Senate committee trims $506 million from budget

NO MENTION

By JASON NOBLE

JEFFERSON CITY | The knives were out last week in Senate Committee Room 2.

In a withering marathon of hearings, the Missouri Senate Appropriations Committee sliced a staggering $506 million from the $23.9 billion budget Gov. Jay Nixon introduced to lawmakers in January.

"We didn’t enjoy making these cuts and wouldn’t have made them under normal circumstances," said Sen. Rob Mayer, the appropriations chairman. "But in this horrible budget year, we had to make those tough decisions."

A spokesman for Nixon, a Democrat, lauded the Republican-led General Assembly’s work.

"Gov. Nixon appreciates the Senate rolling up their sleeves and making some real progress on the budget," said spokesman Jack Cardetti. "We look forward to working with them as the budget moves through the process."

The cuts bring the spending plan in line with what Nixon and lawmakers now agree is prudent to keep expenditures balanced with revenues and to save expected federal funds for difficult budget years to come.

But, oh, at what a cost.

Gone from the Senate’s version of the budget is Career Ladder, the $37.4 million program that allows teachers to earn extra money through activities like after-school tutoring and developing curriculums.

The cut is particularly difficult because unlike most programs, state funding for Career Ladder pays for work done in the preceding year — that is, the $37.4 million budgeted for next year actually reimburses districts for work being done by teachers right now.
That means if state funding comes in below what school districts were expecting, they could be on the hook for paying for the expense or could deny payment to teachers for work they’ve completed.

And that wasn’t the only hit taken by education.

Funding for Parents as Teachers was slashed by more than 50 percent, to $13 million. Transportation subsidies to districts were cut by $15 million.

The foundation formula, which distributes money to districts across the state for classroom instruction and other educational basics, will be held steady from the current year, forgoing an $18 million increase proposed in Nixon’s budget.

Higher education faces cuts totaling $35.2 million, including $14.7 million in direct funding to state colleges and universities. These reductions exceed a deal Nixon struck with higher-education administrators to keep tuition steady in exchange for a cut of just 5 percent.

The Senate’s additional cuts, then, open the door to tuition increases, a possibility Nixon opposes.

“The governor believes the additional cut to higher education is the wrong direction for the state,” Cardetti said. “In this economy we aren’t raising taxes, and we shouldn’t raise tuition.”

Also cut were numerous health and social programs, providing services as diverse as child care, children’s health insurance, women’s health services, services to the elderly, assistance for individuals with Alzheimer’s disease, youth tobacco prevention and substance abuse treatment.

Amid all the cuts, lawmakers did find $2 million for the Kansas City Area Transportation Authority, although the bus service had sought and was given $5 million in the House’s version of the budget.

The budget is for Missouri’s fiscal year 2011, which begins July 1.

The Senate’s version of the plan follows a House proposal completed last month that trimmed $224 million from Nixon’s proposal and included $300 million in federal stimulus funds that the governor hopes to save for 2012.

The budget now goes to the full Senate for debate, likely next week.

In that debate, Schaefer said he expects senators to revisit the education cuts.

Once the Senate passes the plan, lawmakers from both chambers will reconcile the differences. The deadline for completing the budget is May 7.
Longtime programs slashed in Missouri Senate committee's budget-cut sessions

Some will be gone July 1 unless House or Senate reverses panel's work.

David A. Lieb • The Associated Press • April 12, 2010

Jefferson City -- Chafed over a perceived reluctance by colleagues to cut government programs, some Republican Missouri senators have resorted to quoting an observation made nearly a half-century ago by Ronald Reagan.

"Government programs, once launched, never disappear," the future president said in a 1964 speech in support of Republican presidential candidate Barry Goldwater. "Actually, a government bureau is the nearest thing to eternal life we'll ever see on this earth."

In that regard, the Missouri Senate Appropriations Committee took a step toward the impossible this past week. It voted to eliminate state funding for several government programs -- just not as many as some senators would have liked.

The Senate committee reduced general revenue expenditures by $506 million -- meeting Gov. Jay Nixon's budget-cutting goal for the more than $23.8 billion budget he proposed for 2011. Most of the cuts -- some slight, others major -- allowed government programs and services to continue.

But some programs will be gone when the new budget begins July 1, unless the full Senate and House reverse the work of the Senate committee. Some of the programs zeroed out of the budget include:

- Career Ladder, established in 1985, which pays teachers an extra $1,500 to $5,000 annually for taking on extra duties such as after-school tutoring. Last year, about one-quarter of the public K-12 school teachers participated in the program. Before getting the ax, it had been due to receive $37.5 million in next year's budget.

- Life Sciences Research Board, authorized under a 2003 law, which received nearly $21 million in 2009 and was budgeted for more than $13 million this year. The governor had proposed to drop that to $5 million next year before the Senate panel took it to zero.

- Grants for the arts, humanities and public broadcasting. Included in that is a secretary of state's program that provided money for books, videos and audio recordings at libraries. The House proposed to reduce funding for each of those programs. The Senate struck them out.
Missouri Scholars and Fine Arts academies, a pair of three-week summer programs for gifted high school students. Recently funded at over $700,000, the academies were cut to $259,000 in the current budget and would get nothing next year. Sen. Kurt Schaefer, R-Columbia, said he fears the academies will have to close. Sen. Chuck Purgason, R-Caulfield, a proponent of the cut, volunteered to donate $100 for a private fundraising drive.

A video project that records the stories of World War II veterans. About 1,300 videos already have been produced, and a Chesterfield-based company has spent more than $1.7 million of state money. The Senate panel said "no" to funding an additional $300,000 next year.

Grants for programs that train adults who want to start agricultural businesses. The programs spent more than $350,000 in 2009 but were reduced to $200,000 this year. The Senate panel opted for nothing next year.

Aid to help pay off loans for University of Missouri-Columbia students who agree to work as large-animal veterinarians in rural areas lacking such professionals. The $120,000 annual program is in just its second year. State agriculture director Jon Hagler says it hasn't yet attracted new students into the large-animal practice. Eliminating its funding would mean no grants for next year, though students who already received money still would be bound to work in rural areas.

Youth tobacco prevention programs, which Nixon originally had recommended receive $500,000 next year. The House reduced that to $200,000. The Senate took that to zero.

The elimination of programs, while bemoaned by some on the 11-member Senate Appropriations Committee, did not go nearly far enough for other senators.

Sen. Jim Lembke, R-St. Louis, tried unsuccessfully to eliminate funding for numerous programs, including a $127,500 grant that helps retired Creve Coeur residents remain in their homes by paying for fix-it projects, chores and other aid.

In another example, Nixon wanted to eliminate a character education program in public schools, which got about $775,000 in this year's budget. But the House and Senate committee both opted to keep the program going with a $100,000 appropriation next year.

Sen. Tim Green, D-St. Louis, explained why eliminating programs can be so tough.

"You're affecting some person who benefits from them, so it's always going to be difficult," Green said.

A frustrated Lembke paraphrased Reagan.

"The closest thing to eternity is a government program," Lembke said. "It seems pretty accurate."
Missouri Senate's proposed budget leaves tuition freeze in question

MU mention page 2

Monday, April 12, 2010
By Alaina Busch - Southeast Missourian
A deal that could mean the difference of $5 per credit hour for Missouri students at Southeast Missouri State University hangs in the balance as the legislature works through the state budget.

Late last year, Gov. Jay Nixon made an agreement with university presidents to keep tuition rates the same in exchange for a 5.2 percent reduction in higher education funding.

He made a similar deal in 2008 and universities readily complied. Legislative action has put the agreement in danger this year, but Nixon is standing behind it.

Since making the deal in November, the Missouri Legislature was charged with slashing next year's budget by $500 million to stay within the state's declining revenue, said State Sen. Rob Mayer R-Dexter.

"Things have actually worsened dramatically," said Mayer, chairman of the Senate Appropriations Committee.

Last week, the committee came out with its version of the budget, which cut higher education by 7 percent, breaking the agreement.

"It's either take it there or take it in some other areas I didn't want to cut," Mayer said, citing Access Missouri financial aid. The House version maintains the agreement.

When the deal was originally proposed, state universities were willing to play their part in balancing the budget by taking a $50 million cut, said Dr. Ken Dobbins, Southeast Missouri State University president.

"We thought it was a fair part of that solution," Dobbins said.

Southeast is in the middle of cutting and enhancing its revenue to ready the university for the next two years, which are expected to be rocky in the absence of federal stabilization money. He said he is confident legislators and the governor will come up with the right combination of cuts at the state level.
"It's a sum zero game," he said. "They have to make cuts somewhere."

Despite uncertainty about fees, other rates have been set. Room and board rates were set at the Board of Regents' March meeting. On average, room rates will increase by 2.9 percent while board rates will go up by 3 percent. Increased financial aid is available to the students in greatest need. Dobbins said.

"I think parents and students can easily plan," he said.

The cuts to higher education are part of other reductions, including education programs. The Senate committee also proposed cutting Career Ladder funding for teachers and Missouri scholars and fine arts academies for high school students.

"Decisions are [not] made lightly," Mayer said. "Certainly they're not enjoyable at all."

Mayer said he hopes universities will keep tuition flat despite deeper cuts.

But the actions of at least one university indicate otherwise.

Friday, Missouri State University's Board of Governors set rates for the upcoming school year. Missouri students will pay $186 per credit hour, contingent upon the legislature staying in line with the deal. If deeper cuts are made in higher education, rates will increase by $5 per credit hour.

The University of Missouri System's Board of Curators is set to meet Thursday and Friday in Rolla, Mo.

Dobbins said bigger cuts at the state level will mean higher tuition rates at Southeast. Incidental and general fees would be more than $213 per credit hour, which is a 2.7 percent increase, the maximum allowed under a bill that keeps increases at the rate of inflation.

"The board and I really want to know what's going to pass in the legislature before we set fees, especially this year," Dobbins said. The Regents, he said, will meet in mid May. The final state budget is due by May 7.

Despite the changing circumstances, Nixon is standing behind the deal. He reaffirmed his position during a speech at the University of Missouri in Columbia. His spokesman, Jack Cardetti, said flat tuition rates will help the state recover from the recession.

"Ensuring that a second year in a row that tuition does not rise is important to the state's recovery," Cardetti said. "In the recession we are not raising taxes and we shouldn't raise tuition."

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Private students protest

By Janese Heavin

Friday, April 9, 2010

Proposed changes to state-funded scholarships won’t affect Jonathan Dudley’s tuition at Columbia College. He’s a senior who will graduate by the time any new Access Missouri plan would go into effect.

Still, Dudley doesn’t want to see the state eliminate funding to students who opt to attend private colleges.

“It does hurt me because it hurts Missouri education,” he said. “You can’t have a strong economy with students who just have high school diplomas.”

Dudley joined students at Atkins-Holman Student Commons on the Columbia College campus yesterday to show support for state scholarships to private school students. At two separate events, 110 students signed letters addressed to Gov. Jay Nixon highlighting the importance of private schools. Stephens College held simultaneous events, where 130 students signed similar letters.

The events were in response to Nixon’s comment in Springfield last month when he said in tough economic times “we simply can’t continue to subsidize the choice to attend a private school.”

But if the state didn’t help students attend independent colleges, it would have to pick up the tab in other ways, Columbia College President Gerald Brouder said. In Missouri, 36 percent of college students are enrolled in private colleges, which in turn award 47 percent of all college degrees in the state, he said. Offloading those students to state-funded public schools would cost millions, Brouder said.

Plus, some students wouldn’t want to attend larger public universities. Even though she’s from St. Louis, Columbia College junior Rebecca Kunce said she needs a small school where she can get extra help as she pursues a math degree and education minor. “I need to go to my professors for help all the time,” she said. “All of the professors know my name and are there to help me. It’s a tight environment.”

Nixon appears to have backed away from the idea of eliminating state support to private school students. At the University of Missouri this week, he said he supports equalizing Access
Missouri scholarships. "Needy students deserve the same level of support, no matter where they decide to go to college," he said.

Right now, Access Missouri provides higher scholarship amounts to students who opt to attend private schools. The amounts represent a percentage of tuition.

Until Nixon suggested doing away with all state support for private college students, independent school leaders were fighting efforts to equalize those scholarship amounts.

When asked whether he would support equalization of scholarship dollars yesterday, Brouder said, "Absolutely."

“If it comes down to equal or none, we’re on board,” he said.

Reach Janese Heavin at 573-815-1705 or e-mail jheavin@columbiatribune.com.
High-heeled leader’ sets work-life balance

By Janese Heavin

Friday, April 9, 2010

Asked yesterday why she gave up her role as director of a state office when her husband became chancellor at the University of Missouri, Anne Deaton didn’t miss a beat.

Anne Deaton

She had enjoyed an amazing career but was ready to take on new challenges as an ambassador for the university, she said. Plus, grandchildren were arriving, and Deaton puts family first.

So when women talk about having it “all,” they need to “figure out what ‘all’ means,” Deaton said. “There are so few things you need to be happy in life, … loving relationships and serving others.”

Deaton has made a career and life out of relationships and serving others, and her contributions were celebrated yesterday at Stephens College during the “True Confessions of a High-Heeled Leader” series. The program, started in 2007, shines a spotlight on the community’s female leaders.

In the past, radio personality Tom Bradley moderated the program, but yesterday Stephens President Dianne Lynch, a former journalist, took on the task of interviewing Deaton, adding a woman’s touch to the line of questioning. Lynch arrived in Columbia this summer and said she quickly came to admire Deaton and her husband, Brady.
Anne Deaton’s life story began in Brooklyn, where her parents, who each had an eighth-grade education, instilled in her a love of reading and a thirst for knowledge that made her dream of becoming a teacher. As a teen, her father landed a steady career that took them to Lexington, Ky. There, Deaton said, she shed her Brooklyn dialect and settled into middle-American life.

She and Brady Deaton married after she participated in a summer volunteer effort in Ecuador, where he served as program leader. Their four children came along quickly, altering Deaton’s career path. To help support the family, she took a night job working with older adults, fulfilling work that would shape her future.

When the Deatons came to Columbia in 1990, she joined the faculty of the College of Human Environmental Sciences at MU with a focus on gerontology. After a speaking engagement, someone asked Deaton to consider a job with the state’s Division of Aging. She said no, but the offer continued to arise.

“It was the proverbial tap on the shoulder. ... I went to Jefferson City and never looked back,” Deaton said.

When Deaton left the capital in 2004, she was serving as director of the Missouri Division of Developmental Disabilities.

These days, Deaton commits her time to projects at MU and serves on several advisory boards. Her spirit and thumbprint, Lynch said, permeate the community.

When asked by a Jefferson Junior High School student for advice, Deaton encouraged her to think “big thoughts.”

“Think about what’s going to bring you happiness,” she said. Read everything possible, Deaton said, volunteer and “listen to your parents.”

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What do teen siblings fight about the most?
April 12, 2010  Nancy J. White

Nicole Campione-Barr is the co-author of a study published in the April issue of Child Development that zeros in on what ticks off teen siblings. Photo courtesy University of Missouri

Fights between teen siblings likely run along these lines: "Get out of my room." "You took my jacket!" "These are my friends. Go away."

Harmless tiffs? Maybe not.

A brother or sister intruding on a teen’s personal realm is not only the most frequent conflict between adolescent siblings, it’s the type most likely to erupt in fireworks and to have a negative impact on their trust and communication, according to a new study published in the April issue of the journal Child Development.

The most prickly pair? A 12- or 13-year-old with a brother or sister a couple of years younger.

"The older one is just heading into the teen years, just asking for more autonomy," explains study co-author Nicole Campione-Barr, assistant professor of psychological sciences at the University of Missouri.

“They are leaving behind childish ways and they often see the younger sibling holding them back.”

While researchers have studied parent and teen fights, says Campione-Barr, there hasn’t been much previous insight into what drives adolescent siblings crazy about each other.

Apparently, it’s much the same stuff: Teens react against what they see as privacy infringements, no matter who is the intruder.

“As we get older our personal domain gets bigger,” explains the co-author. “It’s important in sibling relationships: the personal things they don’t want to share, pieces of themselves they don’t want to give up.”
To help keep the peace, she advises parents to be conscious of a teen's autonomy. "Kids are always being told to share with a brother or sister and to let them tag along. That can seem highly invasive to the older sibling."

As preliminary research, 150 teens were surveyed about common sibling spats, and the answers winnowed down to two types: fights about the personal domain, such as borrowing without permission, copying what the other does, following the other around, and conflict about issues of fairness and equality, such as controlling what television shows to watch, taking turns in the car’s front seat, doing chores.

The study, also authored by psychology professor Judith Smetana at the University of Rochester, then interviewed 115 sibling pairs, the participants ranging in age from 8 to 20. The siblings were within one to four grade levels of each other. Some of the pairs were the same sex, some opposite genders.

The pairs were grouped in three categories: early teen with preteen sibling, approximate ages 13 and 10; mid-range teen with early adolescent, approximately 15 and 13; and older teen with mid-range one, approximately 18 and 15.

Across all three age groupings, issues of personal privacy caused the most frequent and most intense fights, being most pronounced in the youngest group, explains Campione-Barr.

While adolescent siblings certainly reported feuds about fairness and equality, those incidents did not come up as much and were particularly not as explosive. Parents often worry about jealousy, that a child will feel that a sibling is favoured. "That didn't seem to instigate as much conflict as one might think," she says.

The study did not find much difference between the same-sex siblings and the brother-sister pairs. "We may have needed more siblings to detect that," she says. However, it did find that sisters seemed to do the best in terms of trust and communication.

She is doing a follow-up study looking at how the conflicts change over time and impact individual adjustment.

As for herself as a teen, Campione-Barr remembers being irritated when her sister, six years younger, hung around her and her friends. "I felt she was mom and dad's little spy."
A ‘safer’ choice?

Student rally pushes for pot over alcohol.

Photo by Parker Eshelman | Buy this photo

University of Missouri student Kellie Smith hands Cathy Scroggs, vice chancellor for student affairs, a petition and a copy of “Marijuana is Safer: So Why Are We Driving People to Drink?” Thursday in Jesse Hall after a rally at Speakers Circle on campus. It was part of a national movement known as SAFER, which argues that marijuana is a safer recreational choice than alcohol.

By Janese Heavin

Friday, April 9, 2010
University of Missouri students gathered at Speakers Circle yesterday asking college administrators to stop "driving us to drink."

The rally was part of a national movement known as SAFER, which argues that marijuana is a safer — but less accepted — recreational choice than alcohol.

Scott Lauher, an MU graduate who works with the college's NORML chapter, said he has met students who do not smoke weed because they fear they'll be arrested or kicked out of residential halls. So instead, they drink, which is more dangerous, he said.

"Universities are saying they're so concerned about a culture of alcohol and an alcohol epidemic on college campuses, yet they're the ones promoting that culture of alcohol," said Mason Tvert, SAFER's executive director. "When an 18-year-old shows up on campus, they're told to drink responsibly. What that says to them is they're supposed to be drinking, so do it responsibly. Why not tell them to party responsibly and let them know the facts about these two substances?"

The group cites statistics about excessive consumption of alcohol leading to assaults, overdose, date rape and injuries. No such statistics exist for marijuana, Kellie Smith, president of MU NORML, said during the rally.

"If marijuana is safer than alcohol, why does the government prefer students to use alcohol instead of marijuana?" she said.

SAFER has issued a petition known as the Emerald Initiative to encourage college leaders to consider lighter punishment for smoking pot as a way to curtail excessive drinking. The initiative is in response to the Amethyst Initiative, a call by more than 130 university presidents and chancellors to consider whether lowering the drinking age to 18 would reduce binge drinking.

About 35 students delivered a copy of the initiative to Chancellor Brady Deaton's office. Deaton said in a statement he received the message, listened to students' perspective and respects their right to express opinions but that MU adheres to the law.

MU police Capt. Brian Weimer said the university follows Columbia's marijuana ordinance, which decriminalizes small amounts of marijuana and makes the penalty for possession a $250 fine.

Tvert said the group wouldn't expect students to stop drinking entirely if marijuana were more accepted, but he said harsher penalties attached to pot steer students to alcohol. "When a student arrives at a university and is told the penalties are much harsher with marijuana and they face greater punishment if they stay home and use marijuana and play video games than if they go across the street to the fraternity house and get drunk, it sends a dangerous message to them," he said.

MU spokeswoman Mary Jo Banken said students caught with any drug, including alcohol, on campus face disciplinary action. Discipline is administered on a case-by-case basis, she said, and the same rules apply even to students who are of legal drinking age.
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People with autism can benefit from interaction with animals

By April Choi
April 9, 2010 | 7:58 p.m. CDT

COLUMBIA — When Carter Hanners, 6, tries to leave the house by himself, the Hanners’ dog Jack barks and growls.

"I think a lot of kids with disabilities just have bonds with animals," said Carter’s mom, Susan Hanners from Nixa. "Animals almost have an extra sense that he needs more help than his sister."

Carter has autism. The Hanners recently acquired a new dog, Blue, to be Carter’s companion and keep him safe. Carter tries to run away from the house, and has pica so he eats non-food materials. The Hanners are hoping to train Blue to make sure Carter stays in the house and doesn’t try to eat strange things.

The Hanners attended the Fifth Autism Intervention Conference on Friday at the Holiday Inn. The MU College of Veterinary Medicine had a booth at the conference and handed out surveys to study the potential benefits of human-animal interaction for children and families with autism.

"My theory is that families with autism may benefit from a calming effect from a dog," said Rebecca Johnson, director of the Research Center on Human-Animal Interaction at MU.

Dogs can have a positive effect on social behavior for people with autism. Jessa Love is the director of early intervention services at the Thompson Center for Autism and Neurodevelopmental Disorders. One of her adult clients with Aspergers syndrome, an autism spectrum disorder, finds a dog’s presence helpful in social situations.

"The dog wasn’t doing anything, but having the dog with her in those social situations helped her to deal with social anxiety and interacting with people," Love said.
Johnson also brought certified therapy dog China to the conference to demonstrate some of the effects animals may have on people with autism. The 12-year-old Siberian Husky usually visits hospitals.

"She's very reliable, very well-behaved," Johnson said. "She's quite a poster dog for a therapy dog."

Three of Susan Perkins' six kids have special needs. All of them love dogs, including the Perkins' two dogs, Jar Jar Binks and Maggie. Brendyn Perkins, 7, who has autism attended the conference with his parents and cautiously approached China.

"He's always loved dogs," Susan Perkins said. "I think it's because dogs are so loveable. When the dog wants to leave (Brendyn's) room, he gets really upset. He just wants them to lay there with him and chill."
COLUMBIA MISSOURIAN

City hopes to lure large employer with 'Project Tiger'

By Patrick Sweet
April 9, 2010 | 6:40 p.m. CDT

COLUMBIA – "Project Tiger" could bring 500 new jobs to Columbia.

The city, MU, Columbia College and Regional Economic Development, Inc., are joining forces with the goal of drawing a large employer to Columbia. But because of a non-disclosure agreement, nobody can go into specifics.

Sixth Ward Councilwoman Barbara Hoppe confirmed the project has the potential to bring 500 jobs to town, but she cautioned that Columbia isn't a lock yet.

"Whether it is a sure thing or not has yet to be determined," Hoppe said. "I'm smiling and hopeful."

Dave Griggs, chairman of REDI's board of directors, is optimistic. He said the fact that Columbia sits in the Midwest is a big plus for companies looking to relocate. The central location makes shipping and travel across the nation much easier.

"Those advantages are brought on by the ever-increasing cost of fuel," Griggs said. "We have to take advantage of all the cards we're dealt."

REDI president Mike Brooks said there are a number of economic development projects in the works.

"We're in a stronger market position that will hopefully open doors for us," Brooks said.

Brooks and Griggs emphasized the sensitivity of the Project Tiger effort and explained why many folks choose not to talk about it.
"Companies that are investigating a significant expansion, they don't want their competitors to know anything about their plans," Griggs said. "Nearly all prospects have Columbia sign non-disclosure acts."

It is uncertain where in Columbia the Project Tiger effort would choose to locate. Ewing Industrial Park — the first certified shovel-ready site in Missouri — is a possibility. Two available buildings on Lemone Industrial Boulevard could also be options.
ST. LOUIS—The North Face Apparel Corp. has settled its lawsuit against The South Butt, a Missouri teenager's company that marketed clothing with a not-so-subtle logo and tag line that parodied the outdoor clothing giant.

Terms were not disclosed in the settlement agreement entered Friday in U.S. District Court in St. Louis, but The South Butt was still offering its T-shirts, fleece jackets, backpacks and sweat shirts on its Web site Friday afternoon.

"The matter has been amicably resolved between the parties," said Albert Watkins, the normally loquacious attorney for The South Butt. He declined further comment.

A spokeswoman for the attorneys for The North Face said they would not comment.

The South Butt was started two years ago by Jimmy Winkelmann of suburban St. Louis, though he's now a 19-year-old college freshman studying biomedical engineering at the University of Missouri-Columbia. Winkelmann has said he started the business to make money for college.

The company sells products with the tag line, "Never Stop Relaxing," a parody of The North Face line, "Never Stop Exploring." A wavelike pattern and the company name appear near the upper right or left shoulder on jackets and shirts, similar to the logo and placement used by The North Face.

The North Face, a San Leandro, Calif.-based division of VF Corp, sued in December. The lawsuit sought unspecified damages and asked the court to prohibit The South Butt from making, marketing and selling its line of fleeces, T-shirts and shorts.

At issue was the question of parody or piracy. The lawsuit claimed The South Butt marketed apparel that "infringes and dilutes The North Face's famous trademarks and duplicates The North Face's trade dress in its iconic Denali jacket," referring to a popular fleece jacket marketed by the company.

"While defendants may try to legitimize their piracy under the banner of parody, their own conduct belies that claim," the suit said, noting that The South Butt had twice attempted to obtain a U.S. trademark registration.
In a whimsical response Watkins wrote that "the consuming public is well aware of the difference between a face and a butt ..."

An e-mail seeking comment from Winkelmann about the settlement was sent to his company Friday.
Small Farms Balk at Food-Safety Bill

MU mention page 2

By JEAN SPENCER

WASHINGTON—Congress's food-safety fight is nearing an end but small farmers still have a bone to pick with the legislation.

The Senate version of a food-safety bill has attracted broad bipartisan support and is expected to pass easily soon after Congress returns from recess next week. Iowa Democratic Sen. Tom Harkin, a co-sponsor, predicted it would be "on the president's desk by May." But small farmers worry the measure's fees and inspection requirements would be ruinously expensive and are pushing for exemptions.

"I know people who have been small farmers for 25 to 30 years who are looking to get out of the business because food safety is becoming so alarmist," said Mary Alionis, whose eight-acre Whistling Duck Farm in Grants Pass, Ore., sells produce to farmers markets and restaurants.

According to the Centers for Disease Control and Prevention, there are an estimated 76 million U.S. cases of food-borne illness annually, resulting in 325,000 hospitalizations and 5,000 deaths.

A report by the inspector general of the Department of Health and Human Services issued Wednesday said the Food and Drug Administration inspected fewer than one-quarter of U.S. food-production facilities annually and failed to take regulatory action against more than half of those that violated standards in fiscal year 2007.

Mr. Harkin, chairman of the Health, Education, Labor and Pensions Committee, which unanimously approved the Senate's version of the bill in November, said the FDA "needs additional resources to keep the food on our tables safe."

A salmonella outbreak involving peanut products last year seemed to put food-safety legislation on a fast track. But after the House passed a version of the bill in July, the companion measure got hung up in Senate jurisdictional disputes, then was shunted aside by health-care overhaul legislation.

Both House and Senate versions of the bill would require more FDA inspections of farms, food production and processing facilities, give the agency enhanced authority to order recalls, and force better recordkeeping as food moves from farms to store shelves. The aim is to prevent
widespread outbreaks of food-borne illnesses and give the FDA more resources to trace those that occur to their source.

Big food companies generally support the bill, judging the added expenses it would bring to be small compared with the potential financial damage of a vast product recall. But smaller producers say the bill's stepped-up inspection requirements and provisions allowing the FDA to issue preventive recalls would put too big a financial burden on them.

"Small farm groups seriously have problems with this bill," said Deborah Stockton, executive director of the National Independent Consumers and Farmers Association, a coalition of small farmers. "We are not afraid to stand up to it."

Ms. Alionis of Whistling Duck Farm estimated that costs associated with the food-safety legislation could slice 5% off her $200,000 annual profit.

**John Ikerd, emeritus professor of agricultural economics at the University of Missouri, Columbia, said the bill's impact on smaller producers "could be a blow to the whole local food movement." He said food-safety requirements should be tailored to reflect the volume of food produced.**

That doesn't sit well with some big producers. "Our view is that everyone should have to meet guidelines of food safety no matter where they are and what they grow," said Scott Faber, vice president for federal affairs of the Grocery Manufacturers Association, which represents big producers including General Mills Inc. and Coca-Cola Co.

Rep. Rosa DeLauro (D., Conn.), a longtime advocate of tougher food-safety laws, said the legislation already addresses smaller producers' concerns. For instance, farms selling products directly to consumers from a fruit stand or farmers market would be exempt from some fees and requirements.

"We've made all kinds of accommodations to small farmers so that they are not put at risk," she said.
EDWARDSVILLE — A 45-meter path through a parking lot on the Southern Illinois University Edwardsville campus Saturday served as an acceleration lane for student-made race cars.

Orange cones marked the path. One at a time, student drivers went to the starting line. When the green flag was waved, each exploded between the cones with as much speed as they could muster in just a few seconds.

It was the Gateway Rush, the first auto race on campus and a test-and-tune time trial event to help ready the students for national competition in the coming months.

The cars are all Formula style, which means they have a single seat, an open cockpit and open wheels. SIUE was one of four schools testing their cars Saturday. The others were Southern Illinois University Carbondale, Washington University and the University of Missouri-Columbia, said Carly Wildenradt, a senior speech communication major at SIUE who is publicizing the event as part of her senior class project.

The cars tested their times in four events, with a 60 mph speed limit. They included lap races, sheer acceleration, endurance and "skidpad," which means they drive in patterns similar to figure eights.

Hundreds of orange cones marked several paths around two parking lots where student drivers navigated their cars and assessed strengths and weaknesses.

Washington University sophomore Daniel Eicholtz, a chemical engineering major, drove the his team's car down the acceleration lane twice.

He shook his head in displeasure after the second run. A shifting glitch slowed him down, he said.

"I didn't push hard enough," he said. That small mistake cost him precious fractions of a second —- his first time was 5.63 seconds; the second run clocked in at 6.07.

Eicholtz drove his team's 2007 car because this year's car isn't quite ready.
But getting the driving experience was much-needed, he said, and it's fun too.

"When you're going 30, it feels like you're going 70," he said.

Hasan Sevim, the dean of SIUE's School of Engineering, said building the cars gave real-life practice of what students learn in classrooms and emphasizes working as a team and time management — both vital skills for engineers.

"It's deafening over here, and that's a good thing," Sevim said of Saturday's time trials.

The team from the University of Missouri-Columbia brought two cars to give their eight drivers as much practice as possible.

The car they will race at nationals finished the acceleration trial in an impressive 4.46 seconds, said Ben Schweiss, a sophomore mechanical engineering major.

The car is 83 inches long, weighs 450 pounds and rides just an inch above the ground.

He and teammate Jacob Brown were encouraged by the car's performance and enjoyed talking with other teams about their cars, something that wouldn't happen during a competition.

"Today is definitely more laid-back," said Brown, a freshman mechanical engineering major. "We're trying to beat each other, but we're nice about it."

The day got off to a rough start for SIUE's team. An engine mount broke on its car's first run of the morning, said Garrett Long, a senior civil engineering major.

The car was out of commission until early afternoon but was fixed in time to get in a few more hours of racing, he said. And it provided practice in solving an unanticipated problem.

Said Long: "It's just one of those things that happens."
After seven years, rock wall fatality case lingers

By T.J. Greaney

Friday, April 9, 2010

In 2003, Christine Ewing, a 22-year-old University of Missouri student, fatally fell about 20 feet from a rock-climbing wall set up at a minor-league baseball game in Columbia.

Police discovered that the cable used to secure her to the wall was frayed, rusted and duct-taped. The case drew national media attention and inspired a change to state law requiring inspections of climbing walls. In 2004, the wall’s owner, Marcus Floyd, pleaded guilty to misdemeanor assault after a jury failed to convict him of involuntary manslaughter.

And yet, nearly seven years later, the case is still in court. Yesterday, a three-judge panel from the Missouri Court of Appeals Western District heard arguments relating to the size of the insurance payment awarded to Ewing’s mother and father. The arguments, heard at the University of Missouri School of Law, were part of a rotating stop for the appeals court, which has jurisdiction over 45 counties and is headquartered in Kansas City.

The proceedings are meant to be an outreach to the community and a teaching tool for law students. Attorneys were permitted to address the crowd and attempt to educate observers on the case.

The case, as outlined yesterday, has proved to be a complicated web of liability. In 2004, Ewing’s parents, Craig Ewing and Kathleen Schmitz, settled a wrongful death case with Floyd for $700,000. However, they believed the baseball team, the Mid-Missouri Mavericks, was still legally liable for allowing Floyd, a subcontractor, to set up and operate the unsafe wall. The family entered into an agreement known in Missouri by its statute number, 537.065, with the Mavericks to restrict all future claims against the team to those outlined in the team’s insurance policies.

In March 2005, Judge Joe Holt held a “537.065 hearing” and found the Mavericks liable for Ewing’s death. He entered a judgment of $4.58 million to be collected from the insurance companies. The total was equal to Ewing’s projected lifetime earnings, multiplied by four.

The Mavericks had two insurance companies: Virginia Surety, a primary insurer, insured the team for claims up to $1 million, and a second, Great American, provided excess coverage of $4 million.
In May 2007, the family settled with Virginia Surety for $700,000 and proceeded against Great American for the rest of the claim. In October 2008, Boone County Circuit Judge Gary Oxenhandler found that Great American was liable but reduced the damages to a more “reasonable” $2.2 million.

The Ewing family was further instructed that they couldn’t collect the $2.2 million because the primary insurance carrier, Virginia Surety, had not paid the full $1 million amount outlined in its policy and had instead settled for a lower amount. Both sides appealed.

In court yesterday, a lawyer for Great American argued that the judgment entered by Holt at the 537.065 hearing was not a fair or real trial. He noted that the insurance company lawyers were not present, the hearing was brief and the family’s lawyers were allowed to write up the three-page judgment including the award amount and hand it to Holt for his signature. “If you want to call it a trial, there should be an adversarial proceeding,” attorney Paul Wickens of Kansas City said. “I think everyone can agree that this wasn’t an adversarial proceeding.”

David Moen, attorney for Ewing’s mother, argued that the $4.6 million amount was fair and reasonable and it was Oxenhandler who erred by reducing it.

“I don’t think $4.6 million is too much money for something like this,” Moen said after the arguments. “I think if you had the average jurors, they’d say this is OK, too. … It’s ridiculous — why should they get away with this?”

Moen said he suspected either way the appeals court rules, the case would be appealed to the Missouri Supreme Court. Moen, of Jefferson City, stressed that the Ewing family is not pushing the legal matter; in fact, he said the mother wishes it would just go away. “She’d probably rather that I never called her again,” Moen said. “She has moved on. She’s like, ‘Don’t remind me.’ And I don’t blame her; that’s probably the right way to be. But I feel it’s my duty to get what I can for her.”

The court is expected to return with a decision in 30 to 90 days.

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Kids tap child’s play in event

By Daniel Cailler

Sunday, April 11, 2010

From behind a makeshift stage built out of PVC piping, boards and cloth, Adele Dorman and Sam Martin operated a cast of seven hand-made puppets to tell the story behind the origin and rise to fame of Silly Putty.

Adele, 12, and Sam, 12, are home-schooled students at the sixth-grade level who were among dozens of performers making presentations yesterday afternoon as students in grades six through 12 competed in the 2010 National History Day state contest at the University of Missouri.

Adele and Sam won the junior division in the regional contest in February in Jefferson City. They and other regional winners yesterday were vying for a chance to compete at the national level June 13 in College Park, Md.

This year’s theme was “Innovation in History: Impact and Change,” which encouraged students to examine the historical significance and impact of a new idea, invention or discovery from any period in history. Students’ projects could be a paper, museum-style exhibit, performance, documentary or Web site.

Students were allowed to compete either as individuals or as part of a group, although the requirement for individuals and groups was that they research the topic themselves.

Deborah Luchenbill is the state coordinator of the contest. “Part of what students have to do is think critically and learn to analyze sources,” she said. “It gives them a personal investment in what they’re learning and emphasizes the importance of historical education for building good U.S. citizens.”

This year’s topics included the invention of steam power, the polio vaccine, Kevlar, bar codes, duct tape and, of course, Silly Putty.

Sam, who said the idea for researching Silly Putty struck him at the last minute while playing with some Silly Putty his mom had bought him, was pleased with his decision.

“We found out it has a really neat history going back 60 years,” he said.

Using puppets to represent various people in the toy’s history, Adele and Sam told how Silly Putty was originally created during World War II as a potential alternative to rubber, and how its
inapplicability in that regard led to its being promoted by toy store owner Ruth Fallgatter in the 1950s, when it finally became a big hit.

"I think it's cool they sold enough Silly Putty to buy a mansion called the Silly Putty Estate," Adele said.

Her mother, Stephanie Dorman, has been a coach and a judge for National History Day for 12 years. She said the first performance she ever saw — about a family divided over the Civil War — gave her goose bumps.

"It was so cool. It was apparent how deeply they got into their studies. I thought, 'What an interesting way to bring students into history.' I've been coaching and judging students since," Dorman said.

Although Adele and Sam did not advance to the finals at the end of the day, they won a small victory in that they were invited to perform their puppet show at Columbia's Art in the Park this June.

"I'm looking forward to that," Adele said. "That'll be a second chance to perform. which is very fun."

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COLUMBIA MISSOURIAN

MU professor trains service dogs

By Matt Smith, Patrick Henseler
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COLUMBIA — Training a dog, for some, results in a few basic commands: sit, heel and shake. For others, the results are far greater.

Cristi Cook has been an assistant professor at the MU College of Veterinary Medicine for 15 years and still finds the time to train her puppy, Chula, towards becoming a service dog. Chula came to Cook through the organization New Horizons, based in Orange City, Fla.

Cook handles Chula’s training for around a year and a half before she is sent back to the organization for more specialized training. Chula is the second puppy Cook has volunteered to train for New Horizons.