

Santa Monica Daily Press

A newspaper with issues

LOTO

FANTASY 5

16, 34, 17, 26, 33

DAILY 3

Afternoon picks: 7, 2, 7

Evening picks: 6, 6, 5

DAILY DERBY

1st Place: 1, Gold Rush

2nd Place: 7, Eureka

3rd Place: 4, Big Ben

Race Time: 1:46.85



NEWS OF THE WEIRD

by Chuck Shepard

■ Eva Reyes, 71, the mother of convicted murderer David Maust of Hammond, Ind., said in December, upon being informed that Maust had been charged with three more murders: "I love David, but, yes, (the death penalty) would be the right thing to do for him (if convicted)."

■ In December, Lynda Nixon, the mother of convicted double murderer Ian Huntley (Soham, England), told The Sun newspaper: "I believe Ian should not live after what he's done. I truly wish we had capital punishment" (and she went on to specify an "electric chair").

QUOTE OF THE DAY

"Being a woman is a terribly difficult trade, since it consists principally of dealing with men."

— Joseph Conrad

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City leaders: 'Anybody but Bush'

Governor's propositions get mixed reviews

BY JOHN WOOD

Daily Press Staff Writer

The most contentious issues on today's ballot have split the members of the Santa Monica City Council, according to a Monday poll.

While some favor Gov. Arnold Schwarzenegger's budget recovery plan — put forward as Propositions 57 and 58 — others expressed serious reservations about the proposals, which would let the state borrow \$15 billion to help it climb out of debt.

Members of the council reached a consensus on other matters. All of those polled said they hoped to see President George W. Bush ousted in November. Asked which contender was most appealing, some declined to comment and others said they would make a decision today.

"I've been giving it a lot of thought, and I still haven't made my mind up," said Mayor Richard Bloom, a registered Democrat. "I'm very confident ... looking at either (Sen. John) Kerry or (Sen. John) Edwards, in being able to win an election against George Bush. And as far as I'm concerned, that's what matters."

With Kerry well ahead in the

"... I have no desire to bond with Schwarzenegger. I'll be voting no on 57 and 58."

— KEVIN MCKEOWN

Santa Monica City Councilman

battle for the Democratic endorsement, the most contentious issues on today's ballot appear to be Schwarzenegger's twin budget proposals. In addition to allowing the state to borrow \$15 billion, Props. 57 and 58 would establish an \$8 billion reserve fund, force the legislature to pass a balanced budget each year and forbid the state from using deficit bonds in the future. Both must pass for either to become law.

No matter which way today's election goes, Santa Monica is sure to be in the national spotlight. Scores of news vans and reporters on Monday began setting up downtown to cover the election night returns. Gov. Schwarzenegger and State Controller Steve Westly, who has campaigned vigorously on behalf of the propositions, will be at the Fairmont Miramar Hotel on Wilshire Boulevard tonight.

Pundits have said the election will serve as a referendum on the popularity of Schwarzenegger, who might have tied his chances of re-election to the proposals because he will be forced to make

severe cuts if the propositions don't pass.

Bloom, along with City Councilmen Ken Genser and Kevin McKeown, expressed seri-

ous reservations about Schwarzenegger's propositions.

"(Proposition) 58 is OK, but 57 is a bond," said Genser, a registered Democrat. "I cannot support the bond knowing that the governor gave back \$4 billion in auto registration tax. I can't see how. And it's just wrong to borrow to cover debt. The thing they need to do is make changes ... by cutting

See VOTE, page 7

Vote today — To find a polling place or for other information about today's election, log on to www.lavote.net or call (800) 815-2666. Santa Monica residents can also call the City Clerk's office at (310) 458-8211. For an explanation of propositions, see page 7.



An artist's rendering of what the development on the east and west sides of Main Street will look like as approved.

Main Street property now off the market

BY CAROLYN SACKARIASON

Daily Press Staff Writer

OCEAN PARK — One of the last undeveloped pieces of Main Street, which was up for sale last year, is no longer on the market.

Developer Howard Jacobs, who owned the property on the north end of Main Street and has been approved for a residential and commercial complex, has transferred the land to his former company, 2000 Main Street LLC.

The property was taken off the market about six months ago, said John Walsh, an agent with Marcus & Millichap Real Estate Investment Brokerage Co. Walsh declined to say who now owns 2000 Main Street LLC., except to say that an ownership group represents the corporation. Other

sources close to the property say Jacobs, who now lives in Florida, is serving as a consultant to the LLC. But they also declined to say who's in control of the property.

Walsh said the property was taken off the block because the ownership group no longer wanted to sell it. However, he expects the land will be up for sale again later this year at a price yet to be determined.

The property had been put on the market in November 2002 for \$27 million, shortly after Jacobs got the final approval in a process that took more than three years. Jacobs last April said he had several offers from developers, but apparently they fell through and the abandoned building remains a desolate part of Main Street.

See PROPERTY, page 6

Chain store breaks the bread for SM location

BY JAMIE WETHERBE

Special to the Daily Press

Polly's Bakery Cafe bustles during lunch hour with meals and conversation exchanged between employees and patrons, something that's been going on for decades.

But because of rising rent, those who frequent the restaurant — located on Fifth Street and Wilshire Boulevard — will be looking for a new place to go this month.

"I'm going to miss (the employees)," said Rose Drake, 83, who's been lunching at Polly's since it opened about 30 years



Rob Schwenker/Daily Press
After 30 years, Polly's, a popular restaurant with longtime locals, will close on March 22.

See POLLY'S, page 6

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Aim for what you want, Cancer



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)

★★★★ Extremes mark expenditures and feelings. You might go out of your way for a family member or roommate. Be honest with yourself, whether this person has expectations of you or not. You might want to look at your motives. Tonight: Order in.

♉ TAURUS (April 20-May 20)

★★★★ Where you put your energy counts. Others could be quite exhausted and might need you to pitch in. Establish limits to what you will get involved with, or you easily could be overwhelmed. Be generous, but know when enough is enough. Tonight: Visit with a friend or loved one.

♊ GEMINI (May 21-June 20)

★★★ What you do to your bank account could be a result of pent-up anger. Establish limits to your budget and extravagance. You will tend to go to extremes to please someone or a group. Remember to let others pitch in. Tonight: Find your favorite person.

♋ CANCER (June 21-July 22)

★★★★ Aim for what you want, and you'll discover that others will pitch in. Expect nothing less than success, but be careful about touting your victory too much. Celebrate, but be careful to whom you toot your horn. Tonight: Whatever the Moon Child wants.

♌ LEO (July 23-Aug. 22)

★★ Think carefully about what you would like to do with a public appearance or work-related issue. Follow your sixth sense, and you won't go wrong. Those at a distance or a foreigner could play a role as well. Check out options. Tonight: A must appearance.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Where your friends are is where you want to be. Make calls and start thinking "vacation." You could be delighted by the end results. Investigate options involving a goal or special relationship. Be forthright, and others will respond. Tonight: Where the gang is.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★ You discover that others want to pitch in and help you. Stay on top of your game. Others seem to go out of their way and are only too happy to help, no matter what. Ask for what seems important, as the stars wave good news toward you. Tonight: Accept an invitation.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★ Discussions with others involve many different complexities. Some people could be more assertive than you would like. Don't react. Detach, and you will gain understanding. Add more sensitivity to your daily life. Tonight: Watch a favorite TV show or listen to a preferred piece of music.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Work with individuals, and allow your creativity to float up. You're capable of getting the job done because of unusually high energy right now. You can follow through on what you do. Take time for a child or loved one. Tonight: Snuggle in.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★★ Others seek you out on a major level. You might need to think about how much you can handle. You could have ingenuity on your side, but you might also want some cozy time at home. Many will be preparing their home for a major facelift. Tonight: Add more spice to your life.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★ Pace yourself and get the job done. Question what might be going on within a key relationship that involves your daily life. You could be adding that extra touch to your communication. A loved one wants more of your time. Tonight: Take the charge out of a conversation.

♓ PISCES (Feb. 19-March 20)

★★★★ No one can hold you down, nor does anyone want to. The tendency to overspend marks your interactions. You might enjoy giving, but think of the long-run repercussions here. Risk-taking, when it involves your security, might not be wise. Tonight: Ever playful.

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LOCAL



Vikings end season on top

Local Sports



THE HOT CORNER

By Jonathan Lee

The winter sports season at Santa Monica High School was a remarkable one. Every varsity team except for the girls' water polo team advanced in the playoffs. Tremendous individual performances and flashes of dominance already have the Vikings looking forward to next year.

After defeating Diamond Bar 78-59 in the first round of the CIF playoffs, the boys' basketball team went on the road to play Downey on Feb. 24. The teams matched up pretty evenly, but Downey's stellar defense eventually stymied Samohi's offensive attack.

Of the 16 players from this year's team, five are graduating. The strong nucleus of young talent hopes to take over the leadership responsibilities of seniors Greg Walker and Tim McGrath. The Ocean League champions are anticipating a beneficial off-season of hard work as they prepare to defend their title.

Led by seniors Claire Beitcher, Emily Grand and Amy Kearsely, the girls' soccer team captured the Ocean League title and advanced to the second round of the playoffs, where they lost 3-0 against Mayfair on Feb. 25. Facing the No. 3 team in Southern California and the 25th ranked team nationally, Samohi held Mayfield to one goal in the first half. However, Samohi was stifled by Mayfield's suffocating defense and failed to score.

Although many of its most talented players are graduating, the large number of younger starters will allow the girls' soccer team to be competitive once again.

Boasting some of the most talented players in the Bay League, the boys' soccer team captured the Bay League title and finished one of its most successful seasons. With head coach Manu Appellius providing guidance for his young stars, the Vikings played confidently against Corona del Mar on Feb. 24 in the second round of the CIF playoffs. Very evenly matched, neither team scored in the first half. However, after Corona del Mar scored early in the second half, Samohi blew numerous scoring opportunities and was unable to answer.

After a bittersweet end to their season, the Vikings are looking forward to the

return of juniors Omid Shokoufandeh and Mike Eyler. The loss of senior co-captain Carlos Lopez will hurt, but Samohi's stockpile of talent will have them competing again next season.

Competing in the tough Central Southern Division of CIF, 11 members of the wrestling team traveled to Centennial High School on Feb. 20. Almost all of the wrestlers on the team (11 out of 14) qualified for the meet after placing in the top three in the league finals. Six of these wrestlers qualified for the Master's tournament on Feb. 26, which was an amazing achievement. Held at Fountain Valley High School in Huntington Beach, the Master's tournament included the top wrestlers from Southern California. Senior Matt Ishler placed fifth and qualified to wrestle for state.

Samohi's club ice hockey team is still in the hunt for its shot in the playoffs. The team is 6-3 in the regular season and faces Mira Costa on March 6 and El Segundo on March 8. Both will present difficult opponents for Samohi to overcome, but the Vikings are coming off a 4-2 victory against Mira Costa's Tier Two team and are confident that their success will carry over.

(Jonathan Lee is a sports editor at The Samohi and enjoys being Homecoming Duke, writing, playing sports and hanging out with his homeboys and homegirls. He can be reached at jleebroadcast@yahoo.com).

Dodge ball



Photo courtesy

Former Dodger star Steve Yeager signs a ball for Santa Monica Little Leaguer Sam Adams on Saturday. The 53rd annual "Opening Day" for the SMLL season was held at Memorial Park.

surf report

The NW ground swell begins to fade today. Average areas continue to see mostly waist-high surf.

OUTLOOK: Short period NW wind swell will be on the rise through the afternoon and into Wednesday as strong NW winds develop in the outer waters as a result of a low pressure system pushing down the coast — but it's junky.

We'll also see a touch of SW swell today and Wednesday. Most spots will generally stay in the waist-high range or below.

Write us at wood@smdp.com and tell us what the surf is doing today at your local break. Epic.

Today the water is:

58°

	LOW TIDES		HIGH TIDES	
	LOW ONE	LOW TWO	HIGH ONE	HIGH TWO
SATURDAY	11:21 AM	N/A	2:33 AM	N/A
SUNDAY	12:11 PM	11:06 PM	4:04 AM	7:42 PM
MONDAY	12:49 PM	N/A	5:12 AM	7:48 PM
TUESDAY	12:04 AM	1:22 PM	6:02 AM	8:05 PM
WEDNESDAY	12:43 AM	1:46 PM	6:39 AM	8:18 PM
THURSDAY	1:17 AM	2:16 PM	7:18 AM	8:40 PM
FRIDAY	1:45 AM	2:37 PM	7:50 AM	9:00 PM

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The Q-Line

The recent debut of Mel Gibson's movie "The Passion of the Christ" has sparked a fervent debate in religious and non-religious circles.

Some feel the film is a true depiction of the end for Jesus Christ. Others feel it is anti-Semitic and inaccurate.

So, this week Q-Line wants to know,

"What do you think of 'The Passion' and why?"

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

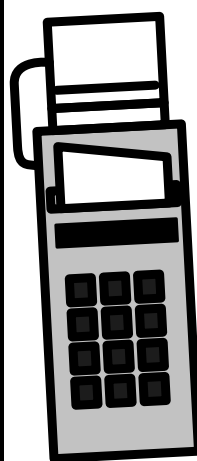
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LETTERS

Columnist right on with gay marriage

Editor:

David Pizarra's article about the gay and lesbian marriages taking place in San Francisco was informative, eloquent and held a great deal of insight as to the logic and justice that will certainly prevail in this simple case of equality and civil rights (SMDP, Feb. 24, page 5). We are lucky in our little city to have a local writer with such a deep understanding of a great national problem.

Lorraine Farrell
Santa Monica

No return from customer after strike

Editor:

"We're fighting for the rights of workers." What ever happened to the respect of customers? I have been harassed when shopping at a local Albertsons. If the strike ever ends, I will avoid Vons, Ralphs and Albertsons. I am going to take my business elsewhere.

These workers should worry about how they treat customers whether they are on strike or not.

Nick Steers
Santa Monica

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Try taking a walk on the lighter side of reality

THE FLORA
FILES

By Todd Flora

George Bush wants me to write about gay marriage this week. But I'm not taking the bait. Our president is using this distraction to try and make you forget about real, everyday issues — health care, the environment, the spiraling deficit, overseas commitments and jobs. Whatever your opinion on gay marriage is, the point is that it should be standing way back in line behind the list of priorities for our federal government to worry about. Focus, America. Focus!

Instead, this week I'm going to have a little fun with some random blurbs that have been going through my head — some political, some not — for a while

now. Enjoy. This is intended as a "lighter side" of reality.

First off, happy Election Day. Don't forget to vote.

■ All right, I'll say it. During presidential elections, they make the Republicans red on the electoral map and the Democrats blue because they don't want people calling the Democrats a bunch of "Reds." Just admit it, Dan Rather. I know what you and the news producers are up to, and quite frankly — I'm darn appreciative.

■ Do you think we'll look back in 10 years at Hummer "H2s" and laugh? Gosh, I hope so. Because I would much rather those tears be laughter. I mean, is there any better symbol of the excessive era of "macho politics" in which we live than the Hummer? In 2002, America decided it not only needed a new SUV, but also one that looked like an armored vehicle. I mean, if they wanted me to be afraid, they succeeded.

Keep in mind, I'm not making fun of people. In my world, the bumper sticker should read, "Fight SUVs. Not people

with SUVs."

■ My idea of Heaven? Trying to think up the funniest RSVP reply possible to Internet "E-vites." It's just a one-way ticket to comedy, and I'm never coming back.

■ Can we talk Kinko's employees for a moment? What is their problem? They have quickly surpassed DMV employees as the most miserable and unfriendly on the planet. And they love to throw it in your face how much they won't do for you. I mean, did Kinko's headquarters submit a want ad that read: "Slow, unhappy, unfriendly persons with a can't-do attitude — we're looking to give you work. Apply today!" This doesn't apply to any one Kinko's, mind you. There is something in the water at ALL of them. So, with apologies to the good one(s?), I'm sorry to ask the rest of you for the most basic help at a reasonable price with a semi-friendly attitude. I can't be alone — please e-mail me to share your nightmare Kinko's story.

■ Reality TV. Are we done yet? Hey, I

don't mind the "Star Search" type shows that earnestly look for talent. Some of the judges have a self-importance that is nauseating, but those shows have at least launched several stars into the reality of a career. But what about MTV's "The Real World" and similar shows? That's manufactured reality. Why do we watch? Why? Where's life's lesson in living with a bunch of whiny 20 somethings in a palatial, fully stocked mansion? I miss Tabitha Soren and the "MTV is serious and substantive" era. Can I get an order of that, on the double? And these dating shows are just getting ridiculous. Trista and Ryan? Why am I supposed to care about these people?

So friends, that's just where I am today. Thanks for the break from the serious.

Todd Flora is a government relations manager and seven-year resident of Santa Monica. He is active in Heal the Bay and the Democratic Party. To respond or reach Todd, e-mail him at: reformadvocate@yahoo.com.

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.

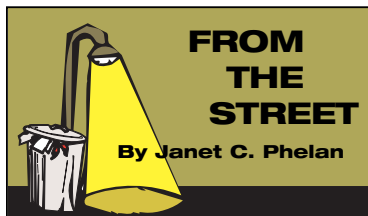
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OPINION

Homeless under attack by government



"Who can hope to attain anything great if he does not possess sufficient strength and force of will to be able to inflict great suffering ... But not to succumb to a feeling of distress and uncertainty when one inflicts great suffering and listens to the shriek of the sufferer — that is great, that is true greatness."

— Frederick Nietzsche

It is beginning to rain in Palisades Park. The sky is the color of despair. Inclement weather notwithstanding, approximately 140 homeless are gathered for the Wednesday afternoon picnic hosted by Paul Grymkowski. Huddled under the trees to escape the rain, no one appears to be leaving. Soon, Grymkowski and his crew will be serving a cooked pasta and meat dish, along with a fresh salad, fruit, bagels and punch.

The previous evening, the Santa Monica City Council voted nearly unilaterally to approve an ordinance making it illegal to provide food in public areas, such as parks and sidewalks. Councilman Kevin McKeown was the sole dissenting vote. According to a local high school student who requested not to be identified, news of this ordinance has traveled as far as India, where she had recently visited. She related the expressions of shock and disbelief half a world away concerning

Santa Monica's attempts to make eating even more problematic for the poor.

This perception was echoed by Grymkowski, a local businessman and Topanga Canyon resident who has been hosting the picnics for four years. "Many of these people are unemployable, or there are just no jobs for someone living on the street. The services have been cut back. What really amazes me is that with so many other issues to address in running a city, the city of Santa Monica is putting enormous time, energy and money into trying to stop good-hearted people from helping the homeless."

City Attorney Marsha Moutrie, whose office drafted the ordinance, declined to speak on the record concerning the matter. When pressed for a statement, she admitted, "It is theoretically possible that there will be arrests" for those providing food to homeless people.

Grymkowski is hanging tough. He intends to continue his picnics and insists that the ordinance does not apply to him.

"I am having a picnic for my family and friends," he said. "If the city shuts down my picnic, they will have to do the same to every other picnic in Santa Monica." He added he is prepared for battle if the city attempts to end the Wednesday and Thursday events. Pointedly, he commented that, "The city is prepared to fund costly legal action to prevent the picnics, whereas those funds could be used to support additional food and shelter programs."

Jersey Lewis, a homeless resident of Santa Monica, sums up the situation in this manner: "We are fighting for our survival as human beings."

Frederich Nietzsche, the philosopher whose work provided the underpinnings

for Hitler's Third Reich, wrote in "Will to Power": "From now on there will be more favorable preconditions for more comprehensive forms of dominion, whose like has never yet existed. And even this is not the most important thing; the possibility has been established for the production of international racial unions whose task it will be to rear a master race, the future 'masters of the earth.' The time is coming when politics will have a different meaning."

Several weeks ago, Santa Monica Mayor Bloom, who voted for the ordinance, hosted a meeting for "Bring L.A. Home" in the Santa Monica Civic Auditorium. He stated that the call had come from President Bush to end homelessness in the United States in 10 years. With the federal government now withholding the funds for Section 8 housing in the cities and county of Los Angeles, and city government voting for a measure that will only serve to increase hunger among the homeless, one wonders if it is homelessness that is under attack or the homeless themselves.

(Janet C. Phelan is a university graduate and a freelance writer who has been published in many publications over the years, including the Los Angeles Times. She has been homeless in Santa Monica for a year.)

An open door



This week's mystery photo winner is Beverly Collins. The door is located in Woodlawn Cemetery and goes to the entrance to the Elks' mausoleum.

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LOCAL

Developer's suit appeal against City Hall still pending

PROPERTY, from page 1

The development site occupies the entire block bounded between Neilson Way and Main Street, and Bay Street and Bicknell Avenue, as well as another parcel across the street. The larger site, on the west side of Main Street, used to be the location of the Pioneer Boulangerie Bakery.

Along with the price tag comes all the approvals and conditions given by the Santa Monica City Council to build the 170,000-square-foot, four-story, 133-unit housing and retail development. Typically those conditions are good for one year and the developer can apply for a six-month extension.

But as time was running out on the

conditions — the plans for the property were approved by the City Council in February 2002 — building permits were issued last week by City Hall, according to Chris Harding, a local land use attorney. He added that approval might make it more attractive to prospective buyers.

"Now he's in a better position to develop it because we have building permits," Harding said.

City Councilman Ken Genser said building permits are good for 18 months. He hopes to see the property developed soon, however he would like to see some design changes that he didn't like during the approval process.

"I supported the project, and I have no objection to it being built, but I wouldn't mind if someone rethought the project," he said, adding he thought the design was too massive and the buildings should be more uniform instead of several different facades as they are planned currently.

Jacobs had envisioned the ground floor of the buildings' retail space to have neighborhood-serving stores and upstairs, luxury apartments for rent.

Jacobs, who has developed seven other properties in Santa Monica, battled City Hall for nearly four years to get the project approved. It went through several different revamps before the City Council signed off on it.

The developer also sued City Hall — claiming the planning department spent too long preparing a crucial document that reviews impacts to the neighborhood. Jacobs claims it has cost him millions of dollars because City Hall dragged its feet in completing the environmental impact review of the project. The report was completed several months after the supposed deadline.

Jacobs has said in the past that the delay has cost him nearly \$3 million because he

was sitting on land that he had to pay for and the city delayed him his right to get a return on his investment in a timely manner. Jacobs has said that he pays \$115,000 a month for the mortgage, insurance and maintenance of the property.

A Santa Monica judge dismissed the case last May, but there are plans to appeal it, said Jacobs' attorney Steve Schiffres. The City Council recently discussed the status of the case and settlement negotiations have been on and off.

"We are always committed to working something out with City Hall," Schiffres said.

Santa Monica Superior Court Judge Patricia Collins granted the city's motion to dismiss the lawsuit on the grounds that the city is not liable for permit delays. Judge Collins ruled that the city had not deprived Jacobs of his property rights and "delays in the permit process itself are not actionable."

Judge Collins ruled that "such delays are an incident of ownership that may be imposed on the developer rather than the general taxpayer without violating the United States Constitution." Judge Collins also ruled that Jacobs failed to produce any admissible evidence to show that the city fabricated delays.

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New restaurant chain hits downtown Santa Monica

POLLY'S, from page 1

ago. "We have lots of fun."

Fernando Salvador, Polly's general manager, said some of the more than 45 employees will be transferred to the other 13 Polly's in Orange County and Long Beach. Others don't want to leave Santa Monica.

"I've got employees who've been working (here) for 20 years," Salvador said.

The restaurant and bakery will close its doors on March 22, the building owners having upped the rent — the latest in a city trend that sees more and more long-standing "mom-and-pop" shops being pushed out by corporate chain stores that can afford the lease.

"The city doesn't have any control over it," said City Planner Bruce Leach.

About a year ago, the building that houses Polly's was sold to Oakland-based Friedkin Investment Company, who asked for \$22,000 in rent — almost triple what the restaurant had been paying, according to Polly's co-owner.

"We're not happy to leave," Eddie Sheldrake said. "We had no option really. We can't pay that kind of rent."

Chain-restaurant Panera Bread will be renting the 4,100-square-foot building for between \$15,000 and \$20,000 a month, said Philip MacDonald, a financial spokesman for the company.

It's a lower price than what space commands on the nearby Third Street Promenade, said Joseph Fitzsimons, vice president of Sullivan-Dituri Realtors, a Santa Monica-based commercial real estate firm. Promenade storefronts rent for between \$7 and \$12 a square foot, while Panera will be paying between \$4 and \$5.

The Midwestern-based Panera, which owns more than 550 bakery and cafes, will start construction in early April and



Jamie Wetherbe/Daily Press
Santa Monican Rose Drake sits at a booth in Polly's Bakery Cafe, one of her favorite places to go with her friends for lunch.

open the restaurant by late June, MacDonald said.

And although Polly's is known for having one of the more reasonably priced menus in town, the new restaurateurs said they'll aim to top it.

Panera is "probably even more competitively priced" than Polly's, MacDonald said.

The new owners have submitted plans to City Hall to change the building's interior, but much of the outside might stay the same, Leach said.

And the sign outside of Polly's will keep its look because the city has deemed it historically significant. The sign offers an era when restaurants were "homey," MacDonald said.

But for many in Santa Monica, it won't be the same.

"I (will) miss a lot of people here," said Carlos Hernandez, a Polly's employee for 21 years, adding that some customers appreciate his service so much, they might even follow him to his next job as far away as Long Beach.

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Santa Monica Daily Press



LOCAL



Schwarzenegger headed to SM for election night

VOTE, from page 1

expenses and raising taxes, and I think a short-term tax increase would cover this debt, without us going back and paying more interest to borrow more money.

"I think the Legislature needs to get serious about changing the balance between expenses and revenue," he added. "That probably means restructuring commercial property tax and/or lowering the sales tax, but have it cover more services."

McKeown — a Green Party member who said he will vote for Peter Camejo, a fellow Green, in the presidential primary — suggested wealthier families be required to pay more income tax. Currently, the wealthiest 1 percent

of California families hand over just 8 percent of their income, while the poorest 20 percent pays more than 11 percent, he said.

"Putting the next generation into debt to cover our current operating deficit is just wrong ... If all Californians paid a fair share of taxes, we'd have a surplus instead of a deficit. I suppose I should be relieved to be propositioned by the governor instead of just groped, but I have no desire to bond with Schwarzenegger. I'll be voting no on 57 and 58."

Bloom said there needs to be serious discussion of alternatives.

"There is clearly more than one way for the

Legislature to go and the governor to go, insofar as dealing with the budget issues in Sacramento," said Bloom, who stopped short of saying which way he would vote. "Gov. Schwarzenegger's plan is not the first plan out there. He decided on a plan that he was going to promote that eliminated tax increases and increased the amount of the bond and the term of the bond ...

"There are all kinds of politics that are being played — some of them are good, some of them are bad," he added. "But, I think, again, what is being placed before the voters is only one possibility."

Not everyone on the council was critical of Props. 57 and 58. City Councilmen Herb Katz and Bob Holbrook, both Democrats, said they will support the twin propositions.

"I'm going to vote for it and hope that the state can repay the bonds with the ordinary income stream, and not turn around and tax us later," Holbrook said. "I just can't imagine us going to a massive layoff or throwing on some new taxes at this time. But if the economy doesn't turn around, it's inevitable that the layoffs will follow — or the California residents will be taxed more."

Katz declined to elaborate on his "yes" vote.

City Councilman Mike Feinstein, a Green Party member, didn't return calls seeking comment. City Councilwoman Pam O'Connor, a Democrat, declined to comment on her vote.

All five councilmen polled said they would vote for Proposition 55 — a \$12 billion school construction bond — as well as Proposition 56, which would lower to 55 percent the current two-thirds mandate for the Legislature to act on some budget issues.

These four propositions appear on today's ballot

PROPOSITION 55: Should the state sell \$12.3 billion in general obligation bonds for construction and renovation of K-12 school facilities and higher education facilities?

■ **Summary:** The bond issue will provide funding for necessary education facilities to relieve overcrowding and to repair older schools. Funds will be targeted to areas of the greatest need and must be spent according to strict accountability measures. Funds also will be used to upgrade and build new classrooms in the California Community Colleges, the California State University, and the University of California in an effort to provide adequate higher education facilities to accommodate the growing student enrollment. The bonds may be used only for eligible projects.

■ **Fiscal Impact:** State costs of about \$24.7 billion to pay off both the principal (\$12.3 billion) and interest (\$12.4 billion) costs on the bonds. Payments would be about \$823 million per year.

PROPOSITION 56: Should the state constitution and certain statutes be amended to allow the state legislature to pass the state budget, and budget-related tax and appropriation bills with a 55 percent vote, and to make other changes to the budget process?

■ **Summary:** The state budget and tax increase measures would continue to require a two-thirds vote for passage. The budget process would remain the same. It permits the Legislature to enact budget and budget-related tax and appropriation bills with 55 percent vote rather than two-thirds vote currently required. It

requires that the Legislature and the governor permanently lose salary and expenses for each day the budget is late. It requires the Legislature to stay in session until the budget is passed. It requires a budget summary in the state ballot pamphlet and link to the Web site with legislators' voting records on budget and related taxes. It requires 25 percent of certain state revenue increases to be deposited in a reserve fund, which cannot be used to increase spending.

■ **Fiscal impact:** The measure would have varying state fiscal impacts from lowering the legislative vote requirement for budget-related spending and tax increases — including changes in spending and potentially significant increases in state tax revenues in some years. Fiscal impacts would depend primarily on the composition and actions of future Legislatures.

PROPOSITION 57: Should the state of California borrow \$15 billion through the sale of bonds to provide financing for California's budget deficit?

■ **Summary:** A one-time "California Economic Recovery Bond" of up to \$15 billion to pay off the state's accumulated general fund deficit as of June 30. The economic recovery bond will only be issued if the "California Balanced Budget Act" (Proposition 58) is also approved by voters. The bonds will be secured by existing tax revenues and by other revenues that could be deposited in a special fund.

■ **Fiscal impact:** It's a one-time increase, compared to a previously authorized bond, of up to \$4 billion to reduce the state's budget short-

fall. It would have annual debt-service savings over the next few years. The effects would be offset in subsequent years by higher annual debt-service costs due to the bond's larger size and the longer time period for its repayment.

PROPOSITION 58: Should the state constitution be amended to require that the state adopt a balanced budget and provide for mid-year adjustments if the budget falls out of balance? Should the constitution also include state budget reserve requirements and limits on future borrowing to finance budget deficits?

■ **Summary:** It requires enactment of a balanced budget where general fund expenditures do not exceed estimated general fund revenues. It would allow the governor to proclaim a fiscal emergency in specified circumstances and submit proposed legislation to address the fiscal emergency. It requires the Legislature to stop other action and act on legislation proposed to address the emergency. It establishes a budget reserve and provides that the California Economic Recovery Bond Act (Proposition 57) is for a single object or work. It also prohibits any future deficit bonds.

■ **Fiscal impact:** Net state fiscal effects are unknown, but will vary year by year and depend in part on actions of future Legislatures. Reserve provisions might smooth state spending, with reductions during economic expansions and increases during downturns. Balanced budget and debt limitation provisions could result in more immediate actions to correct budgetary shortfalls.

(Source: www.smartvoter.org)

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Santa Monica

A weekly look at events and programs for
'Rescuing' your children might not help them later in life

How Much Is Enough?

By Connie Dawson

Can we love our children too much? "Yes," say the authors of a new book called "How Much Is Enough?" The following story illustrates their point.

The parents of a 15-year-old girl, call her "Amber," is brought to a therapist with a plea to "help us get through to her."

"Get through to her about what?"

"She either doesn't do her schoolwork, or does it and doesn't turn it in. Her grades are rotten and getting worse. Lots of days, she doesn't go to school at all. She doesn't listen to us. She's bright, and we can't get her to look at colleges. It's as though we aren't there. Please find out what's wrong! We've given up, but we're worried."

Now it's the therapist's problem to get to the bottom of Amber's troublesome, self-defeating behavior. How can she help Amber and her parents find a better way to live their lives?

Amber's life, by her own report, is OK. She has pretty much everything she wants — clothes, electronic gear, money for concerts, ski trips, you name it — and a generous

allowance to boot.

It appears that Amber has been given anything she wanted, even expensive stuff she didn't want. She has so much that it all seems like nothing to her. The therapist can see Amber can't tell the difference between wants and needs. If she wants something it becomes something she absolutely needs — now.

Amber describes her parents as "nice" and doesn't seem to be angry at them. She speaks in a monotone voice, and there's little life to be seen in her eyes.

In the back of her mind, the therapist wonders, "How in the world has Amber learned that she is helpless, useless, worthless?" The therapist presses for more information.

As she was growing up, Amber had problems at school, in the neighborhood, with friends and at home. "Nothing real big," says Amber. But as the story unfolds, it is clear that mom and dad had rescued her every time. They didn't like to see Amber in distress.

They softened expectations and actually got in the way of Amber's experiencing the consequences of her actions. They did things for her she was capable of doing for herself. As they over-functioned, she responded by under-functioning.

When the therapist discovered that Amber had, from birth, been the center of attention at home and was allowed to have more freedom than she was equipped to handle, it was clear what was going on.

Amber's behavior was a reaction to the too-much-lovingness of her parents. Her parents never intended to disempower her, to train her to be irresponsible, to train her to be helpless, but that was the impact of how they loved her. All they wanted was for their valued daughter to be happy.

In their desire to love her, Amber's parents overindulged her. Now they were the helpless ones. They never expected their "love" would turn out this way.

Three recent studies of adults who were overindulged as children reveal the impact of childhood overindulgence on self-esteem. These adults are the experts of their own childhood experiences. In retrospect, they knew what pieces were missing. Using their information, we know the pitfalls and the "what-to-do-insteads" for parents.

The authors' short definition of overindulgence is: Overindulgence is giving children so much of anything that it keeps them from learn-

ing their developmental tasks, and it has a negative effect on their adult lives.

On the hopeful side of all this, most parents can accomplish becoming more helpful to their children using the skills they have now. As Amber's therapist said, "It's not all about what the parents are doing. It's what they're not doing."

In Amber's case, the therapist helped the family recover the path to happiness they had intended for themselves. One step at a time.

(Connie Dawson, Ph.D., Jean Illsley Clarke, Ph.D., and David J. Bredehoft, Ph.D. are co-authors of "How Much Is Enough?" a book about everything you need to know to steer clear of overindulgence and raise likable, responsible and respectful children — from toddlers to teens. Connie can be reached at cdawson@whidbey.com. To read more about overindulgence go to www.overindulgence.info.)

Gauging how much, when you should breast feed your newborn

QUESTION: My baby is due in a couple of months, and I've decided to breast feed. How will I know if my baby is getting enough milk in the first few weeks?

ANSWER: Congratulations on the impending birth of your new baby. You've made a wise decision to breast feed instead of using formula. Breast milk has all of the nutrients, enzymes, growth factors, hormones, immunological and anti-inflammatory properties that are key to an infant's health and early development that are not found in artificial baby milk formula. In addition, breast feeding is one of the most joyful moments a new mother and her baby can share and is an important bonding experience.

Prior to delivery, you might want to consider enrolling in a breast feeding class to learn breast feeding techniques, and these classes are offered at local hospitals such as Saint John's Health Center. In the meantime, here are some simple guidelines to follow while breast feeding:

■ To make sure your baby is getting enough nourishment, it's important to make sure the baby is nursing approximately eight to 12 times within a 24-hour period. Your baby will give you a cue when he or she is ready to nurse, and you will soon recognize what that cue is, but on average, most babies will want to nurse every two hours or so.

■ During the first few days, they will also wet as many diapers as how old they are. In other words, a 3-day-old baby will wet three diapers in a 24-hour period.

■ By the fourth or fifth day, nursing mothers also will begin to notice significant changes in their breasts. Your breasts should feel bigger, fuller and warmer. This is a normal physiological change.

■ After the baby is 5 to 6 days old, you will want to make sure that he or she is wetting six to eight diapers within a 24-hour period. Several of the diapers should also be soiled. By the sixth day, the baby should be making six to eight wet diapers per day. If not, it might be an indication they are not receiving enough milk and you should consult your pediatrician or lactation specialist.

By the second week, the baby should be back at his or her birth weight or beyond. (Babies normally lose a little weight immediately after birth.)

(Elaine Robertson, I.B.C.L.C., is an international board-certified lactation consultant for Saint John's Health Center in Santa Monica. Additionally, Robertson teaches childbirth classes and prenatal breast feeding classes to expectant parents. Call (310) 829-8944 for further information or visit Saint John's Web site at www.stjohns.org.)

Guest Commentary

By Elaine Robertson

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CALENDAR OF MOMMY EVENTS:

SPECIAL EVENTS

KID'S and YOUTH PROGRAMS – City of Santa Monica Registration begins March 11, most classes/programs begin the week of April 5. Check out RecScape in the Spring issue of SeaScape or visit www.santa-monica.org for details on a variety of classes and programs including Parent & Me classes, sports, dancing, drama, art and more. 310-458-2239

YOUTH RUGBY – SANTA MONICA RUGBY CLUB - Saturday mornings thru May 15; times and location vary; get details at:

www.santamonicarugby.com/youth.html or contact Kilian Kerwin at smyouthrugby@earthlink.net. This co-ed, non-contact youth program was created to jump start youth rugby in the LA area. Last summer's program was a big success and the winter/spring season looks like it will continue to grow with more kids and parents involved. Although the season is underway, kids are welcome to join anytime. Ages 6-15, co-ed, non-contact.

TUESDAY

Movies for Moms

"TBD" showing February 24
11:00 a.m., Loews Broadway, 1441 3rd St. Promenade – for Moms and babies newborn – 1 year old. Doors open early for socializing and getting comfortable. www.reelmoms.urban-baby.com

Storytelling

Main Library - Toddler Storytime at Reed Park; 10:00 & 10:30 a.m. Stories for two year olds with adult.

Fairview Branch Library – 2101 Ocean Park Blvd – 310-450-0443. Twilight Story Time - 7pm – an ongoing program for 3-5 year olds.

Montana Avenue Branch Library – 1704 Montana Ave – 310-829-7081. Family Story Time – 7:00 p.m., all ages.

Ocean Park Branch Library – 2601 Main St. – 310-392-3804.

Toddler Storytime, 10:00 and 10:30, February 24 – March 6. Music, rhymes and stories for 24-36 month olds with adult.

Tiny Tuesday Storytime at Storyopolis Themes change weekly; for ages infant to 3. 11:00 a.m. 116 North Robertson, Plaza A, LA. 310-358-2500, www.storyopolis.com

Barnes and Noble at the Grove Storytime for ages 2 – 6. 10:00 a.m. 189 Grove Drive, LA, 323-525-0270

Yoga & Exercise

Yoga Baby (Venice) – 310-306-9381 – Mommy & Me (ages 0-5 years) – 10 – 11 a.m.; Pre-natal yoga – 7- 8:15 p.m.

Yoga Works – 2215 Montana Ave, 310-393-5150; Pre/postnatal – 12:15 – 1:40 p.m., \$15. Mommy and Me – 1:45 – 3:00 p.m.

Mommy Care – 11870 Santa Monica Blvd, at the Dance Factory, West LA, 310-394-6711. Pregnancy Exercise – 9:15 – 10:15 a.m.; Post Partum Exercise – 10:15 – 11:15 a.m. (babies welcome, includes baby massage and workout at the end)

Breastfeeding Group

The Pump Station - 310-826-5774, no pre-reg required, first class free, \$10 fee thereafter. Moms/babies 0-4 months, 1:00 – 2:30 p.m.

WEDNESDAY

Storytelling

The Talking Stick Coffee Lounge – 1630 Ocean Park Blvd., 450-6052 10:30 a.m. Free story time for moms and kids ages 0-4. This neighborhood coffee shop has a comfortable atmosphere, toys and storytelling every Wednesday, as well as yummy coffee and baked goods.

Ocean Park Branch Library – 2601 Main St. – 392-3804.

Preschool Twilight Story Time – 7:00 – 7:30 p.m. An ongoing story time for parents and their children ages 3 – 5.

Barnes and Noble, Westside Pavilion – 2 pm – ages 2-5 – 310-475-4144
Border's, Westwood – 11am – 310-475-3444.

Yoga & Exercise

Yoga Baby (Venice) – 310-306-9381 – Mommy & Me (ages 0-5 years) – 10 – 11 a.m.; (infants only) – 1 – 2 p.m.. Pre-natal yoga – 11:15 a.m. – 12 :30 p.m.

Yoga Works - 2215 Montana Ave, 310-393-5150 Pre/Postnatal – 12:15 – 1:45pm, \$15

Ocean Oasis Day Spa - 1333 Ocean Avenue, 458-8190. Pre/Post Natal Yoga/Gentle Flow – 5:30 – 6:45 p.m. Private sessions available; call Kate Thomas, RN – 408-1717

Breastfeeding Group

The Pump Station - 310-826-5774, no pre-reg required, first class free, \$10 fee thereafter. Moms/babies 0-4 months, 1:00 – 2:30 p.m.

Other

Puppetolio – 1:00 p.m., 310-656-0483, 1255 2nd St., ages 3 & up, reservations suggested

THURSDAY

Storytelling

Babystyle - 1324 Montana Avenue, 434-9590. 10:30 a.m. Free story time for moms and kids ages 0-4.

Main Library – Toddler Storytime at Reed Park; 10:00 a.m. Stories for two year olds with adult.

Preschool Story Time at Reed Park; 10:30 a.m. Stories for 3-5 year olds with adult.

Montana Avenue Branch Library – 1704 Montana Ave – 310-829-7081. Preschool Story Time – 11:15 a.m. Stories for 3-5 year olds with adult.

Yoga & Exercise

Yoga Baby (Venice) – 310-306-9381 – Mommy & Me (ages 0-5 years) – 10 – 11 a.m.; Pre-natal yoga – 7- 8:15 p.m.

Yoga Works – 2215 Montana Ave, 310-393-5150; Pre/postnatal – 12:15 – 1:40 p.m., \$15. Mommy and Me – 1:45 – 3:00 p.m.

Mommy Care – 11870 Santa Monica Blvd, at the Dance Factory, West LA, 310-394-6711. Pregnancy Exercise – 9:15 – 10:15 a.m.; Post Partum Exercise – 10:15 – 11:15 a.m. (babies welcome, includes baby massage and workout at the end)

Breastfeeding Group

The Pump Station - 310-826-5774, no pre-reg required, first class free, \$10 fee thereafter. Moms/babies 4-8 months, 1:00 – 2:30 p.m.

Other

Nature Walk (Children's Nature Institute) – Sullivan Canyon (West LA)–10:00am. Reservations required - 310-998-1151 or www.childrensnatureinstitute.org

FRIDAY

Yoga & Exercise

Yoga Works – 2215 Montana Ave, 310-393-5150; Pre/postnatal – 12:15 – 1:45 p.m., \$15.

Yoga Baby (Venice) – 310-306-9381 – Mommy & Me (ages 0-5 years) – 10 – 11 a.m.; (infants only) – 1 – 2 p.m.. Pre-natal yoga – 11:15 a.m. – 12 :30 p.m.

Ocean Oasis Day Spa - 1333 Ocean Avenue, 458-8190. Pre/Post Natal Yoga/Gentle Flow – 10:30 – 11:45 a.m.; Yoga for Fitness – noon – 1 p.m. Private sessions available; call Kate Thomas, RN – 408-1717

Other

Nature Walk (Children's Nature Institute) – Topanga St. Park

(Topanga)–10:00am. Reservations required - 310-998-1151 or www.childrensnatureinstitute.org

SATURDAY

Storytelling

Barnes and Noble, 3rd St. Promenade – Kid's Story Time – 10am – 310-260-9110

Barnes and Noble, Westside Pavilion – 10:30am – ages 2-5 – 310-475-4144.

Children's Book World – 10580 1/2 Pico Blvd, LA – 10:30 a.m., 310-559-BOOK.
March 6 – stories with Kathleen Zundell.

Yoga & Exercise

YOGA for WOMEN - Saturday, February 28, 1:00 – 3:00 p.m., 1640 Ocean Park Blvd. See Special Events section for details.

Santa Monica Yoga – Pre- & Post-Natal Yoga, Saturdays – 12:30 – 2:00 p.m. 1640 Ocean Park Blvd - 396-4040, www.santamonica-yoga.com

Yoga Baby (Venice) – 310-306-9381; Prenatal yoga – 9:15 – 10:45 a.m., \$13
Mommy Care – 11870 Santa Monica Blvd. at the Dance Factory, West LA, 394-6711; Pregnancy Exercise – 8:30 – 9:30 a.m.; Post Partum Exercise – 8:30 – 9:30 a.m. (babies welcome, includes baby massage and workout at the end)

Ocean Oasis Day Spa - 1333 Ocean Avenue, 458-8190. Pre/Post Natal Yoga/Gentle Flow – 10:30 – 11:45 a.m.; Yoga for Fitness – noon – 1 p.m. Private sessions available; call Kate Thomas, RN – 408-1717

Other

Cinderella at the Santa Monica Playhouse - Saturdays & Sundays at 12:30 & 3:00 p.m. thru March 28, \$12 adults, \$10 kids ages 12 & under. 394-9779 ext. 2 for reservations, www.santamonicaplayhouse.com

Puppetolio – 1:00 and 3:00pm, 310-656-0483, 1255 2nd St., ages 3 & up, reservations suggested

Magicopolis – 2 and 8 p.m., 1418 4th St., Admission is \$20 for evening, \$15 for matinee. Call 310-451-2241 for info.

Youth Rugby – Santa Monica Rugby Club. Saturday mornings thru May 15; times and location vary; get details at www.santamonicarugby.com/youth.html or contact Kilian Kerwin at smyouthrugby@earthlink.net.

SUNDAY

Cinderella at the Santa Monica Playhouse - Saturdays & Sundays at 12:30 & 3:00 p.m. thru March 28, \$12 adults, \$10 kids ages 12 & under. 394-9779 ext. 2 for reservations, www.santamonicaplayhouse.com

Main Street Farmer's Market – 9:30 a.m. – 1:00 p.m., corner of Main St. and Ocean Park Blvd. Pony rides, live music, lots of vendors and great family socializing.

Puppetolio – 1:00 and 3:00pm, 310-656-0483, 1255 2nd St., ages 3 & up, reservations suggested

Magicopolis – 2 p.m., 1418 4th St., Admission is \$15. Call 310-451-2241 for info.

Nature Walk (Children's Nature Institute) – Will Rogers St. Park (Pac. Palisades) 10:00am - Reservations required - 310-998-1151 or www.childrensnatureinstitute.org

MONDAY

Storytelling

Main Library – Lap Time at Joslyn Park, 9:30 a.m., Jan. 5 – June 4. Ages 0-24 months with adult in conjunction with the Infant and Family Support program of SMMUSD. Followed immediately by "Family Connections"

- a series of discussions related to early childhood development and growth. Children welcome, free.

Barnes and Noble, 3rd St. Promenade – Toddler Story Time – 10am – 310-260-9110

Breastfeeding Group

The Pump Station – 310-826-5774, no pre-reg required, first class free, \$10 fee thereafter. Moms/babies 0-4 months, 1:00 – 2:30 p.m.

Yoga & Exercise

Yoga Works - 2215 Montana Ave, 310-393-5150 Pre/Postnatal – 12:15 – 1:45pm, \$15

Yoga Garden - Restorative yoga for pre/postnatal – 6:30 p.m., 310-450-0133. www.yogagardenstudios.com

Yoga Baby (Venice) – 310-306-9381 – Mommy & Me (ages 0-5 years) – 10 – 11 a.m.; (infants only) – 1 – 2 p.m.. Pre-natal yoga – 11:15 a.m. – 12 :30 p.m.

Ocean Oasis Day Spa - 1333 Ocean Avenue, 458-8190. Pre/Post Natal Yoga/Gentle Flow – 10:30 – 11:45 a.m.; Yoga for Fitness – noon – 1 p.m. Private sessions available; call Kate Thomas, RN – 408-1717

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STATE

Workers' comp action won't make governor's deadline

BY STEVE LAWRENCE

Associated Press Writer

SACRAMENTO — When Gov. Arnold Schwarzenegger demanded in his State of the State speech that lawmakers produce significant workers' compensation savings by March 1, Senate leader John Burton grumbled that the deadline was unrealistic.

"You can do it," the Republican governor said with a smile as he turned toward Burton, who was sitting behind him during the Jan. 6 address.

"Oh, sure," Burton replied.

Turns out the sometimes irascible Democratic lawmaker with more than 25 years experience in Sacramento knows more than the new governor about the workings of the Legislature, the complexities of the workers' compensation system and the controversies generated by proposals to change it.

Schwarzenegger's deadline arrived Monday, and it's a foregone conclusion the Legislature won't meet it. But that doesn't necessarily mean the failure will

result in the November ballot battle that Schwarzenegger threatened to trigger if lawmakers didn't respond.

A group funded by Safeway and several agriculture-related companies has raised at least \$2.15 million to put a measure on the November ballot that backers say would be "a little more stringent" than the workers' comp legislation supported by Schwarzenegger.

The group, the Committee for Workers' Compensation Reform and Accountability, is ready to begin gathering the more than 598,000 voter signatures that would be needed to qualify the proposed constitutional amendment.

That work could begin in the next few days, after the attorney general's office prepares a title and summary of the proposal that would be printed on the petitions.

Beth Miller, a spokeswoman for the committee, says paid signature gatherers and volunteers will "hit the streets within a day or so" after the petitions are printed.

"We're very confident we will gather the signatures to qualify the measure, and

we're very confident that the arguments we have are compelling and will be well received by voters."

But there are "signs of hopefulness" that the Democrats who dominate both houses of the Legislature and the Republican governor can still reach a compromise that would head off a ballot fight, says Sen. Chuck Poochigan, the Fresno Republican who is carrying Schwarzenegger's bill in the Senate.

"There is a good deal of percolation taking place in terms of meetings and interactions between groups interested in the workers' comp issue," he says.

"The fact that there is active dialogue taking place is a very good sign. It doesn't mean there is a solution in the offing, but it does indicate there is some level of commitment to try to find a solution."

He says the March 1 deadline has "helped drive the debate" by forcing lawmakers and workers' comp stakeholders to focus on the system's problems now rather than in August, late in the legislative session.

The chairman of the Senate Labor and Industrial Relations Committee, Democrat Richard Alarcon of Van Nuys, says he has a "very high confidence level" a compromise will be worked out because of pressure from businesses to cut the cost of their workers' comp insurance.

"That is what is going to drive this compromise, not what's going on with the initiative," he said. "We need to get this resolved in a bipartisan way to eliminate the concerns of our communities."

Labor leaders and state Insurance Commissioner John Garamendi have proposed alternatives to Schwarzenegger's plan, and Alarcon says Senate Democrats are drafting a proposal.

He thinks a more likely deadline is March 31, which would provide enough lead time for any savings generated by compromise legislation to be included in midyear rate adjustments announced by workers' compensation insurers.

The actual drop-dead date for a legislative solution probably is April 16, the deadline for the initiative's supporters to turn in their signatures.

"If there is a legislative solution (that meets Schwarzenegger's demand for significant savings) before we file signatures, we'd be happy not to go to the expensive route to the ballot," said Miller.

A spokesman for Schwarzenegger, Vince Sollitto, says negotiations have been positive so far and the governor is willing to give the talks a chance but will push ahead with signature gathering in case those discussions fail.

Art Azevedo, president of the California Applicants' Attorneys Association, a group of lawyers who represent workers with job-related injuries, puts the chances of a legislative agreement at less than 50-50.

"I think we are in the period that I would call the phony war, which means posturing...." he said. "I think there is a point where labor and us will tell the Legislature, 'Leave (the governor's) proposal on the table and let's go to war in November.'"

Workers' comp bills are almost always controversial because of the impact they have on employers and employees and the many influential interest groups with a stake in the outcome, including insurers, worker attorneys, labor unions, business groups, doctors and other health care providers.

Last year lawmakers enacted legislation that Garamendi said should slash workers' comp insurance rates about 15 percent, mainly by limiting what pharmacies, doctors and outpatient clinics can charge in workers' compensation cases.

Schwarzenegger, who called the 2003 reforms "bogus" during his campaign to replace Democratic Gov. Gray Davis, is backing legislation that deals with the even more combustible questions about which injuries are covered by workers' comp, how the seriousness of those injuries is evaluated and, as a result, how much in benefits injured workers receive.

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NATIONAL □ INTERNATIONAL

Getting handle on enemy weapons is no small challenge

By The Associated Press

WASHINGTON — When it comes to assessing enemy weapons threats, U.S. intelligence agencies have a hard time getting it right.

They overestimated Iraq's programs a year ago and underestimated those of Iran and Libya.

It is unclear to the sleuths just how far along North Korea's weapons program is.

Getting a handle on threats from abroad has been a problem for a long time. After World War II, American officials were surprised at how much of Japan's stockpiles of weapons had gone undetected.

Obtaining accurate reads on enemy firepower is perhaps the most crucial challenge the nation is facing, says David Kay, the former head of the U.S. weapons inspection team in Iraq.

Kay's message is clear: If the intelligence is correct, policy-makers have a better shot of doing the right thing. If it isn't, the resulting policies are likely to be flawed.

Recently, U.N. Secretary General Kofi Annan said that the damage caused by the apparent U.S. misperceptions about Saddam Hussein's weapons will take time to heal.

"People are going to be very suspicious when one talks to them about intelligence," he added. "And they are going to

"People are going to be very suspicious when one talks to them about intelligence. And they are going to be very suspicious when we try to use intelligence to justify certain actions."

— **KOFI ANNAN**
U.N. Secretary General

be very suspicious when we try to use intelligence to justify certain actions."

But good information on an enemy's intention may be more important than ever as terrorists clandestinely seek doomsday weapons for attacks on the United States. Many are happy to risk death to advance their causes.

The Bush administration's National Security Strategy, set forth a year after the Sept. 11 terrorist attacks, made the case for preventive action against enemies — and stressed the need for good intelligence.

"America will act against such emerging threats before they are fully formed," it says. "We cannot defend America and our friends by hoping for the best. So we must be prepared to defeat our enemies' plans, using the best intelligence and proceeding with deliberation. ... The only path to safety is the path of action."

The war with Iraq began six months after the new doctrine was issued. And

now, with no weapons stockpiles uncovered, there are many who share Annan's concern about the reliability of intelligence as a basis for going to war.

It is unclear whether there is a connection, but the administration's instincts toward unilateralism seem far more muted these days. President Bush is using multilateral approaches to deal with weapons programs in Iran and North Korea. Sabre-rattling has all but disappeared.

And the assignments handed to intelligence agencies seem ever-more demanding.

One can only imagine the challenge of tracking, say, chemical shells pilfered by terrorists from a warehouse in Russia. Former Sen. Sam Nunn, D-Ga., who chaired the Senate Armed Services Committee, says, "Once they leave the source, it's like finding a needle in a haystack."

Then there is the question of what policy-makers should do with the intelli-

gence they receive. Vice President Dick Cheney once said before the Iraq war that Saddam Hussein had "reconstituted" his nuclear program.

CIA Director George Tenet does not share that stance. "We said Saddam did not have a nuclear weapon, and probably would not have been able to make one until 2007 to 2009," the CIA chief said recently.

Tenet says intelligence analysts were "quite worried" about surprise attacks and what they didn't know, given Saddam's history of deception. Estimates also indicated he had biological and chemical weapons and other programs. "Whether it stands up or it doesn't stand up over the course of time is something we're going to look at quite carefully," Tenet told the Senate Intelligence Committee on Tuesday.

Satellite photos can be a useful intelligence tool, but they can't detect what's happening in an underground tunnel or read the minds of enemy decision-makers.

Human intelligence can provide some answers. However, reliability is often a problem. Kay believes that part of the difficulty the United States had in Iraq was bad information from on-the-ground sources.

"The secrecy and corruption in Iraqi society meant that accurate intelligence from reliable sources was very hard to get," Kay says.



WORLD BRIEFLY

Iraqis agree on temp constitution

By The Associated Press

BAGHDAD, Iraq — Iraqi politicians agreed early Monday on an interim constitution with a wide ranging bill of rights and a single chief executive, bridging a gulf between members over the role of Islam in the future government.

The new constitution, a key aspect of the United States' plans to turn over power June 30, will be signed by top American administrator L. Paul Bremer on Wednesday, after the Shiite Muslim religious holiday of Ashoura ends, a coalition official said on condition of anonymity.

The document "strikes a balance between the role of Islam and the bill of individual rights and democratic principles," the official said.

He also said the charter sets a goal, not a quota, to have at least 25 percent of the national assembly made up of women, adding that council members unanimously approved the document.

The deal came two days after a deadline for finishing the document — a key part of the U.S. plan for handing over power to the Iraqis on June 30.

Besides a comprehensive bill of rights, including protections for free speech, religious expression, assembly and due process, it also spells out the executive branch. Under the terms of the document, Iraq will have a president with two deputies, a prime minister and a cabinet.

Stewart trial to come to a close

By The Associated Press

NEW YORK — Closing arguments begin this week in the Martha Stewart stock trial, though prosecutors have been forced to drop their most serious accusation against the domestic diva.

Last week, U.S. District Judge Miriam Goldman Cedarbaum tossed out the government's charge that Stewart lied to investors in her own media empire, Martha Stewart Living Omnimedia, by saying her ImClone Systems sale was proper.

Cedarbaum's action left prosecutors to try to persuade a jury of eight men and four women to convict the domestic style-setter of conspiracy, obstruction of justice and lying to investigators.

Prosecutors were set to begin their closing arguments Monday, with the defense to follow, possibly on

Tuesday. The jury could get the case as early as Wednesday.

Bush targets prescription-pushers

By The Associated Press

WASHINGTON — President Bush's national anti-drug strategy will for the first time target the use of pain relievers, sedatives and stimulants for nonmedical purposes, a problem that has exploded in the last decade.

A key part of the strategy being released Monday involves government efforts to help states develop monitoring systems to track a patient's use of prescription medicine. The monitoring programs flag cases that indicate a pattern of abuse, such as "doctor shopping," where a patient gets prescriptions for drugs from multiple physicians.

Prescription medicine now ranks second, behind marijuana, among drugs most abused by adults and young people, said the report by the White House's Office of National Drug Control Policy. It cited a recent study by the Health and Human Services Department.

Twenty states have prescription monitoring programs, the report said. John Walters, director of the drug policy office, said he expects to expand the program to 11 more states by next year. About \$10 million in federal funds will bankroll the expansion.

With painkillers such as OxyContin and Vicodin widely available on the Internet, "pill mills" or rogue online pharmacies will come under increased scrutiny.



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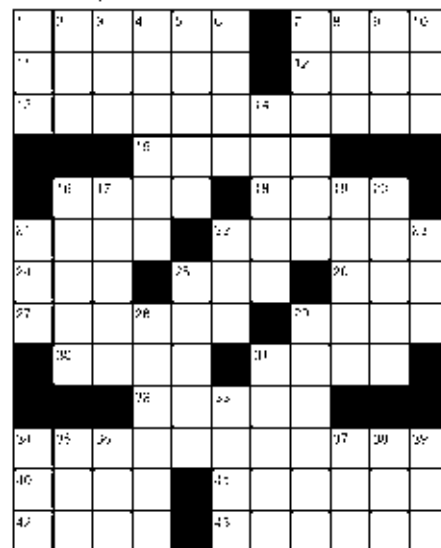
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PEOPLE IN THE NEWS

Singer-songwriter Phairs well on her fourth album

By The Associated Press

■ **SAN FRANCISCO** — Despite some critical bad-mouthing, singer-songwriter Liz Phair is happy with the results of her self-titled fourth album.

"I'm always the type of person that is wary to say, 'We did it!'" Phair told the San Francisco Chronicle in Sunday's editions. "But we certainly did accomplish a lot with this record. I kind of knew we would."

Phair, 36, who made her mark with the 1993 college radio classic "Exile in Guyville," went more mainstream with last year's "Liz Phair," hiring the Matrix, the production trio behind teen-pop star Avril Lavigne.

■ **NEW YORK** — Amy Lee and her band, Evanescence, are surviving without guitarist and songwriter Ben Moody.

Moody left the group in October, packing his bags the morning before a concert in Berlin and catching a plane out of the country.

"I don't understand Ben," Lee told Newsday in Sunday's editions. "He makes a lot of very impulsive decisions, and he does whatever he wants for the moment."

Evanescence won the Grammy Award for best new artist this year, having conquered radio with the single "Bring Me to Life" and selling about 3.5 million copies of their debut album, "Fallen."

Lee prefers to look forward, praising the talents of replacement guitarist Terry Balsamo, formerly of the metal-rock band Cold.

"He has a lot of creativity on the guitar end that we might have been lacking," she said. But mostly, Lee can't wait to stop touring and start writing songs for the next album.

■ **NEW YORK** — For N'Sync's JC Chasez, there are more important things going on in the world than worrying about decency standards on TV.

"I think it's hilarious that things are the way they

are," Chasez told Newsweek for the issue out on newsstands Monday. "We're about to elect the leader of our country. We don't have enough money for schools, we're at war and we're worried about this?"

Chasez was responding to the outcry following pop star Janet Jackson's infamous breast-baring performance at the Super Bowl halftime show, a performance that also included his N'Sync bandmate Justin Timberlake.

Chasez said we shouldn't be surprised that people sing about sex and want to listen to songs about it. He included such songs on his solo album "Schizophrenia."

"We all think about sex and love, and I've got songs about both on my record," he said.

■ **NEW YORK** — Two of Eric Clapton's best-known songs are gone from his concert repertoire — perhaps for good.

The guitar legend found, during a series of concerts in Japan a few months ago, that he couldn't perform "Tears in Heaven" and "My Father's Eyes."

The songs, both Grammy Award winners, deal with the loss of his 4-year-old son, Conor, who died when he fell from a New York apartment in 1991.

"I didn't feel the loss anymore, which is so much a part of performing those songs," he said in an interview with The Associated Press.

"I really have to connect with the feelings that were there when I wrote them," he said. "They're kind of gone and I really don't want them to come back, particularly. My life is a different life now."

He said he'd feel conflicted to sing the songs at a time when he's happy.

"They probably need a rest," he said, "and maybe I'll introduce them from a much more detached point of view."

■ **LONDON** — The late John Entwistle may be heard on The Who's next album, the band's first in 21 years, a band member said Monday.

The band wants to use a bass line Entwistle recorded during rehearsals shortly before the 57-year-old bass player was found dead in his Las Vegas hotel room on June 27, 2002. Coroners determined that he died of a combination of cocaine use and heart disease.

The two surviving band members, singer Roger Daltrey and guitarist Pete Townshend, have hired musicians to fill in for Entwistle and drummer Keith Moon, who died from an accidental overdose in 1978.

"You get an instinct for what their input would have been and I think Pete's musical ability will write a bass part that would be John's bass," Daltrey said Monday in an interview with Virgin Radio.

"We've got a rehearsal tape of John playing one of the songs. We are thinking about using it on the album."

Daltrey, 60, recalled that Entwistle had been in the band for 38 years.

■ **RED OAK, Iowa** — Johnny Carson is lending a hand to a performing arts center in southwest Iowa.

The Performing Arts and Education Association has received a donation from the John W. Carson Foundation for the proposed arts center in Red Oak, said Larry Brandstetter, the association's president.

"We celebrate this acknowledgment of our dream," Brandstetter said.

Carson, who retired from NBC's "Tonight Show" in 1992 after 29 years, was born in Corning, also in southwest Iowa, and grew up in Norfolk, Neb.

"He understands how important the arts are to young people and how much this project will mean to the youth of the region," Sally Foss, the association's executive director, told The Daily Nonpareil.

Foss said Carson donated money, but the amount wasn't released. She said it would go toward classrooms and rehearsal space.

The center will provide entertainment and performance arts educational opportunities to the region, with emphasis on dance, theater arts and music.

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