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Montana Kaimin, October 15, 1986

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Koch hopes to defend programs against cuts

By Melody Perkins
Kaimin Reporter

University of Montana President James Koch said Tuesday he will defend UM’s academic programs when the Board of Regents meets Oct. 23 and 24 in Missoula.

At the Oct. 10 board meeting, the regents said they would consider comments from university presidents on the report issued by the commissioner of higher education before they take any action.

Commissioner Carroll Krause’s report, released Oct. 9, recommends eliminating duplicated programs in Montana’s six-university system.

“I hope I’m given the opportunity to defend our programs,” Koch said in an interview.

Koch said he met Monday with the chairman and dean of the programs “fingered in the report.” He also met with the heads of programs considered for possible elimination.

Krause’s report recommends that the regents consider eliminating UM’s business education and home economics programs, the master’s degree in computer science and doctoral degrees in chemistry, mathematics and microbiology.

In addition to these, the board will consider eliminating the UM School of Pharmacy, the physical therapy program and the doctoral degree in sociology. Enrollment at the UM Law School may also be reduced by the board. Koch said he will ask the departments named in the report to give him “data that will support continuation of their programs.”

Enrollment cuts may be OK, law dean says

By Angela Astle
Kaimin Reporter

The Board of Regents can make money-saving enrollment cuts in the University of Montana Law School, but if it tries to cut anything else, it will destroy the program, John Mudd, dean of the school, said Tuesday.

“We do one thing,” Mudd said. “We educate lawyers. We have no options to drop anything because we have only one program.”

Regents Chairmen Jeff Mudd suggested at a meeting last week that cutting enrollment in the UM Law School would save money for the university.

Mudd could not say how much money the move would save.

But, he said, fewer students would mean that the law school, which offers only graduate courses, could allocate its scarce funds more efficiently.

Mudd said, however, that Morrison’s point about cutting enrollment to allow for more efficient spending does not apply to the law school.

The law school operates on a formula budget. Mudd said. It is funded according to the number of students enrolled.

The university would benefit because it would save money in enrollment costs, he said. But the law school would come out even because with the loss of students is directly proportional to the loss of funds. Mudd said.

Morrison proposed cutting about 25 students a year from admission to the program. This means that only 50 new students could be admitted each year, compared to the maximum of 75 this year.

About 225 students are now enrolled in the school.

Mudd said that Morrison’s suggestion is “sensible” because the need for legal services in the state has been decreasing.

The school does not need to produce as many lawyers as before, Mudd explained.

In recent years, admission to the law school has remained steady at the maximum of 70 to 75 a year.

Cutting enrollment would also improve the student-teacher ratio, Mudd said.

The law school has 12 faculty members now, making the ratio about 18 students to every one teacher.

With the enrollment cuts Morrison proposes, the ratio would be about 16 to one.

Mudd said although the school can afford to lose students, it cannot afford to lose faculty. It already has three fewer positions than the American Bar Association recommends.

Changes in the UM law program have only been suggested. Considerations on the issue will not be discussed until the next regents’ meeting Oct. 23 and 24.

“We are certainly willing to look at the suggestion,” Mudd said. “We’ll be glad to talk about what the program does for the state and for the university.”

“I don’t think it will be possible or credible for us to try to defend everything, so we’re going to have to make some choices,” he said.

He will meet with the Faculty Senate Thursday to discuss the regents’ recommendations, he added.

The regents will consider the presidents’ recommendations at the next October meeting but won’t decide which programs to cut until December. Jeff Morrison, regents chairman, said Tuesday.

Before a final cutback plan is approved, the regents will hold a public forum on their proposals Oct. 24 at UM and will conduct a public hearing on the final plan in late November.

Morrison said the board’s final draft will deal not with spending cuts, but with “realigning programs.”

He said the board will send final directives to each of the six universities and a report to the 1997 Legislature.

The report to the Legislature will recommend that the legislators “take a good hard look” at the tuition fee waivers, Morrison said.

The Legislature approved fee waivers for veterans, war orphans, prisoners of war, Native Americans and others, he said. It may consider revising or eliminating them.

See ‘Koch,’ page 8.

Cl-30 would swipe constitutional rights, attorney says

By Melody Perkins
Kaimin Reporter

Constitutional Initiative 30 is “a subterfuge to deprive you of significant constitutional rights,” Sharon Morrison, Helena attorney, said Tuesday night at the University of Montana.

Morrison, past president of the Montana Trial Lawyers Association, and Mike Williams, a Missoula attorney and president of the Montana Association of Defense Counsel, debated the initiative before a crowded audience of about 50 people in the Social Science Building.

The Women’s Law Caucus sponsored the debate.

The initiative would amend the constitution, allowing the Legislature to set limits on liability awards in civil lawsuits.

Morrison said Cl-30 will take away Montanans’ rights to have “full legal redress” for “every” injury and damage as guaranteed in the Montana Constitution, Article II, Section 16.

Cl-30 would allow the Legislature “to pick and choose” which injuries and damages a plaintiff could sue for and decide what type of redress the plaintiff could be awarded, she said.

However, Williams said the initiative would not take away any rights Montanans had from 1887 to 1972.

In the last five to 10 years, court-produced changes in civil law have expanded plaintiff’s rights and have increased punitive damage awards, he said.

Montana courts “have forgotten there are two sides to the story,” he said.

See ‘Cl-30,’ page 8.
CI-30 would take away people's rights

Constitutional Initiative 30 will go before Montana voters on the Nov. 4 ballot. Montanans should vote against it.

If passed, CI-30 would give the Legislature the power to limit the amount of damages awarded in civil lawsuits against private businesses.

Industries and businesses have provided the most support for the initiative claiming it will make liability insurance affordable. They say the measure will give some protection against enormous jury awards.

With this protection, they argue, insurance companies will no longer have to charge such high premiums. After all, they will no longer have to worry about being stuck for huge and frequent awards given to those seeking damages against businesses or industry.

However, insurance companies have not guaranteed the initiative's passage, and lower insurance rates are not certain.

In the past, insurance companies have raised liability insurance premiums due to the excuse that they are having to pay more and more large awards as liability case settlements. But it is unlikely they will give policy holders a break on their premiums simply because there is a chance the Legislature might limit the amount of an award they have to pay. Insurance companies are in the business of making money and not in the practice of giving significant rate discounts to policy holders.

If the Legislature is allowed to limit liability awards in lawsuits against industries, consumers and corporate workers will not be as protected as they are now.

Paul Brodeur, a writer for New Yorker magazine and the author of a book on misconduct in the asbestos industry, said in a speech at the University of Montana in March that punitive damages are designed to deter corporate misconduct.

If a cap or limit is placed on the amount of damages awarded, Brodeur said, it would allow corporations to act less responsibly. In other words, the potential for large awards keeps industries safe for consumers and employees.

Limits on awards in liability suits also would be an infringement of justice. Victims may no longer be able to collect damages commensurate to their injuries.

If voters know they may not receive an adequate amount in damages through a court proceeding, they may opt to settle out of court.

If this is done, the person seeking damages is not allowed to file the suit again. As a result, the victim may end up settling for an amount considerably less than what should have been awarded.

Not only would CI-30 make legal recourse for victims more difficult, it would disrupt the balance of power in the state government.

If CI-30 passes, the Legislature suddenly would be given jurisdiction over an area that should be reserved for the judicial branch.

CI-30 is designed to benefit insurance companies, industry and big business at the expense of the rights of the public. Montana's voters should realize the initiative takes away their right to compensation for a wrong committed against them. Vote against CI-30 on Nov. 4.

James Conwell

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Reading is fundamental

This is the second part of a two or three-part crusade.

In the first installment, there was much meaning and wailing and gnashing of souls regarding the failure of Central Board to look itself in the eye and chasenine fall elections for incoming freshmen. Political science and worldwide revolution were advocated. Tables were pushed.

The justification for all the upheaval was extracted from the ASUM Constitution, which was quoted promiscuously. Common sense might dictate that one quote job should suffice, but several members of Central Board have had trouble focusing. So it goes.

"That portion of the representatives from the dormitory district which corresponds to the percentage of dormitory residents who are non-freshmen shall be chosen in the spring election. The remaining delegates from the dormitory district shall be chosen in the fall election."

There is nothing ambidextrous about this. "Freshmen" means freshmen. "Fall" means election. And "shall" means whether you like it or not. Yet, nevertheless, but, however, on the other hand.

Instead of making elections, the leaders of Central Board spend their free time appointing senior, juniors and sophomores to replace deserters. Might makes right.

Two weeks ago the board boasted three vacancies on the board. Now we are five. None of the resignees were freshmen.

The spaces are fillable. The rules are gurglingly clear. The deer and the antelope play. As usual, America's business is business as usual. Amateur politicians are some reasonably not very neurological when it comes to white noise.

After a while it becomes obvious that the reason we have to do it is because we want to do it. As usual, the reason we have to do it.

Several of the Central Boarders did take the matter almost seriously. The Kaimin reporter, Ed Norman and unspecified other members of Central Board proposed that freshmen be appointed to fill the vacancies on the board. Not elected, appointed.

Such a course of action would do nothing to rival the ASUM Constitution, but it was thought of them. Thoughtful and anti-constitutional.

Not even that mild plan held much appeal for the executive committee. Of the five nominees for the five spots, not one is a bright-eyed incoming sophomore. Oh yes, one of those immaturities was put forward for the august post of "alternate," in a case a sixth CB member resigns.

Here's a legal analogy. If Q advertises a house for sale and J wants to buy it but Q finds that F owns the house and needs a place to stay, who'll win the World Series?

The right two weeks ago was to schedule up some elections. It would have taken a majority, and there doesn't seem to be a majority on Central Board this year.

The alternate right thing this week is for a few thoughtful Central Board members to flex their votes. Here's how.

The appointments must be confirmed by two-thirds vote. Twenty-three members minus five vacancies equals 18. Minus one to preside over the proceedings, so only 17 vote. Twelve yesses confirm. Six noes bail out the works. Play ball.

And by no means by this way, is this the same Central Board that spends several hundred thousand dollars very roughly each year. Educated guessers foresee that many rules will be enforced at CB this year, some even very properly. But when the going gets tough, rules are made to be broken.

Reading is fundamental.

Ross Best is a senior in classics.

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Montana Kaimin

The word Kaimin (pronounced KEE-mun) is derived from a Salish Indian word meaning something written or a newspaper. The Montana Kaimin is published every Tuesday, Wednesday, Thursday and Friday of the school year by the Associated Student Government of the University of Montana, Missoula. The A.S.G. is an autonomous student organization created by the Montana Legislature to provide campus publication but assumes no control over its content. The editors and/or the editorial board do not necessarily reflect the views of the administration or the university administration.

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Offended

EDITOR: This is to Dan Breeden and his Oct. 9 article about the parking situation in the university area.

First of all, I resent the name calling of students as "... lazy, probably overweight, out of shape," etc. I am not overweight, out of shape or lazy. I am a full-time student, full-time wife and mother who gets the most out of life with a great deal of effort.

I do not "... sleep as late as I can," nor do I "leave home at the last possible second ..." I must be ready ahead of time to fill the babysitter in on the daily information, drive across town and park three blocks away.

Mind you, the walk is not bad. But, being a full-time permanent resident of Missoula, I pay taxes that will allow Joe Resident of the university area to park on my street for as long as he/she pleases, yet I am not allowed to do the same.

I admit there is a serious problem with the parking situation, but ask Mr. Breeden to notice the overflow around most Missoula schools is the same. Besides that, the problem has only moved down a couple blocks.

As for Jim the handicapped resident, with all the money (more than $2,000 so far) the Parking Commission has received — how difficult could it be to erect a handicapped parking sign in front of his house?

Michelle Cotton
Sophomore, Communication Science and Disorders
P.S. Mr. Anonymous waited 23 years to act?

EDITOR: Did you get the description of that speeding bicyclist? Neither did I! Have you noticed the speed of many of the bicyclists on campus? There ought to be a speed limit for bicycles or else riders should give themselves enough time to get to class without causing anxiety and frustration to those of us who are walking on campus.

Also, who has the right-of-way — the maintenance trucks, bicyclists or walkers? Why do we have these paths for walkers when the walkers come close to getting killed walking on them? All I ask is to be able to walk to class without worrying about a runaway bicycle or truck. How about walking your bicycle through groups of people or driving your trucks before the hours when class is let out and we're moving to our next class?

Kate Raftery
Junior, recreational management

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* * *

Regionals forms due

By Roger Maier

The University of Montana will not accept any student registrations after Thursday, Phil Bain, UM registrar, said last week.

He said the registration deadline was set for Oct. 16 because the funding the university receives from the Legislature is determined by the number of students enrolled on the 15th day of classes of the quarter.

"We intend to hold to that deadline," Bain said.

"He said that in previous years the university had accepted late registration applications from about 15 full-time students per quarter.

"No exceptions to the deadline will be made, he said, because of the delayed effect late registrations have on the university’s budget.

"The university’s budget for the next two academic years beginning with fiscal year 1987-88 will be determined when the Legislature meets in January.

"Since the late registrations are not counted, the university would receive less money per student than if those students had been counted.

"A student is not registered, Bain said, until the university has received full or partial payment of fees.

"He said students must make at least an initial payment before the deadline and one way of doing that is to use the university’s deferred fee-payment plan.

"By using the payment plan, he said, a student can pay fees in three installments during the quarter.

"Bain said students with financial problems should make an appointment with the Controller’s Office as soon as possible.

"He added that the Controller’s Office is willing to work with students and under certain circumstances arrange down payments lower than the one-third usually required.

"Notices of the deadline were included with each student’s bill, Bain said, and additional notices are being posted around campus.

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Winners will be notified and their names published in the following Tuesday’s paper. Employees of the Kaimin are not eligible to enter. A new question will be published in each paper. Judges’ decisions are final.

Contest sponsored by the Kaimin and Snowbowl
Lady Griz split first two conference matches

By David Reese
Hanns Scott Reporter

Sometimes wins just seem to fall out of nowhere for sports teams, but they’re not always at the right time and there’s usually never enough of them. The University of Montana volleyball team received one of those windfalls Friday night against Idaho State University, but it was ill-timed and it was the only one amid three other losses.

It came after losing 15-12 in the first game, and before being beaten 15-8, 15-11 in the last two games. The Lady Griz pounded out a 15-0 win in the second game of the match, which was their conference opener.

But UM coach Dick Scott said the win wasn’t a fluke. “It wasn’t easy … ISU played well, but I give full credit to us for that game,” Scott said after Tuesday’s practice.

“They didn’t play poorly, we simply took it to them,” he said.

However, Scott said that ISU, after being down 10-0, began to make mental mistakes—errors more common to young, inexperienced teams.

Scott also said that if ISU hadn’t had extra time to regroup after that second game loss, UM might have kept the momentum going.

He was referring to a volleyball serving contest between members of the crowd that was held after the second game. Scott said this extra time between the second and third games gave ISU time to review what it did wrong, and too much time to rest for UM.

Defensively, Scott said the Lady Griz didn’t block as well as they could have, and he attributed this to the strong front-line play of two ISU players: Chris Ford and Margaret Smith, who lead ISU in kills.

Offensively, UM’s passing left a little to be desired, according to Scott. “Our passing was the worst, percentage-wise, that I have seen in five years,” Scott said.

Against Weber State College Saturday night, UM did pull off a win, only because UM played the way it should have against ISU and because Weber made a lot of mistakes.

“We came in and played aggressively and had normal, steady defense,” Scott said.

Montana also capitalized on Weber errors. “Weber’s ball control broke down and they made a lot of unforced errors,” he said.

Against Weber, Scott said the play of Sheri Bauer and Mari Brown was outstanding. Brown came into the game and served two aces, which helped the team emotionally, Scott said.

“Mari gives the team a lift because of her energy,” Scott said. “Even if she doesn’t do anything spectacular, she still gives us a lift.”

And Bauer, who is second for the Lady Griz in kills, was the “cement of the team” this weekend, according to Scott. UM is now 12-7 and 1-1 in Mountain West Athletic Conference play, a record that Scott said he is satisfied with.

“I’m glad to be 1-1, it’s better than 0-2,” he said.
**Parking forum slated for Thursday in UC**

The Student Action Center and ASUM are sponsoring a forum to discuss University of Montana-area parking problems Thursday at noon in the University Center.

Speakers will include ASUM attorney Bruce Bartlett, Grant Davidson of the UM Interfraternity Council, Tom Kosaena of the Missoula Parking Commission, ASUM Vice President Mary McLeod, Missoula City Council member Jack Schommer, and Ken Willett, director of UM Safety and Security.

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**Professor’s camera stolen in Fine Arts Building break-in**

By Roger Maier

Kaimin Contributing Reporter

A camera, valued at about $400, was stolen from a professor’s office in the Fine Arts Building Friday morning.

Professor Ann Heidt said she was out of her office from 8:10 a.m. to 9:40 a.m. teaching a photography class when someone broke into her office.

The camera was the only item taken, she said.

According to a complaint given to campus security by a secretary working in the fine arts building, the person who stole the camera crawled through an unlocked window and into a room next to Heidt’s office.

Heidt said the dead bolt lock on her office door was broken and that the thief possibly kicked the door open.

The theft is being investigated by the campus security office.

Ken Willett, UM safety and security manager, was not available Tuesday to comment on the case.

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**CB to vote on new members tonight**

Central Board will vote tonight on the approval of the ASUM Executive Committee’s nominations for the five vacant CB positions.

The candidates are: Cindy Smith, a senior in political science; Kyle Fickier, a junior in accounting; Michele Fuigham, a sophomore in philosophy; Howard Crawford, a senior in communications, education and pre-law; and Rebecca Manna, a junior in journalism.

The meeting will begin at 7 p.m. in the University Center’s Mount Sentinel Room.

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Morrison said he hopes any savings will be funneled back into the university system. However, he said, the board has no control over the Legislature's funding actions.

Rep. Gene Donaldson, R-Helen, who is chairman of the House Appropriations Subcommittee on Education, said Tuesday that many legislators think money trimmed from the university system should be put into the Montana General Fund.

Historically, the Legislature has taken money from the university system and used it elsewhere, he said. Krause, however, said he is optimistic the Legislature will "give us the opportunity" to reinvest the savings in the university system.

Morrison also said the initiative would not lower insurance premiums. In February, Washington state passed a similar reform, she said, and insurance premiums in the first half of 1986 rose 80 percent. Williams, however, said the initiative would "have a salutary effect on insurance premiums." If the insurance business were profitable in Montana, he said, competition between companies would drive down the cost of premiums.

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