

Santa Monica Daily Press

A newspaper with issues



Andy Fixmer/Daily Press

The door to Barnum Hall's atrium leads to the new stage where Santa Monica High School's symphony orchestra rehearses on Monday for its winter concert as part of Tuesday's official opening.

Barnum Hall's opening is music to school officials' ears

\$8M five-year restoration project still unfinished

BY ANDREW H. FIXMER
Daily Press Staff Writer

Santa Monica may now have what some people would consider its own Carnegie Hall.

After being closed for five years for a restoration project that cost more than \$8 million, Santa Monica High School's Barnum Hall officially opened on Tuesday, when the school's symphony orchestra played its winter concert there.

"It's been sort of a bumpy road," said school superintendent John Deasy, "but we're finally near the end and the result is absolutely beautiful."

The restoration of Barnum Hall has raised eyebrows in the community because it was only supposed to take two to three years to complete and cost about \$3 million, said Jean Sedillos, a Restore Barnum Hall veteran who has been working on the project for nearly a decade.

But the project ran into barriers during construction. Architectural plans for the theater didn't accurately describe what construction workers found behind walls or under floors, Sedillos said.

"It always seemed like something was going wrong," she said. "But when you're working with older buildings like this, things tend to happen unexpectedly."

Practice rooms and storage space also were added to the area directly behind the stage, adding about \$1 million to the final cost of construction.

Another set back occurred in April 2001 when the school district's construction manager fired the contractor for faulty work. Another contractor wasn't found for six months, further delaying the opening.

About \$6 million used for the restoration came from Prop X bond money, which was passed by voters to help modernize school campuses across the state. The Santa Monica City Council donated \$1.15 million and a group called Restore

See HALL, page 5

New state laws may lift city's sagging affordable housing production

Sacramento laws make building projects easier

(Editor's note: This is the second installment of a two-part series examining affordable housing in Santa Monica. Tuesday's article focused on local production of affordable housing. Today's article focuses on what the state is doing to address the lack of affordable housing.)

BY ANDREW H. FIXMER
Daily Press Staff Writer

With a looming local affordable housing deficit, the state legislature is making it easier for developers to build more projects in Santa Monica, as well as other California cities.

Gov. Gray Davis in the past year has signed bills into law that make it easier for affordable housing developers to quickly get approval from local municipalities and make it more difficult for residents to defeat proposed projects in their neighborhood.

The laws also will no longer require affordable housing developers to jump through the same bureaucratic hoops market-rate developers must go through.

Coupled with funds from a voter-approved \$2.1 billion state bond for affordable housing, officials say affordable housing is finally getting the increased support it needs to succeed.

"We're focused on supply," said Mark Stivers, who works for the state Senate Committee on Housing and Community Development. "Housing is still a local responsibility but there are things the state can do to facilitate and support affordable housing construction and we're trying to do that as well."

"It's not just a poor person's concern anymore. It's affecting a much larger segment of the population now."

— MIKE BROWN
California Housing Law Project

CLEARING THE WAY

The state will no longer require environmental impact studies for affordable housing projects with fewer than 100 units. Local cities are now forbidden from limiting the size of a project, as long as it meets all existing local criteria.

And the same rules apply for the homeowner who wants to build a guest house

See LAWS, page 4

MTBE lawsuit settled in OC

Could affect Santa Monica lawsuits

By staff and wire reports

A multimillion dollar environmental lawsuit alleging that 143 Arco gas stations caused soil and ground water pollution that threatened drinking supplies in Orange County has been settled, the District Attorney's Office announced Tuesday.

The settlement will likely have implications for Santa Monica, which two years ago sued 18 refiners, manufacturers and suppliers of MTBE and MTBE-laden gasoline for allowing the chemical to leak into its ground water.

Methyl tertiary-Butyl Ether is a colorless chemical that at very low concentrations smells like turpentine and is a suspected carcinogen.

The pollution closed seven of Santa Monica's 11 wells, forcing the city to import nearly 80 percent of the 12 million gallons of water it uses each day.

The Orange County lawsuit, which was originally filed in 1999, claimed that underground gasoline storage tanks at the stations leaked MTBE into the soil and ground water. The U.S. Environmental Protection Agency has found that MTBE, which is added to gasoline to reduce air pollution, is proven to cause cancer in animals and is classified as a "possible"

See MTBE, page 5

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ARIES (March 21-April 19)

★★★★★ Someone sees the logic in your recent suggestion. Opportunities knock on your door. You see life from a different perspective. Still, someone in your circle could decide to play devil's advocate. Welcome the opportunity. Tonight: Hang out with friends.



TAURUS (April 20-May 20)

★★★★★ Reach out for someone else who remains close to you. This person will be very important to your emotional or financial well-being. What you can count on here is the unexpected. Remain secure and positive, if possible. Tonight: Ask for what you need.



GEMINI (May 21-June 20)

★★★★★ The Moon in your sign energizes you, taking you in a new, positive direction. You might feel that someone else is unpredictable, as he or she swings from one view to another. Understand that this person simply might be exploring ideas. Join in. Tonight: Keep on smiling.



CANCER (June 21-July 22)

★★★★★ Slow down with spending money, as you could discover you're in a jam before you know it. You do want to enjoy your holidays, don't you? Open up to new possibilities, which could have a direct impact on your life. Tonight: Think positively. Use your creativity.



LEO (July 23-Aug. 22)

★★★★★ Keep your goals in mind but don't let fun escape you. You have an unusually innovative approach that endears you to one person but distances you from another. Know that you cannot win them all. A friend proves unusually enjoyable. Tonight: Where your friends are.



VIRGO (Aug. 23-Sept. 22)

★★★★★ Make that extra effort to reach out for those close to you. Sometimes others do not understand where you're coming from and what you feel. Don't hesitate to explain. You also might be dealing with an erratic domestic situation. Tonight: In the limelight.



LIBRA (Sept. 23-Oct. 22)

★★★★★ You could resolve to handle a personal matter differently. Your words are important, but so is your tone of voice. Test this out; you will see. A friend comes through for you in a big way. Trust this person. Tonight: Follow your imagination.



SCORPIO (Oct. 23-Nov. 21)

★★★★★ A partner wants to have a stronger voice in your choices. You could be uncomfortable with this person interfering. You might ask yourself whether the issue is yours or someone else's. Gain insight through conversations. Tonight: Go along with a partner or boss.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★★★ Others push and pull to get your attention. Understand how much caring might be behind these demands. Express your feelings in a manner that those around you can respond to. Detach, and you will feel quite pleased about an opportunity. Tonight: Accept an invitation.



CAPRICORN (Dec. 22-Jan. 19)

★★★★★ Dig into a project. You might discover that you respond differently to inquiries from a co-worker, depending on how tired you are and/or what time of day it is. A loved one or dear friend pitches in, if you express your exhaustion. Tonight: Soak away stress.



AQUARIUS (Jan. 20-Feb. 18)

★★★★★ You might not completely grasp how strong someone's reaction is until you get it full blast. Realize that you might need to adjust your priorities, especially those involving a child or new friend. This person might be more fragile than you realize. Tonight: Let the kid in you out.



PISCES (Feb. 19-March 20)

★★★★★ You might not always understand the implications of a family member's mood on you. Stop denying what others keep telling you. Tune in to yourself and be willing to accept more honesty. Clear out work and errands. Tonight: Mosey on home.



QUOTE of the DAY

"I would have made a good pope."

— Richard Nixon



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LOCAL



COMMUNITY BRIEFS

Grant helps in toy drive

By Daily Press staff

Grant Elementary School's 700 students are joining the American Red Cross in its "Share the Holidays" toy drive.

The toy drive is sponsored by the Grant Student Council, which has enlisted the aid of the Santa Monica Fire Department. The fire department, which acts as a collection station for donated toys, will make a special trip to Grant Elementary to pick up more than 500 toys.

On Dec. 19 at 10 a.m., two hook and ladder fire trucks will roll onto the playground of Grant Elementary School. Led by their student council representatives, each of Grant's 33 classes will eagerly wait their turn to present toys to the firemen. Armed with large Santa-like bags, the firemen will greet children as they drop their toys into the collection bag.

Access to the Grant playground can be found at 24th Street just north of Ocean Park Boulevard.

Good riddance, 2002

By Daily Press staff

Say good-bye to 2002 Santa Monica style.

"The Good Riddance 2002 New Year's Eve Party" will take place on Dec. 31 beginning at 7 p.m. at the Church at Ocean Park, located at 235 Hill Street.

Sponsored by the Alliance for Survival peace group for the past 22 years, this year's peace party theme will be just what it says — good riddance to the past year.

Entertainment will feature the "Good Riddance 2002 Comedy Review" with stand-up comedians David Zasloff, Doug Ferrari, Denise Munro Robb and Bill Bronner. Also featured will be live music and dancing with the Gary Gordon Band. Other featured performers will include singer Ross Altman and award-winning performance poet Linda Albertano.

Other highlights will include a New Year's resolution contest with restaurant gift certificate prizes awarded for the most unique resolution and a midnight peace ceremony.

The admission price is \$20.03 for low-income individuals and \$30.03 for general admission. The price includes a buffet dinner, champagne and parking. The buffet will be served at 7 p.m. and the program will begin at 8 p.m.

Switching over



Carolyn Sackariason/Daily Press

Bobbie Scott, center, switches his cell phone plan on the Promenade this past weekend when Cingular Wireless representatives Dianne Tindle and Michael Shawn Hedley promote the company by offering passerbys free long distance calls anywhere in the country on Sunday. Scott changed his plan to take advantage of Cingular's 1,000 anytime, anywhere minutes for \$39.99 a month.

surf report

Information compiled by Jesse Haley

The surf was big enough earlier this week that you could see the whitecaps of the Venice breakwater from the corner of Windward and Pacific. Redondo had 25-foot waves. Conditions were choppy, and the mix of strong onshore winds and record breaking rainfall added the finishing touch to the biggest storm of the year.

Today we're seeing a decrease in size. Weather reports indicate the rains are over for now.

Unfortunately the damage is already done, and the two inches of rain has done in our chances of surfing in anything resembling clean water.

LA County Public Health issued a rain advisory Tuesday warning Los Angeles residents to avoid the water until at least Saturday, Dec. 21. It could be longer if we get more rain.



Today's Tides:

Low-	1:28 a.m.	2.07'
High-	7:40 a.m.	5.84'
Low-	3:05 p.m.	-0.49'
High-	9:25 p.m.	3.53'

Location	Tuesday	Wednesday	Water Quality
County Line	5-7'/Poor	5-7'/Poor	Not available
Zuma	5-7'/Poor	5-7'/Poor	Not available
Surfrider	3-5'/Poor	3-5'/Fair	C
Topanga	4-5'/Fair	4-5'/Fair	A
Breakwater	6-10'/Poor	6-10'/Poor	B
El Porto	6-10'/Poor	6-10'/Poor	B

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The QLine

As the new year approaches, many Santa Monicans have begun thinking about their New Year's resolutions and setting goals for themselves. And now that our political leaders — some old and some new — have been sworn into office, they are thinking about what their priorities for 2003 will be.

This week, Q-Line wants to know:

"What should your elected leaders focus on as their goals for the upcoming year?"

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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LAWS, from page 1

The changes will allow construction to begin without having “Not In My Back Yard” neighbors blocking it, officials said.

According to local and state officials, the changes should boost the production of affordable housing in Santa Monica, though estimates aren’t available to quantify exactly how many more units could be built.

"By making the exemptions for affordable housing clear, it makes the law less vague and therefore less subject to interpretation, and therefore it reduces the time to develop projects," said city housing director Bob Moncrief. "New construction generally takes three years from the day you start to when you build it, so it can't help out next year, but it will help out with future projects."

That's good news for Santa Monica, which is predicted next year to produce only a fraction of the affordable housing it's required to by city law. In a recent city housing report, officials predict that even though the city is required to ensure 30 percent of all new multi-family housing built in a year is affordable, only 9 percent will be produced next year.

While the law doesn't punish the city for failing to meeting its quota of affordable housing, city officials have molded their housing policies in an attempt to meet its demands. Some officials question the city's housing policies.

Especially of concern to some officials is the low amount of fees charged to developers of market-rate housing that's intended to fund affordable units in the city. The money collected by fees covers only one-third of the cost for new affordable housing units, officials say.

But the city is limited from charging free market developers more because it reportedly would make building housing in Santa Monica prohibitive for most developers. Raising fees would likely result in lawsuits against the city, officials said.

“When the only housing being built to speak of was affordable housing it was easy to meet the requirement each year,” Moncrief said. “Now that the non-affordable, market-rate housing market has picked up considerably, reaching the minimum 30 percent under Prop R has become very difficult.”

Similar situations are occurring throughout the state, officials said. As the cost of homes in the state has more than doubled from 1996 when it was \$177,270 for an average home to more than \$324,400 today.

Escalating property values has translated into increased rents locally. The average rent on a two-bedroom apartment has risen to more than \$2,200 a month, according to city officials.

"Everyone is feeling the pinch," said Tad Read, a housing analyst with the city. "We are not creating enough housing to keep up with population growth in the

state, and because supply is out of sync with demand, prices are out of control.

"At this point, the only way we can get prices to even hold steady at this point is to build more housing locally, regionally and statewide," he added.

Because the rising real estate costs have started to affect middle class families, affordable housing is even more important on the state level, officials said.

"At the heart of the issue is that the middle class are talking to their legislators and city staff themselves needing affordable housing just to live in the towns they work in," said Mike Brown, co-director of the California Housing Law Project, which advocates affordable housing. "It's not just a poor person's concern anymore. It's affecting a much larger segment of the population now."

The state legislature has begun focusing on housing issues and is becoming more sensitive to the concerns of affordable housing developers, Stivers said.

"It's become a big issue at the state level," he said. "Over the last couple years, our focus had been on increasing housing supply, but the issue is that the population is increasing but we're not building to meet that."

Stivers said during the past two years 300,000 units of new housing were built in the state. However, Stivers said even if 225,000 new units of housing were added every year for the next decade, it would be just enough to meet the state's housing need.

"And the last two years were the best housing years we've had in a decade," he said. "So right now we're doing our best and building the most housing in a long while and we're still 75,000 units short of what's needed."

That may be because many California towns haven't been interested in building multi-family housing, let alone affordable housing, officials said.

Anaheim, for example, has not approved the construction of any multi-family apartment complexes for the past 40 years.

For that reason, the Southern California Association of Governments — an administrative arm of the state — has begun to set higher levels of new housing construction for every town in the region.

While the levels may seem low for Santa Monica, which has been told to produce about 2,200 new housing units in five years, that number can seem high in towns such as Anaheim, officials said.

"Certainly we have seen more cities forced to open up and allow more housing recently, but there are some other towns, like Santa Monica, with good track records sprinting to put as much out there as they can," Brown said.

"My sense is you do see smaller jurisdictions that had little focus on housing taking more of an interest," he said. "I think you are seeing them reaching out more, and seeing more regional efforts."

But he added, "I don't want to sound Pollyana-ish, we're no where near the end of our task."

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 Santa Monica Daily Press 

LOCAL



Barnum Hall restoration continues during summer

HALL, from page 1

Barnum Hall raised another \$1 million in money and supplies.

The money raised by Restore Barnum Hall paid for many aspects of the restoration that would otherwise have been cut from the project.

"It was a real community effort," Sedillos said. "There isn't another community around here with anything really close to this. Santa Monica should be very proud."

But even as proud parents and music boosters crowded Barnum Hall's new atrium Tuesday evening, work is still far from complete.

Acoustic dampers need to be installed along the walls, broken Victorian-era chairs fill the auditorium's top floor mezzanine because money ran out for replacements, and an antique Wurlitzer pipe organ still needs to be installed.

The hall won't be available to the public until some minor improvements are finished during the summer, officials said.

While funding for the acoustic improvements already has been secured, Sedillos estimates another \$50,000 is needed for the seats and about \$150,000 will be needed to install the pipe organ.

"We're looking into what grant money is available and we're going to try to raise money from our supporters," Sedillos said. "But like everyone else who relies on fundraising, we have been tremendously impacted by Sept. 11. So we'll have to see what's available and work within that."

But the finished product may actually

be worth the added wait and increased cost, some have said.

Style abounds in the building, from the main atrium which spots a tile mosaic by famed local artist Stanton MacDonald-Wright to the detailed grille work that flanks each side of the stage.

The Art-Deco flavor of the architecture extends to the carpet and hand railings, which are curved subtly and leave few hard angles in the building.

First opened in 1937, Barnum Hall was built by the Works Progress Administration during the depths of the Great Depression. Originally the hall served both the high school and the city as an auditorium.

Even back then the project fell victim to countless delays and cost over-runs. Many of the auditorium's original seats would not have been installed if a local theater going out business hadn't donated the now crumbling Victorian chairs.

Other features, such as the grille work that now flanks the stage, had been cut from the original project to save money.

District officials decided not to paint an area off the left-hand side of the stage, where actors from the school's drama club have peppered the room with their graffiti. The room contains a few notable names, such as Emilio Estevez who graduated from Samohi in 1980.

"It's exciting to have gotten this far," Sedillos said. "I wish it were the grand opening for the entire community and everything was done. But at least now the students will be able to use it."

California's ban on MTBE takes effect at end of year

MTBE, from page 1

human carcinogen.

The settlement calls for Arco to pay \$5 million to reimburse legal costs incurred by the District Attorney's Office, which hired two outside firms to help with the complex civil case. The oil company also must pay \$3 million into a fund that will pay for an independent consultant to monitor the cleanup of all the identified gas stations in Orange County. Arco, which merged with London-based BP Amoco in 2000, also is bound by the settlement to pay for all cleanup, regardless of cost, and bring all of its gas stations into compliance.

"We think it is a tough but fair agreement," said Arco spokesman Paul Langland. "This sort of program sets new standards for industry to follow."

He added that Arco and other companies already have cleaned up numerous gas stations in Orange County and around the country.

"We've spent over \$100 million over the last 15 years to meet and exceed the federal regulations and requirements," he said.

The civil lawsuit was amended in October 2000 to add more defendants, including: Arco Chemical Company, BP Amoco Corp., Lyondell Chemical Company and Thrifty Oil Company.

The cases against Lyondell Chemical and Thrifty Oil remain pending. A sepa-

rate lawsuit against Shell Oil Company is scheduled to resume in court next March.

District Attorney Tony Rackauckas brought the lawsuit after the watchdog group Communities for a Better Environment and state and local regulatory agencies found evidence of lax oversight by Arco of its underground gas storage tanks in Orange County.

The findings indicated a threat to the water supply for the approximately 3 million people living in Orange County, who rely upon the Santa Ana River Basin for about 70 percent of their water.

"After being served with the lawsuit, Arco began to take corrective action to bring all of its retail gas stations into compliance," Rackauckas said in a statement. "... Arco has indicated a desire to work with my office to ensure violations do not occur again so we can keep Orange County's drinking water safe today and into the future."

Tests show the supply of drinking water in Orange County currently is free of contamination, officials said.

California has passed a measure banning MTBE that takes effect at the end of next year.

Arco, Mobil and Union 76 gas stations by March 2003 will replace all MTBE-based gasoline in California with ethanol-based gasoline, Langland said.

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STATE

Man sentenced to jail for defrauding friends, relatives

By The Associated Press

LOS ANGELES — A businessman who defrauded more than 200 relatives, friends and acquaintances of \$21 million was sentenced to five years in federal prison.

Gary Eisenberg, 65, who operated Advance Finance Inc. in Beverly Hills, pleaded guilty earlier this year to four counts of securities and mail fraud. He was sentenced Monday.

"This man is guilty of a serious crime that has devastated a lot of people," U.S. District Judge Manuel Real said.

Among Eisenberg's victims were his half brother, in-laws and a variety of friends and business associates, prosecutors said.

One former friend, Lindsey Berkson, a medical writer from Santa Fe, N.M., told Real that she lost \$629,000, her entire life savings, by investing with Eisenberg over seven years.

"I believe Gary Eisenberg is a sociopath who cannot be rehabilitated," she said. "He acted like my best friend, knowing all the time that he was conning

me. He stole my future and broke my heart."

Eisenberg responded to those who spoke at his sentencing hearing, saying: "Those who suffered most were those who loved me."

Real also ordered Eisenberg to pay \$12.7 million in restitution and to immediately surrender \$208,000 from a retirement account. Cazares said an additional \$1.6 million in cash and properties has been recovered through bankruptcy proceedings.

Prosecutors said between 1994 and 2001 Eisenberg raised more than \$21 million from the sale of partnerships in his factoring enterprise, which advanced money to manufacturers while they awaited payments for accounts receivable. He promised investors annual returns of 9 percent to 18 percent.

Instead, Eisenberg lent the money to high-risk clients, some of whom paid kickbacks to his employees.

Last year, Eisenberg was forced to file for bankruptcy protection. The Securities and Exchange Commission filed civil charges against him as well.

Oakland City Council votes on Patriot Act resolution

By The Associated Press

OAKLAND — This city is poised to join more than a dozen others nationwide by passing a resolution Tuesday that would oppose the USA Patriot Act on grounds it violates civil rights.

The resolution would limit how far local authorities could go to obtain information about potential terrorists. Oakland would not voluntarily cooperate in investigations, interrogations or arresting people whose civil rights have been violated under the federal act. It also would urge California's senators and Oakland's representatives in Congress to help repeal the Patriot Act.

"The purpose is to organize with other cities and wake up our legislators so that they take another look at this and see what they are proposing supposedly for freedom," said council woman Nancy Nadel, who proposed the resolution. "They're taking away our freedoms and we're not ready to give that up."

The Patriot Act was passed in the wake of last year's terrorist attacks. It gives the government new powers to obtain personal information about U.S. citizens in an attempt to stop future terrorist attacks.

The idea for the city to oppose the Patriot Act came from the Oakland residents and the library commission, which was concerned about the FBI being able to monitor who's checking out books.

"I don't think that making very important legislative decisions should be done from the position of fear," Nadel said. "The current presidential administration is in a constant state of stirring up fear so that it makes it very difficult for people to make rational decisions."

Nadel said she's been flooded by support for the resolution and has received only one call from a person in Palo Alto who opposed it.

But Dick Spees, the only Republican on the nonpartisan council, says he's not

in total agreement with two provisions in the resolution. He also said Oakland's large port and its proximity to national landmarks in San Francisco could make it a target for terrorists.

He wants to modify the resolution's language slightly to make sure terrorists are not overlooked and to avoid any reference to specific religious and ethnic groups the proposal says the Patriot Act is targeting. He said he would base his vote on whether those changes are made.

"The purpose is to organize with other cities and wake up our legislators so that they take another look at this and see what they are proposing supposedly for freedom."

— **NANCY NADEL**
Councilwoman

"I don't want to have something standing in the way of protecting our community," Spees said. "We should not tie the hands of the police department and others to be cooperative when there are known risks to be investigated."

If the measure passes, Oakland would become the largest city of about 20 local governments to pass similar legislation, said Sanjeev Bery, of the American Civil Liberties Union of Northern California.

"I think it is reasonable to be vigilant against terrorism. It is unreasonable to sacrifice the basic freedoms that make our country so special in order to fight terrorism," he said. "What we need to do is to preserve the fundamental liberties of our country and if we allow ourselves to weaken those liberties, we're essentially giving in to a climate of fear."

STATE



Police chief proposes policy that would ban most pursuits

By The Associated Press

LOS ANGELES — Police Chief William Bratton has proposed policy changes that would ban most auto pursuits of suspects that occur under current rules.

The suggested policy would prohibit officers from chasing people for infractions such as missing license plates, broken taillights or other minor traffic violations. A Police Commission review has found that at least 60 percent of all pursuits involving Los Angeles police officers are for minor traffic offenses.

Bratton's proposal also requires greater supervision of chases in progress.

The commission, which functions as the Police Department's civilian oversight board, on Tuesday rescheduled discussion of the issue to its Jan. 7 meeting.

The plan comes after a series of high-profile chases and collisions, including a Dec. 3 tragedy in which a fleeing suspect crashed into a family's vehicle, tearing an arm off an infant boy.

"Some of these high-speed pursuits have resulted in harm and even death to innocent bystanders," said Ramona Ripston, executive director of the ACLU of Southern California. "It's an ongoing problem and it's about time the Police Commission changed its policy."

Police pursuits rose to 781 in 2001 from 597 the previous year, according to Police Commission statistics. Pedestrian injuries resulting from chases last year were nearly double those of 1998. Los Angeles had the highest total of pursuits, collisions and injuries last year compared to Atlanta, Boston, Chicago and Philadelphia, a commission study showed.

The chases also have been costly to the city. The amount paid out in liability

claims stemming from police pursuits from July 2000 to 2001 was \$1.3 million. From July 2001 to September 2002, the city paid out \$196,400 in claims.

The department has proposed tracking fleeing suspects by air rather than the ground. Now, officers are given discretion on whether to pursue suspects. The senior officer involved in the chase has the responsibility to decide whether to end a pursuit.

"Some of these high-speed pursuits have resulted in harm and even death to innocent bystanders."

— **RAMONA RIPSTON**
ACLU of Southern California,
executive director

Last month an appeals court urged California lawmakers to change policy on high-speed police pursuits, saying existing law amounts to a "get out of liability free" card.

The 4th District Court of Appeal in Santa Ana commented in an opinion involving a Westminster police officer who chased a stolen car through a high school campus in 1995. The suspect's car hit a trash bin and struck a bystander who was gravely injured.

"We urge the Legislature to revisit this statute and seriously reconsider the balance between public entity immunity and public safety," the court stated in its opinion. "The balance appears to have shifted too far toward immunity and left public safety, as well as compensation for innocent victims, twisting in the wind."

PUC approves DWR revenue requirements for utilities

By The Associated Press

SAN FRANCISCO — The California Public Utilities Commission approved a plan Tuesday providing for \$4.5 billion to be paid by three large utility companies to the state as part of a supplemental power purchasing program.

The commission voted 3-2 in favor of the plan submitted by PUC President Loretta Lynch. Her version, an alternate to the original order, reduced the utilities' obligations by \$29 million, an amount based on the cost of a proposed energy demand reduction program in which large customers participate to lower energy use at times of high demand.

The \$4.5 billion is to be paid to the state Department of Water Resources for supplemental energy to be delivered in 2003 to customers of Pacific Gas and Electric Co., Southern California Edison and San Diego Gas & Electric Company.

Under the order, PG&E will pay DWR \$2 billion, SoCal Edison pays \$1.9 billion and SDG&E pays \$643 million.

The plan is the offspring of long-term contracts entered into during the state's energy crisis two years ago. Tuesday's decision was the formal allocation of the energy and costs associated with those contracts, said Steve Ross, an analyst with the Office of Ratepayer Advocates, the agency that developed the methodology for determining the breakdown for each utility.

The payback could result in energy rate increases for customers, though Ross said increases may not be necessary.

"We've already taken into consideration the need for DWR to recover their costs," Ross said.

Tuesday's decision "only formalizes what DWR's revenue requirements are and which utilities will bear the burden of that cost," Ross said.

In 2001, ratepayer surcharges were imposed as an initial response to the fact that the utilities' costs had increased.

None of the three utilities had any immediate comment regarding the commission's decision.

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NATIONAL

Latinos: U.S. has opportunities — discrimination remains

BY GENARO C. ARMAS

Associated Press Writer

WASHINGTON — Hispanics born in the United States are more apt to have experienced discrimination and be less conservative on social issues than foreign-born Latinos, a poll released Tuesday finds.

Of all Hispanics, nearly nine in 10 say the United States offers better economic opportunity than the country they or their ancestors came from, said the authors of the poll conducted by the Pew Hispanic Center and the Kaiser Family Foundation, two research groups.

The results show that while Hispanics share some common beliefs, distinct viewpoints have emerged as new immigrants arrive and older immigrants and first and second-generation Americans become assimilated into U.S. culture.

"You can call it 'The Melting Pot', you can call it assimilation, call it whatever

you want, but what is clear here is there is a process of change going on" in terms of Latin American attitudes, said Roberto Suro, the Pew Hispanic Center director.

The poll of adults surveyed by telephone last spring included 2,929 who identified themselves as Hispanics, along with 1,008 whites and 171 blacks. The poll had a margin of error of plus or minus 2.4 percentage points for Latinos overall, plus or minus 3.3 percentage points for whites and plus or minus 9.9 percentage points for blacks.

Though blacks and whites were polled in some topics, the survey primarily focused on Hispanic viewpoints on racial, economic and social issues.

The federal government considers Hispanic to be an ethnicity, not a race; people of Hispanic ethnicity can be of any race. Blacks and whites surveyed were not of Hispanic ethnicity.

More than 82 percent of Latinos sur-

veyed said discrimination prevents Hispanics, specifically, from succeeding in America, compared with 62 percent of blacks and 59 percent of whites.

Meanwhile, 31 percent of Latinos said they, or someone they knew, had experienced discrimination because of their background in the last five years, compared with 13 percent of whites and 46 percent of blacks.

"On some levels, Sept. 11 raised the whole question of who belongs in this country and who doesn't. In doing that, it gave voice and permitted people to discriminate," said Vibiana Andrade, vice president of public policy for the Mexican American Legal Defense and Educational Fund in Los Angeles.

Among Hispanics, experience with discrimination tended to increase according to where they were born — 28 percent of foreign-born Latinos said they or someone they knew had experienced discrimination, compared with 38 percent of U.S.-born Hispanics.

Discrimination was also more common among those who spoke English more. Researchers said that may partly be because those who have been in the country longer or who speak better English can more easily identify discrimination.

An overwhelming majority of

Hispanics considered Latino discrimination against other Latinos to be a problem, though views varied according to a person's background. For instance, Colombians and Dominicans were more likely to consider such discrimination a problem than Puerto Ricans.

Among Hispanics, Colombians and Dominicans are relatively newer groups in the United States and may tend to live and work more in primarily Latino neighborhoods, suggested Mollyann Brodie, director of public opinion and media research at the Kaiser Family Foundation. As a result, their experiences with discrimination may be limited to occurrences with other Hispanics.

More than 76 percent of Latinos said they were confident Hispanic children growing up in the United States would be better educated and make more money than them, but only 56 percent said they would hold the same moral values.

Foreign-born Latinos tended to lean more conservatively on some social issues than those born in the United States. Twenty percent of immigrants said homosexual sex was "acceptable", compared with 33 percent of those born in the country. And 51 percent of immigrants found divorce to be acceptable, compared with 65 percent of native-born Latinos.

Liza Minnelli and husband sue cable TV network VH1

BY SAMUEL MAULL

Associated Press Writer

NEW YORK — Liza Minnelli and her husband, David Gest, have filed a \$23 million lawsuit against cable television network VH1 and others for dropping plans to air a reality show that centered

on their lives.

The couple's court papers say they contracted in July to shoot 10 one-hour episodes, which were to air on VH1, for \$1.25 million.

But in October, after filming more than 60 hours of the couple's personal and professional lives, the defendants "abruptly and unlawfully terminated the contract," court papers allege.

A man answering the phone Tuesday at MTV Networks said no one at any of the companies would be available to comment before Wednesday.

The couple received a \$100,000 advance for doing the show, which was to have the same spontaneous feel as "The Osbournes," the MTV reality program that features middle-aged rocker Ozzy Osbourne and his family. No Minnelli-Gest episodes have aired.

The couple's lawyer, Michael Sherman, refused to say what he was told

about why VH1 shelved the program. However, the court papers say published reports quoted officials at VH1's parent, Viacom, as saying Gest was "impossible to work with," "a control freak" and "almost insane."

The lawsuit, filed Monday in New York City, names as defendants Remote Productions Inc., the company that was contracted to produce and film the show, and Viacom and its subsidiaries, MTV Networks and VH1.

Minnelli and Gest accuse all the defendants of breach of contract and Viacom and its companies specifically of defamation and slander.

Sherman, who represented Kennedy cousin Michael Skakel at his Connecticut murder trial, said the lawsuit seeks the \$1.15 million balance due on the television contract and \$22 million in compensatory and punitive damages.

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NATIONAL



Commemoration takes off



Rick Bowmer/Associated Press

The Wright brothers original plane hangs overhead during a ceremony at the Smithsonian's Air and Space Museum in Washington on Tuesday marking the 99th anniversary, and the kickoff of the year-long commemoration honoring the 100th anniversary of the Wright brothers' first flight.

Holidays uncertain for those with no job or health benefits

BY DAVID CRARY
AP National Writer

PHILADELPHIA — A Christmas tree is on display in Linda Bissinger's home, but she expects few presents to appear beneath it. Though eager for seasonal cheer, she heads into the holidays angry, uncertain and out of work.

As of Dec. 28, Bissinger will no longer receive the unemployment compensation benefits as a result of congressional inaction. The money has sustained her since she lost her job at a clothing store in June — a dismissal that came just days after her husband left her.

"We went from being a two-income household to a no-income household," she said. "It's my first holiday season as a single mom."

Bissinger, who lives in northeast Philadelphia with her 11-year-old son, Adam, is one of more than 750,000 out-of-work Americans who will lose unemployment benefits three days after Christmas.

With the national jobless rate at 6 percent — it hasn't been higher since 1994 — finding work is tough. Bissinger, 47, recently took a test for a position with the Internal Revenue Service, but her job search is challenging because her auto insurance payments have lapsed and she can't use her car.

Bissinger started getting unemployment benefits of \$362 weekly at the end of June, and thought that she, like other people who lost their jobs earlier in the year, would receive a 13-week extension after six months. But Congress recessed in November without renewing the extension program and news of the unexpected cutoff came in a terse form letter received the day before Thanksgiving.

"They ruined my Thanksgiving, they ruined my Christmas," Bissinger said. "I haven't bought a Christmas present — I'm scared to spend a penny."

The only positive, Bissinger said, is that "at this time of year, they're not going to cut off my gas and electricity."

Adam is fully aware of his mother's difficulties, and said he understands that holiday celebrations will be different this year.

"It's hard for everyone," he said. "But if me and my mom work together, we'll have a happy Christmas."

Bissinger was cautiously encouraged by President Bush's appeal Saturday for Congress to approve an extension of jobless benefits after lawmakers reconvene next month.

"It gave me a sense of hope," she said. "It would be a little more of window to keep looking for work."

Like Bissinger, fellow Philadelphian Chris Ritzau will have his unemployment benefits cut off on Dec. 28, but as a single man he is less worried.

"If people were given the ability to use unemployment benefits for the rest of their lives, there's a certain number who would," said Ritzau, 31. "There are times when Congress has to say no."

Ritzau, a Navy veteran who has worked with various defense contractors, lost his job with Oracle Corp. in March. While hunting for work, he has used the extra time to study international relations and fitness training.

"I've enjoyed being able to sleep in, go to school, do whatever I wanted to," he said. "But I don't see unemployment as something you want to stay on too long. It can make you lazy."

Darnel Tanksley, 46, already has been through what Bissinger and Ritzau face — he has been jobless since November 2001, and his unemployment compensation expired in August.

Tanksley is divorced, and customarily sees his 11-year-old son every other weekend. But the relationship has been strained by his economic plight.

"When I was getting the benefits, I spent a lot of time with him," Tanksley said. "Now I'm scared to call him. I'm afraid he'll say 'I want to buy this video' or 'I want to see this movie' and I'll have to say 'No' because I can't afford it."

Tanksley has worked in the telecommunications industry as a wiring specialist for more than 20 years. But he has been unable to find work in the field since his most recent employer, Teligent Inc., laid off most of its staff during a financial collapse last year.



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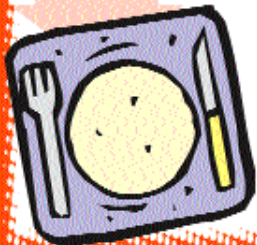
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NATIONAL

NTSB report on Wellstone crash finds no mechanical failure, icing still being probed

BY LESLIE MILLER
Associated Press Writer

WASHINGTON — Federal investigators will continue looking at icing as a potential cause of the plane crash that killed Sen. Paul Wellstone and seven others after determining the engines and propellers were working properly, authorities said Tuesday.

The National Transportation Safety Board issued a progress report as part of its investigation into why the chartered King Air A100 plane crashed and burned about 2 1/2 miles from the Eveleth-Virginia Municipal Airport in Minnesota on Oct. 25.

The two Pratt and Whitney engines and propellers made by Hartzell were thoroughly examined and "no evidence of pre-impact engine or propeller failure was found," the report said.

Wellstone, a Minnesota Democrat; his wife, Sheila; their 33-year-old daughter, Marcia Wellstone Markuson; and five others were killed. They were headed to the funeral of a state representative's father when the plane crashed in freezing rain and light snow.

The NTSB said specialists at the National Center for Atmospheric Research in Boulder, Colo., are working with the safety board to define the icing conditions that existed along the flight's route.

Paul Czysz, professor emeritus of aerospace engineering at St. Louis University, said it only takes an eighth of an inch of ice on the wing's leading edge to disrupt the flow of air, which can cause the wing to lose its lift and the plane to dive.

Ice can cover half a wing in 2 seconds when a plane flies through very cold, damp air like the kind Wellstone's plane encountered, Czysz said.

Investigators say Wellstone's plane made an abrupt right turn as it made its

runway approach. Czysz said that indicates one wing probably had ice on it, causing the sudden movement.

The weather may have contributed to the accident, causing the pilot to fly at a slow speed that wasn't safe, Czysz said.

"It was a gray, misty day," Czysz said. "When you fly in visually degraded conditions, it's really tough to know how fast you're going and how you're oriented."

Safety investigators said that next week they will try to simulate the flight and weather conditions at a facility in Wichita, Kan.

Toxicological reports revealed no evidence of drug or alcohol abuse by pilot Richard Conry or the first officer, Michael Guess. The NTSB said based on radio transmissions it believes Conry was at the controls at the time of the crash.

The report said investigators have documented the crew's activities for three days before the flight through interviews with Conry's wife and Guess's fiancée. They still are reviewing employment, pilot and medical records.

Conry, 55, had worked long hours the day before the crash, flying roundtrip between St. Paul, Minn., and Bismarck, N.D., from 3 a.m. to 9:30 a.m. and then working a four-hour shift at his second job as a nurse. That shift ended around 9:30 p.m., roughly 12 hours before Wellstone's plane took off.

That was within federal regulations that require a 10-hour off-duty period between scheduled flights.

Bill Waldo, professor of safety science at Embry-Riddle Aeronautical University in Prescott, Ariz., said the pilot's fatigue may have contributed to the crash. The accident could also have been caused by other factors, he said, including pilot disorientation, icing, a tricky approach to the runway and a slightly inaccurate navigation aid at the airport.

Study: Kids see more beer commercials than for sneakers

BY SIOBHAN MCDONOUGH
Associated Press Writer

WASHINGTON — Young Americans are exposed to more television commercials for beer than for sneakers, gum or jeans, according to a study released Tuesday.

Young people ages 12 to 20 saw two beer or ale ads in 2001 for every three such commercials aired on programs viewed primarily by adults, the Center on Alcohol Marketing and Youth at Georgetown University found.

"The alcohol industry monitoring their own advertising and current standards aren't protecting youth from alcohol marketing," said Jim O'Hara, the center's executive director.

The study analyzed \$811 million spent on alcohol advertising on TV during 2001, representing 208,909 ads that were placed on network, cable and local broadcast outlets.

Underage viewers were more likely than adults of legal drinking age to have been exposed to a quarter of the 208,909 commercials aired.

Beer and ale advertising on TV amounted to \$695 million. Roughly 18,000 ads were for beer, compared with 10,000 for sneakers, 16,000 for gum and 4,000 for jeans, the research found.

The analysis included information from Competitive Media Reporting and Nielsen Media Research.

The Beer Institute said in a statement that the industry doesn't target underage consumers.

"The way to address illegal underage drinking is to encourage others to get behind programs that are working instead of wasting valuable time censoring advertising to adults of legal drinking age," the institute said.

A September 1999 Federal Trade Commission report on the alcohol industry's advertising and marketing practices urged the industry to raise the standards to reduce underage alcohol ad exposure.

The center, which is supported by grants from The Pew Charitable Trusts and the Robert Wood Johnson Foundation, says it is time for the FTC to review the alcohol industry's television advertising practices.

INTERNATIONAL



Venezuela's oil situation worsens as strike continues

BY JAMES ANDERSON
Associated Press Writer

CARACAS, Venezuela — Venezuela's opposition insisted Tuesday its 16-day-old general strike against President Hugo Chavez is choking off gas supplies and oil income for the world's fifth-largest oil exporter.

The threat to domestic transportation and the loss of \$50 million daily in export income pose the strike's biggest dangers for Chavez, who has sent soldiers to striking oil facilities to little effect.

"The overall sentiment among workers is: Strike until he leaves," said Gonzalo Feijoo, a planning adviser for Venezuela's state-owned oil monopoly, Petroleos de Venezuela, S.A., where top management is in open rebellion.

Thousands of protesters seeking Chavez's ouster or early elections marched along Caracas' Cota Mil highway toward the tomb of national hero Simon Bolivar. The site is near the presidential palace, where bloody protests eight months ago led to Chavez's brief ouster.

Chavez maintains Venezuela's constitution requires him to accept the results of a possible recall halfway into his six-year term, or next August. He has defied calls for elections in early 2003.

The strike has reduced Venezuela's oil output of nearly 3 million barrels a day to 400,000 barrels per day, sending the price of crude oil above US\$30 a barrel. Venezuela's strike coincides with speculation that possible U.S. action against Iraq might take Iraqi oil off the market.

One of the world's largest oil refineries stopped refining products because of the strike. Curacao's Refineria Isla was running out of storage capacity as international clients sought alternate supplies, said Norbert Chaclin, the refinery's technical services manager.

The refinery, operated by Venezuela's oil company, stopped producing gasoline,

lubricants, jet fuel, propane and other products for the United States and the Caribbean, Chaclin said. Its last delivery was Sunday.

Two of Venezuela's largest refineries, including one producing gasoline for Venezuela and the United States, have shut down. State oil company executives have vowed to cap wells until Chavez resigns or calls early elections.

Venezuela's 13-tanker shipping fleet lies at anchor, its striking crews refusing to deliver their cargos. Foreign shippers refuse to operate in Venezuela, citing unsafe conditions. Insurers refuse to cover transport to and from Venezuela, the No. 4 oil exporter to the United States.

Chavez was dealt another blow Tuesday when officials at the giant Hovensa refinery in the U.S. Virgin Island of St. Croix announced no gasoline shipment was headed to Venezuela.

Venezuela has a majority stake in the refinery, which also supplies the U.S. East Coast and is one of the largest in the Western Hemisphere. Its 400,000-barrel-per-day production has been cut in half.

Chavez insisted Sunday his government would ensure gasoline deliveries. He commandeered private trucks to deliver it. That hasn't stopped panic buying and mile-long lines as state oil company executives insist gas will run out within days. Transport problems have led to shortages of basic staples, and Colombia said Tuesday that Venezuela has asked it for food.

"If the gasoline goes, there will be chaos," Rafael Haddad, a 44-year-old agronomist, said at a filling station.

In the eastern state of Anzoategui, about 300 pro-Chavez workers were heading to the Anaco natural gas plant to meet with striking workers and, if necessary, force the plant to open, the state Venpres news agency said.

"This is very serious ... because they don't have the absolute minimum experi-

Christmas nearly cancelled



Jacqueline Larma/Associated Press

An Israeli soldier gets out of his jeep in Manger Square, with the Church of the Nativity, traditionally believed to be the birthplace of Jesus, in the background, as they try to enforce curfew on Tuesday. Palestinian Christians said they will restrict Christmas observances to religious ritual this year — the first time since 1994 that Bethlehem is under Israeli occupation during the holiday.

ence required to operate equipment that controls such high volumes of gas," complex spokesman Luis Vidal told Union Radio on Tuesday.

Signs of desperation appeared. Officials have tried to install unqualified and long-retired sea captains to move the Pilin Leon, a tanker carrying 280,000 barrels of gasoline that has been anchored in protest in Lake Maracaibo, said Fernando Reyes, a spokesman for the striking merchant mariners union.

Last week, Petroleos de Venezuela, S.A. president Ali Rodriguez — a former secretary general of the Organization of Petroleum Exporting Countries — urged Chavez street activists to rally around oil facilities throughout the country.

Chavez has fired top executives at the state oil monopoly, which prizes its autonomy and accuses the Venezuelan leader of

politicizing the company. Among their complaints are oil exports to communist Cuba.

Opposition strikers also are considering a march on the presidential palace itself. The last time they tried, 19 people were killed and hundreds were wounded — some at the hands of pro-Chavez civilians. The April 11 bloodshed provoked a coup that ousted Chavez for two days. He was restored when a new government dissolved the constitution.

The United States expressed strong support Tuesday for an Organization of American States resolution that rejects any attempt at subverting the democratic process in Venezuela. The OAS permanent council approved the resolution after a lengthy debate. OAS Secretary General Cesar Gaviria is mediating negotiations on possible elections.

U.S. stance on abortion, condom use rejected at conference

BY VIJAY JOSHI
Associated Press Writer

BANGKOK, Thailand — The United States lost a vote at an international conference Tuesday as Asia-Pacific countries rejected the Bush administration's stand against abortion and condom use among adolescents.

The vote was held at the end of the U.N.-sponsored Asian and Pacific Population Conference, which adopted a plan of action on population policies in a bid to reduce poverty in the region.

U.S. delegates had said some of the wording, including "reproductive health services" and "reproductive rights," could be read as advocating abortion and underage sex. But U.S. demands for changes or deletions were overwhelmingly rejected in a vote that allowed the plan to be adopted as the conference ended Tuesday.

"We wanted a development oriented conference, but the issue we had a heated debate on was abortion and underage sex," said Kim Hak-Su, executive secretary of the U.N. Economic and Social Commission for Asia and the Pacific.

The fifth Asian and Pacific Population conference was attended by UNESCAP's member nations, including the

United States, India, Pakistan and China, as well as several activist organizations.

Delegates said the ministerial meetings were often heated, with the United States seeking to pressure other countries.

Faced with a deadlock, the conference took a vote — highly unusual at United Nations conferences — on two key chapters of the plan. The United States lost the first vote 31-1 with two abstentions, and the second 32-1 with two abstentions.

The United States ended up agreeing on the plan being adopted without change, said Thoraya Obaid, executive director of the U.N. Population Fund. Its concerns were attached in a separate document that will not affect the plan.

"By joining the consensus they were part of the whole group. It is not loss or gain. It is multilateralism," she said.

The 22-page plan includes a series of recommended steps to implement an international family planning agreement reached in Cairo in 1994. It suggested fighting poverty by concentrating on 12 areas including family planning, gender equality and combatting HIV/AIDS.

The plan aims to halve the number of people in the

Asia-Pacific region living on less than \$1 per day by 2015. Nearly 67 percent of the world's estimated 1.2 billion people who live in extreme poverty are in this region.

Population policies "must encompass the principle of voluntary and informed decision making and choices, the preservation and protection of human rights, including the matters related to reproductive rights and reproductive health services," the plan says.

It also includes the phrase "consistent condom use" — a phrase the United States wanted struck out — as a way to reduce vulnerability to infection from the virus that causes AIDS.

The U.S. delegation was not available for comment, but the Americans had said Monday that their government cannot support any program that seems to promote abortion. The United States also prefers that adolescents practice abstinence instead of using condoms to avoid pregnancy.

U.S. support for population programs is important for the region. Earlier this month, the Bush administration blocked \$34 million in funds appropriated by Congress for the U.N. Population Fund.

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SPORTS

Augusta membership battle hits up cyberspace

BY DOUG FERGUSON

AP Golf Writer

The group pushing for female members at Augusta National took its battle into cyberspace Tuesday with a Web site that vilifies corporations whose chief executives belong to the golf club.

"We think it is important for women to know that some of America's largest corporations maintain a double standard when it comes to sex discrimination," said Martha Burk, head of the National Council of Women's Organizations.

The site — www.augustadiscriminates.org — officially was to go online Tuesday night to coincide with Burk's appearance on HBO's "Real Sports with Bryant Gumbel."

The main page, headlined "Hall of Hypocrisy," will display logos of corporations with ties to Augusta.

Each corporate link will show a photo of the chairman or CEO, the company's diversity statement if it has one, and the goods and services it provides. A headline proclaims that the company supports discrimination.

"Their corporation is led by a man who shows his contempt for women every day that he continues as a member of Augusta National Golf Club," each entry says.

Augusta National spokesman Glenn Greenspan said the site "is simply not news" because it is the work of a Washington activist group.

"It's political activism 101," he said.

It's not the only Web site devoted to the controversy.

A North Carolina man two weeks ago launched www.golfersforarealcause.org with two objectives — to raise money for

breast cancer research, and to divert attention from Burk.

Also, a Florida man built www.theburkstopshere.com as a collection of Web sites to protest Burk and her efforts to get Augusta National to admit a female member.

Burk said it took five people several days to pull together information about the various corporations, including their positions on diversity and contact information.

"I hope that consumers will let these people know how they feel about the double standards, and I hope they will make informed decisions," she said.

"The timing is not accidental. We're in the middle of the holiday buying season. The power of the marketplace will be strong, and consumers will make informed decisions."

The controversy over the men-only membership at the home of the Masters already has resulted in club chairman Hootie Johnson's dropping television sponsors from next year's tournament.

Former CBS executive Thomas Wyman resigned his club membership two weeks ago, while Treasury Secretary nominee John Snow resigned from Augusta so it would not be an issue during his confirmation hearings.

Otherwise, the debate is at a standstill.

Johnson said in an interview last month that there was no chance Augusta National would invite a woman to join before the Masters in April and that he saw nothing wrong with a single-gender organization.

Demonstrations outside the gates of Augusta during the Masters appear inevitable, and the Rev. Jesse Jackson of the PUSH/Rainbow Coalition offered to lead the charge.

Burk said the primary goal of her group's

Rangers take a bite at sharks



Jeff Zevlevsky/Associated Press

New York Rangers' Matthew Barnaby scores on San Jose Sharks' goalie Mikko Kiprusoff in the second period at Madison Square Garden in New York on Monday.

Web site is to put pressure on CEOs.

"They should be uncomfortable," she said. "They're not in the business of defending sex discrimination for a few guys at Augusta. They're in the business of selling goods and services. I hope their board of directors take a look at what this is doing to their image."

"There is enough corporate scandals in the financial sector," Burk said. "They don't need a social scandal, and that's exactly what this is."

Burk also received support from Jane

Smith, chief executive of Business and Professional Women/USA.

"... CEOs who belong to Augusta National Golf Club may also be lax in supporting corporate policies to pay women fairly and promote women in equal numbers with men," said Smith, an NCWO member.

Viacom, the parent company of CBS, also was on the main page. Burk claims CBS is underwriting discrimination by agreeing to broadcast the Masters.

The next Web target is the PGA Tour.

Baseball's average salary up 7.3 percent to nearly \$2.3M

BY RONALD BLUM

AP Sports Writer

NEW YORK — The average major league baseball salary rose to nearly \$2.3 million this year, a 7.3 percent increase that was the smallest since 1998.

Every team's average topped \$1 million for the first time.

Just five of the eight playoff teams were among the top 12 in average salary. Anaheim won its first World Series, despite ranking 13th at \$2,160,054, while NL champion San Francisco was ninth at \$3,030,571.

Other teams that got the most from their money were AL West champion Oakland, 21st at \$1,746,264, and AL Central winner Minnesota, 26th at \$1,430,068.

The New York Yankees, eliminated by Anaheim in the first round of the playoffs, averaged a record \$4,902,777, nearly \$1 million higher than the previous mark of \$3,930,334 they set in 2001.

With 29 players on their roster and DL, the Yankees' closing payroll was \$142 million, according to the annual study released Tuesday by the Major League Baseball Players Association.

New York has had the highest average for four straight years and eight of nine. The team was targeted by baseball's new labor contract, which increases revenue sharing and reimposes a luxury tax, and the Yankees are trying to cut payroll for 2003.

Including all 895 players on Aug. 31 rosters and disabled lists, the average was \$2,295,694. Following three straight seasons of increases that ranged from 13 to 18 percent, the average went up by the smallest amount since 1998's 4.7 percent rise.

Final management calculations, which are slightly different, will be available later this month.

Five teams among the top 10 spenders failed to make the playoffs this year: No. 2 Boston (at \$3,633,457), No. 3 Los Angeles, No. 4 Seattle, No. 6 Mets and No. 8 Texas.

Among the teams with the top 13 averages, the only ones with losing records were the Mets (75-86), Texas (72-90) and the Cubs (67-95). Among the rest, the only ones with winning records were Oakland (103-59), Montreal (83-79) and Minnesota (94-67).

Twenty-three of the 30 teams had higher averages than 2001, with Los Angeles, the Cubs, Cleveland, Toronto, Baltimore, Colorado and Detroit the only ones with decreases.

Montreal, operated by the commissioner's office on behalf of the other 29 teams, had the lowest average in 2001 but had a 61 percent increase this year to \$1,497,309.

Tampa Bay had the lowest average for the first time at \$1,131,474, San Diego was 29th, Milwaukee 28th and Pittsburgh 27th.

Designated hitters were the highest-paid players, averaging \$6,186,224, followed by first basemen (\$5,701,654), shortstops (\$4,182,703), outfielders (\$3,992,607), catchers (\$3,645,329), third basemen (\$3,339,078), starting pitchers (\$3,315,341), second basemen (\$3,189,423) and relievers (\$1,516,079).

Players with two-to-three years of major league service who were not eligible for arbitration averaged \$491,371, while those who were eligible averaged \$1,192,541.

Shane Mosley wants to reclaim status as one of world's best

BY ADAM GOLDMAN

Associated Press Writer

LAS VEGAS — It's been a long time since Sugar Shane Mosley had to prove himself in the boxing ring. But that's what the former world champion will have to do Feb. 8 when he tries to put behind two losses to Vernon Forrest and move up to 154 pounds to fight Raul Marquez.

Mosley, who already has reached a deal with Top Rank's Bob Arum to face Oscar De La Hoya in a September rematch, said he's ready to dispatch both boxers and reclaim his status as one of the world's best — this time as a junior middleweight.

"I'm looking for greatness one more time," Mosley, 31, of Pomona, Calif., said Tuesday at a relaxed news conference to announce the February fight at the Mandalay Bay resort-casino. "I haven't lost my spirit or style."

Much of the talk Tuesday was about the fight between Mosley (38-2) and De La Hoya, whom Mosley beat in a split decision on June 17, 2000. Arum said he hopes to have a contract signed soon.

"Oscar has committed to fighting Shane, if Shane wins this fight," Arum said. "But I can't say this is an eliminator."

Before Mosley gets into the ring with the De La Hoya, he'll have get to through

Marquez (34-2), who is no slouch, according to boxing insiders. Marquez, a 31-year-old southpaw from Houston, has boxed top caliber fighters before, including Yori Boy Campos and Fernando Vargas.

In 1999, Vargas scored a technical knockout in the 11th round, which sent Marquez into a short-lived retirement. Marquez has been working as a Spanish-speaking commentator for HBO since and has fought four times in the past two years. He worked both the Forrest-Mosley fights.

Marquez says he knows what to expect from the quick Mosley when they step in the ring for 12 rounds. But he's got a simple plan, the same one Forrest used to beat Mosley.

"Jabs," Marquez said. "Lots of jabs. He's very tough but he doesn't like to get hit. I throw good body shots. He didn't like Vernon's body shots. I'm the bigger guy, the stronger guy."

And if that doesn't work?

"I'm going to have to go after him and rough him up," Marquez said. "He's vulnerable. His confidence is down."

Mosley seemed unimpressed by Marquez's strategy. He said he's sparring with a heavier partner and training hard.

The two losses to Forrest have not affected him in any way, Mosley said.

"We'll see when I get in the ring," he said.

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 - 20 Sprinted
 - 23 Viohy water
 - 24 Come before
 - 25 Explicit
 - 27 Muffin base
 - 28 Squirm's treat
 - 29 Painter Paul
 - 31 Fuba
 - 32 Spanish hero
 - 33 Band
 - 34 Fictional thief
 - 37 Rapal
 - 38 Moolah
 - 43 Goneril's father
 - 44 Arthurian isle
 - 45 Like an eyebrow
 - 48 Actor Karl
- DOWN**
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 - 2 Small bill
 - 3 Preserve
 - 4 Unsweara
 - 5 Canon film
 - 6 Aptide
 - 7 Slow song
 - 8 It was completed in 1825
 - 9 Sermon topic
 - 10 Make lace
 - 16 Cane's island
 - 17 Wild card, at times
 - 18 An island
 - 19 It was completed in 1888
 - 21 Piano piece
 - 22 Addict's program
 - 24 Minnow homes
 - 25 Sprinted
 - 30 Hang on the line
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 - 35 Dutch cheese
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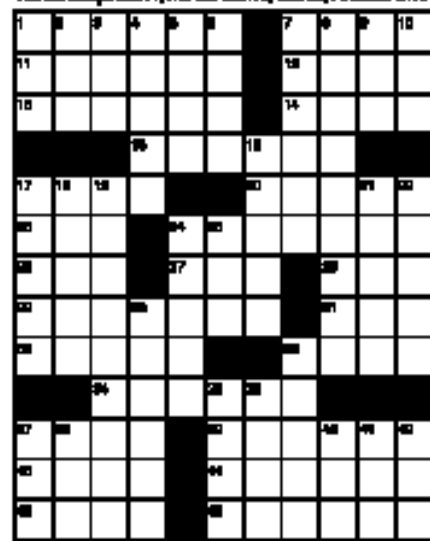
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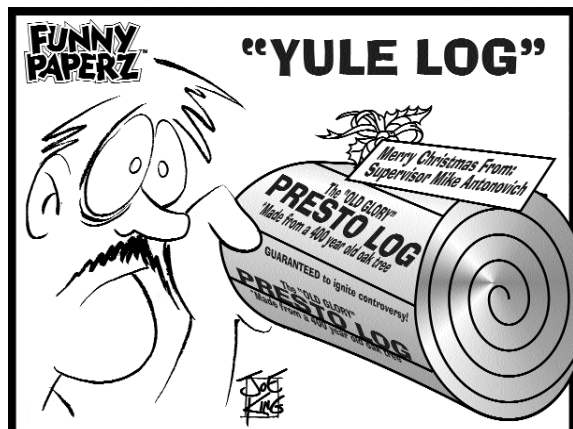
NEWS OF THE WEIRD by Chuck Shepard

Freedom of speech ... for just \$25

■ Mayor Jay Lee of Virgin, Utah (a town that once required a gun in every house for self-defense and that also once banned United Nations activities within its borders), announced there would be a \$25 charge for anyone who wished to speak up at Town Council meetings (October).

■ Alabama, one of two states to ban the sale of devices whose main function is to assist in sexual pleasure, had its law declared unconstitutional by a federal judge (October).

■ One of the Indiana fast-food workers who in 2001 submitted to body searches by their managers, after a pervert made bogus "police" telephone requests of the managers, filed a federal lawsuit against Burger King (October).





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WEDNESDAY, DECEMBER 18, 2002

TODAY'S EVENTS

The annual **Santa Monica Nativity Scenes** is on display at Palisades Park along Ocean Avenue near Arizona. The 14 lighted scenes with life-size figures depicting events surrounding Christ's birth will remain on display through January 1. For more information please call (310) 453-4445.

Farmer's Market every Wednesday. 9am to 2pm, Arizona between Second and Fourth Streets. Come and enjoy one of the largest and best farmer's markets in California!

Santa Monica Public Library presents Preschool Story Time, every Wednesday at 11:15am, 1343 Sixth Street. Stories for children between the ages of three and five who are ready to participate on their own. (310)458-8600

Puppetolio! presented by the Santa Monica Puppet & Magic Center. All ages, 3 and up. This musical revue features marionettes, ventriloquism, magic and more. Shows are always followed by a demonstration, Q & A, and a tour of the Puppet workshop and Museum. Saturdays and Sundays at 1pm and 3pm. Wednesdays and Holidays at 1pm. Seats are \$6.50. 1255 2nd Street in Santa Monica. Reservations/Information (310)656-0483. www.puppetmagic.com

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.

Santa Monica Commission on Older Americans. Ken Edwards Center, 1527 4th Street - Room 104-105. 1:30 p.m. Everyone is invited! Share issues of concern regarding the programs, and services for

Seniors in Santa Monica. For more information please call (310)458-8300

THURSDAY

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.

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.

Dharma at the Clubhouse. A weekly book and multi-media 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.

Gotham Comedy Night! Standup at Gotham Hall, 1431 3rd St. Promenade, Santa Monica; every Thursday, 7:30 pm, \$5.00 + 2 item min. 21/ over. (323) 525-5254

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

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

MOVIE °GUIDE

LOEWS CINIPLEX BROADWAY CINEMA

1441 Third St. at Broadway
Empire : with Captions (R) 12:00, 2:30, 5:00, 7:30, 10:00. **Solaris (2002)** (PG-13) 11:30, 2:00, 4:30, 7:00, 9:30. **About Schmidt** (R) 12:15, 1:15, 3:15, 4:15, 6:15, 7:15, 9:15, 10:15

MANN CRITERION

1313 Third St.
The Ring (PG-13) 12:45, 10:00. **Harry Potter and the Chamber of Secrets** (PG) 12:00, 3:30, 7:00, 10:30. **Adaptation** (R) 11:00, 2:00, 4:00, 5:00, 7:15, 8:00, 10:15, 11:00. **Adam Sandler's Eight Crazy Nights** (PG-13) 2:30, 7:35. **Treasure Planet** (PG) 11:30, 2:15, 4:45, 7:30. **The Hot Chick** (PG-13) 11:15, 1:50, 4:30, 7:05, 9:45. **8 Mile** (R) 11:45, 4:45, 9:50.

AMC THEATRE SM 7

1310 3rd Street
Analyze That (R) 11:15, 1:40, 4:20, 7:30, 10:00. **Die Another Day** (PG-13) 12:45, 4:10, 7:20, 10:25. **Drumline** (PG-13) 1:00, 4:00, 7:00, 9:45. **Maid in Manhattan** (PG-13) 11:30, 1:20, 2:15, 4:05, 5:15, 7:10, 8:00, 9:50, 10:35. **Star Trek: Nemesis** (PG-13) 11:00, 11:45, 1:50, 2:35, 4:45, 5:30, 7:45, 8:30, 10:40, 11:30. **The Lord of the Rings: The Two Towers** (PG-13) 11:00, 3:00, 7:00, 11:00.

LANDMARK NU-WILSHIRE

1314 Wilshire Blvd.
Bowling for Columbine (R) 1:30, 4:15, 7:30, 10:15. **Far From Heaven** (PG-13) 2:00, 4:30, 7:00, 9:30.

LAEMMLE MONICA

1332 2nd St.
Rabbit-Proof Fence (PG) 12:15, 2:40, 5:05, 7:30, 9:55. **Frida** (R) 1:45, 4:30, 7:15, 10:05. **Evelyn** (PG) 1:00, 3:20, 5:40, 8:00, 10:15.

AERO THEATRE

1328 Montana Ave.
Bloody Sunday 5:00 **Secretary** 7:30, 10:00



BACK PAGE



Big tipper

By The Associated Press

QUINCY, Mass. — Waitress Sarah Nilsen got an early Christmas present in the mail this week: A \$10,000 tip from one of her regular customers.

The check, made out to Nilsen's 11-month-old son, came from an older widower who patronizes the Newcomb Farms restaurant, where Nilsen, 22, waits tables twice a week.

The man, whom Nilsen would not identify, sits at the same table and orders the same meal every Wednesday.

Nilsen, who also works full-time at an insurance agency, said she's been talking to the man about her son Andrew since he visited the restaurant with her when he was 3 months old.

Last Wednesday, Nilsen and her customer had more reason than usual to talk.

"I said, 'I don't know how I can thank you,'" Nilsen recalled.

His reply: "I just wanted to do something for you."

Nilsen and her husband, Jeffrey, plan to put the money in Andrew's college savings account. She said she's sure Andrew will meet his benefactor at the restaurant many times.

Prisoner lover robs bank

By The Associated Press

KENOSHA, Wis. — A man who claimed he took money from a bank because he wanted to go back to prison may get his wish.

A jury convicted Dale L. Smith, 35, of theft on Dec. 12. Prosecutors said Smith took \$9,815 from a teller's cash drawer at Bank One in February. A customer held Smith in a bear hug until police arrived.

The defense argued that Smith did not intend to keep the money but instead wanted to be re-incarcerated.

Defense witnesses said before the trial that Smith complained he was having trouble coping with life out of prison.

Smith now faces a possible maximum penalty of a \$10,000 fine and 25 years in prison. Judge Michael Wilk scheduled sentencing for Jan. 23.

Smith's past convictions include resisting arrest in 1987, burglary in 1989, theft from a bank in 1992, battery and disorderly conduct in 1995 and postal theft in 1997.

Air should be free

By The Associated Press

CUYAHOGA FALLS, Ohio — Councilman John Schmidt thinks it's wrong to charge a fee for air.

So Schmidt is proposing an ordinance in this Akron suburb that would require any new gas station or one that remodels to offer free air for tires.

Nearly 20 years ago, Cuyahoga Falls adopted a law requiring businesses that sell gasoline to provide air for tires as well. But in recent years, some of them have started charging 25 cents to 50 cents to use the air

pumps.

Roger Dreyer, president of the Ohio Petroleum Marketers and Convenience Store Association said air pumps are a frequent target of vandals, and some gas station owners attempt to recoup the expense by charging a small fee.

Mayor Don Robart said he's not sure the city can impose such a requirement, and he would consider vetoing it.

"I think it's anti-business," he said. "And I think it's goofy."

Students protest against plastic

By The Associated Press

TREMPEALEAU, Wis. — Fifth-graders here took metal silverware in hand and marched into the school cafeteria to protest the school district's money-saving switch to plastic utensils.

Three weeks later, the students claimed victory when their campaign caused the Gale-Etrick-Trempealeau school board to reverse its decision, agreeing with protesters that the metal utensils were more environmentally friendly.

The district had said it would save an estimated \$4,500 a year by changing to plastic.

But the fifth-graders at Trempealeau Elementary School lobbied their peers, parents and teachers throughout the district to strike down the policy, and the school board reversed its decision Dec. 9.

Fifth-graders Haley Allen and Courtney Kriesel said disposable plastic flies in the face of their education.

The students learned plastic tableware often ends up in landfills or incinerators rather than recycling plants. "It's bad for the Earth," Allen said.

DID YOU KNOW?: Nobody knows who invented spectacles (eyeglasses).

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