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Volunteers rush to aid Arboretum

More damage since weekend: Arboretum-owned pickup truck tires slashed, headlights broken

By Sarah Wilmoth
CONTRIBUTING WRITER

Dozens of workers and volunteers continue to clean up the garden area at UK's Arboretum after what police called the worst of several recent acts of vandalism at the park.

Between 3 a.m. and 7

a.m. Saturday, police said vandals entered the Arboretum on Alumni Drive and dumped bleach into the pond, killing around 50 fish.

Travis Manley, unit commander of communications for UK Police, said vandals also knocked down two rock walls, uprooted signs and several wooden benches and

destroyed numerous flowers, plants and pots.

The damage was reported around 7 a.m. Saturday. Manley said police have spent more time patrolling the Arboretum in the past few weeks.

The vandalism occurred after officers on duty left the Arboretum around 3 a.m. Saturday to respond to a call about people breaking into cars at the Medical Center, Manley said.

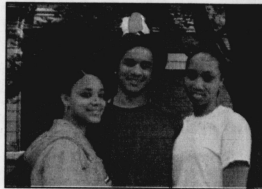
More damage was reported Sunday when a 1993 Dodge Ram pickup truck owned by the Arboretum had its tires flattened, headlights busted and windshield broken. Additional flowers, pots and a beech tree were reported damaged Monday.

The damage reported Monday marks the sixth time since June that vandals have hit the Arboretum. So

See VANDALISM on 6

WALKNTALK

Festivities: We asked students and faculty what they had planned for the 4th of July holiday weekend.



"We're going to Tailgaters and Swiss Hall (in Louisville) and hopefully eat some barbeque."

- KANIECE SUMMERS, SEAN DAVIS AND TATIANA COLLINS
INCOMING FRESHMEN



"I'm going to Milwaukee to visit my friend and going to SummerFest."

- STEPHANIE LUNING,
NURSING SENIOR

"I'm hoping to find some parties or I may go to the lake."

- JENNI KIDD,
INCOMING PRE-PHARMACY FRESHMAN



"Going to the annual Fort Thomas parade, collecting candy and listening to the fire trucks."

- KIP PERKINS,
UK ATHLETICS VIDEO SERVICES
DIRECTOR

"(Patsy and I) are going to have lunch with the UK cheerleaders. For the rest of the weekend, I'm going to clean out the closet and hit some golf balls."

- LEE TODD, JR.,
UK PRESIDENT



STUDENTS REACT TO BAN

Feelings mixed on the 11-3 city council ban on smoking in most public places around Lexington

Smoke 'em while you can

Cigarette in hand, Theresa Bayler sits in Kitty O'Shea's on South Limestone Tuesday. Smoking will not be allowed in bars and restaurants across Lexington by October.



DEREK POORE | KERNEL STAFF

By Derek Poore
SUMMER EDITOR IN CHIEF
By Jeff Patterson
MANAGING EDITOR

Smoking or non? Restaurant patrons in Lexington will no longer be hearing these words come October.

The no-smoking ordinance passed 11-3 Tuesday by the Urban County Council encompasses most Lexington public places includ-

ing restaurants and bars. The ban will be enforced by the health department.

Retail tobacco stores, facilities privately operated by non-profit organizations that have a selective membership, and private dwellings such as hotel rooms are exempt from the ban.

State-mandated smoking areas inside government buildings are also excluded from the ban. The designated smok-

ing room in the Student Center's food court will not be affected according to UK's Office of Legal Counsel.

UK General Counsel Paul Van Booven said the smoking area in the Student Center will remain.

"The Lexington city ordinance does not govern university buildings," Van Booven said. "We're subject to the same regulations now as we will be in 90 days."

Some students, such as hospitality graduate student Michael Dean, said he does not mind the non-smoking policy for restaurants.

"Smoking compounds health problems and I don't like breathing in carcinogens when I go out to eat," Dean said.

Opinion on smoking in bars was a different story. "I don't mind (the ban)

See REACTION on 6

Students enjoy closer parking during summer

By Crystal Little
STAFF WRITER

Summer school offers students many advantages ranging from smaller classes to a more laid-back atmosphere. But, an added bonus is abundant campus parking.

"In addition to all residential R-lots, the C1/R1 lot located behind Memorial Coliseum, the C3 lot located on Jerry Claiborne Way, and the C6 lot near LCC are off control until the Monday before fall semester classes begin," said Don Thornton, parking and transportation services director.

According to Thornton, permits are not required in

several residential and commuter lots during the summer because of less competition for parking spaces. "In other words, the availability of parking is much better than it is during the fall and spring semesters," Thornton said.

Telecommunications sophomore Travis Pierce said he thinks the open lots are an excellent incentive for summer enrollment. "It's free and it's closer," Pierce said. "But the situation would be a lot better if it was free year-round."

Julie Dovak, a psychology junior who works at the Student Center, said the

availability of free parking makes commuting to campus much simpler. Finding a parking spot near the Student Center during the regular semesters can be frustrating, and the select free lots make getting to work virtually hassle-free.

"I love summer parking regulations," Dovak said. "They're very convenient."

Thornton agreed that students have a much more positive attitude about UK's parking situation during the summer months.

"(There's) no doubt students and employees appreciate the fact that some lots are not controlled," he said. "Stu-

dents can park for free and some employees can park closer to where they work."

Thornton advised commuting students to keep in mind that all E-lots, EC-lots and multi-use E/C-lots are still patrolled. Students interested in parking in structures like Parking Structure 5 on Limestone can obtain a multi-use E/C lot permit from Parking Services, located on the corner of Rose and Euclid.

UK Parking information is available on the web at <http://www.uky.edu/Parking>

Weekend Outlook

Friday
Hot and Humid

86 | 71
HIGH | LOW

Saturday
Isolated T-Storms

89 | 71
HIGH | LOW

Sunday
Scattered T-Storms

90 | 68
HIGH | LOW

INSIDE

Michelle Branch's rollercoaster ride | SCENE, PAGE 2

Liz Phair disappoints | SCENE, PAGE 2

Group favors new smoking ban | DIALOGUE, PAGE 4

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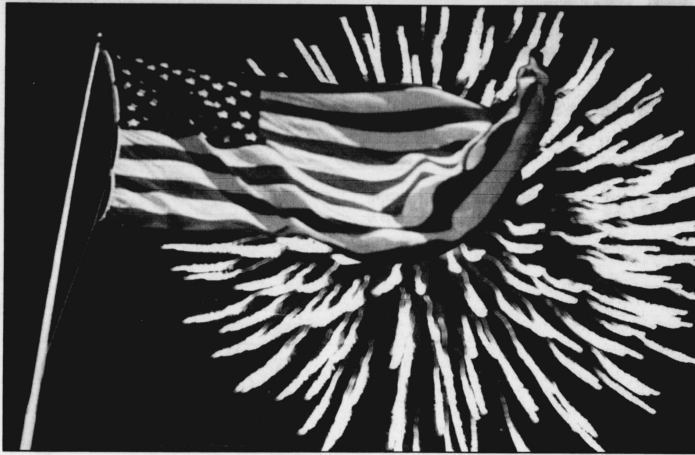


PHOTO ILLUSTRATION BY CHRIS ROSENTHAL | KERNEL STAFF

GUIDE TO THE FOURTH

Music

Patriotic Music Concert
Where: Transylvania University
on the lawn of Old Morrison

When: Thursday, July 3 at 8 p.m.
The Low-Down: The Lexington Philharmonic Orchestra will perform under the direction of Jefferson Johnson. If you plan on attending, bring a lawn chair or blanket, unless you like sitting on the grass. WUKY will broadcast the event, just in case you miss it, Friday, July 4 at 6:30 p.m.

Independent Music on Independence Day
Where: Phoenix Park

When: Friday, July 4 at 9:30 a.m.
The Low-Down: CD Central is sponsoring this free event that features local indie bands.

Band Schedule:
9:30 - 10:30 a.m.: Club Dub
10:45 - 11:45 a.m.: Big Maracas
1:30 - 2:00 p.m.: Big Fresh
3:30 - 4:15 p.m.: Apparitions
4:45 - 5:45 p.m.: The Features
6:00 - 7:00 p.m.: Mad Shadows

The Jayhawks with the Thorns

Where: Starlight Music Club
When: Saturday, July 5 at 9:30 p.m.; doors open at 7 p.m.

The Low-Down: The critically acclaimed Jayhawks will headline in support of *Rainy Day Music*. Tickets are \$15 in advance and \$18.50 at the door.

K-93 Fun Festival
Where: Cox Street Parking Lot
When: Friday, July 4 at 6 p.m.

The Low-Down: In its 20th year, K-93 brings country music to the stage. Ricky Skaggs and Kentucky Thunder will take stage around 8:30 p.m.

Parade

Where: Main and Vine Streets
When: Friday, July 4 at 2 p.m.
The Low-Down: If you like floats and watching people march, then the parade is right up your alley. Get there early if you want to have a good view of all the floats.

Bluegrass 10,000

Where: Triangle Park
When: Friday, July 4 at 8 a.m.
The Low-Down: If you like the concept of running but are not in the mood to run, then come down to watch runners from all over the area compete. The awards ceremony will take place at Courthouse square at 11 a.m.

Fireworks

Where: Rupp Arena-Cox Street lot
When: Friday, July 4 at 10 p.m.
The Low-Down: If you like to watch things go boom in the sky, you will not want to miss this fireworks display over Lexington's skyline.

Arts and Crafts

Where: Various locations downtown
When: Friday, July 4 from 9:00 a.m. - 7:00 p.m.

The Low-Down: Wander down Vine Street, Triangle Park, Phoenix Park, Transit Center and the Kentucky Utilities lot and you will find many vendors and entertainment. If you take pets, there will be watering stations for them.

Other Events of Note

BRIK City takes place Friday, July 4 at Phoenix Park at 9:30 a.m.
The Big Wheel Derby on Main Street at Limestone will roll July 4 at 9:45 a.m.
The Declaration of Independence will be read at Courthouse square at noon on July 4.

IN YOUR EAR

Musicreviews

Michelle Branch *Hotel Paper*

By Jeff Patterson
MANAGING EDITOR



Rollercoaster rides are fine and dandy. But when an album takes you on a rollercoaster ride, it is typically not a good thing.

Michelle Branch's sophomore outing, *Hotel Paper*, takes the listener on a coaster ride that starts with neck-jerking energy but ends up stalling halfway through the ride.

"Are You Happy Now?" and "Find Your Way Back" set the tone that Branch is a bit more than a one-hit wonder. "Are You Happy Now?" is Branch's sweet-

sounding angst-filled letter to some guy she's crushing on.

However, Branch falls flat by the sixth track, "One of These Days." The energy is gone and so should be the desire to listen to the album.

Hotel Paper is an album of a young woman battling through the rigors of the love game. If that fits you, then the album is worth the listen.

Grade: C+

Liz Phair *Liz Phair*

By Kent Mulcahy
CONTRIBUTING CRITIC

This is an easy album to like. The guitars are in tune, the vocals are in tune along with the sugary sweet harmonies, the famous producer is comfortably seated at the control board, the photos are sexy and the singles have been selected and sent to all the pop radio stations. This is the new self-titled Liz Phair album.

This is the new Liz Phair album? Since when did she learn how to sing? Since when did she know how to make an easy-to-like album? One of the attractions of past Liz Phair albums was the difficulty of the listen.

If this were the debut album from Avril Lavigne, it would have been a solid pop-fluff throwaway album from a female pretending to be a musician and wanting to make a little money. As it stands, *Liz Phair* is undoubtedly

the most disappointing album of the year. I firmly believe no album will eclipse its achievement.

I'd take the time to specify why certain songs are horrible, but they're all the same...just like all the current Michelle Branches and (as of recently) Jewels out there. Each song could be a popular radio song. I want Liz Phair to want to rock and recruiting The Matrix (Avril Lavigne) to produce your album is not the way to go about it.

This very well may be the album Liz Phair wanted to make. I'm sure she'd tell you that. But I'd love to take this album back in time to 1993 around the time that her classic *Exile in Guyville* came out. I'd make her listen to this album, not tell her who it was, then ask her to grade it. Surely, she'd give it an "F" within the first five songs. Well, imaginary Ms. Phair (I'm referring to the circa 1993 version)... I'd have to agree with you.

Grade: F

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Question & Answer

Cohen energetic about next season

Glass always half full:
Cohen prepared to meet expectations from UK

By Terra Ramsdale
SPORTS WEEKLY EDITOR

John Cohen, UK's new head baseball coach, is full of life, energy and a positive outlook. As a replacement to Keith Madison, Cohen knows that he has some big shoes to fill and hopes that he can bring the same success and respect to the program as Madison did.

"Coach Madison and I, I think in some ways are a lot alike," Cohen said. "He is first class in everything he does, his players are disciplined and he has a tremendous work ethic. But in a lot of ways we are very different too. I think the similarities and differences are good things."

Cohen recently sat down with the Kernel to help give insight into his personality and his plans for the Bats.

What was the deciding factor that brought you to UK?

I think the biggest part of it was the university itself and the great athletic tradition here. And the other part of it was, quite frankly, the athletic administration. Mitch (Barnhart) is a great leader and the whole staff is very innovative. They use the word commitment a lot and everything they said they were going to do, they have done.

Both the fans and the media place a lot of expectations on UK sports, how do you feel about those expectations?

I've been to several different places. At the University of Florida there are a certain set of expectations and when you are at the University of Kentucky there are



MATT GOINS | KERNEL STAFF

New coach

Cohen, former assistant baseball coach at the University of Florida, hired last week to replace Madison as UK's new head baseball coach.

expectations, they are just different expectations. Every place has its own challenges, and I think UK has different challenges. It's all about perspective and it's all about the glass always being half full.

What do you plan on doing to bring more fans to the games?

I think you have to be creative and I think you have to win. Creativity from the standpoint that you have to make it more appealing to senior citizens and junior citizens. They really are the best baseball fans because they have the most time. The winning part of it is that our (players) have to have tremendous pride in the fact that we can step on the field and compete and beat anybody in the entire country.

How do you feel about the facilities at UK?

I feel indebted at this point to Keith Madison. He really wore the responsibility of creating a SEC caliber facility here. Before, not being critical, Coach Madison built these facilities with not a lot of support, and now it is very much a SEC facility. I

think it is beautiful and I think the fans are going to enjoy it, but we are not done yet. I think there is going to be tremendous changes in the facility in the next couple of years that are going to make it even more appealing.

What type of players will you and your staff try to bring to UK?

The type of player that we are looking for is a young man who is mentally tough, someone who loves the game more than loving the idea of being a college athlete. We are looking for young men who treat baseball as a passion, not a hobby. The thing about coaching young men between the ages of 18-22 is that they are constantly seeking something different. It is tough to keep young men motivated, so I think changes can really motivate young men.

Do you feel that you have an advantage having coached in the SEC before?

I think any time you are entering uncharted waters, meaning an assistant who

PROFILE:

UK BASEBALL HEAD COACH JOHN COHEN

Name: John Cohen
Birthdate: September 21, 1966
Family: Wife - Nelle, Daughters - Jordan and Avery
Educations: Undergraduate degree in English at Mississippi State, masters in education at the University of Missouri

Coaching experience: Played for the Twins organization for two years, coached at University of Missouri for four years, Northwestern Louisiana for four years and assistant coach at the University of Florida for two years.

Role models: Bear Bryant, Ron Polk and John Wooden

Greatest moment in sports history: 1978 NCAA championship team, UK

Favorite baseball movie: The Natural

First childhood memory: Neil Armstrong walking on the moon

becomes a head coach, there becomes a learning curve. I've already been a head coach, so I think the learning curve is much smaller. If you are from outside the SEC, there is a learning curve. I've been in the SEC as a player and as a coach. There is always a learning curve when you are in a new environment. The whole issue to me is to make that learning curve as small as possible and in as short a time frame as possible.

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Noah Hamblin
CONTRIBUTING COLUMNIST

Patriot Act violates common rights

As the Fourth of July draws near, our freedom and our rights should be evaluated and addressed.

The Bill of Rights is an important part of American history. Numerous states refused to ratify the Constitution until a bill of rights was added. People of this time period feared governmental power in the hands of a few because of the remembrance of the dictatorship of British monarch King George III.

Usually, our government strives to ensure that its officials do not abuse their power and try to protect our freedoms guaranteed by the Bill of Rights. However, there will always be public officials who violate their power and actions will be committed by the government to eradicate our freedoms.

This brings about the question of the Patriot Act. The Patriot Act, also known as the Uniting and Strengthening America by Providing Appropriate Tools Act, came into existence on October 23, 2001. It was designed to protect U.S. citizens from acts of terrorism.

The concept of protecting citizens is an admirable and necessary goal. There is a fine line, however, between protecting U.S. citizens and overlooking our freedoms.

According to the Patriot Act, domestic terrorism is defined as (1) anything intending "to intimidate or coerce a civilian population," (2) anything intending to "influence the policy of the government," and (3) anything that "involves acts dangerous to human life." By this definition, protest groups could be considered in violation of the Patriot Act if the organizations block streets or if violence occurs during their protests. These organizations could face prosecution under the Patriot Act for holding public demonstrations and for utilizing their freedom of speech.

What justification does our government have to stop a protest? Protesting is a right for U.S. citizens and also a part of our history. Our country would not have progressed in its endeavor for equality of life if it were not for the protests that occurred during the civil rights movement. To violate this freedom indicates that our government is abusing the power vested to them by the people.

The U.S. government needs to revise the Patriot Act's description of domestic terrorism. The vague wording allows for a vast amount of groups and actions to fall within its definition.

Even on a smaller scale, the Patriot Act violates our inherent freedoms. The Patriot Act provides our government the right to examine our medical history, our banking information, the books we check out from public libraries and even the sites we visit on the web. The government is capable of viewing this information without our consent or our knowledge. You do not even have to be suspected of a crime for them to obtain this information.

Furthermore, the Patriot Act gives the government the right to search our homes and seize personal property regardless of our innocence. Because of the Patriot Act, the government can track and listen to our phone calls—even those made on our cell phones. The government also has the right, under this act, to view our e-mails.

And, obviously, the government does not need search warrants or other forms of permission to do any of this.

This is clearly a violation of the Fourth Amendment. The Fourth Amendment states that "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

In short, our government has imposed an act that violates our given rights. By violating our rights, the government has overstepped the limits of their vested power.

The Bill of Rights, considered one of the most important documents in American history, is constantly being overlooked by our own government.

Something must be done, before all our freedoms are eradicated.

Noah Hamblin is a journalism senior. His views do not necessarily represent those of the Kentucky Kernel.



READERS' FORUM

Expressions

Personal health is a matter of necessity not a matter of choice

To the editor:

In your recent editorial, "Smoking ban should be left to owners," your summation was simple and to the point: the argument, you say, boils down to personal choice and restaurant and bar owners should decide whether or not to go smoke-free.

What about public safety? What about the health and safety of restaurant employees? What about the real-world implications of secondhand smoke? Where does choice come into any of these life-threatening situations?

In the 4,000 reported chemicals in cigarette tobacco, there are 43 known carcinogens. Restaurant workers (anywhere from nine to 13 percent of the population, depending on which study you accept) breathe carcinogens every hour of every day they work. They have no respite unlike others who might do as you suggest, "exercise their choice," and go elsewhere. These are typically women and minorities who inhale the equivalent of two packs of cigarettes per day.

Everyone else in the

restaurant is at risk as well. Though the smoky haze may seem to clear, carcinogens linger. There is no air-handling system available that can safely remove the poisons from the air, so the idea of a smoking vs. a non-smoking section is the equivalent of a screen door in a submarine.

You also suggest Kentucky's smoking rate as a reason to let choice rule. You rightly note that one in four Lexingtonians smoke, and you do it as if that is a prize. Kentucky has many firsts that offer little of which to be proud. Its smoking rate is among them, as is its highest incidence of cancer in the country, the highest number of high school-aged smokers and the highest number of middle school-aged smokers. These are not statistics one would typically boast, especially given that so many of them will die prematurely.

Beyond the health risks smokers cause for everyone, there are economic factors. Every person in Kentucky pays taxes annually—hundreds of dollars' worth—to pay for smokers' "rights" to

exercise their unhealthy choice. The total cost to the government is over \$1 billion, with the state putting up \$380 million annually for smoking-related Medicaid costs. None of us have a choice in this; there's nowhere on our tax returns to check off whether or not we want our tax dollars going to support smokers and the big tobacco companies.

A restaurant or bar owner has a responsibility to offer a safe and secure environment to his or her patrons. He or she would not let ammonia, benzene or formaldehyde anywhere near diners, yet that is exactly what happens every time a smoker exhales... along with thousands of other chemicals and compounds. As for the argument that smoking bans cost business, there is virtually no evidence that this is the case.

Business and economic studies conducted across the country in smoke-free cities, restaurants and other businesses find no loss of business. In fact, anecdotal evidence points to the opposite—when 30 percent of people

smoke and 70 percent don't, chances are business will go up when patrons can actually taste the meal they have ordered, or don't go home smelling like an ashtray.

There is no choice here, only personal safety concerns. Smoking kills people. Secondhand smoke kills people. People should not have to make choices about their personal safety, yet as long as they are at the mercy of poorly informed business owners and pressures placed by big tobacco companies, there is little choice but for government to step in.

In a perfect world, owners would respect the majority of people who want smoke-free places to eat, gather and socialize, but this is anything but a perfect world. So, sometimes doing the right thing requires a nudge.

Public health is not a matter of choice. It's a matter of necessity.

JOEY ISERT
KENTUCKY ACTION

There is no choice here, only personal safety concerns. Smoking kills people. Secondhand smoke kills people."

City Council needs to re-think smoking ban

After years of research, lawsuits and the irrefutable evidence of oxygen tanks and emphysema, the cat's out of the bag; smoking is bad for you. Even those who smoke seldom disagree.

Laying health concerns aside, smoking is still a nasty habit. It smells awful, stains teeth and nails yellow, and in poorly ventilated areas makes it difficult to breathe, let alone eat.

So, from a purely public health standpoint, the city council's decision to ban indoor smoking in Lexington is a good thing. It will decrease exposure to second-hand smoke, and it may even encourage smokers to smoke less frequently, a boon to their health.

Unfortunately, the issue is not that cut-and-dried. The council's decision, which will take effect by October, is a bad one for Lexington, and the reason has little to do with the merits of cigarette smoking.

The real issue at stake is the concept of personal choice versus the disproportionate power of city government. In one bold stroke, city leaders have taken the decision to permit or prohibit smoking out of the hands of business owners, and have taken the patronizing approach of telling Lexington's smokers that they are not welcome in any business in our city.

For some businesses, such as Wynagh's, the Fish Tank,

and Tolly-Ho, smoking is such a part of the, er, ambiance that it's hard to imagine these establishments thriving under the smoking ban. For others, such as Nicholson's Cigar Bar, October will be the end of the line.

Unfortunately (fortunately?), a majority of Lexingtonians do not smoke. This may be hard to believe on a Friday night near campus, but it's the truth. It's also true that non-smokers have little or no reason to oppose the ban.

However, it is the job of city government, or any government for that matter, to both serve the majority and protect the rights of the minority. Taking moderate steps to prevent exposure to second-hand smoke is one thing; to deny smokers their rights in every business in this city is going too far.

The smoking ban in Lexington is hardly a new concept. Many cities all over the country have taken similar steps. However, the more far-sighted among them have exempted some institutions, such as bars, preserving in some small capacity an owner's right to determine his business' smoking preference.

By making no such exemptions, Lexington's leaders have demonstrated their preference of ideology over prudence. College students who smoke will find bars that accommodate their tastes, even if those bars are located in Lexington's hinterland. To borrow a bit of conventional wisdom from the wet-dry debates that have proliferated in our state, it doesn't serve our city well to have students drive, rather than walk, to their bar(s) of choice. This lesson brought to you by the letters "D", "U" and "L".



Andrew Grossman
KENTUCKY COLUMNIST

It is vital to separate the debate over the merits of smoking from the debate over the smoking ban. For better or worse, nicotine is a legal drug, and it is not the place of city government, perhaps the lowest-profile and least representative of government systems, to dictate to private business owners what they can and cannot allow in their establishments. Most who live in Lexington do not vote in city council elections, and most cannot even name their representative on the council.

I predict that when this ban goes into effect, when businesses lose an estimated 20 percent of their revenue, when Nicholasville Road becomes (even more) congested with traffic to and from the Jessamine County bars, people will start paying attention to our city council, though not the sort of attention they'd prefer.

If there is such a groundswell of support for non-smoking bars, I challenge the activists who have forced this measure through to try opening a few of them, just to see how successful they are against their smoking competition. Considering that a majority does not smoke, the fact that most bars allow smoking, and thrive despite it, is very telling.

I urge Lexington's council to re-think this patronizing and irresponsible decision.

Andrew Grossman is a political science and history senior. His views do not necessarily represent those of the Kentucky Kernel.

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crossword puzzle

ACROSS 62 Honeyuckle, 1 Fern leaf, 6 Pearled, 63 Chateau feature, 10 "a hike", 64 Light lunch, 15 After a while, 65 This, in Barcelona, 15 1977 whale mouse, 66 Get a ticket, 67 Blackboard, 17 Nautical position, 18 Friendly, 19 Shuck peas, 20 Has fun, 22 Brink, 23 Square of glass, 24 Clear, as profit, 25 Director, 26 Savings, 30 Enchant, 34 Church table, 35 Bow, 36 Ipanema's city, 37 Frankenstein's goffer, 38 Bronze coins, 40 Space procedure, 41 Crap's Abner, 42 Guiso, 43 Feasible, 44 Gym shoe, 45 Tawdry o'clock, 46 Koan discipline, 26 Metal fasteners, 12 Vein of coal, 50 Festival, 53 Charming organ, 28 Took legally, 59 Skating jump, 29 Asphalt, 60 Bunch of cows, 31 Footstep, 61 Literary, 30 Accused, in dates, 62 Down, 1 Tox has ty, 2 Infection, 3 Primmager, 4 Roman emperor, 5 Medicine chest, 6m, 7 Hunter's sound, 8m, 9 Humidity, 10 Papete's, 11 Spicing powder ingredient, 12 Brown seaweed, 13 Unwieldy, 14 Drop, 15 Metal fasteners, 16 Toy, 17 Converse, 18 Footstep, 19 Accused, in dates, 20 Acorn bearer, 21 Yanked, 22 Males, at rotation, 23 Advanced, as cash, 24 Prince Valiant's, 25 Out loud, 26 Vast Coast, 27 Explorer's need, 28 Converse, 29 Shrub, 30 56 Jagger's other, 31 Recurred, 32 Play - (be absent), 33 Cable channel, 34 Males, at rotation, 35 Hearing, 36 Advanced, as cash, 37 Prince Valiant's, 38 Out loud, 39 Vast Coast, 40 Explorer's need, 41 Converse, 42 Shrub, 43 56 Jagger's other, 44 Recurred.

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REACTION

Continued from page 1

in restaurants, because I don't like smoke around when I'm trying to eat," said Kat Collier, a 21-year-old communications student. But she still said she would like to smoke in bars.

Others understand how non-smokers feel on the issue.

"In restaurants it wouldn't bother me at all," said agriculture communications student Adam Templeton. "I know how non-smokers feel."

Co-owner of Lynagh's Pub on Woodland Avenue, Gina Scott-Lynagh, said she believes business will suffer. "It's hard to state a figure because we've never had to endure this before," Scott-Lynagh said. "The ban is not going to hurt lunch, where it's going to hurt me is late afternoon and the regular crowd."

Scott-Lynagh said she believes the issue is not for the government to decide.

"The issue is that the business has a right," she said. "This is a right of choice. If you don't want to come into a place with smoking, then don't come in. I believe the city council has



DEREK POORE | KERNEL STAFF

Communications student Kat Collier, 21, smokes outside the Grehan Journalism Building. Students have had mixed reactions to the no smoking ordinance, which will take effect by October.

overstepped their boundaries."

Scott-Lynagh believes business will begin to drop off shortly after the ban is enacted.

"(We'll) see a difference in three months after October," she said. "On January 31 they (city council) will know the effects. This is going to affect all the small business people."

WHEN

Ordinance expected to be in place by October

WHERE

Most public places
Bars
Restaurants
Bowling Alleys
Pool Halls

FINES

The health department will impose increasing fines for each offense:

1st offense: \$100
2nd offense: \$250
3rd and each thereafter: \$500
Persons that refuse to stop smoking could be charged with trespassing if they do not leave when asked

VANDALISM

Continued from page 1

far \$11,000 worth of damage has been done, Manley said and all of the acts of vandalism have occurred at night.

Manley said no strong leads have developed yet indicating who might be responsible for the acts of vandalism.

"We're inclined to think it's the same people," Manley said. "We have officers working overtime out there. It's nearly impossible based on the Arboretum's sheer size to cover all of it, so we're concentrating on the garden - the main area."

Kim Hanna, a integrated strategic communications and history junior who is doing work-study at the Arboretum this summer, said she feels that it's easy to vandalize.

"It is such a beautiful open space, but I guess that can be a bad thing because it is so open," Hanna said.

Arboretum staffers were shocked and angered by the damage done this past weekend.

Particularly disturbing to many was the fish that were killed. Susan Capley, a

horticulturalist for the university, said that a lot of the fish had been in the pond over four years and were like pets to the Arboretum staff and to the children that visited them.

"When I heard the fish were dead, I wanted to cry," said Capley. "It's disheartening and shows that these people have no regard for living things. That really disturbs me the most."

Arboretum director Marcia Farris said that although the vandalism was discouraging and it will take some time to restore the garden, she was grateful for the large number of volunteers who have assisted with the clean up.

"It was terrible to find things destroyed because this is a labor of love that we put in here, but everybody's been so helpful in helping us put things back together," Farris said. "We've had lots of calls and e-mails from people expressing sorrow. There was a little boy who came out with his grandmother. He wanted to tell me how sorry he was because he loved the fish."

While dozens of volunteers and visitors to the Arboretum have pitched in by cleaning up the garden, other individuals have volun-

teered assistance by offering donations and their skills.

The Arboretum has received numerous calls from local businesses and individuals offering to donate fish to replace those that were killed, Farris said. Dry Stone Conservancy, a Kentucky-based masonry organization, plans to put a call out for people to volunteer to help with repair of the rock walls that were damaged. Chet Ulm, a local mason, also volunteered to help repair the wall in his spare time.

Farris said she was impressed by how quickly people began responding when they learned of the damage.

"It's really been quite a response," she said. "Twenty minutes after the damage was reported Saturday morning, seven volunteers showed up. It was pretty quick."

Although they were discouraged by the destruction, Arboretum workers said they are determined to move forward and repair what was hurt.

"We're all determined that we're going to go on," Farris said.

Capley said she hopes the vandals are caught soon before they decide to do any more damage. She said she thinks that more people will

be keeping a watch over the Arboretum until the case is solved.

"I think a lot more visitors are going to be checking on the place and there will be more watching out," Capley said. "Thank goodness there's a lot of volunteers helping us. People really do care about this place and realizing that has been something positive that's come out of all this."

Recent vandalism damage at Arboretum

June 9: Two glass panels broken out of visitor's center

June 13: Four wooden benches and a picnic table damaged

June 15: Two glass panels damaged at visitor's center; donation box stolen

June 28: Flowers, plants and pots destroyed; wooden benches damaged; two rock walls damaged; bleach poured into pond killing nearly 50 fish

June 29: Tires flattened, headlights and windshield broken on a 1993 Dodge Ram pickup owned by the Arboretum

June 30: Beach tree, flowers and pots damaged

Source: UK Police

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