Melcher: landowner rights in peril

By MARK GROVE
Montana Kaimin Reporter

The U.S. Strip Mining Act, an important act for eastern Montana landowners, is being attacked in Congress. Sen. John Melcher, D-Mont., told about 75 people in the UM Science Complex last night, "This state has more coal than most nations on earth," Melcher said. He added that the rights of landowners could be jeopardized if the act was weakened.

The "gut issues" of the Strip Mining Act took a great deal of effort to get congressional acceptance and they are still in danger of being "gutted," Melcher said. He said that surface owner's consent, a provision of the act which gives a landowner the right to approve or disapprove the strip mining of coal on his property, is under pressure because the coal under his land belongs to the government.

"The land itself and the person who owns the land, are more important than the government's right to that coal," Melcher said. He said the ban on strip mining coal on irrigated farmland was also under attack. The law states that coal mining should not disturb the water aquifer on the mining site or downstream.

This "gut issue" is under attack because oftentimes there are $100,000 worth of coal under one acre of land in these areas, Melcher said. "But it is not necessary to mine all the land right now," Melcher said.

On the topic of forestry management in Montana Melcher said the Resource Planning Act is essential to improved land use.

Under the act the secretary of the interior is responsible for assessing the programs and for preparing a report, Melcher said. Melcher also said the act is a provision of the act which gives a landowner the right to approve or disapprove the strip mining of coal on his property.

About 12 people attended the meeting held at the University Center. Participants discussed the possibility of a picket and also the future of the "Strip Mining Act" and its past affiliation with the Ku Klux Klan.

But it was learned that a Kaimin reporter was present at the meeting. Several participants asked the reporter to leave.

Participants Jim Wheeler and Dan Hoyt told the reporter that no strategy for possible anti-Duke activities could be discussed with the reporter present. No SAC member was present at the meeting when the reporter was asked to leave.

The reporter left but soon returned with an editor. The two Kaimin staffers told the participants that since the meeting was sponsored by SAC — a group funded by student money — it should be open.

Midwifery bill debated

By CATHY KRAFDLER
Montana Kaimin Legislative Reporter

HELENA — The merits of home versus hospital births were debated before a legislative committee yesterday, as mothers clashed with doctors and nurses over a bill that would legalize and regulate the practice of midwifery.

Supporters of Missoula Rep. Ann Mary Dussault's bill told the House Public Health Committee that women who choose to have their children at home should be afforded the care of a midwife licensed and certified by the state. Dussault, a Democrat, said the committee would have to make a philosophical decision about whether birth is a natural process which can occur at home, or whether it is a disease that must be treated at a hospital.

Opponents of the bill included representatives from the Montana Nurses Association and the Montana Hospital Association and several obstetricians. Their criticism centered on whether

University funding opens marathon budget session

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The committee wants to get all its budget requests. Donaldson hopes the committees can work through all the problems by Saturday afternoon. He is allowing UM an hour and a half for testimony today and another hour on Friday when the issue of salaries is discussed.

The committee wants to get all its budget recommendations to the full House Appropriations Committee by Feb. 28. After that, the committee and the House will vote on the proposal before sending it to the Senate.

Tuesday, Feb. 10, 1981 Missoula, Mont.
Vol. 83, No. 57
Montana's questionable practice of attaching criminal status to lay midwives may be forced into an abrupt about-face if a bill sponsored by R-Missoula Democratic Rep. Ann Mary Dussault becomes law.

Both the intent and structure of Dussault's measure are excellent. It would provide for the establishment of a state panel of medical professionals to certify lay midwives and to determine the possibility of fining them up to $1,000 and jailing them for a year.

The bill would not only severely practic­ting midwives in Montana, mainly because they must be registered nurses, but it would prevent the College of Nurse Midwifery's Dussault's bill, on the other hand, would require that a lay midwife pass a series of periodic examinations and have assisted in at least 30 professionally supervised births.

The bill underwent a committee hearing yesterday and will probably face a vote today. A do-pass recommendation would be a step in the right direction.

Opponents of the bill, who are for the most part members of the medical profession, believe that passage of the measure would be tantamount to practicing medicine without a license.

But that's an excellent reason why the bill should become law. People would, for a change, be able to tell the public when those who are qualified to supervise home births and those who are not. But the practical nature of the situation must be considered. Having a baby in a hospital is expensive, and many women despite the stainless­steel atmosphere, prefer the more congenial surroundings of the home, and for that reason there will always be those who need the birth. Safely gives legal status or not. According to testimony given at the hearing, 90 percent of those who normally and could safely take place at home. The 10 percent or so that do not that is what concerns the medical profession. They reason that lay midwives could not deal with complications arising in a home birth.

This argument is valid only to a point, because properly certificated midwives should be able to recognize a problem in the first place. As a rule they can get a woman to a hospital. The status quo is dangerous, mainly because the ability of lay midwives to recognize dangerous situations may be clouded by the realization that they face possible criminal charges if they take a woman to a hospital.

All of this is not to say whether women who choose the option of home birth are right or wrong. Since the beginning of time, women have given birth in plenty of places other than hospitals, and those places have been largely out of public view. We have little idea of what women who want to have babies at home will do. There is no evidence to suggest that they do not. They may be by nature, lay midwives serves as a deterrent to the practice since law serves only one other function, retribution, legislators should ask themselves whether government has any business exacting a penalty on those who assist in home births.

Like so many other issues, this is a matter of personal choice. If the government likes it or not. Curtailing freedom of choice is futile and unnecessary, and Dussault's measure deserves to become law.

Scott Hagel

Letters

Out of hand
Editor: Personally, I don't care for Nikon or Mark Kaimin will admit that I do have a few roadside nature pictures. But I do care about a couple of dogs barking below two weather-old, cracked and worn Converse All-Stars. And no, I'm not out to get all dogs because I happen to be very sensitive to their barking.

It just seems that you have gotten a little out of hand in your railing against the so-called "dog haters." I wonder who is the bigger dog hater — the ones who would like to see a little responsibility shown by the owners, or the ones who: 1) leave their dogs tied to trees for a couple of hours in below two weather-old cracked and worn Converse All-Stars or 2) let them stand outside the Commons and bark for a couple of hours while the owners, or the ones who do care about these things, are tied to a sprinkler system and lets the poor dogs enjoy a third cup of coffee or 3) ties them to a pole and lets the poor dogs enjoy a third cup of coffee or 4) ties them to a pole and lets the poor dogs enjoy a third cup of coffee or 5) ties them to a pole and lets the poor dogs enjoy a third cup of coffee or 6) ties them to a pole and lets the poor dogs enjoy a third cup of coffee or 7) ties them to a pole and lets the poor dogs enjoy a third cup of coffee or 8) ties them to a pole and lets the poor dogs enjoy a third cup of coffee or 9) ties them to a pole and lets the poor dogs enjoy a third cup of coffee or 10) ties them to a pole and lets the poor dogs enjoy a third cup of coffee.

As for earthiness, please, I'll take a dirt path through McDonald's over the green, spring in "Mammary Park," and if the dogs are responsible for the liberal arts tradition here at Missoula, I guess my years of education here can be attributed to the... dogs?

Scott Molzahn
senior, history

Fear of ourselves
Editor: Who is David Duke and why is everyone afraid of him? It would seem that this one man's presence on the flooded and sacred campus has stirred our feelings that we are somehow going to grow white sheets and property, see the feeling of the state and people that are different from our own race, sex, social class, and religious beliefs as unseen that should be exterminated.

Well, these are things that are part of each and every person and it is this fear of ourselves that clouds our own view of reality.

I do not believe that money should have been spent without the input of the student body and I feel that other arrangements could have been made. But Duke has been cast, so to speak, we should take this time for our own feelings and moral beliefs in a more positive stance and for those that feel unwilling or uncomfortable with the change, the resources souls then do not transmit your virus to less informed and more misplaced emotional students if you do or you are playing the same game that Duke is and there is no difference in my opinion of the use of fear and other emotional trickerie to foment counter-hate.

Hate and discrimination is in all of us and we have to face this more realistically than passing it on to others that are not equipped to deal with our own selves realistically.

Bill Carpenter
junior, social work

Real selfishness
Editor: In Thursday's Kaimin, (Feb. 5) Don Partain passes judgment on women who choose the option of abortion in response to their pregnant state. According to Partain, these women are guilty, guilty of "selfishness, selfishness, selfishness." Partain speaks from outside the realm of the actual experience, unwanted pregnancy, and is an example from women this experience may serve to enlighten us regarding selfishness.

First of all, Partain states that the woman finds herself pregnant. She has been using birth control, her period is normally and could safely take place at home. The 10 percent or so that do not that is what concerns the medical profession. They reason that lay midwives could not deal with complications arising in a home birth. This argument is valid only to a point, because properly certificated midwives should be able to recognize a problem in the first place. As a rule they can get a woman to a hospital. The status quo is dangerous, mainly because the ability of lay midwives to recognize dangerous situations may be clouded by the realization that they face possible criminal charges if they take a woman to a hospital.

All of this is not to say whether women who choose the option of home birth are right or wrong. Since the beginning of time, women have given birth in plenty of places other than hospitals, and those places have been largely out of public view. We have little idea of what women who want to have babies at home will do. There is no evidence to suggest that they do not. They may be by nature, lay midwives serves as a deterrent to the practice since law serves only one other function, retribution, legislators should ask themselves whether government has any business exacting a penalty on those who assist in home births.

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Scott Hagel

The Montana Kaimin extends congratulations to the following 51 state representatives who voted to take away a woman’s control over her own body. Those who vote for the bill are: Audrey Becker, R-Whitefish; David Braatvedt, R-Arlee; Betty Devlin, R-Terry; Robert Elders, R-Bozeman; Gene Ern, R-Stanford; Jerry Feda, R-Glendive; Tom Hannah, R-Billings; John Hargrave, R-Culbertson; Whitish, R-Jefferson; William Jensen, R-St. Ignatius; Joe Kenduch, R-Anacoda; Roland Kenney, R-D-Babb; Les Kistelmen, R-Billings; Art Lund, R-Scooby, R-Meridian; Bill Mayhew, R-Chico; Carl Seifert, R-Polson; John Pavlovich, R-Butte; Joe Quilici, R-Great Falls; Jack Moore, R-Great Falls; Dennis Reilly, R-Missoula; Bob Pavlovich, R-Butte; Paul Pistoria, R-Great Falls; Joel Rolha, R-Butte; Audrey Roth, R-Big Sandy; John Ryan, R-Brusett; Walter Sales, R- Manhatten; James Schultz, R-Lewisvill; Carl Seifert, R-Polson; John Wallin, R-Bozeman; and Calvin Winslow, R- Billings.

There are the culprits.

A woman choosing not to give birth to a child she cannot care for cannot, for whatever her reasons, is doing the selfless thing that is possible. Women are not baby machines, waiting to give birth and send the product to some man, but are being thrown into decisions regarding the implications of her pregnancy. Those decisions rest with her because she is a woman and must care for an unwanted child into the world, and every adopted, battered, and unloved child knows he was originally unwanted. Women want to raise their children with joy and love without having to worry about the heart of a culture that denies equal oppor­
tunities to women. Real selfishness eats at a culture that purges women of all power and children at birth. There is no evidence to suggest that they do not. They may be by nature, lay midwives serves as a deterrent to the practice since law serves only one other function, retribution, legislators should ask themselves whether government has any business exacting a penalty on those who assist in home births.

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Scott Hagel
**sports**

Griz win on road, lose at home

By CLARK FAIR
Montana Kaimin

The Montana Grizzlies men's basketball team swept another pair of games on a road trip, the Lady Grizzlies dropped two to the Oregon powerhouses, and the UM women's gymnastics team was narrowly defeated in Spokane, Wash.

Such were the fortunes and misfortunes for University of Montana varsity teams last weekend.

The Grizzlies traveled to Northern Arizona University last Thursday, pulled ahead of the Lumberjacks early and held on for a 64-56 victory.

On Saturday, the Grizzlies invaded Wolfpack territory at Nevada-Reno University and came away with a hard-fought 60-58 win.

The top scorer in Thursday's game was senior guard Craig Zanon with 16 points. Zanon scored only 11 points on Saturday as senior guard Blaine Taylor captured the scoring honors with 26 points.

The two wins moved the Grizzlies to 14-7 on the season, 7-2 in the Big Sky Conference, good enough to remain within one game of first-place Montana State University.

The Lady Grizzlies were not so lucky. The University of Oregon (ranked 17th in the nation) and Oregon State University visited Montana and treated their hosts rather unkindly.

Against Oregon Thursday night, the Lady Griz were unable to stop Bev Smith, last year's most valuable player in the league, as the 6-foot-1 guard-forward poured 38 points in leading her team to a 69-57 victory.

Oregon State on Saturday night featured a different, though hardly less potent, weapon in 6-foot-5 All-American center Carol Menken.

Menken, after a relatively quiet first half, exploded for 17 of her 26 points in the second 20 minutes as her team pulled away from the stubborn Montana team and won, 77-69.

For the Grizzlies, the top scorer both nights was senior guard Jill Shepherd, who collected 44 points in the series, giving her a career total of 812, only one point shy of the record held by former career total of 812, only one point shy of the record held by former Montana State University's senior guard Craig Zanon with 16 points.

The UM women's gymnastics team was in Spokane last Friday, competing against Spokane Community College, a team they had beaten already this season.

But this time, the team went without the benefit of Cathy Sowl, a performer in the all-around competition, who had to stay behind to take an exam.

Sowl's absence may have been the determining factor as Montana was edged out 122-121.7.

There were two particularly bright spots in the meet for Montana. In the all-around, Kari Shepherd and Shawn Leary both had their personal bests for the year and finished in first and second place respectively.

Shepherd scored 31.55 points, finishing second in the uneven parallel bars and third in the vault and balance beam. Leary scored 30.9 points and placed second in the balance beam.

The next meet for the gymnastics team will be Feb. 20 against Boise State University, the defending Division II Regional Champs. The meet starts at 7 p.m. in the field house annex.

Application deadline for PACE is February 13

Applications available in Career Resource Library, Basement of the Lodge

243-4711

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LADY GRIZZLY CHERI BRATT holds the ball away from the probing hands of University of Oregon's Angie Snider during first-half action Thursday night in the Dahlberg Arena. Bratt managed only four points in this contest but scored a game-high 19 points Saturday against Oregon State University. (Photo by Clark Fair.)
**Get Your Honey in a Heart!**

Give a Valentine to be Worn year round.
- Bring us a photograph or 35mm slide of your Valentine and we'll transfer it, inside a heart, to the shirt of your choice.
- On sale for only $1.20 more than the price of any shirt from... COLOR copies unlimited

**Adult Shirts: $5.50-$9.95 — Children's Shirts: $4.50-$7.00
700 SW Higgins 728 1700 (Located in Mac's General Store)**

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**TONIGHT!**

ROBERT CRAWFORD BAND

RHYTHM AND BLUES

- The rock 'n roll revolution is in the music you hear tonight. Catch them live yourself and see what enthused Baluchi and Rolling Stone magazine to give the band such glowing tributes.

J. K. Maillet

WESTERN STAR

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**Be Austere in Your Valentine Gift!**

**Dear Ann:**

Ashland, Ore. — I'm an All American. Romantically, I'm a nerd. I'm in love, or at least doubt, rely on the magic of flowers. It's the only way a I'm a nerd. I'm in love; flowers. It's probably the best play you ever made. And the reason? I hasta near your nearest FTD Florist. He has the perfect Valentine gift. A beautiful bouquet that centers in special bud vase. Even better, you can afford it. Remember, when in doubt, rely on the magic of flowers. It's the only way a can catch a fox.

**Chicken Hawk**

**Dear Chicken:**

Don't punt. Send her flowers. It's probably the best play you ever made. And the reason? I have the perfect Valentine gift. A beautiful bouquet that centers in special bud vase. Even better, you can afford it. Remember, when in doubt, rely on the magic of flowers. It's the only way a can catch a fox.

**Good hunting!**

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**THE BEATLES IN YELLOW SUBMARINE AND LET IT BE**

**Yellow Submarine** (1968), an in depicting the adventures of the Beatles as underwater creatures following a mermaid princess, played on a television screen by a rock band, and composed of footage, songs and songs from a time-travel adventure, is released in 1968. The film's promotion was accompanied by a single, "Yellow Submarine." The film's music featured songs by the Beatles, including "Yellow Submarine." The film's director, Richard Lester, was interested in creating a television program to showcase the Beatles' music. The film was released in theaters in 1968 and became a box office hit.

**Let It Be** (1970), the final studio album released by the Beatles, was recorded in the late 1960s and early 1970s. The album's title track was a hit single and it was nominated for two Grammy Awards.

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**classifieds**

**lost and found**

**Lost**

- Bread and butter with two slices of bread, $0.50. Call 728-6434 or 209-902-63.
- The Blue Meanies' poster, $5.00. Call 721-5487 after 7:00 P.M.
- Some time in 1980, a lively series of adventures and entertainment, folk music and folk expression, will be released in the United States. The film's theme song, "The Blue Meanies," is written by Paul McCartney and John Lennon.

**Found**

- A lively series of adventures and entertainment, folk music and folk expression, will be released in the United States. The film's theme song, "The Blue Meanies," is written by Paul McCartney and John Lennon.

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**Mike's**

- Garage sale, black-feet owned. Call 728-902-63.

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**RIDE NEEDED TO Kalispell. Leave any time after February 11. Will help with gas expenses. Please call Louise at 549-5684.**

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**UNPLANNED PREGNANCY options, call Marie, M.Y.H. Inc., 549-1052.**

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**office return of lost and found. For your bra size, you want to have an arm long after the game on the 26th, make sure to wear the right size.**

**ROY BOSUT returns Thursday 10:50. For presence of the right size bra, you want to have an arm long after the game on the 26th, make sure to wear the right size.**

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**X-COUNTRY SKIERS:** Bring us a photograph or 35mm slide of your Valentine and we'll transfer it, inside a heart, to the shirt of your choice.

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**I'M A NERD. I'M IN LOVE!**

- I'm a nerd. I'm in love.

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**SPECIAL SHOWTIMES —**

- Saturday & Sunday matinees at 2:00 P.M.

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**THE PASSION OF JOAN OF ARC**

- Sat. Mar. 14

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**THE PASSION OF JOAN OF ARC**

- Sat. Mar. 14

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**Write Guadalajara Summer School**

Robert L. Nugent Bldg. 205
University of Arizona
Tucson 85721
(602) 626-4729
It was advertised as “music from the heart of the rock ‘n’ roll jungle,” and Friday night’s Molly Hatchet concert stirred up some pretty primal instincts.

Sam Goza, pop concert director, said that “a lot of overly drunk people” were at the concert and that there were more fights than usual. But Goza would not speculate on the number of fights at the concert.

Ken Willett, head of Campus Security, said that while he was at the concert he helped clean glass out of a cut for a concert-goer who had apparently been elbowed and had his glasses broken.

“It was wild,” Willett said, adding, “a lot of people came (to the concert) pretty well schnockered.”

Goza said two people were taken to a detoxification center.

Willett said one person was taken to the hospital in an ambulance due to an apparent drug overdose. This could not be verified.

Goza said four people from the Outreach Team of the Missoula Crisis Center and from the Quick Response Unit helped deal with all the sick and injured people at the concert.

Goza said he looked into the emergency workers’ area once during the night and almost became sick.

Sometime during the night, Goza said, some tapes belonging to the band were stolen from the mixing console.

Despite all this, Goza said, the concert was a great financial success with over 5,600 people attending the concert. At $8 a ticket, $94 at the door, Goza said, the gross receipts for the concert will be over $46,000, of which ASUM gets 7 percent.
Midwifery...
Cont. from p. 1
Midwives would be adequately trained under provisions of the bill. Betsy Scantlon, an attorney from Red Lodge, told the committee that home births are not dangerous and "infinitely safer than having no one with any training present." She said the number of home births has doubled in four years from 93 to 188.
The bill provides for a board of midwives to license and administer examinations to those who are trained in assisting in home births. Under present Montana law, midwives can be fined $1,000 and jailed for up to one year.
They said that the group had decided to be discussed at a later private meeting.
They said that strategy for possible anti-Duke activities would have to be "second rate," according to Cindy Keyser, a nurse and midwife from Butte.
Judy O'Leary, representing the Montana Nurses Association, said the group had decided to...