Montana Kaimin, November 12, 1982

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Kremlin vows to continue policies of dead leader

MOSCOW (AP)—The Kremlin vowed yesterday to continue the policies of President Leonid I. Brezhnev, and declared four days of mourning for the man who led the Soviet Union for 18 years. One of the two men mentioned as his most likely successor was assign-

ed to plan the funeral.

No single leader automatically fell heir to Brezhnev's leadership posts as president and Communist Party secretary-general, but the appointment of former KGB chief Yuri Andropov, 68, as head of a committee to plan Monday's state funeral, thrust him forward as the leading candidate.

The other candidate most talked about is Konstantin Chernenko, Brezhnev, and declared four days of official mourning period ended today and will end Monday with burial beside the Kremlin wall.

Brezhnev, 75, died Wednesday of an apparent heart attack. The announcement was withheld for 26 hours.

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There was also speculation the group would include Secretary of State George Shultz. It was also thought that the delegation might include three former living U.S. presidents—Richard Nixon, Gerald Ford, and Jimmy Carter. All were met with Brezhnev. But White House sources indicated they would not be part of the group.

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Opinions

Koop hazardous to video gaming

by Arthur Hoppe

Once upon a time, a troop of Boy Scouts was lost in a seemingly endless thicket.

They wandered this way and that. Sometimes, they got a little better. Sometimes, they got a little worse. Although they never got terribly awry, they never got terribly good, either.

So the boys groaned and complained and wished that someone would come along and show them the right way to go.

As though in answer to their prayers, a handsome, elderly Scoutmaster magically appeared. He showed them the right way and gave them confidence. The very sight of him made the boys feel a lot better.

"Make no mistake, lads," he said, frowning sincerely. "He always frowned sincerely unless he was making quips, of which he was inordinately fond.) I'll yow will have you out of this thicket in two winks of a girl's eyelash."

And off he plotted dead ahead right through the thickest tang of the thicket.

A few of the boys muttered nervously that they certainly hoped new Scoutmaster knew where he was going. But most were impressed with his admirably calm manner.

So they felt in him with high hopes and bright expectations.

Well, the branches scratched and the sun beat down on the little troop. In no time, the boys were sweaty and tired and out of breath. naturally the grinding in­

"Turn right, sir," cried some of the boys.

"Turn right, sir," pleaded others.

But the Scoutmaster was not to be deterred. "Good Scout never com­

plaints, either about what is not my fault," he said, frowning sincerely.

"Above all else good Scouts stay the course!"

So the Scoutmaster, chin high, shouldered back, plunged straight ahead. Soon the mud was up to his knees. Then his waist. Then his shoulders.

"Sir," shouted the worried boys behind him. "Are you sure you know what you're doing?"

"Certainly I do," he said, frowning sincerely. "Like all good Scouts, I am staying the course."

Unfortunately, the rest of his words were drowned out. The boys turned back into the thicket where they resumed wandering this way and that. Although things never got wonderfully better and never got terribly worse either. And whenever anyone suspected staying the course, they would ask, as children will: "Why?"

Moral: More leaders have a sense of purpose than a sense of direction.

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Letters

Call for rights

Editor: Since June 20, 1981, the day Khomeini's regime turned the peaceful demonstration of half a million people into a massacre, the world has had ample evidence that these nations are also communist? One point I could not turn my head on was his viewpoint. He is only one of many diplomats stationed in Cuba. Main reason for his resignation: it was time to move on. Many people resign from every type of job from any walk of life. One point I could not turn my head on was his viewpoint. He is only one of many diplomats stationed in Cuba.

Why don't you talk to the many Cuban-Americans who fled Cuba in the '50s, '60s and '70s. I feel that you would find, I feel that you would find, by asking them how they were treated, how they were treated, you could get a reasonably accurate and reliable indication of the truth of the whole matter.

By the way, Mr. Mason, many of us would like to have a meeting with you and talk with him? My father is a U.S. diplomat in the State Department. I've never had any contact with his country. I've never had any contact with his country. Why don't you talk to the many Cuban-Americans who fled Cuba in the '50s, '60s and '70s. I feel that you would find, I feel that you would find, by asking them how they were treated, how they were treated.

But a careful review of all the statements. Were Koop not the U.S. surgeon general, the kids and dreams that have to do with the things they have been doing all day."

"I know you lads back there in the ranks are having a tough time, which is why we're having a field day right now."

"Don't worry about a thing, lads," said the Scoutmaster, frowning sincerely. "It's just down the next valley," said the Scoutmaster, frowning sincerely.

"They are into it body and soul," he said, adding that "the kind the kids like and are addicted to are Martians coming in that have

"They are into it body and soul," he said, adding that "the kind the kids like and are addicted to are Martians coming in that have..."

It's the strips regularly

Brian L. Rygg

The Amusement Game Manufacturers Association, naturally, objected to these statements. Koop responded by saying, "Nothing in my remarks should be interpreted as implying that video games are hazardous to your health: they stated it straight out."

Because Koop is surgeon general, his statements have been and not those of the Public Health Service he heads. But a

Koop has admitted that he has no scientific evidence on the cultural effects of such games. The Amusement Game Manufacturers Association, naturally, complained and wished that someone would come along and show them the right way to go. Although they never got terribly awry, they never got terribly good, either.

So the boys groaned and complained and wished that someone would come along and show them the right way to go.

As though in answer to their prayers, a handsome, elderly Scoutmaster magically appeared. He showed them the right way and gave them confidence. The very sight of him made the boys feel a lot better.

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WASHINGTON — D. L. Cuddy believes he has developed a near-perfect solution to the vexing problem of what he calls "forced busing." He would, in a nutshell, allow any child to transfer, with transportation paid, from a school in which his race is in the majority to any other school in the district in which his race is in the minority.

Simple? Undeniably. Simplistic? Cuddy, a senior associate with the National Institute of Education, doesn't think so.

The purpose of the plan, which he hopes to have some member of Congress introduce, is "to protect minority rights." As he explains in a recent issue of the conservative Human Events: "Court-ordered racial balance busing denies blacks equal protection of the law. Because the courts do not allow 'token' integration, most all forced school desegregation remedies call for system-wide balanced integration. However, this means that if a system is 90 percent white and 10 percent black, then only 10 percent of the white students must be transported, but 90 percent of the black students must be. This is greatest discrimination against blacks."

His own approach, which is not endorsed by the NIE or any other federal agency, is an improvement over the discredited "freedom of choice" proposals of the 1960s (though quite similar to one put forward in the mid-1960s by then-Sen. Abraham Ribicoff). Under "freedom of choice," black students would have been permitted to enroll in any white-majority school in the district so long as there were vacancies. Cuddy would give a student seeking to enter a school in which his race was in the minority first choice at a seat — even if it meant that a student in the school's own neighborhood would have to be denied space. That provision, along with the guarantee of free transportation, should please the civil-rights leadership.

He believes it would also satisfy the courts, since the plan would, on its face, provide equal educational opportunity without regard to race. "Even in a worst-case scenario, where a white racist school board might contemplate discriminating against blacks, with first choice and free transportation guaranteed, all school boards will, in their own self-interest, see to it that schools in predominantly black neighborhoods receive equal, if not superior, facilities, teachers and appropriations," the 36-year-old North Carolinian said.

No, according to Cuddy, who said he attended integrated schools in his home state even before the Brown decision, "the key here is that the decision regarding satisfaction that equal educational opportunities are being guaranteed is in the hands of blacks themselves, and not in the hands of possibly racist school boards. Therefore, if the school in a particular black neighborhood is inferior, then EVERY black student is guaranteed the right and transportation to attend a superior school in a predominantly white neighborhood," with the result that there might be "even more integration than under court-ordered busing."

Perhaps the biggest civil-rights objection to the Cuddy proposal would be its requirement that other segregation remedies — including court-ordered busing, magnet schools and school pairings — would be repealed. The civil-rights establishment has been understandably reluctant to give up any of its hard-won gains in exchange for something that MIGHT work better.

If Cuddy is serious about his proposal — and he has been pushing it for some years now — his best chance might be not to go to Congress but to get a local school district to adopt it on an experimental basis.

It is possible, for instance, that only the children of cream-of-the-crop blacks would take advantage of the plan, leaving their old school segregated and income as well as by race.

Cuddy doesn't see this as a serious drawback. From his viewpoint, it would mean only that the parents of the non-transferring students would see it in their best interest to keep their children where they were. And if the parents are happy, why should the rest of us get excited?® 1982, The Washington Post Company


DOONESBURY by Garry Trudeau

GARFIELD® by Jim Davis

Montana Kaimin • Friday, November 12, 1982—3
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**ASUM LEGISLATIVE COMMITTEE**

has extended deadline to return

**ASUM LOBBY SURVEY**

to Wednesday, November 17, 1982

Please Return — Your Input Is Essential

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**Sports**

UM finishes season in Weber

By Dave Keyes
Kaimin Sports Editor

For the University of Montana Grizzlies, the race for the Big Sky Conference championship has come down to three games. Montana will play one, and then watch the University of Idaho finish its conference season next week to determine the conference champion.

The Montana Grizzlies will travel to Ogden, Utah for its final game of the conference season. If the Grizzlies can come away with a victory tomorrow, UM will be assured of at least a second place finish.

Idaho leads the Big Sky Conference with a record of 4-1. Montana State is in second place with a 5-2 record, and Montana is in third place with a 4-2 record.

The Montana Grizzlies travelled to Ogden last month, with victories over Utah State and Idaho, and the Grizzlies will play Idaho and Weber State this week. The Grizzlies are coming off a first place finish in the Idaho Invitational tonight and the Grizzlies will be the one to beat in this tournament.

The Lady Grizzlies also set team records in last week's tournament. Montana is coming off a second-place finish in the Glacier Invitational tournament last weekend.

**Netters face Idaho, Weber**

The University of Montana volleyball team will close out its home season tonight and tomorrow, with matches against Idaho State and Weber State.

Idaho State match is scheduled to begin tonight at 7:30 and the Weber State match begins at 4:00 Saturday afternoon.

The Lady Grizzlies are currently 17-17 overall and tied for third in the Mountain West Conference with a 7-4 record.

Idaho State has a 18-20 record and is in third place in the conference. Weber State has an 8-4 record and is in second place.

The Lady Grizzlies also set team records for kills, with 99 assists, with 90 blocks, with 23 in the Utah match.

**Swimmers in UM Invitational**

The University of Montana women's swimming and diving team will be competing in the Grizzly Invitational tonight and tomorrow, at the Grizzly Pool.

The invitational begins tonight at 7:30 with six teams from Washington State, University of Wyoming and Puget Sound competing against the Grizzlies.

The UM swim team is coming off of a first place finish in the Idaho Invitational. Head Swimming Coach Doug Brenner said that his team should be the one to beat in this tournament.

"We don't have the depth I'd like," Brenner said, "but we have one or two swimmers that have the potential to become all-Americans."

Montana will host Idaho in its only other home meet of the season on Nov. 20.

**Men's basketball**

The men's basketball team will face Simon Fraser University, Dahlberg Arena 8 p.m. tomorrow.

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4—Montana Kaimin • Friday, November 12, 1982
Weekend conference to highlight computer literacy, programming

By Greg Moore
Kamos Computing Reporter

The third annual Computers in Education Conference will take place today and tomorrow at the University Center Ballroom. The conference will be held in conjunction with a computer science fair for high school students. The events are sponsored by the University of Montana Center for Continuing Education and the student chapter of the UM Association of Computing Machinery.

The conference will be in session today from 9 a.m. to 4:30 p.m., with check-in at 8 a.m., and tomorrow from 8:30 a.m. to 4:30 p.m.

The conference is designed for teachers, librarians, consultants and administrators. Session topics will include computer literacy, word processing, legal aspects of software, computing in the early grades, library applications and color graphics.

An open house will be held tonight from 7 to 9. Computer retailers will demonstrate the latest in microcomputers and programs. Admission to the open house is $2.

High school students participating in the computer science fair will enter prepared projects and compete in a programming contest.

Prizes for the fair will be awarded at a banquet tomorrow at 6 p.m. in the UC Gold Oak Room. Daniel D. McCracken, a visiting professor of computer science at City College of New York, will give his forecasts of future developments in computer technology.

Tickets for the banquet, which is open to the public, cost $10 and are available until 10 a.m. today at the department of computer science.

Skaters to wheel for charity

By Jeff Morgan
Kamos Reporter

A skate-a-thon Monday night at the Skate Haven roller rink will allow University of Montana students a chance to spin their wheels and benefit the Missoula Poverello Center and the Oxford Famine Relief organization.

The skate-a-thon is being organized by the Ark, the Christian Campus Ministries.

Students wishing to participate may purchase registration sheets for $3 at the skate-a-thon table in the University Center Mall from 11 a.m. to 2 p.m. today at the Ark, 358 University Ave., today and Monday. The registration fee proceeds will pay the cost of renting the rink as well as participants’ admission and skate rental fees. All money raised over that amount will be distributed evenly between the two organizations.

Participants also have the option of collecting pledges to raise additional funds.

Missoula’s Poverello Center serves the poor by offering a free lunch five days a week, operating emergency housing and running a second-hand clothing store.

The Ark is a hunger-relief organization which gives aid to the hungry of foreign countries in an attempt to make them more self-sufficient in their food needs.

The Ark has organized a skate-a-thon during each of the past four years.

Last year, about $580 was collected. Usually between 45 and 55 people skate, said Lynn Fitch, a United Methodist Minister of the Ark.

The continuation of collecting pledges to raise additional funds is anticipated. Fitch said she won’t know how many will participate until Monday night.

A 35mm Cannon AT-1 camera and equipment were stolen from the event will be provided by the Ark. A skate-a-thon last year from 7 to 9:30 p.m. at Skate Haven Roller Rink, 3490 Reserve. Rides to and from the event will be provided by the Ark.

Other thefts include:

• Three bicycles were stolen: a silver 10-speed, a red 23" 10-speed valued at $189.
• Two windows were stolen.
• A battery, valued at $40, was stolen from a State Motor Pool vehicle Nov. 1.
• Two windows were stolen from the new Clinical Psychology Building Nov. 1. Each window was valued at $189.
• Three bicycles were stolen: a silver 10-speed, a red 23" 10-speed with a water bottle holder and a blue Kirkland tour pack and a blue Nashiik 10-speed.
• A backpack was also reported stolen from the Lodge cafeteria. The owner has not been located. A red bicycle was found in the Albert Hall lobby and a green one by the University of Montana courts. Inquiries may be made at the Albert Hall desk.

Crime report

The following crimes were reported to the University of Montana Campus Security during the first two weeks of November:

• A 35mm Cannon AT-1 camera and equipment were stolen from Room 240 of the UM Liberal Arts Building Nov. 1.

• A 70-150mm Zoom Vivitar lens, a 28mm wide-angle lens, a Vivitar 285 strobe unit, an FLD filter, an 80 A filter, a camera case and a coupler were reported stolen.

The camera, 35mm and 50mm lenses are owned by UM. The professor who reported the theft owns the other equipment.

Nov. 7, a Miller Hall resident reported his car was broken into and a Pioneer speaker worth $50 taken.

Other thefts include:

• A hub cap stolen from a car Nov. 8. Replacement cost is estimated to be $40.
• A battery, valued at $40, was stolen from a State Motor Pool vehicle Nov. 1.
• A backpack was also reported stolen from the Lodge cafeteria and a yellow vinyl suitcase was lost somewhere on campus.
• A camera, valued at $50, was stolen.

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Events

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A skate-a-thon Monday night at the Skate Haven roller rink will allow University of Montana students a chance to spin their wheels and benefit the Missoula Poverello Center and the Oxford Famine Relief organization.

The skate-a-thon is being organized by the Ark, the Christian Campus Ministries.

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50¢ BOOZE DRINKS

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“Crime report” issue.

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A skate-a-thon Monday night at the Skate Haven roller rink will allow University of Montana students a chance to spin their wheels and benefit the Missoula Poverello Center and the Oxford Famine Relief organization.

The skate-a-thon is being organized by the Ark, the Christian Campus Ministries.

Students wishing to participate may purchase registration sheets for $3 at the skate-a-thon table in the University Center Mall from 11 a.m. to 2 p.m. today at the Ark, 358 University Ave., today and Monday. The registration fee proceeds will pay the cost of renting the rink as well as participants’ admission and skate rental fees. All money raised over that amount will be distributed evenly between the two organizations.

Participants also have the option of collecting pledges to raise additional funds.

Missoula’s Poverello Center serves the poor by offering a free lunch five days a week, operating emergency housing and running a second-hand clothing store.

The Ark is a hunger-relief organization which gives aid to the hungry of foreign countries in an attempt to make them more self-sufficient in their food needs.

The Ark has organized a skate-a-thon during each of the past four years.

Last year, about $580 was collected. Usually between 45 and 55 people skate, said Lynn Fitch, a United Methodist Minister of the Ark, but last year only 35 participated, Fitch said she won’t know how many will participate this year until Monday night.

The skate-a-thon will last from 7 to 9:30 p.m. at Skate Haven Roller Rink, 3490 Reserve. Rides to and from the event will be provided by the Ark.

Over one half a million people have seen him live!

G. Gordon Liddy

“Government: Public Perception vs. Reality”
Monday, November 15, 1982 - 8 p.m.
University Center Ballroom, University of Montana
Tickets: $1.75 General Public, $1.25 Students

Presented by ASUM Programming

“Coming Up This Week…”

Lectures

G. Gordon Liddy

“Government: Public Perception vs. Reality”
Nov. 15, 1982 — UCB — 8 p.m.

Brew Party

NOON TO 6:00
30¢ SCHONERS
$1.25 PITCHERS
50¢ BOOZE DRINKS
Chicken Drumsticks 10/$1.00
Hot Dogs 35¢ ea.
10:00 — 11:00
56 16¢ 1/2 PITCHERS
50¢ BOOZE DRINKS

Heidelberg 93 Strip

Coffeehouses

“John Sirkis

„Birth of a Nation”
November 11th
6 p.m., free, 8 p.m., ICB

“From the People Who Entertain You!”

Montana Kaimin • Friday, November 12, 1982 — 5
Bilateral

Cont. from p.1

him and explained the views of the anti-communist organization to him.

According to McFadden, the society doesn’t see much difference between Democrats and Republicans.

“Like we 1st Reagan says but not what he’s doing,” McFadden said.

The society thinks, said McFadden, that Reagan has not gone far enough in cutting taxes and reducing government spending.

The society opposes the graduated income tax and supports free enterprise but opposes “monopoly capitalism.”

According to McFadden, The John Birch Society also opposes the use of school textbooks that “tear down the foundations of American civilization.”

The society draws criticism during the 1960s from the Anti-Defamation League of the B’nai B’rith for what it saw as anti-Semitic activities he was involved in:

“Like with millions of other Americans, I’m finding the B’nai B’rith for what it saw as anti-Semitic activities he was involved in; such as laundering money for Richard Nixon’s campaign, breaking into the Watergate affair,

But Liddy maintained his silence about Watergate and the other alleged activities he was involved in; such as laundering money for Richard Nixon’s campaign, breaking into the Watergate affair,

Sorry, Liddy is found guilty of attempting to spy on the Democrats during the 1972 presidential campaign.

Liddy maintained during the trial that he thought he was involved in an ‘internal intelligence operation.’

He was held in contempt and sentenced to an additional jail term.

He was found guilty of attempting to spy on the Democrats during the 1972 presidential campaign.

Liddy said the United States has an important interest in investigating the Watergate affair.

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He was found guilty of attempting to spy on the Democrats during the 1972 presidential campaign.
Montana residents, by a margin of nearly 2-1 voted in 1970 to call a constitutional convention to reform the state government that was ruled by the 1889 28,000-word Montana Constitution. The old document, "long outmoded, was burdened with detail, difficult to amend, and oriented to a frontier past that had long vanished," said Thomas Payne, political science professor at the University of Montana, in the March 17, 1982 issue of the Montana Eagle.

In 1971 a special election was called to choose delegates to the convention. The Montana Supreme Court barred legislators and public officials from participating in the Constitutional Convention. Farmers, ranchers and lawyers who served as five clerks, three professors, two newspaper editors, a disc jockey, a beekeeper, and former Gov. Tim Babbcock's wife.

As the late historian K. Ross Toole stated, the delegates "were people essentially without personal political ambition. They had nothing to trade and no constituency to hold in the palm." A Lee State Bureau report said, "Montanans who worry about unresponsive government shouldn't be concerned about the Constitutional Convention. Seldom has any assembly seemed so concerned with what the folks back home want or don't want." (Lee state report)

The convention operated as a unicameral body and convened for three months. All proceedings were open to the public with committee hearings announced three days in advance.

"Montanans who worry about unresponsive government shouldn't be concerned about the Constitutional Convention. Seldom has any assembly seemed so concerned with what the folks back home want or don't want." (Lee state report)

The convention allowed proposals to be presented by citizens and delegates alike. The proposals were assigned to committees, studied and then presented in front of the whole convention.

"The convention's research analysts were saying things like, "We're replacing the 1899 constitution with one written for 1965." But after 52 days of discussion and deliberation, the 100 delegates signed the proposed constitution, which was 16,800 words shorter than the 1889 one. Some of the major changes were:

• the right to a clean and healthful environment
• equality regardless of race, color, sex, culture, social origin or condition, or political or religious ideas
• an open meeting law
• the right of individual privacy
• allowing citizens to sue state and local governments
• reappropriation of districts that were split
• allowing pupils from single-member districts and senators from double districts, instead of from counties

Montana's new charter is a model document. Despite the individual political differences of the writers, it has a nonpartisan, populist character... sparks with flashes of human concern... rings with progressive principles." (Time magazine)

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The Montana Constitution 1972-1982

1972: New constitution written and adopted

Articles by Ann Joyce 1971-1972

Montana Review

Amendments added to state constitution

Since the adoption of the Montana Constitution several amendments have been added. For example, the creation of the state's coal trust fund is now enumerated in the constitution. The trust fund contains 50 percent of the state's 30-percent Coal Severance tax. Recently voters passed Initiative 95, which allows the legislature to invest part of the trust money to secure economic development in the state.

Another amendment passed by the Montana Legislature has provoked criticism and a battle to repeal the amendment. In 1874 the legislature voted against meeting in annual sessions and opted for a return of the biennial session.

Former delegate and Butte attorney Tom Joyce said the legislature "made a mockery of annual sessions. The idea of annual sessions was to reduce the number of bills submitted and to make the legislature more responsive to unplanned problems, he said. The first year of annual sessions, however, the legislature submitted thousands of bills, he said. "The legislators did not give annual sessions enough time."

With respect to state and federal relations, biennial sessions are the biggest weakness of the constitution," said Rep. Dan Kemmis, D-Missoula. "We are incapable of responding to the demands of the federal government without meeting for the full year." The annual session question was put to voters again in the last election but failed. Voters, however, did pass an amendment allowing legislators to vote by mail to respond to a gubernatorial veto when they are not in session. Kemmis said the mail vote will "mildly strengthen" the legislature but that he hopes "it does not become a precedent." "The legislature should legislate as a body always," he said.

Another amendment enacted by the legislature deals with state and local government's liability in the case of injury. Before the adopting of the amendment, state and local governments were liable for all damages, but this was amended so that these entities are responsible only for economic damage. Joyce said the change is unconstitutional because it "denies people the equal protection of the law." For example, he said, people who suffer damages because of government machines, buildings or cars are compensated for the damage in terms of how much the government can afford to pay while pain and disability they may have incurred. The economic damage clause especially discriminates against the unemployed," he said. The reason for the change, he said, is that the state's trust fund would be depleted if the state were responsible for the other damages. In 1983 the legislature will consider legislation to implement the provisions of yet another amendment. This one deals with the right for the legislature to review their local governments every ten years.

The constitution previously called for mandatory review of local governments, but the legislature changed it so that local residents vote whether to review their local government or not.

Former delegate and Missoula Deputy City Attorney Nan Ellingson said the intent of the Montana Constitutional Convention was to increase the powers of local government and to increase public participation. "I am a little disappointed" that the legislature made the change without giving it much time before "considering it an onerous task," said Joyce. "The legislature and the people have the opportunity to review their local governments and that the review is made easy."
IN GOOD HANDS

Your skis will be in the hands of experienced ski mechanics when you bring them in for a tune-up. We will fill any scratches, sand, smooth and hot-wax, or sand and pine-tar your skis.

Every (legislative) session there is invariably a power grab to establish interim committees which act on behalf of the entire legislature. (Arlyne Reichert, former MTN-TV analyst)

In fact the changes that were made, he said, "were punitive to the judiciary."

The Montana Plan for Court Improvement provided for the original appointment of judges and a proposal of the court system, he said.

The plan for the selection of judges was a topic of reform during the three-day Citizen's Forum.

On June 6, 1972, the people of Montana ratified the new constitution by 2,532 votes, despite the fact that it failed in 44 of the 56 counties. They voted against a unicameral legislature, for the death penalty and some legalized gambling. But that was not the end. Opponents challenged the legality of the ratification because, they said, it was not approved by a majority of the voters.

The discrepancy occurred because 7,302 people voted on the three side-issues only and not on the constitution itself. The issue found its way to the Montana Supreme Court, which:

SPIRIT OF PEACE COMMUNITY
an alternative Catholic community
Sunday Liturgy 10 AM
333 University Avenue

The right to a clean and healthyful environment and the establishment of the coal trust fund "represents a strong statement of self-determination on the part of Montana." (Rep. Dan Kemmis D-Missoula)

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In late June of 1973, opponents took the issue to a federal district judge, who also ruled in favor of ratification. They brought it to the U.S. Supreme Court, but the court refused to hear the case. So the Montana Constitution that begins:

"We the people of Montana grateful to God for the quiet beauty of our state, the grandeur of our mountains, the vastness of our rolling plains, and desiring to improve the quality of life, equality of opportunity and to secure the blessings of liberty now and in future generations do ordain and establish this constitution."

went into effect July 1, 1973.
In handling many kinds of business, the state court could need and well afford to have lawyers as magistrates," he said. "Now, he said, search warrants are often administered by judges without legal training and end up getting thrown out of court.

Consolidation of the court system should result in one level of trial courts, he said, with district judges allocating powers to and disqualifying the function of lower court magistrates.

"Changes could and should be done," he said. "It is a matter of unfinished business."

The remaining two panel discussions, constitutional doctrines—"the right to privacy vs. the right to know—and the state's relationship with the federal government, respectively."

The conference called, "No person shall be deprived of the right to examine documents or to observe the deliberations of all public bodies or agencies of state government and its subdivisions, except in cases in which the demand of individual privacy clearly excels the merits of public disclosure."

"This provision contemplates two competing but not necessarily conflicting interests," Mike McCafferty, a Helena attorney, said. "It mandates open government but recognizes that openness may sometimes infringe upon individual privacy. In such an event, the meeting or document need not be open if the public interest in such matters is small and the harm to privacy would be substantial."

UM journalism professor Mike McCafferty said in an interview last week, that before a matter is closed to the public, the person responsible for the meeting should balance the merits of public exposure and privacy.

When the right to know was being added to the constitution, newspapers throughout the state called the proposal a "right to conceal."

They feared public officials would use the privacy exception to close meetings that should open.

Since the adoption of the constitution, the Montana Supreme Court has made several rulings on the issue, but there has been "no definitive decision to provide guidance" in determining the legality of closing meetings or access to documents, McCafferty said. Since the state Supreme Court ruling allowing the Board of Regents' personnel meetings to be closed, agencies have got the idea that anything that involves personnel, hiring or firing, can be closed to the public, McCafferty said.

"Montana law doesn't say that," he said. "Anything that affects a public official's work falls into the realm of the public's right to know."

Until the Montana Supreme Court hands down a more "clear-cut decision, he said, newspapers should continue to bring the issue into court.

Under such circumstances, through the court, the public can do is tell the official or agency not to do it again, he said. On the issue of constitutional safeguards, Rep. Dan Kemmick, D-Missoula, said that if the new federalism of the Reagan administration is "meaningful," the federal government will let the states determine "to the largest extent possible" what takes place within its borders. If the state chooses high environmental standards, the federal government should not attempt to pre-empt those concerns, he said. The right to a clean and beautiful environment and the establishment of the coast trust fund, he said, "represent a strong statement of self-determination on the part of Montana."

"They are an integral part of the very concept of Montana. Montana can only be Montana by protecting the environment."

However, he said, these statements of self-determination lend themselves to potential conflict with the federal government, adding "it is a healthy potential."
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