

## MIDWEST

### Sheriff IDs Suspect In Omaha Shooting

OMAHA, Neb. (AP) — Douglas County Sheriff Tim Dunning has identified a man shot to death by deputies as 37-year-old David Cermak of Omaha.

Two deputies, while trying to serve an arrest warrant on Cermak, were injured. Dunning identified them as 39-year-old Tom Flynn and 37-year-old David Heins.

Dunning said in a Wednesday afternoon news conference that as many as five deputies had been sent earlier in the day to serve the warrant on Cermak, wanted for a parole violation. But a struggle ensued, and both Cermak and Flynn were shot. Cermak was killed, and Flynn was taken to Creighton University Medical Center with a single gunshot to his torso. He is expected to recover.

Heins was hurt when he was bitten by a police dog and has been released from the hospital.

### Man Gets 10 Years In Child Porn Charge

SIoux FALLS (AP) — A Bridgewater man who pleaded guilty to possessing child pornography was sentenced to 10 years in federal prison.

Forty-five-year-old Kevin Houston pleaded guilty last November.

The U.S. Attorney's office said child pornography was found at his Bridgewater residence in August 2009 after Wisconsin authorities began investigating him for sexual assault of a minor.

Prosecutors said Houston has pleaded guilty to the Wisconsin charge and will be sentenced April 25 for that crime.

### S.D. Buys Lethal Injection Drug

PIERRE (AP) — Attorney General Marty Jackley said the state has purchased one of the drugs used in the state's lethal injection process in response to reported national shortages of the drug, called sodium thiopental.

He said the state purchased enough to carry out the sentences of the two inmates currently on death row in the state's prison system.

No execution date has been set for either Donald Moeller or Charles Russell Rhines because both have appeals pending.

### Man To Change Plea In Baby's Death

DAKOTA CITY, Neb. (AP) — A South Sioux City man charged in the death of a 2-month-old girl is expected to change his plea.

KTIV-TV in Sioux City, Iowa, says court documents show a plea-taking hearing is scheduled for Lorenzo Guzman on April 11 in Dakota County District Court.

Guzman was originally charged with child abuse resulting in death. The charge was amended to manslaughter in January.

The child, Abrieana Rena Mace, died last August. An autopsy showed she died of asphyxiation after rolling over and lying face down in a recliner. Police says she was propped up in the chair and wasn't checked for hours.

# Lawmakers Spar Over Sewer-Fee Proposal

BY GRANT SCHULTE  
Associated Press

OMAHA, Neb. — A measure that would help Omaha pay for \$1.7 billion in federally mandated sewer upgrades met resistance Wednesday from skeptical state lawmakers who urged the city to find the money on its own.

Nebraska lawmakers failed to reach a vote after nearly three hours of debate, which split largely on urban and rural lines. Lawmakers are scheduled to resume discussion Thursday.

The bill would return the state sales tax revenue that cities collect when they raise sewer fees. Mello's bill would allow cities to recollect the tax revenue that is sent to the state, as long as it helps pay for sewer system upgrades or other infrastructure. The tax turn-back would apply to fees starting in July 2013.

Several senators said they would rather see the city shoulder the cost. Omaha city officials, who support the bill, have asked Nebraska's congressional delegation to pursue legislation that would make federal grants available to cover half the cost.

Omaha Sen. Heath Mello argued that his bill would ease the financial burden on city government, residents, and businesses that use large amounts of water. Mello said the bill, which could return between \$40 million and \$100 million to the city, would help keep businesses in Nebraska and aid other cities in the future.

"It's good public policy, good state policy, good tax policy," Mello said. "It's

better economic development policy to extend a hand of cooperation and work with local governments to solve problems that they did not always cause on their own."

"I have faith in the people and the city of Omaha that they're going to stand up and do the right thing," said Elk Creek Sen. Lavon Heidemann. "They're going to put on their boots, go to work, address this problem and do the right thing — and they can do it on their own. We can help them do that by voting 'no.'"

Omaha is among more than 770 communities nationwide that have to upgrade their sewer systems. Mayor Jim Suttle has said the current economic conditions make the project too costly for local governments and for residential and business customers who would see their sewer fees rise.

Suburbs connected to the city's sewer system will share the costs. The Omaha sewer project includes separating sewage and storm-water drain systems. The average residential sewer bill could more than triple to \$50 a month by 2017.

The measure would only affect Omaha and Plattsmouth. Both cities along the Missouri River use sewer systems that combine raw sewage with storm water during rainstorms. Excess sewage sometimes flows into local creeks and rivers to ease pressure on the system and minimize back-ups into homes and businesses.

Heidemann said the Nebraska proposal, LB682, was unfair to other Nebraska towns with federally mandated projects of their

own.

Mello said Heidemann's claim was misleading. Smaller Nebraska towns receive U.S. Department of Agriculture loans and grants to pay for sewer, lagoon and other infrastructure projects.

Omaha Sen. Beau McCoy said he would rather see the city spread the cost among more users. Industry officials have said a payment structure created by city officials would charge the 29 largest industrial water users a rate 70 times greater than other businesses. The largest users account for less than .03 percent of all users, but will pay 5 percent of the cost.

"We're being asked to address a problem at the state level that the city could have handled, and still could handle, in a much different way," McCoy said. The city "still could share this more equitably among all the users in Omaha."

Mello said Omaha's cost structure was a local decision, and talks about possible changes were ongoing.

"There is nothing that compares in size — nothing that may ever compare in size — to what we're discussing," Mello said. "For those who are opposition to this bill, and wish for people to pay more taxes and more fees, that's their prerogative. But to misstate the facts ... is unfortunate."

Mello's southeast Omaha district includes Greater Omaha Packing Co., Nebraska Beef Ltd., and other plants that use large amounts of water. Mello and the measure's supporters have warned that drastic fee increases could drive those businesses out of state.

### Sioux Falls Sewer Rates May Jump

SIoux FALLS (AP) — The collapse of a main sewer line in South Dakota's largest city that caused headaches for residents last year could result in bigger bills for them this year.

The sewer line collapse last August in Sioux Falls backed up sewage into homes, and forced officials to restrict water use and dump raw sewage into the Big Sioux River. The city later borrowed \$26 million to improve the central main sewer line, and upgrades costing millions more dollars are planned in the next couple of years.

City officials now are making an unusual request to the City Council for a mid-year rate increase. If approved, the 5 percent hike could be followed by 8 percent rises in 2012 and 2013, doubling what the rates were four years ago, according to the *Argus Leader* newspaper.

"There are many people in our city who cannot afford this, and they are struggling," said resident Theresa Stehly.

The *Argus Leader* said a survey of other cities in the region showed that Sioux Falls still would have some of the cheapest sewer rates. Councilman Vernon Brown said that before rate increases that started in 2007, the city had not increased sewer rates for 10 years, which he said was "irresponsible" of the council's predecessors. The current council is to address the proposed rate hike on Monday.

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## F I X E

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