

Santa Monica Daily Press

A newspaper with issues

Recycling Christmas



Carolyn Sackariason/Daily Press
An unidentified resident drops his Christmas tree at Reed Park on Lincoln Boulevard and California Avenue on Wednesday where city crews will pick it up and recycle it.

City wants to prevent state from taking \$170M

Elaborate plan hatched in response to Gov. Gray Davis' budget proposal

BY ANDY FIXMER
Daily Press Staff Writer

The city is scrambling to find a way to keep the state from taking more than a hundred million dollars away from Santa Monica.

Officials think that by selling parking garages to the city's redevelopment agency, the city can lock in \$170 million already planned to overhaul the structures. The move is an attempt to protect the city's money from being taken by the state so it can plug its \$34.8 billion deficit.

By selling the garages to the redevelopment agency, it would be responsible for maintaining them, which includes a planned \$97-million overhaul. That money is in jeopardy because Gov. Gray Davis is considering taking the redevelopment funds away from Santa Monica.

The City Council has called an emergency meeting scheduled for tonight in the Main Library auditorium to discuss plans that may hinder Davis from using Santa Monica's redevelopment money.



Carolyn Sackariason/Daily Press
Six downtown parking structures, including this one on Fourth Street, may be sold to a city agency so the state can't take money away from Santa Monica.

"The redevelopment agency would incur the debt and obligate it to finish the structures," said City Councilman Ken Genser. "We are trying to do this as fast as we can."

Davis on Friday is expected to propose taking back redevelopment money given to cities to repair facilities that were damaged in the 1994 Northridge earthquake. The money Santa Monica is entitled to is intended to pay for senior and low-income housing, capital improvements to the city's downtown parking structures, as

See PROPOSAL, page 5

Local landlord prevails over Rent Control Board

BY DAVE DANFORTH
Daily Press Staff Writer

A leading advocate of landlord rights has beaten Santa Monica's Rent Control Board in a courtroom over its \$132 annual fee.

Lawyer and landlord Gordon Gitlen had contested the Rent Control Board's effort to collect more than \$1,000 in fees and interest penalties charged at 60.1 percent annually.

The battle erupted over a small, dilapidated unit at the rear of Gitlen's property on Yale Street near Santa Monica

Boulevard. Gitlen claimed the Board had no right to charge him because he wasn't renting out his unit, which he used to house a caretaker.

The Board claimed that it could levy the fee on all units on rent control lists until owners complete a 120-day exit process. Gitlen apparently delayed his request to de-list his unit for reasons which aren't clear. He said his law office may have inadvertently paid earlier rent control registration fees.

See LANDLORD, page 6

Santa Monica's economy takes an upward turn

New sales tax returns show marked improvement

BY ANDY FIXMER
Daily Press Staff Writer

Santa Monica's economy posted gains for the first time in nearly two years, according to sales tax figures released Wednesday.

Compared to third quarter results from 2001, sales at local businesses from June to September 2002 improved citywide by 1.3 percent.

Leading the recovery was a 16.1 percent increase in sales at shops along Montana Avenue, a 15.8 percent increase in sales at stores along Wilshire Boulevard and an 8.2 percent improvement along Main Street.

"I think we have turned the corner," said Gwen Pentecost, a city economic analyst. "Businesses are coming back. It's not grand and spectacular, but they are

"Businesses are coming back. It's not grand and spectacular, but they are more than hanging in there."

— GWEN PENTECOST
Santa Monica Economic Analyst

more than hanging in there."

After two straight quarters of losses — 11 percent in the first quarter and more than 6 percent in the second — sales at stores citywide are still down 3.2 percent for the year.

However, 2001 sales were down 3.2 percent for the entire year. And officials

See ECONOMY, page 5

Are SUVs the axles of evil?

By The Associated Press

LOS ANGELES — If you own an SUV, you're part of America's problem, two television ads suggest.

A group opposed to U.S. reliance on foreign oil on Wednesday debuted two television ads that try to link gas-guzzling sport utility vehicles to terrorist funding, mimicking spots that connect drug money to "terrible things."

One commercial features a child's voiceover connecting the dots between a man filling his gas tank and terrorist

training footage. The closing statement: "Oil money supports some terrible things. What kind of mileage does your SUV get?"

The other ad features talking heads commenting about their SUVs. One person says, "My kids think it's cool." Another says, "I helped blow up a nightclub."

The 30-second ads were created for The Detroit Project, a nonprofit launched by syndicated columnist Arianna

See SUV, page 8

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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)
★★★★★ Your ingenuity comes to the rescue. Friends might distort what occurs. A midday walk or break proves to be unusually inspiring. Realize more of what you would like through conversations. A close associate might seem too willing. Tonight: Follow your imagination.

♉ TAURUS (April 20-May 20)
★★★ Listen well to what someone says. You might discover that his or her words drift right out of your mind. Don't decide that it's you, or the other person, for that matter. Note the illusive quality of the day. Aim for more of what you want. Tonight: How 'bout putting on a favorite piece of music?

♊ GEMINI (May 21-June 20)
★★★★★ Consider options, even if you might have difficulty conceptualizing. Use your dream state. Go for stream of consciousness. You might have difficulty pinning down a friend. Don't feel like you have to have an answer. Tonight: Where your friends are.

♋ CANCER (June 21-July 22)
★★★ Understand what someone is looking at. Don't hem and haw, simply aim high. How you see a financial situation could transform. Avoid making agreements right now, especially as they might not hold. Tonight: Leader of the gang.

♌ LEO (July 23-Aug. 22)
★★★★★ Reach out for those in your immediate circle. Consider your options carefully, especially those that surround an emotional matter. Use your creativity and imagination, and you'll get results. Reach out for someone at a distance. Tonight: Try some exotic cuisine.

♍ VIRGO (Aug. 23-Sept. 22)
★★★★★ Your ability to see others could be clouded by an emotional or personal matter. You also might need a break from a situation to gain a better perspective. Relax in the company of a friend who means a lot to you. Tonight: Work with a partner.

♎ LIBRA (Sept. 23-Oct. 22)
★★★★★ Keep reaching out for others, with the knowledge of what might be workable for them. Be ready for some wishy-washy answers. You might be rather vague as well. You could be inspired if you just flow from one idea to another. Tonight: Let someone else make the first move.

♏ SCORPIO (Oct. 23-Nov. 21)
★★★★ Reach out for associates. Express your intuitive feelings so that others can work with them. Charging some of this creativity into your work could make a big difference in the outcome. Others will also feel free to be more intuitive. Tonight: Don't make plans. Do only what you want.

♐ SAGITTARIUS (Nov. 22-Dec. 21)
★★★★★ Be more imaginative in your plans. Express more creativity in your word choice. You'll find that others respond with greater energy when you inspire them. Use caution if you feel something is off, especially while operating electrical or mechanical equipment. Tonight: Play the night away.

♑ CAPRICORN (Dec. 22-Jan. 19)
★★★★ What you think is a good investment just might not be. Right now the planets could be clouding your vision. Take off your rose-colored glasses. Be smart and allow time to test out an idea or investment. Tonight: Order in.

♒ AQUARIUS (Jan. 20-Feb. 18)
★★★★ No matter what you do, you might not be seeing the facts as clearly as you would like. You have a way of turning others on to your ideas so that they cannot see reality either. On the other hand, you could use this power of inspiration positively. Tonight: Follow the music.

♓ PISCES (Feb. 19-March 20)
★★★★ Use your intuition to follow through on what you want. Your instincts guide you in a new direction, if you're careful. Don't take any money risks that you cannot walk away from. In fact, if you can, buy yourself time. Tonight: Treat yourself to something new.

QUOTE of the DAY

**"While you're saving your face,
you're losing your ass."**

— Lyndon Johnson (1908-1973)

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1427 Third Street Promenade, Suite #202 • Santa Monica, CA 90401

PUBLISHER Ross Furukawa ross@smdp.com	CLASSIFIED REPRESENTATIVE Angela Downen angela@smdp.com
EDITOR Carolyn Sackariason sack@smdp.com	CLASSIFIED REPRESENTATIVE Paula Christensen paula@smdp.com
STAFF WRITER Andrew H. Fixmer andy@smdp.com	MEDIA CONSULTANT William Pattinosh william@smdp.com
NIGHT EDITOR Patrick McDonald PRMcDonald@aol.com	CIRCULATION MANAGER Kiutzu Cruz kiutzu@smdp.com
PRODUCTION MANAGER Del Pastrana del@smdp.com	SPECIAL PROJECTS Dave Danforth dave@smdp.com
PRODUCTION ASSISTANT Alejandro C. Cantarero alex@smdp.com	STAFF MASCOT Maya Furukawa ross@smdp.com

LOCAL

Boyfriend and girlfriend owe each other nothing

By Daily Press staff

A couple with a nasty habit of damaging each others' cars won't get any help from small claims court.

A Santa Monica judge has decided to let sleeping cars lie in a case in which a nurse sought \$1,000 from her unemployed actor/boyfriend after he scraped her car last August.

Alex Martin testified in December that he felt responsible after he scraped a pole while driving Carrie Gold on a date in her car last August.

But he forgot to ask Gold if she knew how to drive a stick shift before he lent his car to her as a way to make up for the damage. His car completely died — its clutch apparently burned out — as she

drove it to work. She said she had to ditch the car at a repair shop. The bill, Martin said, came to \$738.

Martin also said he let Gold charge a \$275 study course to his credit card, and asked the judge to rule that he'd done enough to offset Gold's \$1,000 suit against him for the deductible she had to pay to fix her car.

Commissioner Donna Groman agreed with him Wednesday. She ruled that both could collect from each other — with the same effect as if nothing had happened.

Martin, of Santa Monica, is a self-described unemployed voice-over artist who quit work as a census interviewer last year. Gold, of West Los Angeles, is a self-employed nurse.

ASI acquires local health-care consulting business

By Daily Press staff

Analytical Sciences Inc., a professional services company focused on enhancing human health, announced Wednesday that it has acquired Protocare Sciences, an evidenced-based, health-care consulting and analytic services business based in Santa Monica, Calif.

Protocare Sciences, which has experienced more than a 65 percent compounded growth in the consulting business since 1998, helps pharmaceutical, biotechnology and medical device companies across the world accelerate medical therapies to market. It previously operated as one of three divisions of Protocare Inc., a large provider of drug development services to clients in the pharmaceutical, biotechnology and nutrition fields. Prior to becoming a Protocare company in 1998, Protocare Sciences was part of the former Value Health Inc.

Under the acquisition, Protocare Sciences will operate as a separate business. ASI will provide significant operational support, expected to help the consulting company grow its revenues more than 300 percent in the next three years.

As part of the acquisition, Donato Tramuto, one of the founders of Protocare Inc., will continue to serve as Protocare Sciences' president and CEO. In addition, ASI has retained all of the strategic con-

sultants, analysts and support personnel from Protocare Sciences, bringing ASI's total employee base to more than 600. Protocare Sciences employees work from company offices in Santa Monica, Herndon, Va., and Boston, and from their home offices across the United States.

"Protocare Sciences is now better positioned to expand its business and services to a higher level," said Tramuto. "It is indeed exciting to be part of an organization that has demonstrated unprecedented growth and commitment to expanding through the basic principles of organic positioning, internal leveraging and acquisition strategies. We are very fortunate to start off this year with a platform that assures our continued growth."

The company will continue to deliver high-level, evidence-based consulting services to pharmaceutical and biotechnology companies, managed-care organizations, pharmacy benefit managers, foundations and health-policy groups.

"Our business will continue to operate with the same quality and value that our clients have come to expect without interruption," said Tramuto. "The biggest difference is that through the investments of ASI, we will be able to both optimize and expand our suite of services to meet the needs of our clients and the marketplace."

surf report

Information compiled by Jesse Haley

If winds stay low, we should see epic surf, shoulder-to-head-high waves, sun, and warm weather in the north and south.

Today, forecasts predict fading swell and decreasing size. Expect a one- to two-foot drop in wave height and less consistency to the sets.

Rumor of the day: Some people are saying the Santa Ana's are coming back today, and surf will be blown out.

The warm, offshore winds weren't a problem Tuesday, but there is a chance they could pick up, especially during the afternoon.



Today's Tides:

High-	1:07am	3.86'
Low-	5:52am	2.60'
High-	11:39am	4.66'
Low-	6:55pm	0.30'

Location	Thursday	Friday	Water Quality
County Line	4-6'/Fair	4-5'/Fair	A
Zuma	4-6'/Fair	3-5'/Fair	A
Surfrider	2-3'/Fair	1-2'/Fair	D
Topanga	3-4'/Fair	2-3'/Fair	A
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The Q-Line

The city was sued last Friday for instituting a law that requires charitable groups to have permits from the Los Angeles County Health Department and the city in order to feed the homeless. The charities argue it's their constitutional right to hand out free food.

City officials say the law is designed to reduce significant public health risks that the meal programs create, as well as to attach the free food with Santa Monica's social services (the city spends \$2 million annually on homeless services).

But many believe politics played a role in the law's passing, which they say

was designed as a way to get rid of the homeless population here by inadvertently eliminating food lines in city parks.

So this week Q-Line wants to know: "Do you think the new law is really about protecting the public, or is it to get rid of the food lines and subsequently the homeless?"

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print it in Friday's paper. Please limit your comments to a minute or less; it might help to think first about the wording of your response.

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OPINION

LETTERS

City needs to spend better

Editor:

The issue of feeding homeless people in the parks has gone on for some time now. But nowhere has it been mentioned that there is perhaps no more noble cause or decent thing for any citizen, or group of citizens, to do than to feed, clothe or shelter another fellow American who happens to be down on his or her luck. They ought to be commended for their kindness and community service.

There are, however, unfortunates, who would treat animals better than their fellow man. Meals provided for homeless individuals need not be prepared and distributed by any service agencies, the so-called "tying in of services to food" mentality. Rather, they just need to be wholesome and nutritious, and preferably served hot. No current agency in Santa Monica does this simple task, even though they all collectively split a couple of million dollars a year in city funding amongst themselves, after convincing the City Council and general public that they alone have the abilities and know best how to distribute it to the needy.

Though most homeless are grateful to have at least this: Same old small "cookie-cutter" paper bag cold lunches ... prepared and served day after day, yearly, without much actual change in their content or dietary value. Such bags given to the homeless by trusted agencies like O.P.C.C. and the Salvation Army are a far cry from what you are actually told is really being served. The bulk of the actual funding simply does not trickle down as it is supposed to; instead it is used for many purposes it was never intended for, or perhaps sent off to a higher office, to a divisional headquarters or such, much like most school funding.

City Council really ought to earmark, for specific uses, all such funds. And simply put, if these and any other agencies cannot do their simple jobs with the funding they are allotted, others ought to be sought out who can. Perhaps one or more of the blessed groups who care enough to feed the destitute in the parks, (sharing of a large picnic, more or less) could then step up to the plate. And because of this sad condition that exists with the little single daily brown bags, many believe that this is why a lot of homeless and low-income people have to cleverly devise other means to obtain the few things that they desperately need, by doing things such as panhandling, or flying a sign if necessary, to supplement their diets. Thereafter finding a cold cement door-

way or such to rest or sleep in.

From most homeless people's point of view, \$2 million a year is a whole lot of funding given to these agencies by the city, on top of what they receive from people's direct donations, for what they actually do. Little daily cold Plain Jane brown bags are one thing, but insultingly worse is the few times a year that an individual can receive a \$10 clothing voucher, which on its face has a very short redemption date. To have to get a "referral" from O.P.C.C. to take to the Salvation Army — both groups are apparently compensated for this service, which the Salvation Army writes a voucher to use exclusively at its own thrift store, to use/spend on up to \$10 of secondhand, completely donated clothing if any exists for your particular needs — one is expected to be delighted to peruse the jumble of shelves and racks in their store for what there is of worn out, ill-fitting clothing to masquerade about town in. What a racket! Maybe it's just thinking out of the box, but it seems to me that cleaner, neater, better fed homeless would have a better chance of getting back to work and off the streets. Feeding need not be tied to agencies, which mismanage such simple services. The city ought to inspect and license for free the caring feeders, open up at least one of the available Perry's stands on the beaches free for their use, to properly feed the homeless. Thank you.

Thom Trybus
Santa Monica

Misguided journey

Editor:

Concerning Sean Penn's misguided visit to Iraq, I concur with Evelyn Jerome. Penn is an ideologue and went looking for confirmation of his views and as a result was abused by Saddam's propaganda machine. While I'm not sure whether or not we should go to war, I can bet you that Penn's idea of wrestling with this issue has as much substance as a WWF match.

Ed Silverstein
Santa Monica

Obstacles to success is just a test of mice and men



TITTINGER'S TAKE

By Michael J. Tittinger

"Two mice are dropped into a bucket of cream," begins Christopher Walken in the new film "Catch Me if You Can."

"One quickly drowns. The second mouse keeps swimming and swimming until he churns the cream into butter and climbs out. I am the second mouse."

Lately, I had been wondering what kind of mouse I am.

Several months ago, I got a call out of the blue from Brian, a childhood friend. As kids we bloodied our knees and noses together playing tackle football in his backyard, as teens we bellowed drinking songs into the frigid Philadelphia sky while downing beers in the woods behind his house.

Brian was the friend we all wanted to be like — tough, popular, good-looking and mischievous. He had a quality about him that made it hard to hold a grudge, a childlike innocence. There was no question he was the leader of his circle of friends.

"Hey, man, I live 20 minutes from you," he shouted into the phone.

Brian and his wife had moved to Southern California shortly before I did.

They wanted to be closer to her sister. Some 3,000 miles removed from our hometown of Fox Chase, Pennsylvania, we had crossed paths once again. Neither of us knew the other was moving out here. To me, all this was a sign that I had truly found a new home, with familiar faces and hometown comforts beginning to emerge around me on the westside.

I don't think the feeling was mutual.

"I hate it out here," he said on the phone the other night. "The people are rude ... there's no work. I want a house, and I'll never be able to buy one out here."

"I'm sick of being in an apartment so small I can vacuum the whole thing without moving the plug to another outlet."

He's been trying to convince "the Mrs." into moving back East.

I had hoped that he would help me churn butter. Disappointed, I immediately concluded that he was the first mouse, that the cream of the left coast had swallowed him up as it does the stilted dreams of so many who flock here. The pressure and competition was sending him home with his mouse-tail between his legs. He had failed. He couldn't handle it. My big, tough childhood friend couldn't take the heat.

What became of the kid who seemed such a natural born leader?

Over the holidays I returned home to Fox Chase and drove past the fields on which Brian and I played football for St. Cecilia Grammar School. Our team was pitiful — winless, even held scoreless for

the first couple of games. But the most vivid memories of that team are of a group of kids who finally found the end zone, courtesy of our halfback Brian, and rejoiced as though they had won the district title.

Brian did a flip in the end zone, no small feat for a kid wearing 20 pounds of equipment, igniting a raucous and absolutely ridiculous celebration in light of the scoreboard tally. It didn't matter. We knew we were losing, but we managed to take pride in what we did achieve that day. We managed to take pride in ourselves for having the wherewithal to enjoy the moment, no matter how fleeting.

And Brian was our ringmaster, making the ordinary extraordinary.

And I remembered the kid who broke up fights in the schoolyard, sticking up for the weaker combatant. And I remembered the popular kid who would pal around with unpopular kids, seemingly oblivious to the snickering cliques. And I remembered the teen-ager who hitchhiked home from the Pocono Mountains (roughly 100 miles north of Philadelphia) in the middle of the night rather than stay in a house where drug use was prevalent.

I was wrong about Brian.

We were never the two mice placed into a bucket of cream because he never put himself in that position. Brian didn't move out West to break into the "industry," nor does he envision himself as a persuader of public opinion (though he is one).

The truth of the matter is he remains a leader. He embodies all the best things about Fox Chase — community involvement, close-knit families, watching out for one another, planting roots with loved ones. There is something to be said for the ones who shun the glitter of the cream for another bucket altogether, the ones who are oblivious to the snickering cliques.

His is not a case of a small man giving up on opportunity, but rather a big man reconciling with himself about what he wants out of life. In essence, we are one in the same, both chasing our dreams in the places we figure we'll find it.

Santa Monica is not for everyone. Nor is Fox Chase. My envisioning Brian as the first mouse — the washout — was way off base. He never wanted any parts of the bucket of cream in the first place. It's not what he's all about. His decision to depart is what makes him a leader. Brian is not allowing the West Coast to dictate what he wants, he's doing the dictating and is refusing to settle. He will be a star once again ... in Fox Chase.

I'd like to think that I am the second mouse, gaining some footing just by churning away each day on my keyboard. But my friend has taught me that it's just as important to make sure you're in the right bucket in the first place.

Mike Tittinger is a regular columnist who lives in Santa Monica.

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

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LOCAL



City believes Davis' budget proposals may be illegal

PROPOSAL, from page 1

well as the new library, a proposed plan to overhaul the Civic Center area and reinforcing Palisades Bluffs to prevent future mudslides and collapses.

Parts of the state budget were leaked this week to city officials, who believe Davis' proposal could appear before the Assembly Budget Committee by next week.

City Resource Management Director Jeff Mathieu said he and his colleagues are trying to find ways to thwart the state's efforts.

"We play by the rules of the game and follow the laws to the letter," Mathieu said. "And suddenly there are changes that are not anticipated and weren't discussed and so we are doing everything we can to protect the plans that we have committed to the community."

Cities across the state are scrambling to keep money in their redevelopment accounts so the state can't take it away, according to officials with the California League of Cities.

"Cities are looking across the board, and if they have dollars that are sitting around, they are trying to do the prudent thing that anybody else would do," said Ann Marie Wallace, a Los Angeles County regional representative of the league. "They are trying to prevent the worst from happening."

But it may be too late for Santa Monica to protect its cash.

City officials are anticipating Davis to take back funds cities were given months ago.

"We believe the state will go back and do this retroactively," said Genser.

A Davis spokesman wouldn't confirm that. If Davis did make seizure of redevelopment money retroactive, it would make Santa Monica's plan futile.

"They are free to do whatever they feel they need to do," said Davis' spokesman Byron Tucker of Santa Monica's tactics. "However, Gov. Davis is looking out for the best interests of the entire state, and

his budget reflects a balanced and responsible approach to this massive deficit.

"Whatever needs to be done, this deficit will be closed."

Mathieu said city officials argue Davis' proposal to take money away from cities may violate several state laws and the California constitution.

"There are questions regarding whether what the state is proposing is legal. From our perspective, what they are proposing seems unconstitutional."

— JEFF MATHIEU
Resource Management Director

"There are questions regarding whether what the state is proposing is legal," Mathieu said. "From our perspective, what they are proposing seems unconstitutional."

Santa Monica's redevelopment agency receives about \$19 million annually from the state through property taxes to help repair earthquake damage.

Since its inception nine years ago, the agency has issued more than \$70 million in bonds. Davis' proposal also could forbid redevelopment agencies from issuing any more bonds for 18 months.

Under the city's proposal, the redevelopment agency would enter into a cooperation agreement making it legally responsible to pay for the \$170-million worth of capital improvements planned for downtown Santa Monica.

"Our ability to comply with what we have promised the community is dependent upon these funds," Mathieu said.

Sales sag in city retail centers

ECONOMY, from page 1

point out there is still one more quarter of sales to be reported in 2002, which will possibly help the city to nearly break even. Fourth quarter sales are generally high because of the winter holidays, officials said.

"We're still down overall," Pentecost said. "But when you look at the bottom (line), we made more on sales this quarter in 2002 than in any other quarter, except for Christmas, since 2000."

Sales in the city's retail centers are still sagging, though.

On the Third Street Promenade, stores saw their sales fall by 3.4 percent last quarter, and they are down 2.7 percent for the year. Meanwhile, sales at shops throughout the city's downtown remained flat, and the entire district is down 2.7 percent for the year.

And in Santa Monica Place Mall, sales last quarter were down 3.8 percent, and they are down 12.3 percent for the year.

Pentecost said those declines are due mainly to large rental vacancies that have since been filled. New businesses have signed leases that will have a dramatic

impact on retail sales citywide, she said.

"Taxable sales is all part of one piece," Pentecost said. "When you have a generally healthy economy, it shows up in the retail and sales figures."

Other good economic indicators are appearing. Pentecost said employment is now on the rise and office vacancy rates are coming down. But officials won't know for sure if vacancy rates and unemployment are improving until April and December, respectively.

Another good sign Pentecost sees is that businesses — especially electronics and technology companies — are investing in themselves again.

"A lot of business put their spending on hold when they weren't too sure of what was going on," she said. "Well, now it appears they are starting to take that money and reinvest it. That's going to be key to a recovery across the country."

Pentecost also said the confluence of a targeted tourism campaign and a weak dollar have attracted many overseas visitors recently, who have helped drive retail and restaurant sales.

"Once it becomes a good deal to come here, then they come here," she said.

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LOCAL □ STATE



CA Coastal Commission intends to challenge ruling

BY LAURA WIDES
Associated Press Writer

LOS ANGELES — California Coastal Commission members said Wednesday they will ask the state attorney general to appeal a court ruling declaring the powerful regulatory board's makeup unconstitutional.

The comments came as the commission began meeting for the first time since the court's decision last month. An official vote was expected later in the day.

Commission attorney Ralph Faust assured commissioners that for now they still have full power to regulate development and protect the environment along the state's 1,100-mile coastline.

"The public should be aware that the wise course is to continue to seek coastal permits if it appears they are necessary," Commissioner Christina Vesser said.

The 3rd District Court of Appeal in Sacramento ruled Dec. 30 that the commission's structure violates the state Constitution because the Legislature appoints a majority of its voting members and can replace them at will, even though the commission is under the auspices of the executive branch.

The panel was created by a 1972 initiative. The Senate and Assembly appoint four voting members each and the governor appoints the other four.

If not appealed to the California Supreme Court, the ruling would become binding at the end of the month.

If that happens, the commission would be prohibited from granting or denying

coastal development permits and from issuing cease and desist orders to developers who violate coastal protection laws.

That could give a free pass to those seeking to build on the state's last, open coastal dunes, wetlands and seaside cliffs.

"There are three certainties in our lives — death, taxes and appealing this decision," Commissioner Pedro Nava said. "If we don't do that, the clock starts ticking."

Commissioners Sara Wan and Scott Peters were not present at Wednesday's session that began three days of meetings in Los Angeles. They had alternates there empowered to cast votes.

The commission had been scheduled to consider one of the largest coastal development proposals in state history — a controversial San Clemente plan to build more than 300 homes and a 22-acre retail center. However, the hearing was delayed at the request of developers.

Environmentalists believe the commission can operate normally as soon as it files an appeal, but others say the panel will remain open to attack until it is restructured by either the Legislature or the California Supreme Court.

"For now, every permit is a lawsuit," Commissioner Cynthia McClain Hill said.

The appeals court ruled in a lawsuit brought by the Marine Forests Society, a nonprofit group that wanted to use old tires to create an artificial reef off Newport Beach to develop a fish habitat. The commission ordered the society to halt the project in 1999 because it had not been issued a permit.

De-listing properties allows landlords to escape fees

LANDLORD, from page 1

The issue boiled down to Commissioner Donna Groman's interpretation of the phrase "controlled residential rental unit" in Santa Monica's rent control law. She ruled Wednesday that the phrase implies that a unit is actively rented. If it isn't, its owner doesn't have to pay the fee, she ruled.

It's unclear whether the ruling will have wider impact because most landlords de-list their properties and promise not to rent them so they don't have to pay the fees, as the state allows.

Gitlen had called his property a "lot with a shack in the back" when he argued the case before Groman Dec. 20. The Rent Control Board's Marti Padilla said the local law has no exemption to units which simply aren't being rented. To escape the fee, Padilla said, Gitlen would have to go through the 120-day application process.

At issue now is the fate of the unit's current occupant, the apparent caretaker. The city routinely visits units slated for de-listing to make sure they're unoccupied. But when city investigator Pete Savino checked on Gitlen's "shack" last month, he found a sleeping dog out front and a woman inside. He said she declined to say why she was there and referred him to Gitlen.

The lot, which is now for sale, originally had a much larger house on its front portion. But the home, damaged in the 1994 Northridge earthquake, won permis-



File photo
Gordon Gitlen's 'shack in the back,' which was charged a rent control fee.

sion for demolition and hasn't been replaced. The remaining 800-square-foot structure would go for \$312 monthly under rent control.

City guidelines suggest that de-listed units can't house anyone, but there is a separate permit process for an owner wishing to house someone at no cost. But the permit may not cover lots on which the owner doesn't live.

Gitlen is president of the anti-rent control group Action Apartment Association. His group believes the city should leave the rent control business and build low-cost housing instead. Rent control was instituted in Santa Monica in 1979 when Santa Monicans for Renters Rights became the dominate party on City Council.

Keith Kresge, the Rent Control Board attorney handling the Gitlen case, couldn't be reached Wednesday.

STATE



Supervisors endorse plan to preserve Hearst Ranch

By The Associated Press

SAN LUIS OBISPO — A vast, unspoiled tract of California coastline that's home to zebras, rare oaks and other exotic and endangered species could be saved by a Hearst Ranch preservation plan that has taken a step closer to finalization.

San Luis Obispo County supervisors voted unanimously Tuesday to support the proposal to save much of the 82,000-acre ranch from development.

The area, which surrounds Hearst Castle, boasts tide pools, grasslands and forests.

The private Hearst Corp. is negotiating to sell development rights to the American Land Conservancy for an estimated \$100 million to \$150 million.

Supervisor Shirley Bianchi said it is the best deal ever offered for the land 200 miles north of Los Angeles, where the heirs of William Randolph Hearst once proposed creating a resort city of 60,000.

The deal would open 18 miles of coastline to the public. Hearst would retain the right to build homes on 27 lots and an inn.

The money for the deal would come from a mix of public and private sources, including state bond measures.

Kara Blakeslee, a lead negotiator for the American Land Conservancy, said she hopes the conservancy and Hearst will complete the deal by spring.

The never-completed Hearst Castle draws more than 850,000 visitors a year.

Berkeley mayor pleads guilty

BY MICHELLE LOCKE

Associated Press Writer

OAKLAND — Berkeley Mayor Tom Bates pleaded guilty Wednesday to petty theft stemming from his trashing copies of a campus newspaper endorsing his opponent in last November's election.

Bates, who did not appear in court, was represented by his attorney, Malcolm Burnstein. He was fined \$100; the maximum fine would have been \$250.

The mayor faced an infraction, comparable to a traffic ticket, which did not carry the possibility of jail time or a jury trial.

Burnstein had little to say after his brief appearance in Oakland court.

"Tom has already made his statement," Burnstein said. "He said he would plead guilty and he did. We think the matter's now over."

As for Bates not appearing in court himself, Burnstein said, "This is an

infraction. Most lawyers appear for their clients in an infraction."

UC Berkeley police said three people saw Bates tossing stacks of The Daily Californian, the student newspaper of the University of California, Berkeley, on Nov. 4, the day before the election. The Daily Cal had endorsed the incumbent, Mayor Shirley Dean.

The incident took place on Sproul Plaza, which became the birthplace of the 1964 Free Speech Movement when thousands of students protested a since-lifted campus ban on political activity.

Bates at first denied throwing away the papers, but on Dec. 6, after the case was sent to county prosecutors, the incoming mayor apologized, saying he was tired on the last day of a difficult campaign and made a mistake.

Bates, a former state assemblyman, won the Nov. 5 election with nearly 56 percent of the vote to Dean's 42 percent.

Capitola's stinky beach closed

By The Associated Press

CAPITOLA — A sewage spill has left Capitola Beach a stinking mess and health officials have closed the popular stretch of surf and sand, claiming it poses a health hazard.

A large underground storm pipe fell on top of a raw sewage pipe, which in turn broke open and sent tons of sewage flooding to the open sea.

To make matters worse, the strong cur-

rents keep pushing the sewage back to shore and into a local creek.

The first signs, or smells, of trouble were noticed on Monday. Health officials have since closed Capitola Beach.

The waters normally used by surfers and swimmers now has 25 times the level of pollutants considered safe, local health officials said.

Crews worked on the broken pipes late Tuesday, but officials said it could be a week before the beach is reopened.

Mad River water may be sold

By The Associated Press

EUREKA — An Alaska businessman who was stymied in his attempts to transport water from two North Coast Rivers in giant bags to Southern California is trying again with water from the Mad River in Humboldt County.

Ric Davidge hopes to use his company, Aqueous Corp., to buy water that was once used by the Simpson Paper Co. pulp mill and by the Samoa Pacific Corp.

Samoa Pacific has changed to a new water-saving pulp process, and Simpson closed in the early 1990s. The mills used to use 45 million to 50 million gallons of water per day, but since Samoa Pacific switched its process and Simpson closed,

the water intake is now between 10 million and 12 million gallons per day.

The two mills sit on the Samoa Peninsula, where water from a surface well on the Mad River is pumped to two connections. The Humboldt Bay Municipal Water District still must consider Davidge's proposal to tap one of the connections and fill giant bags that can carry 30 million gallons of water each. The proposal must also go before the public before any agreement is reached.

Davidge tried unsuccessfully last year to collect water from the Gualala and Albion rivers to ship to parched communities in Southern California. The giant bags would be towed to Southern California behind boats.



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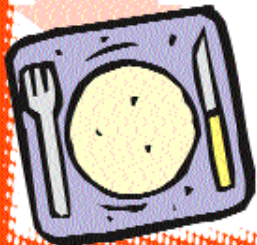
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STATE

Biotechnology firms ring up sales by developing drugs to treat rare diseases

BY PAUL ELIAS
AP Biotechnology Writer

SAN FRANCISCO — For the past 20 years, Robert Cloud has twice daily ingested GHB, the notorious "date-rape" and rave-scene drug.

"It saved my law practice," the Cincinnati lawyer says. "It saved me from disability."

GHB is illegal in the United States, classified alongside heroin and cocaine — except for Cloud and 725 other people given special dispensation because they suffer from a rare but dangerous complication of the sleep disorder narcolepsy.

Orphan Medical Inc., a tiny biotechnology firm in Minnetonka, Minn., began selling the drug to those patients in October after receiving federal regulatory approval and agreeing to distribute it under severe restrictions.

GHB is one of the medications covered by "orphan drug" laws. Enacted a decade ago in the United States and three years ago in Europe, they encourage biotech firms to develop drugs for diseases that affect only a small number of people, who otherwise would be ignored as unprofitable markets.

The U.S. law guarantees tax breaks, funding help and a seven-year monopoly. In Europe, the monopoly protection lasts a decade.

Backed by these government-sanctioned monopolies, a number of biotechnology companies are embracing niche markets, such as Genzyme Corp., one of the few profitable biotechnology companies thanks to its orphan drug Cerezyme, for Gaucher's disease, and Fabry's disease drug Fabrazyme.

Biogen Inc. rang up about \$1 billion in 2002 sales of Avonex, an orphan drug used to treat multiple sclerosis.

From 1983 to 2001, 228 orphan drugs were approved for sale in the United States, according to the Tufts Center for

the Study of Drug Development. The center estimates that only 40 to 60 similar drugs were approved from 1963 to 1982, the year before the orphan drug law was enacted.

"The lack of competition is real nice," said Orphan Medical's Mark Perrin.

Despite the regulatory hassles — only a single pharmacy is allowed to legally distribute GHB, short for gamma hydroxybutyrate — and the tiny market, Orphan Medical has high hopes for the drug.

Throughout the 1990s, the government cracked down on illegal GHB use because it is abused as a party drug, sex and athletic enhancer, and as a date-rape drug. Several dozen deaths are blamed on the chemical.

But in Cloud's case, Orphan Medical's GHB treats cataplexy, a muscle weakness complication that can cause people to collapse without warning.

He was first given GHB in 1983 by Martin Scharf, director of the Tri-State Sleep Disorders Center in Cincinnati, under a special federal license. He said GHB helps most cataplexy patients lead normal lives by reducing their attacks.

Between 25,000 and 50,000 people suffer from cataplexy, and Orphan Medical hopes to sell its \$5,000-a-year version of GHB to most of them.

Chief executive John Howell Bullion told potential investors this week that he expects Orphan Medical to soon ring up \$125 million in annual sales.

Genzyme made a similar bet on treating Gaucher's disease, a potentially deadly genetic disorder that causes anemia and enlarged organs.

Only 10,000 people suffer from the disease worldwide, and only 3,500 take Genzyme's Cerezyme.

However, the drug still generated about \$619 million for the company in 2002. That works out to \$170,000 per patient per year, making it one of the most expensive drugs on the market.

New TV commercials link SUVs to terrorism funding

SUV, from page 1

Huffington. They will begin airing Jan. 12 in New York, Los Angeles, Chicago, San Francisco, Washington and Detroit.

The ads were written and directed by Scott Burns, who was part of the creative team responsible for "Got Milk." They are intended to be humorous parodies, said Burns.

The ads were turned down by WABC in New York, KABC and KCBS in Los Angeles and WDIV in Detroit, according to campaign publicists Fenton Communications.

Huffington said the stations found them "controversial." The ads will air on "Face the Nation" and "Meet the Press" on Sunday.

"This campaign is not designed to demonize SUV owners," Huffington said. "We want to encourage customers to connect the dots and make socially responsible consumer choices."

The Detroit Project was created by

Americans for Fuel Efficient Cars, a group co-founded by Huffington, film producer Lawrence Bender, environmental activist Laurie David, and movie and TV agent Ari Emanuel.

In a November column, "Support Our Troops, Dump That SUV," Huffington wrote that Energy Secretary Spencer Abraham had warned that "reducing our nation's dependence on imported oil is crucial to our national energy security."

Huffington said she received more than 5,000 supportive letters and e-mails in response to her columns. The \$50,000 cost of creating the ads was covered by thousands of individual small contributions. Major donors contributed the \$175,000 to buy air time.

Opponents criticized the campaign's approach. Sam Kazman, general counsel of the Competitive Enterprise Institute, called it "elitist nonsense." The institute is a business lobby that favors a nongovernment approach to regulatory issues.

NATIONAL



No 'Viva, Las Vegas' for Nebo high school students

BY CATHERINE S. BLAKE
Associated Press Writer

SALT LAKE CITY — In the eyes of the Nebo School District board, Las Vegas is living up to its image as Sin City. And they want their students to have no part of it.

Three times, the board has denied a request by a Russian language teacher to take her high school students to Las Vegas

to visit temporary exhibits of Faberge eggs from Russia, Picasso and other European art inside two casinos.

"The board didn't feel comfortable with the whole lifestyle represented there," said Bonnie Palmer, a 16-year school board member. "Las Vegas is well-known to most people for that, and there's real concern about 100 minor children in that atmosphere."

Beverly Burdett, history and Russian language teacher at Springville High School, took a group of students to Las Vegas four years ago with board approval to see an art exhibit. For this weekend's trip, she had hoped to stop in Las Vegas on the way to San Diego to view more Russian art.

In Las Vegas, the group was to tour the Faberge exhibit at the Bellagio Hotel and Casino and the Guggenheim gallery at The Venetian, where the exhibit "Art Through the Ages: Masterpieces of Painting from Titian to Picasso" runs through March 2.

Burdett expected to get the board's approval. Instead, Burdett was told in an e-mail from a superior that if the group stops at either hotel or exhibit on the way to San Diego, it will be considered an act of insubordination.

"We have some very smutty billboards in Salt Lake these days," Burdett said. "We have prostitutes in Salt Lake. Are we going to ban an entire city?"

She stressed that the 50 students might not have the opportunity to see such rare art elsewhere. The Faberge exhibit, for instance, will return to Russia and other private exhibits when it leaves Las Vegas at the end of the month.

"Some of these Faberge jewels have never left Russia before," she said.

The Faberge collection draws from late 19th- and early 20th-century Russia, and includes the famed eggs, as well as jewelry, glassware, costumes and religious objects. The Guggenheim exhibit features works by Monet, Picasso, Jackson Pollock and Mark Rothko, among others.

"These art galleries are at the Bellagio and the Venetian," said school board spokeswoman Lana Hiskey. "The students would be at the casino. They would be on the Strip. And this makes (the board) very uncomfortable."

The trip as proposed didn't involve an overnight stay or a visit to the downtown area known as "The Strip."

The Bellagio Hotel and Casino has a separate entrance, located off the Strip, for school groups so those under 18 don't have to walk through the casino, said Matthew Hileman, spokesman for the Bellagio Gallery of Fine Art.

"I understand the concern about bringing high school students to Las Vegas," he said. "People have to understand there are quality and appropriate art works down here. I would hope that after doing some research they would see what a great thing this is."

A group of 50 students are paying \$100 each for the San Diego trip. Seven chaperones will accompany them. The district isn't paying for the trip.

A tragic accident



Chuck Burton/Associated Press

Emergency vehicles stand near the charred U.S. Airways hangar after a commuter plane crashed into it at Charlotte/Douglas International Airport in Charlotte, N.C., Wednesday. The crash killed 21 people, according to authorities.

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NATIONAL

Congress may delay national telemarketer do-not-call list

BY DAVID HO
Associated Press Writer

WASHINGTON — A federal plan to stop many unwanted telemarketing calls this year with a national "do-not-call" list may be delayed because of opposition from key lawmakers.

Rep. Billy Tauzin, R-La., chairman of the House Energy and Commerce Committee, said Wednesday that he and other committee members were wary of approving the permanent funding sought by the Federal Trade Commission.

Tauzin said he was interested in supporting the registry as a pilot program that would be renewed if it appeared to work.

"We simply want to make sure it's done right," he said at a congressional briefing.

The FTC believes the do-not-call registry will cost about \$16 million in its first year and would be paid for with fees collected from telemarketers. Collecting the fees requires congressional approval.

FTC Chairman Timothy Muris, testifying before the committee, agreed that funding the project for a couple years is a reasonable option, but unless approval comes soon the agency won't meet its goal of having the registry working by summer.

If approval doesn't come by early February, the program could be pushed back a year, FTC officials said.

Ken Johnson, a spokesman for Tauzin, said the congressman does want to fund the do-not-call registry for one or two years. He said the committee is "going to do everything we can to see that the program goes into effect this year."

The do-not-call list is part of revised

federal telemarketing rules issued by the FTC last month.

Consumers could enroll in the free service using the Internet or a toll-free number. Telemarketers would have to check the list every three months to find out who does not want to be called. Those who call listed people could be fined up to \$11,000 for each violation.

More than two dozen states already have their own do-not-call lists or pending legislation to create them. Muris said most states plan to add their lists to the FTC registry.

Lawmakers on the House committee universally praised the national do-not-call list, but voiced concerns about the FTC's limited authority to police telemarketing calls from certain industries, including airlines, banks and telephone companies.

Muris said the Federal Communications Commission, which oversees calls made

by those industries, is working with the FTC and is considering adding its clout to the national registry.

Tauzin's concerns echo those made by the Direct Marketing Association, which represents telemarketers.

"The FTC acted prematurely in attempting to establish this list," said H. Robert Wientzen, the group's president. It said it may challenge the rules in court, contending that they unlawfully restrict free speech.

The DMA spent at least \$1.2 million on lobbying in the last Congress, according to reports compiled by PoliticalMoneyLine, a nonpartisan Web site that tracks political spending.

Charities, surveys and calls on behalf of politicians also would be exempt from the registry.

Rep. Joe Barton, R-Texas, said he

would prefer a do-not-call list without those exemptions.

When Muris said a law passed by Congress prevents the FTC from dealing with political calls, Barton said: "We've seen the enemy and he's us."

Rep. Edward Markey, D-Mass., called the do-not-call list "a giant step forward for consumers who are often plagued by unwanted, intrusive, unsolicited telemarketing."

Markey's remarks were interrupted by the loud ringing of his cell phone. Answering the call, he said "No, I don't want to change my phone service. How did you get my cell phone number? I'm in a congressional hearing right now."

Markey's staff said after the briefing that the congressman had turned up the volume on his phone and arranged to receive the call to make his point about intrusive telemarketing.

United's flight attendants accept pay cuts

BY DAVE CARPENTER
AP Business Writer

CHICAGO — United's flight attendants agreed to temporary 9 percent wage cuts Wednesday to help the airline climb out of bankruptcy.

The flight attendants became the fourth of five United unions to agree to the airline's request for emergency pay cuts. The lone holdout is the Machinists union, whose leaders refused to put pay reductions to a vote by its 37,000 members.

United's pilots and two small unions, representing dispatchers and meteorologists, announced Tuesday that their members had approved immediate double-digit cuts.

The flight attendants, like the pilots, voted overwhelmingly to accept the interim cuts. Ninety-four percent of those participating in weeklong voting that ended Wednesday voted in favor of the wage-cut agreement, the union said, though turnout among United's 24,000 flight attendants was just 62 percent.

"This cut is very painful, especially since flight attendant compensation is so minimal to begin with," said Greg Davidowitch, president of the United branch of the Association of Flight Attendants.

Flight attendants' pay before the cuts ranged from \$17,000 to \$44,000 a year.

United chief executive Glenn Tilton

said he was grateful for the flight attendants' decision.

United, based in Elk Grove Village, filed for Chapter 11 bankruptcy last month. The airline said it must reduce wages by \$2.4 billion a year through 2008.

The Machinists union, however, has objected to United's proposed 13 percent reductions, saying the company has not provided sufficient evidence.

A bankruptcy judge is expected to rule Thursday or Friday on whether to impose the pay reductions on the Machinists.

United parent UAL Corp. fell 7 cents to close at \$1.42 on the New York Stock Exchange.

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INTERNATIONAL



Venezuelan bank unions call for a two-day strike

BY CHRISTOPHER TOOTHAKER
Associated Press Writer

CARACAS, Venezuela — Bank workers on Wednesday called a work stoppage in support of the month-old general strike against President Hugo Chavez that has paralyzed the world's fifth-biggest oil exporter.

The two-day walkout will start Thursday, said Jose Torres, president of the Petrabanca umbrella group of bank unions. Automated teller machines will be closed, but banks will still process emergency payments, such as hospital and pharmacy bills.

Banks are already only opening three hours a day — a management decision — and citizens stand in line for hours outside before they open. Bankers are ignoring a government order to return to normal hours or face unspecified penalties.

Venezuela's largest labor confederation, its biggest business chamber and opposition political parties began the strike Dec. 2 to pressure Chavez to resign or accept an early vote on his rule. The president has refused to do either.

Strike leaders canceled a march on the National Elections Council on Wednesday for fear of clashes with Chavez supporters who gathered at there early on. Running battles between government foes and followers and security forces killed two people and injured 78 Friday.

The strike has been most effective in Venezuela's oil industry, which provides half of government income and 80 percent of export revenue.

Energy Minister Rafael Ramirez announced plans Tuesday night to restructure the state oil company, Petroleos de Venezuela S.A., to tighten government



Andres Leighton/Associated Press

Demonstrators flee the area in front of the National Elections Council building in Caracas, Venezuela, Wednesday after national guardsmen fired tear gas to disperse supporters of President Hugo Chavez who were throwing objects at the building. Opposition leaders were holding a news conference at the building.

control and eliminate dissent.

The oil monopoly's Caracas headquarters would be mostly dismantled and the administration moved to two centers of operation in eastern and western Venezuela, Ramirez said in a nationally televised speech.

Ramirez did not say how many of the 7,000 workers at the headquarters would lose their jobs. Most are among the 35,000 company workers on strike. The government says it will fire strikers and already has dismissed high-ranking executives.

Ramirez said a new board "with a more strategic vision" will soon be appointed.

The company will focus more on production of crude oil, gasoline and refining, he said.

Chavez long has said he wanted to restructure the company, which he has called a "state within a state" run by privileged executives. Chavez wants to increase government revenues from the company.

"We need a PDVSA much more efficient ... and not as an oil enclave, but a company at the service of the nation," Ramirez said. Bureaucracy in Caracas increases operating costs by \$1 billion a year, he claimed.

The strike has helped send international oil prices above \$30 a barrel. PDVSA activity is seen as gradually picking up but is still well below normal. Crude out-

put is estimated at about 400,000 barrels a day, compared with the pre-strike level of 3 million barrels a day. Exports, normally 2.5 million barrels a day, are at 500,000 barrels a day. The difference between current production and exports is a result of oil stocks on hand.

Three Venezuelan Navy ships are due to arrive in the Colombian seaport of Barranquilla this week to collect rice, beans and other food staples that Venezuela is purchasing from Colombian producers.

The strike leaders are calling for a Feb. 2 referendum on Chavez's rule. On Nov. 4, a march to the National Elections Council to deliver 2 million signatures on a petition for the referendum was attacked by government supporters. More than 76 people were injured in running street battles between police protecting the marchers and Chavez activists known as Chavistas.

Last April, dissident military officers ousted Chavez a day after 19 people were killed in a protest march. Chavez was restored two days later by loyalist troops after an interim government dissolved the constitution, triggering a popular rebellion by his supporters.

Chavez on Tuesday accused strike leaders of hurting Venezuela's majority poor by throwing the economy into chaos and threatening to stop paying taxes.

"We are starting the year with many economic difficulties," Chavez said at a public school in Catia, one of the poorest districts in Caracas. "Now, a group of treacherous Venezuelans is calling for tax evasion."

Tens of thousands of people marched on the offices of the federal tax agency to support a tax boycott on Tuesday.

The government may have to cut the \$25 billion 2003 budget by up to 10 percent, Finance Minister Tobias Nobrega said. Taxes were supposed to pay for a third of the budget. Oil exports were supposed to pay for half.

U.S. treasurer, officials help Mexicans send remittances home to relatives from U.S.

BY LISA J. ADAMS
Associated Press Writer

MEXICO CITY — U.S. Treasurer Rosario Marin and Mexican banking officials launched a program Tuesday aimed at helping Mexicans obtain broader access to the billions of dollars in remittances sent home each year by relatives in the United States.

The program, called "The People's Network," will link BANSEFI, a Mexican federal savings bank, with five Mexican credit unions and savings and loans institutions, to deliver financial services — including remittances — to poor, rural Mexicans who most heavily rely on money from the north.

The banks will charge low commissions on remittances to encourage residents to open accounts, hoping they will save some of the money — something they are believed unlikely to do if they cash the remittances at a shopping center or other commercial businesses.

Currently, about 90 percent of remittances sent to Mexico from the United States — an estimated \$10 billion annual-

ly — is spent on consumer goods, said BANSEFI General Director Javier Gavito.

The network's goal is for some of the money, by being deposited into bank accounts, will be invested in houses, small businesses, and other long-term development projects, "principally in those regions that because of their socio-economic conditions are the chief exporters of labor to the United States," Gavito said.

Marin, a Mexican-American who migrated to the United States as a young girl, has been involved in joint U.S.-Mexican efforts aimed at reducing the costs of sending money from the United States and at seeing the remittances invested in long-term community projects.

"People are opening their own businesses — their tortilla stands, their convenience stores — all thanks to remittances," said Marin, adding that as a result of "The People's Network," "we're going to have more people not only opening their own small businesses, but also buying their own house."

BY PATRICK McDOWELL
Associated Press Writer

KUWAIT CITY, Kuwait — U.S. troop reinforcements landed Wednesday in Kuwait, part of the biggest buildup in the region since the Gulf War as Washington heightens pressure on Iraq to give up alleged weapons of mass destruction.

Military officials would not disclose the units or numbers of troops. But chartered jets have been leaving the United States since late Monday, and additional forces had arrived by Wednesday, said Sgt. 1st Class David Dismukes of the U.S. Army's public affairs office.

Soldiers from two brigades of the Army's 3rd Infantry Division, which specializes in desert warfare, began leaving their Georgia base Monday after receiving orders to join a brigade already in Kuwait.

A chartered civilian jetliner landed Wednesday at the Kuwaiti air force base next to Kuwait International Airport. Later, a convoy of troops in four buses escorted by machine-gun equipped

Humvees and Kuwaiti police cars left the airport. Its ultimate destination was unknown.

Several U.S. military installations have been established in Kuwait, including camps in the desert named New York, Virginia and Pennsylvania after three of the states struck in the Sept. 11 terror attacks.

The deployment will bring the infantry division's entire 17,000 soldiers to the Gulf region. Its 2nd Brigade conducted the biggest live-fire exercise since the Gulf War just before Christmas. And the division is widely expected to spearhead any invasion into Iraq, if President Bush gives the order, to rid it of weapons of mass destruction.

Saddam Hussein denies possessing such arms. U.N. inspectors in Iraq verifying Saddam's claims are to give a crucial status report Jan. 27.

The current deployment of military forces to the region includes other Army and Marine divisions and Navy aircraft carrier battle groups.

DID YOU KNOW?: A person spends 1 hour and 6 minutes per day on travelling.



SPORTS

Tagliabue implements changes in officiating procedures

BY DAVE GOLDBERG

AP Football Writer

NEW YORK — The NFL implemented several officiating changes Wednesday, including the positioning of officials on field-goal attempts to avoid future foul-ups like the one at the end of the Giants-49ers playoff game.

Under the new policy, initiated by commissioner Paul Tagliabue, the seven field officials will be realigned so they can better see what happens in the event of a fake field goal or a botched attempt, like the one at the end of last Sunday's game, won by the 49ers 39-38.

The new policy will begin with this weekend's four playoff games.

In addition, the new policy calls for the field officials to confer on controversial game-deciding calls at the end of games instead of just the referee and the other officials who made the call.

However, the officials involved in Sunday's botched call are unlikely to be disciplined beyond bad grades that will keep them from working the Super Bowl this season, according to a source within the league who requested anonymity.

In the Giants-49ers game, a bad snap on a potential game-winning 41-yard field goal by New York on the game's final play was fumbled and then picked up by holder Matt Allen. He tried a desperation pass on which there

was clearly interference against Rich Seubert, a guard wearing No. 69 who had lined up as an eligible receiver.

As teams are required, the Giants had told the officials before the game that Seubert would be eligible on field-goal attempts and extra points.

In a rare public admission of culpability, the league announced Monday that officials correctly threw a flag for an ineligible receiver downfield against Tam Hopkins, a New York offensive lineman who ran beyond the line of scrimmage. But the league also said a flag should have been thrown against San Francisco's Chike Okeafor for pass interference against Seubert, who came close to catching the ball that Allen heaved downfield.

The offsetting field goals would have allowed the Giants to try the kick again.

As for discipline, Tagliabue said: "As I have learned from successful coaches like John Madden and Bill Parcells, we do not make overall personnel decisions until the season is completed, not during the season."

NFL rules actually have provisions for replaying parts of games or — as in this case — one play. However that has never been done and the league said in this case that it is obviously impractical.

In reality, there are mistakes by officials every week — coaches routinely ask the officiating department to review calls that they think were improperly handled. The NFL then responds to the coaches, often telling them they were

correct and occasionally the controversies become public when teams announce that they have been wronged.

But rarely has the league volunteered that officials made a mistake, something it did this week because of the magnitude of the game and the national exposure it got.

Officials are graded on their performances in every game — obviously receiving lower grades if they make mistakes.

Those rated at the top at each position are given playoff assignments. And those that finish No. 1 are assigned to the Super Bowl. If they are consistently rated low, they are fired.

However, there are exceptions.

For example, Scott Green, the back judge involved in the call in the Giants'-49ers game, did last year's Super Bowl and was rated No. 1 at his position this year. However, he would not have been eligible for the title game in any case because league policy prohibits an official from working it two years in succession.

But league officials noted that since the officials in the Giants-49ers game had been rated high enough to get playoff assignments it was unlikely there would be discipline beyond low grades for the game. They also said those downgraded for mistakes in Sunday's game will likely start over with clean slates next year — as does every official.

"That's the way we handle it every year," Tagliabue said.

Kobe Bryant finds a new zone as Lakers defeat Sonics

BY JOHN NADEL

AP Sports Writer

LOS ANGELES — Kobe Bryant rose to stardom with medium-range jumpers, dazzling drives to the basket and soaring dunks.

For one game, he found another dimension — the 3-pointer.

Bryant made an NBA-record 12 shots from beyond the arc, including nine straight Tuesday night to lead the Los Angeles Lakers to a 119-98 victory over the Seattle SuperSonics.

"That was perhaps the greatest streak shooting I have ever seen in my life," said Lakers coach Phil Jackson, who saw plenty of memorable exhibitions while coaching Michael Jordan and the Chicago Bulls for nine years.

Bryant scored 38 points in a span of 17 1/2 minutes during the second and third quarters, making 11-of-13 shots from 3-point range during that time.

He finished with 45 points — one off his season-high — in 37 minutes.

"I just felt an incredible rhythm," Bryant said with a big smile afterward. "And the calmness, it wasn't like I was rushing or anything like that. It's hard to describe, I didn't really realize what was going on, really."

And making it even more surprising: Just last Saturday night in Phoenix, he shot 0-for-8 from 3-point range.

Against the Sonics, Bryant appeared to be having a forgettable game midway through the second quarter, having shot 2-of-8 for four points and missing his only 3-point attempt.

Suddenly, and without warning, he couldn't miss. And when it was over, he had broken the record of 11 3-pointers set by Orlando's Dennis Scott against Atlanta on April 18, 1996.

Bryant made his first 3-pointer with 5:28 left in the second quarter, and before the period was completed, he had connected on five more to surpass his previous career best by one.

The capacity crowd of 18,997 at Staples Center reveled in Bryant's performance, chanting "Kobe, Kobe, Kobe" as his shots went swish, swish, swish.

He kept up his streak at halftime, making four more shots without a miss including three from 3-point range, giving him nine consecutive 3-pointers and 10 baskets in a row overall.

The previous single-game 3-point record was eight straight by Steve Smith, Sam Perkins and Jeff Hornacek.

"Pulling up, he felt it, and he felt like the basket was an ocean," Seattle star Gary Payton said. "He was just in a rhythm. It was good defense on all of them."

After finally misfiring from deep in the left corner, Bryant made another pair of long-distance bombs to tie Scott's record with 2 1/2 minutes remaining in the third period.

He set the mark with 6:58 to play in the game.

"You just look up and all of a sudden, you realize that you have six 3s at the end of the second quarter, and that didn't really sink in because you are just shooting them one at a time and the next thing you know, they just start coming and piling up," Bryant said.

"Even the ones I missed felt like they were going in."

Bryant entered the season having made 293 3-pointers in 933 attempts (31.4 percent) in 414 games. He made 26-of-92 (28.3 percent) in the Lakers' first 34 games this season.

"I've felt that good inside the arc before, but never outside of the arc," he said. "You get into a focus mode and just focus yourself on the basket."

Bryant raised his scoring average to 27.6 points. He ranks second in the NBA behind Orlando's Tracy McGrady, who is averaging 30.3 points.

"I hope I'm next," said Rick Fox, who hit two of the Lakers' franchise-record 17 3-pointers. "I bet everyone would take that night. That's something that you rarely



Chris Carlson/Associated Press

Los Angeles Lakers' Kobe Bryant (8) makes his NBA-record 12th three-point basket of the game over Seattle SuperSonics' Desmond Mason, Tuesday, in Los Angeles. The Lakers won 119-98.

see in the league, nights like this by great players."

Bryant scored a career-high 56 points last January in a 120-81 victory over Memphis. He played only 34 minutes in that game, sitting out the fourth quarter after shooting 21-of-34, including 3-of-6 from 3-point range and 11-of-12 free throws.

He didn't mention that game when asked if he had ever shot as well as he did Tuesday night.

"Maybe one time, when I was, like, 7 years old. I had 63 points," Bryant said. "I was playing against kids who were 14, in Italy."

Marathon runner tests positive for drugs; disqualified

By The Associated Press

NEW YORK — New York City Marathon third-place finisher Olivera Jevtic of Yugoslavia was disqualified and stripped of her prize money Wednesday after a positive drug test.

Jevtic's national track and field federation determined that she used the banned substance ephedrine, a stimulant that is found in dietary supplements and can cause seizures, strokes or death.

The Yugoslavian federation issued Jevtic a public warning but did not suspend her.

New York Road Runners officials revised the official results for the Nov. 3 NYC Marathon, placing Esther Kiplagat of Kenya third, Marla Runyan of the United States fourth, and Margaret Okayo of Kenya fifth.

Runyan's fourth-place finish matches the best showing by an American woman at the five-borough race since Kim Jones in 1996. American Milena Glusac moved from 10th to ninth place.

Prize money will be adjusted accordingly.

COMICS



The Dinette Set by Julie Larson



Natural Selection® By Russ Wallace



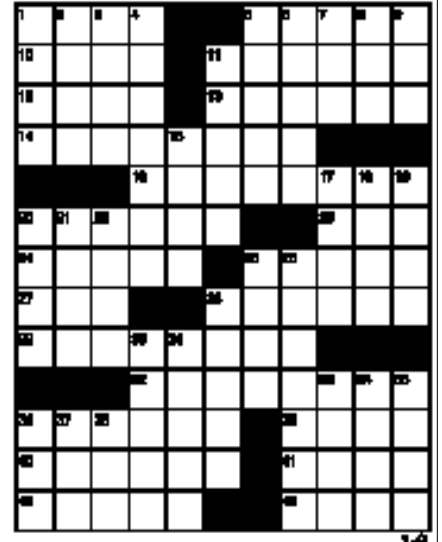
CROSSWORD By THOMAS JOSEPH

- ACROSS**
- 1 "Lohen-grin" lady
 - 2 Turkish currency
 - 3 Croat, e.g.
 - 4 Quickie
 - 5 Wilfrid
 - 6 cohort
 - 8 Western event
 - 7 Gallic agreement
 - 9 Can. neighbor
 - 10 — Aviv
 - 11 Turkey
 - 12 topper
 - 13 Notoriety
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 - 16 Russia of "Tin Cup"
 - 17 Baseball's Mal
 - 18 Prepare for a play
 - 19 Frequency range
 - 20 Extinct mammal
 - 21 Threat and
 - 22 Jason's ship
 - 23 Keep
 - 24 Told tales
 - 25 Fleet makeup
 - 26 Not as much



- DOWN**
- 1 Swelled heads
 - 2 Garbage hauler
 - 3 War of 1912
 - 4 Epochs
 - 5 Reactor parts
 - 6 Planet
 - 7 Old auto
 - 8 Greek vowel
 - 9 2000 De Niro film
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NEWS OF THE WEIRD by Chuck Shepard

Arsonists who accidentally set themselves on fire

- Jay Glaspey, 37, was hospitalized in Des Moines, Iowa, in September after accidentally setting himself on fire while trying to burn his girlfriend's bed after a fight.
- Cordell T. Holland, 24, was hospitalized in Prince George's County, Md., in July after accidentally setting himself on fire while trying to burn up his car for the insurance.
- Timothy Grubb, 46, was hospitalized in Cleveland in October after accidentally setting himself on fire while trying to burn down his ex-girlfriend's house.

FUNNY PAPERZ

"THE SHIELD?"



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020 Legal Notices	300 For Rent	650 Health/Beauty
100 Employment	400 Real Estate	

SANTA MONICA SCENE °CALENDAR EDITION

THURSDAY, JANUARY 9, 2003

THURSDAY

Artful Science: The Social-Cultural Relationship Between Built and Natural Environments. **Sam Francis Gallery** at Crossroads School in Santa Monica presents an exhibition of drawings, paintings, photographs, and sculpture. Mon-Fri, 10am to 4pm through February 14. 1714 Twenty-First St., 2nd Floor, Peter Boxenbaum Arts Building. For more information please call (310)829-7391 ext. 425.

Ongoing support groups for people 55 and older. Current openings in Men's Group. Thursdays, 11:15 to 12:45. **Center for Healthy Aging**, 2125 Arizona Avenue. Sliding scale fee. Not drop-in groups. Phone interview required. Call Information and Referral. (310)576-2550.

Dharma at the Clubhouse. A weekly book and multimedia study group, no fee. Applying studies of Buddhism-Dharma into our daily lives. Every Thursday night at the Clubhouse at Douglas Park, 25th & Wilshire. 7:30 to 9pm. Dan (310) 451-4368 www.santamonica-cakkg.org

O'Briens Irish Pub, 2941 Main St., Santa Monica, pours A Pint of Funny, every Thurs., 8 p.m. FREE! (310)396-4725.

Senior Suppers - Discounted meals for people AGE 55 or older are served daily, from 3:30 p.m. To 7 p.m., in the cafeteria at Santa Monica-UCLA Medical Center, 1250 16th Street in Santa Monica. \$3.69 Info only: (310)319-4837.

Gotham Hall presents Comedy Night! Featuring professional stand-ups. Every Thursday, 1431 3rd St. Promenade, 8pm. Admission is \$5 + 2 item minimum. 21 and over. (323)525-5254

Unurban Coffee House presents Komedly Crunch every Thursday evening. Showtime is 7pm. 3301 Pico Blvd. (310)315-0056

FRIDAY

Santa Monica High School Theater Arts Department presents Romeo & Juliet. Friday and Saturday nights at 8:00pm. November 22nd through December 21st. \$10.00 for students, children, and seniors, \$15.00 for adults. Humanities Center Theater at Santa Monica High School, 601 Pico Blvd. For more information please call (310)458-5939.

MAGICOPOLIS presents HOCUS POCUS! (Fish Bones Choke Us). The stage explodes with a colorful mix of Magic, Special Effects, Sleight of Hand, Comedy and Music that's sure to delight audiences of all ages. At MAGICOPOLIS, 1418 Fourth Street, Santa Monica. Fridays & Saturdays at 8pm, \$20. Saturday & Sundays at 2pm, \$15. For tickets call 310-451-2241.

Santa Monica Strutters, a FREE program sponsored by UCLA Healthcare's 50-Plus Program! Walking programs for adults 50 or older looking for safe, low-impact exercise in a comfortable environment. The Santa Monica Strutters meet Mondays, Wednesdays, and Fridays, from 8 a.m. To 10 a.m., at Santa Monica Place, Fourth St. and Broadway Ave. in Santa Monica.

Senior Suppers - Discounted meals for people AGE 55 or older are served daily, from 3:30 p.m. To 7 p.m., in the cafeteria at Santa Monica-UCLA Medical Center, 1250 16th Street in Santa Monica. \$3.69 Info only: (310)319-4837.

MOVIE °GUIDE

LOEWS CINIPLEX BROADWAY CINEMA

1441 Third St. at Broadway
About Schmidt (R) 12:40, 3:40, 6:40, 9:40. **Two Weeks Notice** (PG-13) 12:10, 2:40, 5:10, 7:40, 10:10. **Antwone Fisher** (PG-13) 1:00, 4:00, 7:00, 10:00. **The Hours** (PG-13) 1:20, 4:20, 7:20, 10:20.

MANN CRITERION

1313 Third St.
Harry Potter and the Chamber of Secrets (PG) 11:30, 3:15, 7:05, 10:30. **Treasure Planet** (PG) 12:00. **The Hot Chick** (PG-13) 2:30, 5:00, 7:45, 10:10. **Gangs of New York** (R) 11:15, 12:15, 3:00, 4:15, 7:10, 8:15, 10:40. **Narc** (R) 11:00, 1:45, 4:30, 7:15, 10:00. **Adaptation** (R) 12:30, 3:45, 7:30, 10:20.

AMC THEATRE SM 7

1310 3rd Street
Die Another Day (PG-13) 4:05. **Drumline** (PG-13) 12:30. **Maid in Manhattan** (PG-13) 1:40, 4:20, 7:25, 10:00. **Star Trek: Nemesis** (PG-13) 1:45, 4:30, 7:15, 9:50. **The Lord of the Rings: The Two Towers** (PG-13) 1:00, 4:45, 8:30, 9:20. **Catch Me If You Can** (PG-13) 12:45, 3:10, 4:00, 6:20, 7:10, 9:30, 10:15. **Analyze That** (R) 1:30, 7:00. **Chicago** (PG-13) 1:15, 4:20, 7:40, 10:20.

LANDMARK NU-WILSHIRE

1314 Wilshire Blvd.
Love Liza (R) 12:15, 2:30, 4:45, 7:30, 10:00. **The Pianist** (R) 12:30, 3:45, 7:00, 10:15.

LAEMMLE MONICA

1332 2nd St.
Pinocchio (NR) 1:45, 4:20, 7:00, 9:40. **Frida** (R) 1:45, 4:30, 7:15, 10:05. **Max** (R) 1:30, 4:35, 7:25, 10:05. **Far From Heaven** (PG-13) 1:30, 4:15, 7:00, 9:45.

AERO THEATER

1328 Montana Ave.
My Big Fat Greek Wedding 5:30, 7:30, 9:30.



BACK PAGE

As little as a drink a day keeps the heart attack away

BY JANET McCONNAUGHEY

Associated Press Writer

Scientists know drinking can prevent heart attacks, but new research shows that how often you imbibe is a lot more important than what or how much.

As little as half a drink every other day is enough to reduce the risk, regardless of whether it is beer, red wine, white wine or liquor, the study indicates. Whether you drink it with your meal or at some other time also appears irrelevant.

"It was a surprise that — almost regardless of other factors associated with drinking — frequency of use seemed to be what reduced the subsequent risk of a heart attack," said Dr. Kenneth Mukamal of Harvard University Medical School, who led the study.

Those who drank at least three days a week had about one-third fewer heart attacks than did non-drinkers. And it made almost no difference whether the drinking consisted of half a drink or four. Those who imbibed only once or twice a week had only a 16 percent lower risk of a heart attack.

Some studies have indicated that alcohol raises the level of "good" cholesterol and also thins the blood, warding off the clots that cause heart attacks. But alcohol breaks down fairly rapidly in the body and its effects on red blood cells are short-lived, according to Mukamal.

Mukamal speculated that regular, moderate drinking is beneficial because it helps keep the blood thinned.

"We think it may be much like people who take aspirin every day or every other day. A little bit of alcohol on a regular basis helps keep the platelets from becoming sticky and prevents heart attacks," he said.

He noted that other studies have found that people

with a gene that keeps alcohol longer in their system seem to benefit the most from moderate drinking. "That helps reinforce the notion that maintaining a low level of exposure is the way to go," he said.

The study was published in Thursday's New England Journal of Medicine.

"A little bit of alcohol on a regular basis helps keep the platelets from becoming sticky and prevents heart attacks."

— DR. KENNETH MUKAMAL
Harvard University Medical School

Mukamal and other doctors emphasized that the study applies only to moderate drinkers. The dangers of heavy drinking are well-established and include alcoholism, drunken driving, and damage to the liver and brain. Studies have also found that women who have two or more drinks a day are 41 percent more likely to develop breast cancer than women who do not drink.

"I don't think any doctor would advise a patient to start drinking to prevent heart disease," said Dr. Gary Francis, director of the coronary intensive care unit at the Cleveland Clinic.

"We all, both the media and physicians who see

patients, need to be careful that this isn't construed as a license to drink heavily. Certainly we don't want to exchange one public health problem for another."

Mukamal and every other doctor interviewed for comment emphasized that people should talk to their physicians about drinking.

Doctors have long believed that red wine explains the so-called French Paradox — the fact that the French have fewer heart attacks than Americans even though their food is richer. But the new study adds to the evidence that it is the alcohol itself, and not something found only in red wine, such as red pigment, that is good for the heart.

Mukamal analyzed data from a long-term study of 51,529 male health professionals — doctors, osteopaths, dentists, optometrists, podiatrists and veterinarians. He looked at 38,077 of them, eliminating people who had stopped drinking within the previous 10 years and those with histories of cancer and diseases of the heart or blood vessels.

Dr. Lynn Smaha, a cardiologist in Sayre, Pa., and a past president of the American Heart Association, said the study leaves some important questions unanswered. Among them: whether it would apply to a wider group than health professionals, who may take better care of themselves than the average drinker.

Smaha also noted that the overall rate of heart attacks — 1,418 cases out of 38,000 people — was very low, for reasons that were not clear.

He said he will continue to be very cautious in what he tells his patients about drinking.

And he worried about how some drinkers might interpret the study: "I can see the scene in a bar: 'The paper says I should drink more. Where are my keys?'"

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