

MIDWEST DIGEST

S.D. Unemployment Rate Unchanged In March

PIERRE (AP) — The federal Bureau of Labor Statistics says South Dakota's preliminary unemployment rate for March was 4.8 percent, unchanged from February and from March 2009.

State Labor Secretary Pam Roberts says layoffs have leveled off but there are still lingering effects of the national recession. She says there have been some new job listings, as employers begin to slowly and cautiously hire more workers.

There are about 7,500 jobs listed in South Dakota through the state Labor Department, an increase of 2,000 from the beginning of the year.

Feds Issue Report On XL Oil Pipeline

SIOUX FALLS (AP) — A government report finds there would be limited environmental impact from the TransCanada Keystone XL crude oil pipeline that would cross 314 miles in western South Dakota. The 36-inch-diameter pipeline could carry up to 900,000 barrels of crude oil daily from Canada to refineries in Oklahoma and Texas.

The U.S. State Department compiled a draft environmental impact statement because the pipeline originates in Canada and requires a presidential permit. There's a 45-day comment period that includes a series of public meetings, including three in South Dakota next month.

Attorney Wants Look Into Ex-CSI's Work

OMAHA, Neb. (AP) — The Nebraska Supreme Court should appoint an independent committee to investigate the work of a former Douglas County crime scene investigator convicted of evidence tampering, an attorney for a convicted murderer has suggested to the court.

Jerry Soucie floated the idea in motion filed Tuesday in an appeal for Ivan Henk, who confessed to killing his 4-year-old son in 2003 and dumping the body in a trash bin.

Soucie told the Associated Press it would be unprecedented for Nebraska's high court to order an investigation of David Kofeod's work but that the scrutiny is needed.

Last month, Kofeod was convicted of tampering with evidence in a 2006 Cass County case in which two men were wrongly charged in a double murder. Kofeod, who was fired March 31, is appealing both his conviction and his dismissal.

Kofeod found the only physical evidence that tied those two innocent men to the shotgun slayings of Wayne and Sharon Stock of rural Murdock. A man and woman from Wisconsin eventually pleaded guilty to murdering the couple and are serving life prison terms.

Kofeod has not been charged in any other investigation.

Heineman Signs 'Closing Time' Bill

LINCOLN, Neb. (AP) — Some bars in Nebraska might get to stay open until 2 a.m.

Gov. Dave Heineman on Wednesday signed into law a bill (LB862) that will let cities extend bar closing times to 2 a.m. Cities currently can allow bars to stay open until 1 a.m., putting Nebraska among a half-dozen states with that mandated closing time.

All the states that border Nebraska let bars stay open until 2 a.m. Extending closing times will require approval from two-thirds of a city council instead of a simple majority. In cities with seven member councils, such as Omaha and Lincoln, five of the seven would have to vote for 2 a.m. Five-member councils would need four votes for approval.

Within hours of the signing, Omaha Mayor Jim Suttle said he'd push city council to extend closing time.

Mental Injuries Qualify For Neb. Work Comp

LINCOLN, Neb. (AP) — Nebraska's firefighters, police officers and other first responders will qualify for workers' compensation if they experience severe mental trauma on the job.

Gov. Dave Heineman on Wednesday signed the bill (LB780) that will allow for the new type of workers' comp claim. Heineman expressed concerns about the possible costs of the measure but signed it anyway.

Some have questioned whether the bill would cost more than what has been estimated: a statewide average of two claims a year at \$4,000 each.

Supporters have described the intense trauma first responders can experience from working grisly accident or suicide scenes and say the trauma is as bad or worse than physical injuries.

Iowa State Reports Likely Meningitis Death

AMES, Iowa (AP) — Iowa State University officials say bacterial meningitis may have caused the death of a student.

Authorities say 22-year-old Travis James Good of Omaha, Neb., reported feeling ill around 5:30 p.m. Tuesday, and was taken to Mary Greeley Medical Center. He died several hours later.

Authorities say initial lab tests indicate the probable cause of death as bacterial meningitis. Additional tests are being conducted at the University of Iowa Hygienic Laboratory in Ankeny.

Thielen Student Health Center director Michelle Hendricks said Wednesday university and public health officials are contacting those who had very close contact with Good.

Hendricks said students who shared a classroom with Good are not at risk because that environment is not considered "close contact."

■ Get Updates At Yankton Online (www.yankton.net)



Nuisance Abatement Information Sheet

What Is A "Public Nuisance?"

For the purposes of this ordinance, "public nuisance" means the condition or use of any parcel on or in which a violation of Yankton County Ordinance 17 has occurred. The conduct of the person committing the violation was such as to annoy residents in the vicinity of the parcel or passers-by on the public streets, sidewalks, and rights-of-way in the vicinity of the parcel.

There are specific violations that are designated "public nuisances" such as open burning, creating a breeding place for flies, mosquitoes and rats or other vermin such as the unhealthy accumulation or stockpiling of garbage, tires and other discarded items. The encroachment of any county road or county right-of-way would also be a "public nuisance", along with the deposition of snow across or in a county right-of-way.

Why Do We Need A "Nuisance Abatement Ordinance"?

The nuisance abatement ordinance will enact a civil remedy to:

1. Give the County and the Circuit Court authority to take civil action to stop properties from being in violation of county law;
2. Make property owners and tenants vigilant in preventing public nuisances on or in their properties;
3. Make property owners responsible for the use of their properties by tenants, guests and occupants;
4. Provide locally enforceable remedies for violations of local ordinances;
5. Otherwise deter public nuisances; and
6. This ordinance will provide an option for enforcement in the Extra Territorial Jurisdiction area.

What About Existing Facilities?

Current facilities that would be considered nuisances under this ordinance may continue in their present form as long as they do not expand or move from their current location. However, efforts may be taken to help current facilities conform to the new ordinance. Residential nuisances, such as those including but not limited to, abandoned, wrecked and unlicensed vehicles in their yards may be prosecuted under state law or the county zoning ordinance.

How Will This Affect Agriculture?

South Dakota Codified Law 7-8-33 gives Agriculture Producers protection stating that "the feeding, breeding, or raising of livestock or the operations of a livestock sales barn, is not presumed, by that fact alone, to be a nuisance."

What Is The Process?

1. Following a violation that serves as the basis for a nuisance abatement action, notice of the violation shall be given.
2. Following the notification of violation if no voluntary agreement is achieved or, if the county determines that a party has failed to comply with the terms of the agreement, the matter may be referred to the States Attorney.

What Happens Next?

Upon receipt of a referral for nuisance abatement, the States Attorney will evaluate the case and determine whether or not to initiate a court action. If a decision is made to file a civil nuisance action, the States Attorney will proceed by serving the summons and complaint and filing the case in the Circuit Court. Should the Court find there is a Class 2 misdemeanor violation then a maximum penalty of 30 days in jail and/or a \$200.00 fine could be levied. (Each and every day that the violation continues may constitute a separate offense.)

This information is intended to be a general overview of the nuisance ordinance. For the complete text, including definitions, a copy of the ordinance may be viewed at the Yankton County Auditors office during normal business hours.

Trial Begins In 1975 Slaying At Reservation

BY DAVE KOLPACK
Associated Press Writer

RAPID CITY — The lawyer for a man accused in a 1975 slaying on a South Dakota Indian reservation says his client did not provide the murder weapon and says the government's key witness in the case has changed his story.

Richard Marshall has pleaded not guilty to aiding and abetting the shooting of fellow American Indian Movement activist Annie Mae Aquash, a Canadian who came to the Pine Ridge Indian Reservation in the early 1970s. The trial began Wednesday in federal court.

Prosecutor Robert Mandel said in opening statements that Marshall supplied a .32-caliber revolver and ammunition when AIM members John Graham, Arlo Looking Cloud and Theda Clarke stopped at Marshall's house near Allen the day Aquash was killed. Aquash had been abducted in Denver, where she was hiding from

an illegal weapons charge, and driven to South Dakota in the back of Clarke's Ford Pinto, witnesses said.

Graham is accused of shooting Aquash in the back of the head. He awaits trial in state court.

"Mr. Marshall provided Theda Clarke with the revolver that was used to murder Annie Mae," Mandel said, looking at the 58-year-old Marshall.

Defense attorney Dana Hanna said the three AIM members did not leave the house with a gun from Marshall because the decision to kill Aquash wasn't made until a few hours later. Marshall said Clarke asked Marshall and his wife, Cleo Gates, to provide clothes for Aquash before they left.

"They didn't ask for a change of clothes so she could have clean clothes when they assassinated her hours later," Hanna said.

Prosecutors believe AIM leaders ordered her killed because they thought she was a gov-

ernment informant. Federal investigators have denied Aquash was a snitch.

Hanna told the jury that Looking Cloud, who is expected to testify for the government, said in previous interviews with police that he didn't remember stopping at Marshall's house. Looking Cloud changed his story in 2008, Hanna said.

Looking Cloud was convicted in 2004 for his role in Aquash's death and was sentenced to life in prison.

"Fritz Arlo Looking Cloud invented a lie to get out of federal prison," Hanna said.

Aquash's frozen body was found on the South Dakota Badlands in February 1976. After many unsuccessful attempts to get the case to court, Graham and Looking Cloud were indicted in 2003.

"This is an incredibly old case, I understand that," Mandel told jurors, "but there's nothing about the age of this case that makes it any less serious."

NEB. LEGISLATURE

Session Ends, But New Budget Problems Loom

LINCOLN, Neb. (AP) — Nebraska lawmakers on Wednesday wrapped up a historic legislative session that included passage of landmark abortion restrictions, but they already were bracing for looming budget problems.

The hole they may have to fill for the next two-year budget cycle, based on estimates from fiscal analysts that could change significantly: roughly \$680 million. In an unusual move, legislative committees will meet this summer and fall to scour state agencies for savings and potential program cuts to prepare for the expected budget slashing.

"The hard, first question is going to be, 'Are some programs really necessary, can we get along without it?'" said Sen. Tom Carlson of Holdrege.

Those questions also could be asked during a special legislative session this summer. An emergency session might be needed to cut the current two-year budget, which ends in June 2011.

If April state-tax revenue falls below projections, the chance of holding a special session will increase, said Sen. Lavon Heidemann of Elk Creek, chairman of the budget-writing

Appropriations Committee.

As for the next two-year budget, which lawmakers will also begin work on this summer, all areas of state government — including funding for K-12 education — will have to be part of the solution, Heidemann said.

Nebraska's 253 public school districts are sometimes shielded from budget cuts.

In the past, the state has been able to increase the overall amount of money that goes to schools, though the increases have been smaller in tough years.

This time around, "I doubt very much we'll see an increase," in school funding, said Sen. Greg Adams of York, chairman of the Education Committee. "Schools understand there will be some

cutbacks but don't know how or how much, and frankly, I'm not sure yet how or how much."

Adams said he and others are looking for ways to make the cuts fair. After a couple of years of tinkering with the complicated state-aid-to-schools formula, they are running out of ways to "move things around" to save money, Adams said.

Gov. Dave Heineman said he would rather find savings by reforming Medicaid, the govern-

ment-funded health insurance program. He was asked if he would resist cuts to education.

Earlier, when making a speech to lawmakers, he lauded them for keeping spending in check during the just-ended legislative session. Lawmakers passed very few bills that included new spending.

"In this session, your actions kept the budget in balance," he said. "We don't spend money we don't have."

24 HR EXPRESS LAUNDROMAT

2020 Elm St. - Newest Laundromat in Town!!

SPRING FLING One Year Anniversary!

Oversized Washers for Oversized Loads

Stop In and Register for Weekly Drawings & Grand Prize of a 32" Flat Screen TV or 50 lbs. of Free Laundry!

To be drawn at the end of April.

Wash & Dry in Less than 1 Hour!

Double Loads\$1.00
Triple Loads\$3.00
40 Lb. Loads\$4.00
80 Lb. Loads\$6.50

Visit Diggers Casino Next Door While You Wash & Enjoy a Bucket of 6 Domestic Beers for \$12 Monday-Thursday Only

WASH 'N FOLD

"Looking out for others~ that's what Dennis Daugaard does best."

~ Linda Mickelson Graham

For nearly 25 years, Dennis Daugaard devoted himself to improving the lives of abused and neglected children at Children's Home Society. While serving on their board, I've seen firsthand what a great leader Dennis has been.

During his five years as a fellow board member, Dennis helped eliminate all debt at Children's Home. As Executive Director, he expanded operations, added facilities, met payroll, and managed over 300 employees on both sides of the state. He grew Children's Home seven-fold. And he led the establishment of a self-sustaining endowment of over \$30 million to help fund Children's Home programs. Through these efforts, Dennis has safeguarded the future for Children's Home, and for the children who need its help.

Dennis Daugaard has made taking care of others his life's work. That's what makes him a great leader, and that's what will make him a great Governor for South Dakota.

~ Linda Mickelson Graham
Children's Home Society Board Member

Dennis DAUGAARD FOR GOVERNOR

www.DennisForGov.com

PAID FOR BY DAUGAARD FOR SOUTH DAKOTA