S. Senate can’t override condom dispenser veto

By Kim Holweger

An attempt by the Student Senate to gain a two-thirds majority and override an ASI presidential veto regarding condom dispensers on campus failed Wednesday by one vote.

The veto, handed down Tuesday by ASI President Kevin Swanson, was upheld by the senate 14-8. In other action, the senate passed a resolution that will promote awareness of AIDS and sexually transmitted diseases.

Last week, the Student Senate passed a resolution enabling the sale of condoms in public restrooms on campus by a vote of 12-11. At that time, Swanson voiced opposition to the passage of such a resolution.

In a memo announcing the veto, Swanson suggested that condom dispensing machines on campus would "have a real capacity to serve as an advertisement for sex." The memo also stated that increased availability of birth control "increases single parent rates, abortion rates and rates of STD (sexually transmitted disease) in young people."

Swanson also brought up the consideration of failure rates of condoms, and stated that he is "not convinced" legal availability would adequately motivate the promiscuous to use condoms.

In conclusion, the memo said: "It is my firm belief that education is the only real solution for the epidemic."

Once again, lively and extended debate accompanied the condom dispensing issue. Senators brought up concerns as to whether the votes being cast were representative of the feelings of constituents, or simply of each senator's personal opinion. Also, the issue of voting on condom use as a moral instead of a health issue was addressed.

Steven Merck, senator from the School of Architecture and Environmental Design and opponent of the condom dispenser resolution, said he had voted not on moral grounds, but "on the way we're handling the issue."

Merck said many students had voiced concerns about "seeing condom machines all over," and suggested limiting the locations where the dispensers would be placed.

Frederick Hunt, senator from the School of Business and author of the resolution, said that AIDS has passed the epidemic stage in the United States.

"The sacred life I'm preserving may be my own, or it may be someone in this room," Hunt said.

John Ryan, senator from the School of Agriculture, provided a campuswide education and awareness program about AIDS and STDs to be developed by ASI and the administration. The resolution was brought to the status of business item after rules requiring one week of discussion.

Ray's camaraderie makes barber popular

By Victor Allen

With the continuing trend of short hair styles, there's one place in San Luis Obispo that remains a favorite. The components of its success are quality and variety along with the unique character of the man behind the clippers.

At Ray's Barber Shop the philosophy is "what you want is what you get." But what really makes Ray's unique is the camaraderie between barber and customer that Ray Pierce offers.

"I work on a more personal basis with my customers," said Pierce. Some people walk into a place to get their hair cut and not a word is spoken, said Pierce. "I enjoy what I do," he said, "and like coming to work Tuesday mornings."

Civil engineering major Steve Wagner has been a steady customer for more than two years. "You get a good, short cut and you can't beat the price," said Wagner. He considers Pierce the perfect barber at $6.

"Ray is up on current student events," said Wagner. "He knows what's going on and keeps things interesting. He's also a character."

Wagner described Pierce as a "middle-aged, gun-toting, good ol' boy. Ray is the type of guy you go out and have a beer with," said Wagner.

Pierce's daughter and co-worker Paige Pierce states her father's popularity in simple terms. "He gives good haircuts and he likes to party with all the students," she said.

"One time a bunch of guys from the ROTC came at night," said Pierce, "and brought three cases of beer."

Without much advertising, word of mouth is how Ray's has become so well known in college groups. "We're recommended by our customers," said Wagner.

Ag council asks grads for good behavior

By Anna Cekola

The School of Agriculture student council unanimously passed a resolution Tuesday encouraging graduating seniors from the school to exercise respectful behavior during upcoming graduation ceremonies.

Ag council chairman John Gilliland said the resolution is a positive way to help promote appropriate ceremony behavior and to prevent obnoxious and obscene actions. The general statement does not require enforcement.

"The School of Agriculture is the first to be recognized during the ceremony, so we set the tone and precedent for everyone else," Gilliland said. "Ag council passed a resolution like this about three years ago, and the deans and department heads seemed to think it worked."

Gilliland said all agricultural seniors will be notified of the resolution, which asks that students remember past action.

Freedom of a different kind

Living at home: a trade-off

By Monica Fiscalini

Mommy's boys and daddy's girls live at home, right? Well, not really. For many Cal Poly students it is necessary for economic reasons.

Cal Poly students who live at home say the major advantage of living with their parents is the free room and board. Although most say they get along well with their parents, they aren't staying because of Mom and Dad.

Frank Warren, a communication junior, has encountered people who have the wrong attitude about his situation. He said the
The sound of music — full blast

I went over to a friend's house not long ago and the stereo was going full volume. "What is this?" I yelled. "It's heavy metal, dude!" "Sounds more like heavy auditory damage." "Never heard of them, man. What's the name of their album?"

"Never mind. What band is this, anyway?" I asked.

"Lingering Illness. Pretty gnarly, eh?"

"Sure, if you like distortion ... Say, do you have to play this so loud? I'm getting a headache."

"But, dude, it was meant to be played loud."

"That's the saddest excuse I've ever heard."

"Wait. It's written right here on the label. Warning: This record should only be played at volumes greater than 8,000 decibels."

"I think that's supposed to be a joke," I said.

"No way, dude. These guys are serious musicians."

"Yeah, but you're half deaf."

I had a roommate who used to crank the stereo every day so he could hear it in the shower. I put up with it because it usually drowned out his singing but it must have driven the neighbors crazy. I used to imagine what would happen if they were pounding on the front door and no one was able to hear them.

After knocking and knocking, they called the police and the cops sent out the SWAT team.

"Chief, I think we've spotted the stereo against the far wall."

"Ain't for the stylin'."

"Can't. I think it's a CD player."

"Darn. We'll have to go in with the battering ram."

So the police are all ready to break down our door; my roommate strolls out to check the weather and see if he can wear shorts to class. He stands there, dripping wet and wearing only a towel, surrounded by every neighbor within three blocks.

"Is the stereo too loud?" he says.

"No. Could you turn it up a little? We're having a party down the street and people are trying to dance."

You know your roommates play the stereo too loud when you ask your parents for 500 square feet of acoustic tile and a set of ear plugs: for Christmas. I should have realized I was in trouble when I model and noticed my roommate's speakers were bigger than the refrigerator, or when I came out of the bedroom to tell him to turn his speakers down and he was using headphones.

I'll never forget the first sonic boom I heard in college. I thought a jet from Vandenberg had flown by until someone informed me that my neighbor had turned on his roommate's stereo without checking the volume.

If you ask me, I think they made a mistake when they named speaker components woofers and tweeters. They ought to be called shouters and screamers. If you gave a political science test and one of the questions was, "Who is the speaker of the House?" nine out of 10 people would answer: "Alpine."

Frankly, I don't know what causes this fascination with loud music. Why don't people just go to the airport and listen to the jets take off? It's a hell of a lot cheaper. Let's face it. I'm just one of those people who will never understand the necessity of a sound check at 1:30 in the morning.

With the overwhelming popularity of loud music, there's only one thing for people like me to do: Buy stock in a hearing aid company.

Some suggestions for fighting the Greek jinx

Editor — For years now, the Greek element has dominated Poly social life. It is impossible to get a date without Greek letters. But there are two alternatives. GDI and Cuesta College girls. GDI is an underground fraternity with chapters in every university and dedicated to the overthrow of the Greek system. Upcoming activities include the Robert E. Kennedy Library Bar Hunt and Thrash-a-Greek Week. And while Cuesta girls may not be as good-looking as Poly girls, at least they are not lesbians.

BENSON CHAN
TED TOKUMOTO
ALLYN TROSI
MITCH TAYLOR
BRYAN PETERSON

Letters must be submitted to Room 226 of the Graphic Arts Building.

BLOOM COUNTY

by Berke Breathed

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Rural speed limit is now 65

SACRAMENTO (AP) — For the first time in 13 years, California motorists will legally be able to drive 65 mph, under legislation signed Thursday by Gov. George Deukmejian that boosts the speed limit on 1,160 miles of rural highways.

The higher limit affects most of Interstate 5, California’s main north-south artery, between Bakersfield and the Oregon line, and another stretch of Interstate 5 between southern California and Las Vegas, Nev.

The new limit goes into effect as soon as new signs are posted, and Transportation Department Director Leo Trombato said they could be up as early as Friday.

As he signed the legislation, Deukmejian said: "There are a number of us who have urged this change in the law for some time, recognizing that it is, first of all, safe for the motorists." He was flanked by a large 65 mph road sign that he unveiled along with the new legislation.

Tax bills on way to Assembly

SACRAMENTO (AP) — Two competing bills that supporters say would make state tax returns simpler and lower taxes for most citizens are on their way to the Assembly after getting bipartisan committee approval.

The bills, generally, would reduce the number of tax brackets, end a broad array of deductions and eliminate many tax shelters.

While each bill would reform California tax law, differences remain which will be settled by the full Assembly.

BARBER

From page 1

Eric Carman, an electronic engineering major, said Ray's is like a hometown barber. "It's a business for about 26 years."

"It's the similar type of throwback to a different time. He said Pierce used to keep my hair short ... I'll keep my hair short ... I'll keep coming to Ray's."

"I was surprised to find a lot of students been as busy or busier and was always surprised to find a lot of students on the south end of town."

But Pierce does miss his old location on Monterey Street where the Quality Suites now is in our best interest to treat the loss of individuality."

Economics major Will Hayes said Pierce and his shop are a friendly atmosphere as well as the usual. "I can do 12 regular cuts to eight flat tops," he said Pierce.

Pierce’s moved about two years ago to its current location on Parker Street. Pierce said it’s been as busy or busier and was surprised to find a lot of students on the south end of town.

Pierce does miss his old location on Monterey Street where the Quality Suites now stand. "A place like that can't be replaced," he said. Pierce used to be able to see students drive up the street and honk as they passed by the shop.

His new location has kept the friendly atmosphere as well as the old. Pictures of students and other customers decorate the walls and the background music is a local country station.

Economics major Will Hayes said Pierce and his shop are a throwback to a different time. He knows a lot of people who go to Ray’s and said, "As long as I keep my hair short ... I'll keep coming to Ray's."

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Four-page Arts and Entertainment Magazine for May 29, 1987

Camper Van Beethoven

Being rock stars isn't that hip a thing to this band; they've had success in the music world, but they've also made fun of it

When the rumor first surfaced that Camper Van Beethoven was coming to San Luis Obispo, many fans of independent, interesting and original music were undoubtedly thrilled to the point of decadence. Together since 1985, Camper Van Beethoven hit the underground music scene with such songs as "Take The Skin Heads Bowling," "Where The Hell Is Bill?" and "(Don't You Go To) Goleta."

This band, however, is much more than the novelty the song titles imply. Far-out ventures into Eastern-influenced psychedelia, folk violins, and even work with guitar experimenter Eugene Chadbourne add musical intelligence to lyrics far enough to the left to be thought-provoking.

Guitarist, bassist and violinist Jonathan Segel explained more about the band and possible implications caused by being on the brink of some big musical deal.

"I think a lot of people don't take us seriously enough. I mean, we're to a certain extent not serious, but beyond that we are very serious about what we're doing," Segel said. "A lot of people just think we're clowns and that we're just stupid or making a joke at our own and anybody else's expense. There's actually a lot more to it than that... there's another level to our songs. We're not trying to be didactic, but we are trying to illustrate that there's much more to music than a fashion scene, or there's more to music than what style it may be."

Despite deeper intentions, earlier songs have associated the band with a novelty image.

"That was a real problem when we put out that first record. We didn't even realize at the time that songs like that would be 'hits.' We were really scared that people would end up thinking we were a novelty act, because we really do write a lot of songs."

An intellectual experience, however, is not what Segel said audiences should expect to encounter.

"I'd rather see people dancing, than sitting back scratching their chins. People listen to music in a lot of different ways, but dancing is the universal way to figure out if people are enjoying themselves."

A recent tour in England brought response which Segel said could have come from any city in the United States — the only difference being the British accents. Even musical trends can be parallelled, he added.

"In the American underground as well as the major labels, we have this image of reinventing rock 'n' roll every two years. Well, in England they reinvent pop music and it's like really hip, a very trendy thing. People reinvent pop music, then they're really hip to magazines like Melody Maker and New Music Express... you know like 'these guys are gods.' Then they do their show in London, and three weeks later NME says, 'These guys stink, and how could anybody have been into them because the new gods are...'."

European audience response, especially in Germany and Holland, proved to be a bit more eccentric and weird.

"In Germany we got our best response, or at least one we understood. In Holland we received good responses, but responses we didn't really understand because they mostly just sat around and watched, I guess because they were all stoned... It's hard to play for people who think they're watching you on television."

Combined progressions onto new continents, expanding technical musicianship and psychedelic drugs have led the band to a recent third album

By Anna Cekola, Staff Writer
Friday, May 29, 1987 Mustang Daily

**CALENDAR**

**THEATER**

Goodman, Goodman and the G, a one-act play written and directed by Cal Poly graduate student Carl Gilberg, is playing this weekend in Room 212 of the H.P. Davidson Music Building. Performances are tonight and Saturday at 7 p.m. Tickets are $2 and are available at the door.

The Great American Melodrama's latest feature is *Saga of Roaring Gulch*, playing through May 31. Call 489-2499 for information.

**SOUNDS**

Camper Van Beethoven, the darling of the alternative music scene, will make its first Central Coast appearance at *The Spirit* Thursday night. Known for its originality and devil-may-care attitude, the band has done such hits as "Take the Skinheads Bowling" and "Where the Hell Is Bill."

Violinist David Abel and pianist Julie Steinberg are the featured performers in the final Quinnesence concert of the season. The program is Saturday at 8 p.m. in the Cal Poly Theatre. Tickets are $6 for students and $8 and $10 for the public, and are available at the door or by calling 546-1422.

In bars and around town this week:

Tonight at the Darkroom, Robert Aguilar and Das Lowy will play during happy hour, with Fryer Duck and The Rain Dawgs taking over for the rest of the evening.

Saturday at the Darkroom, *Search 4 Food* will be on stage, and the country-western sounds of *The Bumpers* will be on hand at *The Spirit*.

At Shenandoah, *The Release* will play through Sunday.

Later on this week, Andy Taylor of Duran Duran fame will make a special appearance at the *Spirit* Sunday night.

Perfect Stranger will be on stage Monday and Tuesday night at Shenandoah.

Reggae band *Crucial DBC* will make another appearance at the Darkroom Tuesday night.

Wednesday, the Darkroom has Secret Service, with Demot taking over for Thursday.

The Bumpers return to the Spirit Wednesday for the traditional country-western night. The show starts at 8; tickets are $6 in advance, $8 at the door with $1 off for KCPR membership card holders.

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Graphic Arts Bldg.
Painter catches eyes with the unusual

By Carolyn Duvall, Staff Writer

"I like to do performances along the highway sometimes — in a silver square dance dress with a bucket over my head and holding a divining rod — usually at dawn or dusk because it's more mystical then," said a visiting artist Monday at her slide show and gallery exhibit. Mary Ann Bonjorni is a painter and sculptor from Wyoming who uses unusual mediums to portray her images of the American Northwest. She has several recurring themes in her works, most notably floating figures, "blowing-up houses," horses, and everyday objects from the western states. Bonjorni described the experience of falling into snow drifts and mystifying early morning drivers. "I call the piece 'Surefootedness' because I can only feel the ground with my feet. I can't see where I'm going, so I fall over a lot," she said. Bonjorni said she's still influenced by and attracted to things she liked in childhood. Her slideshow in the architecture gallery showed examples of her work as a child to her current pieces now on display in the University Gallery in the Dexter Building. Her style is unique, creating bold visual statements through texture and graphic design. Some of her paintings incorporate three-dimensional objects to create depth of field. "I like to collect and carry lots of junk around with me, and then try to fit it into my works," she said. "I think if people are interested in art they should get a truck and start finding stuff and haul it around — don't get a sportscar." — Bonjorni

I think if people are interested in art they should get a truck and start finding stuff and haul it around — don't get a sportscar.

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BONJORNI

From Spotlight 1

abstract side of a horse with pieces of wood and bone projecting out of the painting at an angle as part of the drawn horse, creating the shape of another animal.

Bonjorni won't interpret her work for anyone. She showed a slide of a piece that she said was only about human nature — a person standing in a water trough with a divining rod in an electrical storm being hit by lightning. "Some people read light stuff into my work, others bring heavy stuff into it. I guess there's some of both," she said.

Some of her more unusual themes are mysteries to Bonjorni as well. Doing headstands on the face of a horse with buildings. She said she wants to build heavy stuff into it directly on the art. "If it's part of the concept, it should be part of the piece. Why make it a mystery to people?" she said.

Bonjorni has proposed to do some site work in each of the Western states and create artwork out of old, abandoned buildings. She said she wants to make some kind of creations that use wind energy to elicit kinetic energy in each piece.

Bonjorni doesn't like little titles on people's artwork; if she titles one of her pieces she'll put it directly on the art. "If it's part of the concept, it should be part of the piece. Why make it a mystery to people?" she said.

Bonjorni has proposed to do some site work in each of the Western states and create artwork out of old, abandoned buildings. She said she wants to make some kind of creations that use wind energy to elicit kinetic energy in each piece.

Her exhibit will be featured in the university gallery at the Dexter Building through June 9. Gallery hours are Monday through Friday 10 a.m. to 4 p.m., Tuesday and Thursday night from 7 to 9 p.m. and Saturday and Sunday 12 to 3 p.m.

CAMPER

From Spotlight 1

filled with Eastern dimensions and the band finds influential.

"Especially in San Francisco, there was this movement happening where people thought they were reviving the psychedelic scene. Collectively and individually we pretty much have our ideas about what psychedelia was and we thought that a revival of that fashion set was pretty ridiculous. "You know, when I take acid, I don't really feel like wearing shiny, pointy boots and paisley shirts and playing stupid, happy little pop songs with my Rickenbauer 12-string — but, I have a different view of things."

The band's own approach to music, however, recently received the description from Spin magazine as "This year's American independent band to beat." Rumors about signing with a major record label were not confirmed by Segel, but thoughts of retaining musical integrity are strong. "It's difficult to deal with a lot of people in the music business and have them see music as something else like Level 42," Segel said skeptically.

"We're not trying to be didactic, but we are trying to illustrate that there's much more to music than a fashion scene."

—Johnathan Segel

BLOOM COUNTY

You mean... YOU WANT ME TO FERGIE?... YOU'RE TAKING TOO LONG... I SAW THAT YOU MIGHT BE IN LOVE... YOU SHOULD TELL HER... TOO BAD, SHE HAPPENED... TO ME... YOU'RE THE ONE WHO TOLD ME... IT'S WHAT YOU WANT... THE ONE WHO BROKE MY HEART... WOULD YOU LIKE ME TO"
Ultimate team earns third place at nationals

Cal Poly’s ultimate frisbee team played its way to a third-place finish at nationals last weekend.

The Mustangs played in a field of 14 teams at the national championships at Penn State during Memorial Day Weekend.

The team ended up with a 5-2 record in the tournament, with both losses coming to the other West Coast representatives, Chabot Community College and Santa Barbara.

Chabot beat Santa Barbara in the finals of the tournament 21-19 to take the national championship.

Poly started the tournament against Southwest Missouri State, a team which had knocked the Mustangs out at the final four two years ago.

After trading points with Southwest Missouri in the first half, Poly went on a 4-1 spurt to start the second period and it looked as if it might get revenge for a 2-year-old loss. The Mustangs kept the pressure on and won handily 15-10.

Their next opponent, the University of Vermont, also gave Poly a difficult time.

After being up 8-7 at halftime, the Mustangs deviated from their normal game play and came out in a zone defense. They instantly scored two points to take a 10-7 lead and went on to a 15-9 win.

The third game of the day was against Carnegie-Mellon, the Mid-Atlantic Region’s second-seeded team. After a sluggish start, Poly buckled down and played its own game of offense. Although Poly had only 13 players, compared to the usual 15-18 players on a team, its powerful offense was too much for Carnegie-Mellon to stop, as the Mustangs won 15-11.

Polys’ first game was against Chabot, who had beaten the Mustangs handily two weeks earlier at the Regional Championships at Stanford.

After the success of the first day, Poly’s confidence was up, but the team started out poorly, giving Chabot an early two-point advantage and an 8-7 halftime lead.

At the start of the second half, Chabot received the disc and proceeded to increase its lead to three, 12-9. But Poly would not quit.

Their stifling second-half defense of the day before finally kicked into gear and enabled the Mustangs to tie the score at 12.

But the effort needed to catch up took too much out of the team, as Chabot rallied to win 15-13.

With the loss to Chabot, Poly had to win its remaining two games to make it to the final four.

The Mustangs won its next game over Michigan 15-6 to set up a showdown with Georgia Tech to see who would play in the semifinals on Monday.

After picking up a 8-6 halftime lead, Poly’s desire to make it to the final four was ignited. With the steady defense of Peter Moyer and Dave Niles and the disc handling skills of Jim Tucker and Curtis Weeks, Poly came out in the second half and went on a 5-1 run to put the game out of reach. When Andy Petroff rifled a stike to Dan Martyn for the final point, Poly had realized its goal of making it to the final four.

On Monday, Poly needed to defeat rival Santa Barbara to go to the finals. The toll of playing six games with 13 players was evident, as Santa Barbara got out to an early 8-3 advantage and never looked back en route to a 19-11 win.

Though losing in the tournament’s semifinals, the Mustangs didn’t lose to a single East Coast school and along with Santa Barbara and Chabot showed West Coast dominance.

With 10 of the Poly players returning next year, the Mustangs will be back in strength to go after the national title again.
CONDOMS

From page 1

The resolution calls for the administration to set aside a day to address the topic in a public forum, and for Cal Poly President Warren Baker to encourage the chancellor to consider AIDS education as a priority item to be brought before the CSU Board of Trustees. In another action, the senate passed three resolutions in rapid succession.

Resolution 87-30 calls for the Union Executive Committee and ASI management to proceed with the fitness center plan “in the most timely manner possible,” and its budget provides for a continual evaluation of the space allocation.

Resolution 87-32 states the Student Senate should request Baker and other university officials to encourage school deans to establish student representatives from each department in order to involve students in the selection of new curriculum requirements.

The senate also approved plans for the rec center as submitted.

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Student dies Memorial weekend

By John Gennar
Staff Writer

A Cal Poly student died in what appeared to be a freak accident Memorial Day weekend in a Redwood City motel.

Tom English, a business major junior, was found dead in his motel room shortly after noon on Saturday by the motel manager after he apparently fell and knocked himself out. The way he landed blocked off his windpipe. Police at the scene ruled out suicide or foul play in the incident.

English, who was from Palo Alto, was a member of Beta Theta Pi fraternity. "He was always there when you needed him," said Beta Theta Pi President Mike Chellisen. "He was a great brother."

Derek Rinetti, also a member of Beta Theta Pi, said he'd become close with English while serving as his pledge educator. "He was a very gregarious, jovial person," he said. "He was always helpful and he liked keeping physically fit. He enjoyed working out and we used to play golf together."

"The guys in the house look at it as not mourning Tom's death, but celebrating his life," he added. "So many things bring back memories of him. Seeing cars and hearing different songs remind us of him. He was a very worldly person."

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CALENDAR

Friday 29

• Cal Poly's Distinguished Afro-American Speakers Program is presenting Aliko Songolo, professor of French and African literature at UC Irvine. Songolo will discuss "Apartheid: Literature of Protest" tonight at 8 p.m. in San Luis Lounge.

• Chrysalis, a women's student group formed by five Cal Poly students, is holding its first meeting today at 9 a.m. in U.U. Room 217D. The group will study being female in a male-centered society.

• A workshop on "Expanding the Curriculum: Encompassing Women" will be held today at 9 a.m. in the University Union. The keynote speaker is Bram Dijkstra, professor of comparative literature at UC San Diego. He will examine "Science, Perversity and American Artists in Turn-20th-Century Culture" at 1:30 p.m. in University Union Room 220. Other topics include "Women in Science, Math and Engineering" and "Women in the Liberal Arts." Dijkstra is author of the book "Idols of Perversity," an expose of the anti-female attitudes shown in late 19th century male art.

• An all-day Cal Poly conference on "Farm Chemicals and Food Safety" will begin today at 8 a.m. at the Park Suite Hotel and Conference Center. The conference features a number of experts from government and industry, and is free to Cal Poly students and faculty. It is sponsored by Cal Poly's Brock Center for Agricultural Communication, and reservations should be made in advance through the Cal Poly journalism department.

Restaurant business gets smoked out by new law

BEVERLY HILLS (AP) — Restaurateurs fuming over a 2-month-old smoking ban have effectively circumvented the ordinance by redefining large sections of their eating establishments as "bar areas."

"Basically, the owners have found answers to their problems in the dictionary rather than the law books," says Rudy Cole, spokesman for the Beverly Hills Restaurant Association.

The law which took effect April 3, one of the toughest in the nation, forbids all smoking in restaurants except those in hotels. But it exempts bars where food is served.

That exemption has been seized upon by restaurants, which vigorously oppose the law and have used the city in an effort to overturn on grounds that it is unconstitutional.

"Every restaurant has the capability of having a bar area," Cole says. "They are deciding individually how they want to define that area."

Some, like La Famiglia, allow smoking everywhere since the bar is in the middle of its dining room. Others define the bar area as a certain number of tables from the bar itself.

"We don't know quite what to do about it," said Mayor Benjamin Stansbury, adding that the city attorney is looking into more precise rules for what constitutes a "bar area."

"My attitude is one of dismay," said Stansbury, who supports the banning of smoking for health reasons.

The restaurateurs claimed the law was decimating their business, with patrons who smoke dining in neighboring communities where laws only require separate smoking and non-smoking sections.

The restaurant association said business was off by 12 percent due to the law. "We have had to lay off some workers, and we may lose more because business is off," Cole says.