**California judge sides with baker in 'gay cake' row – 2/8/18**

A California baker can refuse service to same-sex couples over her religious objections and right to free speech, a Superior Court judge has ruled.

A bakery owner's lawyers argued that making the cakes violates her Christian beliefs and free religious expression.

The judge ruled the act of making cakes is protected as artistic expression and does not violate a state anti-discrimination law.

A similar case in Colorado is awaiting a US Supreme Court decision.

"A wedding cake is not just a cake in a Free Speech analysis. It is an artistic expression by the person making it that is to be used traditionally as a centerpiece in the celebration of a marriage," Kern County Superior Court Judge David Lampe wrote.

Tastries Bakery owner Cathy Miller said she was "very happy to serve everything from my cases to anybody", but she could not "be a part of a celebration that goes against my lord and saviour".

The US Supreme Court is set to rule on a similar case involving Colorado baker Jack C Phillips, who argues that he can refuse service to same-sex couples based on the First Amendment right to free speech and free exercise of religion clause.

The court heard arguments in the Masterpiece Cakeshop v Colorado Civil Rights Commission case in December.

The California case began when Ms Miller refused service to Mireya and Eileen Rodriguez-Del Rio, who requested a cake without any words or messages.

[According to court documents](https://bloximages.newyork1.vip.townnews.com/bakersfield.com/content/tncms/assets/v3/editorial/b/4f/b4fb4e8c-0b57-11e8-8a36-9b658b7eb697/5a79d28c1e6fc.pdf.pdf), Ms Miller said she would refer their order to competitor bakery Gimme Some Sugar "because she does not condone same-sex marriage".

The couple filed a complaint with California's Department of Fair Employment and Housing, which ruled in their favour, citing the state's Unruh Civil Rights Act that bars discrimination based on race, gender, religion or sexual orientation.

The state argued that the First Amendment did not apply since the couple had asked for a cake without a message.

Image copyright Reuters Image caption Jack Phillips is arguing a similar case in the US Supreme Court

Judge Lampe rejected the agency's decision, contending that the wedding was an example of the couple engaging in speech, which "could not be a greater form of expressive conduct".

But he warned that the ruling should not be taken as applicable to other circumstances.

"A retail tire shop may not refuse to sell a tire because the owner does not want to sell tires to same sex couples," Judge Lampe wrote.

"No baker may place their wares in a public display case, open their shop, and then refuse to sell because of race, religion, gender, or gender identification."

# EPA’s Scott Pruitt asks whether global warming ‘necessarily is a bad thing’

As head of the Environmental Protection Agency, Scott Pruitt has repeatedly questioned the scientific consensus that rising levels of carbon dioxide from human-fueled activity are warming the planet. He’s now taking a different tack: Even if climate change is occurring, as the vast majority of scientists say it is, a warmer atmosphere might not be so awful for humans, according to Pruitt.

“We know humans have most flourished during times of what, warming trends,” Pruitt said Tuesday during an [interview](http://news3lv.com/news/local/epa-chief-scott-pruitt-goes-one-on-one-with-news-3) on KSNV, an NBC affiliate in Las Vegas. “So I think there’s assumptions made that because the climate is warming, that that necessarily is a bad thing. Do we really know what the ideal surface temperature should be in the year 2100, in the year 2018? That’s fairly arrogant for us to think that we know exactly what it should be in 2100.”

Top of Form

Bottom of Form

Pruitt continued: “There are very important questions around the climate issue that folks really don’t get to. And that’s one of the reasons why I’ve talked about having an honest, open, transparent debate about what do we know, what don’t we know, so the American people can be informed and they can make decisions on their own with respect to these issues.”

 “I think that measuring with precision human activity on the climate is something very challenging to do, and there’s tremendous disagreement about the degree of impact, so no, I would not agree that it’s a primary contributor to the global warming that we see,” Pruitt [said](https://www.cnbc.com/2017/03/09/epa-chief-scott-pruitt.html) on CNBC’s “Squawk Box” in March. “We need to continue the debate and continue the review and the analysis.”

At the time, his comments represented a startling statement for an official so high in the U.S. government. They put him at odds not only with leaders around the world, but also with the EPA’s own official scientific findings. President Trump has famously [called](https://twitter.com/realdonaldtrump/status/265895292191248385) the idea of human-driven climate change a hoax. Other Cabinet members, including Energy Secretary Rick Perry, have questioned the scientific basis for combating global warming. He now seems to have embraced an argument long held by other climate-science skeptics: that a warmer atmosphere may in fact be better for humanity.

“The climate is changing. That’s not the debate. The debate is how do we know what the ideal surface temperature is in 2100? . . . I think the American people deserve an open honest transparent discussion about those things,” Pruitt said in an [interview](https://www.reuters.com/article/us-usa-epa-pruitt-exclusive/exclusive-trumps-epa-aims-to-replace-obama-era-climate-water-regulations-in-2018-idUSKBN1EZ079) with Reuters last month. During a hearing on Capitol Hill later in January, Pruitt said, “There are questions that we know the answer to; there are questions we don’t know the answer to. For example, what is the ideal surface temperature in the year 2100? [It’s] something that many folks have different perspective on.”

The theme echoes one advanced by Kathleen Hartnett White, Trump’s pick to lead the White House’s Council on Environmental Quality, who once touted carbon dioxide as “the gas of life on this planet.” The White House [withdrew](https://www.washingtonpost.com/news/energy-environment/wp/2018/02/03/white-house-to-withdraw-controversial-nominee-to-head-council-on-environmental-quality/) her nomination on Saturday after even Republican senators raised questions about her expertise. Pruitt also has been the main administration official [pushing](https://www.washingtonpost.com/news/energy-environment/wp/2017/07/01/epa-chief-pushing-governmentwide-effort-to-question-climate-change-science/) for a governmentwide effort to debate the science of climate change. He first raised the possibility of such a “red team-blue team” exercise in an [interview](https://www.washingtonpost.com/news/capital-weather-gang/wp/2017/06/07/epas-scott-pruitt-wants-to-set-up-opposing-teams-to-debate-climate-change-science/) in June. “What the American people deserve, I think, is a true, legitimate, peer-reviewed, objective, transparent discussion about CO2,” Pruitt [told](https://www.washingtonpost.com/news/capital-weather-gang/wp/2017/06/07/epas-scott-pruitt-wants-to-set-up-opposing-teams-to-debate-climate-change-science/) Breitbart’s Joel Pollack.

During his most recent congressional testimony, Pruitt came back to the same idea. “That red team-blue team exercise is an exercise to provide an opportunity to the American people to consume information from scientists that have different perspectives on key issues,” Pruitt told Sen. Jeff Merkley (D-Ore.), “and frankly could be used to build consensus in this body.”

It’s unclear why Pruitt thinks warmer temperatures may be better for people. The last 11,700 years, before the end of the last ice age, constitute a relatively stable period of climate for human civilization. Many of the cities built during those millennia dot the coasts of Earth’s continents and were situated there assuming relatively stable sea levels.

And while rising temperatures may indeed boost agricultural yield in some regions, they are projected to cause debilitating drought elsewhere. Although the not-so-bad argument may be new for Pruitt, some conservative and fossil-fuel industry groups have used it for almost three decades. In 1991, for example, the Western Fuels Association [funded](https://www.westernfuels.org/who-we-are/history) “The Greening of Planet Earth,” a 30-minute video arguing that more CO2 in the air helps farmers. In 2001, the Cato Institute echoed the video’s message. “The video was right,” Patrick J. Michaels, a senior fellow at the libertarian think tank, [wrote](https://www.cato.org/publications/commentary/global-warming-produced-greener-more-fruitful-planet). “The greens were wrong.”