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Southern DAILY

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Southern Daily News is published by Southern News Group Daily

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E-mail: news@scdaily.com

MONDAY, JULY 23, 2018 | WWW.TODAY-AMERICA.COM | SOUTHERN NEWS GROUP

Cal 3: The Effort To Split California Into Three Dead -- For Now

California Supreme Court Blocks Proposal To Split State In 3 From November Ballot

The California Supreme Court on Wednesday blocked a proposal that would split the state into three from the November ballot.

The court wrote that it took the step "because significant questions have been raised regarding the proposition's validity and because we conclude that the potential harm in permitting the measure to remain on the ballot outweighs the potential harm in delaying the proposition to a future election." Last week, an environmental group sued to have the measure removed from the ballot. To substantially alter the state's governance under the California constitution, the group argued, a constitutional convention would need to be called -- and that requires a supermajority of both houses of the state's legislature.

A ballot initiative, the group said, was constitutionally insufficient. "In seeking to remove this initiative from the ballot, we are asking the court to protect the integrity of both the initiative process and our state constitution," Carlyle Hall, an attorney representing the environmental group, the Planning and Conservation League, said in a statement. "Proponents should not be able to evade the state constitution simply by qualifying a measure as one thing, when it is so clearly another."



Tim Draper, a venture capitalist who spent more than \$1.7 million supporting the initiative, told the court in a letter that there wasn't enough time to properly consider the legal challenge to his effort.

The California Supreme Court has held that while amendments to the California state constitution through ballot measures are appropriate, more significant "revisions" of the constitution require action from the legislature. For a measure to count as a "revision," the California Supreme Court has ruled, it "must necessarily or inevitably appear from the face of the challenged provision that the



STAYING AS ONE
CA SUPREME COURT BLOCKS MEASURE TO SPLIT STATE IN 3
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measure will substantially alter the basic governmental framework set forth in our Constitution." But the sponsor of the "Cal 3" initiative to split California into three states -- in the name of increased government efficiency -- asked the state's Supreme Court last week to dismiss the lawsuit calling for the proposal to be pulled from the November ballot. Tim Draper, a venture capitalist who spent more than \$1.7 million supporting the initiative claimed the measure was appropriate for the ballot process, and claimed splitting up California would make the state easier and more efficient to govern.



"I have been given just a day or two to respond to a complex, multi-faceted attack on my Constitutional right to initiative," Draper wrote. "This Court's long history of jealously guarding the exercise of initiative power should not be cavalierly disregarded now, espe-

cially on such a truncated timetable." The court was under pressure to decide the issue quickly, because the California November ballot reportedly was set to go to the printer in early August. Wednesday's order is not a final ruling on the constitutionality of the ballot measure, but experts said the judges would not have removed the measure from the ballot if they did not feel strongly that it was unconstitutional. The California Supreme Court said it will determine the merits of the measure's constitutionality in the future.

Passing at the ballot box would have just been the first hurdle for the initiative. The measure, after passage, then would direct the governor to ask the U.S. Congress for the ultimate approval to split the state into three -- likely a tall order. (Courtesy Foxnews.com)

Related

Measure to split California into three states removed from ballot by the state Supreme Court

The California Supreme Court decided unanimously Wednesday to remove from the November ballot a measure aimed at dividing California into three states.

The decision was a defeat for Tim Draper, a Silicon Valley venture capitalist considered an eccentric entrepreneur who spent \$1.2 mil-

lion on the measure.

Four years ago, the wealthy Atherton resident spent \$5.2 million promoting a measure that would have split California into six states. It did not qualify for the ballot.

He reacted angrily to the court's action, calling it "corruption."

"Whether you agree or not with this initiative, this is not the way democracies are supposed to work," he said in an email. "This kind of corruption is what happens in Third World countries."

He said the state's "insiders" were "in cahoots."

In a brief order, the court said it acted "because significant questions have been raised regarding the proposition's validity and because we conclude that the potential harm in permitting the measure

to remain on the ballot outweighs the potential harm in delaying the proposition to a future election."

The court, meeting in closed session, also agreed to rule eventually on the measure's constitutionality, a ruling that is likely to go against the initiative. The challenge was filed last week by the Planning and Conservation League, an environmental group.

"They would not have removed it from the ballot unless it was their considered judgment that it is very likely not a valid measure that can go to the voters," said University of Illinois law school dean Vikram Amar, a former UC Davis law professor.



Draper's quixotic quest to divide up the state was viewed by some outside the state as another wacky California plan. It was widely publicized across the nation and became the butt of jokes.

The environmental group contended in its challenge that the measure amounted to a proposed revision of the state Constitution, which can be placed on the ballot only if two-thirds of both houses of the Legislature approve.

Proposition 9 was aimed at triggering a process for dividing California, but ultimately any such

change would have to be approved by the U.S. Congress.

Amar, who has written about the measure for a legal blog, has long argued that Proposition 9 amounted to an illegal state constitutional revision. But he said it also had a federal constitutional flaw.

Before new states can be created out of an existing state, a state's elected legislature must approve, Amar said.

Draper, 60, was an early investor in tech companies that became wildly successful, including Skype. He also is one of the nation's most ardent supporters of cryptocurrencies, such as bitcoin.

"The concept of breaking this enormous state into smaller, more manageable states is not new," Draper told the court in written arguments. "In fact, the voters of California were asked to, and did approve, the Pico Act in 1859, which asked Congress to approve splitting the state into two.

"Congress never acted on that request, as it might not do if Proposition 9 is approved," Draper said.

Draper had said he was not properly served with the legal challenge and questioned why the environmental group waited until July to challenge the measure.

Opponents of the measure reacted with joy.



"Proposition 9 was a costly, flawed scheme that will waste billions of California taxpayer dollars, create chaos in public services including safeguarding our environment and literally eliminate the state of California -- all to satisfy the whims of one billionaire," said Planning and Conservation League Executive Director Howard Penn.

He called the order "very unusual and dramatic." He said the court had only sparingly taken measures off ballots.

"The only further questions are whether something like this could be on future ballots, and we are confident we will prevail on that when it is considered in the fall," he said. (Courtesy latimes.com)



Venture capitalist Tim Draper points to a computer screen in June announcing that an initiative to split California into three states had qualified for the ballot. The state Supreme Court on Wednesday removed the measure from the ballot amid questions about its validity. (Haven Daley / Associated Press)

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Astros Take Home ESPY Award for Best Team



LOS ANGELES, CA - JULY 18: (L-R) MLB players Dallas Keuchel, Jose Altuve and Alex Bregman of the Houston Astros accept the award for Best Team onstage at The 2018 ESPYS at Microsoft Theater on July 18, 2018 in Los Angeles, California. (Photo/Getty Images)

The Astros took home the award for Best Team at the ESPYS on Wednesday in Los Angeles, a fitting location for such an honor as the club won its first World Series title against the Dodgers to cap a magical 2017 season and playoff run.

Jose Altuve, Dallas Keuchel and Alex Bregman accepted the award on behalf of the team at the annual awards show in Microsoft Theater.

"I think this doesn't only signify that we were a really good team in 2017 but overall the last couple years our clubhouse has been full of guys who want to win and make coming to the ballpark so easy and that's what it's all about," Keuchel said on stage. "I know everyone who plays here, it's a lot more fun when you have a clubhouse everyone gets along with. A long season, it makes it a lot shorter and allows you to have special moments like we did."

The Astros put up a 101-61 record before winning series against three of the most histor-

ic franchises in major league baseball - the Red Sox, Yankees and Dodgers - to win the World Series.

Only the 1998 Astros won more games during a regular season (102.)

"The Houston fans man, they made it all worthwhile as well," Keuchel said. "We appreciate you sticking with us through



Zach Britton, RP, Orioles. The Astros were reportedly close to finalizing a deal for the lefthanded closer last season before the Orioles backed out. He's a free agent after this season, so the Orioles are under more pressure to make a deal.

the lean years the past couple years but we're on the horizon and we appreciate you guys so much."

The team also produced the American League MVP in Altuve. (Courtesy chron.com)

Related

Possible targets for the Astros at the Trade Deadline

There still are plenty of bullpen options available, namely Baltimore's Zach Britton, who the Astros nearly had a deal for at last year's trade deadline before the Orioles pulled the plug.

The Astros will be buyers as the July 31 non-waiver Trade Deadline approaches, but they also really like the current roster as it's currently assembled and could find it tough to part with any top prospects to make something happen.

With former closer Ken Giles sent to Class AAA Fresno to try to work out his problems, the Astros' most obvious need is bullpen help. Padres closer Brad Hand probably was the most prized bullpen asset on the market, but the Indians dealt

away their top prospect Francisco Mejia for him Thursday morning.

With catcher Brian McCann on the disabled list and potentially sidelined for another month, the Astros also could look at some catching options. Someone like the Marlins' J.T. Realmuto would be an ideal fit, because he would fill the Astros' catching needs this season and for the future.

However, Realmuto is one of the best young catchers in the game and the Marlins would first ask for Astros' top prospects Forrest Whitley or Kyle Tucker to make that happen. The Astros likely think of both of those players as untouchable.

If the Astros really got greedy, they could pos-

sibly look for another bat that could man left field. The hope is that Tucker fills that role for the longterm, but if the Astros determine he's not ready and Marwin Gonzalez doesn't show signs of breaking out of his funk, that could be a spot they look to address. (Courtesy chron.com)



Someone like Orioles closer Zach Britton could be a good fit for the Astros before the July 31 non-waiver Trade Deadline.



Wilson Ramos, C, Rays. The All-Star catcher went on the disabled list with a hamstring strain and likely will be out until after the Trade Deadline. That makes things complicated, but he's having a great year and would be just a rental as he is a free agent after this season.

HOUSTON 2019

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HOUSTON CHINESE YELLOW PAGES
一九八〇創刊

Published & Printed By
SOUTHERN CHINESE DAILY NEWS
美南新聞日報
11122 Bellaire Blvd.
Houston, TX 77072
Tel: 281-498-4310
Fax: 281-498-2728



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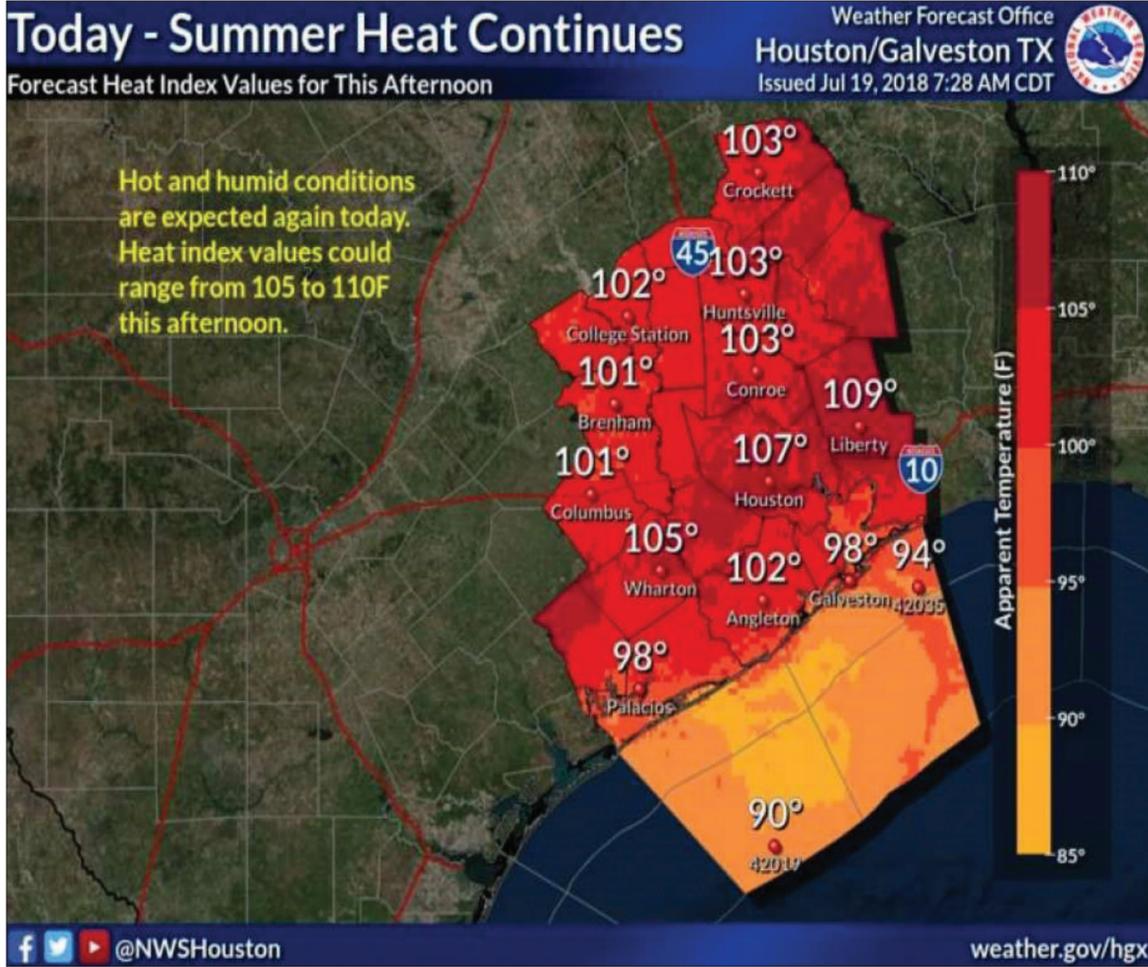
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EDITOR'S CHOICE PICTURES



Houston's Heat Index continues to climb.



Kimberly Guilfoyle leaving Fox News to stump with Trump Jr.



Steam billows out on New York's Fifth Avenue, Thursday, July 19, 2018. A steam pipe exploded beneath Fifth Avenue in Manhattan early Thursday, sending chunks of asphalt flying, a geyser of billowing white steam stories into the air and forcing pedestrians to take cover. The pipe explosion cleanup continues while 500 residents are displaced.



President Trump Slams China, EU For 'Illegal Currency Manipulation'



17 now reported dead in Missouri duck boat tragedy. 11 members of a family were on the boat. Nine of them are dead.



Meal Delivery Service DoorDash Hires Uber Finance Head As CFO



Suspect Confesses To Killing Olympic Medalist Denis Ten.



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Seventeen people were killed Thursday night when a tourist boat capsized in a southern Missouri lake as powerful thunderstorms passed through the Midwest, the authorities said on Friday.

The amphibious boat, or duck boat, overturned in Table Rock Lake near Branson, Mo., around 7 p.m. as winds exceeded 60 miles per hour. Cellphone video from a witness showed the boat taking on water and struggling to move as it was being pummeled with powerful waves before it sank.

The boat had 31 people on board when it sank to the bottom of the lake, all of whom are now accounted for, the authorities said. Seven people, including three children, were taken to a hospital, Cox Medical Center Branson, and two of them, both adults, were in critical condition, the hospital said on Friday.

Divers recovered the final six bodies on Friday morning, bringing the death toll to 17 and making it one of the deadliest duck boat accidents in United States history. Thirteen people were killed when a duck boat sank in Hot Springs, Ark., in May 1999.

Some of the dead were children. A sheriff's deputy was on the scene when the accident happened and assisted in the rescue. Sheriff Doug Rader said. Divers searched for survivors until 11:30 p.m. and returned to the lake on Friday morning with members of the Missouri Highway Patrol to resume those efforts. They located the sunken boat shortly after.

There were two duck boats on the water during the storm, and both were returning to land at the time of the accident. "The first one made it out, and the second one didn't," Sheriff Rader said, adding that strong winds, which were part of a storm



The authorities said they did not know whether the boat's occupants were wearing life jackets. (Photo/Branson Tri-Lakes News)

17 Dead After Duck Boat Capsizes Near Branson, Missouri

Compiled And Edited By John T. Robbins, Southern Daily Editor



system that passed across much of the Midwest, caused the boat to capsize. The boat that sank had life jackets, but the sheriff said he did not know if people were wearing them. Of the 31 people on the boat, 29 were passengers and two were crew members. The boat's captain, who had 16 years of experience on the lake, survived and was taken to a hospital, but the other crew member, who was described as the driver, died, the authorities said.

Jim Pattison Jr., the president of Ripley Entertainment, which owns the boat, said that the boat left the dock on Thursday when the weather was calm. "There were not any issues and they got out of the water and — and then it hit shortly thereafter," Mr. Pattison told CNN on Friday morning. "It was almost like a microburst."

The National Weather Service's office in Springfield, Mo., issued a severe thunderstorm warning at 6:32 p.m. for southern Missouri, including Table Rock Lake, about 35 minutes before the authorities received the first calls about the sinking of the boat.

Jeff Raberding, a meteorologist in the Springfield office, said that the storm entered the area with wind gusts up to 75 m.p.h., which were followed by heavy rain and lightning.

"We knew there was going to be the potential for severe weather and knew that in

advance," Mr. Raberding said in an interview on Friday morning. "I wouldn't call it necessarily a microburst because microbursts are usually small. This was pretty widespread."

The National Transportation Safety Board said it would dispatch a "go team" to begin an investigation into the accident. The Coast Guard was also investigating.



The doomed duck boat is seen in a screen capture taking on water from violent waves. Ripley Entertainment acquired the Ride the Ducks attraction in Branson last year. They are popular among visitors looking to tour the lake and the city's entertainment district.

Duck boats can drive on land and float on the water and are popular in cities like Seattle and Boston. In the water, passengers sit close to the surface, which critics have said makes them more dangerous than a typical boat.

Before Thursday's accident, the deadliest event involving a duck boat was in May 1999 when the Miss Majestic sank to the bottom of Lake Hamilton in Arkansas, killing 13 people. The N.T.S.B. cited inadequate maintenance as the cause and ordered duck boat operators nationwide, including the company in Branson, to outfit their vessels with additional flotation devices to help prevent sinking.

Branson, which is about 200 miles southeast of Kansas City, Mo., is a popular tourist and entertainment destination in the Ozark Mountains.

Mr. Pattison, the company president, said this was the first such accident at Ride the Ducks, which was started more than 40 years ago.

"People are supposed to be able to go out for an outing and have a good time," he said. "We shouldn't be out there in severe weather. We are absolutely devastated."

Becca Blackstone, a manager of an Irish pub in Branson, said the duck boat tours are popular with tourists, and she has ridden them four times in her decade of living there. She said the tours, which usually last from an hour to 90 minutes, take tourists to land destinations like the College of the Ozarks and then onto the lake.

"It's just a lot of fun, normally," she said in a phone interview. "It's nothing like this. And with them going out in the storm, I don't necessarily know what that's about

because it's not like we didn't know about this storm."

She said that in the four times she went on the duck boats, people were not required to wear life jackets, although the boat had them on board.



Emergency workers responded to the scene on Thursday. Credit: Nathan Papes/The Springfield News-Leader, via Associated Press

Ms. Blackstone said the accident was the "craziest thing" that had happened in the area since a tornado hit several years ago. Steve Lindenberg, a meteorologist at the National Weather Service's office in Springfield, Mo., about 45 miles north of Branson, said "a line of thunderstorms" rattled both areas on Thursday night and produced winds of up to 74 m.p.h. The winds downed trees and power lines, he said.

Mr. Lindenberg said a 63-mile-an-hour wind gust was recorded at Branson's airport around 6:55 p.m. local time, though he did not know whether the winds had caused the boat to capsize.

He said the thunderstorms had since left Missouri and were moving into Arkansas. Rod Donavon, a National Weather Service meteorologist in the agency's office in Des Moines, Iowa, said several tornadoes swept through the central part of that state on Thursday, apparently damaging a warehouse, homes and other structures.

Two tornadoes, in the cities of Pella and Marshalltown, struck within about 30 minutes of each other and were particularly destructive, Mr. Donavon said. He described them as "strong" but said the exact strength of the winds was not yet clear.

Thursday's episode was not the first to end with mass casualties to passengers on a duck boat. In addition to the incident in 1999, in 2010, a barge plowed into a duck boat packed with tourists that had stalled on the Delaware River, sending 37 people into the water and ultimately killing two. (Courtesy The New York Times)

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Dr. Yip is a board-certified pediatrician who completed her medical degree, internship and residency at Baylor College of Medicine. She is a fellow of the American Academy of Pediatrics and member of the American Medical Association, Texas Medical Association, Harris County Medical Society and Texas Pediatric Society.

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Called New Clark City, The Urban Project Is Envisioned To Be Smart, Sustainable And Resilient To Disasters

The Philippines Is Planning To Build A "City Of The Future"

Compiled And Edited By John T. Robbins, Southern Daily Editor

The Philippines, home to Manila's standstill traffic jams, is aiming to become known for the "city of the future."

Called New Clark City, the urban project is planned to be a high-tech green city promising science-fiction-worthy technology, from robots to drones to self-driving vehicles. It's located 120 kilometers outside the Philippine capital, and its investors hope it will be the first of its kind in the country: smart, sustainable and resilient to disasters.

Of course, many countries are aiming to build their own version of the city of the future, and the Philippines still has a long way to go in its economic development, so the project's financial future is not a certainty.

According to its lead developers, the project is mainly funded through public-private partnerships — a move necessary for the cash-strapped country.



A depiction of the plans for New Clark City in the Philippines. (Photo/ Surbana Jurong)

The development could one day take some pressure off congested capital Manila, according to Singapore-based urban planning firm Surbana Jurong, one of the partners in the project.

The smart city aims to tap on up-and-coming technologies that would tackle issues arising from the increasing population density in the Southeast Asian country. "Driverless cars probably would be intro-



A look at the Philippines' New Clark City broadcast on CNBC, Wed., 4 April 2018.

duced into there, and therefore requirements for car parking will be lessened," Surbana Jurong CEO Heang Fine Wong told CNBC's "Street Signs."

The new urban space would become a "twin city" to Manila, he said. "You'll gradually see Manila becoming a different type of city, maybe more financial to support the New Clark City, and in New Clark City you'll see new technology companies coming through," he explained.

Attracting customers who would be willing to relocate to New Clark City from the country's capital will likely be a challenge. The Philippine government recently announced it is committed to moving some offices to New Clark City, but the main goal plan is for foreign investors to set up operations there, according to Wong.

New infrastructure projects, meanwhile, could bridge the distance between Manila and New Clark City, Wong said. A brand new railway line is being built by the Japan Overseas Infrastructure Investment Corporation for Transport & Urban

Development. The train would reduce the travel time between the two cities to one hour from the current two to three hours.



Construction in New Clark City in the Philippines. (Photo/ Surbana Jurong)

The first phase of the project is slated to finish by 2022, but Wong said that the goal is to keep developing as technologies advance.

But technical hurdles would still need to be resolved said Wong. "All these things need to be planned. You need that network of communication. And also a cyber security network needs to be put in place," he said. (<https://www.cnbc.com>)

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