Judge says Cal Poly not responsible for Smart disappearance

By Brad Davis
Daily Staff Writer

Cal Poly won't have to worry about the pressure of a lawsuit filed against the university by the parents of missing student Kristen Smart, at least for the time being.

A ruling from a San Luis Obispo County Superior Court judge Tuesday dismissed the university from the lawsuit.

The complaint against Cal Poly alleged that the university was liable for Smart's disappearance which included several allegations. Those allegations stated that Cal Poly did not have adequate lighting, security devices, security personnel and security measures, which added to the cause of the disappearance.

Superior Court Judge Barry Hammer wrote in his ruling on Tuesday: "...the complaint does not adequately plead how these were a cause in the unexplained disappearance."

Defense attorney for Cal Poly, David Adida, said he's pleased with the ruling.

"We're happy with the judge's ruling," Adida said. "Now (the university) can really concentrate on the investigation."

He said he feels bad for the Smarts, but also said the Smarts are hampering the ability to investigate the matter further.

"The university may end up spending hundreds of thousands of dollars to defend the Smart's allegations," Adida said. "That money could be used for the investigation."

Judge Hammer's ruling still allows the Smarts 20 days to amend their complaint. Steve Hamilton from the James Murphy Law Firm, is representing the Smarts in this lawsuit. Hamilton.

AS! won't support university expansion of campus core

By Marie T. Garcia
Daily Staff Writer

It was a night of joy and celebration for some students in the College of Agriculture Wednesday night as they learned that ASI will not support the university's use of prime agricultural land to expand the campus core.

"We are ecstatic," said Allison Kennon-Frink, College of Agriculture representative and co-sponsor of the resolution. "It's a big step in the right direction," she said after letting out a loud 'All right!'

Kennon-Frink and fellow College of Agriculture representative Adriane Reichle presented the resolution that Kennon-Frink, Stanley and other representatives said they worked so hard for. The representatives ran weekly ads in Mustang Daily seeking for a show of student support.

The resolution states that any land west of the railroad tracks and east of Highway 1 on the Cheda Ranch should be retained exclusively for agricultural educational purposes. The land is valuable to the students and to the university said animal science senior Sean Reichle. He was one of about 20 students who attended the meeting to voice support for saving the agricultural land that they said is extremely vital to Cal Poly's "learn by doing" philosophy.

"Cal Poly as a whole needs this resolution," Reichle told the board during an open forum session. "The sheep, swine, dairy, horse units, they're all small versions of what happens in the real world. These are our labs."

Students in the College of Agriculture cannot learn in the traditional classroom setting the same way students in other majors can, Stanley told the board as members readied to vote. When the resolution was approved a loud applause emanated from the audience and board members.

"It's absolutely outstanding that the resolution passed," said animal science senior Gretchen Tumelson. "It's great that the..."
Skinhead paratrooper convicted of murdering black couple

By Emery P. Deleo
Associated Press

FAYETTEVILLE, N.C. - A white former paratrooper faces the death penalty after being convicted Thursday in a racial killing that set off a nationwide outcry over extremism in the military.

James N. Burmeister, 21, was found guilty of two counts of first-degree murder and conspiracy in the shootings of Jackie Burden and Michael James on Dec. 7, 1995.

Juries were to hear more evidence Friday before recommending the death penalty or life in prison.

The victims' mothers split on whether Burmeister should be executed.

"He has the heart of cold steel and God help him," said Lillie G. James, who said she didn't wish to see Burmeister get the death penalty.

Mary Lou Burden, however, raised her arms in victory outside the courthouse and said she hoped the jury sentences her daughter's killer to death.

"I'm so happy," she said.

Civil rights advocates also applauded the verdict.

"Today a jury affirmed the right of people of every background, race and religion to walk the streets of America without fear," said Abraham H. Foxman, national director of the Anti-Defamation League.

Burmeister showed no emotion as the guilty verdicts were read, but his mother, Kathy, sobbed in the row of seats behind him.

Prosecutors contended that Burmeister killed the couple on a dirt road near downtown Fayetteville for no other reason than to earn a spider web tattoo, a sign among racist skinheads at nearby Fort Bragg that the wearer had killed a black person.

"The animal who took the lives of these two people executed them in cold-blooded a manner as is possible," prosecutor Ed Graniss told the jury during closing arguments Tuesday.

The slaying prompted an Armywide investigation that found little evidence of extremist activity in the service.

However, the probe did turn up due to the city's high concentration of URM buildings. In 1996 the state passed the Earthquake Hazards Reduction Act, requiring identification of URM buildings and the mitigation of hazards. The city of San Luis Obispo has identified URM buildings, but until now had not implemented a program to actually retrofit them.

The summary stated that the URM Building Mitigation Program will allow seismic strengthening to occur in partial and full phases to be completed by January, 2017, and offers incentives to complete the strengthening.

The biggest incentive is the availability of $250,000 grants, given on a first-come, first-serve basis to partially offset the cost of strengthening URM buildings.

Vessely said that the most vulnerable URM buildings will be fixed first, and estimated that the cost of the retrofitting program will be around $10 million.

"The program will be expensive and we can expect to see the cost passed along to tenants," Vessely said.

A town hall meeting will talk about the program will be held March 17 at 7 p.m. at the community room of the San Luis Obispo City-County Library at 985 Palm St.

"We're taking the business away from the marqueses of hotels and putting the Capitol up for sale," Floyd said.

He said he hoped all organizations would follow their banners, even controversial ones like the National Organization for Women and the National Organization for Reform of Marijuana Laws.

"And when my organization, the Beer Drinkers of America, is refused, we're going to take you to court," he said, grinning.

Jonathan Waldie, chief adminis­ ter of the Assembly Rules Committee, said organizations for years have been making banner requests through senators and Assembly members.

They are charged what it costs for a worker to put up and take down the banner: $34 for one under 20 feet and $66 for one over 20 feet, he said.

Waldie said lawmakers are now asking him to draft a policy for future banners.

SACRAMENTO - A state law­ maker complained Thursday that the large colorful banners hang­ ing on the Capitol windows were weigh­ing down the Capitol's structural inte­ Rest the world... we're just the caretakers of it."

"These pictures belong to the public; we're just the caretakers of it."

The movie will now open on Friday, March 14.

The Summary Statement said that the court has already told Mr. Flores that there is no valid claim.

"It's their God-given right to testify and could be sub­ ject to Hamilton.

However, if there was a point to Hamilton.

Perhaps this proves that the Force is still drawing crowds at the box office.

The primary defendant in the lawsuit is former student Paul Flores. Smart then had to walk back to her dorm with Flores around 2 a.m. on May 25, 1996.

Hamilton said they have yet to receive a legal deposition from Flores and his attorney has rescheduled the deposition a few times already.

Hamilton was uncertain whether or not Flores would use his Fifth Amendment right to not testify in the deposition. The Fifth Amendment protects individuals against self incrimination. However, if there was a point to Flores being retried, Flores would then be forced to testify and could be sub­ jected to a criminal trial, according to Hamilton.

A date has yet to be set for the Flores hearing.

There is a proposal to increase the Campus Academic Fee, and...

A.S.I. Is Seeking Student Input!!!

A voter pamphlet will be sent to all students on the Cal Poly Plan Poll.

This pamphlet will include a "pro statement" and a "con statement." Students are encouraged to submit "pro" and "con" statements to A.S.I. for possible use in the pamphlet.

To comment, please pick up arms at:

A.S.I. Executive Office, UU 217A

Forms must be submitted by March 5, 1997

Jedi' returns a little later

By Gil Sery
Daily Safe News

The tremendous success of both "Star Wars" and "The Empire Strikes Back" has prompted Twentieth Century Fox to postpone the release of the last installment, "Return of the Jedi," by a week.

The movie will now open March 14.

Tom Sherka, chairman of Fox's Domestic Group, said the decision was made Monday to postpone the release due to the popularity of the other two films.

"It's a great feeling how people have taken these movies as their own," Sherka said. "These pictures belong to the public; we're just the caretakers of it."

Brett Weiberg, assistant manager of Downtown Center Cinemas in San Luis Obispo, agreed with the postponement.

"There wasn't much of a gap between the first two movies and they're doing very well," Weiberg said.

The Special Edition of "Star Wars" has taken in $117.7 million in the United States, according to the "The Empire Strikes Back" has grossed $25.9 million in just under a week.

Perhaps this proves that the Force is still drawing crowds at the box office.

Lawmaker complains about banners outside state Capitol

By Jennifer Kerr
Associated Press

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WASHINGTON - President Clinton is drawing high marks for his job performance despite swirling questions over campaign financing, Whitewater and his personal life, a new poll says.

The Pew Research Center survey found people are hearing a drumbeat of negative news about the president but, so far, it doesn't seem to matter.

"The American public has no news endings," said Andrew Kohut, survey director. "They overwhelmingly told us all they hear about Bill Clinton is scandal," then gave him a thumbs up.

Overall, 60 percent approved of the way Clinton is handling his job, a record in Pew polls and up 12 points in the last survey done for theedefs and reported in May 1996.

Still, Clinton is having trouble getting his message out through the headlines. When people were asked to recall what they have been hearing about him, ethical questions dominated, and education and his other policy priorities were the public's agenda," he said.

But right now, "his standing on his record and his other policy initiatives are right on in terms of the public's agenda," he added. "As well, it's a little bit of, "we've re-elected him; let's make the best of him as long as we can.

Meanwhile, Whitewater and the other problems may be more important. Thirty-two percent disapproved of the way Clinton is handling his personal issues, up 12 points from the last poll done after that disclosure, 42 percent approved, also up one point.

"It's going to take an army of citizens," said John Banzhaf of Action on Smoking and Health, which is organizing thousands of 21-year-olds to report suspected law-breakers to an FDA hotline. "We plan to send teens early Friday to test the new law in Washington and suburban Virginia stores.

"State laws already outlaw selling tobacco to anyone under age 18. Yet government figures report 10 states to share the first $4 million in enforcement funds, meaning federal sting efforts won't happen for at least a month, and can't hire additional states unless Congress forks over more money.

"AIDS inspectors could target states that don't do their own enforcement.

"If we find that a retailer is not complying, we can take appropriate steps ... wherever he or she lives," warned FDA spokesman Jim O'Hara.

Virginia and North Carolina, which are the leaders in enforcing tobacco industry laws, test major targets. North Carolina Attorney General Mike Easley said in a statement early Thursday that pending the judge's ruling, "Our department does not have authority to enforce the consumer protection rules. People at the latter interview, however, Easley said, "It is the law, North Carolina law enforcement officers respect the law, and they will do what they can to enforce it."

Virginia's prosecutor's office said it would ignore the law. But Gov. George Allen quickly repudiated that position, and Attorney General James Gilmore later told retailers to card customers "until the courts have ruled."

"You can't card everyone all the time. It's not worth the hassle," said Cathy Beattie, co-owner of Marty's First Stop in Danville, Va.

"I don't know if I can do this," said an Alexandria, Va., 7-11 clerk who would identify herself only as Mrs. Green, "I can't hire additional states unless Congress forks over more money."
Friday, February 28, 1997

Cloning hits NATE PONTIOUS

Scottish scientists announced the successful cloning of a sheep last week, and today, walking through the U.U., I see four identical cows. Coincidence? I think not. Other examples: the exact same riff from their breakthrough years now. It certainly would explain all of the National Bioethics Advisory Commission(s) to clones. So many of these grunge/angst-ridden Temple Pilots experiment gone horribly wrong.

In fact, if clones have been around for years, no one is above suspicion. How do we know that President Clinton is the REAL President Baker's real clone experiment gone horribly wrong.

On a social level, dating would get a lot more interesting. "Hey, you wanna go out this weekend?"

"Drop dead."

"Well...what's your clone up to?"

I, for one, can do without a world where I can be dumped twice by the same girl(s). We just have to hope the power does not fall into the wrong hands.

Of course, one must realize that you cannot clone adults. The clone has to grow into an adult from an infant just as humans. But this certainly raise the question of whether clones have human rights. What if the clone were an inconvenience to its real-life counterpart? Is it okay to "terminate" a seven or four musicians cloned hundreds of times over. When presented with a pseudo-angst rock like Bush, how can one not agree that Gavin Rossdale and Stone Temple Temple Pilot clone experiment gone horribly wrong.

When is the clone no longer replicated DNA and can prove that Mr. Gambhir is intellectualist on happiness.

I could go on about the emotional problems of Mr. Gambhir, but I think you get the point (and if you don't, don't you think they were emotionally damaged by your statement? And if you wonder why I know so much about the things of the hearing impaired, then I have you know that Mr. Gambhir is intellectualist on happiness.

To hate both sides". Mr. Gambhir. Please keep this kind of smut out of the Christian Right thinks Dawns wrong. We have heard in a long time. Once again she took her uninformed opinion and tried to make it seem like an undisputed fact.

Don't get me wrong, but I don't really think it's a viable idea to dump an entire group by a few radical extremists. If I were to follow her example, I might get radical extremists make uninform...put down other people to make themselves appear credible. If we were to follow her example, I might get radical extremists make uninform...put down other people to make themselves appear credible. If we were to follow her example, I might get radical extremists make uninform...put down other people to make themselves appear credible. If we were to follow her example, I might get radical extremists make uninform...put down other people to make themselves appear credible. If we were to follow her example, I might get radical extremists make uninform...put down other people to make themselves appear credible. If we were to follow her example, I might get radical extremists make uninform...put down other people to make themselves appear credible. 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Bill would amend new open primary law to eliminate some runoffs

By Doug Wilkins
Associated Press

SACRAMENTO — California’s new open primary, which both the Democratic and Republican parties are hoping will grow — would be amended to eliminate some runoffs under a bill introduced in the Legislature.

An initiative approved by voters last year requires candidates in a primary election to list candidates from all parties on a single primary ballot and allow voters to rank candidates in order of preference. The candidate with the most votes wins.

But the law doesn’t eliminate runoffs, where candidates who failed to win a majority in the primary battle it out in what is called a “runoff,” or runoff election, if no one wins a majority. If no candidate takes more than 50 percent of the vote in the primary, the top two candidates move on to a general election.

Sen. Richard Ravich, R-Walnut Creek, would abolish that runoff if any one candidate receives more than 50 percent of the vote in the primary.

“When a candidate has the support of more than 50 percent of the voters in an open primary election, the people clearly spoke,” Ravich said. “Disallowing an additional election at that point only serves to needlessly drive up campaign spending.”

Under current law, elections to fill midterm vacancies in local, legislative and congressional seats are conducted under the rules proposed for all primaries in the Rainier bill.

A half-dozen supporters of the 1996 open primary initiative endorsed Rainier’s measure, including Rep. Tom Campbell, R-Crandon, who said it would both save taxpayers money on unnecessary runoff elections and help reduce harmful fundraising by candidates.

But three other sponsors of Proposition 198, the 1996 open primary measure, recently opposed Rainier’s proposal as undermining the intent of their initiative.

The Rainey bill is clearly ben­eficial to incumbents in safe seats, said Susan Biegel Harding, chair of Proposition 198 campaign steering committee. “It changes the dynamics and goals of the open primary to increase voter participation and promote meaningful competition. The open primary is also being harms­ful.”

However, marijuana is more powerful and long lasting than older research states. People feel comfortable talking about the effects of alcohol, because it is legal and testable. Also, the results are specific, said.

First-time offenders face disciplinary probation for one semester and attendance at a three-week educational program called Involuntary Students Educated About Drugs (InSEAD), said Way. The Office of Judicial Affairs leads the program.

All offenders must sign a contract saying they will complete the classes and meet with a substance abuse counselor at the Counseling and Student Development Center.

Most students in the InSEAD program already know about the different types of marijuana and the symptoms associated with use, said Judicial Coordinator Rebecca Puma.

InSEAD teaches participants what role drugs play in society and in their own lives. The Judicial Office refers students to the Counseling and Student Development Center if it thinks students may have a serious drug problem.

“Now we will go before the Joint Rules Committee to discuss whether we will continue it or not,” he said Thursday.

Floyd also complained about California Highway Patrol cars that are frequently parked on the sidewalk at the foot of the Capitol steps. One branch of the CHP is in charge of Capitol security.

“Freely, in a society that has police car sitting there and block­ ing the steps of the Capitol is repugnant,” Floyd said.

The Board of Directors of the CHP, said she could not discuss details of why the CHP parks its cars on the steps “for security reasons.”

“Our deployment is based on maximiz­ing our personnel as far as protecting the public and elect­ ed officials,” she said. “The public wants to know they’re protected when they visit the Capitol.”

COMPLAIN from page 1

“I will no longer be a member of the Joint Rules Committee to discuss whether we will continue it or not,” he said Thursday.

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“Freely, in a society that has
Participate in Mustang Daily’s 1st Annual
GONZO
Journalism Contest

"True Gonzo reporting needs the talents of a master journalist, the eye of an artist, photographer and the heavy balls of an actor. Because the writer must be a participant in the scene, while he’s writing it... Probably the closest analogy to the ideal would be a film director/producer who writes his own scripts, does his own camera work and somehow manages to film himself in the action, as the protagonist or at least the main character."

— Hunter S. Thompson, The Great Shark Hunt

In the spirit of the Duke of Gonzo, Mustang Daily is proud to present the first-ever Gonzo Journalism Contest. Everyone can enter, and winners of the contest will get to see their names in print for the Gonzo Issue, March 4. Entries must be factual (sort of) narratives and no longer than 701 words.

ENTRIES ARE DUE THURSDAY, MARCH 6 BY 7 PM.

That’s it. The rest is up to you.

Submit entries to:
Mark Armstrong, managing editor
c/o Mustang Daily
Graphic Arts building, room 226
ATTN: “GONZO ISSUE”

Industry executives show willingness to make television ratings changes

By Jeannine Aversa
Associated Press

WASHINGTON - With their TV ratings under attack for not giving parents enough information, industry executives showed a willingness Thursday to make adjustments. But they had nothing good to say about the changes critics have been demanding.

“We have rejected nothing,” National Association of Broadcasters President Eddie Fritts said at a Senate Commerce Committee hearing on the effectiveness of the ratings the TV industry began using in January.

Fritts, for instance, said the industry is looking into whether on-screen tags suggesting appropriate age groups for shows should appear longer or more frequently. Now, the tag appears in the upper left corner of the picture for the first 15 seconds of a show.

“It’s a work in progress and... we’re open to constructive ideas which will make the system more useful,” Fritts said.

Both Fritts and Jack Valenti, president of the Motion Picture Association of America who oversaw the creation of TV ratings, acknowledged that with two thirds of prime time shows rated TV-PG (parental guidance suggested), some of them probably should get a tougher rating.

But Valenti continued to reject calls for a ratings system advocated by critics that would give specific warnings for violence, sex and language and the intensity of each in every show.

Under such a system, Valenti said, an episode of CBS’ “Touching a Woman by an Angel” in which there’s hugging or kissing and “Basic Instinct,” which has more explicit sex, both would get an “S” for having sexual content.

“It won’t work because there’s a vast panoply of incidents in a movie, in a television show and just a single word ‘S’ doesn’t tell you anything,” Valenti said.

Given this, Valentii softened his previously rigid stance about the TV industry going to court to fight legislative efforts to impose another ratings system.

“I have changed my mind. We’re not inflexible. When I said... we go to court I mean we would go to court if we thought that Congress was passing legislation which intruded on the most gloriously 45 words in the Constitution. It’s called the First Amendment.”

Eventually, the ratings will work with a “chip” installed in new TV sets that would let parents block out objectionable programs.

The Federal Communications Commission is reviewing the rating system. If it determines the system unsuitable, it can move to appoint an independent advisory board to create a new system. But the government cannot require its use.

AGSE joins union effort for more rights

By Norman Weiss
The Daily Californian (UC Berkeley)

(U-WIRE) BERKELEY, Calif. — UC Berkeley’s graduate student workers’ union is expected to join in a nationwide series of demonstrations today to win collective bargaining rights for graduate student employees.

Organizers plan to hold an informational picket line today between 11 a.m. and 1 p.m. at Sather Gate.

Although graduate student instructors are not expected to cancel any classes, they anticipate having at least 50 people picketing in the plaza to draw attention to the union’s movement.

In addition to supporting the union movement, AGSE also plans to use the day of action to demand collective bargaining rights for GSIs. Graduate students took to the picket lines for three days last semester, shutting down many discussion sections, but did not succeed in getting the university to acquiesce to its demands.

“This is one part of a larger strategy of escalating pressure on the university,” said AGSE spokesperson Ricardo Ochoa. “We want to raise visibility in the campus community. This is designed to increase pressure on the university to acquiesce to its demands.

The public is invited to participate in the rally and demonstration.

The rally will take place in front of Sproul Hall, and the picketers will be at Sather Gate from 11 a.m. to 1 p.m. on April 30th.

The rally will feature speeches from student leaders and members of the AGSE executive board. The picketers will hand out informational pamphlets and distribute stickers and buttons.

The rally is expected to draw a large crowd of students, faculty and community members who are supportive of the AGSE movement.

For more information, please contact AGSE at agse@berkeley.edu or visit their website at www.agse.org.

The rally will be held in accordance with university policy and regulations.

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challenged by a lawsuit filed jointly by the Democratic and Republican parties, which contend that it violates the right of each party to pick its own nominees without interference from outsiders.

That suit, which is attempting to void the measure before next year's primary for governor and 164 other federal and state offices, is scheduled to go to trial in July in a federal court in Sacramento.

"We are looking at all of our possibilities," Ochoa said. "Unless the university recognizes us, there will be some amount of disruption on this campus. We're gaining momentum in spite of the university."

Members plan to discuss further actions for the semester, including a possible strike, at their next meeting in March.

Today's nationwide wave of protests was organized by the Coalition of Graduate Employee Unions, whose goal is to bring together graduate student employee unions from across the country.

Erik Dinnbach, a University of Michigan graduate student and CGEU spokesperson, said the union wants to raise awareness among both students and graduate student workers.

"We wanted to draw attention to the graduate students' movement and to celebrate the teaching that they do," Dinnbach said. "It might show other graduate stu-
No. 19 ranked Mustangs look to add to 16-2 record

By Kimberly Kaney
Daily Steff Writer

The Cal Poly Softball team begins Big West play this weekend on Sunday against CSU Fullerton at 12 and 2 p.m.

"Our wins have been a team effort, everyone has contributed," Boyer said.

Its first loss was to the University of South Carolina, now ranked No. 6. The Gamecocks broke a 1-1 tie in the ninth to get the win, 2-1. The Mustang's second loss was to the University of Washington. Washington was last year's NCAA runner-up and is currently ranked No. 4. Anna Bauer gave the Mustangs a 3-2 lead early with a homerun and an RBI double, but Washington regained the lead with three runs in the sixth and held on for the win, 6-4.

"We learned we are able to compete at that level," Boyer said.

The Mustangs opened their season with 15 straight wins, by no-hit thrown by junior Desarie Knipfer. Knipfer pitched five innings of no-hit ball against St. Mary's College. The game only went five innings because the mercy rule was called when the Mustangs went up by eight. Knipfer now 9-2 on the season also struck out 14 in the Mustangs game against Bowling Green in the UNLV Tournament.

"Our only weakness is we don't have a lot of depth," Boyer said.

"But we are strong in all areas of the game."

Japan's Irabu must be a Padre or nothing at all

By Mike Nodel
Associated Press

CHICAGO — Japanese pitcher Hideki Irabu must take his 100 mph fastball to San Diego — and San Diego only — major league baseball's executive council ruled Thursday.

ML Baseball

"The council has affirmed that Irabu is on reserve to the Chiba Lotte club (of Japan's Pacific League), and Chiba Lotte has given permission only to the Padres to sign Irabu," acting commissioner Bud Selig said after a five-hour meeting at a Chicago hotel.

"We've done all we can under the present circumstances. We merely looked at this in the context of the existing treaty with Japanese baseball."

Last month's deal between the Padres and the Chiba Lotte Marines, giving San Diego exclusive negotiating rights to Irabu, was permissible under a 1966 treaty between the major leagues and Japanese baseball.

Irabu repeatedly has said he wants to play only for the New York Yankees. And the Yankees — along with the Major League Baseball Players Association — are opposed to the council's ruling.

"A young man is being told he must leave his country and play baseball in America," said Gene Orza, the union's associate general counsel. "And if he doesn't, and chooses to stay home, he will then be subject to punishment under rules applicable only to him, so that he will never be a free agent in either Japan or the United States."

Orza said to imagine that there was no rule barring a major league team from assigning one of its players to a club in another country.

"Wouldn't any fair-minded person still say that telling the American player he had to go to Japan to play — or not play ever again — was simply, clearly and profoundly wrong?" he said.

Yankees owner George Steinbrenner wants to sign Irabu — a 27-year-old right-hander who was 12-6 last season and led the Pacific League with a 2.40 ERA. Steinbrenner was at Thursday's meeting but didn't comment to the media.

"He expressed himself very well today," Selig said. "There's been no grievance filed by anyone, so I'm not going to comment on what's going on."

However, the union is likely to file a grievance with arbitrator Nicholas Zumas, asking him to declare Irabu a free agent. And Irabu's agent, Don Nomura, has talked about suing baseball in federal court.

Neither Irabu, Nomura nor any Japanese baseball officials attended the meeting.