

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

19, 16, 31, 33, 30

DAILY 3

Afternoon picks: 4, 1, 7

Evening picks: 0, 1, 5

DAILY DERBY

1st Place: 09, Winning Spirit

2nd Place: 02, Lucky Star

3rd Place: 04, Big Ben

Race Time: 1:48.23



NEWS OF THE WEIRD

by Chuck Shepard

In 2000, News of the Weird reported on neuroscientist Lawrence Farwell's "brain fingerprinting" (in which he says he can measure brain activity or inactivity in order to determine whether a person has previously experienced an event or a setting, such as a murder scene). According to a May 2003 Associated Press story, University of Pennsylvania scientists are testing devices that detect brain activity in order to determine whether a person is about to lie even before he or she has spoken a word. Biophysicist Britton Chance's headband measures blood-flow; psychologist Daniel Langleben uses a type of MRI machine; and other researchers employ devices like heat-sensitive cameras to measure telltale blood-flow around the eyes.



QUOTE OF THE DAY

"Love is an ocean of emotions entirely surrounded by expenses."

— Lord Dewar



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Judge: SM landlord must face charges

BY JOHN WOOD

Daily Press Staff Writer

A bench warrant was issued Tuesday for an eastside Santa Monica landlord who failed to show up in court on charges of allegedly discriminating against her Mexican-American tenants.

Santa Monica Superior Court Judge Bernard Kamins issued the warrant but didn't send it to law enforcement officers, saying he would give Jaroslava Liska another chance to appear in court

on July 15.

If Liska, who owns a six-unit complex at 1711 Delaware Ave., comes to court, the warrant will be removed. If she doesn't, Liska will be considered a fugitive.

The Santa Monica City Attorney's office filed criminal charges against Liska in May, alleging she violated its tenant harassment ordinance by attempting to evict a Mexican-American family who has lived in their

See LANDLORD, page 5

Mountain lion becomes domesticated in suburbs

Cat living in Santa Monica apartment, owner on probation

BY JOHN WOOD

Daily Press Staff Writer

When Sunawin Andrews took her pet mountain lion to the vet in April, she expected that it would get well. Instead, she got turned in.

Someone saw Andrews drop off the 21-day-old male cat and reported her to state officials, who confiscated Andrews' pet and issued her a citation.

Possessing a mountain lion is illegal in California. It carries a maximum penalty of one year in jail, plus \$27,000 in fines and penalties.

Andrews, who lives in an eight-unit complex at 1524 17th St. in Santa Monica, bought her mountain lion from a wild animal pet store in Ohio, said California Department of Fish and Game Lt. Marty Wall.

She then boarded an airplane bound for Santa Monica, carrying the lion onboard. But shortly after she returned, the kitten fell ill from lack of nutrition and was suffering from temporary blindness, Wall said.

After being confiscated from the veterinarian's office, the mountain lion was taken to San Diego where it is being held at a

"You don't have to be smart to buy a mountain lion. You just have to have money."

— LT. MARTY WALL
California Department of Fish and Game

rehabilitation center for wild animals.

Andrews went before Santa Monica Superior Court Judge Bernard Kamins last week. Despite the heavy penalties associated with her charge, she will not serve any jail time, or pay a fine.

Instead, Judge Kamins

See LION, page 5



John Wood/Daily Press
A woman kept a mountain lion in an apartment in this building on 17th Street.

No more gloom



Seth Kotok/Special to the Daily Press

Thousands flock to the beach on Tuesday, the first real day of summer-like temperatures Santa Monica has seen in weeks.

No budget deal in California

Other states also facing deadlines

BY TOM CHORNEAU

Associated Press Writer

SACRAMENTO — For the third consecutive year, California began the new fiscal year Tuesday without a state budget after lawmakers were unable to break a partisan impasse over spending and taxes.

Six other states also took their budget deliberations to the June 30 deadline without reaching a final agreement. Lawmakers in Oregon, New Hampshire and Connecticut approved short-term spending plans allowing government to operate while debate continued. Residents in Nevada, New Jersey and Pennsylvania began Tuesday without a new budget.

But nowhere are the stakes higher than in California.

The state faces a record \$38.2 billion budget shortfall and is operating for the first time completely on borrowed money.

State Controller Steve Westly says the state only has enough cash to get through mid-August, and officials say the state cannot borrow any more until a new budget is passed.

Without a new budget by the deadline, the state is unable to legally make millions of dollars in on-time payments to schools, community colleges, courts, state sup-

pliers and others.

The salaries of the governor,

See BUDGET, page 6

There's something sweet about this budget

By The Associated Press

SAN FRANCISCO — A chocolatier has started offering a sweet twist on the state's budget crisis — the California "Budget Crunch" Bar.

The candy's wrapper features a yellow and blue cartoon character shaped like California with a belt cinched tightly around its waist, its eyes bulging.

"The wrapper is so cute, I just love the little guy," said Diana Calderon, chief executive officer for Rohnert Park-based Heart's Desire Chocolates.

Under the wrapper, the bar is clad in pink foil "symbolizing the pink slips so many California workers have been handed recently," Calderon said.

The bar, made entirely by hand, blends bits of California orange pulp and chunks of almond whipped into milk or dark chocolate.

"People are so surprised when they taste it. You can really taste the orange and the almond gives it that nice crunch," Calderon said. "We got a call from the state Assembly Friday that they wanted some samples."



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★★-So-so ★-Difficult

HAPPY BIRTHDAY for Wednesday, July 2, 2003:

Fulfill a long-term dream, allowing more to enter your life. Your smile goes a long way in making what you want happen. You might not realize just how much you have going for you. You will enhance your financial stability as a result. Communication becomes your forte from September on. Perhaps you're more upbeat or have a fun way of revealing what you want. If you are single, a relationship will knock on your door in the fall or next spring. This person could be very special to you. If you are attached, your relationship will heat up because of your better sense of self. You add much more to the quality of your interactions. LEO sometimes feels uncomfortable around you.

♈ ARIES (March 21-April 19)
★★★★ Although you have a dream, realizing it might be a whole different matter. Reach out for new facts and different information, and as a result, you'll gain. Investigate possibilities, never losing that creative twist or idea. Worry less. Tonight: Ever playful.

♊ LIBRA (Sept. 23-Oct. 22)
★★★★★ You need to stay close to your friends. Don't push the line, but be more in touch with what might work for you. A meeting directs your energy, as well as that of others. Now, that's more like it. Your ability to network carries you to the finish line. Tonight: Take a midweek break.

♉ TAURUS (April 20-May 20)
★★★★ Expenses go way overboard. You can handle what happens, though dealing with someone who has on rose-colored glasses could drive you slightly crazy. Your stability offers much more to those around you than you thought possible. Tonight: In a whirlwind.

♏ SCORPIO (Oct. 23-Nov. 21)
★★★★★ Establish stronger ties within your immediate circle. Do some financial juggling with a boss. See where cuts might be appropriate. You also might decide that the wise choice is to put in some extra hours at the office. You get a lot done quickly. Tonight: A must show.

♊ GEMINI (May 21-June 20)
★★★★★ Speak your mind clearly, and others will respond in a big way. Others approach you. If you are to get anything done, you will need to close your door. Sort through calls; you have special news coming your way. Tonight: Go cruising.

♐ SAGITTARIUS (Nov. 22-Dec. 21)
★★★★★ You have the unique ability to see what is going on by detaching. As a result, many seek you out for feedback and help. A trip or an opportunity to learn more appears out of the blue. The only reply is "yes." Tonight: Try exotic.

♋ CANCER (June 21-July 22)
★★★★ You might need to reorganize with an eye to making more money or financing your budget differently. Getting more exercise might be extremely helpful to your energy and general well-being. Be ready for a change. Tonight: Fun doesn't need to be expensive.

♑ CAPRICORN (Dec. 22-Jan. 19)
★★★★★ A partner makes you an offer too good to say "no" to. Work with this person, and a unique financial opportunity will head your way. On some level, you might feel like you need to pinch yourself, as a situation might be so unreal. Tonight: Go along with another's wishes.

♈ LEO (July 23-Aug. 22)
★★★★★ Your mood couldn't be any better if you tried. Humor and happiness mix well together. Let your libido speak and lead you in a new direction. Your wild spirit and fun nature push you to a new level of self-expression. Enjoy your life to the max. Tonight: Fun and games.

♒ AQUARIUS (Jan. 20-Feb. 18)
★★★★★ Let others come to you. You actually might not believe what you hear. You can ask for confirmation if you need to. You also could pinch yourself if need be. Meetings head in a direction you might not have anticipated. Tonight: Go along with another's wishes.

♍ VIRGO (Aug. 23-Sept. 22)
★★★★ Assume a low profile. You might understand where your responsibilities are and develop a sense of limits. Revamp your domestic life with an eye to doing more from home professionally. Close your door at work if you're to get anything done. Tonight: Relax for the next few days.

♓ PISCES (Feb. 19-March 20)
★★★★★ Emphasize what you can do as opposed to what you cannot. You will be relieved that what seems like a wild idea just might not be. Aim to clear out as much work as possible. Revamp your work schedule if necessary. Tonight: Easy does it.

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LOCAL



COMMUNITY BRIEFS

Something's cooking on Broadway

By Daily Press staff

Preparing a savory meal for paying customers is not exactly child's play.

But youths from the Santa Monica Police Activities League will do so under the supervision of well-known local restaurateur Fred Deni on July 10 as part of Chez PAL, a fundraiser for the city's educational, recreational and cultural program.

The event, which will be held at Deni's Back on Broadway restaurant, located at 2024 Broadway, is open to the public. Tickets are available upon reservation at \$25 per person with all proceeds going to the Santa Monica PAL.

The dinner will be prepared for two separate seatings at 5:30 p.m. or 7:30 p.m.

The Santa Monica PAL, established in 1989, provides programs for more than 1,600 youths throughout Santa Monica.

Santa Monica Elks help out activated Reserves

By Daily Press staff

A major concern among Reserve and National Guard Units is the difference in pay between an enlisted man's salary and his civilian salary.

To help those units, the Santa Monica Elks #906 is accepting donations for the Friends of Family Support Association, a group committed to helping the families of activated Reserves.

After six or nine months of active duty, the pay differential can deplete the savings of the families, leaving them with the same costs (rent or house payments, food, utilities, etc.), but only half the income.

"There are companies such as Sears and Northrup-Grunman and most governmental agencies that pay the salary difference, including health benefits, but most cannot afford to," said FFSA President Barbara Weber.

FFSA provides families of activated Reserves with monetary grants. Although there is no requirement for paying back the grant, many of the servicemen do, so that there is money in the pipeline for the next person.

Ann Scully, whose husband is a retired Marine, sees the problem first-hand whenever friends are called to active duty. She chaired the Elks committee that raised almost \$1,600 by selling American flag lapel pins with flashing lights.

At a fundraiser on June 22, Santa Monica Elks #906 received individual contributions. Donations to FFSA can be made by check and forwarded to the Santa Monica Elks at 1040 Pico Blvd., Santa Monica, CA. 90405. For more information, call Curt Curtiss at (310) 645-8989.

Free water workshop flows into Santa Monica

By Daily Press staff

Santa Monica's businesses use about 400,000 gallons of water each day.

It's a figure so high, a free luncheon workshop on water efficiency to local businesses is being offered by the Santa Monica Chamber of Commerce, in cooperation with the City of Santa Monica and the Metropolitan Water District, on July 17 at the Ken Edwards Center on 1527 Fourth St., Room 104 from 11:30 a.m. to 2 p.m.

The workshop's aim is to teach business owners and operators how water issues impact their business, including urban runoff, city ordinances and rebates currently being offered.

"Following on the success of the Sustainable Quality Awards, our committee felt offering educational workshops to the business community was the logical next step," said Marianne Simon, a member of the Chamber's Environmental Affairs Committee. "Growing populations and our arid climate made it easy to see why addressing water usage is so important, especially as we head into our annual dry season."

With recent Colorado River water allocation challenges, water contamination issues and pollution prevention regulations, the city is recognizing now is an important time for businesses to monitor water use closely.

Those interested in attending the luncheon workshop should RSVP to the Santa Monica Chamber of Commerce at (310) 393-9825, ext. 10, or register online at www.smchamber.com.

surf report

There are some fun sets rolling into Santa Monica. Expect waist-to-chest-high waves with best conditions in the morning. Stay tuned for more swell headed our way this weekend.

Today the water is:

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SUNDAY	4:24	-0.6	3:08	2.5	11:04	3.6	9:29	6.1
MONDAY	4:59	-0.7	3:45	2.6	11:42	3.6	10:04	6.1
TUESDAY	5:35	-0.7	4:25	2.7	(12:22)	3.6	10:41	6.0
WEDNESDAY	6:12	-0.6	5:11	2.7	(1:04)	3.7	11:21	5.7
THURSDAY	6:51	-0.4	6:09	2.8	N/A	N/A	1:48	3.8
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The QLine

City Hall officials are looking at a new noise ordinance that aims to make it quieter on Santa Monica streets.

Residents knowledgeable about the ordinance think it's not enough. Business owners think it's too restrictive. Others think it is the city itself that makes too much noise with its garbage trucks and buses.

This week, Q-Line wants to know,

"Should the noise laws be more restrictive? Is it already too loud here?"

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



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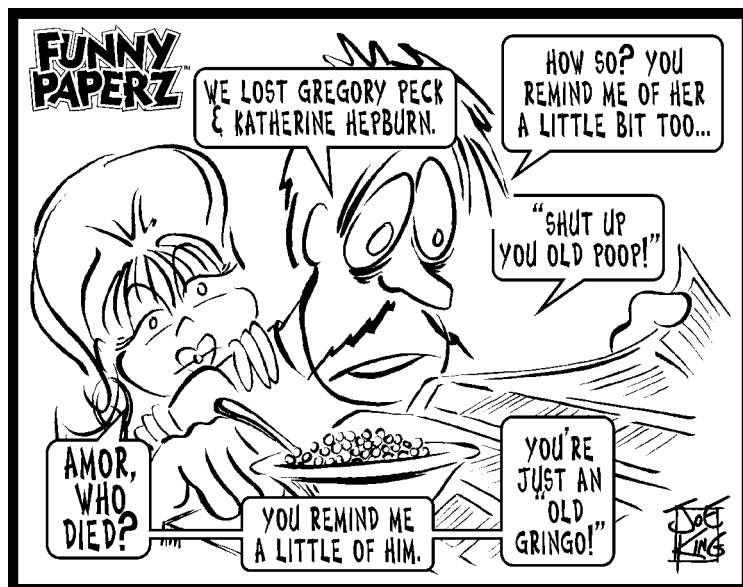
OPINION



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George Bush's continual contempt is why I hate him



INCITES

By Ed Silverstein

(Editor's note: Ed Silverstein is enjoying his holiday week basking in the Montana sun while fly fishing the rivers in front of his mountain compound. Not surprisingly, Silverstein didn't submit a column this week, but the one below printed originally in January isn't much different from his opinion today.)

I don't want to dwell on the fact that it took confusing, mostly Democratic, Palm Beach and Dade counties ballots (that weren't counted); questionable, mostly Republican, military mail in ballots (that were counted); the illegal purging of 25,000 mostly black/democratic voters from the rent rolls; Jeb Bush, Kathleen Harris, Ralph Nader and the Supreme Court for George Bush to steal, sorry, I mean win the election. What rankles is that this president, who did not have a mandate, who did not win the popular vote, has pursued an agenda that ignores the desires of a majority of Americans.

Mr. Bush has embraced the far religious right, a group that is personified by Trent Lott who (wink, wink, nudge, nudge) isn't a racist. This is exemplified by his choice of U.S. Attorney General John Ashcroft, a man who lost an election to a dead opponent and who is so far to the

right it is a wonder he hasn't fallen off the edge of the Earth that he probably still believes is flat.

The president has encouraged Ashcroft to trample over our civil rights and, while it may be somewhat justified since 9/11, I have yet to see him draw a line he will not cross with the possible exception of gun rights. For instance, the attorney general will not even consider laws that would require background checks for suspected terrorists buying guns. The president also claims he wants stronger state rights, yet he sat back while Ashcroft did everything he could to obliterate legalization of medical marijuana and assisted suicide laws passed by California and Oregon voters.

But even those home schoolers and speakers in tongues will be impacted by Mr. Bush's cozy relationship with big business and their millions in campaign contributions. And only but the most naive must realize that these companies expect a quid pro quo. With Mr. Bush, they're getting it. It is why we don't have the right to sue HMO's when they withhold adequate care. It is why we pay more for prescription drugs than other countries, even though our government pays for much of the research. It is why there is no funding for alternative energy sources that might eventually get us out from under the thumb of religious despots, human rights violators and supporters of terrorism. It is why Bush didn't have the Federal Energy Commission step in when California was being shafted by the likes of Enron. It is why multi-billion dollar corporations are getting billions in tax breaks. And it is why Bush has begun

eroding environmental protections on the quality of our water, air and land all for the benefit of business.

Mr. Bush recently gutted the 1976 National Forest Management Act, making it easier for loggers and more perilous for wildlife. He unilaterally extended the rights of coal mining companies to dump their wastes into streams. He has refused to join the Kyoto Accord to reduce greenhouse gasses. And all of this was accomplished when the Democrats still controlled the Senate and were still able to block some of the president's more heinous objectives, such as drilling in the Alaska wilderness and increased arsenic in the water. And Ralph, just for the record, there is a difference between Democrats and Republicans.

Then there's the president's tax cut, one of the most fiscally irresponsible pieces of legislation ever perpetrated. Can anybody really believe that this money wouldn't be better spent shoring up Social Security, or providing a prescription drug benefit plan for the elderly? That he had the gall to tell the American people that this cut, which vastly benefits the rich and big business, was not going to cause a deficit shows the true character of the man. What is worse is that Mr. Bush has now fabricated a claim that during the campaign he said that he would never run a deficit except in the case of war, recession or national emergency. He never said it. It's a lie.

And it is this that I truly hate about George Bush. It is his contempt.

It is with this contempt that he breaks his promise never to touch the Social

Security surplus, or about pursuing a non-partisan agenda, or about not knowing Enron's Kenneth Lay, or about using drugs. It is there when he plays bait and switch; publicly supporting a popular piece of legislation, such as corporate reform, then quietly lobbying to ensure that it is never passed. It was contempt when he appointed Harvey Pitt as Chairman of the Security & Exchange Commission, a veritable fox guarding the chicken coop, or by breaking a written promise and delaying an appointment of a Democrat to the Federal Election Commission, which allowed the commission to approve loopholes subverting the McCain-Feingold campaign finance law. It is the cloud of secrecy (such as we haven't seen since Nixon) in which the Bush administration operates under, yet his willingness to undermine privacy protections for the rest of us. And it is there when the president's Minister of Propaganda, Ari Fleischer, uses intimidation, double speak, loss of access and even lies (much like Saddam Hussein) to fend off the press.

So here we are, at the brink of war with Iraq. Personally, I'm torn. Does Iraq pose a true threat, or are Hussein's human rights violations sufficient that it is morally imperative that we step in, or is this just an oil grab? What I do know is that I can't trust my president to give me those answers.

Having said this, I can only hope that I won't be arrested on suspicion of terrorism without the right to see counsel or family, or even worse, have Christmas visits from the IRS for the rest of my life.

(Ed Silverstein is a freelance writer living in Santa Monica.)



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Civil lawsuit against local landlord on hold

LANDLORD, from page 1

apartment for more than 17 years.

The Vivancos, who filed a civil suit against Liska in January, pays \$654 per month for their two-bedroom, rent-controlled apartment, while similar units in the building go for more than \$1,000, neighbors said.

Candido and Elvira Vivanco, and their four children, are the last Latino residents in the building, which is mostly occupied by recent college graduates, neighbors said.

The Vivancos allege that Liska dislikes family renters so much that she didn't allow their children to play outside or have friends over, according to the lawsuit, which accuses Liska of yelling at the Vivanco children and attempting to get the family to sign a lease that would increase their rent if they had any more children.

Liska sent the Vivancos a 30-day notice in December, alleging the family is disruptive to neighbors because their children play outside, kick balls against the apartment walls and play loud music.

But tenants in the Delaware Avenue complex describe the family as friendly and good neighbors. They said Liska concocted the complaint so she could hike up the rent.

The Vivancos' civil lawsuit has been put on hold while the criminal proceedings move forward. The civil suit accuses Liska of racial discrimination, harassment and violating several state and federal laws. In it, they seek reimbursement for overpaid rent, punitive and exemplary damages, and a stop to Liska's eviction effort. Based on what's allowed under rent control, the Vivancos claims that they have been overcharged rent by as much as \$200 each month over the past 17 years, the lawsuit alleges.

Eric Meller, Liska's attorney, told Judge Kamins he didn't know why she didn't show up in court. He said Liska suffers from high blood pressure and might be in the hospital. Later on Tuesday, Meller said he reached Liska at her home where she was resting after becoming light-headed and dizzy.

Meller refused to comment on the case, only to say that Liska is innocent.

Liska has not moved forward with eviction proceedings. With the civil lawsuit and criminal charges pending, the Vivancos still reside in the apartment.

Liska faces two counts of intimidation or coercion, two counts of harassment and one count of child discrimination. Each count carries a maximum penalty of \$2,700 and six months in jail.

Liska faces two counts of intimidation or coercion, two counts of harassment and one count of child discrimination. Each count carries a maximum penalty of \$2,700 and six months in jail.

Deputy City Attorney Adam Radinsky said City Hall decided to levy criminal charges after concluding its own investigation.

The five charges Liska faces fall under the Tenant Harassment Ordinance, which was passed by the Santa Monica City Council in 1995 to protect tenants from landlords seeking to profit illegally from vacancy decontrol on rent-controlled apartments, which allows landlords to raise the rent on units when tenants move out. Hundreds of complaints have been filed under the ordinance and most of them have been resolved out of court, Radinsky said.

A host of religious and community leaders — including Father Michael Gutierrez, the pastor at Saint Anne's Church in Santa Monica, and Oscar de la Torre, director of the Pico Neighborhood Youth and Family Center and a local school board member — have come out in support of the Vivanco family.

Woman carried mountain lion kitten on airplane

LION, from page 1

sentenced her to probation and 100 volunteer hours at an animal rescue shelter.

Andrews told Judge Kamins said she planned to train the mountain lion for exhibition and possibly use it for film and television appearances. She couldn't be reached for comment.

While it is unclear how much she paid for the animal, male mountain lions can cost thousands of dollars.

Wall said that although they look cute and harmless when they're kittens, mountain lions can grow to more than eight feet in length, tail included, and weigh more than 150 pounds.

They are agile predators, he added.

"You don't have to be smart to buy a mountain lion," Wall said. "You just have to have money."

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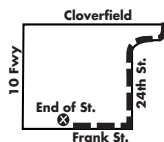


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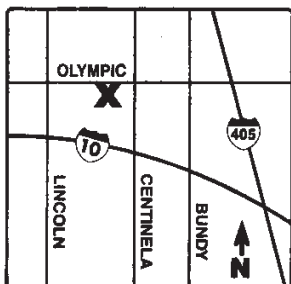
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STATE

2002 California budget was delayed for 76 days

BUDGET, from page 1

legislators, state appointees and about 1,000 non-civil service employees won't be paid until a budget is adopted, although most of the state's 200,000 workers will continue receiving their full pay, at least for now.

Assembly Speaker Herb Wesson, D-Culver City, apologized late Monday to California taxpayers for missing the deadline and promised to call a session on Wednesday to take up a Republican proposal.

Gov. Gray Davis, who spent the weekend in New York celebrating his mother's 80th birthday, expressed disappointment that the deadline would not be met.

"We still have an opportunity to find common ground. Failure to do so would be irresponsible and dangerous," Davis said. "Critical funding for hospitals, nursing homes, community colleges and small businesses is at stake."

But the likelihood of a budget agreement anytime soon appears remote. Democrats, who hold big majorities in both houses, need Republican support to approve a spending plan.

California is one of the few states that require a two-thirds majority to pass the budget and Republicans have more than enough votes to block passage as long as they want.

Davis has proposed a budget plan that includes a mix of service cuts, borrowing and higher taxes to bridge the gap.

Republicans say they won't support new taxes, while Democrats are unwilling to cut enough to balance the budget without new taxes.

The GOP's Assembly caucus unveiled what they called a new attempt at a compromise Monday. The proposal, which is only a revision of a plan they first introduced in April, would bridge the budget gap by borrowing \$10 billion to pay off the state's existing deficit and using deep cuts to a variety of state services to pay back the loan.

Although the authors claim the new plan softens some of the blow to education and public health, Democratic were quick to condemn the plan as "destructive."

Nevertheless, Assemblyman Minority Leader Dave Cox, R-Fair Oaks, said he intends to introduce his budget bill in the coming days.

"This proposal represents a balanced solution that solves the problem," said Cox. "We believe it can achieve bipartisan support and should serve as a model for a final solution."

But Assemblyman John Laird, D-Santa Cruz, said the Republican plan provided no common ground.

"I think it's a compromise from within the Republican caucus but what we're really looking at is a compromise with the Democrats and everyone else in

"This proposal represents a balanced solution that solves the problem."

— DAVE COX
Assemblyman Minority Leader

California," said Laird.

Already partisan budget plans have been sent down in both houses. Democrats failed twice last week in the Senate to attract Republican support for a plan that included a half-cent increase in the sales tax along with some spending cuts. A similar Democratic plan was rejected in the Assembly last Friday.

Last year's budget was delayed a record 76 days.

Payments that won't be made without new budget

By The Associated Press

Payments state Controller Steve Westly said he will not be able to make beginning Tuesday without a new state budget:

- Salaries of governor's appointees and other state employees who are exempt from civil service. There are about 1,000 of them.

- Wages of legislative staffers.

- Salaries of legislators and other elected officials, including himself. "As long as the public's elected officials have not put a budget in place I think it's common sense we should not get paid," he said.

- Nonpayroll expenses of the state's trial courts.

- Nonpayroll expenses of the University of California and California State University.

- State support for community colleges.

- Cal-Grant payments to college students.

- Some payments for public schools, social service programs and local governments.

- Payments to some state suppliers.

- Voluntary disaster worker disability payments.



STATE



CALIFORNIA BRIEFS

Rand: Charter students measure up to the 'regulars'

By The Associated Press

SACRAMENTO — More than a decade after California's first charter school opened its doors, most students are doing as well as their peers at regular schools, despite less money and difficulty finding classroom space, according to a report released Monday.

But the study by Rand Corp., a Santa Monica-based think tank, found that students attending home-based or independent-study charter school programs scored much lower on standardized tests.

The 18-month, \$662,000 study paid for by the state was written into the California's 1992 charter school law to determine how the public schools are doing.

Ron Zimmer, Rand economist and lead author, said the study also showed that charter school students typically have greater access to classes such as art and foreign language, possibly indicating that some charters may be using their money more efficiently.

The schools work with less money than regular schools because they often don't apply for extra funds through federal and state programs, the study found. Charter schools also don't get an equal amount of taxpayer dollars for facilities.

Take a piece of the rock

By The Associated Press

SAN FRANCISCO — People fascinated with the history of "The Rock," aka Alcatraz Island, can now own a piece of it.

The National Park Service, which manages Alcatraz as one of San Francisco's most popular tourist attractions, has started selling boxed chunks of concrete from the federal prison that once housed Al Capone, George "Machine Gun" Kelly and Robert "Birdman" Stroud.

Retailing for \$4.95, the souvenirs were made possible because the park service is renovating the decaying cell house and a separate guards quarters, both considered national historic buildings. The \$7.7 million effort to stabilize the former prison structure is the largest capital project on the island since the U.S. Bureau of Prisons closed the penitentiary in 1963.

Richard Weideman, a spokesman for the Golden Gate National Recreation Area, said park staff came up with the idea for the mementos as an environmentally friendly and cost-effective alternative to ferrying tons of construction rubble off Alcatraz.

"We look at this as an educational opportunity and a fund-raising opportunity," said Weideman, adding that the keepsakes were modeled after similar endeavors involving fragments of the Berlin Wall and the Golden Gate Bridge.

Since the "Save the Rock" campaign began a week and a half ago, the cleaned and packaged slices of correctional history have been selling at a rate of 20 to 30 a day, according to Weideman. Park staff, who have about 500 ready to go, expect the rocks to bring in \$20,000 to \$40,000 a year.

Complaints via e-mail not a trespassing violation

By The Associated Press

SAN FRANCISCO — A fired Intel Corp. employee did not trespass on his former company's e-mail servers when he inundated company employees with electronic complaints, the California Supreme Court ruled Monday in a case that tested the bounds of free speech in cyberspace.

The 4-3 ruling overturned a lower court's injunction barring Kourosh Kenneth Hamidi from e-mailing workers at the Santa Clara-based chipmaker.

A court had declared him to be trespassing on Intel's servers just like somebody squatting on private property. The case attracted widespread interest among free speech advocates, intellectual property scholars and the technology community.

The sharply divided court found that, not only did Hamidi not trespass, the injunction barring him from sending messages to Intel e-mail lists violated the First Amendment.

"He no more invaded Intel's property than does a protester holding a sign or shouting through a bullhorn outside corporate headquarters, posting a letter through the mail, or telephoning to complain of a corporate practice," Justice Kathryn Werdegar wrote.

Buddy Hackett dies at 78

By The Associated Press

LOS ANGELES — Buddy Hackett, the squat, round, rubbery-faced funnyman who appeared for more than 50 years as a top act in nightclubs, Broadway shows, on television and in such movies as "The Music Man," "The Love Bug" and "It's a Mad, Mad, Mad, Mad World," has died, his son said. He was 78.

Hackett died at his Southern California beach house either late Sunday or early Monday, Sandy Hackett told The Associated Press on Monday night. The cause of his death was not immediately known; his son said Hackett had diabetes.

Playing for small money on the Borscht Circuit for New York City vacationers in the Catskill Mountains, he learned to get laughs with his complaints about being short, fat and Jewish.

His career grew with appearances on the TV shows of Jack Paar, Arthur Godfrey and others. Soon he was earning top money in Las Vegas, Florida and Las Vegas.

He was born Leonard Hacker in a Jewish section of New York City's borough of Brooklyn on Aug. 31, 1924. Hacker spent three years in the military during World War II, then reinvented himself as Buddy Hackett, standup comedian.

Hackett was married to the former Sherry Dubois. He is survived by her and three children, Ivy Miller, Lisa Hackett, and Sandy Hackett.

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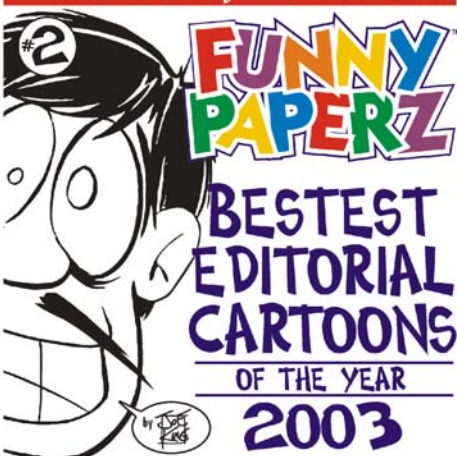
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STATE

Activists push farm industry to change slaughterhouses

BY NADA EL SAWY
Associated Press Writer

LOS ANGELES — The owners of a Southern California egg farm insist they didn't do anything wrong when they slaughtered 30,000 unproductive chickens by throwing them into wood chippers.

State authorities agreed, deciding in May not to file animal cruelty charges.

The decision has incensed animals rights advocates — and even some producers — who say it's the latest example of the need for stricter national laws and heightened enforcement to stop what they say is the inhumane slaughter of livestock.

"It's not what we do," said Paul Bahan, owner of AAA Egg Farms in Riverside County, who chairs an industry committee targeting treatment of poultry.

Amid a growing national push for better treatment of farm animals, the farm industry is enacting new guidelines for slaughterhouses and farms that will take into account everything from the size of cages to the ways animals are killed. Restaurant and grocery store chains are urging independent audits of the nation's 900 slaughterhouses, and the federal government is moving to hire more inspectors to monitor the facilities.

Critics, however, say the changes aren't happening fast enough.

During a hearing in May on agriculture appropriations, Sen. Robert Byrd, D-W.Va., called on the Agriculture Department to speed the hiring process for inspectors.

"Despite the laws on the books, chronically weak enforcement and intense pressure to speed up slaughterhouse assembly lines reportedly have resulted in animals being skinned, dismembered, and boiled while they are still alive and conscious," Byrd said.

Members of Congress also have received a video from Sen. Jim Moran, D-Va., actor Alec Baldwin and People for the Ethical Treatment of Animals. Titled "Meet Your Meat" and narrated by Baldwin, the tape contains graphic images of cruelty at farms.

"Enforcement is the issue," Baldwin, a longtime PETA activist, told The Associated Press. "You live in a society where the USDA is the only barrier between producers and your food."

The American Meat Institute denied that enforcement at slaughterhouses is weak and that animals are routinely abused. Officials also pointed out that the plants can't operate unless an inspector is on the premises.

In the past decade, the processing and packing industry has taken a number of steps to improve animals' final moments, such as redesigning pens to accommodate natural movements and minimizing use of electric prods, American Meat Institute spokeswoman Janet Riley said. Such treatment is not only ethical, it's good business, she said.

"If an animal is stressed when it goes to slaughter ... it will emit hormones that create quality defects in meat that then has to be trimmed away," she said.

Ed Nicholson, a spokesman for Tyson Foods, one of the nation's largest poultry and meat producers, agreed.

"If wings are broken, if chickens are bruised, then those parts can't be used," he said.

Each year, 8 billion chickens and

turkeys, 97 million hogs, 35 million cattle, 3 million sheep and lambs, and 1 million calves are slaughtered in the United States.

Larger animals are usually killed with a gun that shoots a rod directly into the brain. Chickens are typically stunned in an electrified bath before their heads are cut off with a rotating blade. Others have their necks broken or are suffocated with carbon dioxide.

"If an animal is stressed when it goes to slaughter ... it will emit hormones that create quality defects in meat that then has to be trimmed away."

— JANET RILEY
American Meat Institute spokeswoman

The 45-year-old federal Humane Slaughter Act offers guidelines on slaughter methods but only requires that animals be rendered "insensible to pain" before being killed. It excludes poultry from that requirement. State laws vary on cruelty to animals.

In the wood chipper case, the USDA did not approve the slaughter method, said Ed Lloyd, a USDA spokesman. The decision on filing charges, however, was up to the San Diego County district attorney's office, which declined after determining there was no criminal intent by the owners of the farm, Arie and Bill Wilgenburg.

"I've done nothing wrong and I stick by that, and I won't say anything else about it," Bill Wilgenburg said.

Officials have said the brothers acted on the advice of a veterinarian after an outbreak

See SLAUGHTERHOUSES, page 9

Farm industry endorsing changes in animal slaughter, treatment

By The Associated Press

Here is a look at some of the animal slaughter and treatment guidelines endorsed by the farm industry and recently approved by a coalition of restaurant and grocery chains:

- Electric prods should be used sparingly to move animals. No more than 5 percent of cattle and 15 percent of pigs should be prodded.
- All areas where animals walk should have nonslip flooring to prevent falls and crippling injuries. Humane, efficient handling is impossible on slick floors because animals become agitated and excited when they lose their footing.
- Birds should be insensible to pain when killed.
- A minimum of 98 percent of chickens in a 500-bird sample must be effectively stunned.
- In a random sample of birds, no more than 30 percent should have cracks or ulcers on their feet.
- Cage sizes for poultry must be increased to 67 square inches per bird by 2008.



The truth about animal slaughters paints ugly picture

SLAUGHTERHOUSES, from page 8

of a bird virus, Exotic Newcastle Disease, forced a quarantine and kept the poultry from being sent to a slaughterhouse.

While the case is unusual, animal welfare advocates say it nonetheless shows that farmers are seldom held responsible when animals are subjected to unnecessary pain and suffering.

The USDA reported that from January 1998 to January 2003, 21 of the nation's slaughterhouses were cited for violations related to mistreatment. The agency says the relatively low number of citations shows enforcement methods are working.

"We make our living by selling cows. We don't make our living by abusing them," said Arthur Green, whose Benton Packing Co. in Springdale, Ark., was cited last year for having too many cows in one pen.

Two years ago, Congress directed the secretary of agriculture to increase enforcement after numerous violations were detailed in media reports about the \$133 billion processing and packaging industry. In one case, the government allegedly took no action after a Texas beef company was cited in 1998 for allegedly chopping hoofs off live cattle and committing other violations.

As part of the farm bill signed two years ago by President Bush, \$5 million was allocated to add at least 50 more slaughterhouse inspectors to aid the 6,500 now on the job.

USDA spokesman Steven Cohen said

the new inspectors have not yet been hired because the funds were not released until February.

"We're moving as quickly as we can," he said.

Seventeen veterinary specialists have been hired in recent months to verify that animals are being handled humanely.

Animal rights advocates say the Humane Slaughter Act itself needs to be revamped, and consumers seem to agree. A Gallup poll released last month found that most Americans support passing strict laws for farm animal treatment.

"One of the problems with the way the law is written is that it's very vague," said Temple Grandin, a Colorado State University professor of animal science and a pioneer in the science of animal welfare. "A lot of it gets into the inspector's judgment and interpretation."

Slaughterhouses also are being pressured by farm industry groups working with the National Council of Chain Restaurants and the Food Marketing Institute to ensure humane treatment of animals going to slaughter.

The effort has led to a voluntary audit program in which slaughterhouses will pay an initial \$550 fee to have independent inspections. Results will then be made available to restaurant and grocery chains. Among other things, audit criteria require that 98 percent of poultry be properly stunned and that cage sizes for poultry be increased by 2008.

In a separate program backed by 10 animal welfare groups, Humane Farm Animal Care, a nonprofit group based in Herndon, Va., is starting to inspect slaughterhouses for compliance with American Meat Institute standards.

Slaughterhouses that pass the audits can then market their meat, poultry, dairy and egg products with labels reading, "Certified Humane Raised and Handled."

The products could start appearing in supermarkets this summer.

"They want to be able to look anyone in the eye — a reporter, a consumer, a CEO of a major market chain — and say, 'Look, we don't engage in any cruel practices,'" said Bahan, owner of the Riverside County egg farm. "We don't want to be tarnished by the practices of a few."

Man finishes 1,243-mile, year-long Columbia River swim

By The Associated Press

ASTORIA, Ore. — Christopher Swain, who swam the length of the Columbia River to protest pollution, finished his yearlong journey Tuesday.

The 1,243-mile swim began at the river's source in Canada and ended with Swain pushing through 8- to 10-foot swells at the river's mouth in Astoria.

"I was overwhelmed," Swain said Tuesday. "There was a moment when everything hit me."

Swain conceived of the swim as a way to bring attention to the harm done to the river by dams, pollutants and other threats.

"I wanted to put the river in the public eye, and I did it," he said.

Swain, of Portland, Ore., swam between five and 25 miles a day, depending on the water temperature and his health. He was flanked by a small motorized raft, run by volunteers. Every 20 minutes or so, he would swish out his mouth with hydrogen peroxide against infection from the polluted water.

He battled cold, wind, debris and infections he blames on the pollutants he swam through.

Swain said Tuesday he met with more than 13,000 people along the way, including thousands of school children with whom he shared his story.

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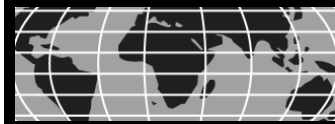
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WORLD BRIEFLY

Second death since truce in Middle East

By The Associated Press

JERUSALEM — Israeli troops fatally shot a Palestinian who fired a pistol at soldiers manning a West Bank checkpoint on Tuesday, ahead of a meeting of the Israeli and Palestinian prime ministers to discuss a U.S.-backed peace plan.

The shooting of the unidentified 20-year-old man at a checkpoint between Tulkarem and Qalqiliya was the second death since three main Palestinian groups on Sunday declared a temporary halt to attacks on Israelis.

On Monday, Palestinian gunmen killed a Bulgarian construction worker on an Israeli road project near the West Bank town of Yabed. Renegade members of the Al Aqsa Martyrs' Brigades, loosely linked to Yasser Arafat's Fatah movement, claimed responsibility.

Palestinian Information Minister Nabil Amr called Monday's killing "an individual attack that should not affect the truce declaration" and said "the Palestinian government will do its best to prevent such attacks" in the future.

Israeli Prime Minister Ariel Sharon muted his criticism of the violence, noting that security responsibility was handed over to the Palestinian Authority in the northern Gaza town of Beit Hanoun only on Monday morning.

N. Korean makes threats against U.S.

By The Associated Press

SEOUL, South Korea — North Korea threatened on Tuesday to abandon the 1953 armistice that ended the Korean War, and warned that it will take "merciless retaliation measures" in response to any economic blockade.

U.S. efforts to pressure the communist state to abandon its suspected nuclear weapons program have pushed Korea to "the crossroads of war or peace," said the North Korean military's representative at Panmunjom, a truce village where the U.N. Command and the North's military meet to oversee the armistice.

His statement was carried by the North's state-run KCNA news agency. KCNA did not give his name.

North Korea has recently stepped up its anti-U.S. rhetoric in an apparent attempt to force the United States to negotiate a dispute over the North's nuclear ambitions. North Korea has often threatened to scrap the armistice.

The United States and its allies are pressuring North Korea to abandon its suspected development of nuclear weapons. In recent weeks, they began cracking down on alleged North Korean trading in illicit drugs, counterfeit money and weapons.

Bill makes a big mess in South

By The Associated Press

NEW ORLEANS — A fishing vessel was lost at sea, a quarter of a town was swamped after a levee broke and more than 100,000 southeast Louisiana homes and businesses were expected to be without power well into Tuesday as Tropical Storm Bill made its way onshore.

As it tracked toward Alabama, the storm left behind a mess that will take days to clean up.

One person was seriously hurt and three suffered minor injuries when a tornado tore up a trailer home and threw it across a street in Reserve, 38 miles from New Orleans.

A levee in the town of Montegut broke, flooding

about a quarter of the streets and some homes, fire chief Spencer Rhodes said.

Louisiana Gov. Mike Foster declared a statewide emergency. In neighboring Mississippi, Gov. Ronnie Musgrove declared an emergency in three southern counties.

Three fishing vessels in Cat Island Pass, about 60 miles south of New Orleans, called for help and three Coast Guard helicopters flew out to find them, Petty Officer Jonathan McCool said. The Coast Guard could not find one boat and planned to go out again.

The historic lakeside town of Mandeville was entirely without power Monday night, Mayor Eddie Price said.

Bush nets \$4M, Dean coming in strong

By The Associated Press

WASHINGTON — President Bush and his GOP running mate netted \$4 million in four stops for his reelection campaign while Howard Dean racked up at least \$802,000 in a daylong Web-a-thon that put him firmly among Democratic money leaders as the second fund-raising quarter ended.

Mindful of Dean's surge toward \$7 million from April through June and Bush's anticipated total of \$30 million or more to date in the 2004 presidential race, several hopefuls in the nine-member Democratic field sent out urgent pleas for last-minute cash.

Besides their practical value in financing campaign activities, the quarterly campaign finance totals are important politically. They are watched closely by party and campaign strategists, prospective supporters and political observers.

Bush raised \$3 million at fund-raisers in Miami and Tampa, Fla., on Monday while Vice President Dick Cheney helped the campaign collect at least \$500,000 in Grand Rapids, Mich., and \$600,000 in Akron, Ohio.

The Bush-Cheney campaign expected to raise at least \$30 million for the quarter after six weeks of fund raising. Bush entered the race in mid-May. Dean's overall total of about \$7.1 million for the second quarter topped early estimates from other Democratic candidates.

Explosion at mosque kills 10; source of blast disputed

BY JIM KRANE

Associated Press Writer

FALLUJAH, Iraq — Rocket-propelled grenades slammed into U.S. military vehicles in two attacks Tuesday in and around Baghdad after an explosion at a mosque in the town of Fallujah killed 10 Iraqis and injured four others.

Iraqi civilians checked the rubble of the mosque for evidence a U.S. missile or bomb strike caused Monday's blast, but American soldiers at the scene disputed that account, saying it was likely caused by explosives at the site.

Postwar violence also has flared in Saddam Hussein's hometown of Tikrit, where gunmen killed the head of the former leader's tribe and wounded his son, the regional governor said Tuesday.

There were no arrests in Sunday's shooting of Abdullah Mahmoud al-Khattab and the assailants' motives were unclear.

Al-Khattab was close to Saddam but in recent weeks had publicly disavowed him, Tikrit residents said. At the same time, Al-Khattab "had many enemies and he had confiscated a lot of properties and killed many people," said the governor, Hussein al-Jubouri.

In the capital Tuesday, assailants traveling in a vehicle in the central Mustansiriyah neighborhood fired a rocket propelled-grenade at a U.S. military vehicle, destroying it and likely causing casualties, Iraqi witnesses said.

One witness, 19-year-old Ali Ibrahim Shakir, said he saw two U.S. soldiers being evacuated onto stretchers but couldn't tell if they were hurt or killed.

A Mercedes traveling alongside the U.S. vehicle was also hit, wounding the Iraqi civilian driver, said witness Mohammed Abdullah. U.S. military spokesmen in Baghdad said they had no immediate information.

In western Baghdad, U.S. troops shot and killed two people Tuesday when their car didn't stop at a checkpoint. About 10 miles south of the capital, witnesses said another rocket-propelled grenade slammed into a U.S. truck. The witnesses said that attack caused four casualties but there was no immediate military confirmation.

An explosion over the weekend at an ammunition depot killed at least 15 people and injured at least four

near Hadithah, 150 miles northwest of Baghdad, officials said Tuesday.

Metal scavengers dismantled 155 mm artillery rounds, spreading gun powder on the ground at the depot, which housed old Iraqi artillery. A spark there Saturday set off massive explosions, local officials said.

Hadithah policeman Lt. Saad Aziz said there was a large pile of TNT explosives at the depot, and people were smoking there.

"This kind of TNT is very sensitive to heat. A small spark could set the whole thing off," he said.

Abdul Aziz Thalaj, 55, said he and two nephews went to the depot to get scrap metal to sell.

"I was amazed. I found live artillery ammunition. I felt this kind of work is very dangerous," he said from a hospital in Hadithah, his feet covered in gauze and his shoulder and arm badly burned.

Mohammed Nayil Assaf, Hadithah's mayor, put the death toll at 25 and the injured at six. He said there was a large amount of ammunition stored in the area and insisted U.S. troops had been guarding it only sporadically.

"It was a tragic day for Hadithah," he told the AP outside the town hall, near a 3-foot-high pile of shell casings seized from looters after Saturday's explosion.

In Fallujah, witnesses said the blast took place just before 11 p.m. Monday in a small cinderblock building in the courtyard of the al-Hassan mosque. The explosion blew out the walls and took down the roof.

Hours later, dozens of people gathered around the site shouting anti-American slogans.

"There is no God but Allah, America is the enemy of God," they chanted, as a crane lifted pieces of concrete. A witness said that after the evening prayer, he heard aircraft overhead and then heard an explosion.

On Tuesday morning, about a dozen Iraqis searched the rubble for pieces of metal they said would prove an American attack caused the damage.

"These are pieces of a missile," said Aqeel Ibrahim Ali, 26, holding a box of metal shards. "An airplane shot a missile."

But Sgt. Thomas McMurtry, a reservist with the 346th Tactical Psychological Operations Company, said there was no evidence of a U.S. attack.

"They did it to themselves. Clearly, the physical evidence does not support that (a missile strike) in any way," he told The Associated Press. "Whatever blew up was just sitting inside there. There is no evidence that it was anything else but a ground based explosive."

McMurtry, a schoolteacher based in Dayton, Ohio who said he is a former special forces engineer with munitions training, said that if a bomb or missile caused the explosion, there would be shrapnel. He said U.S. army ordnance disposal personnel saw no sign of a missile strike.

Col. Guy Shields, spokesman for the U.S. military in Baghdad, said 10 Iraqis were killed and four others wounded.

Fallujah, 35 miles west of Baghdad, has been a hotbed of anti-American activity and scene of several confrontations involving U.S. troops.

On Tuesday, a U.S. sweep against remaining pockets of resistance in the so-called "Sunni triangle" north and east of Baghdad entered its third day. Troops detained six people, including a colonel from Saddam's Baath Party, the military said.

U.S. troops have been increasingly targeted in recent weeks, raising fears their mission faces a guerrilla-style insurgency.

At least 22 American and six British troops have been killed in hostile action since President Bush declared the end of major combat May 1.

The total killed includes Sgt. 1st Class Gladimir Philippe, 37, of Roselle, N.J., and Pfc. Kevin Ott, 27, of Columbus, Ohio, whose remains were found over the weekend. The men had been missing for three days, and the Pentagon listed them Monday as killed in action.

Also, American troops arrested the U.S.-appointed mayor of the southern town of Najaf, 110 miles southwest of Baghdad, on kidnapping and corruption charges. They also detained 62 of his aides — a step likely to please Najaf's Shiite residents.

The arrest came less than three months after U.S. troops installed the mayor, Abu Haydar Abdul Mun'im. The ex-Iraqi army colonel was unpopular because of his background in Saddam's military.

Abdul Mun'im was replaced by Haydar Mahdi Mattar al Mayali, a former deputy in the mayor's office.

SPORTS

SPORTS IN BRIEF

By The Associated Press

COLLEGE SPORTS

■ **CORAL GABLES, Fla.** — Miami accepted an invitation Monday to join the Atlantic Coast Conference, ending a seven-week courtship.

On Tuesday, the ACC will formally introduce Miami and Virginia Tech as the newest members of what will become an 11-team league beginning in the fall of 2004. Virginia Tech also formally accepted its invitation Monday.

BASKETBALL

■ **WASHINGTON** — Ernie Grunfeld was hired as president of basketball operations of the Washington Wizards, taking the job that Michael Jordan held the last two seasons.

The hiring came a day after Grunfeld was released from his contract as general manager of the Milwaukee Bucks.

He inherits a team that went 37-45 in the two years Jordan held that position while playing his final two years in the NBA. Washington owner Abe Pollin decided he no longer wanted Jordan as an executive.

OLYMPICS

■ **PRAGUE, Czech Republic** — Bike Moto Cross, otherwise known as BMX cycling, will be added to the program for the 2008 Beijing Olympics.

One women's and one men's BMX race will replace two track cycling events, yet to be determined, in a bid to attract younger audiences.

HOCKEY

■ **ANAHEIM** — The Anaheim Mighty Ducks declined to make team captain Paul Kariya a qualifying offer, allowing the seven-time NHL All-Star to become an unrestricted free agent.

The Ducks hope to return Kariya to the team, but did not want to match the salary he received last season, \$10 million on a one-year contract. Anaheim could sign him at a lower salary.

■ **DETROIT** — The Detroit Red Wings said they have exercised their \$8 million option for 2003-04 on goaltender Dominik Hasek.

He retired in 2002 after leading Detroit to the Stanley Cup, but the 38-year-old recently expressed interest publicly in returning to competition.

The Red Wings had until Monday to exercise the option on Hasek for next season, or come to another agreement.

If Hasek returns, the Red Wings will have to talk goaltender Curtis Joseph into waiving the no-trade clause in his contract so they could deal him.

■ **NEW YORK** — The New York Rangers traded the rights to free agent Brian Leetch to the Edmonton Oilers after being unable to sign the defenseman before the Monday midnight deadline. But it could be a temporary trade.

The Oilers sent backup goaltender Jussi Markkanen and a fourth-round draft pick to New York.

Leetch can still re-sign with New York starting Tuesday.

TRACK & FIELD

■ **LAUSANNE, Switzerland** — World-record holder Tim Montgomery withdrew from a showdown with Olympic and world champion Maurice Greene following the birth of his son.

Montgomery returned to the United States to be with his girlfriend, Olympic champion Marion Jones, and his son and will miss the Athletissima meet, Pierre-Andre Pasche, a spokesman for the event, told The Associated Press.

Jones, who won five medals at the 2000 Olympics, gave birth Saturday night.

Montgomery and Greene were scheduled to race Tuesday, their first meeting since September in Paris when Montgomery took Greene's 100-meter world record, finishing in 9.78 seconds.

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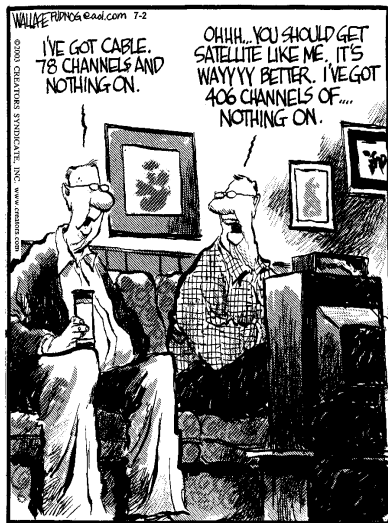
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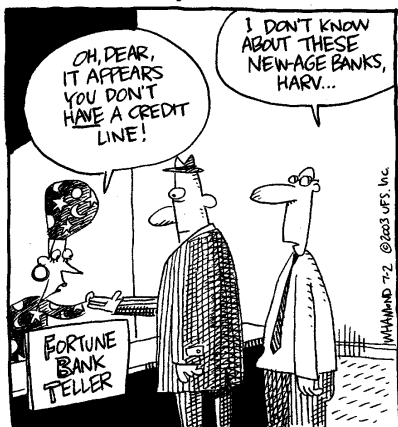


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14 Wished undone
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17 Berets and beanies
20 "Okla-homa!" aunt
23 Period
24 Musical intro
26 Home of the Mustangs
27 Baseball's Carew
28 Family
29 Boob tubes, in London
31 Do something
32 Annex
33 Fast planes
34 Fabricated
37 Fine, in slang
39 Temporarily transferred
43 Track shape

44 Phrase of comparison
45 Simple
46 Got old

DOWN
1 Techies' place
2 Wing
3 Following
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5 Notion
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7 Amble
8 "Watch on the Rhine" actor
9 Chopper
10 Disen-cumber
16 Oboe parts
17 Jai alai basket
21 Fiat
22 Leases
24 Use a press
25 Future fish
30 Desolate

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Yesterday's answer

18 Packing heat
19 "The Sorcerer's Apprentice" composer
35 Monica's brother
36 Foot or fathom
37 Coffee, informally
38 Gardner of film
40 Lubricate
41 Pub stuff
42 Actor Beatty

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BACK PAGE

Ex business partner sues 'P. Diddy' for \$25 million

By The Associated Press

■ **NEW YORK** — A former business partner is suing Sean "P. Diddy" Combs, claiming the rapper threatened him with a baseball bat in 1996 and cheated him out of \$25 million.

Kirk Burrowes claims Combs used the bat threat to force him to sign over a 25 percent stake in Bad Boy Entertainment, Combs' music conglomerate. Burrowes claims he was wrongly fired as president of the company.

"Kirk just wants Sean to realize the value he had in making Sean what he is today and to do the right thing," John Bostany, Burrowes' lawyer, told the Daily News for Tuesday's editions.

In a statement Tuesday, Combs said of the \$25 million lawsuit: "The allegations are pure fantasy. Kirk Burrowes hasn't been employed for seven years, and now he makes up a fictional story for financial gain."

The lawsuit, filed in Manhattan federal court, also names Bad Boy Entertainment and Kenneth Meiselas, a lawyer for the conglomerate, as defendants.

■ **LOS ANGELES** — Marion "Suge" Knight could face up to a year in prison if state officials revoke his parole after his arrest for allegedly assaulting a parking lot attendant outside a Hollywood nightclub.

Police said the 37-year-old rap mogul was unhappy with his parking spot June 21 at the White Lotus Club, a nightclub frequented by such celebrities as Britney Spears, Bruce Willis and Tobey Maguire. Department of Corrections spokesman Russ Heimerich said the valet had blocked Knight's car by other vehicles when he parked it. Police said Knight then allegedly punched the attendant in the face from behind.

Attorney Robin Yanes, who represents Knight, disputed the account, saying his 315-pound client was doing everything he could to avoid prison.

"That's totally ridiculous," Yanes told the Los

Angeles Times for Tuesday's editions. "I don't believe that at all. That's so un-Suge-like to hit somebody. Have you ever seen the size of Suge? If he hit one of those little valets, the guy would be broken."

The district attorney's office hasn't received a request to file criminal charges against Knight. Parole officials said they'll ask the California Board of Prison Terms to determine whether Knight violated his parole conditions.

The state agency would have 30 days to decide whether to revoke Knight's parole, which could lead to as much as a year in prison, parole officials said.

Knight — founder of Death Row Records, now known as Tha Row — completed 61 days in jail this year after a state prison board found that he'd associated with a known gang member in violation of his probation.

He was convicted in 1992 of assault and weapons violations and was placed on probation. In 1996, he was jailed for five years for violating probation after he and several associates, including rap star Tupac Shakur, were recorded on videotape beating a gang rival in the lobby of a Las Vegas hotel. Shakur was shot to death later in Las Vegas.

■ **LONDON** — Madonna has successfully put her foot down to prevent walkers from using land near her country mansion.

The Countryside Agency said Tuesday that it had abandoned plans to create a footpath just 100 yards from Ashcombe House in Wiltshire, southern England.

Madonna and her film director husband, Guy Ritchie, wrote to Prime Minister Tony Blair, expressing concern that the planned walkway would encourage curious sightseers and paparazzi.

The Countryside Agency said Madonna was among hundreds of residents who filled out a comment sheet about proposed changes under a redrawing of maps for the area.

The agency insisted that Madonna's complaint was-

n't given extra weight because of her celebrity.

It's not the first time Madonna has fought to protect the privacy of her \$14.5 million home. She previously complained about low-flying aircraft and was ordered to dismantle 12-foot-high security gates after failing to apply for planning permission.

■ **NEW YORK** — A man has been charged with demanding \$25,000 from rapper Lil' Kim to return a necklace that went missing from her luggage at the airport.

John Acheson of New Rochelle was charged with attempted grand larceny, attempted grand larceny by extortion and attempted coercion, Queens District Attorney Richard Brown said in a statement Monday.

The 31-year-old was being held Monday pending arraignment, the DA said, and was unavailable for comment. There was no home telephone listing for Acheson, who could face up to four years in prison if convicted.

Lil' Kim, whose real name is Kimberly Jones, was heading to Los Angeles on June 20 from John F. Kennedy International Airport. She had a carry-on bag containing about \$250,000 worth of jewelry, including her signature diamond-encrusted Queen Bee necklace. An error at the airline check-in counter caused the carry-on bag to get mixed in with the rest of the rapper's luggage.

When the bag was recovered, the necklace and other pieces were missing, police said. A United Airlines worker found the jewelry last week, wrapped inside a rag in an employee locker room, said the 27-year-old rapper's attorney, Mel Sachs.

The district attorney said Acheson contacted Lil' Kim's attorney last week, saying he had the necklace and demanding money for its return. He said Acheson turned himself in to authorities Monday.

The investigation of the jewelry's disappearance was continuing, said officials for the Port Authority of New York and New Jersey, which runs area airports.

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