



Changing drivers

Two executives at Dollar Thrifty are taking over for the retiring Joseph Cappy.

Business E-1



Crushed

Broken Arrow whips Jenks for the second straight season.

Gold star

The U.S. Jaycees add a Tulsan to their prestigious list of up-and-coming young Americans.

Scene D-1



Dr. Jeffrey Magee

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Ruling may hang up state don't-call lists

► The FTC chief says the registries could be crippled by a Colorado judge's decision, which the agency is appealing.

By **JIM MYERS**
AND **PAUL ENGLISH**
World Staff Writers

Federal Trade Commission Chairman Timothy J. Muris warned Friday the latest court ruling against his agency's national do-not-call list also could "effectively cripple" state efforts against unwanted telemarketing sales

itches.

Meanwhile, the Federal Trade Commission announced it had filed an appeal to a decision by U.S. District Judge Edward Nottingham of Colorado that the FTC's list is an unconstitutional restraint of free speech and asked for the order against implementing its do-not-call list to be lifted.

The list was scheduled to take ef-

fect next Wednesday.

Muris said the court ruled the do-not-call list does not "materially advance" the FTC's effort to protect privacy and curb abusive telemarketing practices, but Americans who have signed up 50 million phone numbers disagree.

"This court's reasoning, if adopted elsewhere, would effectively cripple virtually every do-not-call registry in the United States, whether state or federal," he said.

Muris said the Constitution does

not dictate that kind of "illogical result."

"To the contrary, our Constitution allows consumers to choose not to receive commercial telemarketing calls," he said.

Oklahoma Attorney General Drew Edmondson said Friday that Oklahoma's do-not-call program may have to be amended to bar charities from calling phone numbers on the list if the U.S. Supreme Court eventually upholds Nottingham's ruling.

In both the FTC and Oklahoma pro-

grams, commercial telemarketers are prohibited from making calls to phone numbers in the registry, but there is no ban on calls by charities.

The Denver judge said treating the charities differently from commercial telemarketers is discrimination and unconstitutional.

Edmondson said Nottingham was apparently classifying charitable calls as another form of commercial speech and "allowing some and not others is

SEE **CALL** A-7

Trash problems curbed



MICHAEL WYKE/Tulsa World

Trucks owned by Waste Management of Oklahoma Inc. are weighed before dumping trash Friday at the Quarry Landfill in northeast Tulsa. The city began having all its trash hauled to the landfill after the operator of a trash-to-energy plant announced Thursday it would cease operations.

City garbage going to landfill until energy plant solution found

By **CURTIS KILLMAN**
World Staff Writer

Officials said the city's trash disposal backup plan went smoothly Friday as they wondered about the fate of the trash-to-energy plant.

All trash picked up Friday was hauled to a landfill rather than the trash-to-energy plant after facility operator Covanta Tulsa Inc. said it was ceasing operations.

Covanta, which is in Chapter 11 bankruptcy, cited an inability to renegotiate its lease with New York City-based CIT Group Inc. as the principle reason for opting to shut down. Covanta stopped accepting trash after Thursday. The plant shutdown is scheduled to be com-

plete by the middle of next week.

"I really think the ball is in CIT's court," said Cheryl Cohenour, chairwoman of the Tulsa Authority for the Recovery of Energy, which oversees trash disposal for the city.

"If Covanta has pulled out of Tulsa, we take the position to divert our trash to the landfill and our service agreement (with Covanta) is dead," Cohenour said. "Now it's a wait and see."

The city's 20-year agreement with Covanta, formerly known as Ogden Martin Systems of Tulsa Inc., was scheduled to expire in 2007. The agreement required the city to provide Covanta with at least 340,000 tons of trash per

year.

A CIT spokesman did not respond Friday to calls seeking comment about the status of Tulsa facility.

A private company that contracts with the city to haul a majority of the residential waste echoed Cohenour's assessment of the new disposal arrangement.

Travel time will increase for some Tulsa Refuse Inc. trash haulers whose routes were near the westside trash plant, while it will decrease for others, said John Drouillard, TRI vice president.

Haulers were more concerned about Monday and Tuesday, the

SEE **TRASH** A-6

'If Covanta has pulled out of Tulsa, we take the position to divert our trash to the landfill and our service agreement (with Covanta) is dead. Now it's a wait and see.'

CHERYL COHENOUR

CHAIRWOMAN OF THE TULSA AUTHORITY FOR THE RECOVERY OF ENERGY



Bill Bartmann

He is the former Commercial Financial Services Inc. chief executive officer.

Bartmann trial jury selected

► Judge Sven Erik Holmes turns down a motion to move the trial to OKC.

By **DAVID HARPER**
World Staff Writer

A jury was seated Friday in the fraud trial of former Commercial Financial Services Inc. Chief Executive Officer Bill Bartmann.

On the same day, Bartmann and a bankruptcy trustee reached an agreement that will allow him to have some money in his pocket during his trial.

Earlier in the day, U.S. District Judge Sven Erik Holmes rejected his attempt to move the trial to Oklahoma City. By lunchtime, the judge had given initial instructions to the 16 people who will hear the evidence in the case beginning Monday.

Holmes granted a request by Bartmann that the efforts of bankruptcy trustee Patrick J. Malloy III "to preserve, freeze or liquidate the personal assets" of Bartmann and his wife, Kathryn Bartmann, be temporarily

SEE **TRIAL** A-6

Poverty rate rises for the second year

► But the rate in Oklahoma decreased in 2002 to 14.6 percent from 15 percent in 2001.

By **GENARO C. ARMAS**
Associated Press

WASHINGTON — Poverty increased for a second straight year in 2002 with 1.7 million more people dropping below the poverty line, the Census Bureau said Friday. Incomes were down, too, fresh evidence of the struggling economy's effect on Americans' pocketbooks.

The poverty rate was 12.1 percent last year, up from 11.7 percent in 2001. That meant nearly 34.6 million people were living in poverty.

In Oklahoma, the poverty rate de-

SEE **POVERTY** A-3

Inhofe satisfied tower won't be made private

► The senator says the FAA's chief promised that the control tower at Riverside is not a target.

By **JIM MYERS**
World Washington Bureau

WASHINGTON — U.S. Sen. Jim Inhofe said Friday the head of the Federal Aviation Administration assured him the air traffic control tower at Tulsa's Riverside Airport is not a target for privatization.

Meanwhile, lawmakers moved to keep FAA employees on the job past a Tuesday deadline by inserting necessary language in a stop-gap spending bill.

That provision, a House aide said, covers only payroll and not FAA programs.

Current law authorizing the

FAA and its various programs expires at midnight Tuesday, and concerns over the privatization issue had stymied legislative efforts to get a reauthorization bill passed by now.

Inhofe, R-Okla., opposes any effort to privatize Riverside's busy tower.

He said he spoke at length about the issue with FAA Administrator Marion C. Blakey, who reportedly has been lobby-

ing a number of lawmakers opposed to privatization.

"She has told me that there are no plans for privatizing any airport that would be in the category of Riverside," Inhofe said.

He conceded Blakey did not provide those assurances in writing but still sounded ready to accept them.

"I am satisfied it is not going to happen," Inhofe said.

SEE **TOWER** A-3



U.S. Sen. Jim Inhofe