

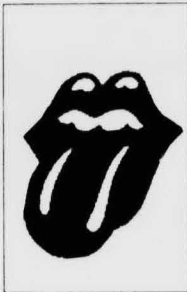
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OPINION

CAN'T GET NO SATISFACTION

Spartan Daily columnist sounds off about the "Bridges to Babylon" tour by the Rolling Stones



NEWS

BREAKFAST AT PHYLLIS'

Pancake Breakfast held at International House renamed in honor of Alumna Simpkins



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TUESDAY

October 21, 1997

Moss Landing receives gift

■ Packard estate's \$3.2 million donation aids in marine lab's earthquake recovery

By Christine M. Lias
 Staff Writer

Moss Landing may be up and running in fall 1999 if all goes as planned, thanks to a grant of \$3.2 million from the Packard Foundation to restore the marine research facilities damaged in the 1989 earthquake.

The gift from the Palo Alto-based estate of David Packard, of Hewlett Packard fame, will enable the center to begin rebuilding itself — eight years after the Loma Prieta earthquake that damaged the buildings, SJSU officials said.

"As this substantial award attests, (Moss Landing Marine Laboratories) is an outstanding research and teaching facility. We are very proud of their accomplishments and their reputation," SJSU President Robert Caret said in a prepared statement.

Moss Landing Marine Laboratories are a marine research facility for a consortium of seven California State University campuses, including SJSU and CSU Monterey Bay. SJSU is the lead institution that oversees the administrative functions of Moss Landing.

In recent years, the laboratories have researched the environments of the Galapagos Islands, the Monterey Submarine Canyon (a large, underwater trench located off the Monterey Bay shore) and a study of global warming in Antarctica, a project to begin next week.

"We are all very happy and

"...It's rewarding to see support for our research and for the oceans in general."

— Gary Greene
 marine research facility director

pleased to receive this award. It's rewarding to see support for our research and for the oceans in general," said Gary Greene, marine research facility director.

The \$3.2 million surpassed the needed \$2.7 million by almost \$1 million. The additional money will be spent on scientific instruments, cabinetry and piping for the sea water that the center shares with the Monterey Bay Aquarium, Greene said.

Greene also said the eight-year stall in jumpstarting the project is due to "bureaucratic loopholes" that needed to be dealt with.

"There was unbelievable opposition to the project from neighbors. We also had to deal with getting funds from (the Federal Emergency Management Agency) after the earthquake," Greene said.

According to officials from the Monterey County Planning Commission, the problems rested solely upon FEMA's shoulders.

After the quake, Moss Landing Marine Laboratories applied to the planning commission in order to rebuild its

See *Moss Landing*, page 8



Scott Lechner/Spartan Daily

Peering through the false ceiling, Steve Cohen, board member of the Preservation Action Council, points out the ornate detail on the ceiling of the Montgomery Hotel. The city council will decide if the building will be torn down or declared a city landmark.

Montgomery Hotel under siege

By Scott Shuey
 Staff Writer

See related editorial on page 2

The Montgomery Hotel, a building that opened its doors in 1911, is about to be the focus of a second battle between those who want to redevelop downtown San Jose and those who want to keep its historic buildings intact.

The battle comes on the heels of the debate on whether or not to tear down the historic Jose Theater.

The Redevelopment Agency of San Jose and the Fairmont Hotel, which is located next door to the Montgomery Hotel, wants to tear the building down so the Fairmont can build a 15-story building in its place.

In the last two weeks however, two San Jose groups have come out against the hotel's destruction. The Preservation Action Council and the San Jose Historic Landmarks Commission believe the building should be revitalized and turned into an extension of the Fairmont. They say the cost of revitalizing the building

and the cost of putting up a new building are similar.

"If they keep this building, the Fairmont gets everything they want," said Steve Cohen, a board member of the Preservation Action Council. "They get their modern building, but they still have the historic (value)."

David Gazek, director of operations for the Redevelopment Agency, said the agency and the Fairmont having no intention of changing their plans.

"Our plans involve demolishing the Montgomery Hotel to build a new hotel with a connection to the Fairmont on the second floor," Gazek said. "The existing hotel does not have the space and rooms for a first-class hotel."

Fairmont General Manager Karl Buchta said the Fairmont has no agenda for the Montgomery other than its

removal. "As I understand, it will be torn down," he said. "We have no alternative plans for the Montgomery."

The Montgomery Hotel opened its doors in 1911 and an annex, which houses a ballroom and a restaurant, was added in 1917.

In the 1960s, the hotel became a residence for the elderly and in the 1970s and '80s was used as office space. The hotel was closed after the 1989 Loma Prieta Earthquake. The quake caused little serious structural damage, but dislodged fake ceiling tiles containing asbestos, Cohen said. Asbestos was also found in the insulation of the hot water pipes.

"The building's not condemned," said Judi Henderson, vice chair of the Landmarks Committee. "It's just full of asbestos."

Cohen, who works for the Fairmont but does not represent them, said he believes the downtown hotel is pushing for the

See *Montgomery*, page 8

Harvest Festival sows information

■ Nutrition and Food Science Department hosts awareness day at campus garden

By Scott Shuey
 Staff Writer

Students and faculty from the Nutrition and Food Science Department will hold the third annual Harvest Festival Wednesday at the Interdisciplinary Garden.

There will be an information fair at the festival with booths from the American Cancer Society, Second Harvest Food Bank, the Environmental Science Resource Center, Master Gardeners of San Jose, a dietitian and even NASA, who will have information on gardening in space.

"People can get an increased awareness about what they can do to positively affect their health," said Kathleen Cahill, a nutrition and food science student. "And they can learn about the joys of gardening."

Cahill said the garden is an

attraction that many students do not know about on campus and this is an opportunity to "show it off."

Some of the other departments that will be there include entomology and occupational therapy.

"The goal is to be an interdisciplinary garden," she said, referring to the principle of having two or more fields of study work together. "Gardening is supposed to be good therapy. Some of the plots are raised so people can work on them. Entomology is involved because insects are a part of any garden."

Lorie Zampedri, who also studies nutrition and food science, said there will also be food at the festival, but it will not be food grown in the garden.

"Because of the lateness of the year, the food sample won't be from the garden," Zampedri said. "It's kind of a misnomer. It won't be garden produce."

The garden is located behind the Central Classroom Building on the Seventh Street Plaza. The festival will run between 10 a.m. and 2 p.m.

Prop. 209 opponents to roll into Sacramento

By Ingrid Perez
 Staff Writer

Local opponents of Proposition 209, the anti-affirmative action law passed in November 1996, are trying to gather more students to voice their opinions on the steps of the Governor's Office in Sacramento, Monday.

Cobie Harris, African American Studies Department chairman, said he has three buses, carrying 50 people each, that have been reserved for the "Save the Dream" rally. The rally will focus on the effects of Prop. 209 and Prop. 187, a controversial law dealing with immigration that has been debated in court since its passage in November 1994.

Speakers, such as Rev. Jesse Jackson, an affirmative action supporter, will discuss their views on propositions 209 and

187 and a circulating petition to eliminate bilingual education in California. More buses will be reserved should they be necessary, he said.

Harris said speakers will address several issues. Some speakers, he said, will talk about the need for working class citizens to earn more with the living wage increase. American workers won't have enough money to pay for adequate benefits or health care, Harris said.

"It's going to be a march about social justice for the working class people who don't get a living wage for the work they do," he said.

Harris said it is too early to tell how many delegates from SJSU will attend, but he estimates about a "couple of hundred." He should have a better grasp on the number by the end of the week, he said. He said the

"We'd like all people who are concerned with social justice issues, racial injustice, gender equity, worker's rights... to come join us."

— Cobie Harris
 African American Studies Department chairman

last day to register to attend the rally is Oct. 23. Those interested can call Harris at 924-5861.

"We have a lot (of people scheduled to go), but we need more," Harris said. "We'd like all

people who are concerned with social justice issues, racial injustice, gender equity, worker's rights, (the struggle) to stop scapegoating immigrants and creating a more integrated society to come join us."

Lisa Kalustian, a press secretary for Gov. Pete Wilson, said rally supporters have a right to voice their opinions on Prop. 209 as well as other concerns. Kalustian said as far as Wilson's office is concerned, the voters have decided that affirmative action is discriminatory.

"People in California have voted to end race and gender-based preferences because it is discriminatory," Kalustian said. "The key is to make sure there is equal access to opportunities and (make sure) children are prepared to qualify and compete to win a prize based on merit."

See *Sacramento*, page 8

Fearful, boring lifestyles force society to turn to Prozac for fulfillment

I'm bored.

Bored with our country's indifferent attitude. Bored with sitting in traffic in the morning commute. Bored with Gilroy and the Gap.

And I'm not alone.

According to the Health Center on campus, depression is the most commonly diagnosed mental disease of students on campus. It ranks eighth as the most common diagnosis in the center and has for the past two years.

I wonder if the increase in our

boring lifestyles has led to a similar increase in depression.

Look around you in your next class. Examine the faces of those who stare so absent-mindedly out the window of the Light Rail. Is she suffering from depression? Is he?

And, yes, I use the word "suffer" because depression is a disease and an increasingly common one at that.

Elizabeth Wurtzel beautifully wrote in her tale of young angst, Prozac Nation, "Perhaps the next time half a million people gather

for a protest march on the White House green it will not be for abortion rights or gay liberation, but because we're all so bummed out."

As a people, we are stuck in an eternal funk, and prozac has become the choice of a new generation.

I long for the day when it will take more than a cup of coffee and two green prozac pills to get

me going in the morning. Yes, I said the p-word.

Does that frighten you?

Does it make you re-examine your psyches and hope you don't need prozac, too, even as you fret over your pale body and wax your shiny

cars?

You know, it's no surprise to me that the topic on everyone's lips isn't the mass destruction in

Algeria or the routine beating of many Puerto Ricans in New York City by the police, but campaign finance (yuck) and other boring topics.

We're afraid of ourselves so we make life boring. As a generation, we're more concerned with classes than causes. Melrose and Monday night football instead of Mother Jones.

The hippies are now yuppies. Jack Kerouac, Allen Ginsburg and William S. Burroughs are all dead. Yoko Ono appeared on an NBC sitcom recently.

The front page includes stories on rising gas prices and Clinton's new hearing aids.

There are too many houses that look too much the same. Too many Starbucks. Too many of us working up a sweat on stationary exercise bikes that go nowhere.

Until the time when life is a bit more interesting, I'll just retreat back to my warm, down-filled comforter.

God, I wish I wasn't so bored.

Christine M. Lias is a Spartan Daily Staff Writer.



CHRISTINE M. LIAS



...DRAWING OF FUND-RISING SCANDALS...

Editorial

San Jose history is in jeopardy. At least that's what those who are trying to defend the Montgomery Hotel would like you to believe.

They would want you to look at the 86-year-old building and see it as a piece of San Jose that should never disappear.

They would want you to remember that historical buildings add to the ambience of the downtown area.

They would want you to think that refurbishing the building would cost the same amount of money as tearing it down and rebuilding on the land.

And yes, all of those things they would want people to think might be true.

However, have they taken a look at the Silicon Valley, specifically downtown San Jose lately?

This valley is moving and moving fast.

Technology abounds in this valley. Employers in the downtown area, such as Adobe, develop cutting edge software and technology on a daily basis.

And while these realities don't discount the fact that people in this area should embrace relics of the past, we shouldn't hold onto those relics which contribute nothing to a beneficial future.

San Jose should not hold on to the Montgomery Hotel.

The building is old, filled with cancer-causing asbestos and bird droppings inches deep. No one has even shown an ounce of care for the building in years. Why should we save it now?

Should we save it because the big, "bad" Fairmont Hotel wants to expand, with the help of the Redevelopment Agency, to create a new hotel that would better suit the needs of Silicon Valley businesses looking to host major conferences in downtown San Jose?

No, we shouldn't.

We should remember the Montgomery for what it was, not try to save it for what it was.

It's time to look at what is.

Silicon Valley is growing. Businesses need more conference facilities in downtown San Jose otherwise the area will suffer from businesses turning elsewhere with their conference dollars.

Let's believe what is.

Stones should rock no more

"If you start me up, if you start me up I'll never stop" — Rolling Stones

That's the problem.

Nothing is more pathetic than people past their prime trying to hang on to the limelight that has passed them by.

The Rolling Stones are a prime example of this. These geezers are attempting to buffalo the public into thinking that they can still put out music that is decent. WRONG.

The new Stones album, "Bridges to Babylon," is a slap in the face of all Stones fans everywhere. Nothing is more depressing than having to remember a great band as a bunch of money-hungry old farts who didn't know when it was time to let go.

Since 1964, the Stones have been setting the standard of rock-n-roll. From "Jumping Jack Flash" to "Sympathy For the Devil" to "Beast of Burden" they have cemented their place in rock history.

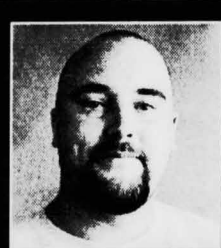
But with their latest "attempt," they now belong in the "Didn't know when to quit" Hall of Shame.

At least Bill Wyman, the former bassist, knew when to get out. He's now happily married to some jailbait in England.

The funniest part is how they are getting over on the public with the current tour. For \$65 other old people can go and relive their glory days.

I can just hear it now, "I still remember Altamont like it was yesterday. We sure stuck it to that Nixon fellow."

"Those sure were the days honey; you still had hair back then. I remember how good your butt looked in polyester. Let's go dancing this weekend. Think the DJ will play the Hustle for us?"



Mr. Bad Example
Aaron Williams

Not only are they drawing the old people, but they are appealing to the youth, man. On each leg of the tour they have some "hip" band opening up for them. In Oakland it's going to be Pearl Jam (One of the most overrated bands of the 1990s).

I've heard the commercials on KOME and Live 105 for the show: "Coming to Oakland Stadium, it's Pearl Jam...oh yeah and the Rolling Stones." Great marketing job, Mick.

About the only thing I would pay \$65 to see is Keith Richards and Elton John, who are currently feuding, in an ultimate fighting championship grudge match.

Elton would take the hypodermic needle out of Keith's arm and jab him in the eye with it (poor taste I know, but what do you expect from a college newspaper). Then Keith would pull the doormat that Elton calls hair from his head and try to shove it down his throat. That would be worth the price of admission.

As far as Mick Jagger goes, I prefer to remember him from the "Tattoo You" days when he went on tour with a pair of sweat socks stuffed in his crotch. Never the looker, he now looks worse than that 114-year-old woman in France, and she's been dead for several months. He's got that wattle thing going (a wattle is the flap of skin that hangs from a turkey's neck).

The only saving grace in this whole mess is that Elvis is dead. Can you imagine if he was actually still alive? He'd look like Jabba the Hut and be doing two shows nightly at the Sands. Now that I'd pay to see.

Aaron Williams is a Spartan Daily Senior Staff Writer. His column appears every Tuesday.

Boyfriend's children add new dimension to love relationship

My boyfriend and I have been in a committed relationship for over a year. No big deal, right? Many students in college have significant others.

My boyfriend, however, is divorced and has two children. This relationship, which I'm gladly committed to may not be shocking to most people in this day and age. But for me, this is culture shock.



BELINDA AMAYA

Like most students, I've been single all my life and have not yet experienced children of my own. When I first started dating my boyfriend, I could not foresee the changes I would have to get accustomed to regarding his children.

In the beginning, my relationship with his children was awkward, especially my relationship with his 5-year-old son. I wanted to make it as clear as I possibly could to a 5-year-old that I had no intention of replacing his mother. It's been tough and go at times, but I think his children are getting the hint that I only want to be their friend and not their mother.

Since I've been in this relationship, my life has been altered, not dramatically, but altered nonetheless. Every other weekend, plus a couple of days during the week, my boyfriend has his children. He is used to this. I, on the other hand, am not.

I know this is a choice I've made to be in this relationship with him and his children. I welcome the challenges with open arms because I care deeply for my boyfriend. When I can, I help him with the boys, and he is fully aware not to take advantage of me in that respect.

I guess what I struggle with the most is having to share my boyfriend with his children. It's selfish I know, but I guess I just want to have as "normal" a relationship as possible (if there is such a thing). But I remember that he has a special bond with his children, and although he wants me to be apart of their circle, I try to step back once in awhile and let him enjoy the times he has with them.

When my friends first found out I was in a relationship with a man who has children I got the same response from all of them: "Oh, a ready-made family, how convenient." I guess I couldn't expect them to understand.

It's not easy, and anyone who considers putting themselves in this situation should think about the person they're involved with, and if he or she is worth the relationship.

Belinda Amaya is a Spartan Daily Staff Writer.

Opinion page policies

Readers are encouraged to express themselves on the Opinion page with a Letter to the Editor or Campus Viewpoint.

A Letter to the Editor is a 200-word response to an issue or point of view that has appeared in the Spartan Daily.

A Campus Viewpoint is a 450-word essay on current campus, political or social issues.

Submissions become the property of the Spartan Daily and may be edited for clarity, grammar, label and length. Submissions must contain the author's name, address, phone number, signature and major.

Submissions may be put in the Letters to the Editor box at the Spartan Daily Office in Dwight Bentel Hall Room 209, sent by fax to (408) 924-3237 or mailed to the Spartan Daily Opinion Editor, School of Journalism and Mass Communications, San Jose State University, One Washington Square, San Jose, CA 95192-0149.

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Published opinions and advertisements do not necessarily reflect the views of the Spartan Daily, the School of Journalism and Mass Communications or SJSU.

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Societal prejudices continue to 'mistreat' women

"Women... can't live with them, can't live without them." "Hey... you throw like a girl!" These are just a couple of examples of the misogynist remarks we not only hear every day, but have heard since a very young age.

Why is sexism such a problem in our society? Many people have different arguments about its origins. Is it genetic, learned or maybe just "the way the world is."

What if we were raised seeing images of female warriors hitting males over the head with clubs and taking them back to their caves to be subservient? Think of how different society would be.

While this may seem a little bit ridiculous to most of you, and downright bizarre to the rest of you, this is basically life as we live it. All you

need to do to make this real is substitute the word "man" wherever you see the word "woman" and you will have a rather accurate account of HIStory as it is portrayed and delivered to most of us.

But what about HERstory? If you think about your history books as you were growing up, females often played "second fiddle" to all of the wonderful things that men have been achieving since the beginning of time.

This whole idea of women as the "weaker sex" and the "subservient" sex is just ridiculous. Women have children for goddess' sake. Gender is a societal construct, and society is the reason women are virtually nonexistent in most history texts.

We are all raised to be sexist. As evidenced in my first paragraph, phrases like this are commonplace in

our society. Not only do we hear things like this but we are constantly bombarded by images of women being servile and doting on men.

In addition, we are constantly being socialized into our "men" and "women" gender stereotypes. Men are taught to be strong and assertive, while women are taught to "behave."

Most of the ideas that I have put forth are not that extraordinary. We live in a sexist society, whether we like it or not.

Men and women have to work together to change society. The beginning of change is within our grasp. We, as the young adults of today, have to set the example for the future.

This guest editorial was written by Dennis Kalup, staff writer for the Daily Collegian, Pennsylvania State University.

International House serves up breakfast



Alise O'Leary/Spartan Daily

Alumna Phyllis Simpkins gets ready to enjoy a pancake breakfast at the San Jose State University International House Sunday morning. She is joined by her grandson Jack, her daughter, Diane Bordoni and son-in-law Jim Bordoni. The Simpkinses were honored for their contributions to SJSU and the International House.

By Shayda Fathipour
Staff Writer

The idea of the International House came from watching a college football game.

Phyllis and Alan Simpkins, SJSU alumni, were watching a game on television when a segment on an international house at a college in Alabama aired. They traveled to its location and loved the idea of bringing international students together with American students.

"When we bought the house I thought it was important to San Jose State University," Phyllis said. "The house was first a sorority house then a halfway house, but when I saw the international house on television, I thought it was a great idea."

Sunday's Pancake Breakfast at the International House was not just a breakfast fundraiser, it was also a dedication to the late Alan Simpkins and his wife. The house was renamed the Phyllis Forward Simpkins International House in honor of the two alumni who donated the house to the SJSU Foundation this year.

The center was first opened in 1979 to give SJSU a place where international and American students could come together and learn about world cultures.

"It's inspirational and unbelievable that two people can do so much good," said Megela Ohare, resident of the house. "They inspire me to contribute and give back to the community like they have."

Monica Carrillo and Helge Alsleben, the house resident advisers, were in charge of planning the breakfast along with 50 residents who volunteered their time for the morning.

"We started planning at the end of August," said Alsleben, who's from Germany. "I'm altogether satisfied with how it turned out."

During the Pancake Breakfast, students from the International House took orders, served breakfast and performed music for the guests.

Some of the international students who volunteered their time were dressed in traditional costumes from around the world. The costumes were

donated to the house by Doris Menendez, a volunteer for the house.

"My mother collected these costumes from around the world," Menendez said. "They were used for performances at churches and schools before I donated them to the International Center."

She donated them in the interest of helping the center put on programs like the breakfast. The costumes are from China, Japan, Korea, Russia, Greece and Africa.

Grace Niu, a student from Taiwan, was dressed in a Korean costume. Niu entertained diners by playing the piano during breakfast.

Other performances included: Tommy Chan and William Corley playing guitars, David Guo on the violin, Marge Sung doing a traditional Chinese dance, Erika Faust playing the flute, Ignatius Yuwono playing the piano and Marvin Slater playing the classical guitar.

The next Pancake Breakfast at the International House will be March 15, 1998.

Holiday job fair shops at SJSU

By Lois Jenkins
Staff Writer

Students looking for dough — not the cookie kind — during the upcoming holiday season can attend a convenient, one-stop job fair on campus Wednesday in the Student Union's Loma Prieta Room from 10 a.m. to 2 p.m.

Retail, hospitality and package-handling employers will be ready with applications and on-the-spot interviews for interested students, even those who have never held jobs before.

Deborah Weakland, employer relations representative for the San Jose State University Career Center, said employers are eager to hire college students for the peak work period

because the job market is tight.

"Unemployment right now is low and most retailers hire their holiday employees by the end of October to cover the November and December rush," Weakland said. "This is a great chance for students to fill out applications, interview and walk away with jobs."

All students are invited to attend the fair and talk to any of the 16 employers looking for holiday workers.

"They don't need to bring resumes," Weakland said.

Retail operations searching for employees will include Circuit City Stores Inc., J.C. Penney Co., Marshalls, Nordstrom, See's Candies Inc., Sears, The Good Guys, Radio Shack and Macy's West.

Hospitality employers looking for students with smiles will include Servers to Go, the Fairmont Hotel, Pete's Coffee, the Hayes Conference Center and Le Boulanger.

If sending packages to people is more appealing, talk to Roadway Package Systems or United Parcel Service.

Last year's holiday job fair was a great success, according to Weakland.

"We had 11 companies here, and about 350 students," she said. "Out of those, over 100 got jobs."

Students with questions about the fair should call Jim Thomas, this year's coordinator, at 924-6046.

One aspirin could save your life

DALLAS (AP) — Your chest aches. You think you're having a heart attack. What do you do?

Consider taking an aspirin.

The American Heart Association recommends it, and according to a report published Tuesday in the association's journal *Circulation*, as many as 10,000 American lives a year could be saved if everyone followed that advice.

The heart association first recommended in 1993 that people take one, full 325-milligram aspirin at the onset of chest pain or other symptoms of a severe heart attack.

Four years later, a follow-up report shows that not enough people are taking that seemingly simple life-saving step.

"Despite our recommendation, aspirin use remains underutilized and people are dying prematurely each year in this country," said one of the authors of the report, Charles Hennekens, chief of preventive medicine at Brigham and Women's Hospital in Boston and a

professor at Harvard Medical School. "Those are avoidable deaths."

A heart attack or stroke occurs when a blood clot blocks a vessel. Doctors believe that during the early stages of a heart attack, aspirin — which is known to prevent blood platelets from sticking together — can prevent a clot from getting bigger.

Another author of the report, Valentin Fuster, president-elect of the AHA and a professor of medicine at Mount Sinai Medical Center in New York, said research in the past four years shows that only 20 percent to 40 percent of heart attack victims have popped an aspirin at the onset of trouble.

Dr. Azam Anwar, a cardiologist at Baylor University Medical Center in Dallas, said that an immediate aspirin is "absolutely fine, sound advice," with one catch: "They should take the aspirin after they call 911."

Many people with heart trouble already take aspirin regularly.

Report finds early math opens 'gate' to college

WASHINGTON (AP) — Early exposure to serious math, algebra and geometry, opens the gate to college for large numbers of students, including minorities and those from low-income families, an Education Department report says.

The report, "Mathematics Equals Opportunity," was released Monday by Education Secretary Richard Riley, who said it offers evidence that the choice of subjects determines access to college, not whether the school itself is public, private or parochial.

"These courses demand discipline, they demand hard work and they demand responsibility," Riley said as he unveiled the new report in a ceremony at the Old Executive Office Building. "They make a powerful difference in terms of going to college."

The problem, he said, is that only about 25 percent of U.S. eighth-graders enrolled in algebra classes last year.

President Clinton took the report as a new reason to support his proposal for voluntary national tests of reading in the fourth grade and math in the eighth grade "to ensure that all our children meet the high standards of academic excellence they'll need to succeed in tomorrow's world."

Many Republicans oppose such testing, and Clinton said: "I call upon Congress to end the delays. Our children are counting on us."

Riley said that by proposing the tests, Clinton is "laying down a challenge to shake up the status quo."

"If these critics are going to be serious about improving American education, I would urge them to read this report and join us in this call for higher standards," Riley said. "Sometimes you need to put politics aside and get serious about education."

"Sometimes you need to put politics aside and get serious about education."

— Richard Riley,
Education Secretary

"The voluntary tests will focus like a laser beam on making sure we get the basics right," he said.

The report had three central conclusions:

- Eighty-three percent of young people who go on to college take "the important gateway math courses," starting in the eighth grade. Riley said: "That is a very important finding that goes against the conventional wisdom that a family's status and income are the determining factors."

- Low-income students who took algebra and geometry were nearly three times as likely to attend college as those who did not. Seventy-one percent of those who took such courses went on to a higher education.

- Taking these courses is more important than the type of school attended. The report suggested that students in public and private schools who took rigorous math and science classes were equally likely to score in the highest levels of 12th-grade math tests.

Many Congressional Republicans contend that giving parents tax dollars in the form of vouchers to shift their children out of public schools and into private or parochial schools is the answer to improving their education.

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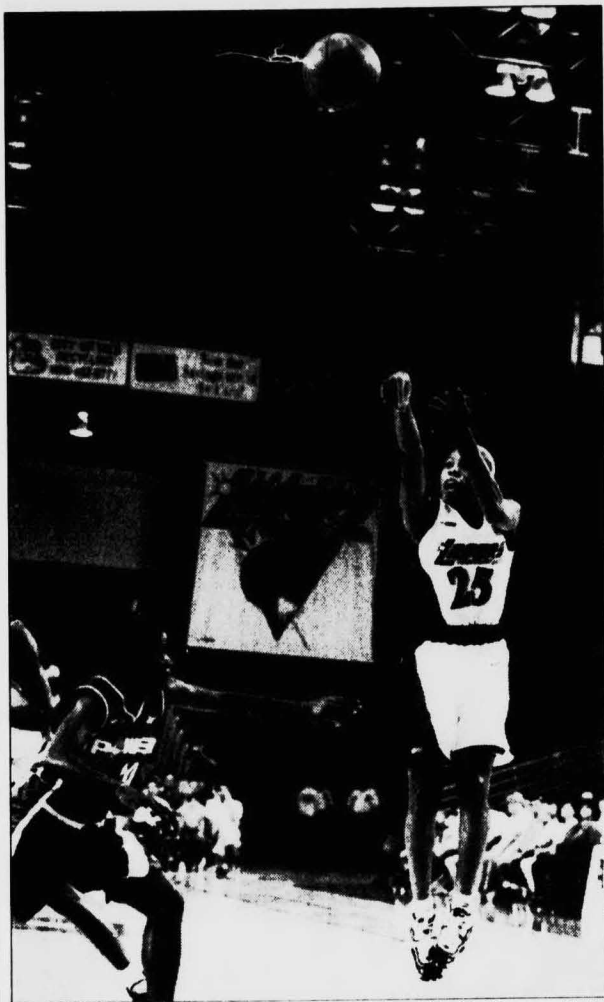
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Off the mark



Shay O'Reilly/Spartan Daily

The San Jose Lasers lost their second game of the young season Sunday in a 82-66 loss to the Portland Power. The Lasers will face the undefeated Power again Wednesday in Portland.

Marlins prepare for worst; Cleveland ready for snow

CLEVELAND (AP) — Jim Leyland saw the foreboding sky and heard the grim forecast. A frost warning for Monday night, snow flurries later this week.

The World Series weather concerned the Florida Marlins manager. Not so much, however, for the way it might aggravate Bobby Bonilla's hamstring or affect Al Leiter's grip.

"I'm more worried about the cold for my mom more than I am the players," Leyland said at an off-day workout. "But I'm not going to buy her a fur coat today, I can tell you that."

Suffice to say, Leyland's 85-year-old mother, Veronica, could use one when she attends Game 3 Tuesday night. Temperatures may drop into the upper 30s by the end of the evening, and it might be even more frosty Wednesday.

In fact, these could become the first World Series games with snow since the 1979 opener in Baltimore between Pittsburgh and the Orioles.

Florida and the Cleveland Indians, tied 1-1, both got a feel for what may come during Monday's practices, held in blustery, 50-degree conditions.

The Marlins traded in the T-shirts and shorts they wore while taking batting practice in the 77-degree heat before Game 2 for heavy pullovers, as did the Indians.

Hargrove said "If you don't mind, it really doesn't matter."

Marlins second baseman Craig Counsell, a Notre Dame alum, said he was actually looking forward to having an October chill in the air.

"I grew up in Milwaukee, I went to school in South Bend, so this is outstanding weather," he said. "I can't wait to go out and play in it, to be honest with you."

"To me growing up, this is always what the World Series was played in, weather like this," he said. "It's the World Series, I don't care what the weather is going to be like. It's not going to be a factor from my standpoint. You've got to deal with it. If you let it affect you, you're crazy."

No doubt, it won't bother the Jacobs Field crowd too much. Remember, some of these fans are the same ones who stood bare-chested in the Dawg Pound when the old Browns played in December.

But there are adjustments that need to be made.

"Probably the major effect is the grip the pitcher will have on the ball. Cold weather tends to dry out your hands and fingers a lot more than warm weather will, obviously," Hargrove said.

Make-over proposed for field

■ Spartan Stadium may be renovated to bring 1999 World Cup soccer to SJSU

By Adam Billington
Staff Writer

Spartan Stadium may be getting ready for a face-lift that would make it the premier soccer stadium in the nation according to soccer sources.

The proposed plan will widen the field, which is now at 66 yards, to 70 yards to comply with the standards set by soccer's world governing body, FIFA.

The current plans are to widen out the corners on the west end of the field and construct dugouts under the stadium for the players to sit during the match.

The renovation would be "reasonably expensive" according to Jerry Mimnaugh, the associate executive director of Spartan Shops.

Who would pay?

Spartan Shops owns the stadium and is in charge of the venue, but is looking to share the cost with other interests.

"It will cost in excess of \$1 million," he said. "We are negotiating with the city of San Jose, Major League Soccer and the

university — we are the three partners," Mimnaugh said.

Currently Spartan Stadium, home of SJSU's men's and women's soccer teams, Major League Soccer's San Jose Clash and the Spartan football team, holds 31,000 people. With the remodeling of the field the stadium will only lose 720 seats.

Why renovate?

One of the main reasons for the face-lift of Spartan Stadium is the city of San Jose wants to host the 1999 Women's World Cup. This fete can only be accomplished if Spartan Stadium is brought up to standards, according to Mimnaugh.

"Currently we have put in a double bid with the organizers of the Women's World Cup. It's with Spartan Stadium and Stanford," Mimnaugh said. "The decision won't be announced if we've got it until November."

Mimnaugh added that SJSU could greatly benefit if this remodeling occurs. Philippe Blin, SJSU women's soccer head coach, agrees.

"It would be perfect to host the NCAA Final Four for soccer. The NCAA likes big fields," Blin said.

Blin is also excited at the schedule he could attract if the stadium is renovated.

"We'll be able to get some big-time schools to come here," he said.

"It will cost in excess of \$1 million. We are negotiating with the city of San Jose, Major League Soccer and the university — we are the three partners."

— Jerry Mimnaugh, associate executive director of Spartan Shops

Major League Soccer is also anxious to see Spartan Stadium expanded.

"It will raise the level of play," said Leilani Serrecchia, senior vice president of operations and communication with the San Jose Clash, which is owned by the league.

Spartan Stadium could become a site to host World Cup qualifiers for the Men's national team as well as hosting the Women's World Cup, according to Major League Soccer.

"Spartan Stadium will hopefully host warm-up games for the U.S. national team for the upcoming World Cup in France," Serrecchia said.

Who would benefit?

The stadium would become the nation's best soccer stadium because of its intimate size, according to the SJSU men's soccer head coach Gary St. Clair.

"Soccer doesn't need an arena

like football in this country. 30,000 people is fine," St. Clair said.

Mimnaugh added that everyone will have something to gain by this addition: The league will get a world class field, the university will earn money due to the increasing competitions in the stadium and the city will gain the prestige associated with being a World Cup site.

No effect on Spartans

If the renovations occur and the scheduling goes as planned, it will be under construction from late November of this year through March of next year.

The Spartan football team should not be affected by the renovations. Only one event would have to be rescheduled — the Central Coast Section high school football championships that are held at Spartan Stadium every year.

Frozen fish served best with a whine

■ Columnist tells dispondent fans to deal with Marlins winning in Game 7

WINTER CLASSIC: Tonight the World Series resumes in Cleveland. This will be culture shock for the Florida Marlins, used to balmy Miami weather. They're talking about game-time temperatures in the 40s, and since the games are being played in the dark so NBC can make a mint off its advertisers, temps will probably drop into the 30s. They've even mentioned the possibility of snow.

Frozen Marlin, anyone?

THREE GOOD REASONS to root for the Florida Marlins in the World Series:

- 1) They're the team that sent the Atlanta Braves and their insensitive-if-not-racist Tomahawk Chopping fans packing in the NLCS.
- 2) They're from the last pure professional baseball league, the National League. The American League is a haven for

has-beens who can't do anything but swing a stick. The National League makes everybody who wishes to bat put on a glove and play defense and it makes pitchers bat.



KEVIN W. HECTEMAN

3) Their roster includes Jim Eisenreich and Darren Daulton, two members of the 1993 NL champion Philadelphia Phillies. (Well, hell...as a Phillies phan, I think it's a good reason.)

PREDICTION: Fish in seven. THE UMPIRE STRIKES BACK: Since the end of the LCS's, fans of the Baltimore Orioles and Atlanta Braves have eaten enough sour grapes to open a large whinery. As an umpire myself, I'm here to tell you that there is nothing worse than an uneducated armchair umpire.

These people are looking for scapegoats. Gee, it can't be the Braves' fault they managed only one run in Game 5 of the NLCS. Gee, it can't be the

Orioles' fault they got 10 hits — 10! — in Game 6 of the ALCS, yet could not score a single run. It's gotta be the umpire's fault.

Braves fans have been complaining about the alleged generous strike zone given

Marlins pitcher Livan Hernandez in Game 5, thus allowing him to strike out 15 Atlanta batsmen. Hey, people, get a clue: Atlanta pitchers have been getting those calls for ions. Hernandez's counterpart, Atlanta ace Greg Maddux, fanned 10 Fish in the same game.

Orioles fans think Robbie Alomar was jobbed when he was called out on strikes to end Game 6 of the ALCS. Alomar, who was crowding the plate, jumped when the pitch cut the inside corner, trying to fool plate umpire Mike Reilly into thinking it was inside. Reilly didn't buy it. (I've seen some good acting jobs in my games by batters

who duck, jump, and otherwise try to snooker me into calling that pitch over the corner a ball. 99.9 percent of the time, I ring it up anyway. I may be dumb, but I'm not that dumb.)

Orioles and Braves fans: Face it. You lost. Deal with it.

PARTING SHOT: Finally, it appears a modicum of common sense has crept into the vast, uncharted territory known as Bud Selig's brain. The current realignment plan being discussed would move only one team from the AL to the NL. At the moment, the Kansas City Royals are scheduled to make the move, but if they hesitate, Selig's Milwaukee Brewers will switch instead. This lets the Detroit Tigers move from the AL East to the AL Central, thus opening a place in the AL East for the expansion Tampa Bay Devil Rays. The other expansion team, the Arizona Diamondbacks, would go to the NL West with the Giants, Dodgers, Padres and Rockies.

There may yet be hope for our national pastime.

Fan Mail

The Spartan Daily Sports Department wants your letters. Your comments about SJSU teams, coaches or articles in the Daily are welcome. Follow the Spartan Daily's opinion policies on Page 2 and address your letter to Sports Editor Mike Traphagen.

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With this ring...



Mitch Cartwright/Spartan Daily

SJSU student Jon Caward fashions ring components in Professor Rand Schiltz's Jewelry and Metalsmithing class. Caward is working toward his secondary education credential and wants to teach high school art someday.

Faculty addresses General Education

By Shayda Fathipour
Staff Writer

The first in a series of Faculty Conversations was more than just friendly chit chat — it was a heated debate.

The Board of General Studies (BOGS) and the San Jose State University Institute for Teaching and Learning is holding a series of meetings to discuss teaching and learning issues in Advanced General Education.

The first two meetings were Thursday. One meeting was held in Duncan Hall for the earth and environment section of advanced GE and the other was held in the music building for self, society and equality in the United States section.

"Our goal today was to find out what teachers think about general education content," said Karl Toepfer, professor of theater arts and a member of the Board of General Studies. "We want to know how well General Education is doing at San Jose State. That means we need some way of learning to assess what students have learned."

The main topic of the meeting was the use of "and/or" in the mission statement for General Education courses in the Earth

and Environment section.

The 30 teachers and one student debated for about an hour over the mission statement sentence structure of "Focus on issues concerning the understanding of life forms or physical universe." They couldn't decide on whether to use "and/or" in the sentence.

If the committee decides to use the "and" in the statement it would mean all GE classes for science must include learning about both life forms such as humans, animals, bacteria and other living creatures and the physical universe SJSU Physics Professor Marvin Morris said.

He said if the committee chooses to use the "or," students could choose between various GE classes.

It is likely some of the classes will be dropped if the committee chooses "and/or" for its GE mission, but it is not likely that professors will lose their job because of it, Morris said.

"We have an overly complicated GE system and it's unnecessarily complicated for the students," Morris said.

The instructors at the meeting were from several departments including Biological Sciences and Human Performance. It was also open

to students, but only one science student showed up for the earth and environment meeting.

Other topics discussed included what professors wanted students to be taking away from GE courses in science and students' competency in using the information they have learned. They made a list of objectives for the courses. Some of the ideas were: apply principles and theories from core GE, demonstrate understanding of science, synthesize facts that lead to conclusions and make well-informed decisions based on physical and biological sciences.

"It's important for our students today to look at information and look at it critically," said Kathy Sucher, professor of nutrition and food science. "They need to be able to ask questions like, 'What does this mean to me?'"

Next Thursday's planned topics will be for the culture, civilization and global understanding section of GE courses, and will be held in Duncan Hall, Room 318 Discussion surrounding the written communication II GE courses will be held in Sweeney Hall, Room 315. Both meetings are scheduled from 2:30 to 4:30 p.m.

Tahoe considers 'user fees'

SOUTH LAKE TAHOE (AP)

The governing board of the Tahoe Regional Planning Agency will consider dusting off a 23-year-old study on whether user fees should be collected from those entering the Tahoe Basin to help fund environmental controls.

While tourists are crucial to the Lake Tahoe economy, they also contribute greatly to the region's environmental demise, officials and environmental groups have said.

The TRPA has identified about \$1 billion in erosion control and other environmental projects needed to protect the Tahoe Basin's sensitive ecosystem, but state and federal governments have allocated only a fraction of what is needed.

Now, the board will once again consider whether visitors should help foot the bill. Possible methods include toll booths and parking fees.

"People that come in to visit Tahoe should bear some of the expense of keeping it a fine place to visit," said Jerome Waldie, a former congressman and California appointee to the

"People that come in to visit Tahoe should bear some of the expense of keeping it a fine place to visit. We clearly need more revenue."

— Jerome Waldie, former congressman

region to ink an agreement pledging federal assistance in protecting the lake's delicate environment.

President Clinton ordered the partnership during a two-day summit in July and authorized \$50 million toward the effort. The summit was also attended by Vice President Al Gore, top cabinet officers and numerous state and federal officials from California and Nevada.

Since then, officials from various federal agencies have hammered out how they intend to coordinate environmental protection efforts with local entities and organizations.

Glickman is scheduled to sign the agreement on Oct. 29.

This is what we've been trying to do for years — to get all the players together," said Jim Baetge, TRPA executive director. "It's a big change from the past."

Experts have warned that unless drastic measures are implemented within the next 10 years, Lake Tahoe's famed clarity could be lost forever.

University sues 'information brokers'

BOSTON (AP) — Boston University has filed suit against eight companies in seven states for allegedly selling term papers over the Internet to a law clerk posing as a student.

The lawsuit, filed Monday in federal court in Boston, charges the companies with wire fraud, mail fraud and racketeering and with violations of a Massachusetts law that prohibits the sale of term papers.

The university said it was the first federal lawsuit brought by a university over the sale of term papers on-line.

"We expect academic work presented by students to be the product of their own efforts," said BU President John Westling. "We will take whatever steps are necessary to preserve the integrity of the academic process."

The term paper providers named in the suit responded that they make the documents available for research only, not to be submitted as original material. Most have disclaimers to that effect on their Web sites and said they also send a written warning with the materials they sell.

But BU general counsel Bob Smith said, "The disclaimers, in our view, are a sham, and I think if you look at the rest of their claims, you'll see that the representations they make in their advertising clearly show that they know these papers are intended to be submitted for grades and credit."

Term papers sold to BU in its "sting" were neatly printed and ready to be turned in, Smith said. In at least one instance, he said, a seller that was not identified had volunteered to put the student's name, professor's name and course number on the cover sheet, just as it would appear on an original paper handed in for credit.

Other sellers argued that it was a First Amendment issue. "It's like if you were given 'War and Peace' and use the

(abridged) Cliffs Notes," said Robert Vitrano, owner of Professor Abe Korn's Term Paper, School and Business Help Line in Brooklyn, N.Y., one of the defendants in the BU lawsuit. Cliffs Notes abbreviate classic works of literature into easily digested summaries. "There's nothing wrong with that."

Smith retorted, "You don't put your name on the cover of Cliffs Notes and turn it in." Vitrano also equated his work to the one-on-one help offered by campus tutoring centers, and said the universities bore some responsibility for failing to teach their students how to do research.

Like other term paper providers, Vitrano said he sends his customers a warning that they shouldn't submit the work as their own.

"Everyone that calls me, I tell them if they're going to hand it in as their own work that I don't want them as a customer," he said.

Smith said BU officials are not aware of any instances in which a student at the university submitted a term paper purchased on the Internet, though he said faculty who saw advertisements for such services expressed concern.

The lawsuit comes 25 years and one day after BU sued pre-Internet era term paper mills, successfully winning an injunction against them and spurring the state Legislature to ban the sale of term papers in Massachusetts. Sixteen other states have followed suit. The university again sued a group of term paper companies in 1981.

"I suppose the Internet has made it easier for them to reach a larger national audience," said BU attorney Bob Smith. "But it's also made it easier for those of us concerned to find out where they are and who they are."

The suit seeks an injunction against the companies from doing business in

Massachusetts, unspecified damages and legal costs and the seizure of all the term papers, theses or research documents they have for sale.

Massachusetts law on the subject is broad. It holds liable anyone who "sells to another, or arranges for or assists in such sale for another, a theme, term paper, thesis or other paper or the written results of research," knowing that the document will be submitted for academic credit. The law calls for a fine of up to \$100, six months in prison, or both.

Peter Revson, owner of High-Performance Papers of Milwaukee, Wis., another of the eight defendants, declined to comment at the advice of his attorney, except to say that High-Performance requires customers to sign a contract promising to use the documents only for informational purposes.

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Correction
The Holiday Job Fair will be located in the Loma Prieta Room (Student Union), not in the Student Room as stated in Monday's newspaper.

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Certain advertisements in these columns may refer the reader to specific telephone numbers or addresses for additional information.

Daily Crossword

ACROSS 1. Blubber or suit 4. Saved 8. Poverty 12. Writer - Stanley Gardner 13. Concopt 14. In progress 16. Surprise attack 17. Break 18. Chimes 19. Bain of films 20. Workday pause 22. Bliss 24. Singer Campbell 25. Fireplace residue 26. Fairy-tale giant 28. Comedian Conway 31. German river 34. Fencing weapon 35. Learning Tower site 36. Jerk 37. Factory 38. Singer Redding 39. God of love 40. Capri, e.g. 41. Romantic meeting 42. Knight's address 43. Primates 44. Hollow place 45. Finished 47. Medicinal root 51. Branch of physics 55. Complete 56. Untamed 57. Gloom or darkness 58. Not fiction 59. Dried 60. At rest 61. Lyric poems 62. Fly high 63. Experiment 64. For each

DOWN 1. French coin 2. Assumed name 3. Broadcaster 4. Put the -- on -- veto 5. Enlighten 6. Booty 7. Story 8. Trail 9. Burning 10. Thing of no importance 11. Caesar's garment 12. Albany's canal 15. 'Fit shame' 20. Detective's assignment 21. Heron 23 -- up -- buys gas 26. Gemstones 27. Actress Terney 29. Egyptian goddess 30. Two Years 31. Some breads 32. Mata 33. For the purpose of 34. It set 35. Harbors 37. Actress Laurie 41. Pie pans 43. Stag's feature 44. Act like a striker 46. Florida city 47. Some children's garment 48. Dodge 49. More agreeable 50. Obtains 51. New 52. Luau 53. Overlook 54. Bare 58. Dandy

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Sparta Guide

TODAY

Daily Mass

The Catholic Campus Ministry is having Daily Mass from 12:05 to 12:35 p.m. and a faith discussion and pizza from 7 to 8:30 p.m. in the John XXIII Center. For more information, call Ginny at 938-1610.

Book sale

The Library Donations and Sales Unit is having an ongoing book sale from 10 a.m. to 3 p.m. in the Donations and Sales Unit of Wahlquist Library North, Room 408 and Clark Library lobby.

Black Alliance of Scientists and Engineers

The Black Alliance of Scientists and Engineers is having its weekly meeting at 7 p.m. in the Engineering Building, Room 358.

"Hangin' with the Jews"

Hillel, the Jewish Student Union, is "Hangin' with the Jews" from 6 to 7:30 p.m. in the Student Union Pacheco Room. For more information, call Aaron Forkash at 358-3636 ext. 60.

School of Art and Design

The School of Art and Design is having the following Student galleries "Art Shows" from 10 a.m. to 4 p.m. Monday through Thursday in the Art and Industrial Studies Buildings. Lino Tagliapietra, a Venetian master glass blower will speak from 5 to 6 p.m. in the Student Union Loma Prieta Room followed by a reception from 6 to 8 p.m. in the Art and Industrial Studies buildings. For more information, call Brendan at 924-4330 or Andy at 924-4328.

"New Leader Recruitment"

The New Student Advising and Orientation is having a "New Leader Recruitment" until Nov. 3. Pick up applications in the Student Life Center or call Stephanie at 924-5972 for more information.

Women's Resource Center

The Women's Resource Center is accepting articles for its newsletter. Deadline for submission is Oct. 30. For more information, call Rizwana at 924-6500.

"Co-op Workshop"

The Career Center is having a "Co-op Workshop" at 1:30 p.m. in the Student Union Almaden Room. For more information, call the Career Center at 924-6034.

"Careers in MIS"

The Career Center is having "Careers in MIS" at 12:30 p.m. in the Student Union Umuhum Room. For more information, call the Career Center at 924-6034.

Nurses Christian Fellowship

The Nurses Christian Fellowship is having a discussion "Caring for those who are lonely" at 9 a.m. and 2 p.m. in the Student Union Montalvo Room. For more information, call Diane Stegmeir at 279-6385.

Peer Health Education and Women's Health

The Peer Health Education and Women's Health Team is having Donna O'Neil speak about experiences with breast cancer from noon to 1 p.m. in the Student Union. For more information, call Laura at 924-6204.

Child Development Club

The Child Development Club is having Patty Kimball from the Career Center speak at 3:30 p.m. in the Central Classroom Building, Room 118. For more information, call Dawn Holt at 924-3728.

MIS Club

The MIS Club is having an MIS career panel followed by Student Orientation from 4:30 to 5:50 p.m. in the Engineering Auditorium. For more information, call Corey at 788-0909.

Sparta Guide is provided free of charge to students, faculty, and staff. The deadline for entries is noon, three days before desired publication date. Entry forms are available in the Spartan Daily Office. Items will not be accepted over the phone. Entries may be edited due to space.

Moss Landing:

Continued from page 1

Water Tower site. Under normal circumstances, the planning commission would have to complete an Environmental Impact Report, in order to study the potential outcome that the project would have for the community. The process usually takes one year and anywhere from \$20,000 to \$30,000 to complete, the planning commission said.

But in the case of the water tower, the planning commission decided to bypass the report.

The trouble began there. "When FEMA came in, they determined that the report should have been made. That

took time," said a source from the planning commission, who wished to remain anonymous.

Now with the planning commission's approval and \$21 million in its pockets, the marine laboratories can begin to rebuild itself.

New facilities will include a 52,000 square-foot main building, complete with a library, classrooms, shops and a lecture hall. An additional 6,300 square feet of space will be set aside for new projects. The grounds will also be restored with native vegetation, SJSU officials said.

Ground was broken for the center located halfway between Santa Cruz and Monterey on Sept. 19.

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Montgomery: Hotel heats up local debate

Continued from page 1

destruction of the Montgomery because of its need for more conference rooms.

The plans for the Montgomery are far from being written in stone. Tonight the San Jose city council will meet and vote on whether or not to give the Montgomery Hotel city landmark status. Gazeq said if the council votes to make the Montgomery a landmark, the building could not be torn down unless its landmark status was removed.

The city's environmental impact report on the hotel lists several alternative plans for the Montgomery, five of which do not call for the destruction of the hotel.

Gazeq said the report could propel the hotel into landmark status. He also said the council might reverse its decision at a later date. He also points out that the environmental impact report is not based on financial feasibility.

"The environmental impact report does not take into account financial practicality," Gazeq said. "It is not uncommon to have a report saying a building can be saved."

Gazeq said that is especially the case when older buildings are involved.

Neither side agrees on the cost of revitalizing the building.

"We don't know the cost (to refurbish)," Gazeq said. "But we know it would be more. And (the resulting building) would not be a first class hotel."

Cohen disagrees. "The cost is similar. It would be about \$7 million to do either," he said.

Cohen and the Redevelopment Agency dis-

agree on other points.

Cohen said he had met with Redevelopment Agency employee Eric Keller and was able to work out a proposal that would save the hotel and meet the needs of the Fairmont. Cohen said it involved incorporating the Montgomery into a larger hotel.

Gazeq, Keller's boss, said that isn't true.

"The first time (the Redevelopment Agency) heard of Steve Cohen was when he called here a week ago," Gazeq said. "It was in the context of a private citizen asking for information."

One of the things Cohen and Henderson of the Historic Landmarks Commission have done to gather information is inspect the Montgomery last Tuesday, both got to see the current state of the building.

The state of disrepair is obvious.

Cracks in the windows on the upper two floors have allowed pigeons to take over Bird droppings, in some places inches thick, and dead birds litter the upper stories.

"There has been a lot of damage by the pigeons," Henderson said, something the Landmarks Commission is upset about. "The City should have sealed up the building."

Despite the security officers who patrol the hotel, there is also evidence of human occupation. Jack Daniels bottles and Meister Brau cans litter the floors in several rooms, and graffiti is found on several of the walls.

Several of the walls also bear the scars of city workers looking for asbestos. Holes large enough for people to crawl through can be found in several areas.



Scott Lechner/Spartan Daily

Parts of the Montgomery Hotel are infested with pigeons that leave their "marks" in nearby rooms and on the stairs leading to the roof. The building will be demolished if the city council votes against making the building a city landmark.

"This has been an ongoing battle since the building closed," Henderson said. "It was decided that this was an expendable building. Landmark is very upset about the state of disrepair the building has fallen into."

Our biggest problem is educating people and letting them know about this."

"What they would have required any major home owner to do," Cohen said, "they didn't do themselves."

Suit challenges 'annoying' language

SAN FRANCISCO (AP) — Lawyers for a company that maintains an Internet site called "annoy.com" urged a panel of judges Monday to prohibit enforcement of a law that forbids computer users from sending annoying, "indecent" e-mail.

Following an hourlong hearing, a three-member panel of judges took no immediate action on the lawsuit, brought by Delaware-based ApolloMedia. The suit seeks an injunction against part of the 1996 Communications Decency Act that makes it a felony to transmit language that is "lewd, lascivious, filthy or indecent, with intent to annoy, abuse, threaten or harass another person."

Plaintiff's lawyer William Turner claimed the statute is unconstitutional and vague. And since ApolloMedia's "annoy.com" Web site includes an interactive feature that enables Internet users to

send nude images and profanity-laced e-mail to government officials, managers of the company "take a deep breath" every time their Internet site is used, he said.

"This statute violates the First Amendment," Turner said. "It directly prohibits speech that is protected among adults."

Turner said he was not seeking to challenge language in the law that makes it illegal to harass, abuse or threaten someone, all of which are separate from Americans' right "to express ourselves indecently and with intent to annoy."

U.S. Justice Department lawyer Felicia Chambers argued that the suit was without merit since Attorney General Janet Reno has said she doesn't intend to take legal action against the type of material published on sites like "annoy.com."

The dispute, she said, turns mainly on

legal interpretations of the words "obscene" and "indecent," and in ApolloMedia's case, concern about criminal violation "is really much ado about nothing," Chambers told the judges.

"We're really not arguing about anything. (ApolloMedia) has no reasonable fear of prosecution under the statute," she said.

Turner countered that federal judges are the only ones who can assure ApolloMedia that the law doesn't apply to the company.

Under terms of the Communications Decency Act, part of which already has been struck down by the Supreme Court, the lawsuit was heard by the specially convened three-judge court, whose ruling is appealable directly to the high court. The panel gave no indication when it would issue a ruling.

Sacramento:

Continued from page 1

The rally will be the second "Save the Dream" event since the initial rally in San Francisco on Aug. 28. About 10,000 opponents of Prop. 209 gathered and marched across the Golden Gate Bridge, with Jackson leading the protest. Jackson plans to go across the state to voice his views on Prop. 209. Kalustian said.

"It's a waste of time trying to find ways to circumvent the will of the majority of

California," she said. "Prop. 209 opponents should be focused on doing the heavy lifting to ensure that children are prepared for life competition."

Harris said, "The simple fact is that the issue surrounds equity injustice in America and it has not been addressed by Prop. 209."

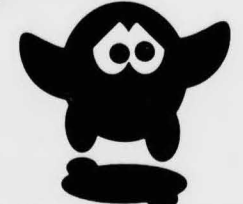
The bus will leave from Duncan Hall at 7 a.m. and will return to the campus between 5 and 7 p.m., depending on traffic, Harris said.

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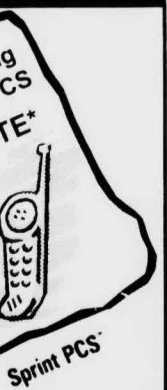
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