



EMINEM KING OF HIS RING DOMAIN
PEOPLE IN THE NEWS 15

Santa Monica Daily Press

A newspaper with issues

DAILY LOTTERY

MEGA
5 29 35 52 53
Meganumber: 9
Jackpot: \$12M

Super LOTTO
7 10 17 19 29
Meganumber: 20
Jackpot: \$56M

Fantasy 5
3 4 5 6 19

DAILY 3 MIDDAY: 5 8 3
EVENING: 7 5 4

DAILY DERRY
1st: 02 Lucky Star
2nd: 08 Gorgeous George
3rd: 03 Hot Shot
RACE TIME: 1:45.46

Although every effort is made to ensure the accuracy of the winning number information, mistakes can occur. In the event of any discrepancies, California State laws and California Lottery regulations will prevail. Complete game information and prize claiming instructions are available at California Lottery retailers. Visit the California State Lottery web site: <http://www.calottery.com>

NEWS OF THE WEIRD BY CHUCK SHEPARD

News of the Weird reported in 2001 that a bulimic woman in Toyoda, Japan, had been caught illegally dumping about 60 pounds a week of her own vomit in remote locations and, in 2003, that another bulimic woman had been caught discarding similar quantities near Madison, Wis. (perhaps, say health professionals, to assist their denial process by keeping their own homes untainted). In April 2006, sheriff's deputies reported a similar spree, ironically near an Iowa town called Mount Pleasant, that has now totaled about 50 bags' worth over a three-year period, but at press time, the vomiter was still at large.

TODAY IN HISTORY

Today is the 158th day of 2006.
There are 207 days left in the year.

On June 7, 1776, Richard Henry Lee of Virginia proposed to the Continental Congress a resolution calling for a Declaration of Independence.

QUOTE OF THE DAY

"The cat could very well be man's best friend but would never stoop to admitting it."
DOUG LARSON

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Race too close to call



Kevin Herrera/Daily Press
THE WAITING GAME (Top) Julia Brownley, a candidate for the 41st Assembly District, takes a moment to talk with friends at her post election party. Brownley, who was joined by more than 50 lively supporters, was leading in the polls late in the evening. (Right) Barry Groveman was trailing by a close second as of presstime.



File Photo

Results show Julia Brownley leading the race

BY KEVIN HERRERA
Daily Press Staff Writer

CITYWIDE — In the hotly-contested race to succeed Fran Pavley as the next representative for the 41st Assembly District, local school board member Julia Brownley was leading the race with 4,614 votes, or 34.5 percent, more than three hours after polls closed Tuesday, according to county elections results.

With 34.4 percent of the precincts reporting, Calabasas City Councilman Barry Groveman was in a close second with 3,650 votes, or 27.3 percent, followed by Santa Monica attorney Jonathan Levey with 2,658 votes, or 19.8 percent. Kelly Hayes-Raitt was in fourth with

2,032 votes, or 15.1 percent. The candidate who receives the most votes becomes the Democratic candidate for the seat and will face off against Tony Dolz, the Republican front-runner with 5,152 votes, or 76.4 percent. His opponent, Adriana Van Hemert, had 1,597 votes, or 23.6 percent. That was with 115 of 334 precincts reporting as of 11:28 p.m. Libertarian Conrad Stefan Frankowski received 60 votes and ran unopposed.

Political pundits agree that whomever takes the Democratic nomination is almost certain to be elected come November, much of which has to do with the large number of liberals living in the district, which stretches from Santa Monica in the south, to Oxnard in the north, and includes the communities of Agoura Hills, Calabasas, Encino, Woodland Hills, Oak Park, Topanga, Pacific Palisades, Malibu, Hidden Hills,

See **ASSEMBLY RACE**, page 10

A structured diet



Fabian Lewkowicz/Daily Press

Students from the Art Institute of California-Los Angeles build a large-scale sculpture made entirely of canned food at the Westside Food Bank on Tuesday, National Hunger Awareness Day. All the food, donated by Wild Oats, was used to build the sculpture and will be donated to the Westside Food Bank, which supplies food to 65 social service agencies.

Governor's race neck and neck

By Daily Press staff

Statewide races remained tight Tuesday night, particularly the Democratic primary for governor, with State Treasurer Phil Angelides leading State Controller Steve Westly by a few thousand votes.

With only 35 percent of precincts reporting at 11:10 p.m., Angelides had captured 530,017 votes, or 47.5 percent. Westly was close behind with 485,864 votes, or 43.6 percent.

Many races are expected to be close, with winners not likely to be known until later today.

That isn't the case in the Republican primary as Gov. Arnold Schwarzenegger faced little competition, earning 90.2 percent of votes cast. His challengers, Bill Chambers

See **PRIMARY**, page 11

Jacquie Banks

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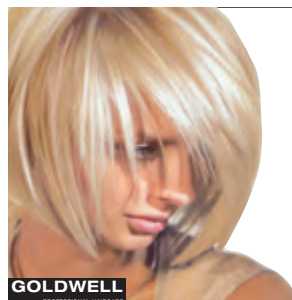
Horoscopes

2

WEDNESDAY, JUNE 7, 2006

Santa Monica Daily Press

A newspaper with issues



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Get extra sleep, Sag

Santa Monica Daily Press



JACQUELINE BIGAR'S STARS The stars show the kind of day you'll Have:

★★★★-Dynamic ★★★★★-Positive ★★★★★-Average ★★-So-so ★-Difficult



ARIES (March 21-April 19)

★★★★ Ask others for feedback. You might want to think before you take an important action that involves others. Seek out information. You easily could lose your temper with loved ones and a child. Tonight: Get some physical exercise.



TAURUS (April 20-May 20)

★★★★ You get a lot done quickly. Your ability to be efficient and get past a hassle allows you to clear out a misunderstanding. Still, you might be much feistier than you recognize. Others seem to want to call the shots. Tonight: Say yes.



GEMINI (May 21-June 20)

★★★★ Allow greater creativity to emerge in your life. You see that much happens very quickly. Be easygoing and open to positive changes. You might want to funnel your attention to one item at a time. Tonight: Don't lose your focus.



CANCER (June 21-July 22)

★★★★ You come from a solid point of view. Consider how important your personal and domestic life is before agreeing to a risk. You might not be happy with the end results. You might be able to bypass an expenditure. Tonight: Lively — aren't we?



LEO (July 23-Aug. 22)

★★★★ You might want to rethink a decision that involves family. You could suddenly find anger rising to the surface. Use your feelings to make good decisions and head in the correct direction. You could be seeing life through others' eyes. Tonight: Anchor in on your priorities.



VIRGO (Aug. 23-Sept. 22)

★★★★ You might want to think through a decision before you get caught up in another's issues. You will find that someone might be hurtful. You also could be overly sensitive or touchy. Don't shut down. Keep communication flowing. Tonight: Test out your ideas on someone who cares.



LIBRA (Sept. 23-Oct. 22)

★★★★ Use the early part of the day positively. You have the Force with you. A collision with someone about spending or a financial problem emerges. Your knee-jerk reaction could start a problem. Say no calmly. Tonight: Fun doesn't have to cost.



SCORPIO (Oct. 23-Nov. 21)

★★★★ Don't shut down if you have a problem. Be willing to head in a different direction or accept a novel approach to a problem. As the day becomes older, you become vibrant, with much kick. Watch where you kick! Tonight: Easy does it.



SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ You might have mixed feelings and a different point of view. If you work within your immediate circle, you'll get results. Don't try to negate another's information, even if you don't like what you hear. Tonight: Get extra sleep.



CAPRICORN (Dec. 22-Jan. 19)

★★★★ Others take to heart your sense of direction. Don't expect everyone to agree with you, because it is an impossibility. A partner lets you know the lay of the land, at least according to him. Tonight: Togetherness works.



AQUARIUS (Jan. 20-Feb. 18)

★★★★ You might be surprised by what happens if you kick back and detach. Your point of view changes radically. A partner might be a touch upset by your change of tune. What you hear might startle you. Tonight: Others look to you for ideas.



PISCES (Feb. 19-March 20)

★★★★ A partner makes demands that you need to think about, even if you prefer not to. Investigate alternatives, especially if you hit a big snafu in your daily life. Take an overview, especially if you are in a stressful situation. Tonight: Take in a movie.

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COMMUNITY BRIEFS

Play to pay for community

By Daily Press staff

Buerge Motor Car Company has announced its forthcoming 20th Annual Charity Golf Tournament to benefit the Palisades/Malibu YMCA. The event will take place at the Malibu Country Club, June 24 with an afternoon of play and dinner to follow.

For two decades, Buerge Motors has been a sponsor of the community charity event that's played strictly for fun — in a "best ball scramble format" with all monies donated to the Palisades-Malibu YMCA. Players will enjoy a full day of 18-hole golf with dinner and prize raffle immediately following the tournament.

A guaranteed grand prize drawing of \$10,000 will be given away, along with approximately \$7,000 in door prizes donated by many local area businesses. In addition, players have several hole-in-one chances at winning a brand new Ford, Chrysler or Jeep vehicle.

The Palisades-Malibu YMCA is a family-centered organization that offers more than 100 programs available throughout the year to residents in the community. All people are welcome at the Y regardless of age, sex, ethnicity or faith, and charity programs such as the tournament provide that no one is turned away from the Y regardless of their ability to pay.

Buerge Motors, a pioneering Westside community dealership operating since 1915, is a family-owned and operated business specializing in Ford, Chrysler and Jeep products.

Interested players or corporate sponsors may contact Scott Davis at (310)820-2631, ext. 2020.

A Great White experience

By Daily Press staff

Shark tales will be happening in Santa Monica's front yard this weekend.

The Great White sharks that gather each fall in the waters just miles off the coast of San Francisco will be the topic of discussion at 3:45 p.m. Sunday, June 11, at the Santa Monica Pier Aquarium, 1600 Ocean Front Walk.

Susan Casey, author of "The Devil's Teeth: A True Story of Obsession and Survival Among America's Great White Sharks," will be on hand to discuss her book, which is based on her experiences observing one of the world's largest congregations of Great White sharks that annually surround the Farallone Islands, 30 miles off the San Francisco coast.

Casey's appearance will follow the 3:30 p.m. shark presentation and feeding at the aquarium's open shark tank.

The question and answer session at the aquarium will be Casey's only Los Angeles area stop on a nationwide book tour. The book, published last year by Owl Books, was released in paperback on June 1.

Casey is the development editor of Time Inc., where she was previously an editor at large, as well as the editor of Sports Illustrated Women. She also served as the creative director of Outside magazine. Her writing has appeared in Sports Illustrated, Esquire, Time and Fortune.

Participation in the book question and answer session is free with admission to the aquarium. Admission is free for children 12 and under, and \$2 for those 13 and older.

More information is available by calling the Santa Monica Pier Aquarium (310) 393-6149, ext. 105 or at www.healthebay.org/smpa.

See BRIEFS, page 11



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SNOW AND SURF REPORTS

SNOW CONDITIONS

DATA PROVIDED BY ONTHESNOW.COM

BEAR MOUNTAIN
CLOSED

JUNE MOUNTAIN
CLOSED

MAMMOTH MOUNTAIN

NEW SNOW (24 Hrs)	0"	BASE DEPTH	104" - 128"	LIFT HOURS	7:30 AM - 3:00 PM	RUNS OPEN	50	LIFTS OPEN	5/28
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CONDITIONS: MACHINE GROOMED, SPRING, CORN

MOUNTAIN HIGH
CLOSED

MT. BALDY

NEW SNOW (24 Hrs)	0"	BASE DEPTH	12" - 18"	LIFT HOURS	8:00 AM - 4:30 PM	RUNS OPEN	20	LIFTS OPEN	3/4
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CONDITIONS: MACHINE GROOMED, SPRING

SNOW SUMMIT
CLOSED

SNOW VALLEY
CLOSED

SURF CONDITIONS

WATER TEMP: 64°

SWELL FORECAST (4-5 FT)
TODAY IT LOOKS LIKE THE ANGLE OF THIS SW'ER WILL STEEPEN UP A BIT TO 180 OR LESS WITH STANDOUT SPOTS PICKING UP SOME HEAD HIGH SETS, YET ELSEWHERE CHEST HIGH.

LONG RANGE SYNOPSIS
WNW POSSIBLE FOR MIDDLE OF MONTH...

TIDE FORECAST FOR SANTA MONICA

SATURDAY					
LOW TIDE	N/A	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A	N/A
SUNDAY					
LOW TIDE	N/A	N/A	N/A	N/A	N/A
HIGH TIDE	N/A	N/A	N/A	N/A	N/A
MONDAY					
LOW TIDE	12:21 AM	2.03 FEET	11:28 AM	1.34 FEET	
HIGH TIDE	5:30 AM	3.26 FEET	6:24 PM	4.68 FEET	
TUESDAY					
LOW TIDE	1:09 AM	1.42 FEET	12:03 PM	1.61 FEET	
HIGH TIDE	6:43 AM	3.19 FEET	6:48 PM	5.02 FEET	
WEDNESDAY					
LOW TIDE	1:49 AM	0.81 FEET	12:37 PM	1.85 FEET	
HIGH TIDE	7:45 AM	3.22 FEET	7:13 PM	5.37 FEET	
THURSDAY					
LOW TIDE	N/A	N/A	N/A	N/A	
HIGH TIDE	N/A	N/A	N/A	N/A	
FRIDAY					
LOW TIDE	N/A	N/A	N/A	N/A	
HIGH TIDE	N/A	N/A	N/A	N/A	

The Q Line

PROUDLY BROUGHT TO YOU BY

It's good they had erasers. Last week, The Macerich Co. — owners of the embattled Santa Monica Place mall — announced that they had made a mistake by assuming residents would welcome a complex with three 21-story towers, and went back to the drawing board. Now comes news they plan to instead remodel.

So this week, Q-Line wants to know: "What would you propose for the shopping complex in the heart of downtown?"

Call (310) 285-8106 and we'll print your responses in the weekend edition.



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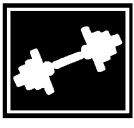
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LETTERS TO THE EDITOR

Illegals are just that — illegal

Editor:
Reading the story in this weekend’s Santa Monica Daily Press entitled “Counterfeit ID sellers don’t plan to fold ‘em” (SMDP, June 3-4, pages 6-7) just made my blood boil. As a victim of identity theft, wherein a woman, who had obtained a counterfeit driver’s license with all of my information, except for the fact that my photo had been replaced by hers, committed identity theft against me, this story rings all too close to home for me. Not only did the perpetrator of the crime against me have my driver’s license number and information, she had all of my other personal information, including but not limited to my social security number.

I am aghast by “We are not trying to do anything bad,” said Sergio Guterrez, 35, an illegal immigrant from Mexico who quietly says “... Immigrants just need to work.” This rationalization of illegal entry into the United States, further exasperated by the issuing of fake documents by illegal immigrants such as Sergio Guterrez, who profits from the sale of them, falls on deaf ears. I am outraged by their hubris, arrogance, and knowingly and willingly committing these crimes.

“This is the government’s fault,” said Maria Zuniga, 55, an illegal immigrant from Honduras who sells and transports documents. “They won’t even give us a number to work or a driver’s license.” My question is, what is it that they, illegal immigrants, don’t understand about the word “illegal,” and the fact that they are committing crimes over and over again? I am tired of their worn out excuses and apologetics.

“Sellers said they’ll never be stopped because their product will always be in demand,” the article states. I wonder how much longer this is going to be allowed to continue?

As a victim of identity theft, I have no empathy, but continue to suffer from the trauma of the crimes committed against me two years ago.

Julia Reeves
Santa Monica

ID ‘em

Editor:
As a former and recent resident of Santa Monica, I am well acquainted with this city’s acute homeless problem. I’ve learned that the city of Corona in 2002 instituted the requirement that homeless persons carry identification cards. The city of Palm Springs is now also considering this. The free cards contain a photo and expiration date and do not replace CA I.D. cards or driver’s licenses. These cards would assist police if they need to stop and question someone and are for everyone’s protection. The Santa Monica City Council would do well to take the time to study and research solutions to the homeless epidemic utilized by other California cities and nationwide. It’s time to adopt goals of protecting all citizens and helping the homeless toward productive lives and replace the bleeding-heart, so-called liberal mindset that labels all proponents of constructive solutions as “homeless haters.”

Sunny Collins
Palm Desert

Going Dutch: Pedophiles wreak havoc in Holland



THE
WITNESS
STAND
BY CLIFF NICHOLS

A friend recently told me that since I’m a lawyer I should write about legal matters that may be of interest to readers. So, let’s give that a go. This week we will explore what I think are some of the more interesting “legal” issues that have surfaced around the world in the last week.

First, let’s start in Holland. I’m sad to report that soon “Let’s go Dutch” may no longer have the same socially-acceptable meaning it once did. Last week it was reported that in the Netherlands, Dutch pedophiles have now launched a political party of their own to push for a reduction in the legal age for consent to sexual relations for commercial purposes. In other words, they want minors 16 years old and older to not only be able to engage in non-commercial sex, which they already can do under the law, but also to legally be able to decide for themselves whether to engage in prostitution and/or appear in pornographic films.

Moreover, lest it be said that theirs is a political party with only one platform, this politico-pedophile party — let’s call them the “PPPers” for short. They would have you know there are more issues they are concerned about beyond just this one. The PPPers also want to legalize the private possession of child pornography; permit pornography to be broadcast during daytime hours, while they agree that violent pornography should be limited to the late evening (whew!) and legalize sex with animals, while also agreeing to keep intact those laws now on the books that make the abuse of animals illegal (double whew!!). Isn’t that just super? I don’t know about you, but if that’s not enough to get you to boycott letting anyone put hollandaise sauce on your meat anymore, I don’t know what would be.

Next, we have interesting things happening in Iran — again. Der Spiegel recently interviewed its president, Ahmadinejad, about his views on the Holocaust. Basically he told the reporter that he didn’t know if it happened or not, largely because until now it has only been investigated by historians who are either controlled, or threatened, by Zionists. The president of Iran says that before he decides he wants an “impartial” investigation to be conducted. That, he says, is necessary before the “truth” about those rumors regarding this supposed Holocaust can be known. So far as the continued existence of Israel is concerned, however, it really shouldn’t matter, according to him. That is because, if the Holocaust did occur, it would be Europe’s fault and so Israel should be relocated to somewhere in Europe. And, if it didn’t occur, Israel shouldn’t exist at all.

I relay all of this to you now because I believe it provides the proper backdrop for your appreciation of Iran’s newest piece of legislation. Last week the Iranian parliament passed a new law that will require the country’s Jews and Christians to wear colored badges to identify themselves as non-Muslims. If approved by their spiritual leader, it will require Jews to wear yellow patches of cloth on the outside of any garment they wear and Christians to attach a red swatch to their

clothing. According to the logic of their president, however, I suppose this should not give us any cause for alarm. If his “impartial” investigation actually reveals that the Holocaust never did really happen, then probably there would also not be any precedent for such a law that really occurred in Europe preceding the mythical Holocaust that might otherwise have given those of us who are not light in the loafers a reason to be alarmed. Oh, the havoc that is wreaked when twisted logic takes flight. At a minimum, such events leave me more convinced than ever that for whatever reason, Ahmadinejad seems determined to skyline himself on the international landscape as a prime candidate for natural de-selection.

I relay all of this to you now because I believe it provides the proper backdrop for your appreciation of Iran’s newest piece of legislation.

Then, last but not least, for this week’s final interesting legal development we come home to America, the land formed, or should I say formerly, under God. In Delta, Colo., an award winning artist has had to file a federal civil rights lawsuit because she feels two of her paintings had been wrongfully removed from the city’s recreation area. Each was removed because they were inscribed with a Bible verse that city officials were told had offended someone. One was a painting of the artist’s granddaughter that was underscored with a verse from Psalms that read, “Children are a heritage from the Lord: A reward from Him.” Can you imagine that?

Well, I’m sure there are some of you out there who are outraged that such language was allowed to be exhibited in public in the first place. Most likely that is because you are frustrated. You are among the enlightened who believe that Judeo-Christian morals and beliefs — like children being blessings from the Lord — are antiquated, and that, so long as our society permits the public dissemination of such old fashioned ideas, it will only further delay our culture’s embrace of cutting-edge progressive philosophies that are already cherished today elsewhere in the world, like in Holland for instance. For that reason, it seems many progressives have concluded that those who cling to outdated Judeo-Christian notions of morality are nothing less than a roadblock impeding our culture’s development who need to be re-educated. But that takes time and some progressives don’t want to have to wait until that can be achieved. Therefore, I would not be surprised if before too long those who are offended by Judeo-Christian ideas propose doing something along the lines of what Iran is doing. They will argue that pending the re-education of such moral dinosaurs, progressives should at least be “entitled” to identify those who offend them. After all, they will say, shouldn’t it be their “right” to know in advance who they should be “entitled” to avoid? To silence? To persecute?

In fact, it’s the deciding of questions just like those that makes the law interesting.

(Cliff Nichols is an attorney practicing criminal defense/entertainment law in Santa Monica. He may be contacted at either (310) 917-1083, cliff@cliffnicholslaw.com or www.cliffnicholslaw.com. You may join his blog at www.thedailystand.com.)

Bitch!
Whine!
Complain!

Check out our Q-Line™ question on Page 3.

Santa Monica Daily Press

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Land regulators halt airport tree cutting

By The Associated Press

SOUTH LAKE TAHOE, Calif. — Tahoe land regulators have ordered a stop to tree cutting at South Lake Tahoe airport, where officials said dozens of trees may have been illegally felled.

The Tahoe Regional Planning Agency said the city received a permit from the California Department of Forestry to remove up to 100 trees less than 10 inches in diameter near the runway. But inspectors said up to 200 trees, many larger than allowed, have been cut down.

"We are investigating the city's actions and are astounded at how they've handled the situation," said John Singlaub, the bistate agency's executive director.

City Attorney Kathy DeCamillo said she was just learning the facts of the situation Tuesday, but said the staff was following a directive from the California Department of Transportation and had the tree removal permit.

In an April 19 letter to airport manager Smokey Rickerd, the state transportation department's aviation division said night operations at the airport would be suspended June 6 if certain safety conditions weren't met. Those measures included clearing trees

near approaches and around wind socks, the Tahoe Daily Tribune reported.

Many of the trees were felled over Memorial Day weekend. Crews continued to cut trees after TRPA asked the city last Tuesday to stop, leading to the cease-and-desist order, agency officials said.

The controversy comes at a time TRPA is focusing increasing attention on illegal tree-cutting around the Tahoe Basin. Last April, the agency fined a north Lake Tahoe man \$50,000 for poisoning three trees to improve his view of the lake.

The situation at Lake Tahoe Airport is of concern because the trees were on a slope close to the Upper Truckee River, Lake Tahoe's largest tributary and a primary contributor of sediment clouding Tahoe's famed waters.

"The city must be held to the same standards as any property owner in Lake Tahoe, and it's unacceptable to clear-cut trees along the riverbed, particularly given the sensitivity of the watershed behind the airport," Singlaub said.

"In the past we've worked closely with the city and the FAA on tree removal permits and we're unclear as to why they chose not to collaborate with us on this important issue."

Yosemite residents lose power as crews relocate power lines

BY JULIANA BARBASSA

Associated Press Writer

EL PORTAL, Calif. — About 700 residents lost electricity Tuesday as crews relocated power lines threatened by a huge rock slide that has forced the closure of a main route into Yosemite National Park.

There were no outages within the park, which has backup generators, according to Mark Hendrickson, a spokesman for Pacific Gas and Electric Co. But residents in El Portal and Indian Flats were expected to be without power for much of the day while the power lines were moved.

The slide began with a trickle of rocks on April 29 and initially prompted sporadic road closures. The portion of California Route 140 was closed indefinitely June 1.

The slide, which is about 600 feet long, 600 feet wide and 300 feet deep, threatened to topple two power line towers carrying 72,000 volts of electricity to the towns and the park. Officials feared the towers could spark a wildfire if they collapsed.

PG&E officials got permission Friday to move about 2,500 feet of transmission lines, Hendrickson said. Work began Saturday with

about 60 extra people and equipment borrowed from as far away as Los Angeles. Two wooden poles will be permanently moved from the west side of the Merced River to the east side, he said.

"We deemed this very much an urgent situation, an emergency situation," Hendrickson said.

The communities lost power about 8:30 a.m. Tuesday, and electricity was expected to be restored by 3 p.m., he said.

The 57 students at Yosemite's El Portal Elementary School munched on peanut butter and jelly sandwiches and Clif bars for lunch because the kitchen wasn't operational.

Many were also weary from the laborious commute they now face to get around the slide, school officials said. Some students are spending 4 1/2 hours on the road to get to and from school each day.

"The ones who are doing that are exhausted, as are their parents," said Principal Phyllis Weber.

Mariposa County elections officials kept the polls open downstairs at the school for balloting in California's primary election Tuesday, but the voting machines only had limited power and one backup battery. Officials kept paper ballots on hand in case the machines went dark.

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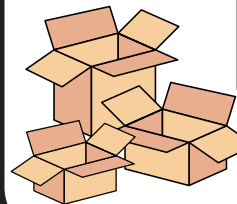
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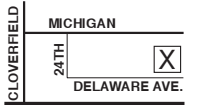
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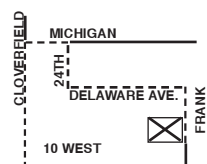
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Noah's Ark no more: Animal escape plan may become law

BY SAMANTHA YOUNG

Associated Press Writer

SACRAMENTO, Calif. — Martin Poldervaart knows how water can wreak havoc. When a levee burst two miles from his Yuba City dairy farm in 1997, more than half his cows drowned.

Poldervaart and his employees fled his flooded dairy farm at 2 a.m. after failed attempts in the dark to corral his cows to safe ground. For their own safety, Poldervaart made the decision to return at daylight.

But the following morning, the local sheriff refused to let homeowners and farmers back into the area for several hours. By the time Poldervaart got back to his dairy farm, the water was too high for him to truck his cows to safety.

He lost 200 cows.

"Just those couple of hours of discussions back and forth trying to get back cost us," Poldervaart said. "It was really sad to see what was left over."

The California Legislature is considering a measure that dairymen and farmers say would force first responders to take animals into account when evacuating areas threatened by flooding waters, earthquakes, wildfires and other life-threatening disasters.

But critics say such a plan is a waste of taxpayer money and emergency personnel should focus solely on saving human lives.

A bill by Assemblyman Leland Yee, D-San Francisco, would direct the state Office of Emergency Services to incorporate animal evacuations into its operational plans.

"Trying to move a 1,600 pound animal that is frightened is a difficult task," said Gary Conover, director of governmental relations for Western United Dairymen. "If you need to move 200 head of cattle, you can't do it yourself. You need to know who you can call and when you can get back on your property."

After the El Nino floods of 1997, the state Department of Food and Agriculture developed contingency plans to rescue cattle, house displaced animals on county fairgrounds and reunite pets with their owners through a program known as CARES — the California Animal Response in Emergency System.

The program has been implemented by the state when needed. In the spring, the department sent inspectors to the San Joaquin Valley to ensure the health and safety of cattle evacuated from farms near rivers

that threatened to overflow their banks.

However, the state's lead disaster agency, the Office of Emergency Services, has not formerly adopted the CARES program into its emergency planning. Some fear that could threaten federal funding flowing to the state.

In the aftermath of Hurricane Katrina, Congress last month approved a bill that would require local and state preparedness offices to draw up evacuation plans for animals.

"The loss of life and property was staggering," bill sponsor Rep. Tom Lantos, D-Calif., said on the House floor last month. "But on top of all of that, the sight of evacuees having to choose between being rescued or remaining with their pets, perhaps even having to leave behind their service animals they rely on every day, was just heart-breaking."

The Lantos bill would cut off federal emergency grants to states that fail to incorporate animals in their operational preparedness planning.

"The federal government has said states should put in place a plan as to how you're going to deal with these evacuations," Yee said. "In a state like California, we're not going to have emergency workers coming three or four times encouraging people to leave. You only have one shot."

The Assembly approved Yee's bill 76-1. It is awaiting Senate consideration.

Assemblyman Ray Haynes, R-Murrieta, who cast the lone dissenting vote, said the Legislature shouldn't divert limited taxpayer money to come up with contingency plans for animals when lives should be the top priority.

"I just think it's a foolish thing to engage in," Haynes said. "We have a hard enough time trying to save all the people that are threatened."

Haynes noted that farmers and livestock owners take out insurance policies covering the value of their herds in the event of a disaster. The responsibility to evacuate their animals should fall to them, not taxpayers, he said.

However, evacuating animals is especially challenging for small independent farmers who typically own a single trailer — not enough space to shuttle their cattle, horses or poultry to safety, said Noelle Cremers, director of natural resources and commodities for the California Farm Bureau.

And previous floods and wildfires have shown that people simply do not leave their animals.

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Men of steal: Thieves take hold of metal

BY ROBERT WELLER

Associated Press Writer

DENVER — Thieves have been stealing copper for years as prices have risen, mostly an expensive nuisance. Now they are targeting aluminum products, with experts saying safety is at risk as everything from light poles to highway guard rails are disappearing.

"Aluminum prices are at an 18-year high," said Chuck Carr, vice president of member services for the Institute for Scrap Recycling Industries.

Thieves in April made off with \$4,000 worth of aluminum bleachers — enough seating for 100 people — from P.C. Campana Park in Lorain, Ohio. Highway guardrails and light rails have been stolen for years on the East Coast but "now it's everywhere. It's worldwide," said Matt Haslett, spokesman for Metro Metals Northwest of Portland, Ore.

Officers are even staging metals theft stings. In

Westminster, a Denver suburb, officers took aluminum park benches to a salvage company, where two employees allegedly paid \$33.65 for 58 pounds of the metal. The Benson and Benson Metals Co., pleaded guilty to theft by receiving and is going to pay \$500 to a food bank.

Strong demand from Asia, especially China, is driving the metals market, said Robin Adams of CRU Strategies in Seattle. He contends the mining industry was caught by surprise by demand and can't keep up with supplies of basic metals.

The trend is likely to continue for a couple of years, Adams said, and other metals would be stolen, too, but it isn't practical. "Aluminum and copper are the ones that stand out. They are on highways," Adams said.

In the past year, copper water spouts have been taken off churches. Coils of communication wires. Power cables for trolleys. Raw copper from the Navy at Pearl Harbor. Authorities attribute at least five deaths to thieves being electrocuted. Railroads have sent out warnings about thefts of

spikes, communication equipment and track.

In Idaho, some of the thefts have been linked to methamphetamine users. In San Joaquin County, Calif., nearly \$300,000 in metals thefts have been reported this year alone.

"We are going to make periodic checks of our junk and recycling dealers to make sure they are keeping records of who they buy the copper or aluminum from," sheriff's spokesman Les Garcia said.

Carr's institute and its members are taking their own steps to control the thefts. He said many dealers work with police to set up stings.

"A lot of our people are having to hire security guards because people are breaking in," he said.

Haslett's company, meanwhile, is videotaping all its purchases.

"We stall sellers of stolen material and call police. If it is moderately suspicious we will ask the seller to provide some documentation," he said.

Arizona governor vetoes wide-ranging immigration bill

BY JACQUES BILLEAUD

Associated Press Writer

PHOENIX — Gov. Janet Napolitano vetoed a bill Tuesday that would have drawn Arizona deeper into the fight against illegal immigration by criminalizing the presence of illegal immigrants in the state and attacking the problem on several other fronts.

The bill would have taken a tougher approach toward employers who hire illegal immigrants, provided money for local police to arrest immigrants and expanded the list of government benefits denied to immigrants.

"It offers no constructive new ideas and instead is filled with unworkable or unconstitutional provisions that I have previously objected to or vetoed," Napolitano wrote in a letter to lawmakers.

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Report says better tsunami warning system is crucial

BY MATTHEW DALY

Associated Press Writer

WASHINGTON — The federal and state governments need to improve warning systems before a deadly tsunami strikes the West Coast, a new study says.

While modern technology is able to detect the formation of a tsunami fairly quickly, the United States lacks a robust warning system and detailed knowledge on the impact a tidal wave could have on coastal areas, the Government Accountability Office says.

In a report issued Monday, the GAO, the investigative arm of Congress, warns that false alarms may have lulled West Coast residents into an inaccurate sense of security. Sixteen tsunami warnings issued since 1982 were not followed by destructive waves on U.S. shores, the report says, "potentially causing citizens to ignore future warnings."

The report urges that the National Oceanic and Atmospheric Administration — the lead agency on tsunamis — work with the Federal Emergency Management Agency develop "loss estimation" software similar to those available for hurricanes or floods, so officials can predict how severe a potential storm would be.

The stakes are high, the report notes. While the United States has not been hit by a severe tsunami in more than four decades, experts say another destructive Pacific-wide tsunami is all but inevitable.

The report was issued 18 months after the 2004 South Asian tsunami, which killed more than 216,000 people in 12 countries. Sen. Dianne Feinstein, D-Calif., who requested the report, said it indicates that California and other states are still at risk of a catastrophic tsunami, "and we are ill-equipped to deal with the threat."

The United States needs a warning system that can protect its most vulnerable communities, as well as software to determine where a tsunami is most likely to hit and do the most damage, Feinstein said.

"We've seen the danger. Now is the time to respond," she said.

Rep. David Wu, D-Ore., said the GAO report confirms his belief that programs focused on educating the public and local warning systems are key to protecting against a tsunami.

"We cannot prevent earthquakes and tsunamis, but we can prepare for them and ensure the citizens of our coastal communities are safe and secure," Wu said, noting that he has pushed for money for computer models, community-based education programs, and for the city of Seaside, Ore., to purchase tsunami-warning hardware.

Sen. Maria Cantwell, D-Wash., said the report confirms what West Coast residents have long known: The United States and can and must do better to protect coastal communities from tsunamis.

"After witnessing the devastation following the Indonesian tsunami, there is no excuse for the federal government to be this far behind on coastal preparedness and making sure Americans have enough time to get to safety," Cantwell said.

Cantwell called for the House to approve a Senate-backed bill aimed at improving tsunami detection and warning systems; providing communities with tsunami preparedness tools; and developing so-called "inundation maps," including those for inland bodies of water such as Puget Sound.

Congress appropriated more than \$17.2 million last year to enhance tsunami warnings and protection, including repair of malfunctioning tsunami-detection buoys. But the report says FEMA and the Department of Commerce — which includes NOAA — need to do more.

Washington Gov. Chris Gregoire said Monday she was concerned about the state's ability to respond quickly to a tsunami, particularly in quickly evacuating people from low-lying beach communities. Gregoire said many of the narrow, two-lane roads in places such as Ocean Shores, Wash., would be inadequate for speedy evacuation.

The Washington Legislature recently approved legislation to encourage siting of underground and heavily reinforced evacuation centers, but none have been built yet.

Astronomer: Petroglyph near Phoenix may have recorded supernova of 1006

By The Associated Press

PHOENIX — A petroglyph near Phoenix may be the only record in the Western Hemisphere of a supernova that appeared in 1006 — the brightest supernova visible from earth for more than 5,000 years.

John Barentine, who works at the Apache Point Observatory in Sunspot, N.M., presented his theory Monday at the American Astronomical Society meeting in Calgary, Alberta.

The supernova appeared in the constellation Lupus, a little below and west of the well-known constellation of Scorpius, the scorpion.

"What particularly got my attention about that rock and the glyphs on it was the representation of what is pretty obviously a star, and a bright star at that. And the figure of a scorpion. Scorpions appear in rock in the Southwest but are not a very common motif," Barentine said.

The petroglyph panel in the White Tank Mountains west of Phoenix consists of several figures pecked into the dark desert varnish, a patina of iron and manganese oxides

that often coats rock in arid environments.

The most prominent figures are an eight-point star and an irregular circle, from which several rays, or arms, protrude.

According to Barentine, the star represents the great supernova of 1006 and the irregular circle, with arms and perhaps eyes, is the constellation Scorpius. Other figures on the rock may represent nearby star patterns.

Todd Bostwick, archaeologist for Phoenix and an expert on Hohokam culture and archaeoastronomy, said it is difficult to correlate a specific celestial event to a single piece of rock art.

"There are many images out there that could be interpreted as star bursts or suns or planets, so you have to be very cautious about (Barentine's theory)" he said.

A supernova is the cataclysmic explosion that marks the end of a star's life. From Earth, it appears as if a new star suddenly appears in the sky and then, over the course of a few weeks, or months, fades away.

Astronomers say the supernova of 1006 was brighter than any visible from Earth for at least 5,000 years.

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ACLU sues Alaska over state's new pot law

BY MATT VOLZ

Associated Press Writer

JUNEAU, Alaska — The American Civil Liberties Union sued the state of Alaska Monday over a new law penalizing marijuana possession for personal use in the home.

The civil liberties group alleges the new law is an unconstitutional invasion of privacy.

“Is marijuana so dangerous that it justifies restricting a fundamental right? The state thinks it’s yes, we think it’s no,” said Michael Macleod-Ball, executive director of the ACLU of Alaska.

The lawsuit also claims the law allows prosecution of people who use marijuana for medical purposes, which the Alaska Department of Law disputes.

Along with the lawsuit, the ACLU is asking a Juneau Superior Court judge to block the law. Macleod-Ball said a judge set a Thursday hearing on a temporary restraining order.

The law, which was signed by Gov. Frank Murkowski on Friday, is an attempt to reverse a 30-year-old Alaska Supreme Court decision called *Ravin vs. Alaska* in which the court

ruled the privacy rights of Alaskans trumped the harm the drug could cause.

Later court decisions set a legal limit of 4 ounces that an individual can keep in the home.

Murkowski for the past two years has been pushing through a bill to counter that ruling, understanding that the final decision would be up to the courts.

Under the new law, pot possession of 4 ounces or more is a felony. Possession of 1-4 ounces is a misdemeanor punishable by up to a year in jail; less than 1 ounce is a misdemeanor punishable by up to 90 days in jail.

“The issue of marijuana appears destined to be resolved by the courts,” said Department of Law spokesman Mark Morones. “Now that there’s some science behind it, we know a lot more about it now and its potency now than when the *Ravin* decision was decided.”

Gearing up for the court fight, Murkowski and the Legislature included in the bill a set of findings meant to prove that marijuana has increased in potency since the original Supreme Court decision, and therefore has become

more dangerous.

Opponents submitted material supporting their position, but the material was never considered by the Legislature, nor did any of it end up in the findings, according to the lawsuit.

“There was all this sort of reefer madness stuff coming from the government, saying this is crazy and we’ve got to restrict this,” Macleod-Ball said. “There was misinformation and disinformation because the state was trying to make a point that it’s more dangerous.”

Joining the ACLU as a plaintiff is an anonymous 54-year-old woman referred to as Jane Doe who uses marijuana to treat pain caused by a neurological illness called reflex sympathetic dystrophy, according to the lawsuit.

She and another plaintiff, a 42-year-old woman referred to as Jane Roe, won’t list their real names because they fear criminal prosecution under the new law, the lawsuit says.

Jane Doe and the ACLU claim there is no exception under the new law for medical marijuana patients. Morones said medical marijuana users are protected under the new law and will not be affected.

Mayors remain on fence about border barrier with Mexico

By The Associated Press

LAS VEGAS — U.S. mayors waded into the immigration debate Monday but failed to unite in opposing a 305-mile fence along the Rio Grande River in Texas on the border with Mexico.

Mayors from more than 200 cities meeting in Las Vegas unanimously supported a call urging President Bush and Congress to pass comprehensive immigration reform including a guest worker program.

But they declined to back a resolution opposing a fence the authors said would make the United States a laughing-

stock and “do great harm” to relations between Americans and Mexicans.

Sam LaGrone, mayor of Roswell, N.M., opposed the measure saying more needs to be done to stop the inflow of drugs such as methamphetamine.

“The amount of meth that is coming across our borders is absolutely ruining so many families in our border states,” LaGrone said. “This is an issue that definitely in my opinion should be left to the Border Patrol.”

Virginia Beach, Va., Mayor Meyera Oberndorf said raising a fence, from 15 miles northwest of Laredo to Brownsville would be “un-American.”

“We’ve always had open borders between Mexico and Canada and we think that’s just where it ought to stay,” Oberndorf said.

The resolution opposing the fence was submitted by Laredo Mayor Elizabeth Flores, Miami Mayor Manuel Diaz and Albuquerque, N.M., Mayor Martin Chavez.

It asked that the U.S. Conference of Mayors call on the U.S. Senate to “ask itself if the expense and symbolism of such a proposed fence can possibly be worth the misunderstandings it will create between the United States and Mexico.”

Several border state city mayors spoke against the motion before the body decided to refer it back to a committee.

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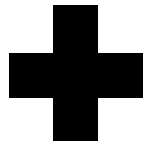
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Fabian Lewkowicz/Daily Press

ROCK THE VOTE Voters cast their ballots at the Church In Ocean Park on Tuesday. Observers anticipated low voter turnout because the nature of a primary election, apathy and voter fatigue.

Voters have spoken

ASSEMBLY RACE, from page 1

Westlake Village, Port Hueneme and Tarzana.

At Bogie's Bar at the Westlake Village Inn, Groveman, along with Santa Monica Mayor Bob Holbrook, were waiting anxiously for more results to determine whether he would remain the leader of the pack among the eight candidates who ran. City Councilman Bobby Shriver was expected to arrive to show his support for Groveman but had not yet arrived.

"It's hard to tell ... I'm happy I'm ahead but it's not enough to get excited," Groveman said at about 10:45 p.m. when about 56 precincts, or about 16 percent of the votes had been tallied. "What's surprising to me is that in the year 2006 it takes this long to get information.

"I'm optimistic but I'm cautious."

Groveman added that the key to the results will be what voters in Santa Monica have decided.

"It's close but we don't know where (the votes are) coming from right now," he said.

At Brownley's post-election headquarters, Back On Broadway restaurant, a lively scene was unfolding with a virtual whose who of local politicians, including Pavley, City Councilman Kevin McKeown, local school officials and former Santa Monica mayors.

"Julia had a good clear message, she was consistent," said McKeown, a long-time supporter of Brownley. "She has a long-standing record here in the community."

Brownley, who was neck and neck with Groveman at presstime, felt confident in her campaign and the election outcome. She pointed out that she was holding her own even though Groveman outspent her and used flashy campaign mailers. She countered his campaign with a lot of foot work by herself and by her volunteers, who spent thousands of combined hours in communities outside of Santa Monica and Malibu, where is she known by many people because she

has been on the school board for 10 years.

"I'm cautiously optimistic," Brownley said of the early election results.

At candidate Kelly Hayes-Raitt's post-election gathering, dozens of supporters watched the polls with anticipation Tuesday night at the Club Twenty/Twenty on Wilshire Boulevard. Early in the evening, before the precincts started reporting, supporters milled around drinking beer and wine waiting for who they hoped would be the next assembly woman, which has been held by Pavley since 2000.

Homa Tabiza, a middle school teacher in Los Angeles, met Hayes-Raitt a few weeks ago when she was stumping. Tabiza volunteered, writing hand-written letters to her neighbors, urging them to vote for Hayes-Raitt.

"I just felt that she was very sincere and genuine and usually when you talk to politicians you don't feel that way about them," Tabiza said. "I feel good about supporting Kelly even though she (might not) win. I was introduced to a nice human being."

Hayes-Raitt attempted to set her campaign apart by organizing a grassroots effort, such as delivering personal letters to voters partly to counteract the expensive glossy mailers her opponents peppered in mailboxes.

"We have run an extraordinary field campaign," Hayes-Raitt told supporters who gathered at the dimly-lit nightclub. "The effort has been put in, now it's just up to the wait game and let's see what happens."

Hayes-Raitt, a longtime Santa Monica resident who lives in the Ocean Park neighborhood, said she decided to run because she felt people have lost faith in the political process and she thought she could restore some of that trust.

"I feel lucky," she said. "I can't believe all these people, people whom I do not know, have come out to support me in my campaign."

LAST MINUTE POLITICKING

With voter turnout expected to hit record lows, candidates for the 41st Assembly

District spent election day aggressively campaigning until the polls closed. Some, like Levey spent the majority of the day driving to different polling places to connect with voters. Others, like Brownley used the time to hit the phone banks and motivate voters to run to the polls and cast their ballots.

Hayes-Raitt said her day began at 7:30 a.m. outside a polling place in Oak Park, where she met with voters and passed out the last of her campaign literature. She did the same in Malibu and Santa Monica, and spent the afternoon calling voters encouraging them to vote.

"Over the last few days, we've contacted 11,000 folks to get out the vote," Hayes-Raitt, a community organizer, said Tuesday afternoon. "We're just trying to reach as many people as we can, and we'll be doing it all the way up until the polls close."

Brownley said she spent her day calling residents to remind them to vote and thanked those who had supported her. She said she voted in the morning with her son Fred, a Santa Monica High School senior, who participated in his first election. Brownley, a school board member for the Santa Monica-Malibu Unified School District, said later in the day she was going to watch her son receive an award during a ceremony at Samohi's Barnum Hall and then would be going to her post-election party at Back on Broadway. She said she also would be stopping by the Los Angeles County Federation of Labor headquarters near downtown Los Angeles to thank union members for campaigning on her behalf.

"I really couldn't have done this without our whole host of volunteers, who really went from every corner of the district walking precincts and talking with voters," Brownley said.

ATTENTION DEFICIT

There are several factors that have contributed to the low voter turnout, the most significant being the nature of the election. Being a primary, the election will naturally

draw less interest than a general election, in which political parties are pitted against one another for control of the state. With no one challenging Gov. Arnold Schwarzenegger in the Republican primary, many party members might have sat this election out, particularly those in districts such as the 41st Assembly, which is one of the most liberal in the state and therefore may discourage conservatives from participating, political analysts said.

Of the more than 3.8 million registered voters in the county, just over 50 percent are registered Democrats; Republicans represent 26.9 percent with 18.5 percent registered Non-Partisan, according to figures released in April by the LA County Registrar-Recorder.

"Republicans really have no say in Santa Monica so there's nothing really for them to vote for, except the propositions," said Bob Stern, president of the Center for Governmental Studies. "I was at the polls in Malibu (Tuesday) morning at about a quarter until 8 (a.m.) and it wasn't busy at all. That's pathetic."

At St. Paul's Lutheran Church in Santa Monica, the picture was similar. Cindy McQuade, a poll worker there, said the polling precinct was relatively empty all day. The most people at one time was when the polls opened, when fewer than a dozen people lined up waiting to vote.

"It's been quiet all day," McQuade said.

Dolz said it was a challenge for him to campaign in a mostly democratic district. Dolz said he was excluded from public forums that focused solely on left-leaning candidates and said the media all but ignored his campaign and that of his rival, Adriana Van Hemert.

"I know this district has been traditionally democratic, but the issues that I am campaigning on cut across the political spectrum," said Dolz, who has focused heavily on stopping illegal immigration and securing

Voter turnout low

ASSEMBLY RACE, from page 10

the borders to protect against terrorism. “If I can just reach people, this could be a very interesting race come November.”

LASTING IMPRESSIONS

The tone of the 41st District Assembly race has been positive, with candidates for the most part refraining from personal attacks, instead focusing on their records and the issues voters are concerned about, such as traffic congestion, protecting the environment and improving education. With very few discernible differences between the candidates, observers said it served them more to focus on who they are and what makes them unique instead of bashing their competitors.

That is in stark contrast to other campaigns, including the race for governor and attorney general, where negative campaigning has taken hold in the last few weeks, political observers said.

“I’ve been in this business for 28 years and I may sound like a senior citizen ... but I just never would have thought there would be this type of campaigning,” said Joe Cerrell, a seasoned political consultant who has worked on the presidential campaigns of John F. Kennedy and Lyndon B. Johnson, among others. “Some of the stuff out there is below the belt.”

Negative ads, unfortunately may be the only way candidates can reach some voters, Stern said. However, the more negative a campaign gets, the less likely people will be to cast their vote, political observers said.

“I think voters are turned off by the way the candidates for governor have run their campaigns, but voters rarely believe the positive ads,” Stern said. “People tend to believe negative ads, which poses a problem when talking about voter turnout.”

TACTICS

Most 41st District Assembly candidates said the possibility of a low voter turnout didn’t affect their campaign strategies. With a tight race and so many qualified candidates, the best strategy is to go all out and hold nothing back, candidates said.

“We just put an emphasis on our grassroots campaign, much like you would do in any campaign,” said Levey, an attorney and college professor whose campaign received a significant boost with endorsements from the Los Angeles Times and the LA Weekly. “We know the key is to get as many of your supporters to the polls and I’m very confident that we did that. We knew the biggest challenge for me was introducing myself to the district and I think we accomplished that.”

Groveman, a former attorney who represented Santa Monica over water contamination, said low voter turnout may have worked in his favor since he spent a lot of



Kevin Herrera/Daily Press

Candidate Kelly Hayes-Raitt points to election returns showing her in fourth place roughly an hour after the polls closed Tuesday.

time developing his grassroots campaign, going door to door and attending community forums.

“I’ve really tried to focus my efforts on all parts of the district, and in particular, Santa Monica,” said Groveman, who won the endorsements of Holbrook and Shriver. “I want to do well in Santa Monica, not just in the valley.”

EXPENDITURES

To ensure a greater turnout in his favor, Groveman outspent his competitors with \$547,657, according to campaign finance statements from May 20. Levey came in second with \$314,098 in expenditures, followed by Brownley with \$196,992 and Hayes-Raitt with \$175,337.

“That’s a lot of money for an Assembly race,” said Richard Tahvildaran-Jesswein, a professor of political science at Santa Monica College.

However, who spent the most cash may not matter, Tahvildaran-Jesswein said. Candidates who have connected with voters by speaking on key issues such as homelessness, traffic, rent control, the environment and education are the ones who will draw out the voters.

“It depends on who can win Santa Monica,” Tahvildaran-Jesswein said. “Brownley has the best ground, but it depends on voter turnout here in Santa Monica.”

Losing propositions

PRIMARY, from page 1

and Robert C. Newman II tied for second, each winning 3.4 percent of the vote.

It was a bad day for propositions, with both measures on the ballot, Proposition 81 and 82, failing to capture the support of voters.

With 35 percent of precincts reporting, Prop. 81, the Public Library Bond Act that would authorize a \$600 million bond to fund the construction and renovation of public libraries, was losing with 53.7 percent voting against the measure. Supporters argued that new libraries fight illiteracy, create partnerships between schools and provide “safe havens” for chil-

dren. Opponents pointed to the estimated \$1.2 billion price tag over 30 years as a reason to vote no and force elected officials to come up with the money out of the state’s budget.

Prop. 82, which would create a free, voluntary, half-day public preschool for all 4-year-olds by imposing a tax on individuals who earn more than \$400,000 a year, or \$800,000 for couples, didn’t do any better, with 58.8 percent of voters opposing it.

Supporters of the proposition said it would prepare children to learn, encourage parental involvement, expand teacher training and provide independent audits and criminal penalties for the misuse of funds. Critics argue the measure would create more bureaucracy and siphon money away from K-12 education.

COMMUNITY BRIEFS

BRIEFS, from page 3



Photo courtesy

Elder students coach the younger ones during a leadership exercise at St. Monica’s school.

Leadership learned through play

By Daily Press staff

Who knew being a leader could be fun and games.

For dozens of students at St. Monica Catholic Elementary School, last Friday was a day of fun while learning how to be leaders.

St. Monica Catholic Elementary School’s annual “Play Day” was about kids winding up their year having competitive fun. They raced carts, threw footballs through a rubber tire, scooted under limbo bars and showed their stuff in seven other games.

With scrambling feet, cocked arms and dancing hips, more than 200 kindergarten through seventh graders spent more than two hours last Friday on the school’s playground. Organizing and coaching them, and sometimes soothing ruffled feelings, were the school’s 29 eighth graders.

“Sometimes they can be a little out of control,” said student Amy Lyman, 14, as she packed a cooler with Auto Pops and orange soda. “But they listen to us.”

In the third grade cart derby, one girl fell behind the others when she had trouble getting her legs to work in sync. When the girl struggled to the finish line, eighth-grader Ricki Boulee, 15, with her clipboard propped under her arm, was there to give her reassuring pats on the back.

“The kids in the lower grades get to know the kids in the higher grades, and the eighth graders learn how to be leaders,” said Paola Sessarego, the eighth-grade home room teacher, from the sidelines.

Sessarego said socializing among younger and older students and building leadership in the higher grades is woven into what she calls “the school family” throughout the year.

All 10 of the school’s teachers are involved in the annual event, but they let the eighth graders and the rising seventh graders run the show from beginning to end.

“You get a feeling of accomplishment,” said student Gray Tolhurst.

Commercial climate reaching new heights

DAYS ON THE MARKET

BY JODI SUMMERS



The healthy economy is creating a strong demand for commercial and industrial space, and institutional investors are returning to the market, according to the latest commercial market update and forecast from the National Association of Realtors (NAR).

David Lereah, NAR's chief economist, has declared that the market fundamentals are improving.

"Commercial real estate vacancy rates are falling and rents are rising as the economy expands and jobs are created," he said. "Growth in the Gross Domestic Product is fairly strong and consumer spending remains healthy. Business spending is on the rebound, and the completion of new commercial buildings has shown positive growth over the last two years."

Capital continues to flow into commercial real estate at strong levels, and delinquencies are minimal. According to the Mortgage Bankers Association, commercial mortgage originations totaled \$201.7 billion in 2005, which is a 48.2 percent increase over 2004. Much of the funds, 35.8 percent, flowed into the multi-family sector; office real estate, 24.1 percent; retail, 16.5 percent; industrial, 7.4 percent; and hotel, 6.4 per-

cent, followed.

Government spending also is strengthening the commercial sector, increasing more than 2 percent in the first quarter of 2006. Strong corporate profits are leading to business expansion, wages are growing and 2 million jobs were created in 2005. Imports and exports remain at high levels, fueling port business and industrial activity.

After bottoming-out in the first quarter of 2002, the rate of return on commercial property is now greater than 5 percent for all types of investment properties — apartment, industrial, office and retail, according to research from Haver Analytics and the National Council of Real Estate Investment Fiduciaries.

Developing areas that will see the biggest commercial growth are the areas where people are buying second homes.

"Migration favors warm weather and low taxes, so states with the biggest net migration are seeing commercial growth," Lereah notes.

Think Florida, Arizona, Nevada, Georgia and North Carolina.

Here are the NAR's projections for five major commercial sectors — office, industrial, retail, multi-family and hospitality markets, according to Torto Wheaton Research and Real Capital Analytics.

INDUSTRIAL MARKET

Trade and distribution are driving the industrial market, with greater demand in the West and Southeast. Institutional investing in industrial property was up 65 percent in 2005 to \$34.5 billion. There is strong

build-to-suit activity, and urban industrial properties are being redeveloped for mixed-use and residential purposes.

Net absorption of industrial space in 54 markets tracked is expected to be 265 million to 270 million square feet in 2006.

Industrial vacancy rates are projected to drop to close to 9 percent in 2006; down from 11.7 percent two years ago. Industrial rents should grow an average of 3.8 percent.

OFFICE MARKET

Office vacancy rates are the lowest since 2001, with rents growing in almost every major market. Investment volume in office real estate grew by 34 percent in 2005 to \$99.7 billion. Institutional investors have returned to office acquisition.

Projections show 350,000 office jobs will be created in 2006.

Net absorption of office space in 56 markets tracked projected that in 2006, 90 to 95 million square feet will be absorbed. Vacancy rates will average in the 12 percent range, and overall office rents are expected to rise 5 percent this year.

RETAIL MARKET

In 2005 Los Angeles topped the list of attractive retail markets for investors. Retail is the most inconsistent commercial market. There is an abundance of retail space in Indianapolis, Cincinnati and St. Louis, but drastic shortages in San Francisco and Las Vegas.

Net absorption of retail space is seen at

30 to 32 million square feet this year. Retail rents in 54 tracked markets are forecast to increase to an average of 4 percent in 2006.

MULTI-FAMILY MARKET

The apartment rental market has benefited from rising mortgage interest rates, as well as people wanting to get out at the top of the market. Job growth and migration are driving demand, primarily in the West and Southeast. Conversion of apartments into condos is waning.

Multi-family net absorption in the 59 tracked metro areas is expected to be about 285,000-290,000 units in 2006. Vacancy rates are expected to be 5 percent, and rent growth is seen at 5.3 percent for 2006.

HOSPITALITY MARKET

Hotel occupancies are projected to average 68.7 percent for 2006, the highest since Sept. 11, 2001. Markets such as Honolulu and New York City have occupancies greater than 80 percent. Revenue per available room should be \$76 this year — an increase of 6.3 percent from 2005. The greatest growth markets are expected in Atlanta and Houston.

For more on Southern California commercial properties there is a great information blog at www.socalindustrialrealestateblog.com.

(Jodi Summers is director of the investment division at Boardwalk Realty Santa Monica. For your real estate needs, e-mail Jodi Summers at jodis@boardwalkrealty.com, or call (310) 309-4219, or visit her Web site at www.santamonicalandmarks.com.

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THE HOA ADVISOR

BY MICHAEL CHULAK

Conflicts of interest should at least be disclosed amongst homeowners

QUESTION: I only recently started to read your real estate column and find it to be of great value. I am president of our homeowners' association and would like to distribute copies of past questions and answers to our board of directors. Are they available?

ANSWER: Yes. They can be found on the following Web site: www.HOAQandA.com. The Web site is updated monthly.

QUESTION: We reside in a townhome that has a master insurance policy. My insurance agent has recommended that we purchase a loss assessment coverage. What is this coverage and what is your recommendation?

ANSWER: Loss assessment coverage is generally an endorsement to a homeowner's insurance policy (HO-6). It pays the insured's share of any assessment levied against unit owners by the association during the policy period up to a specified limit for defined losses.

The policy limits are typically from \$1,500 to \$50,000.

While policies differ, they usually cover the perils covered under Section I of the policy, bodily injury and property damage losses, losses due to discrimination, and losses resulting from libel and/or slander.

Remember, coverages vary. There is no substitute for consulting with an insurance professional before you purchase coverage. Generally, the cost of these policies is low for the benefits acquired. I definitely recommend the coverage.

QUESTION: The attorney that represents our homeowners' association owns an interest in our association's management company. Is this a conflict of interest?

ANSWER: No. The fact that your attorney owns an interest in your management company is not a conflict of interest. However, your attorney has the obligation to advise your board that he or she has such an interest. In addition, should a conflict or potential conflict ever arise between the attorney's representation of your association and the interests of the management company, he or she would be required to advise you of such a conflict or potential conflict. In the event of an actual conflict, the attorney would be required to advise your association to seek other legal counsel. In the event of a potential conflict, the attorney would be required to advise you to seek other legal counsel or explain under what circumstances a potential conflict can be waived.

QUESTION: Our association has built steps within the common area that don't meet the requirements of the building code. What are the ramifications?

ANSWER: If someone is injured on the steps, the fact that they don't meet code will make it much easier for the plaintiff's attorney to prove that the association was negligent. In short, it increases your association's risk. The steps should be corrected to meet code.

(Michael T. Chulak is the founder of Michael T. Chulak & Associates, a law corporation, based in Agoura Hills. Questions can be sent by e-mail to info@MTCLaw.com. Answers are general in nature. An attorney should always be consulted when legal advice is needed. For more information visit www.MTCLaw.com and www.HOAQandA.com.)

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'Like kind' takes a twist



IN YOUR SPACE

BY CHRISTINA S. PORTER

It is generally understood that in order to take advantage of the tax deferral benefits of a 1031 exchange the guideline to be adhered to is that an investor must replace the relinquished property with one that is considered "like kind."

Like kind is defined as "any other real estate held for productive use in a trade or business investment," and refers to the nature or character and not the grade or quality of the property. For example, a vacant lot held for investment can be exchanged for a class A medical office building.

A less well known fact is that Regulation 1.1031(a)-1(c)(2) allows the investor to exchange conventionally-owned real estate for a leasehold interest. A leasehold interest is one where the investor does not own the ground but rather has a right to a stream of income for a prescribed period of time. Generally, the reason an investor would consider a leasehold interest is a higher level of income than could otherwise be realized from the same tenant.

The requirement to acquire a leasehold interest as replace-

ment property when doing a 1031 exchange is that there be at least 30 years remaining in the lease term. It is interesting to note that the terms of renewal options may be included when determining whether the leasehold interest has a remaining term of more than 30 years or not. In one case the court held that the initial term of five years with 10 optional renewal periods of five years each was considered "like kind."

The benefits of exchanging into a long term net lease investments — be it an outright purchase or a leasehold interest — is that they provide stable, predictable income and generally minimize if not eliminate the management headaches associated with investment property. Frequently net leased properties are secured by well-recognized national companies who have been rated by Standard & Poors and Moody's.

When considering a 1031 exchange and investing in net lease or leasehold properties the investor should seek out expert guidance from their CPA and/or real estate attorney prior to finalizing any investment decisions.

*(You can reach **Christina Porter** at 1-877-4 TM 1031, or e-mail her at christina@tm1031exchange.com to discuss your specific needs. TM 1031 Exchange assists investors in planning and executing successful real estate investment strategies. Visit www.tm1031exchange.com for a complete list of investment properties and to download the TM 1031 Tool Kit.)*

27 Quick & Easy Tips to Sell Your Home Fast and for Top Dollar

LOS ANGELES Because your home may well be your largest asset, selling it is probably one of the most important decisions you will ever make in your life. And once you have made that decision, you'll want to sell your home for the highest price in the shortest amount of time possible without compromising your sanity. Before you place your home on the market, here's a way to help you to be prepared as possible.

To assist home sellers, a new industry report has just been released called "27 Valuable Tips That You Should know to Get Your Home Sold Fast and for Top Dollar." It tackles the important issues you need to know to make your home competitive in today's tough, aggressive marketplace.

Through these 27 tips, you will discover how to protect and capitalize on your most important investment, reduce stress, be in control of your situation, and make the most profit possible.

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Iran persuaded to stop its nuke program with perks

BY ALI AKBAR DAREINI

Associated Press Writer

TEHRAN, Iran — A package of incentives that represents a major initiative by world powers to persuade Iran to curb its nuclear program contains “positive steps” but also some “ambiguities,” the country’s top nuclear negotiator said Tuesday.

Speaking on state television after receiving the proposals from EU foreign policy chief Javier Solana, Ali Larijani called the meeting with Solana “constructive” and said Iran would respond after studying the incentives.

“The proposals contain positive steps and also some ambiguities,” Larijani said, adding that more talks were needed.

“We hope we will have negotiations and deliberations again after we have carefully studied the proposals,” he said.

The incentives were agreed on by the five veto-wielding members of the U.N. Security Council — the United States, Britain, France, Russia and China — and Germany at a meeting in Vienna on Friday.

Solana, who arrived in Tehran on Monday night, met Larijani for two hours at the Supreme National Security Council building in central Tehran. Journalists were barred from the building.

He told reporters at Tehran’s airport that the West wanted “a new relationship” with Iran and that the package would “allow us to engage in negotiations based on trust, respect and confidence.”

Iranian Foreign Minister Manouchehr Mottaki said he and Larijani would review the incentives package after the meeting with Solana and respond.

“If there is the political will to solve Iran’s nuclear issue without any attempt to politicize it, I think we can come to a comprehensive agreement,” he said.

Iran says its nuclear development is for peaceful production of nuclear energy, but Washington, the European Union and others accuse Tehran of covertly trying to build a nuclear arsenal.

The incentives package offers economic and political rewards if Tehran relinquishes domestic uranium enrichment, which is used to generate power but can also produce weapons-grade uranium for nuclear warheads. It also contains the implicit threat of U.N. sanctions if Iran remains defiant.

In a breakthrough last week, the United States agreed to join in multinational talks on the package.

Details of the basket of perks and penalties have not been made public. But an earlier draft shared in part with The Associated Press offered help in building nuclear reactors and a guaranteed supply of fuel as well as an offer to supply European Airbus aircraft for Tehran’s civilian fleet.

Diplomats revealed Monday that Washington has sweetened the offer originally drawn up by France, Britain and Germany by saying it will lift some bilateral sanctions on Tehran such as a ban on Boeing passenger aircraft and related parts if Iran agrees to an enrichment freeze.

One of the diplomats also said Washington would be prepared to take some “dual-use” technology off its banned list of exports to Iran. The term is used for products and material that have military as well as civilian uses. The diplomat declined to go into details.

Solana was expected to explain the details of the package but go no further.

“This trip is not a negotiating trip. Mr. Solana is here just to present the package to Iranian officials,” an official at the Supreme National Security Council told The Associated Press on condition of anonymity as he was not authorized to speak to the media.

The EU envoy, who is heading a seven-person delegation, was due to meet Mottaki before leaving Iran later Tuesday.

Iranian officials have sent conflicting signals on the initiative, reflecting a possible struggle within the leadership on how to react. Additionally, the U.S. offer to join in direct talks with Iran might have taken Tehran’s top officials off guard.

Iranian President Mahmoud Ahmadinejad, normally a hardline critic of the United States who insists that Tehran has a right to enrichment, said over the weekend that a breakthrough in negotiations was possible and welcomed the U.S. offer to join talks, while rejecting preconditions.

Threats by Iran’s supreme leader, Ayatollah Ali Khamenei to disrupt the world’s oil supply if Tehran is punished over its nuclear program reflected Tehran’s nervousness.

Although other Iranian officials have repeatedly ruled out using oil as weapon, his comments propelled oil prices to \$73 a barrel Monday. Iran is the world’s fourth-largest oil exporter and the second-largest producer in the Organization of Petroleum Exporting Countries.

Bush trudges forward

BY JENNIFER LOVEN

Associated Press Writer

ARTESIA, N.M. — President Bush declared progress Tuesday in tightening the nation’s southern border and pushing major immigration changes through Congress despite widespread skepticism that lawmakers can find a compromise.

The president brushed aside bitter divisions over the issue, saying the fact that there is active debate at all is cause for optimism.

“I know when you watch your television or listen to the radio, it seems like there’s nothing but disagreement on immigration policy in Washington,” Bush said, a blazing sun beating down on him and the barn behind him used to simulate armed encounters in Border Patrol training exercises.

“Yet there’s a growing consensus among all parties and all regions of the country that fundamental reforms are needed,” he said.

Bush spoke after watching trainees in the dusty heat role-play in ways to protect the U.S.-Mexico border against illegal crossings — boarding buses to check IDs, aiming pretend guns at a vehicle under suspicion, interviewing car occupants at checkpoints and scouring freight cars.

As the Border Patrol’s only training ground, the 2,000-acre facility in this unforgiving corner of southeastern New Mexico has been increasingly busy. The number of agents nationwide has grown to nearly 12,000 from 9,000 at the beginning of Bush’s presidency, and Bush is proposing to add another 6,000 agents by 2008.

Later Tuesday, the president took in a video surveillance operation at the Border Patrol headquarters in Laredo, Texas, also hot and dry, and a busy crossing point near Nuevo Laredo, Mexico, where warring drug cartels have been blamed for more than 140 murders this year.

The visuals of Bush’s two border-state stops focused on enforcement — a key theme as the president wooes recalcitrant conservatives in his party to abandon a get-tough-only approach and support comprehensive reform. Bush says that, to be effective, any legislation should include a path to citizenship for illegal immigrants that meet certain criteria and create a new program allowing legal work permits for foreigners. He has been promoting his seriousness about stepped-up enforcement to sweeten that argument.

But the emphasis of the president’s spoken message was agreement.

He claimed “widespread agreement” on broad philosophical points such as the need to better control the border and stiffen penalties on companies that hire illegal immigrants. The implication was that, as congressional negotiators prepare for difficult talks over the radically different bills passed by the House and Senate, there is more to work with than it appears.

“While the differences grab the headlines, the similarities in approaches are striking,” Bush said.

He pressed the point again outside the Laredo headquarters. Appearing eager to dispel doubts, Bush engaged in an impromptu question-and-answer session with reporters that extended over an unusually lengthy time despite temperatures over 100 degrees.

With dozens of Border Patrol vehicles behind him, Bush said it is important for congressional negotiations to get started.

“That will give us a pretty good feel for whether or not attitudes are hardened to the point nothing can get done,” he said. “I don’t think so.”

The president’s statements belied passionate differences on Capitol Hill, where even routine matters are getting bogged down. The Senate has not yet sent its bill to the House, so that talks can begin, because of a procedural disagreement.

The House bill generally is limited to increased border enforcement, making all illegal immigrants subject to felony charges and advocating extensive fencing along the U.S.-Mexico border. The Senate version includes more money for border security, but it creates a guest worker program that would legally bring in new foreign workers and provides a shot at citizenship for many already here.

Bush acknowledged the sharp divide over the status of the country’s estimated 11 million illegal immigrants.

“This is the toughest part of the bill for the Congress,” he said.

Bush’s appearance is one of a series as he pushes his top domestic priority of the year.

“A photo-op in New Mexico won’t make Republicans in Washington, D.C., support comprehensive reform,” Senate Minority Leader Harry Reid, D-Nev., said. “The president must convince his party to enact the comprehensive immigration reform our nation deserves.”

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Meat Loaf goes like ‘Bat Out of Hell’

By The Associated Press

LOS ANGELES — Someone else might have written the “Bat Out of Hell” song, but Meat Loaf claims he should be the only one to use the phrase in connection with music.

In a federal lawsuit dated May 26, the rocker, whose name is listed in the action as Michael Aday, said the expression had been publicly associated with him since the 1977 release of his “Bat Out of Hell” album.

The lawsuit claims defendant Jim Steinman, who wrote the original song of the same name, wrongly claims ownership of the phrase.

The album and its 1993 follow-up, “Bat Out of Hell II,” sold 48 million copies worldwide, according to the lawsuit.

The lawsuit seeks damages of more than \$50 million.

Steinman and co-defendant David Sonenberg, listed in the action as having been Meat Loaf’s manager, have been trying to disrupt the October release of the third “Bat Out of Hell” album by telling the singer’s distributors that Aday had no right to use the phrase, according to the lawsuit.

“This contention is blackmail and a holdup,” said the complaint, which claimed Steinman and Sonenberg have infringed Aday’s trademark rights in the phrase and are interfering with distribution contracts.

Steinman wrote and produced the second album, and would have produced the third, but he and Aday had a falling out, according to the lawsuit.

Attempts to reach Steinman and Sonenberg for comment after business hours Monday were unsuccessful.

DETROIT — City Councilwoman and former Motown star Martha Reeves has been a strong advocate of stricter housing code enforcement, but a newspaper says it discovered multiple violations at her own properties.

Inspectors found 25 code violations at one two-unit rental property, including two emergency infractions for lack of maintenance of fire doors, The Detroit News reported Tuesday.

Ten of Reeves’ 15 vacant lots are deep in over-

grown weeds, grass and trees, the newspaper said, and three contained dumped electronic equipment, clothing, furniture and construction debris.

In a written response, Reeves said she acquired most of the properties “sight unseen” at a state land auction.

“My hope was to help revitalize some of the neighborhoods in Detroit, by building on them, or working with community groups to establish urban greenery areas,” she wrote.

Reeves, 64, said she recently hired a new management company and that “improvements are forthcoming.”

As part of the Motown group Martha Reeves and the Vandellas, she had hits in the 1960s with “Heat Wave,” “Dancing in the Street,” “Nowhere to Run,” “I’m Ready for Love,” “Jimmy Mack” and “Honey Chile.”

She was elected in November to a four-year term on the nine-member City Council.

DETROIT — Eminem’s publishing companies have settled a lawsuit filed in what they said was an effort to illegally sell the Grammy-winning rapper’s songs as cell phone ring tones.

Michigan-based Eight Mile Style and Martin Affiliated filed the lawsuit last October in U.S. District Court against five companies. The lawsuit asked for an order to prohibit the companies from illegally selling Eminem song ring tones on the Internet.

Eminem’s representatives reached an undisclosed settlement last week with one of the companies — Colorado-based Cellus US — and asked U.S. District Court Judge Gerald E. Rosen to approve the deal, The Detroit News reported Tuesday.

Cellus lawyer Mary Margaret O’Donnell said the company agreed to stop distributing the ring tones, but declined to say whether it had paid any money to settle the lawsuit.

Howard Hertz, a lawyer for Eminem, whose real name is Marshall Mathers III, said illegal Eminem ring tones bring in hundreds of thousands of dollars per year.

“We reached an amicable agreement,” he said.

LOS ANGELES — A Florida company at odds with Magic Johnson over the use of his name and image on prepaid debit cards is seeking arbitration in Los Angeles Superior Court.

Magic Cards International Inc. claims in court papers filed Monday that it entered into an amended agreement in May 2003 with Johnson’s company, June Bug Enterprises, and the firm Global Team One, to market the cards, which target consumers with credit problems.

Magic Cards accuses the former Lakers star of breaking the agreement that gave the company the rights to market, sell and distribute the cards.

Johnson contends the agreement ended and that he has no further obligation, but the alleged breach of contract caused damages to the company, the court papers said.

An after-hours call to Johnson’s agent was not immediately returned.

TULSA, Okla. — In a turn perhaps inspired by Vince Vaughn or Owen Wilson, Oprah Winfrey crashed several Tulsa wedding receptions over the weekend, collecting footage that will be seen on her show.

“When we were getting ready, we heard that Oprah was in town buying wedding gifts,” said Sarah Klein, the sister of groom Ben Klein, who married Heather Anderson. “We were all joking that she should come to the wedding.”

And that’s exactly what happened.

“She came in wearing her pink dress and was all hidden under her hat,” she said. “I knew it was her.”

Winfrey dropped off dishes for the newlyweds and posed for a picture during her few minutes at the reception.

Before visiting the reception, Winfrey stopped off at another wedding party, according to KOTV, which airs the syndicated “The Oprah Winfrey Show” locally.

She surprised Morgan and Bethany Francis at their reception, congratulating the couple and leaving a wedding gift of more dishes.

The segments from her Tulsa wedding reception visits are to be aired in September.

MOVIEGUIDE

SHOWTIMES: WEDNESDAY, JUNE 7, 2006

Broadway Loews Cineplex
1441 3rd Street
(310) 458-6232

Akeelah and the Bee (PG)
1:30, 4:30, 7:30
United 93 (R)
10:15
X-Men: The Last Stand (PG-13)
12:00, 1:00, 2:00, 3:00, 4:15, 5:15, 6:15, 7:15, 8:15, 9:30, 10:30, 11:00

Mann's Criterion Theatre
1313 3rd Street
(310) 395-1599

Friends With Money (R)
1:10, 3:30, 5:40, 7:50, 10:10
Mission: Impossible III (PG-13)
1:00, 2:20, 4:00, 7:00, 7:40, 10:00
Poseidon (PG-13)
11:40am, 2:10, 4:40, 7:10, 9:50
Proposition, The (R)
11:30am, 2:00, 4:20, 6:50, 9:30
See No Evil (R)
12:10, 5:20, 10:30
Thank You for Smoking (R)
12:50, 3:10, 5:30, 8:00, 10:20

AMC7 Santa Monica
1310 3rd Street
(310)289-4262

Break-Up, The (PG-13)
10:50am, 11:50am, 1:35, 2:30, 4:15, 5:15, 7:00, 8:00, 9:35, 10:40
Da Vinci Code, The (PG-13)
10:30am, 12:15, 1:50, 3:45, 5:20, 6:30, 7:10, 8:45, 10:00, 10:30
Keeping Up With the Steins (PG-13)
10:45am, 1:05, 3:15, 5:35, 7:50, 10:10
Over the Hedge (PG)
12:20, 2:35, 4:50, 7:20, 9:30
Over the Hedge (PG)
11:10am, 12:20, 1:30, 2:35, 3:50, 4:50, 7:20, 9:30

Nuwilshire Theatre
1314 Wilshire Blvd
(310)281-8228

Art School Confidential (R)
11:30am, 2:00, 4:30, 7:10, 9:45
District B-13 (Banlieue 13) (R)
11:45am, 2:15, 4:45, 7:30, 10:00

Laemmle 4-Plex Theatre
1332 2nd Street
(310)394-9741

An Inconvenient Truth (PG)
12:15, 1:30, 2:45, 4:00, 5:15, 7:00, 7:45, 9:30, 10:15
Peaceful Warrior (PG-13)
12:45, 3:45, 7:00, 9:55
Water (PG-13)
1:15, 4:15, 7:15, 9:55

Information: calendar@smdp.com

MORE TODAY IN HISTORY

In 1753, Britain’s King George II gave his assent to an Act of Parliament establishing the British Museum.

In 1769, frontiersman Daniel Boone first began to explore the present-day Bluegrass State.

In 1848, French postimpressionist painter Paul Gauguin was born in Paris.

In 1864, Abraham Lincoln was nominated for another term as president at his party’s convention in Baltimore.

In 1929, the sovereign state of Vatican City came into existence as copies of the Lateran Treaty were exchanged in Rome.

In 1948, the Communists completed their takeover of Czechoslovakia with the resignation of President Eduard Benes.

In 1967, author-critic Dorothy Parker, famed for her caustic wit, died in New York.

In 1972, the musical “Grease” opened on Broadway.

In 1981, Israeli military planes destroyed a nuclear power plant in Iraq, a facility the Israelis charged could have been used to make nuclear weapons.

The advertisement features a blue background with a subtle pattern of ice cubes. In the top left corner is the Liquid Ice logo, a blue diamond shape with a yellow outline and a white drop inside. Below the logo, the text "LIQUID ICE ENERGY DRINK" is written in a bold, blue, sans-serif font. In the center, the phrase "This Is No 'Bull'" is written in a large, red, italicized, sans-serif font. At the bottom left, the text "If you're gonna play the game you're gonna need the energy" is written in a large, blue, sans-serif font. On the right side, there is a can of Liquid Ice Energy Drink, tilted diagonally. The can is blue with a yellow and white logo on it. The text "LIQUID ICE ENERGY DRINK" is visible on the can.

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* Rates subject to change
* As of January 11, 2006
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3 Units \$645,300
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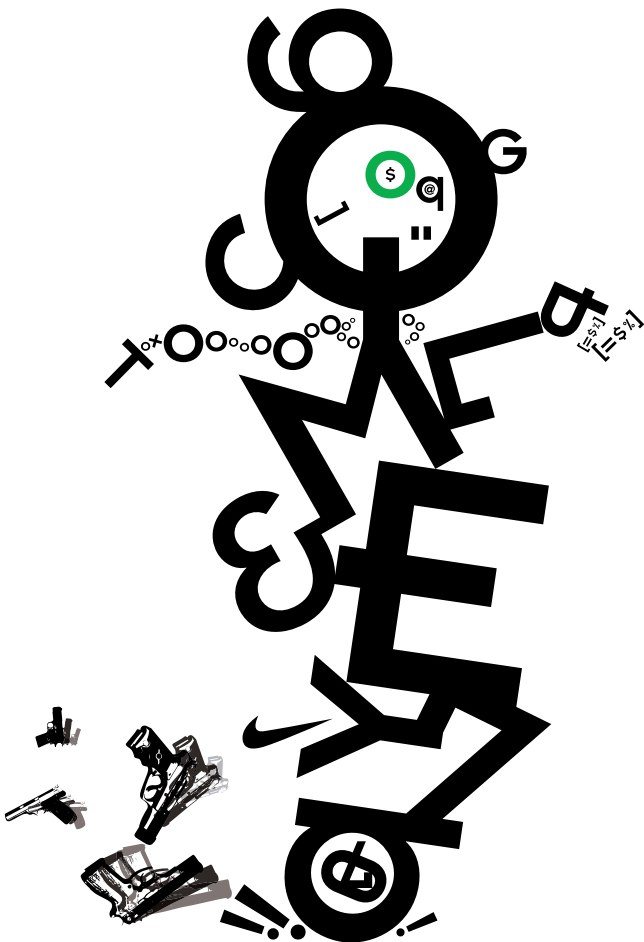
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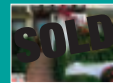
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5 year/1 arm 6.0%**
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* Rates subject to change

* As of February 7, 2006

** Denotes an interest only loan

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