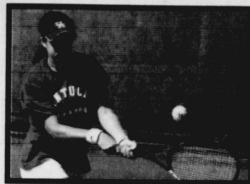


MONDAY KENTUCKY KERNEL



Women's tennis are rebuilding their team after losing many players last year | PAGE 5

September 29, 2003

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Injunction halts smoking ban

Hearing to decide whether hold on ban will continue until judge rules on legality; some restaurant owners say delay is good news

By Andrew Martin
STAFF WRITER

Some bar and restaurant owners thought today would be the day they stowed their ashtrays and watched the smoke clear.

Instead, today is business as usual. An emergency injunction issued by the Kentucky Court of Appeals Friday has halted the smok-

ing ban set to begin today for at least another week.

The appeals court will have a hearing on Oct. 6 at 11:30 a.m. to decide on issuing a longer injunction until Lexington Circuit Court Judge Laurance VanMeter can rule on challenges to the legality of the smoking ban.

At the Sept. 22 hearing, VanMeter ruled against granting an injunction requested by the Lexington-Fayette County Food and Beverage Association, which wanted more time to prepare its arguments.

After the appeals court ruling Friday, the Kentucky Supreme Court decided no legitimate reasons were presented to overturn the appeals court's injunction, said Phil Scott, an attorney representing the Lexington-Fayette County Health Department.

Lawyers representing local restaurants and bars said they

**INSIDE
Dialogue:**
Smoking ban good in principle but needs more limitations | PAGE 6

See BAN on 2

Smoking ban controversy has rich history nationwide

By Andrew Martin
STAFF WRITER

Lexington is not the only city where a smoking ban has been controversial. Bans in California and New York also faced court battles and social debate.

California bar and restaurant workers say the statewide smoking ban, which was fully en-

acted in 1998 and made it illegal to smoke in indoor workplaces, hasn't greatly impacted their sales.

But then again, it hasn't been heavily enforced.

"Neighborhood bars let it slip sometimes," said Ray Chin, manager of Scott's Seafood Grill and Bar in Oakland, Calif.

See HISTORY on 2

CATS CHECK BACK INTO HEARTBREAK HOTEL



MATT GOINS | KERNEL STAFF

Under pressure

Defensive end Darrell Lee pressures UK quarterback Jared Lorenzen. Lorenzen was sacked four times during the game for a loss of 21 yards. Florida's pass rush also forced Lorenzen to throw the interception that set up Florida's winning touchdown.

By Jeff Patterson
ASSISTANT SPORTS EDITOR

For three and a half quarters, the UK football team had Florida on the ropes. But UK dealt a knockout blow to itself.

After leading 21-3 in the fourth quarter, UK quarterback Jared Lorenzen threw a costly interception late in the game as Florida came back to defeat UK 24-21 Saturday in front of 70,579 fans at Commonwealth Stadium.

This was not the first time UK has lost a heartbreaker to Florida. In 1993, Florida overcame a late fourth quarter deficit with a touchdown reception by Chris Doering to give Florida a 24-20 victory in Lexington.

UK defensive coordinator Mike Archer was with UK in 1993 and is telling them not to repeat history.

"Ten years ago I don't think that we ever put that

one behind us, because we went to Indiana (the next week) and stunk it up," Archer said. "We have an opportunity to go to South Carolina on Thursday night (Oct. 9) in front of national TV and show them who we are."

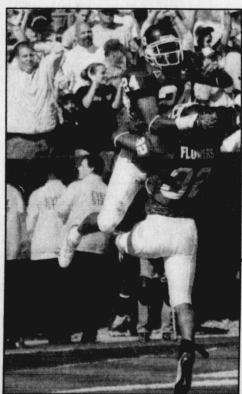
Until the final five minutes, the Cats (2-3, 0-2 Southeastern Conference) showed they could hang with Florida.

Lorenzen sparked, throwing for 113 yards on 12-for-17 passing through three quarters. Arliss Beach bolstered UK's running game, scoring three touchdowns. And UK held Florida (3-2, 1-1 SEC) to 93 yards rushing in the whole game.

But for all the positives UK had working for it, turnovers and penalties soured what could have been UK's first win over Florida

Bo Smith is congratulated by Earven Flowers after an interception on the 2-yard line in the fourth quarter. This kept the score at 21-16 and UK's hopes alive.

JOHN FOSTER | KERNEL STAFF



Housing to replace warehouses near UK



JOHN FOSTER | KERNEL STAFF

Two warehouses near the Reynolds Building will be converted into apartments that may house up to 900 students.

Vinyl and brick buildings to be completed by 2005; some residents concerned about students as neighbors

By Hilly Schiffer and Megan Boehmke
CONTRIBUTING WRITERS

The Lexington-Fayette Urban County Planning Committee approved a proposal Friday to replace some abandoned warehouses on South Broadway with five apartment buildings that could house about 900 students in 332 apartment units.

The apartments will be set up in three- to four-bedroom units, each with its own bathroom, said former Lexington mayor Jim Amato, a lawyer representing the developers. The complex will have central meeting rooms as well as workout rooms with full equipment, a studio for movies holding 25 to 30 people, swimming pools and basketball courts, he said.

The \$25 to \$30 million project will include vinyl and brick buildings with two or three stories to be completed by 2005.

The apartments are only a few blocks from campus, so Amato said he is concerned with pedestrian safety.

"We will not proceed with the project if we aren't able to get students safely to campus," he said.

Currently, approval for a pedestrian and cycling bridge is being discussed with Norfolk Southern Railroad.

Since the apartments will be housing many students, the neighbors are concerned with the change in atmosphere within their neighborhood.

Lisa Smith, who lives on South Broadway Park, said she is worried about the apartments. "I have a lot of concerns about the sudden change of a lot of people moving into a small place all at once," she said. "The history of the area is small and quaint and to have all of the students here may increase traffic and noise. There will not be enough parking, making the residents start parking on our streets."

Kendra Middleton, also a resident on South Broadway Park, said she is concerned about students getting out of hand. "I'm not really against it," she said. "I'm a little worried about the drinking and partying issue."

Some students are looking forward to the new apartments. "The apartments would be a lot closer to classes," said mechanical engineering freshman Aaron Kreke.

Students also feel that the apartments will add to the area surrounding the campus.

"I think it would give the north side of campus a facelift," said math and history freshman Matt Vied.

Since the apartments are so close to campus, students said they hoped the apartments would be within their price range.

"The apartments are ideal for living off campus but also being within walking distance to all of my classes," said Emmy Durall, an undeclared sophomore. "Hopefully, they will not be expensive."

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Extended Forecast

Tuesday
Mostly Cloudy

Wednesday
Mostly Cloudy

Thursday
Mostly Cloudy

66 | 44
HIGH | LOW

62 | 37
HIGH | LOW

59 | 34
HIGH | LOW

For more weather check out kyweather.com

INSIDE

Patterson statue looks away from courtyard | PAGE 3
Community members sound off on smoking ban | PAGE 6

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ALL THE NEWS THAT FITS

The Low-down



We're not putting families out on the street.

— Maj. John Tolan, director of social services for the Salvation Army, on the agency's new policy of charging homeless families \$5 a night for shelter after the first week

Police officer's trial date set

The trial for a Lexington Police officer charged with sexually abusing a UK student will continue on Oct. 10. Officer Kevin Johnson Cannon was in court for a preliminary hearing Sept. 26. "His attorney asked for a continuance, and we didn't object to it," said Jack Miller, first assistant county attorney of the Fayette County Attorney's Office. "They said they were having some conversations," Miller said. Cannon is charged with sexually abusing a UK female athlete when he arrested her in July for alcohol intoxication. Cannon's attorney, James Lowry, could not be reached for comment. Cannon, a two-year veteran of Lexington's police force, pleaded innocent at his arraignment. He is currently on paid administrative leave.

Homeless charged for shelter

LOUISVILLE — Homeless families are being charged \$5 a night to stay in the Salvation Army's downtown shelter after a week. The local organization started the fee this month as an incentive to pull people out of homelessness, said Maj. John Tolan, the agency's director of social services. But some homeless advocates, angered by the new fee, are

pressing the Salvation Army to reverse its policy. "This is totally unacceptable. It's pathetic," said Mariene Gordon, executive director of the Coalition for the Homeless, which coordinates services among 25 shelters in Louisville and Southern Indiana. Tolan said the shelter makes exceptions for special cases, such as people who are disabled or mentally ill. "We're not putting families out on the street," Tolan said.

Rallies protest Iraqi occupation

LOS ANGELES — Thousands took to the streets of Hollywood on Sunday to protest the occupation of Iraq in one of several weekend demonstrations around the world criticizing the Bush administration. An estimated 3,000 people took part in the peaceful march and rally, some chanting, "George Bush, Uncle Sam, Iraq will be your Vietnam," while walking down Sunset Boulevard. Similar rallies were held in Boston and San Francisco, and followed international protests Saturday in London, Athens, Paris and other cities. No arrests or injuries were reported in the Los Angeles protest.

COMPILED FROM STAFF AND WIRE REPORTS.

BAN

Continued from page 1

were happy with the ruling. "We're very pleased with the decision," said John Walters, attorney for the Lexington Fayette County Food and Beverage Association, saying that it was the first step toward the ultimate goal of preventing the ban.

Walters said the food and beverage association had three major complaints against the smoking ban law: no state law supports a smoking ban, certain portions of the law are vague, and the ban goes against the constitutional rights of the owners to run their businesses.

Walters said the clause that said smoking is permitted within a "reasonable distance" of the entrance to a building is too vague.

However, everyone wasn't happy with the decision.

"For every day we delay, more people are being put at risk for asthma and heart disease," said Ellen Hahn, an associate professor of nursing. Some restaurant and bar

owners had different reactions to the injunction. "It's good news," said Barry Donworth, owner of Kitty O'Shea's. "It's looking pretty good."

Donworth, like many other bar and restaurant owners, said he is worried about the feasibility of enforcing a ban. "If we're doing our job and putting up signs and telling people not to smoke, we shouldn't be fined," he said.

In the wake of this legal development, many bars and restaurants are converting to smoke-free environments.

If the ban goes into effect, Nicholson's Cigar Bar plans to renovate its bar to give the area a different atmosphere and will still sell cigars even if the ban goes into effect, said Gary Works, manager of deSha's Restaurant and Bar, who also runs Nicholson's.

Other restaurants and bars trying alternatives include Pazzo's and McCarthy's Irish Pub, which both opened up smoke-free sections.

So far, these bars have had modest to decent success, managers said, and they are looking for business to contin-

ue to improve. "The smoke-free bar is packed on a busy night," said Willie Bodne, a manager at Pazzo's.

Tom Behr, owner of Pazzo's, sees both sides. He said restaurant owners should have the right to decide upon their policies, but he is also a non-smoker who does not like to go to restaurants filled with smoke.

"I personally like going places where there's not a lot of smoke," Behr said. "But I wouldn't expect the government to take care of it."

Other restaurant personnel do not see the smoking ban in a negative light.

"I don't think it will affect (local businesses)," said Kim Frierson, assistant manager at Tolly-Ho.

While the ultimate outcome of the legal battle remains a toss-up, both sides are still optimistic.

"There's some hope now," Kitty O'Shea's owner Donworth said.

Ellen Hahn still believes the ordinance will pass.

"I think public health will prevail," she said. "It's not over until it's over."

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HISTORY

Continued from page 1

The law only mandates that "no smoking" signs must be posted at all entrances and the owners and managers must make a "reasonable effort" to tell patrons they are not allowed to smoke.

"If they break it, local bars look at it as only being a \$100 fine, and that's not much," Chin said.

After the \$100 first offense, owners can be fined up to \$7,000 per violation for a series of violations.

When California's ban went into effect, some citi-

zens were in an uproar over personal freedoms.

"I don't think there should be a total ban," said comedian Drew Carey in a 1998 CNN article. Carey led a "smoke-in" protest in a Hollywood bar in 1998 in defiance of the ban. "It should be up to each bar owner and patron to decide if they want to smoke or not."

Some owners and managers agreed.

"There was kind of a consensus that it's one thing for restaurants, but for bars, it was kind of invasive," said Matthew Dunn, manager of Paragon Bar and Cafe in Berkeley, Calif.

Since then, though, business hasn't suffered

much, some said.

"Everyone just rolled with the punches," said Mike Wagner, owner of Lanesplitter Pub in Berkeley.

"People just kind of adjusted," Chin said.

On July 25, a statewide smoking ban became law in the state of New York.

Legal battles over the ban have been filed in a federal court in Syracuse, N.Y. State lawmakers said the primary reason for the ban was the protection of the employees of the bars and restaurants, according to the New York Post.

The lawyers for the Empire State Restaurant and Tavern Association argue that workplace safety issues are addressed in the Occu-

pational Safety and Health Act of 1970.

Smoking bans had already been passed in New York City and Nassau County, N.Y. The Nassau County legislation has been overturned, but the statewide ban brought the ban back to the county.

New York Governor George Pataki and New York City Mayor Michael Bloomberg both have supported such bans.

Former New York Mayor Rudolph Giuliani had a different opinion. Giuliani, who had consulted officials in Ireland about a proposed national smoking ban there, has said he favors gradually changing the law instead of outlawing smoking out-

right, according to the New York Times.

In protest of the smoking ban in New York, bar owners across the state planned protest rallies and unplugged Quick Draw lottery machines on several occasions, according to the New York Post. These lottery machines, which are popular at bars, cost New York \$1 million in lottery sales the first two times bar owners unplugged them.

"I think we should all sit back and read 1984 again," said Don Ciciarelli, owner of Quigley's Tavern in Syracuse, N.Y. "We're being overgoverned."

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"I think we should all sit back and read 1984 again. We're being overgoverned."

— DON CICIARELLI, OWNER OF QUIGLEY'S TAVERN IN SYRACUSE, N.Y., ON NEW YORK'S SMOKING BAN

SPORTS WEEKLY CALENDAR

09/29/03 - 10/05/03

STUDENTS, COME OUT AND SUPPORT YOUR CLASSMATES

MEN'S SOCCER VS APPALACHIAN STATE 5:00 PM - UK SOCCER COMPLEX
VOLLEYBALL VS MISSISSIPPI STATE 7:00 PM - MEMORIAL COLISEUM
WOMEN'S SOCCER VS LSU 7:30 PM - UK SOCCER COMPLEX
WOMEN'S TENNIS KENTUCKY FALL CLASSIC, OCT. 3-5 - TENNIS CENTER
WOMEN'S GOLF WILDCAT FALL INVITATIONAL, OCT. 3-5 - U-CLUB
Men's Golf @ Franklin St. Trust Invite, Oct. 3-5 - Chapel Hill, N.C.
Men's Tennis @ All American Invite, Oct. 3-12 - Chattanooga, TN.
SOFTBALL VS BELMONT 1:00 PM - UK SOFTBALL COMPLEX
Cross Country @ Louisville Invite - All Day
Women's Tennis @ All American Invite, Oct. 4-12 - Los Angeles, CA.
WOMEN'S SOCCER VS ARKANSAS 2:00 PM - U KSOCER COMPLEX
VOLLEYBALL VS MISSISSIPPI 2:00 PM - MEMORIAL COLISEUM
Men's Soccer @ Bowling Green 1:00 PM

HOME EVENTS ARE IN ALL CAPS AND ARE FREE TO STUDENTS EXCEPT FOR MEN'S BASKETBALL AND FOOTBALL. CHECK OUT UKATHLETICS.COM FOR MORE INFORMATION.

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STUDENTS AGAINST MOVIELINK COLLEGE FILM FESTIVAL

Former CIA director gives lecture on U.S. security, foreign policy

The inaugural speaker in a Patterson School series, Adm. Stansfield Turner calls for action in North Korea

By Josh Sullivan
DIALOGUE EDITOR

Adm. Stansfield Turner, former CIA director, told a standing-room only crowd Friday he worried about the course of U.S. foreign relations. "I'm not sure if I recall a time when I was less sure of the direction this country is going," said Turner, director during the 1970s, in a lecture at the UK Student Center.



Turner

His speech was the first in a series of lectures held in honor of Vince Davis, a former director of the Patterson School of Diplomacy and International Commerce.

"We must keep the war on terrorism at center

stage," Turner said. He outlined four areas on which the United States should focus.

The United States needs to confront North Korea's nuclear weapons capabilities, he said.

"There is no greater threat of terrorism today than the possibility of North Korea providing weapons of mass destruction to terrorists," he said.

Turner also said he supports enlisting the aid of the United Nations to put pressure on the North Korean government.

"(They should) insist there be verifiable disarmament," Turner said.

He also talked about securing homeland safety, saying that the new Department of Homeland Security is off to a good start.

Turner said he supports the Patriot Act, which gives greater authority to intelligence gathering agencies.

It gives the FBI and CIA the means to check personal library records and conduct property searches, among other aspects.

Responding to criticisms of the act, he said the act's Sunset Clause, which mandates congressional review of portions of the law every five years, helps ensure the act isn't abused.

Turner also said the United States needs to work with other nations to gather intelligence.

"We're going to need their friendship," he said. "Intelligence truly is the first line of defense."

Michael Desch, director of the Patterson School, said he was pleased to have a forward thinker speak.

Admiral Turner is a guy who's on the cutting edge in terms of current issues," he said.

President Lee Todd said he has great aspirations for the annual lecture series.

"We envision this lecture series as a means of attracting the greats of American foreign policy to our campus," he said.

Turner's foreign policy credentials extend beyond his leadership of the U.S. intelligence gathering community.

As an admiral in the Navy, Turner commanded the U.S. Second Fleet and the North Atlantic Treaty Organization's Striking Fleet Atlantic.

He was also the commander in chief of NATO's Southern Flank.

Turner is currently a professor and senior research scholar at the Center for International and Security Studies at the University of Maryland.

Jamie Johnson, a communication freshman, said she was impressed with Turner's resume and speech.

"His experience makes him a good source of information on the war on terrorism," she said.

"He gave a great speech about an issue I think is really important to our country."

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jsullivan@kykernel.com



Rockin' out
North Mississippi Allstars lead singer Luther Dickinson performs Thursday at Gator Roast 2, a Student Government and Student Activities Board pep rally for the UK-Florida football game.

Patterson statue faces Main Building's plaza

As the area in front of Patterson Office Tower opens, some say Patterson statue faces the wrong building

By Terria Woods
CONTRIBUTING WRITER

When walking from the Classroom Building to the Patterson Office Tower, many students complain that they are greeted with the back of former UK President James Kennedy Patterson's head rather than his face.

The green-tinted statue sits in the renovated plaza in front of the office tower, some of which is set to open today.

It stares off toward the damaged Administration Building, rather than toward the bulk of pedestrian traffic.

"It seems odd," said Erin

Fiach, an anthropology sophomore. "I believe the statue should be placed with the flow of traffic."

Facing the statue away from the Classroom Building was purposeful, said Richard Siemer, executive vice president of finance and administration.

President Lee Todd wanted the statue facing the new visitors' center, which will be at the back of the Administration Building, also called the Main Building, Siemer said.

It would be more inviting to visitors and new students, he said.

Some still said the statue is facing the wrong building.

"I think the statue should be facing the Patterson Office Tower, since it is named after him, but if the statue is meant to be seen, it needs to face the Classroom Building," said Kim White, a marketing senior.

Even though the office tower is named after Patterson, it was not built until after his death, and he spent most of his presidency in the Administration Building, Siemer said.

Some do agree with the statue's current placement.

"I think it is just fine where it is," said Leslie Macklin, night supervisor at WT Young Library. "It will be seen by more people this way."

The project's architect, Paul Cable, said the placement of the Patterson statue

was well thought out.

"Facing it toward the reconstructed Main Building is indeed more welcoming and inviting to students and visitors who will often view it from the new Main Plaza or as they enter campus from the parking garage," Cable said.

Patterson was president of UK from 1889 until his retirement in 1910. He died in 1922.

After his death, the \$25,000 Patterson statue was constructed with money left by him and his brother, Walter, according to the UK Web site.

The bronze statue was built on the 100th anniversary of his birthday in 1934, the Web site said.

E-mail kernel@uky.edu

Public Reception for the Fall 2003 Rockefeller Humanities Fellows.
Thursday, Oct. 2, 3:30-5 p.m.
President's Room, Singletary Center

The reception will be followed with presentations by the fellows.

Teri Blanton
(current statewide chair of Kentuckians for the Commonwealth)

There Are Only Stories if the Stories Get Told: The True Cost of Coal

Joan Robinett
(environmental activist from Harlan County)

Harlan County Coal Globally and Locally

Richard Hasler
(environmental anthropologist from Southern Africa)

Partnerships for Natural Resources Management in Southern Africa

The Rockefeller Humanities Fellowship is co-hosted by the UK Appalachian Center and the Center on Social Theory Findings include the Rockefeller Foundation, the UK College of Arts and Sciences, and the Office of the Vice President for Research.

CAMPUS CALENDAR

Week of September 29 - October 5

The Campus Calendar is produced by the Office of Student Activities, Registered Student Orgs., and the Center on Social Theory Findings. For more information or to appear at: <http://www.uky.edu/CampusCalendar>. Call 257-8867 for student information.

MEETINGS	Mon 29
*N.A.S.J. Monthly Meeting, 4:30pm, Grehan Journalism Building, Rm. Magge Room	
*UK American Civil Liberties Union Meeting, 8:30pm, Student Center, Rm. 231	
*Prayer and Praise, 8:00pm, the chapel behind Tri Delt and ADP houses	
*Bible Study and Dinner, 6:00pm, Wesley Foundation	
*FCA Leadership Meeting, 8:00pm, Student Center, Rm. Worsham Theatre	
ACADEMIC	
*Math Tutoring, All 100 Level Classes, 6:00-8:00pm, 307 Commons, 9:00am-6:00pm, Mathcenter (POT)	
*Chemistry Tutoring, All 100 Level Classes, 6:00-9:00pm, Blazer Small Dining Room	
*Physics Tutoring, All 100 level classes and 211213, 6:00-9:00pm, Blazer Small Dining Room	
*Biology Tutoring, All 100 Level Classes, 6:00-9:00pm, Blazer Small Dining Room	
ARTS/MOVIES	
*The World is Your Canvas, 11:00am-5:00pm, Student Center, in the Rasdall Gallery	
SPECIAL EVENTS	
*Monday Night Football, 9:00pm, Student Center, in the Cats Den. Free chicken fingers and social!	
*Mortar Board Now Accepting Fall 2003 Applications	
MEETINGS	Tues 30
*Introductory Pre-Med, Pre-Dent, Pre-Opt Meeting, 3:30pm, Whitehall Classroom Building, Rm. 110	
*P.R.T.S.A., 7:15pm, WT Young Library, Rm. Gallery Room	
*GreenThumb Weekly Meeting, 7:00pm, Student Center, Rm. SOC	
*TNT (Tuesday Nights Together), 7:30pm, Baptist Student Union, 429 Columbia Ave. (behind W.T. Young Library)	
*College Life, North Campus, 4:00-5:00pm, Patterson Hall Lobby, Center, 6:00-6:00pm, Haggitt Hall Lobby, South, 5:00-6:00pm, upstairs of Commons Market, Rm. 307	
*LNU&A, 5:00pm, Basement of Lafferty Hall, Rm. 108	
ACADEMIC	
*Math Tutoring, All 100 Level Classes, 6:00-10:00pm, 307 Commons	
*Chemistry Tutoring, All 100 Level Classes, 6:00-9:00pm, 307 Commons	
*Physics, All 100 Level Classes, 6:00-9:00pm, 307 Commons	
*Biology Tutoring, All 100 Level Classes, 6:00-9:00pm, 307 Commons	
SPECIAL EVENTS	
*Ball Tournament, 7:00pm, Student Center, in the Cats Den, Free Subs and Social	
*Mortar Board Now Accepting Fall 2003 Applications	
ARTS/MOVIES	
*The World is Your Canvas, 11:00am-5:00pm, Student Center, in the Rasdall Gallery	
*True Grit: Seven Female Visionaries Before Feminism, Noon-5:00pm, UK Art Museum Galleries	
SPORTS	
*Men's Volleyball Try-outs, 8:00-10:00pm, Alumni Gym	
*UK Fencing Club, 8:00-10:00pm, Bull Armory	
*UK Women's Rugby Practice, 4:45-7:00pm, Club Sports Field (rugby pitch)	
*The Kwon Do Club Practice, 6:30-8:00pm, Alumni Gym's Loft	
INTRAMURAL/RECREATION	
*Flag Football Routes Due, Johnson Center, Rm. 172, \$25.00 per team	
MEETINGS	Weds 1
*UK Pre-Vet Club, 7:30pm, ApNorth, Rm. N-12	
*Encounter-Bible Class, 7:00pm, Student Center, Rm. 230	
*Creative Writing Corner Coordinator, 6:30-8:00pm, WT Young Library, Rm. Writing center B108	
ACADEMIC	
*Resume Writing, 4:00-4:50pm, Career Center	
*Resume Writing for Technical Majors, 4:00-4:50pm, Career Center	
*LCC Republicans Meeting, 1:00pm, Oswald Building, Rm. 210	
*Math Tutoring, All 100 Level Classes, 6:00-10:00pm, 307 Commons, 9:00am-7:00pm, Mathcenter (POT)	
SPORTS	
*UK Women's Rugby Practice, 4:45-7:00pm, Club Sports Field (rugby pitch)	
SPECIAL EVENTS	
*Comedy Caravan, John Hope, 8:00pm, Student Center, in the Cats Den	
*Mortar Board Now Accepting Fall 2003 Applications	
ARTS/MOVIES	
*Art @ Home: True Grit, 12:00pm, UK Art Museum Galleries	
*The World is Your Canvas, 11:00am-5:00pm, Student Center, in the Rasdall Gallery	
*True Grit: Seven Female Visionaries Before Feminism, Noon-5:00pm, UK Art Museum Galleries	
MEETINGS	Thur 2
*Voice for Choice weekly meeting, 5:00pm, Student Center, Rm. 215	
*CRU, 7:30pm, Worsham Theater in the Student Center	
ACADEMIC	
*Math Tutoring, All 100 Level Courses, 9:00am-7:00pm, Mathcenter (POT)	
ARTS/MOVIES	
*The World is Your Canvas, 11:00am-5:00pm, Student Center, in the Rasdall Gallery	
*True Grit: Seven Female Visionaries Before Feminism, Noon-5:00pm, UK Art Museum Galleries	
SPORTS	
*Men's Volleyball Try-outs, 8:00-10:00pm, Alumni Gym	
*UK Fencing Club, 8:00-10:00pm, Bull Armory	
*UK Women's Rugby Practice, 4:45-7:00pm, Club Sports Field (rugby pitch)	
SPECIAL EVENTS	
*Mortar Board Now Accepting Fall 2003 Applications	
*Freshman Focus, 7:30pm, Baptist Student Union, 429 Columbia Avenue (behind W.T. Young Library)	
*Thursday Night Worship Service, 8:00pm, Wesley Foundation	
INTRAMURAL/RECREATION	
*UK Dressage Team, 8:00pm, Garrigue Building, Rm. 109	
FALL BREAK!	Fri 3
ACADEMIC	
*Math Tutoring, All 100 Level Courses, 9:00am-5:00pm, Mathcenter (POT)	
SPORTS	
*Friday Football, 3:00pm, Good Barn Field, across from Commonwealth Stadium	
*The Kwon Do Club Practice, 5:30-7:00pm, Alumni Gym's Loft	
*UK Hockey vs. Missouri-St. Louis, Midnight, Lexington Ice Center, \$5.00 at the door	
SPECIAL EVENTS	
*Mortar Board Now Accepting Fall 2003 Applications	
ARTS/MOVIES	
*The World is Your Canvas, 11:00am-5:00pm, Student Center, in the Rasdall Gallery	
*True Grit: Seven Female Visionaries Before Feminism, Noon-5:00pm, UK Art Museum Galleries	
MEETINGS	Sat 4
*Progressive Summit, d/closure: A Journal of Social Theory, 10:00-5:00pm, UK Student Center, Rm. Student Center Ballroom, 210	
ARTS/MOVIES	
*True Grit: Seven Female Visionaries Before Feminism, Noon-5:00pm, UK Art Museum Galleries	
SPECIAL EVENTS	
*Mortar Board Now Accepting Fall 2003 Applications	
SPORTS	
*UK Hockey vs. Missouri-St. Louis, Midnight, Lexington Ice Center, \$5.00 at the door	
*The Kwon Do Club Practice, 11:00am-12:30pm, Alumni Gym's Loft	
MEETINGS	Sun 5
*College Worship Service, 8:12pm, Southside Church of Christ	
ACADEMIC	
*Math Tutoring, All 100 Level Classes, 6:00-8:00pm, 307 Commons	
*Chemistry Tutoring, All 100 Level Classes, 7:00-10:00pm, 307 Commons	
*Physics Tutoring, All 100 level classes and 211213, 7:00-10:00pm, 307 Commons	
*Biology Tutoring, All 100 Level Classes, 7:00-10:00pm, 307 Commons	
*Statistics 200, 291, 4:30-7:00pm, 307 Commons	
SPECIAL EVENTS	
*Mortar Board Now Accepting Fall 2003 Applications	
SPORTS	
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Abney's devastation, devotion symbolizes UK football

Leaving Commonwealth Stadium's interview room Saturday, Derek Abney hesitated. He stood with his hand on the door handle and his eyes on a poster from the 1989 Outback Bowl.

In that photograph, he saw the faces of Tim Couch, Craig Yeast and the rest of that remarkable UK team. He saw the ultimate prize, the



Tim Wiseman
UK KERNEL COLUMNIST

goal which he has sought for five years.

Time and again, that prize has seemed so close. Time and again, that reward has been snatched away.

"You know one of these, two of these, three things like that you can handle," said a tearful Abney. "But after a while... I don't know."

Abney was crushed. We knew exactly how he felt.

Against Florida, Abney played like he always does. He made an incredible leaping catch, and he set up UK's third touchdown with an electrifying 42-yard reverse. He also returned a punt for a

touchdown, yet a terrible call nullified his effort.

He gave everything he had on every play. He left his heart on the field, only to watch another team trample it.

In Abney's career at UK, too many games have ended like this.

Last season, there was LSU's last second larceny. Before that, there was that track meet in the Swamp with the Cats stumbling before the finish line. In 2001, there was that spectacular Tennessee game — the one where UK's happy ending slipped through Chase

Hary's hands.

Through it all, Abney has endured. He returns to the field, and he does it all over again.

Derek Abney is UK football.

As fans, we can see ourselves in him. He loves the game as much as we do, maybe even more.

He has been beaten, bruised and punished. But he gets up and runs even harder.

He puts his slight 5-foot-10 frame on the line every 17 game, and we love him for it.

Every time he touches the ball, we hold our breath.

At any time he could break loose, he could go the distance. Anything could happen.

This is what Kentucky football is all about.

We hope for the best and we deal with the worst. And no matter what, we return to the stands.

The incredible thing is not that UK has seen so many sickening setbacks but that we come back for more.

We come back because of players like Abney. We come back to see his heart, his emotion, his love for the game.

"I just want to be part of

something," he said, barely able to speak.

He's wrong.

He is part of something. He is part of what's right about UK football.

No one deserves that bowl game more than Abney and he still has every chance of getting there.

But if he never reaches that goal, he has earned a spot in UK history.

In that Outback Bowl poster, Abney saw his highest goal. In Abney, we can see a reason to come back, a reason to hope for better days.

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Seniors come together after heartbreaker

By Jeff Patterson
ASSISTANT SPORTS EDITOR

Sitting with his head in his lap as the final seconds wore off the clock, UK quarterback Jared Lorenzen thought about having one play back.

It was one play that turned what could have been his crowning achievement into his worst nightmare.

Watching Florida cornerback Johnny Lamar intercept his pass and set up the game-winning touchdown is a sight Lorenzen will never be able to forget.

"This is one that is going to hurt for now and the next 30 years," Lorenzen said. "We said at halftime, 'Play it now for the next 30 years of your life, and you are going to remember this one no matter what. I know I will. I know I wish I had this one back.'"

For a senior class that has been hurt by coaches leaving and last second losses, this hurts the most.

"This is the worst feeling," Lorenzen said. "This is 10 times worse than LSU. This is by far the worst I could feel for my teammates. This is just terrible."

His fellow seniors laid their hearts on the line for 60 minutes, only to have them ripped out yet again.

Wide receiver Derek Abney broke down while addressing the media after the game. Abney left no question about how much the loss meant to the seniors.

"(Lorenzen) wants it as bad as me, maybe more," Abney said. "I'd be hard pressed to find someone who has gone through as much as our seniors."

The Cats were somber during the post-game interviews. But they were bonded with their quarterback.

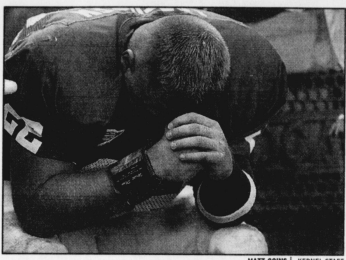
"He's a warrior; he was hurting out there, but his effort overcomes his mistakes," senior offensive tackle Antonio Hall said. "And I still love him to death."

Lorenzen said he understood the disappointment of his fellow seniors.

"The problem is, I love these guys so dangone much," Lorenzen said. "We've been through thick and thin together. You just learn so much love for people and so much respect for people and that I'm going to have these guys for the rest of my life."

This senior class has gone through two 9 seasons and a bowl ban, and they are on their third coach in four years.

"I've been a part of this program for the past three



UK quarterback Jared Lorenzen has an emotional moment after the game against Florida.

and a half years now, and it's going to turn around," defensive end Jeremy Caudill said. "I think things are changing, and the young guys know that things are changing."

But each time they are on the break of that elusive upset, something unpredictable happens.

"As players and as a team you think there is no way. This is got to be our chance to get the big break, and of course it didn't happen," Lorenzen said. "It is something that I put on my shoulders. I definitely should

not have thrown that ball."

Each time the seniors have been down, they have found solace in each other. This loss was no different.

"It will bring us closer together," Lorenzen said. "We love our family, but we don't love anybody more than we love our teammates right now. We will pull together, forget about the game as much as possible and come out next Thursday with a vengeance."

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AGONY

Continued from page 1

since a 10-3 win in 1986. UK had its chances to knock off the No. 25-ranked Gators.

Up 7-0 with 5:39 to go in the first quarter, Derek Abney fielded a punt and raced down the left sideline for a touchdown. But a holding penalty against UK on the other side of the field negated the touchdown.

Up 14-3 with 1:25 left to go in the half, Keivan Ratliff blocked a 49-yard Taylor Begley field goal that would have given UK a 17-3 lead.

Then, up 21-3 with 2:13 left to go in the third quarter on fourth-and-two, UK had 12 men on the field. That penalty allowed Florida to continue its drive for a touchdown.

"To me, the game turned on a 12 men on the field penalty," UK head coach

Rich Brooks said. "And that made a three-score game into a two-score game."

Florida wide receiver Carlos Perez bobbled quarterback Chris Leak's pass in the corner of the end zone but kept control of the ball to cut UK's lead to 21-9.

Even after another touchdown catch by Perez, UK was still in control up 21-16 with the ball and with 4:46 to go.

Then history repeated itself.

As Florida linebacker Channing Crowder twirled Lorenzen in the backfield, Lorenzen tried to pass to wide receiver Keenan Burton. Instead, he passed to Florida cornerback Johnny Lamar.

Lamar returned the interception to the UK 1-yard line, setting up a Ran Carthon touchdown run.

Florida converted the two-point conversion on a pass to Kelvin Knight to take the lead 24-21.

"I got twirled around,

they had me by my jersey and I thought I was going to get loose of them," Lorenzen said. "Once I realized that I wasn't, I tried to throw it down to get ground. It is something that I wish I had back."

Still having a chance to win, Brooks told his quarterback to be the leader.

Lorenzen responded, leading the Cats down the field with passes to tight end Win Gaffron to set up a potential game-tying field goal with under a minute left.

But Begley's 49-yard attempt with 44 seconds remaining spun well short of the endzone, sealing Florida's comeback.

"We just need to come together as a team. That is all we can do at this point and get ready for South Carolina," UK defensive end Vincent "Sweet Pea" Burns said. "The season is not over; this is just one game."

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Team	1	2	3	4	Score
Florida	0	3	0	21	24
UK	7	7	7	0	21

Passing — UK, Lorenzen 18-27-0 TD-2 (NF-19, Boyd 0-1-0-0-0, Cook 0-1-0-0-0, Florida, Leak 20-35-2-2-268
Rushing — UK, Beach 18-47 3TD, Abney 1-4, Davis 1-1, Bwenge 9-40, Lorenzen 12-36, Boyd 2-9, Florida, Carthon 9-43 TD, Wynn 10-40, Perez 1-0, Leak 8-0

Receiving — UK, Gaffron 4-46, Bernard 3-22, Abney 2-25, Burton 2-23, Davis 2-16, Beach 2-10, Fowler 1-20, Holt 1-14, Bwenge 1-3; Florida, Perez 5-102 2TD, Carthon 4-47, Knight 2-46, Baker 2-20, Small 2-14, Troupe 2-13, Caldwell 2-10, Latkso 1-16

Tackles — UK, Burns 8, Anderson 7, M. Williams 5, D. Williams 4, Caudill 4, Holts 3, Abdullah 3, Flowers 3, Burress 3; Florida, Dixon 9, McChesald 6, Crowder 6, Lamar 6, Lee 5, McCray 5, Farrior 4, Fleming 4, Everett 4, Thomas 3

Punting — UK, Thornton 5-194, 38.8 avg.; Florida, Wilbur 4-178, 44.5

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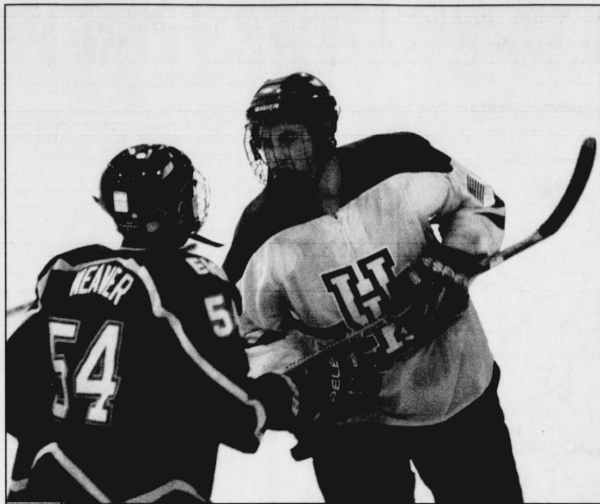
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Freshman goalie lifts Cool Cats to win over Eastern Kentucky

On thin ice
UK defenseman Rob Dennis exchanges words with an EKU player before throwing punches at his head.

BLAKE DENNIS |
KERNEL STAFF



Cool Cats take two against Eastern to stay undefeated; coaches say new style of play starting to take effect

By Ben Roberts
STAFF WRITER

The Cool Cats rode a solid performance by their freshman goalie to a 7-2 win Saturday night over Eastern Kentucky University.

In a game marred by penalties, the play of goalkeeper Simon Ebelhar sparked UK (4-0) to victory. Substituting for usual starter Justin Clark, Ebelhar settled in early with a flurry of saves in his first collegiate start.

"I was a little nervous at first, but once I saw the fans going crazy, it got me pumped up and ready to play," Ebelhar said. "The defense helped me out big time. They bailed me out on quite a few occasions."

Ebelhar held the

Colonels (0-2) scoreless until late in the third period when EKU forwards Kevin Schultz and Michal Ydrzel connected on back-to-back goals. Despite losing the shutout, head coach Mike Sosnowski was pleased with the way Ebelhar played in net.

"That's why he made this hockey club," Sosnowski said. "We knew he was a great goaltender and that he had all the confidence in the world."

Seven different Cool Cats players netted goals on the offensive end of the ice, with four of those coming on power plays. Forward Joe Obermeier fresh off a hat trick in Friday's win over EKU, tallied his team-leading eighth goal in the first period.

The most exciting play of the game came late in the

third period when UK forward John Royalty was given a penalty shot after an infraction in the Colonels' goal crease. With the Cool Cats already leading 6-2, Royalty faked out EKU goalie Brandon Davis and went top shelf to score the final goal of the game.

Starting before the EKU series, the UK coaches tried to teach a new style of hockey to their players, concentrating on patience and discipline. They saw that style fulfilled on the ice for the first time Saturday night.

"We've been trying to teach them to play patient hockey and be consistent in it," said assistant coach Rob Docherty. "If we can get that consistency down and play our style of hockey, we can contend with any team."

The coaches also instructed their team not to take the bait of EKU players who tried to draw the Cool

Cats into fights throughout the weekend series. Aside from a brawl midway through the second period Saturday, UK avoided retaliation against the Colonels.

"It was pretty important not to retaliate," Obermeier said. "Next weekend we have two big games (against Missouri-St. Louis), and the last thing we needed was to have half of our team out for those games. The way we all see it, next week is pretty much the start of the season for us."

Team Captain Colin Hoss added, "We knew what it was going to be like. We knew they didn't deserve to be in this rink. When you're winning 5-0 there's really not that much to fight for. In a one-goal game, it's a lot more intense, but in a game like tonight, you don't even think about it."

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Tennis teams take different paths this year

Men's tennis returns four players from last season; women's tennis team will rely on freshmen impact

By Lindsey Keith
STAFF WRITER

The UK men's and women's tennis teams are facing opposite dilemmas this season. The women must rebuild after losing their leaders, and the men hope to surpass the success they had last season.

"We are returning four players who played an important part of us going to the finals in 2002," said men's head coach Dennis Emery.

Also, the Intercollegiate Tennis Association ranked three of the men's tennis players. Junior Jesse Witten was ranked in the top 10 for singles.

"(Witten) is clearly one of the better players in the country. As he gets older, he assumes more leadership and is moving in the direction of making the whole team better," Emery said.

Junior Evan Austin and senior Rahim Esmail were ranked in the top 100 for singles and top 30 for singles, respectively.

Emery added that the real leader of this team has to be Evan Austin, who played in the top three on the team last season.

"We have a lot of respect for him, and he is off to a good start and that helped to solidify him as a team leader," Emery said.

Emery was excited also because of the addition of Nathaniel Emge, a transfer from Penn State University, where he played at their No. 1 spot. Emery said Emge adds work ethic and leadership to a team that got to the elite eight last year.

Junior Tigran Martirosyan also showed promise over the weekend, winning UK's Charles Fluit Invitational.

"If we waste the talent we have that will be upsetting," said Witten, who made it to the NCAA Singles Championship last season. "In the fall, it is about getting everyone together because fall is mostly individual play."

While the men are returning their top players, the women are rebuilding after losing the core of their team from last year.

"I know we are rebuilding, but I am so happy to be with these kids, and they have already shown the talent they have," said Mark Guilbeau, UK's women's head tennis coach.

"The nucleus of the team is the freshmen, who have already shown they have maturity and commitment."

All of the freshmen were U.S. Junior National players in high school and nationally ranked.

The only returning player from last year is Danielle Petrisko, a junior who walked on her freshman year and now is on full scholarship. Guilbeau said that Petrisko did a lot this summer to make sure this season is a success for her and the team.

Expected to make an impact this year is Aibika Kalsariva, a transfer from Lewis and Clark State College in Lewiston, Idaho. Kalsariva was ranked as high as No. 1 in NITA singles and doubles last season.

Guilbeau said their focus was on synergy and building maturity and emotional control this season because of the youth on the team. He said the goal this season is "putting the team first."

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SportsBytes

Women's soccer gets win over Vandy in conference opener

NASHVILLE, Tenn. — The UK women's soccer team beat Vanderbilt 1-0 Friday to end a four game losing streak. Senior Elizabeth Ramsey scored the game's lone goal in the 65th minute. Ramsey stole the ball outside Vandy's penalty box and scored from 20 yards out on an unopposed Vandy goal.

The win marked the first career shutout for UK goalkeeper Anne Ogundele.

UK next plays Louisiana State at 7:30 p.m. Oct. 3 at the UK Soccer Complex.

Men's soccer drops two in Washington's Husky Classic

SEATTLE — UK's men's soccer team lost to No. 22 Washington 2-1 Friday, its first road loss of the season.

The game was scoreless in the first half. Washington scored first in the 49th minute. The Huskies added another goal in the 63rd minute.

The Cats found the net with 40 seconds remaining. Junior midfielder Jamal Shteivi sent a corner kick into the box that found junior midfielder Olli Lehtimäki for the score.

Sunday, the Cats fell to the University of Portland 2-1 in overtime. Senior back Chris Austin tied the game in the 57th minute. Port-

land's only shot of the extra session found the net to end the game.

UK next plays Appalachian State at 5 p.m. Oct. 3 at the UK Soccer Complex.

Volleyball loses two SEC games

The UK volleyball team lost to Arkansas 3-1 Friday night in its conference opener in Fayetteville, Ark. Junior Sarah Spinner scored 18 kills for the Cats.

UK then lost to Louisiana State 3-2 Sunday in Baton Rouge, La. Freshman Melissa Popp scored a career-high 19 kills.

UK plays Mississippi State at 7 p.m. Oct. 3 at Memorial Coliseum.

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Chiropractic... The Choice For Me

Jason Kuuma is a Third-Year student from Medford, NJ. He graduated from Ithaca College with a Bachelor's Degree in Exercise Physiology concentrating in Cardiac Rehabilitation.

"The only thing that has ever captured my attention was studying the human body. The more I learned in school, the more I needed to know. The most logical step for me was to become a Doctor of Chiropractic so I could truly help people!"

Before making his decision to attend Logan, Jason visited nearly half of the chiropractic colleges in the United States. "Logan is in the perfect location in a safe, residential area. The Admissions staff are very friendly and helpful and the faculty are excellent."

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Jason Kuuma
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QUOTE OF THE DAY

I think we should all sit back and read [George Orwell's] 1984 again."

-Don Chickarell, bar owner in Syracuse, N.Y., where state law prohibits public smoking



IN OUR OPINION

Courts, council should consider business rights

The Kentucky Court of Appeals breathed new life into the case of opponents of Lexington's smoking ban on Friday. A three-judge panel ordered an injunction of the ban, which would affect all restaurants and bars in the city, until the full court examines both sides of the debate and rules on the law.

This is a good opportunity for the court to order that the law be reworked to be more respectful of the rights of private business owners. The Lexington-Fayette Urban County Council should work out a reasonable compromise between public health and private rights.

History is rife with examples of restaurant owners being forced to adapt to laws aimed at protecting customers. For example, restaurant owners can't use asbestos in the walls. They have to adhere to strict health codes that are enforced by random health department inspections.

These regulations stand on solid legal ground, so similar rules governing public smoking are certainly reasonable as well as legal. Second hand smoke, like asbestos, is undoubtedly a health hazard.

But as it stands now, the ban would outlaw smoking in all restaurants and bars, period. With a little effort, officials could write a new law, giving some concessions to both sides.

First of all, smoking should be allowed to continue in bars. Adult non-smokers are quite

capable of weighing the option of staying away from a smoky environment against their desire to go out to a bar.

Also, there's no chance of a young child being forced to endure second-hand smoke by a bad parent, since we've yet to see a bar in Lexington that welcomes infants.

Also, it would be reasonable to allow smoking to continue in establishments that gain most of their revenue through food service, if the restaurants adhere to strict guidelines.

Officials could establish rules requiring smoking sections be a certain number of feet removed from the entrance of a restaurant and the non-smoking section.

The city could require that these sections be walled off so that customers in the smoking section won't be bothered by the habits of smokers. It's always strange to see a restaurant with a non-smoking section in the back, forcing non-smokers to walk through a haze of smoke in order to reach their seats.

Restaurant owners would be given the option of adapting to the regulations or going smoke-free. Since their gripe seems to be that profits would drop in the event of a smoking ban, they could choose to update their facilities to make up for that perceived loss of funds.

If the issue is truly the health of non-smokers, such a compromise should leave both sides of the debate pleased.

WEEKINREVIEW

Here's a look back at events and issues from last week. If you want to sound off on any of these, e-mail the Dialogue desk at dialogue@kykernel.com

MONDAY

Rev. Kenneth Waibel, an excommunicated Roman Catholic priest, is happy to be ministering again as pastor in a Lexington chapter of the Indiana-based Orthodox Catholic Church of America, the Lexington Herald-Leader reported.

Waibel is pastor of St. Mychal the Martyr parish on Eastland Drive. The church respects dissenting viewpoints, Waibel said, and because the church welcomes gays and lesbians as priests, Waibel no longer has to hide his sexual orientation.

He was excommunicated after pleading guilty in Lexington to an indecent exposure charge in 1988.

TUESDAY

UK Student Government's 2003-2004 budget turns the tide from last year's big spending on parties and concerts. \$25,000 went to last Thursday's Gator Roast 2. The budget allocates \$11,500 more to student organizations, \$5,000 more to SG's public relations department and adds three \$500 scholarships for SG members.

The \$278,801 budget was passed by the SG Senate 27-1 on Sept. 10. The budget cuts entertainment funding by 64 percent and staff spending by 47 percent.

President Rachel Watts said she overestimated most expenses to avoid repeating last year's deficit of \$12,661.

WEDNESDAY

University Health Services, which serves students, faculty and staff, is asking for more space for exam rooms and other services, the Kernel reported.

Julie Bentley, interim associate director of the service, said students often wait too long or can't get an appointment soon enough.

"As enrollment has increased we have found that our critical schedules fill up regularly on a daily basis," she said.

The service has about 14,000 square feet at its location in the Kentucky Clinic, said Pat Terrell, vice president of student affairs. She said the service needs at least 34,000 square feet to operate at an optimal level.

THURSDAY

While UK Parking and Transportation Services continues working to relieve campus parking woes, they are selling more than twice as many K-lot parking permits as there are actual spaces in the lot, the Kernel reported.

For the 2,779 spots in K-lot, 5,659 permits were sold for this semester. There is no limit on how many K-lot passes are sold every semester, said Don Thornton, director of Parking and Transportation Services.

Thornton said that because parking services is entirely self-supporting, funding for new parking accommodations isn't coming easily. The department is still paying down debt on two projects totaling \$27 million, he said.

FRIDAY

Thousands of Kentuckians have been receiving advisories recently that their local drinking water doesn't meet federal quality standards, the Herald-Leader reported.

The federal Environmental Protection Agency says that chemical treatments intended to make water safe for drinking are linked to increased risk of bladder cancer, in long-term consumption of the water. Pregnant women may also have reason for concern, the agency says.

State environmental officials have advised people with health concerns to consult a physician, but there is no reason for panic, they say.

A spokesperson for Kentucky-American Water Co., which serves Lexington and surrounding counties, told the Herald-Leader most of its customers need not worry. Customers in Winchester and Clark County have received the letters, however.

MAKE YOUR VOICE HEARD

The Dialogue page is looking for submissions from all corners of campus. Are you a leader of a student organization searching for a way to reach citizens? The Kernel is read by thousands of people daily. Are you a student with a gripe about campus issues? The Dialogue page is a great way to discuss current events. Maybe you just need some extra cash to blow at the bars on Friday night. The Kernel offers paid positions to interested writers. Drop the Dialogue editor a line at jsullivan@kykernel.com.

Smoking ban protects the public health

The Council of the Lexington-Fayette Urban County Government in June 2003 voted 11 to 3, with one abstention, to enact the prohibition of smoking tobacco products in all enclosed public places, with some exceptions.

The ordinance is now being challenged in court and implementation has been temporarily stayed.

Reasons for such a law:

1. Protect the public health — scientific evidence has accumulated in the last decade that overwhelmingly confirms that passive smoke is harmful and dangerous.

Cardiologists in Helena, Mont., recently confirmed a 60 percent drop in the rate of acute heart attacks after a local smoking ban was in place.



David Stevens
 GUEST COLUMNIST

Passive smoke can trigger an acute asthma attack and chronic exposure increases the rate of respiratory cancers.

For centuries governments have exercised police powers of quarantines, compulsory vaccinations and even additives for water to prevent tooth decay.

2. For areas with smoking bans in place, a review of receipts as reflected in tax records shows increased revenues for restaurants and only temporary decrease in bars.

3. Compliance has not been a problem in the jurisdictions with bans as it tends to be policed by concerned citizens.

4. The majority of Lexington-Fayette Urban County Council believes the right to breathe clean air transcends the right to smoke in public places.

David Stevens, M.D., is a 3-term at-large member of the Lexington-Fayette Urban County Council. His views do not necessarily represent those of the Kernel.

Ban violates rights of business owners

I was asked to give my opinion on the smoking ban, so I'll give the answer that I have given from the start.

I feel every business has the right to decide who they want as customers in their establishment and how to accommodate them once they get there.

I personally do not smoke. However, many of my customers do smoke.

If, as a business owner, I feel I am losing business because of too much smoke, then it would be in my best interest to make changes in order to maintain my business. That should be my decision, just as it should be my decision where I want to eat or drink.

If a restaurant is too smoky, I'm old enough to decide for myself to eat some-



Tom Behr
 GUEST COLUMNIST

where else. The city has tried to make this a health issue. There are many things that are unhealthy — like exhaust from cars.

Automobiles in general are very dangerous. Swimming pools are dangerous. So are fried foods.

Why just pick on the smokers because some members of the city council may have private agendas to ban cigarette smoking?

I, as a restaurant owner, will live with the decision however it turns out. Do I think it is fair to the smokers? No.

We at Pazzo's feel we are able to accommodate both smokers and non-smokers in a comfortable environment. Every privately-run business should have the right to run their business and serve the type of customers they wish to serve.

Tom Behr is owner of Pazzo's Pizza Pub on South Limestone Street. His views do not necessarily represent those of the Kernel.

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