case of 'Allegheny Airlines v. Village of Cedarhurst' (1956), 238 Fed. 2d 812, which held an ordinance prohibiting flights below 1000 feet over a village in the vicinity of the New York International Airport to be unconstitutional as an unlawful interference with air traffic. The court held that

the federal government, in the enactment of the Air Commerce Act of 1926 and the Civil Aeronautics Act of 1938 and the regulations of the Civil Aeronautics Board and the Administrator of Civil Aeronautics, pursuant to the powers of the government under the commerce clause of the United States Constitution, has regulated air traffic in the navigable air space to such an extent to constitute pre-emption in that field (see also 'City of Newark, New Jersey v. Eastern Airlines' (1958), 159 Fed. Supp. 750; Fixed on the Law of Aviation, 3rd Ed., Sec. 8, p. 21).

"THIS EXCLUSIVE power of the federal government in the field has been recognized by the California Legislature in the provisions of the State Aeronautics Commission Act (Pt. 1, commencing with Sec. 21001, Div. 9, P.U.C.). It is provided in that act (Sec. 21240, P.U.C.) that "This State recognizes the authority of the



By CHARLES E. CHAPEL . . . Gets Jet Opinion

Federal Government to regulate the operation of aircraft and to control the use of the airways . . ."

"It is also provided in that act (subd. (b), Sec. 21403, P. U. C.) that "The right of flight in aircraft includes the right of safe access to public airports, which includes the right of flight within the zone of approach of any public airport without restriction or hazard," and that the zone of approach of an airport shall conform to the specifications of the Civil Aeronautics Administration. In addition, the act provides that flight in aircraft over the land and waters of the State is lawful, unless at altitudes below those prescribed by federal authority, or unless so conducted as to be immediately dangerous to persons or property lawfully on the land or water beneath (subd. (a), Sec. 21403, P.U.C.).

"Very truly yours, "Ralph N. Kleps "Legislative Counsel "by "Robert G. Hinshaw, "Deputy Legislative Counsel"

THE ABOVE opinion of the Legislative Counsel should set at rest for all time any effort on the part of our good citizens to expect help from the State.

Instead, I advise you to write to your United States Congressman and to the two Members of the United States Senate from California. Do not take double-talk. Ask them what they will do about jet aircraft noises.

When you write to them, type your letter and send a carbon copy addressed to me thus: Charles Edward Chapel, Post Office Box 77, Inglewood 5, Calif.



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