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Santa Monica Daily Press

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NEWS OF THE WEIRD BY CHUCK SHEPARD

Adam Tyson, 18, Jason Krueger, 20, and two pals were hospitalized in Clermont, Fla., in July with severe bee stings after imprudently deciding to vandalize a beehive colony in an orange grove; their truck got stuck in the sand just after they had set 50,000 bees swarming. And in July in Sparta, Wis., Darkalena Large, 43, insisted that she and her car were fine, but police arrested her anyway on suspicion of drunk driving after finding her in the car, which was stuck on a curb with one tire missing and the wheel's rim badly mangled (and recently on fire, according to a witness). Also, a nearby resident brought over part of the rim, which had been broken off and propelled into the air and through his second-floor window.

TODAY IN HISTORY

Today is Thursday, Sept. 8, the 251st day of 2005.
There are 114 days left in the year.

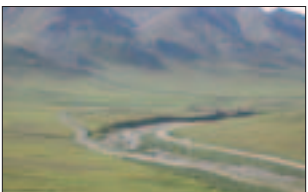
On Sept. 8, 1930, the comic strip "Blondie," created by Chic Young, was first published. Also on this day, Scotch cellophane tape made its debut as a sample of the tape, invented by Richard Drew of 3M, was shipped to a Chicago firm which specialized in wrapping bakery goods in cellophane.

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For whom the bell tolls



Fabian Lewkowicz/Daily Press

Santa Monica High School students head back to school on Wednesday morning to begin the 2005-06 academic year.

LOCAL

Hurricane survivors find footing in SM

By Daily Press staff

Several individuals from New Orleans and the surrounding Hurricane Katrina disaster area have arrived in Santa Monica and sought the help of the local chapter of the American Red Cross.

All of them have traveled to Santa Monica on their own and have not been sent by any governmental agency, officials said. Victims are entitled to aid through numerous other federal, state and local government programs, including unemployment compensation as well as the American Red Cross.

The Federal Emergency Management Agency (FEMA) has just begun issuing \$2,000 debit cards to hurricane victims. The cards can be used for travel, housing, food, clothing and other necessities.

Victims who have checked in with the Santa Monica chapter already have made their own short-term housing arrangements and the chapter did place one family in a hotel.

See RED CROSS, page 5

Lawsuit against airport won't be landing in court

BY RYAN HYATT

Daily Press Staff Writer

DOWNTOWN LA — A complaint filed against the Santa Monica Airport that's been in litigation for nearly six years has been thrown out of court, paving the runway for the best and safest facility possible, officials say.

sible, officials say.

The Second Appellate District of the California Court of Appeals on Aug. 24 rejected a lawsuit filed in November of 1999 against City Hall by the Santa Monica Airport Association (SMAA), alleging a

See SM AIRPORT, page 5

Steel resolve



Fabian Lewkowicz/Daily Press

Sheet-metal worker Jeff Morgan takes measurements before applying galvanized steel to the trim of the new Bubba Gump Shrimp restaurant, scheduled to open this fall on the Santa Monica Pier.

Sheraton Delfina is finally HERE

BY RYAN HYATT

Daily Press Staff Writer

OCEAN PARK — Roughly half of Santa Monica's luxury hotel workers have become unionized, now that a majority of the staff at the Sheraton Delfina have given their thumbs-up.

Nearly 100 employees of the Sheraton Delfina have joined the Hotel Employees and Restaurant Employees Local 11 (HERE) since an Aug. 26 vote in which 58 employees voted in favor of unionization and 32 voted against it.

While half of the hotel employees targeted by HERE will now be represented by a union contract, only three of the 10 city hotels the union has in its crosshairs — those it considers high-end — have become unionized. Still, workers from the Sheraton, Viceroy and Fairmont Miramar comprise about half the 10 hotels' collective staff.

HERE representatives said the collective bargaining process, set to begin next week, will improve the employees' experience at the hotel with better pay, hours and health care.

However, some who aren't relishing the victory. The decision comes in light of a nearly two-year legal battle between HERE, the National Labor Relations Board (NLRB) and an anti-union watchdog group called the National Right to Work Legal Defense Foundation (NRTW), based in Virginia.

Kurt Petersen, HERE's director responsible for the local unionizing effort, said the approval means that both full- and part-time employees will have access to a decent family health care plan, accrue vacation time and a pension. Employees also will have

See UNIONS, page 4

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Santa Monica Daily Press



JACQUELINE BIGAR'S STARS The stars show the kind of day you'll have:
★★★★-Dynamic ★★★★★-Positive ★★★★★-Average ★★-So-so ★-Difficult



ARIES (March 21-April 19)

★★★★ You have a lot going on with an association or partnership. The issues you are dealing with could concern money or emotions. A friend might give you advice, but he or she is not seeing the situation clearly. Tonight: Quality time with that special person.



TAURUS (April 20-May 20)

★★★★ You could easily be distracted by those around you right now. A boss only adds to the present confusion. Let others call the shots, as what you say and do might be irrelevant for now. Let others reveal their ideas. Tonight: Just don't be alone.



GEMINI (May 21-June 20)

★★★ You might need to get down to the hard facts. What you do does make a big difference at work. Focus on the here and now, and get a project done. If you daydream, you could make a mistake. Tonight: Do something utterly relaxing.



CANCER (June 21-July 22)

★★★★ Your imagination and resulting ideas make sense to you, but might not to an associate or partner. Don't worry; you just need to frame your ideas differently to get your point across. Use care with funds. Tonight: Get into weekend mode.



LEO (July 23-Aug. 22)

★★ You might be disappointed when someone forgets something essential and basic. Don't go into a cocoon. Rather, start talking out a problem and allow yourself to open up as well. You might need more security. Tonight: Be a couch potato.



VIRGO (Aug. 23-Sept. 22)

★★★★ You say the right words to make others happy. However, you are easily distracted. If you feel bored, you need work that is more fulfilling. You want to make a difference. Start talking about possibilities. Tonight: Go cruising to a favorite spot or two.



LIBRA (Sept. 23-Oct. 22)

★★★ You worry less about a child or loved one. You sense that this person is pulling the wool over your eyes, and you are right. But you cannot confront this situation just yet. Deal with your finances in a steady, conservative manner. Tonight: Recognize how much play money you have.



SCORPIO (Oct. 23-Nov. 21)

★★★★ You are king or queen for the day. You might be a bit confused about a property investment, a domestic matter or a relative. Worry less. Focus on where you can make a difference. A meeting is important. Tonight: What makes you happy.



SAGITTARIUS (Nov. 22-Dec. 21)

★★ You might need some downtime. If you can, take a personal day. Otherwise, steer away from crowds. You also might misread someone's comment. Focus on work. Check in with a parent. Tonight: Be unavailable.



CAPRICORN (Dec. 22-Jan. 19)

★★★★ Emphasize what you want. You might need to make some calls and do research. Friends prove to be most supportive. You have what it takes. The only area you could slip up in is financial. Tonight: Enjoy your friends.



AQUARIUS (Jan. 20-Feb. 18)

★★★ You might not be sure which way to go. Even when others give you a strong sense of direction, you get confused. Delegate or ask for help, knowing that you aren't 100 percent present. Relax with a partner or associate. Tonight: Get home as soon as possible.



PISCES (Feb. 19-March 20)

★★★★ Do not follow your instincts right now. Go for facts and information, and find experts. Ask a question rather than make an assumption. Detach and take the high road. Don't listen to gossip. Tonight: Let your mind relax.

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LOCAL



COMMUNITY BRIEFS

Take a bite out of Santa Monica

By Daily Press staff

Santa Monica Acura will host the fourth annual "Taste of Santa Monica" event on Sept. 18, 2005 from 12 noon to 4 p.m. at the Santa Monica pier.

The food festival will showcase 40 local restaurants and features chef demonstrations and live music.

Admission is \$35 for adults and \$10 for children between ages 4 and 10.

Though the ticket fee covers food, there will be an additional charge for soda, water and alcoholic beverages.

New this year is a wine garden, sponsored by Young's Market, which will feature 15 different wineries.

Wine garden tickets are an additional \$15.

Tickets are available at www.tasteofsantamonica.com or (310) 393-9825 ext. 10.

Some local restaurants that will participate in the day's events include Bravo Pizzeria, El Cholo Mexican Restaurant, Ocean Avenue Seafood and Yu Restaurant & Lounge.

An artful stab at treating mental illness

By Daily Press staff



Photo Courtesy
Mental health advocate
and National Public Radio
commentator Bebe Moore
Campbell will sign '72 Hour
Hold,' her second book on
mental illness, at an
upcoming event.

Step Up On Second is celebrating 21 years of providing assistance to individuals suffering from mental illness with the charity fund raising event "Art Heals -- Home is Where the Art Is," a group display of client artwork. The event will be held at LA Farm restaurant in Santa Monica, 3000 Olympic Blvd., on Sept. 22, 6:30 p.m. to 9 p.m. The evening also will celebrate the recent acquisition of a new property that will add additional facilities and housing for Step Up On Second members.

National Public Radio commentator BeBe Moore Campbell, a mental health advocate and the author of seven novels, will sign her second book about mental illness, "72 Hour Hold," at the event.

"The Art Show will highlight some of the gifted talents of our participants, all of whom are living with a diagnosed mental illness," said Tod Lipka, CEO of Step Up On Second. More than 60 pieces of art will be on display, created by members through the "Art Heals" program at the Second Street facility. Several of the artists will be at the reception, and there is a prosecco bar, sponsored by Martini and Rossi, gourmet cuisine from LA Farm and live Jazz.

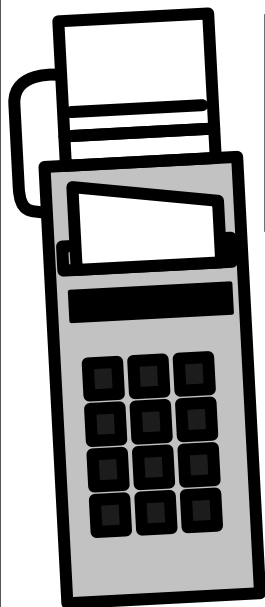
Step Up on Second is a nonprofit corporation that assists individuals with severe and persistent mental illness reintegrate into the community. The agency provides long-term support to people in recovery and their families, offering educational, social and work programs, quality housing, shower and laundry facilities, and a daily meal program.

"This past year we worked with over 1,200 individuals and prepared nearly 40,000 meals for members," Lipka said. "We have housing for only 34, so most of our members live off site or are homeless. Because of the lack of affordable housing for the mentally ill we are building a 46-unit apartment complex just blocks from our Second Street location to provide additional housing opportunities for our participants."

Tickets are \$100. For further information on "Art Heals" call Kimm Baersch at (310) 394-6889, ext. 46, or kimm@stepuponsecond.org.

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SURF REPORT

Southerly periods are averaging 14 seconds from 210 degrees, NW periods are averaging 8-seconds from 290 degrees.

In SoCal, south-facing are seeing waist- to chest-high + sets with some pluses coming through at times at standouts. West-facing breaks are running waist-high.

Today is when our next SW swell is due from recent activity near the ice cap. This should keep south-facing breaks in chest-high surf. Models favor a touch more wind swell about waist-high.

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HIGH TIDES

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MONDAY	4:45	0.5	4:53	1.3	11:00	4.5	10:52	5.0
TUESDAY	5:05	0.9	5:32	1.3	11:22	5.0	11:28	4.5
WEDNESDAY	5:25	1.3	6:18	1.3	11:46	4.3	N/A	N/A
THURSDAY	5:43	1.8	7:15	1.3	12:12	4.0	12:14	5.2
FRIDAY	6:02	1.7	7:40	0.9	12:40	3.2	12:09	4.6

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The QLine

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The State Senate approved legislation last week that would legalize same-sex marriages in California, the most populous state in the country. The 21-15 vote made the Senate the first legislative chamber in the nation to approve a gay marriage bill, setting the stage for a showdown in the Assembly, which narrowly rejected a similar bill in June.

So this week, Q-Line wants to know: **Do you support the state's official sanctioning of gay marriages, or do you feel our elected leaders are off track? Why?**

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LOCAL

HERE union targets city's high-end hotels

UNIONS, from page 1

greater job security, an opportunity to address grievances and the option to negotiate a reduced workload, Petersen said.

"This is a great thing for hotel workers in Santa Monica," Petersen said. "This will lift the standard here at the Sheraton and for other workers in the community."

It's also a long time in coming, according to Petersen. In December of 2003, the Sheraton management and its workers held a check-card process, when it was agreed union officials would have a period of time to gather support from a majority of workers. The result was that a majority of workers agreed to unionize.

But shortly after, seven workers from the Sheraton filed a complaint with the NLRB, alleging hotel employees were coerced into unionizing and that a majority actually didn't want to be organized.

Opponents of the check-card process say it's unfair to workers, who can be approached by organizers and lobbied on an individual basis. They claim pacts are formed and often include unlawful prearrangements over employment terms and conditions, including health care, wages or union dues.

Some Sheraton employees have said they felt harassed into signing union authorization cards and they were turned off by aggressive organizing tactics, adding the promises of better wages and reduced workloads didn't hold. Plus, they said they didn't want to pay the \$37 monthly dues. Some told stories of relatives who had bad experiences with unions.

The disgruntled signees then penned a petition stating they no longer wanted union representation. But, apparently, their votes counted toward unionizing anyway, resulting in a majority even though only a minority of employees agreed to a union, according to their complaint filed with the NLRB.

However, the NLRB's Los Angeles regional office in February of 2004 sided with HERE by ruling that the union had a majority and employees weren't coerced. That's when the Virginia-based defense foundation stepped in and began representing the seven workers in the case.

In September of 2004, the Washington, D.C. office of the NLRB reversed the LA office and agreed with the defense foundation that a majority of the Sheraton's hotel workers hadn't backed unionization.

Months later, the NLRB issued a formal complaint stating HERE "has been restraining and coercing employees" by representing them for the last 18-plus months without consent from the majority. The Sheraton was found to be unlawfully assisting and supporting the union, according to the complaint.

Union officials were preparing to fight the charges at an April 4, 2005 trial, but the case was settled just days before it was scheduled to be heard.

Petersen said the NLRB's Washington D.C. office ruling was political, spurred by big business interests who want to decimate unions throughout the country. Earlier this year, he told the Daily Press that the union didn't want to drag the workers through more years of bureaucracy and it did have a majority at the hotel, adding that the motivation to settle was that HERE wanted to move forward with new organizing efforts.

Although HERE agreed, as part of the settlement, to withdraw its efforts at the Sheraton, union organizers have been working with employees over the past few months. Workers agreed to take a formal vote to unionize on Aug. 26, during which the majority prevailed.

The workers who agreed to unionize did so because of the benefits associated with it — like increased salaries and reduced workload. The labor agreement called for average wage increases of 20 percent, free health benefits for full- and part-time employees, a pension plan, reduced workloads and paid lunch breaks, among other benefits and protections for Sheraton workers, labor organizers have said.

The Sheraton is Santa Monica's third largest hotel to be unionized, following the Viceroy and Fairmont Miramar. Organizers have pledged to unionize all of Santa Monica's major luxury hotels, including Loews, the Doubletree Guest Suites, Le Merigot, Casa Del Mar, Shutters on the Beach, the Radisson Huntley Hotel and the Holiday Inn Santa Monica Pier.

Justin Hakes, communications director for the defense foundation, said the vote to go union still has its critics, who will continue to keep an eye on the process.

"With union officials' history of trampling employees' freedom from compulsory unionism, we will be closely monitoring the situation to ensure that future abuses of employees rights do not occur," he said.

"When I'm not directing commercials, I'm reading the Daily Press."

Art Haynie, Director and local surfer

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SM Katrina donations nearing \$200K mark

RED CROSS, from page 1

The chapter will assist the families in any way it can, officials said.

"The victims will be eligible for substantial aid in the form of financial support and other services from a variety of resources, including the Red Cross," said John Pacheco, executive director of the Santa Monica Red Cross. "Most of them have resources and they are able to pay for housing and other costs being that these costs will ultimately be taken care of by FEMA and other emergency disaster relief agencies."

The Santa Monica chapter has set up a toll-free Katrina disaster relief hotline at 866-733-5010. The hotline is a call-in center for information on how and where to make donations, how to volunteer locally or volunteers for disaster relief service in any of 18 states where the Red

Cross has set up shelters or service centers.

Katrina disaster relief donations counted by the Santa Monica chapter so far total \$200,000. Donations are flowing in and 400 hurricane relief donation cans are still out in the community.

A Hurricane Katrina Disaster Relief drive-through has been scheduled at the Santa Monica chapter of the American Red Cross, 1450 11th Street, for Saturday, Sept. 10, from 8 a.m. to 4 p.m.

The event will allow persons who wish to donate money the opportunity to drive in, drop off donations to a Red Cross volunteer and go on with their day.

The American Red Cross of Santa Monica is a publicly supported, nonprofit corporation that provides health and safety education, youth services, CPR and first-aid training and local disaster awareness and disaster relief efforts.

Crash landing for airport lawsuit

SM AIRPORT, from page 1

breach of contract Santa Monica made with the Federal Aviation Administration in 1984.

The SMAA, consisting of pilots and business interests, believed City Hall was in violation of its 1984 agreement with the FAA because it attempted to over-regulate the airport on behalf of residents. City Hall asserted that SMAA was not authorized to bring a lawsuit regarding the terms of the 1984 agreement, a point supported in last month's decision made by Judge J. Armstrong.

Bob Trimborn, airport manager, said the decision is significant because it puts aside years of litigation and provides an opportunity for all parties to move forward making the airport work as well as possible.

"I hope the ruling will encourage the Airport Association to work with city staff on the issues facing the airport today, rather than dwell on issues from the past," Trimborn said. "We want to move forward and make the airport the best and safest place for use."

Martin Tachiki, a deputy city attorney who represented City Hall in the case, said the SMAA could try to appeal to the California Supreme Court, but it's unlikely the state's highest court would hear the case.

Lloyd Kirschbaum, the SMAA's attorney, didn't comment.

Santa Monica Airport has been owned by City Hall since 1919, but was relinquished during World War II, when the federal government took it over.

In 1948, following the war, the airport was returned to City Hall on the condition the site continue to be used as an airport. Meanwhile, the Douglas Aircraft plant adjacent to the airport was closed and homes constructed in the area.

Homeowners began to complain about the airport noise, especially after jets were introduced during the 1960s, according to court records.

During the 1970s and 1980s, City Hall began regulating aviation use at the airport. City Hall had two goals in mind — to respond to homeowner noise complaints and raise revenue by re-developing the site. In 1977, the SMAA and other groups sued City Hall over an ordinance which banned jets and imposed a night curfew on flights.

The SMAA alleged the restrictions violated constitutional laws which guaranteed groups equal protection and commerce. The SMAA won the lawsuit.

However, City Hall created a new ordinance which also had the same effect of banning jets. The SMAA sued again. As the case made its way into the courts, City Hall attempted to take steps to close the airport by trying to terminate airport tenants, which prompted an investigation by the FAA, according to court documents.

By 1982, the FAA sent City Hall a letter which stated Santa Monica had "demonstrated a concerted effort to prevent and restrict aircraft operations and aeronautical activities at the airport," according to court documents.

The FAA threatened to sue City Hall, but negotiated a settlement instead. Under that 1984 agreement, airport operations that included traffic flows and noise issues were covered. The agreement expires in 2015. The SMAA, unhappy with aspects related to the agreement, took the issue to court in November of 1999.

Last month's decision means the SMAA had no right to take the case to court. Tachiki said it also clears a path for residents to address airport environmental issues.

"We will be able to make sure facilities are operating in safe conditions and our approved landing fee program continues to look at ways to make sure our noise abatement program minimizes the impact on the neighborhood," Tachiki said. "We can talk to the public about their concerns and issues they want to raise."

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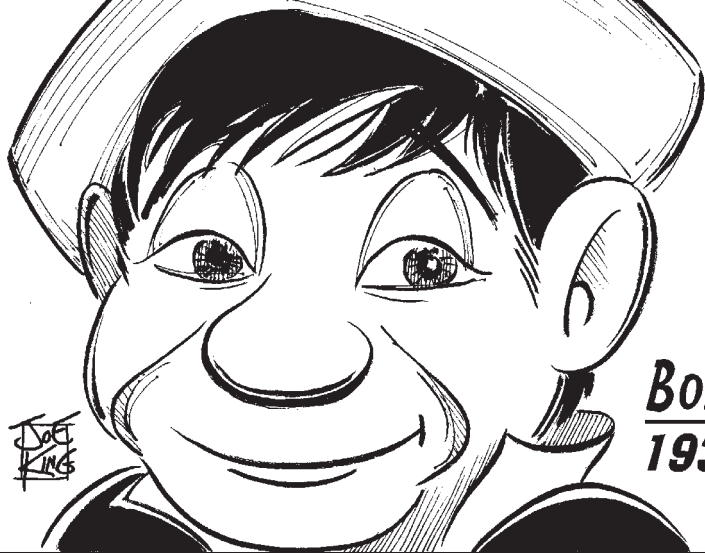
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OPINION

FUNNY
PAPERZ*"The mate was a mighty
sailin' man..."***BOB DENVER**
1935 - 2005

SO LONG LITTLE BUDDY...

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LETTERS TO THE EDITOR

Give soldier's mom some answers

Editor:

The president spoke of a family in Idaho whose family members are in the service as the true patriots.

What about Casey Sheehan? Is his sacrifice and that of Cindy Sheehan not worthy? How dare he refuse to see a grieving mother who wants to hear why her son died!

Tell her the truth, Mr. President. We all want to know.

Angela Grillo
Los Angeles

Go easy on judgments

Editor:

In regard to David Pisarra's piece (SMDP, Aug. 23, page 4), I agree with your friend's conclusion that Jews are Jewish by birth and other religions are by choice or faith, although Jews can opt out of the Jewish religion if they wish.

I also agree with you that I am weary of the proselytizing by some other religions.

Where I have a little problem with your premise is your leap from Judaism to fundamentalism. There are a lot of people in between who don't solicit the "likes of Jerry Falwell and Fred Phelps," both of whom I consider to be borderline dangerous in their ignorance.

To speak of Christians as being in the same category is like saying that all attorneys are shysters and we know that is not so, don't we?

I am neither a Christian nor an agnostic and I do not subscribe to anything to fit in, as you say many people do. Faith, whatever one perceives it to be, is personal and is not to be bothered unless, of course, except in the case of politicians (or others) who perpetuate their policies (which can affect us all) on the basis of their religious beliefs.

We have seen this in the case of George Bush who feels that his policies are somehow sanctioned by God — not my God, by the way. For the life of me I can't believe God approves of our country's invasion of Iraq.

You use the term judgment, judging, etc. quite a bit. It is ironic since that is one of the tenets "preached" in the Bible. You may recall and please forgive my paraphrase: Judge not that ye be not also judged ... or something like that.

I note quite a bit of cynicism in your tone, particularly near the end of your article, toward Christianity in general.

Perhaps one of the reasons for the lack of visibility of proselytizing by other religions in this country is that Christianity has been the dominant religion in our country since its birth.

So maybe, as in your friend's example, people born here, except for the Jews, are born, so to speak, Christian.

There is certainly quite a bit of religious animosity in some other countries, particularly in the Middle East. It seems the Jews have done quite a bit of judging there.

And of course, we are going to be more tolerant of those we care about than those acquaintances in our lives. By the way, I am sorry that you have had a jerk boss with a bald head. What has being bald got to do with being a jerk?

Bottom line, just lighten up and quit judging people so harshly.

There will always be good and bad in people, and we are judging and learning when we discern that fact.

I also think you will generally learn more from people with whom you disagree than always being with those who never challenge your belief system, whatever it is.

I have written some of this with tongue-in-cheek. I really did get your point but I'm sure it was lost on many non-thinkers because of your choice of words and tone.

Based upon the quotation of your mother, I have a good idea of the root of your cynicism. Thank you for sharing your thoughts.

Carmella Cornett
*Santa Monica*Time to put your \$\$\$
where your mouth is**WHAT'S
THE POINT?**

BY DAVID PISARRA

The images coming out of Louisiana are striking, haunting, appalling and disgusting. My stomach turns as I look at the devastation to the land, the people, the animals.

I am not sure what appalls me the most about the situation. Images like that of a lone horse that's probably going to die haunt me. The sad display of a civilization that reverts to hooliganism, theft and panic is one thing, but the reality is that most of the items looted are now worthless anyway.

Any food looted would have been destroyed or rotted, so I can't say that it is a bad thing. Items that were taken such as TVs or stereos are really just indicators of a widespread fear response. Seriously, if your house has just been washed away, do you need a TV? What are you going to do with it? Carry it with you to a shelter? Sell it? To whom? No one has cash for it, or a place to watch it, or electricity to run it.

What is more appalling to me is the response by the rest of the world to this insanity. There are two pictures running around the Internet, one of a white couple who "found" food, and another of a black person who "looted" a grocery store. Our true colors show in times of stress. At the Associated Press, black people loot, and from the Agence France Press, white people find things.

This is a tragedy of epic proportions. The administration claims no one saw it coming. Well, no one that is but the Army Corps of Engineers and FEMA. Those two historically inaccurate agencies said that this was going to happen as long ago as 2001.

The flooding in New Orleans was in my estimation just the after effects of the true disaster, one that happened in 2004 when the Democrats put John Kerry on the table as their man for president. They blew it by not coming out hard and fast against the "Shrub." This president, who puts loyalty to old friends over competence. This is a man who promotes people who screw up, and was the choice of the American people in 2004. That was the disaster.

The people of Louisiana are in dire straits. I feel for their losses, yet part of me wants to smugly look at them at say, "Well, you voted for the Republican ticket. This is what you got. A man who cares so much about his own country that he slashed your federal budget for levee repair by 80 percent."

In the 2004 election, there was one parish around the lake that was blue. The

rest were red. I know they were snowed by the bluster of the Republican machine. I know they thought they were doing the right thing in protecting the country by going with the "war president."

But that is why it is so sad. They thought they were actually electing a man who cared about the country, and doing what was best to protect us.

He played on their fears of others. He played on their fears of "furreners." All the while he was raping them. He raped their budgets to reinforce the levees that stand between them and destruction. He raped their ability to respond to disaster by reassigning their National Guardsmen to Iraq. He raped their ability to have faith in the government by ignoring their plight for days.

But they voted for him. He's their guy. He's their pick to lead the country.

It would be easy for me to get cocky and arrogant. To tell them to be good Republicans and pull themselves up by their bootstraps. After all, that's what Republicans stand for isn't it? Aren't they all about the government staying out of our business?

It would be easy for me to point out the ignorance and xenophobia that is so prevalent in the south which led to this. It would be easy to show how these people were used and preyed upon. I could handily show my contempt for these people who approved a constitutional ban on gay marriage. Yes, the southern Sodom banned gay marriage. I could use that as a reason to ignore their tremendous need for help.

If I did that I might as well go register as a Republican. I would be no better than the man and the party whom I regularly rail against.

I choose not to. I choose to help.

I choose to put my money where my mouth is. I write regularly about how the Republicans do nothing to help. Now it is time for me — for all of us — to stand up, and put our money where our mouths are.

I choose to have my company donate all co-pays and deductibles for those snoring people who get tested for sleep apnea with us for the next two months. The donations will go to the American Red Cross.

I get a lot of flack from Christians about how intolerant I am. How they're "good people." Let's see them put up or shut up. I get flack from the right on how wrong I am about people. Time to show me what you've got.

Because your man in the oval has shown me what he's got. And it's not much.

(David Pisarra is a business development lawyer in the Santa Monica firm of Pisarra & Grist. He welcomes your questions and comments. He can be reached at dpisarra@pisarra.com or (310) 664-9969.)

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COMMENTARY



GUEST COMMENTARY BY JOHN W. WHITEHEAD

Katrina shined light on 'haves', 'have-nots'

On the Friday following Hurricane Katrina's march through the South, which left countless Americans dead or homeless, NBC aired a live television benefit concert to raise money for disaster relief efforts. Rapper Kanye West, putting in an appearance as a presenter, was supposed to read from a prepared script. However, West strayed from the pre-approved text to voice his concerns about the government's slow response to the devastation.

Considering that more than a week has passed, dead bodies remain in the streets of New Orleans and we are no closer to knowing how many people have died, West was justified in voicing his concerns about what journalist Tom Engelhardt has described as "Iraq in America." In his article, "At the Front of Nowhere at All," Engelhardt writes, "Much of New Orleans has become the Atlantis from hell, a toxic sludge pool of a looted former city, filled with dead bodies, burning in places, threatened with diseases like cholera and typhus that haven't visited the Big Easy since early in the last century ..."

West may have come closest to the mark when he noted that the government is set up "to help the poor, the black people, the less well-off as slow as possible." However, the statement that has received the most notice and had many African-Americans rallying behind West is his criticism that "George Bush doesn't care about black people."

George W. Bush may very well care about black people, but one thing is clear: He does not understand them and the poverty that many of them must endure. Bush was born into a family of great wealth. His father, former President George H. W. Bush, made a fortune in the oil industry in the 1950s and 1960s, ensuring that his family would never want for anything — at least not in the way of material possessions.

Yet to truly understand want, a person must at some point have lived without the basic necessities of life. When a member of the National Guard who was distributing life-saving provisions such as food and water to hurricane victims asked a woman what she needed, the woman responded, "Everything." How does a person who has grown up with a silver spoon in his mouth relate to that degree of desperate need? It is possible to do so. I have known affluent individuals who made a concerted effort to understand the

"And so many of the people in the arena here, you know, were underprivileged anyway, so this is working very well for them."

BARBARA BUSH
Former First Lady

plight of the poor and ease their suffering. They would not have been caught smiling gaily for the cameras and playing a guitar while thousands of Americans battled for their lives in a hurricane, as Bush did — an error in judgment that the press was quick to point out.

Former first lady Barbara Bush's recent remarks about the refugees in Houston's Astrodome simply underscore the problem. She said, "And so many of the people in the arena here, you know, were underprivileged anyway, so this is working very well for them." But Bertha Miller, one of the many African-American refugees being housed in the Astrodome, saw things differently. Speaking about her missing family members, she said: "I have no idea where they are. I am here in this city all by myself. There is no one. I'm seeing people joining with their family and it hurts. I don't know how long I can keep my sanity. I'm afraid for my own life. If I'm missing, there is no one to say that I'm missing. So it does hurt, but I'm trying to hold on."

The reality is that thousands of people have just lost everything they own, not to mention family members, friends and loved ones. In short, their lives have been destroyed. But if Barbara Bush's words are anything to go by, their current situation should be considered a step up for them. They are being given food and shelter so that makes up for their tremendous losses. Her words, naïve as they are, were not spoken with malice. And although she may care about these people, she simply cannot grasp their plight. Like her son, she does not know what it is to be poor.

The heart of this problem lies in the fact that the gap between the rich and the poor has increased. According to the 2002 Census, the wealthiest 20 percent of Americans accounted for 50 percent of the total U.S. income. The bottom fifth only accounted for 3.5 percent. This is a striking difference, which can accurately be described as "two Americas." Poor

Americans cannot comprehend having as much money as the upper class. Nor can most of the wealthy understand what it is like to be without money. The gap between the two worlds is growing wider — the rich continue to get richer, while the poor become poorer.

This becomes a major problem with regard to government leaders. Campaigning for public office is an expensive endeavor. As a result, wealthy individuals are usually the only ones able to afford to run for national office. And only the rich become president. Thus, we have a nation run by an upper-class elite unable to relate to the middle class and the underprivileged.

Not only do our leaders not relate to well over half of the American people, but they also have strong allegiances to those who, like themselves, are rich. This was demonstrated by Bush's tax cut a few years ago that primarily benefited the wealthy. It was the wealthy that helped him achieve office, and it is the wealthy that he understands. Thus, it makes sense that he would have their interests at heart.

Our government leaders' inability to relate to the less privileged classes is not the only problem facing the poor. There is a tendency in America, especially among the wealthy, to ignore the poor, sweeping them aside and pretending they do not exist. Last year, writer Mike Davis described this in relation to Hurricane Ivan in a piece called "Poor, Black, and Left Behind." He wrote, "The evacuation of New Orleans in the face of Hurricane Ivan looked sinisterly like Strom Thurmond's version of the Rapture. Affluent white people fled the Big Easy in their SUVs, while the old and car-less — mainly Black — were left behind in their below-sea-level shotgun shacks and aging tenements to face the watery wrath." He went on to explain that helping the poor was simply a hesitant afterthought: "Only at the last moment, with winds churning Lake Pontchartrain, did Mayor Ray Nagin reluctantly open the

Louisiana Superdome and a few schools to desperate residents. He was reportedly worried that lower-class refugees might damage or graffiti the Superdome."

Sadly, although journalists reported on the inequality of evacuations last year, nothing was done to fix this problem. In fact, the Bush Administration even cut funding for major hurricane and flood protection projects by millions of dollars. This year, however, Katrina ensured that the nation can no longer ignore the plight of the poor.

This nation was built on Judeo-Christian principles, which include a mandate to care for the poor. However, it appears that we have largely forgotten this important principle. In cities based on tourism, such as New Orleans, the poor seem to be nothing more than an obstacle preventing the city from making money. Who wants to leave a casino or nightclub and be met by a panhandler? Our cities view the poor as an embarrassment. Thus, rather than helping them, we try to push them to the side in the hope that they will disappear.

Katrina has shown the nation the inability of the "haves" to recognize the problems facing the "have-nots." The two groups live in entirely different worlds. One solution to this problem is to be more discerning about whom we elect to office. A true representative must be able to understand those he or she is representing. Therefore, Americans should stop electing those who cannot relate to the concerns of the majority of Americans. Not only should Americans take Katrina's lesson to heart regarding voting, they should be more self-conscious about their own individual treatment of the poor.

If not for Katrina, would the nation have ever noticed the thousands of underprivileged in New Orleans? Would you?

Try this: The next time you walk past someone asking for your loose change on the street, see if you find yourself averting your eyes and ignoring him. It should not take a national crisis for us to want to help our fellow, less-advantaged human beings.

(Constitutional attorney and author John W. Whitehead is founder and president of The Rutherford Institute. The institute, based in Virginia, is a civil liberties organization that provides free legal services to people whose constitutional and human rights have been threatened or violated. Whitehead can be contacted at johnw@rutherford.org.)



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Business

How much should you pay yourself?



MARKET MATTERS

BY BRIAN HEPP

Many people dream of one day being able to write their own paycheck so it's ironic that business owners frequently pay themselves too little or sometimes, nothing at all — preferring instead to put their earnings back into their businesses. Even owners of established businesses sometimes underpay themselves.

As a small business owner, you may often assume that you won't earn anything until the business gets firmly established. While this appears logical, some experts will tell you that if a business doesn't pay its owner a salary, its business plan and cash flow model are not being truly tested. Unless you operate under normal business conditions, and compensate everyone who works for the business, you can't tell whether the business will be viable in the "real world."

As a result, business owners should determine a minimum salary as early in the game as possible, preferably before operations begin, that the business will pay the owner. In addition, you should establish goals for the business to achieve so that you can receive compensation more in line with your knowledge and skills, as well as the time you devote to the business. It's also important to review the progress of your business toward its goals every six months to make sure that compensation figures are still accurate and in sync with business conditions.

Some business owners have a tough time determining what their compensation should be and determining how much to pay yourself can be emotional. However, as the owner, you're the one taking the biggest risk if the business should fail. Logically then, you should earn more than your employees and if not, then you should ask yourself why. Are you making a short-term sacrifice in order to invest in future growth? It's important to understand the reasons before making a final decision.

Because the cash flow of many businesses is unpredictable — especially during the early stages — you may want to consider relying on bonuses rather than a regular salary for much of your compen-

sation. By doing so, you can determine when and how much the business can afford to pay you. Bonuses can come once or several times a year depending on your needs and the business' performance.

Another factor to keep in mind is how the IRS will view your salary. For example, let's say you own a C-corporation. The "C" simply refers to the tax treatment category your company is in. C-corporations are the most common traditional types of small businesses. You may face an unreasonable compensation audit if the IRS interprets the owner's large salary as a disguised dividend. Because dividends, unlike salaries, are not deductible, an unfavorable determination could result in an overdue tax notice, back-interest charges and penalties for the business.

A good place to start is by talking to your CPA about what the IRS would consider reasonable compensation, as well as contacts at industry associations you belong to. If what you receive is out of line with what owners of comparable businesses are making, you could be setting yourself up for a visit from the IRS and costs could be substantial. Business valuation specialists also may offer some insight into what a buyer would expect to be able to take from the business.

In addition, once your salary is determined, don't forget about saving for retirement. The amount you can save in a qualified plan is calculated based on eligible compensation. Therefore, when determining your compensation, keep in mind that what your pay yourself affects how much you can save for retirement. Generally, the more you earn, the more you are able to save. Your financial consultant can help you develop a plan to address your retirement needs but it's important to remain consistent and start as early as possible.

A.G. Edwards does not render legal, accounting or tax preparation advice. Consult your legal and tax advisors for your specific situation.

(Brian Hepp is a financial consultant for Santa Monica-based A.G. Edwards & Sons, Inc. Member SIPC. He can be reached at (310) 453-0077 or at brian.hepp@agedwards.com. A.G. Edwards is a full-service retail brokerage firm that offers a complete spectrum of financial products and services, including stocks, bonds and mutual funds, financial retirement planning and tax-advantage investments.)



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SANTA MONICA BUSINESS BRIEFS

Aloha party planned for Optimus

By Daily Press staff

A commercial editing company is throwing a party for the community to celebrate the end of summer and its new space in Santa Monica.

Optimus, a full-service post-production facility headquartered in Chicago with another shop in Santa Monica, will host a party on Sept. 16 at its new office space, 1237 Seventh St.

Optimus' Santa Monica office is celebrating its new space, new name and new image with an end-of-summer blow out.

After opening its doors in 2003 as Optimus Co-op, the brand has dropped the "Co-op," and reemerges with a fresh look and feel.

Party attractions include live DJ, complimentary drinks and food and a chance to win an ipod during the free raffle.

The event will be held from 6:30 p.m. to midnight. RSVP@Optimus.com by Sept. 12. The Aloha Summer party is free and open to all neighbors and friends.

Be giving, be careful

By Daily Press staff

In the aftermath of Hurricane Katrina, generous Californians are looking for ways to help survivors of the hurricane ravaged Gulf Coast. Many charities are encouraging those wishing to help to send money, but before you whip out that checkbook make sure you know who you're donating to.

As the Better Business Bureau witnessed in the weeks following the Tsunami of 2004, many scam artists, posing as charities, attempted to take advantage of the public's generosity by operating "agencies" that would collect and disperse donations. In many cases dollars donated to those "agencies" never end up assisting victims.

The Better Business Bureau encourages the public to contribute to causes that will assist families and victims of any catastrophe. But before you donate to any charity, consider the following:

- Find out how the charity plans to use donations to address the needs of the victims.
- Ask the charity for written information about its finances and programs, specifically what percentage of money donated will go to assist victims and what percentage goes to administrative costs. The Better Business Bureau Wise Giving Alliance calls for at least 60 percent of donated money to go towards program services and not more than 35 percent to go toward administrative costs.
- Before contributing online, over the phone or through the mail, make certain that the charity is properly registered with appropriate state government agencies.
- If you contribute, do not give cash. Use a credit card, or make a check or money order out to the name of the charitable organization, not to the individual collecting the donation.
- Do not give your credit card number or other personal information to a telephone solicitor or in response to an e-mail solicitation. Ask to be provided with written information on the charity's programs and finances.
- Remember that only donations to U.S.-based charities that have charitable tax exempt status can be deductible as charitable gifts for taxes purposes.
- Check on a charity's BBB report by calling the Better Business Bureau at (909) 835-6064 or by logging onto www.give.org.
- Red flags that donors may be dealing with a scam artist:
 - Appeals that are long on emotion, but short on describing what the charity will do to address the needs of victims and their families.
 - Charities that are inexperienced in carrying out relief activities, but are suddenly announcing a new effort to address victims of Hurricane Katrina.
 - Charities that imitate the name and style of a well-known organization in order to confuse people.
 - If donating online, before clicking on the link to "donate," look at the organization's URL in the browser window. Exercise caution if the domain name is hidden, is not familiar to you, or is not the same as the one stated in the text of the link.

Sell, sell, sell: Before you unload your business

By Daily Press staff

Learn how to sell your business for the highest price.

A workshop will be held on the topic on Sept. 13.

Learn how to value and the proper steps for selling your business, obtaining assistance with estate and tax planning; who the best buyers are for your business; investors or partners; possible transfer of the business to the next generation and how business buyers analyze acquisition opportunities. Attendees must RSVP due to space limitations. Call (310) 766-4303.

The workshop is free and will be held from 7 p.m. to 8:30 p.m. The location is 10940 Wilshire Blvd., suite 1600, in Westwood.

WANT TO TICKLE YOUR FUNNY BONE?
CHECK OUT THE COMICS ON PAGE 16!

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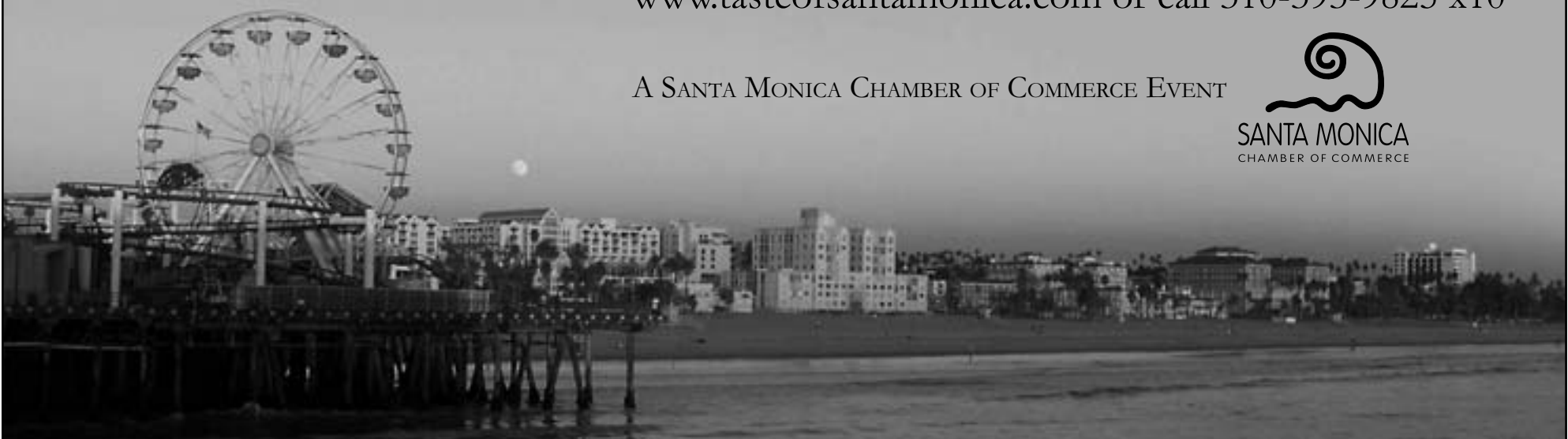
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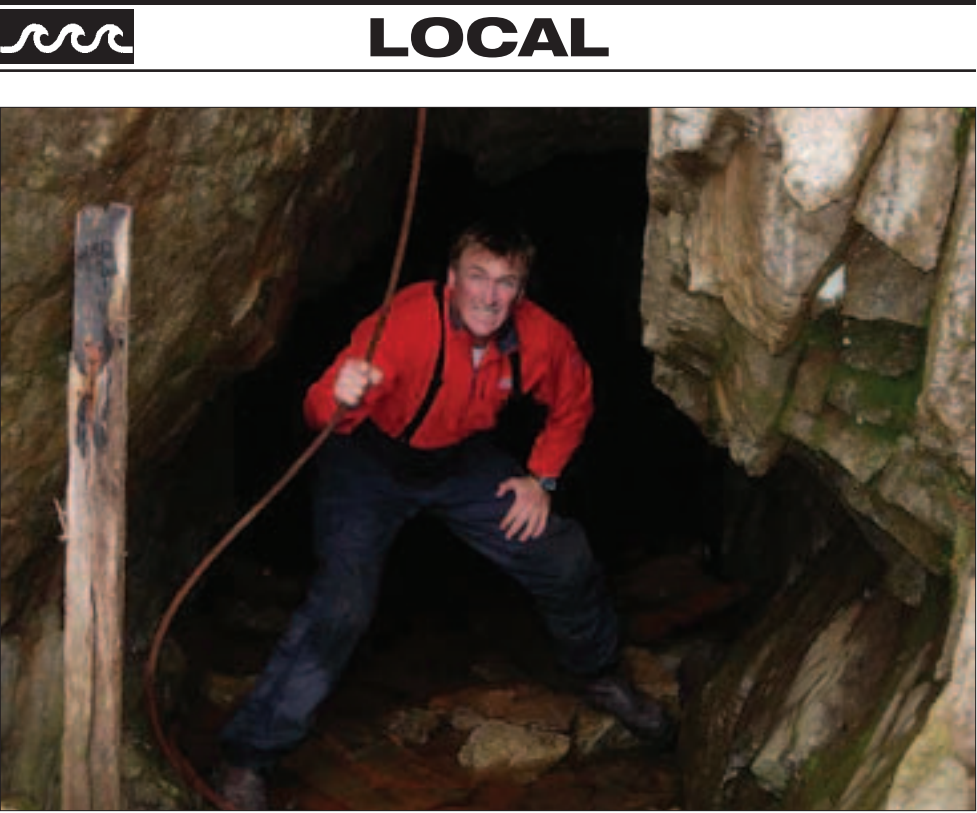
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Lance Schmidt/Special to the Daily Press
Let there be light: Easy Writer emerges from the “hole” after a horrific nine-hour tour.

Entering the depths of Alaska’s underbelly

EASY WRITER

NOTES FROM THE ROAD



(Editor’s note: Santa Monica resident Lance Schmidt is spending his last summer days cruising through Alaska on his motorcycle. He will provide a glimpse into that world for Santa Monicans every Thursday until he returns home in September. Check out smdp.com/archives for previous reports.)

Deadhorse, AK — Now that the lovely professor was back home in Santa Monica thousands of miles away, safe, confused, and out of harms way, I could focus my attention on riding and exploring this beautiful land unencumbered.

The Interior is breathtaking. It is wild and for most that live here, it is the only place in Alaska, if not the entire world, in which to live. Summer is intense, short-lived and bittersweet. It usually begins in early July and ends abruptly in mid- to late-August. The days are long and the nights are short. The climate is unpredictable. Temperatures vary. Snow and frost can sweep through, followed by several hot days preceded by many rainy weeks. Fires race through the bush unabated, making travel even more treacherous. Wildlife is everywhere and becomes more menacing and ornery as the food supply dwindles and winter begins to creep its way down.

For a motorcycle adventurer heading past the Artic Circle the unpredictable weather meant a constant guessing game of what to bring and what to wear. The elements can strike hard and fierce. If caught unprepared, the elements can kill a person in a matter of hours. Nobody knew this better than my Alaskan guides, Phil and Andy, who had invited Darrien and me along on their somewhat secretive mission into the Bush and to the top of (or the end of) the world.

Day 19: After a few days exploring the outskirts of Denali National Park, the team headed north on the Steese Highway past the majestic Mt. McKinley.

In the Interior, hotels are non-existent. There is little or nothing for hundreds of miles. Outposts serve as the hotel, store, gas station and post office. But most importantly, for the weary travelers and hardened sourdoughs, they are a conduit for news, weather and gossip.

We pulled into a road house just outside of Central. Phil knew the owners of the Chatanika Lodge, which happened to be adjacent to an old gold dredge abandoned in the early 1960s. The entire area around Central was and still is the most active of all Alaskan mining districts. Entire towns and services were built in this area almost overnight in an effort to support the sluicing of this precious metal. As gold reached upwards of \$400 an ounce in late 1978, Central became once again a gold mining destination.

After taking a well-deserved shower and checking into our bunk rooms, we all met at the bar to get a home-cooked meal, relax and have a drink. Looking around the bar and adjacent dinning room, Andy commented that there couldn’t be any wildlife left in Central as most of them were hanging on the walls or decorating the doorways.

Sitting next to us were a few local sourdoughs that took an interest in the new arrivals.

Phil explained that he was going to drop off supplies and equipment to some folks in Deadhorse. He also was training a new guide and taking along a few passengers. Phil was an Alaskan native so he new the ropes of interpersonal communications in the bush. They started a banter that was classic Alaskan — not revealing too much, testing each other’s toughness while being polite as hell. The conversation turned slowly toward gold.

“You guys up here for the yellow stuff?” said one of the sourdoughs.

“Nah, just poking around,” replied Phil, glancing down at his newly acquired Crown-rocks. “Why? You got a spot we can look at?”

Day 21: We headed out toward the roughest part of the journey — where rubber meets the road — 600 miles of dirt and gravel traversing the harshest area in

LOCAL



Lance Schmidt/Special to the Daily Press

Easy discovers some friendly aliens while on the peaks of the Brooks Range

Heading for the light

EASY WRITER, from page 10

Alaska. Both intense and boring, the journey on the "Haul Road" is the last leg where the Alaskan Pipeline ascends its flow downward to Valdez. Long-haul truckers compete to feed it, Homeland Security and BP protect it while crazed interlopers on motorbikes roam it.

We began our journey, as Phil suggested, taking a side-trip to an old mining camp that he hadn't seen, but was told about. Through the miracles of GPS navigation and their clients' intuition, we fell on this mining camp set in the valley of an incredible set of peaks — both of which had impressions of switchbacks spiraling to the top.

We decided to split-up and take two routes. Both routes appeared to lead back to the mining camp so Darrien and I headed up on the south face while Phil and Andy took the west. Darrien hit the guns and became the lead onto a trail that was more suited for Dahl Sheep than two dopes on bikes. As we maneuvered the bikes around the tight precipice, we came down onto a half-boarded-up hole in the shale.

"That a mining tunnel?" I asked Darrien, knowing full-well it might be.

"Yep, sure looks like it," Darrien said. "Let's go check it out."

We both dismounted the bikes and approached the tunnel. As we approached the abandoned gold shaft it took on the properties of an ancient metro-line. It was half-covered by boards and was posted with a "closed mine" red piece of tape.

Darrien threw back the boards to the tunnel. I walked in with a cocky swagger entering the "E" ticket. Without thought or hesitation, I started exploring with reckless abandon. As I walked down further, water from the sides of the shale walls began pelting me and I knew that I was in trouble. I headed back about 200 feet towards the tunnel. Then, as I grabbed a side of wet shale, the thunder struck. The way out had collapsed in front of me.

Day 22: It had been almost nine hours spent in the blackness and horrific solitude of a collapsed mine. I cannot explain it. Suffice to say, it challenged me.

The flicker of light did not come too soon. I was in ankle-deep water when I



Lance Schmidt/Special to the Daily Press

(Top) The Chatanika Lodge. (Middle) A sign of the times. (Bottom) The Alaskan pipeline.

heard a rock fall in front of me and a voice that that I had come to cringe, but now, sounded like John Wayne.

"You OK, pal?" came the voice.

"I guess, what is going on?" I said, half incoherently.

I was rescued from my first, and hopefully, my last mining accident. What was to follow however might make me reconsider my rescue.

(You may reach Easy Writer at: easy-writermail@yahoo.com.)

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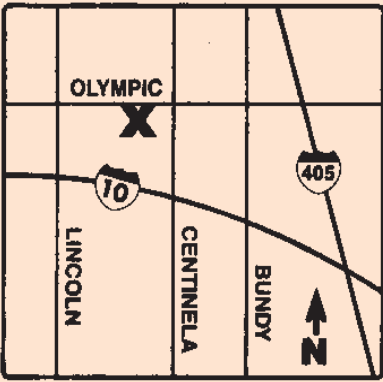
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STATE

Court OKs deadline to clean San Joaquin

BY JULIANA BARBASSA
Associated Press Writer

FRESNO, Calif. — A federal appeals court has upheld a judge’s decision giving San Joaquin Valley air regulators until 2010 to clean up soot and other particles that help make the area one of the nation’s most polluted air basins, rejecting environmentalist arguments that the deadline should be four years earlier.

Environmental groups had sued the U.S. Environmental Protection Agency, arguing that to comply with the federal Clean Air Act, the EPA had to require the local air district to bring the region’s air into compliance with the federal standards by 2006.

The 9th U.S. Circuit Court of Appeals ruled Tuesday the San Joaquin Valley Air Pollution Control District’s new deadline fell within the guidelines established by the act, rejecting arguments by the Sierra Club, the Association of Irrigated Residents, Latino Issues Forum and Medical Advocates for Healthy Air.

The suit dealt with microscopic particles of dust, soot, or chemicals that can be build up within the lungs over time and lead to premature deaths, heart attacks, strokes and asthma, according to research.

Several of the largest generators of the tiny particles of pollution - cars, trucks and agriculture - cannot be regulated by the district, air district spokeswoman Kelly Malay said.

The plan the district adopted last year “aggressively pursues the measures we have authority to adopt,” Malay said.

EPA officials were not able to comment in detail because they hadn’t yet reviewed the decision, but spokeswoman Lisa Fasano said the agency was pleased with the ruling.

“This decision supports the EPA’s plan approval for addressing particulate matter in the Central Valley,” she said.

But the clean air advocates who brought the suit said the decision allowed a delay that will directly impact the health of the valley’s residents.

“Particulate matter pollution kills people,” said Brent Newell, attorney with the Association of Irrigated Residents. “We’re a long way from cleaning up this problem.”

The U.S. EPA approved the San Joaquin Valley’s current plan to clean up particle pollution in 2004, after the region went years without a workable plan. The air district has missed or rescheduled deadlines in the past, and submitted plans that didn’t meet federal guidelines, and the EPA failed to impose penalties.

Now, many of the current plan’s provisions are being implemented, and together with other clean-air measures required by the state Legislature, they’re improving air quality, air officials said.

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A loss of energy: No refunds forthcoming

BY JENNIFER COLEMAN
Associated Press Writer

SACRAMENTO — Government-run utilities that overcharged California during the state's energy crisis will not have to pay refunds the state estimates at nearly \$1 billion, a federal appeals court ruled.

The ruling Tuesday was a blow to California, which is seeking up to \$9 billion in refunds from utilities it accused of overcharging for power.

"This ruling does not mean that these entities did not rip us off," said Tom Dresslar, spokesman for Attorney General Bill Lockyer. "What it means is they can escape accountability for their actions."

The 9th U.S. Circuit Court of Appeals said the Federal Energy Regulatory Commission lacks authority over the government-run utilities California was targeting for reimbursement. Those include the Oregon-based Bonneville Power Administration, the Los Angeles Department of Water and Power and several others.

State and federal officials couldn't say how much the regulatory commission would have ordered in refunds from those utilities, but California's attorney general estimated it could have reached \$1 billion.

"Clearly, it will limit the scope of refunds the commission will order in the California refund case," FERC spokesman Bryan Lee said.

The regulatory commission has said the amount due California in refunds is far less than the state is seeking, about \$3 billion. But that amount will be lower now that the court has exempted government-run utilities - perhaps down to \$2 billion.

The commission based its figure on the amount it estimated was overcharged on sales of electricity after October 2000. That was during the height of the state's energy crisis, when wholesale prices soared.

The state is still seeking refunds for sales made before October 2000 and sales made directly to state energy buyers, which the regulatory commission has said it will not address. The \$1 billion estimate of how much the government-run utilities owe California includes those contested sales, Dresslar said.

The appellate court said the regulatory

commission's refund authority under the Federal Power Act excluded municipal and other government-owned utilities. In reaching its conclusion, the three-judge panel said it was "not unmindful of the impact our decision may have on the overall refunds claimed by California ratepayers."

But the court said the language of the Federal Power Act was clear in excluding governmental agencies from FERC's refund authority. That language was changed in the massive energy bill signed by President Bush in August, Lee said.

The Bonneville Power Administration, which provides about half of the power in the Pacific Northwest, estimated it owed about \$48 million under the formula, spokesman Ed Mosey said.

The Los Angeles Department of Water and Power estimated its refund would have been about \$50 million, said Jonathan Diamond, spokesman for the city attorney's office. Both power agencies claim that California still owes them money for energy sales, which would have offset any refunds.

A spokesman for the Sacramento Municipal Utility District said the appellate court made the right decision based on the "unambiguous" language in federal law.

Senior Attorney Kevin Smith said the district had used its credit during the energy crisis to buy power on behalf of the state. He said he didn't know how much the state had requested from the utility in overcharges.

"We were not into this to make money," Smith said. "We were trying to keep the lights on."

California has alleged that it was the victim of widespread manipulation of both the price and supply of energy in its newly deregulated electricity market. As prices soared in 2000 and 2001, the state faced energy shortages and rolling blackouts. The crisis cost the state billions of dollars and disrupted energy markets across the West.

Several energy companies have settled claims with California, paying the state about \$1.5 billion in refunds so far. The state also has negotiated settlements related to its long-term energy contracts and other claims, state officials said.

Controversy swirling around California wind farm proposal

By The Associated Press

LANCASTER — An energy company wants to build 130 wind turbines, each taller than the Statue of Liberty, near a Southern California nature reserve to provide power to tens of thousands of homes.

But locals complain the project would block views of the Antelope Valley California Poppy Preserve, and some environmentalists fear the 380-foot machines would chop up birds and disrupt wildlife migration.

Mark Butler, a Green Valley machinist, said he planned to build a retirement home across the road from the 1,800-acre reserve, which explodes into a spectacular gold bloom of flowers every spring.

He's not so sure now after learning of the plan by Glasgow, Scotland-based PPM

Energy.

"They're monster generators, the size of a 747," Butler said. "The last place I feel like living is in the middle of a wind farm."

PPM Energy officials in Oregon declined to comment on their plans, saying details had not been finalized.

A state mandate requires that public utilities generate 20 percent of their power from renewable technologies including wind, solar and geothermal by 2017.

Most energy companies have expressed interest in developing wind, said Kevin Payne, a spokesman for Southern California Edison, which generated about 18.2 percent of its power last year from renewable sources.

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Governor: Hawaiians seceding is 'ridiculous'

BY ALEXANDRE DA SILVA

Associated Press Writer

HONOLULU — A delay in a U.S. Senate vote on a bill that would grant federal recognition to Native Hawaiians is giving Hawaii's governor a chance to lobby senators who fear it could lead to Hawaii's secession from the union.

"That's a ridiculous claim and a ridiculous argument," Gov. Linda Lingle said. "We have over 500 recognized Indian tribes in America. They don't secede, they simply get a federal recognition that allows them to avoid these kinds of lawsuits that Hawaiians have faced."

On Monday, Senate Majority Leader Bill Frist canceled a planned Tuesday vote on ending a filibuster against the bill so the Senate could act instead on emergency legislation related to Hurricane Katrina.

Lingle, who was in Washington lobbying for the bill, said she was disappointed that the cloture motion vote was put on hold, though she understood the urgency of Katrina action.

And she said the postponement allowed her to speak with senators whose objection centered on the secession fears.

Sen. Daniel Akaka, D-Hawaii, sponsor

of the bill that generally bears his name, also has said his bill has nothing to do with independence or secession and that it focuses on the legal and political relationship between Native Hawaiians and the United States within federal law.

Akaka has been trying for six years to bring the bill to the Senate floor for a vote. The bill would give federal recognition to Native Hawaiians and lead to the formation of a Native Hawaiian governing entity.

Critics of the bill call it vague and suggest that one day Hawaii could host two governments - the state and a new sovereign Hawaiian government.

Pro-independence advocates say the bill doesn't go far enough in ensuring Native Hawaiians self-governance and control over their land.

Supporters of the Akaka bill say it would help right the wrong of the U.S.-backed overthrow of the Hawaiian monarchy in 1893, as well as fight off legal challenges to programs set up to help Native Hawaiians.

The 9th U.S. Circuit Court of Appeals, in two separate decisions last month, ruled against programs aimed at benefiting Native Hawaiians.



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INTERNATIONAL



Yahoo is clearly in cahoots with China, media group says

BY ALEXA OLESEN

Associated Press Writer

BEIJING — A French media watchdog said Tuesday that information provided by Internet powerhouse Yahoo Inc. helped Chinese authorities convict and jail a journalist who had written an e-mail about press restrictions.

The harsh criticism from Reporters Without Borders marks the latest instance in which a prominent high-tech company has faced accusations of cooperating with Chinese authorities to gain favor in a country that's expected to become an Internet gold mine.

Sunnyvale, Calif.-based Yahoo and two of its biggest rivals, Google Inc. and Microsoft Corp.'s MSN, previously have come under attack for censoring online news sites and Web logs, or blogs, that include content that China's communist government wants to suppress.

Reporters Without Borders ridiculed Yahoo for becoming even cozier with the Chinese government by becoming a police informant in a case that led to the recent conviction of Chinese journalist Shi Tao.

"Does the fact that this corporation operates under Chinese law free it from all ethical considerations?" Reporters Without Borders said in a statement. "How far will it go to please Beijing?"

Pauline Wong, head of marketing for the Hong Kong office, said Wednesday that the company had no comment on the statement.

"We're still looking at it," Wong said.

Reporters Without Borders said court papers showed that Yahoo Holdings (Hong Kong) Ltd. gave Chinese investigators information that helped them trace a personal Yahoo e-mail allegedly containing state secrets to

Tao's computer. Yahoo Holdings (Hong Kong) Ltd. is part of Yahoo's global network.

Shi, a former journalist for the financial publication Contemporary Business News, was sentenced in April to 10 years in prison for illegally providing state secrets to foreigners. Reporters Without Borders described Shi as a "good journalist who has paid dearly for trying to get the news out."

His conviction stemmed from an e-mail he sent containing his notes on a government circular that spelled out restrictions on the media.

"This probably would not have been possible without the cooperation of Yahoo," said Lucie Morillon, a Washington, D.C.-based spokeswoman for Reporters Without Borders.

Shi's arrest in November at his home in the north-western province of Shanxi prompted appeals for his release by activists, including the international writers group PEN.

A number of Chinese journalists have faced similar charges of violating vague security laws as communist leaders struggle to maintain control of information in the burgeoning Internet era.

Yahoo and its major rivals have been expanding their presence in China in hopes of reaching more of the country's population as the Internet becomes more ingrained in their daily lives.

Just last month, Yahoo paid \$1 billion for a 40 percent stake in China's biggest online commerce firm, Alibaba.com.

Meanwhile, Google and Microsoft are locked in a bitter legal battle over a former Microsoft engineer who Google hired in July to oversee the opening of a research center in China.

Coalition forces rescue U.S. hostage

BY SINAN SALAHEDDIN

Associated Press Writer

BAGHDAD, Iraq — Coalition forces acting on a tip from an Iraqi detainee Wednesday rescued American hostage Roy Hallums from an isolated farm house south of Baghdad, a military statement said. An Iraqi also was rescued.

The 57-year-old contractor, formerly of Newport Beach, Calif., had been held since being kidnapped at gunpoint from his office in Baghdad's Mansour district on Nov. 1.

"Hallums is in good condition and is receiving medical care," the military said.

He was held in a farmhouse 15 miles south of Baghdad, the statement said, adding that rescuers were tipped to his whereabouts by an unidentified Iraqi detainee.

"I want to thank all of those who were involved in my rescue - to those who continuously tracked my captors and location, and to those who physically brought me freedom today," Hallums said in the military statement.

"To all of you, I will be forever grateful. Both of us are in good health and look forward to returning to our respective families. Thank you to all who kept me and my family in their thoughts and prayers."

The identity of the freed Iraqi man was not released.

In the southern city of Basra, a roadside bomb killed four American security guards traveling in a convoy Wednesday, a U.S. Embassy spokesman said.

Hallums' ex-wife, Susan, told The Associated Press from her home in Corona, Calif., that Hallums was in good condition, "considering what he's been through."

She also told CNN she had talked to him. "It was just very, very early this morning and he called and said that he was free and I said, 'That's just - our prayers were answered,'" she said.

A family Web site was topped with a headline: "Roy IS FREE!!!!!! 9/7/05."

Mrs. Hallums said she and her husband of 30 years divorced a couple of years ago but remained good friends. They have two daughters.

Hallums was working for the Saudi Arabian Trading and Construction Co., supplying food to the Iraqi army, when he was abducted along with two other foreigners after a gunbattle in Baghdad. An Iraqi guard and one attacker were killed. A Filipino, a Nepalese and three Iraqis also were seized but later freed.

In a January video released by his kidnappers, Hallums had a shaggy beard and a gun pointed at his head. The family sent fliers to Iraq that, in English and Arabic, offered a \$40,000 reward for information leading to his safe release.

More than 200 foreigners have been abducted in Iraq since the war began in March 2003; more than 30 have been killed.

In the Basra bombing, three of the civilian guards were killed instantly and a fourth died after British troops took him to a military hospital, said Peter Mitchell, a U.S. Embassy spokesman in Baghdad. They worked for a private security firm supporting the regional U.S. Embassy office in Basra, he said.

AP Television News videotape showed an overturned SUV in a ravine next to a busy highway, with British soldiers loading a body from the vehicle into a military ambulance.

Southern Iraq, where some 8,500 British troops are deployed, has been mostly calm since U.S. and British forces occupied Iraq more than two years ago.

On July 16, a roadside bomb in Amarah killed three British soldiers and wounded two others. Two weeks later, two Britons who worked for a security firm were killed when a bomb exploded alongside a British diplomatic convoy in Basra.

Two British soldiers died Monday in a roadside bombing west of Basra, bringing to 95 the number of fatalities British forces have suffered since the war began.

In other violence Wednesday, Maj. Gen. Hadi Hassan Omran, an Iraqi Defense Ministry director general, was shot to death as he drove through Baghdad's southern Dora neighborhood, said Dr. Muhanad Jawad at Yarmouk hospital. The doctor also said gunmen killed Col. Ammar Ismail Arkan, an Interior Ministry commando, and wounded four bodyguards in Baghdad's western Ghazaliyah district.

Insurgents bombed a pipeline carrying oil from a field near Khanaqin on the Iranian border, interrupting a source of crude to Baghdad's Dora refinery, police said.

The developments came a day after President Jalal Talabani said Saddam Hussein has confessed to ordering killings and other crimes committed during his regime and "deserves to be executed 20 times a day for his crimes against humanity."

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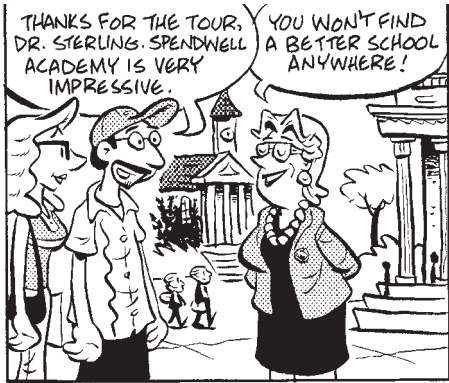


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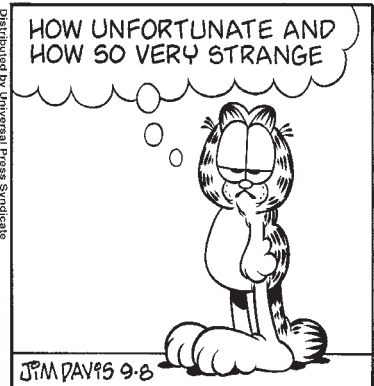
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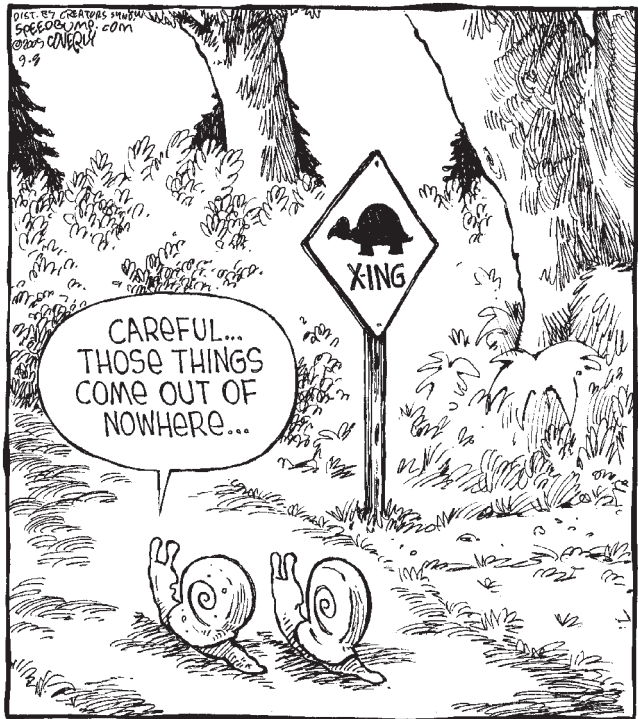
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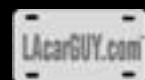
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