**PAC's alcohol license in limbo after hearing**

The notice posted on the PAC's window last year while operating under a temporary license. The decision on a permanent license is up to a judge.

By Brad Davis  
Daily Staff Writer

To sell or not to sell alcohol on Cal Poly's dry campus: There lies the controversy surrounding the Performing Arts Center's (PAC) application for a permanent beer and wine license.

A hearing held on Wednesday by the Alcohol Beverage Control (ABC) department will help to determine whether that license will be granted to the PAC.

**ABC Administrative Law-Judge Sunny Lo heard statements from Cal Poly Foundation witnesses and from protesters who oppose the license application.**

The judge will make a decision on the hearing in the next 30 days, according to Ron Brewer of ABC.

"Local decision is an advisory decision which goes to the ABC Director in Sacramento," he said. The director can adopt or oppose.

See PAC page 3

**Pepsi Polytechnic**

As the Pepsi takeover of campus beverages continues, more and more students find its monopoly unwelcomed

By Leslie Stevens  
Daily Staff Writer

In the real world a business would take a complaint of "price fixing" to the Federal Trade Commission. In this case, they can't. Cal Poly's student clubs operating vending machines under the Pepsi exclusive contract must deal with the same entities that are responsible for negotiating the priced structure. The new pricing structure requires all vendors on campus to sell Pepsi sodas at the set price of 85 cents per can.

Meeting of the Minds

A meeting was held Tuesday to address concerns club members had about the vending machines. It was attended by representatives from Foundation, the university, ASP and the Amateur Radio Club.

AS President Cindy Entzi said a decision was made at the meeting to schedule another, larger meeting in early November to share information and iron out problems. She said a letter will be sent out next week from Student Life and Activities to all clubs with their own vending machines, notifying them of the upcoming meeting.

The letter will ask clubs to compile information on how their sales compare to previous quarters so they can get a feel for what kind of impact the new arrangement has had.

"We want to see something tangible to take to the university and Foundation, and say this is what is the result of the Pepsi contract," Entzi said. Efforts are belatedly being made to get needed information out to the clubs operating vending machines. In an attempt to try to clarify information, Campus Dining is sending out a one-page information sheet describing the two service levels offered to clubs. The notice includes per-case costs to clubs and addresses machine maintenance service and financial arrangements.

Melissa Swanson, services assistant for Campus Dining, stressed that "the price structure of 87 cents per case is the same as last year. The net cost is the same as before." She added that the two service levels have not changed from previous years either, but that "clubs are now required to purchase product through Campus Dining."

This is due to the exclusive distributor agreement the campus has with Pepsi-Cola. Any purchases from outside sources would be a violation of this agreement, she said.

Swanson explained that the club vending machines are a carry-over from at least 25 years ago, before Campus Dining handled vending services. The clubs operating machines at the time of the change-over were allowed to keep and maintain them. These clubs currently operate under a year-to-year permit through Campus Dining.

**Price-fixing hits Amateur Radio Club**

Club members were disappointed not only with the decreased selection of beverages available on campus, but also with the set price.

Dean Wood, secretary of the Amateur Radio Club, does not feel Cal Poly Foundation has given the clubs a legitimate reason.

See PEPSI page 2
The important thing is to come up with a vending program that is both fair and even-handed; something that is fair to ourselves and the clubs.

Robert Griffin
associate executive director of Foundation

MUSTANG DAILY FROM PAGE 1

son for the need of the uniform pricing structure. Foundation is the organization responsible for negotiating and administering the exclusive distributor agreement.

Wood said the clubs were told by Foundation that the universi-

ty wanted to avoid any potential chaos amongst clubs if they were allowed to charge different prices. None of the clubs contacted by Mustang Daily could recall ever having heard of any complaints made over the issue because of the different pricing all over the campus.

Wood said he didn’t think this was the real reason for the pricing decision.

When asked about the uniform pricing structure, Robert Griffin, associate executive director of Foundation, said it was not required under the Pepsi contract.

“People at the university and Foundation agreed in concept that it would be better to have the same pricing, even though some of the machines are not directly operated by Foundation. We set the pricing so that none of the machines would be competing against each other. If there was one machine charging 50 cents and another charging 65 cents, it would create the impression that one machine was under- or over-charging,” he said.

Several clubs have expressed concern that they may not be able to compete successfully under the new pricing system. Many of the clubs operate machines located in out-of-the-way places, where it would be hard to attract customers. There has been the main customer draw. Students are frustrated and worried about losing their machines. Open House and the new program. Many of the clubs have complained about the situation. When questioned about the club’s view of the new agreement, Griffin said Foundation had looked into the situation. “We have offered to reconsider if they come forward with more speculation. The agreement was signed over the past summer without student or club knowledge or participation. Many clubs reported having their machines changed before they even received notification of the new agreement.

AIAA and the Pepsi Deal

The experience of the AIAA club was fairly typical of how the machine changeover took place. Cummings said students were not notified before the vending machines were changed.

“It seemed like it was a midnight, clandestine operation,” he said.

When the machine was removed, it still contained sodas and money, although the club could not get its money back.

Also upsetting to club members was the sign attached to the new machine: “Temporarily operated by the AIAA.”

“Does this mean they will later lose the machine?” Cummings asked.

The Amateur Radio Club, owner of one of the vending machines, has been vigorously collecting information on the new Pepsi arrangement and posting it on the club’s web page at www.arcbls.calpoly.edu/drinks.

When questioned about the club’s keen interest, Dean Wood, club secretary, said: “The main thing was that we didn’t want to lose the money.”

Others share the same concern about the new agreement.

“We cannot offer our product at a lower price anymore as a service to students,” said Mark Zahn, Agricultural Engineering Society club adviser.

He explained that the club has had a vending machine for about 35 years, and for the last 15 years it has offered sodas at 40 cents a can and chips at 50 cents. It also had an idea where to place the machines.

“The bottom line is the average student has to pay more for a can of soda today, and the result is that the athletic department is getting more money,” Zahn said.

The university requested that Foundation pursue an exclusive distributor agreement as a means of raising money to replace some of the anticipated funding that was lost when former football star Ozzie Smith and the city of San Luis Obispo withdrew their participation from the sports complex project. Pepsi will give $1.4 million to the Cal Poly athletics program over the course of the seven-year contract.

Student Frustration

Many students also feel strongly about the Pepsi arrangement. A sampling of soda consumers on campus produced the following comments.

Personally I like Coca-Cola better than Pepsi. It’s too bad they don’t have it available right now,” said Nan Nguyen, mechanical engineering junior.

“I think it is a little expensive for students. I heard it used to be 50 cents.” said An Pham, architecture junior.

They had both just purchased sodas from the vending machine in The Cellar next to the Dexter building.

Shawn Harris, computer science senior, said he doesn’t like the system.

“The machine in the computer science building and this one do not take quarters anymore,” he said. It used to be 50 cents in the Coke machine. Students pride themselves on this 50-cent machine, and now it is gone. A lot of computer science students are upset,” he said.

Harris’ opinion at the time might have been influenced by the fact that the machine he was using kept spitting back his money without giving him anything to drink.

Heidi Kaminaka, architecture junior, had a different problem.

“The machines work, but there is never anything in any of them. I think they do not get filled as often,” she said.

The machines were designed to use in the architecture and engineering design building only had two selections available, Pepsi Wild Cherry and Lipton Iced Tea. Eisenga walked away empty-handed.

Elizabeth Kaminaka, a dean’s assistant in the College of Architecture and Environmental Design, said she also thinks the new price is too expensive.

“I could get it for 60 cents and 40 cents elsewhere, and now it is 65 cents. Why should I do that when I can bring it from home?”

There is something else Kaminaka doesn’t like about the new agreement.

“It is inappropriate to have Pepsi as the sole supplier. It is calling us ‘Pepsi Polytechnic,’” she said.

The issues of quality and choice are important to Nick Brown, physics professor. His family and relatives frequently have brunch at Vista Grande Cafe on Sundays. “I tried the pink lemonade, and it tasted like it had no lemons in it. I also fasted the cranberry juice, and it tasted thin,” he said. “As far as we are concerned, we are going to get very thin juice and less choice.”

Although students and staff preferred the greater choice of beverages available on campus before the Pepsi exclusive deal went into effect, the pricing structure seems to cause the most frustration. Foundation and clubs apparently do have something in common, however.

As Griffin put it, “The important thing is to come up with a vending program that is both fair and even-handed; something that is fair to ourselves and the clubs.”

The student clubs goal is to accomplish exactly that.

PUBLIC FORUM

CAL POLY’S PARKING STRUCTURE DRAFT ENVIRONMENTAL IMPACT REPORT

7:00 PM

Tuesday, October 14, 1997

The Monday Club

1815 Monterey Avenue

San Luis Obispo

Copies of the DEIR are available for review at the San Luis Obispo City/Country Library and Cal Poly’s Kennedy Library.

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FRIDAY, OCTOBER 10, 1997

"I urge the board to make this an issue for students to vote on," said Board member Matthew Hardy. "It is an issue that has a lot of sides and it is an issue that will span for 30 years. That's generations." Board member Jennifer Sargent said: "We (ASI) encourage student involvement. I think it would be contradictory of us not to give the students a vote.

Putting the issues up for a vote would stretch the complex process out even further, which concerns some.

"If we put it up to a vote, that would probably delay (the construction). We can't start until November," Greg King, ASI vice president of operations, said.

"Any delays will negatively impact those students (athletes, recreation sports participants) mentioned," Mark Harries, interim director of Rec Sports, said.

A November start date is not recommended, according to Jeff Markovitz of Project Managing Agency-PMI. PMI is a firm hired by the university to do pre-construction evaluations on the proposed complex site.

It would be best to start the project in spring, to avoid the rainy season. This would result in the complex not breaking ground until the spring of 1999.

"I think we can go one extra year without it to make sure it's something that we want," AMTA Sargent said.

With the room in an uproar, ASI President Cindy Entzi said: "I think we need to have a forum on this." See ASI page 6
Keepers not about power

Editor,

In this issue this may not answer all of Mr. Hamilton's complaints about Promise Keepers. PK, at least she can't claim that I am not in favor of the issue of the day. I will openly admit that I do not know much about NOW, and only vaguely what they stand for.

But, at the same time, I think that many members of NOW are using selective hearing to what PK has been saying. I would say more in reference to Mr. Hamilton's letter but I don't want my words sparking an argument or in any way accidentally offending Mr. Hamilton, for a true sense of what PK stands for I feel that would be the opening address of this weekend's assembly in San Francisco by Randy Phillips, president of PK as recorded in the Washington Post, Sunday Oct. 5.

We have not come to smite the pro-choice movement to influence men. We have come to display our spiritual poverty that Almighty God might influence us.

Though we now stand in the political center of arguably the most important issue in our nation on Earth, it is not political preference we are concerned with, but biblical convictions. When it comes to politics and faith, we confess that we have had too high a view of the ability of man and too low a trust in the sovereignty of God. We choose this day to bow our heads in confession before the one true God existing in three persons, the Father the Son and the Holy Spirit. Amen.

Here are the answers found in the Bible: We believe that the ultimate answer to the question of society is not in parti­

Editor,

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Studies challenge cost, control of smoking

By Daniel Q. Honey
Associated Press

BOSTON — Would health costs go down if everyone stopped smoking? Does cracking down on underage cigarette sales make teen-agers smoke less?

If the answer to both questions seems like an obvious “yes,” think again.

Two new studies support the contrary view.

One looked at the economic impact if every smoker went cold turkey tomorrow. The conclusion: Health care costs would drop for a while but would then inexorably rise for the simple reason that nonsmokers live longer.

The other study found that even with strict — and seemingly effective — enforcement of laws against selling cigarettes to anyone under 18, teen-agers can still get them easily, and they smoke just as much, if not more.

Both works challenge simple assumptions about the causes and consequences of smoking. They were published in Thursday’s issue of the New England Journal of Medicine.

An estimated 3,000 children take up cigarettes each day in the United States. Making cigarettes harder to buy is the cornerstone of a new effort by the Food and Drug Administration to keep them out of the hands of teen-agers.

The FDA rules, which went into effect last February, require stores to get photo identification from anyone who looks younger than 27. A federal goal is to have at least 80 percent of stores obey the laws.

Nevertheless, such rules — which already existed in many communities — have received little testing to make sure they work. So a team led by Dr. Nancy A. Rigotti of Massachusetts General Hospital set out to compare high school students’ access to cigarettes in six Massachusetts towns — three where state or local tobacco sales laws were beginning to get strict enforcement, and three where the laws were not enforced, even though underage sales were still illegal.

“It looks like keeping teen-agers from buying cigarettes will be more difficult than was first expected,” Rigotti said. “Even when 80 percent of merchants obeyed the law, young people said they had little trouble buying.”

The study was conducted from 1994 to 1996. In the enforcement towns, stores were barred from selling to youngsters under 18. But they did not have to ask for an ID from everyone who looked young.

The researchers tested compliance by sending 16-year-old girls into stores to buy cigarettes.

The study was conducted from 1994 to 1996. In the enforcement towns, stores were barred from selling to youngsters under 18. But they did not have to ask for an ID from everyone who looked young.

If students continue to have questions, then the voting will be set back,” he said.

Both students and board members will tackle this debate for a third consecutive week at the ASI meeting next Wednesday night.
FOOTBALL  
from page 3
score 34-20, and was destroyed 74-7 in 1969.
This season their offense is led by senior running back David Mattiano, who has 500 yards rushing in four games.
Mattiano had just 30 yards in the season opener, but has exploded in the last three games. Beaton said
"We are coming to play some in-your-face, smash-mouth football."
-Chris Beaton, The coach's mentor.

The Mustangs have one big advantage over Simon Fraser; the
Clan will probably have jet lag coming from British Columbia. According to Beaton, the team has
flown home on a plane to compete since 1961.
The game against the Mustangs is the last of the regular season for us to counter with a great team. The
Mustangs are dedicating this weekend's game to legendary head coach Jack Jack. Jack was a Mustang defensive
back who was killed in a car accident last year on Oct. 6. We all miss him so much that it's hard
to keep going at times," Crozier said. "It's only
right that we get a victory this week in order to honor his memory."
SPORTS

Mustangs bump up effort to beat UOP

By Peggy Carte Daily Staff Writer

The last time the Cal Poly women's volleyball team beat University of Pacific, Ronald Reagan was in his second term in the White House. "Out of Africa" was on the big screen and Mustang Melanie Hathaway was just six years old.

That was 1985, and this is 1997.

Tomorrow, the 11th-ranked UOP Tigers will put their 15-match winning streak against Cal Poly on the line at Mott Gym in a Big West Conference matchup.

The Mustangs, who are 6-4 overall, 2-3 in the Big West, are coming off a loss to another Big West opponent, Pepperdine, 3-1, last Friday.

The rotation we had wasn't working," said Hathaway about the 3-1 loss to CSF. "We also weren't passing very well.

Offensively, the Mustangs have been led by middle blockers Kari DeSoto and Trisha Jensen. Both had 21 kills apiece against Pepperdine.

"We're playing some in-your-face, smash-mouth football," said head coach Chris Beaton.

The team is highly unlikely if history repeats itself. The Clans was blown out by the Mustangs in 1992 by the score 34-6, lost in 1977 by the score.

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