



Showers ending, cool; high 74



## CONTRADICTION?

Jeremy Mayfield contends independent drug test was negative for methamphetamines, contradicting NASCAR's test results/C1



## MAYBE WE CAN'T?

Poll indicates optimism surrounding Obama presidency is fading fast/A2

# MESSENGER-INQUIRER

## 1,000 treated to back-to-school shopping trip



Photos by Jenny Sevcik, Messenger-Inquirer/jsevcik@messenger-inquirer.com, 926-0123

**Evan Burks, 6**, in front, does his version of Michael Jackson's "Thriller" on Tuesday as Burks and his brother Logan Morton, 7, at right, take a break from shopping during the 16th annual Alma Randolph Charitable Foundation Inc.'s back-to-school shopping event at the Frederica Street Wal-Mart. The brothers were shopping with their mother, Natasha Morton (not pictured), and had

stopped to watch the late pop icon with their aunt Holly Crawley, back left, and cousin Caleb Flahardy, 6. Crawley said she loves the shopping event. "It's very helpful," she said. "Especially for a single mother with three kids ... and we have fun while we're here," she said while gesturing toward the four-television setup playing Jackson music videos.

## OWENSBORO CITY COMMISSION

# Standards in design vital, planners say

They have spurred development elsewhere

By James Mayse  
Messenger-Inquirer

Officials from the Gateway Planning Group told the Owensboro City Commission on Tuesday that having design standards for buildings will spur private investment downtown while protecting the investments of people who open businesses in the area.

Gateway officials said having design standards for renovating downtown buildings has been the deciding factor in other cities that wanted to draw investment back to the city's core.

"What we're most interested in ... is design compatibility," said Scott Polikov, Gateway's presi-

### To Attend

PRIDE of Owensboro-Daviess County will hold a public hearing at 6 tonight at Owensboro City Hall to discuss the proposed downtown design standards.

dent.

The plan breaks downtown up into several districts — the historic core, downtown core, riverfront core, riverfront edge, downtown transition, Frederica Street corridor, downtown campus and fringe neighborhoods. Each district will have set design regulations governing building

See **Design/Page A2**

# Dress For Success

By Rich Suwanski  
Messenger-Inquirer

Shopping carts loaded quickly as parents and children moved through Wal-Mart aisles during Alma Randolph's annual back-to-school shopping trip Tuesday morning.

Each child who qualified for the program received an \$85 voucher for clothing. One thousand children shopped at Wal-Mart on Frederica Street and at Kohl's on Kentucky 54.

"This is wonderful," said Amy Wright, a mother of five. "It helps tremendously."

"(Randolph is) an excellent woman and the city of Owensboro is proud to have

her as someone who helps out the children like she does."

Wright shopped for three of her children at Wal-Mart, third-grader Logan Husk, first-grader Ashtyn Husk and preschooler Aiden Espinoza.

"I have one dollar left over," Ashtyn Husk said proudly.

"She can get one more thing," Logan Husk added.

After they finished shopping, Wright had her children thank Randolph as she stood among the Wal-Mart shoppers.

"It is so humbling because I grew up in Ohio County as one of these children,"

See **Dress/Page A2**



**Perla Torres, 9**, picks out some new school clothes with the assistance of her mother, Jennifer Ochoa-Guzman, on Tuesday during the annual back-to-school shopping event sponsored by The Alma Randolph Charitable Foundations Inc. at the Frederica Street Wal-Mart.

# Fugitive captured at his parents' Rockport home

Authorities dispute claim he has cancer

By Charles Wilson  
Associated Press

INDIANAPOLIS — The second of three inmates who escaped from the Indiana State Prison was captured early Tuesday at his parents' home in southern Indiana after more than a week on the run, authorities said.

Convicted rapist Lance Battreal was arrested about 1 a.m. in Rockport, Ind. — some 250 miles south of the maximum-security prison in Michigan City, state Department of Correction spokesman Doug Garrison said.

The 45-year-old Battreal was asleep when federal marshals and police officers arrived and was taken into custody without incident, Garrison said.

Battreal's mother, Geraldine Lynch, said her son had been at her home for about five hours when police arrived.

"I just was so happy to see my baby boy," she said.

Lynch said Battreal told her he escaped after being diagnosed with inoperable thyroid cancer and learning that his stepfather had recently suffered a heart attack. "He told me he just couldn't go through the chemotherapy again," she said.

Garrison, however, said the Department of Correction had no record that Battreal had ever been diagnosed or treated for cancer.

Lynch said her son, whose innocence she maintained, had intended to surrender after visiting his family.

"He planned to give himself up. He didn't want to cause no hardship on us," she said, her voice cracking with emotion.

Battreal escaped July 12 along with convicted murderers Charles Smith and Mark Booher, both of New Castle. Smith, 48, was captured the following day.

Booher, 46, remained at large

See **Fugitive/Page A2**



Lance Battreal

## OWENSBORO RIVERPORT AUTHORITY

# Privatization panel wants public input

### For Input

People can send their comments on the riverport's fate to riverport.suggestions@owensboro.org.

By Keith Lawrence  
Messenger-Inquirer

The Mayor's Advisory Committee on the Privatization of the Owensboro Riverport Authority wants to hear from you.

The five-member committee was appointed by Mayor Ron Payne last month to make a rec-

ommendation on whether the city should sell or lease the riverport to a private company or keep it publicly owned.

The local port was the first publicly owned riverport authority in Kentucky, created under legislation passed by the General Assembly in 1964.

"We're going to have an open forum, so we can hear what people think," Alan Braden, committee chairman, said Tuesday. "We'll be setting a date soon."

In the meantime, he said, people can send their comments to

See **Input/Page A2**

## 2011 GOVERNOR'S RACE

# Beshear says experience makes Abramson good fit as running mate

By James Mayse  
Messenger-Inquirer

Gov. Steve Beshear stopped in Owensboro on Tuesday to announce his intention to run for re-election in 2011 and to introduce his running mate, Louisville Mayor Jerry Abramson.

Owensboro was the last stop on a press tour that took Democrats Beshear and Abramson through Louisville, Bowling Green and Paducah as well as Owensboro on Tuesday. By officially announcing the ticket, Beshear and Abramson are free to begin fundraising for the election.

Abramson will replace Lt. Gov. Dan Mongiardo, who has

decided to run for the U.S. Senate seat now held by Republican Jim Bunning.

Beshear and Abramson held their Owensboro press conference at MidAmerica Airpark. Beshear said Abramson — who is in the middle of his fifth term as mayor of Louisville — was his first choice to replace Mongiardo.

"Finding a new running mate was about the easiest thing I've ever done," Beshear said. "Jerry Abramson has been one of this country's finest

mayors."

Beshear said Abramson's

experience as a mayor would make him a good liaison to local government. Abramson also has contacts with the federal government, Beshear said.

"Mayor Abramson is a proven leader with a long list of accomplishments as mayor of Louisville," Beshear said.

Before the press conference, Abramson said he had planned

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### Correction

A story on Page A1 Tuesday about Boardwalk Pipeline's layoffs and transfers should have said that the company, formerly headquartered in Owensboro, now has its headquarters in Houston.

Printed with soy ink



John Dunham, Messenger-Inquirer

**Kentucky Gov.** Steve Beshear speaks to area residents while Louisville Mayor Jerry Abramson, left, listens Tuesday during a visit to MidAmerica Airpark. Abramson was chosen by Beshear to be his running mate in 2011. Beshear said Abramson brings leadership to the ticket as well as an ability to cut through local government bureaucracy.

# Poll shows optimism dwindling again

## Hope engendered by Obama fading

**By Nancy Benac and Trevor Tompson**

Associated Press

WASHINGTON — That was fast.

The hope and optimism that washed over the country in the opening months of Barack Obama's presidency are giving way to harsh realities.

An Associated Press-GfK Poll shows that a majority of Americans are back to thinking that the country is headed in the wrong direction after a fleeting period in which more thought it was on the right track.

Obama still has a solid 55 percent approval rating — better than Bill Clinton and about even with George W. Bush six months into their presidencies — but there are growing doubts about whether he can succeed at some of the biggest items on his to-do list. And there is a growing sense that he is trying to tackle too much too soon.

The number of people who think Obama can improve the economy is down a sobering 19 percentage points from the euphoric days just before his inauguration. Ditto for expectations about creating jobs. Also down significantly: the share of people who think he can reduce the deficit, remove troops from Iraq and improve respect for the U.S. around the world, all slipping 15 points.

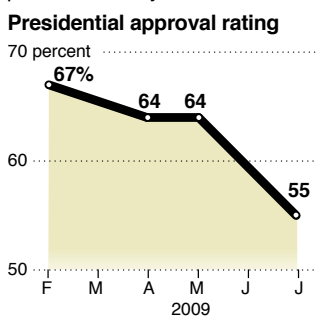
On overhauling health care, a signature issue for Obama, hopes for success are down a lesser 6 points.

Add it all up, and does it mean Obama has lost his mojo? Has yes-we-can morphed into maybe?

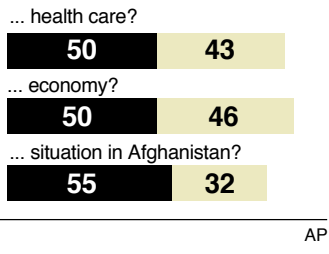
AP-GfK POLL

### Obama's approval rating slides

President Barack Obama's approval rating has dropped 12 percentage points since its peak in February.



Do you approve or disapprove the way Obama is handling ...



"I think it's just reality," said Sandy Smith, a 48-year-old public relations worker from Los Angeles. "He's not Superman, right?"

Indeed, it's not unusual for approval ratings to slide once presidents actually get to work. They're pulled down by things going on in the real world, by people who don't agree with the ways they're addressing problems, by criticism from political opponents.

In Obama's case, the problems he's confronting domestically and internationally are legion, and his ability to blame them on his predecessor is fading. Challenges still abound in Iraq and Afghanistan. Unemployment, at 7.6 percent in January,

hit 9.5 percent in June and is expected to keep rising well into next year. Almost 4 percent of homeowners with mortgages are in foreclosure, and an additional 8 percent are at least a month behind on payments — the highest levels since the Great Depression.

The president is deep into the debate over how to overhaul the nation's health care system, and people are nervous about how their own insurance could be affected. Obama's critics are accusing him of conducting a risky "grand experiment" that will hurt the economy and could force millions to drop their current coverage.

It's all taking a toll on expectations. The number of people who think it's realistic to expect at least some noticeable improvement in the economy during Obama's first year in office dropped from 27 percent in January to 16 percent in the latest survey.

There's been slippage, as well, in how people view the president personally, although he's still well regarded. About two-thirds now think he understands the problems of ordinary Americans, down from 81 percent in January. Sixty-nine percent think he's a strong leader, off from 78 percent before the inauguration.

"He doesn't know enough about any of this," says Michelle Kelsey, a 37-year-old student in Breckenridge, Mo., who gives Obama a three for leadership on a 10-point scale. But then again, Kelsey says, "Nobody could have done better."

"I just feel like people haven't given him enough time. It's going to take longer for the economy to come around."

It's not just Obama who's feeling the drag. Approval of Con-

gress — already low — has gotten lower, slipping 6 percentage points to 32 percent.

Overall, the number of people who think the country is going in the wrong direction hit 54 percent in the latest AP-GfK poll, up from 46 percent in June.

That's not necessarily surprising. In years past, the public has tended to be more pessimistic than optimistic about the country's future. Recent exceptions have been short-lived, at the start of the Iraq war, after the Sept. 11 attacks in 2001, after the capture of Saddam Hussein and late in the Clinton administration.

Perhaps most troubling for Obama may be where he is losing ground. His approval rating was down 9 points among Americans overall but 20 percent among independents. Similarly, the increase in those who think the country is headed in the wrong direction came mostly from independents and Democrats.

Dissatisfaction among independents grew disproportionately on Obama's handling of a range of issues, including the economy, taxes, unemployment, the environment and more.

Independents are "the ones to watch," according to Professor Robert Shapiro, a Columbia University expert on public opinion. "The Republicans were more pessimistic from the outset. The Democrats are going to be more resistant to negative information."

Overall, Obama still can feel good about a 55 percent approval rating, Shapiro said, but "the fact that it is on the downswing is something to be concerned about. That's going to affect how members of Congress, and in particular people in his own party, may respond to him."

## Dress

From the **Front Page**

Randolph said. "And those painful childhood memories are as real today as they were back then, and that's what serves as my motivation to do this."

Randolph's charitable foundation collected \$77,000 from businesses, individuals and fundraisers at Bellevue Baptist Church and Owensboro Medical Health System. Meanwhile, discounts at Wal-Mart and Kohl's accounted for an additional \$8,000, enabling the foundation to spend \$85,000, or \$85 per child.

Children were referred to the foundation by the local homeless shelters, school family resource centers and through nonprofit agencies.

Matt Lincoln, a co-manager at Wal-Mart, said families shopped for shirts, pants, shoes, socks and underwear. Area Wal-Marts also shipped items to the Frederica Street store so the shelves would be full.

"We brought in merchandise from other stores that had already been marked down so that the \$85 stretched even further," Lincoln said. "I've done this for four years here, and it makes me happy to see a child who's happy."

Jonell Hale shopped for her stepson, second-grader Allen Hale.

"This is my first time," Jonell Hale said. "He had fun picking out clothes."

One prized purchase Allen Hale pointed out was a pair of sharp red and black athletic shoes.

"He got stuff he can wear to school that he thinks is cool," Jonell Hale said.

One mother, who asked not to be identified, said it was a challenge to make sure she got what her fifth-grade boy needed. "We looked for the best value," she said. "It'll help a whole lot."

A tight economy played a role in this year's event, Randolph said. Last year, 1,000 children were given \$100 vouchers each.

"Some charities have either had to close their doors or look to other ways to try and raise funds," she said. "For example, this year, we weren't able to host our annual Share the Vision Dinner, which is our major fundraiser ... so we decided to go with a week of fundraising activities that would not require any overhead expense."

Rich Suwanski, 691-7315, rswanski@messenger-inquirer.com

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# Fugitive: Prosecutor will decide if parents are charged

From the **Front Page**

Tuesday, Garrison said.

U.S. Marshal Dave Murtaugh said Battreal was being held on a federal arrest warrant but would likely be turned over to state authorities. Battreal's parents were not arrested, and Murtaugh said it would be up to a local prosecutor to decide whether to file charges for harboring a fugitive.

Lynch said police hadn't said anything to her about charges. "I hope I don't get in trouble," she said. "I didn't mean to do anything wrong or anything. I just wanted to help my son."

He said federal and state investigators had been pursuing numerous leads in tracking down the escapees.

The search over the past week had been most visible near the prison, which is less than a mile from Lake Michigan.

Authorities used search dogs and helicopters as they scoured the Grand Beach area for hours after Smith was captured, believing that Booher had been with him. About 100 officers conducted a manhunt in a wooded area

near Michigan City on Thursday after a reported sighting of Battreal.

The three inmates escaped through the prison's underground tunnel system. The men followed city sewage pipes and emerged from a manhole outside the prison, officials said.

Three prison guards have been suspended for failing to properly supervise the inmates, who had all worked in the utility tunnel system.

Smith, Booher and Battreal started serving time in the late 1990s, and all faced at least 30 more years behind bars.

Battreal was convicted of rape and criminal confinement for the abduction and sexual assault of a 17-year-old Evansville girl. Booher was convicted in the stabbing death of an Indianapolis man.

Smith was serving a sentence for the 1998 death of a New Castle man, who was shot in the head and had his throat slashed.

AP news researcher Rhonda Shafner in New York contributed to this report.

# Input: Buyers interested

From the **Front Page**

riverportsuggestions@owensboro.org.

But the committee isn't looking for votes on the issue, like "American Idol." Sending multiple e-mails doesn't help.

"We just want as much information as we can get," Braden said. "I'm hearing a lot of discussion about the issue. There's going to be a lot more to this than I originally thought."

The committee, he said, isn't looking for a debate on the issue — at least, not yet.

"We just want the facts," Braden said. "In looking at riverports across the country, they're done in a lot of different ways, and we're trying to figure out which is best for

Owensboro."

People interested in the issue should include why they think the riverport should remain public or why they think it should be sold or leased.

"We really want as much insight as we can get," Braden said.

Payne said last month that two private companies had already contacted him about their interest in buying the port if the city should decide to sell it.

But that decision is still months away.

The committee set a Nov. 30 goal for getting its report to Payne.

Keith Lawrence, 691-7301, klawrence@messenger-inquirer.com

# Abramson: Kentucky is 'enduring,' governor says

From the **Front Page**

to run for a sixth term as mayor when Beshear asked him to join the ticket.

"It will be a tremendous opportunity to work with an outstanding leader," Abramson said.

Beshear said he was running for re-election because "I'm not going to get Kentucky to where I want it to be in just four years."

"I have tried to position Kentucky to overcome (the) economic challenges," Beshear said. "Hard times and difficult challenges remain, but I can tell you this: We are enduring."

The economic recession has been difficult, but Beshear said the state hasn't cut essential areas, such as education.

"Even while we've trimmed ... we have maintained those key priorities so many states have had to cave in on," he said.

Abramson said "we couldn't have a better person in the governor's chair" than Beshear.

"The reality is we have the right person in the position at a difficult time," Abramson said.

Beshear said Abramson would play an important role in his administration if the two are elected in 2011.

"Jerry Abramson is going to be a full partner," Beshear said. "He can be a full partner in every decision I make."

James Mayse, 691-7303, jmayse@messenger-inquirer.com

## CALIFORNIA

# Deal may not end money woes

**By Samantha Young**

Associated Press

SACRAMENTO, Calif. — California's deal to close its \$26 billion budget gap may end up doing what Gov. Arnold Schwarzenegger had hoped to avoid: kicking the state's problems down the road.

Despite deep cuts to education and social programs, the deal struck late Monday is filled with assumptions and accounting gimmicks. Combined with a persistent recession, it is likely to lead to yet another multibillion-dollar deficit in the next fiscal year.

"Frankly, we may not be done yet," said Senate leader Darrell Steinberg, D-Sacramento. "We pray for better economic news sooner rather than later."

The plan cuts \$15 billion from government programs by slashing spending on schools, universities, health care, welfare and in-home support for the disabled

and frail.

But it does not entirely rewrite the social contract between California and its citizens, as some had feared. Schwarzenegger's original proposal called for eliminating welfare and health care for 930,000 low-income children.

Schwarzenegger and lawmakers said it was the best they could do under the circumstances, with tax revenue evaporating and Republicans refusing to raise taxes.

Yet the agreement seems to run counter to Schwarzenegger's mantra in recent months to avoid "kicking the can down the alley." During a speech in San Diego County last month, he said it was time to stop dodging tough budget decisions.

"I think that time is over," he said. "There is absolutely no place left to hide. The days of gimmicks and the days of denial are literally over. California's day

of reckoning is finally here."

But \$11 billion of the deficit will be closed by taking some \$4 billion from local governments, shifting funds from other government accounts and playing a variety of accounting tricks.

The deal speeds up the state's collection of 2010 personal income and corporate taxes to bring in revenue earlier than anticipated. Taxpayers essentially would be giving the state an interest-free loan until they claim the money on tax returns.

One gimmick defers state employees' paychecks by one day for a savings — on paper — of \$1.2 billion. Instead of being issued on June 30, 2010, the paychecks would be issued July 1, the start of the 2010-11 fiscal year.

About \$2 billion in property tax revenue that will be borrowed from local governments will have to be repaid with interest in three years.

# Design: Downtown traffic study approved

From the **Front Page**

size, height per floor, setbacks from the property line and other items. Other regulations will cover parking and the types of signs that are allowed.

"All of downtown is not the same," said Gateway Project Manager Jay Narayan.

The goal is create buildings that are designed in such a way that, if a business were to close, a new business could move in without changing the character of the district, and the "beauty of the (neighborhood) remains constant," Polikov said.

"We're more concerned with: How does it feel as you walk down the street?" Polikov said.

The plan calls for a downtown design administrator to be appointed by the city manager. The administrator will work with a committee made up of city staff and members of the Owensboro Metropolitan Planning Commission, and the body will be tasked with reviewing development plans to ensure they conform with the design standards.

"That way, you'd have a streamline process," Narayan said. The committee will evaluate if a design conforms with a district's design standards. Zoning issues would have to go through OMPC.

Having members of the planning commission and city departments on the committee would help a developer identify where a plan might not meet with zoning or other regulations, Polikov said.

The design standards could be overruled by the committee if a design met with the goal of the downtown master plan.

"You can't anticipate all the creativity, and we want to encour-

age creativity," Narayan said.

Mayor Pro Tempore Charlie Castlen said the goal of the downtown plan was to "create an environment that was pedestrian-friendly."

"As I reviewed the information, I wasn't sure that's what we're really doing," Castlen said of the design standards. "It seemed like we were just mandating how things were built."

Polikov said the standards do not change how the buildings can be used. "It was recommended to us we don't take on the use issue," he said. "We just took on the design issue."

"We're not changing the underlying zoning," Polikov said. "... If you're in a location that does not allow residential (development), this does not allow residential." In that case, the developer would have to apply for rezoning, Polikov said.

Polikov said the existing zoning was sufficient to allow most commercial and residential development plans anticipated in the downtown master plan.

Commissioner Candace Castlen Brake said city officials should consider designating uses for buildings in the downtown districts.

"Ultimately, I think the uses need to be studied and (we need to) do it very soon," Brake said. "We don't need to wait three years."

Other cities that enacted design standards, such as Fort Worth, have seen development in their downtowns because investors know an adjacent property can be developed in a way that damages the value of their site, Polikov said. But Dallas and El Paso, where standards have not been set, have lagging down-

towns.

In other business Tuesday, commissioners voted 4-1 to hire Entran, a Lexington transportation engineering firm, to conduct traffic and parking studies on downtown.

"We're going to be making major changes to our downtown, and that is going to influence traffic patterns," Mayor Ron Payne said.

The study is also part of the downtown master plan. Because the city is hoping to take over portions of Second and Fourth streets from the state, the study is required, Payne said.

The estimated cost of the study is \$319,000, but commissioners approved up to \$330,000 for the work. City Manager Bill Parrish said the cost was lower than it could have been.

"The cost of the study could have been upwards of \$500,000," Parrish said. In addition to vehicle traffic, bicycle and pedestrian traffic will also be surveyed, Parrish said.

Castlen asked if the study could be postponed.

Commissioner John Kazlauskas said: "We do not have a pedestrian-friendly downtown right now."

"As we move forward in readying downtown, we have to make it easy for people (to walk) ... and we can't do it correctly without information," Kazlauskas said.

Castlen voted against conducting the study.

"I have reservations about us spending this money before we see anything happen" downtown, he said.

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