

MIDWEST DIGEST

Neb. Speaker Announces 'Late Night' Days

LINCOLN, Neb. (AP) — Nebraska Speaker of the Legislature Mike Flood has announced the scheduled dates for lawmakers to work extended evening hours.

Lawmakers are expected to adjourn around 8:30 p.m. on a scheduled late night, although Flood said they could run as late as 11:59 p.m. Flood says he reserves the right to cancel a late night, but will notify lawmakers as soon as possible if he does.

Flood has scheduled a total of 13 "late night" days. Late hours are scheduled three nights on each full week in May, starting May 2. A late night also is scheduled for May 31.

Lawmakers traditionally meet for longer hours as the year's legislative session nears an end. Lawmakers are scheduled to end this year's 90-day session on June 8.

Arsonists Again Target Condemned House

LINCOLN, Neb. — Fire officials say arsonists have targeted a condemned home in Lincoln for the second time this month.

The *Lincoln Journal Star* says the house was set on fire early Friday. A neighbor reported the house was engulfed in flames about 1 a.m.

Officials say the fire is similar to one on April 1 inside the same house. The home has been condemned since March 2007.

No arrests have been made.

Chickenpox Outbreak Prompts Ponca Clinic

PONCA, Neb. (AP) — A recent outbreak of chickenpox has prompted officials to hold an immunization clinic for students in the Ponca Public School District.

The Northeast Nebraska Public Health Department told Wayne radio station KTCH that there have eight local cases. The clinic is scheduled for Friday afternoon at the Ponca High School gymnasium.

The clinic is limited to Ponca district students, because the vaccine supply is limited.

Health officials say most children get their first chickenpox shot at the age of 1. The shot is about 80 percent effective at warding off infection. A second shot prevents the disease and is usually obtained before a child begins school.

The two-shot protocol has become a Nebraska requirement and will be enforced this coming school year.

African Frogs Linked To Nebraska Salmonella

LINCOLN, Neb. (AP) — Health officials say pet African frogs likely were the source of infection for two Nebraska children last year.

Jeanne Atkinson of the state Department of Health and Human Services told the *Lincoln Journal Star* that neither of the children was hospitalized and that both were under 10 years old. One case was in Douglas County, the other in Cass County.

The federal Centers for Disease Control and Prevention said earlier this month that African dwarf frogs were being blamed for salmonella cases in nearly 220 people in 41 states over the past two years.

A California breeder has been linked to the frogs and the infections.

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Neb. Bill Would Expand Co. Sales Tax Options

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — Nebraska counties could use their sales tax revenue for roads, bridges, emergency services and other needs under a bill scheduled for first-round legislative debate.

Lawmakers are set to vote next week on a measure that seeks to expand the ways counties could use their sales tax money. The proposal by Ogallala Sen. Ken Schilz comes as lawmakers debate another funding plan for state, city and county roads.

An amendment introduced by the Legislature's Revenue Committee would limit the use to public safety needs, but still allow for joint agreements with cities to finance public safety. Another amendment by

Ellsworth Sen. LeRoy Loudon would expand public safety to include crime prevention, jails, firefighters, medical and ambulance services and other emergency aid.

Current law lets Nebraska's 93 counties impose a sales tax as high as 1.5 percent, in half-cent increments. Their taxing power only extends to areas outside of incorporated towns, which levy sales taxes of their own.

Counties that use a sales tax under Schilz's bill would have to develop a one-year and three-year plan for construction projects or public safety improvements, and set public hearings for input. Plans would undergo yearly reviews.

Larry Dix, executive director of the Nebraska Association of County Officials, said his membership supported the measure even if roads provision was removed.

"We're still very happy with it," Dix said. "We think that, down the road, as we continue to lose revenue sources like state funding, this may give us an opportunity to make sure we can still provide for public safety."

Most county revenue comes from property taxes and, to a lesser extent, fees. Counties can only impose sales taxes in unincorporated areas that are not subject to city jurisdiction. Dix said one exception is Dakota County, on Nebraska's northeast border, which entered an agreement that allowed it to use sales tax revenue from South Sioux City for a county jail.

Dix said the greatest interest has come from officials in Sheridan County, who want to improve law enforcement in the unincorporated panhandle town of Whiteclay, Neb.

S.D. Lawmaker Scolded For Actions As A Lawyer

CHET BROKAW
Associated Press

PIERRE — The South Dakota Supreme Court has disciplined a state lawmaker for violating the legal profession's rules of conduct while serving as Fall River County's state's attorney.

The high court agreed with a recommendation from the South Dakota Bar's Disciplinary Board that Rep. Lance Russell, R-Hot Springs, be publicly censured. Such a censure amounts to a public scolding.

The court ruled that Russell

violated the rules of professional conduct for lawyers in handling an investigation of a contractor and Hot Springs Mayor Carl Oberlittner regarding construction of an addition to the city golf course in 2007, before he became a lawmaker. Russell got a court order making grand jury transcripts public and he later put the documents on the Internet. Grand jury proceedings are generally secret.

The Supreme Court ruling also said Russell broke a rule when he issued a press release improperly criticizing Circuit Judge Jeff Davis of Rapid City for delays in starting a murder trial.

"The release of the grand jury transcripts and the press release critical of Judge Davis was the product of a relatively inexperienced prosecutor who was caught up in the volatile political environment in Hot Springs and who

allowed himself to be seduced by it. Balanced against this, however, is that Russell immediately admitted his errors, cooperated with the Disciplinary Board, and completed an advanced degree." Justice Glen Severson wrote for the high court.

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Neb. High Court Upholds Sentence In 2004 Killings

LINCOLN, Neb. (AP) — The Nebraska Supreme Court on Friday rejected an inmate's claim that a life sentence for a double murder he committed at age 17 was cruel and usual punishment.

Jason Golka was about two weeks shy of his 18th birthday when he shot and killed Jay Ellis, 41, and Roscoe Jordan, 38, at a house in Gretna in October 2004. Prosecutors have said the killings were likely payback for the men's attack on Golka two days earlier. Police said the pair struck Golka in the head, sprayed his hat and face with paint and burned his forearm.

Golka pleaded guilty to two murder charges in Sarpy County District Court and was sentenced to life without parole. In 2006, the Nebraska Supreme Court removed the without parole part of his sentence.

Golka, now 24, had asked the high court to consider his case again, saying that even a life sentence was unfair, among other things. But the court said in Friday's opinion that Golka presented no evidence that his sentence was unfair and other courts have upheld life sentences for juveniles.

Golka's attorney Jeff Pickens declined Friday to comment on the ruling, saying he hadn't yet talked about it with his client.

Golka was not eligible for the death penalty because of his age.

He also argued in his appeal that his trial attorney gave bad advice. The high court rejected that claim.

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Welcomes Bill Conkling To The Winning Team



Contact Bill at 660-0618 or email billconkling@knology.net.

Lewis and Clark Realty, Inc. is proud to welcome Bill Conkling to their sales team. Bill is a life-long resident of Yankton and has been engaged in the real estate business for over 5 years.

Bill gained most of his real estate knowledge from his late parents, Bill Sr. and Sherry who were longtime realtors in Yankton. The most important lessons he learned were about honesty and integrity when dealing with customers. He looks forward to the opportunity to help you with your real estate needs and to make your experience as pleasant as possible.



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