

Neb. Lawmakers Wrap Up 2012 Session

Business Ends With Restoration Of Prenatal Care Benefits For Illegal Immigrants

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — Nebraska lawmakers wrapped up their session Wednesday after restoring prenatal care benefits for illegal immigrants, an issue that split the GOP-dominated Legislature and pitted a majority of senators against Republican Gov. Dave Heineman in a state that has become a national leader in the push to limit abortions. Lawmakers overrode the governor's veto of a bill that will extend coverage to the unborn children of illegal immigrants and low-income women. The vote on their 60th and final day capped an emotional session marked by budget uncertainties and frequent face-offs with Heineman over taxes.

Supporters argue that the coverage will reduce infant deaths and avoid emergency births, long hospital stays and treatment for children who develop complications — all of which costs the state more than prenatal care. Opponents say it will reward unlawful behavior with taxpayer-funded benefits, and could attract more illegal immigrants to Nebraska. In a statement Wednesday, Heineman said he disapproved of the veto overrides on prenatal care and a separate city sales tax measure. "I strongly disagree with their decisions," he said. "Providing preferential treatment to illegals while increasing taxes on legal Nebraska citizens is misguided, misplaced and inappropriate." The prenatal care measure turned typi-

cal allies into opponents in the officially nonpartisan Legislature, with Heineman pushing hard against the proposal while noting his strong opposition to abortion. The Republican speaker of the Legislature, Mike Flood, took the opposite position, supporting the measure while stating that he has always been against illegal immigration. The measure would require the state to pay for prenatal care to low-income women who have entered the U.S. illegally. It would extend coverage to an estimated 1,162 fetuses each year at a cost of \$650,000 in state money and \$1.9 million in federal tax dollars. Heineman said the issue revolves around immigration, not abortion, and that the bill would turn Nebraska into "a magnet for illegal aliens."

He said churches and private charities, not the state, should support pregnant women who have entered the country illegally. Supporters note that the existing network of non-governmental services isn't enough to meet the need. Nebraska extended prenatal care coverage to illegal immigrants for more than three decades, until 2010, when the federal government ordered the state to stop offering benefits through Medicaid. Roughly 870 illegal immigrants and 750 legal residents lost coverage, but federal authorities gave the state the option to enroll the women's unborn children in the Children's Health Insurance Program. The policy approved under President George W. Bush allows coverage because the unborn children have no immigration status, and

would become citizens if born in the U.S. "We are thankful that 30 members of the Legislature determined that protecting the life and health of unborn babies overshadows any other issues," said Julie Schmitt-Albin, executive director of Nebraska Right to Life. "We are proud of the Legislature for deciding that no unborn baby should be denied prenatal care based upon the circumstances of how that baby comes into the world." The prenatal vote was the last of four veto overrides, two of which succeeded. Lawmakers pushed a city sales tax measure into law Wednesday that split those who viewed it as an inevitable tax increase and senators who saw it as a matter of local control. Heineman argued that the bill would make the state less attractive for businesses, and contained too many loopholes that cities could exploit.

Huron Man Jailed Following Standoff

HURON (AP) — A Huron man is in jail following a standoff with police. KOKK reports that the 41-year-old man was arrested after he made terrorist threats following a two-hour standoff with police early Wednesday. Sgt. Brandon Nietzert says police were called to a home around 3:30 a.m. for a man attempting to make an explosive device out of household chemicals. When officers arrived, they found evidence that the man had been working to create an explosive. Nietzert says that after a standoff with police, the man was arrested and taken into custody. Nietzert says authorities are continuing to investigate. The name of the man, who remains at the Beadle County Jail, has not been released.

City Of Huron Looking For More Firefighters

HURON (AP) — This city of Huron is looking for firefighters. The *Huron Plainsman* reports that city has several openings for paid-on-call volunteer firefighters, and it's holding a recruitment day at the North Fire Station from 1 p.m. to 3 p.m. on April 28. Sixteen-year veteran Ron Hines will be explaining the job requirements, training timeline and state certification classes. Spouses are invited to attend. Hines says firefighters go out on holidays, anniversaries, birthdays and in middle of the night, so organizers want to make sure that everyone knows what to expect. Applicants must be at least 18 years of age, have a high school diploma or general equivalency degree, be able to move 10 pounds and occasionally lift or move up to the volunteer's own body weight.

Man Sentenced On Manslaughter Charge

SIOUX FALLS (AP) — A 19-year-old Manderson man has been sentenced to more than three years in prison for driving over and killing another man with his car. U.S. Attorney Brendan Johnson says Michael L. Ghost was sentenced last week to three years and one month in prison, to be followed by three years of supervised release. Ghost pleaded guilty in January to striking the victim with his vehicle and killing him after an argument near Manderson last August.

1 Person Treated After Neb. Panhandle Fire

ALLIANCE, Neb. (AP) — One person has been treated after a fire heavily damaged a rural home in the Nebraska Panhandle. Alliance radio station KCOW says firetrucks from Hemingford were dispatched around 2:30 a.m. Tuesday to a residence nine miles northeast of Alliance. Alliance firefighters soon joined the battle. Hemingford Fire Chief Mark Klemke says it took more than six hours to knock down the flames and eliminate hot spots. Klemke says one person was in the home when the fire was reported. That person was taken to Box Butte General Hospital to be checked for smoke inhalation. The fire cause is being investigated.

Arson Suspect In Van Fires Pleads Not Guilty

SIOUX FALLS (AP) — A 24-year-old Sioux Falls man accused of setting fire to three vans and entering two other vehicles has pleaded not guilty. The *Argus Leader* reports that Damon First In Trouble was arrested last month after a grand jury indicted him on charges of second-degree arson, property damage, threatening police officers and criminal vehicle entry. Police say that after a van caught fire on March 30, they caught First In Trouble nearby with a lighter and black residue on his hands. Local officials created an arson task force last fall in the wake of more than a dozen vehicle fires. Police officials say the March 30 fires were similar to those from last fall, but First In Trouble has not been charged in any other incidents.

Tourists Hit By Bus Get \$60K

MITCHELL (AP) — A jury in Mitchell has awarded nearly \$60,000 to a Kansas couple hit by a city bus as they walked in a downtown crosswalk. That's short of the \$100,000 that the attorney for tourists Richard and Mary Russell had been seeking. *The Daily Republic* reports that the lawyer representing the city and the former bus driver argued that the couple should get no more than \$38,000 for medical bills and pain and suffering.

Jurors spent Wednesday weighing the dollar amount the couple should get. The trial came nearly three years after the Russell family was hit near the Corn Palace tourist attraction in June 2009. The bus driver, Julie Payne, later pleaded guilty to misdemeanor careless driving and was fined about \$100. She no longer works for the city.

IN THE MONEY



DERIK HOLTSMANN/BELLEVILLE NEWS-DEMOCRAT/MCT
Red Bud Mayor Tim Lowry, from left, Lottery official Michael Jones, and Mega Millions winners Patricia Butler and Merle Butler pose for portrait with their Lottery check Wednesday in Red Bud, Ill., as the couple claimed their \$218 million cut of the record \$656 million Mega Millions jackpot won nearly three weeks ago. Butler, 65, said he and his wife, Patricia, 62, looked at each other and giggled after he calmly told her that a \$3 quick pick ticket he had bought at the Moto Mart held the winning numbers.

S.D. Official: Woman Can't Be Placed On June Ballot

BY CHET BROKAW
Associated Press

PIERRE — South Dakota's top elections official said Wednesday that he sees no way for a Rapid City woman to be added to the Republican primary ballot against U.S. Rep. Kristi Noem, even though a hearing is set for next month to hear the woman's case. Secretary of State Jason Gant said he cannot put Stephanie Strong on the statewide June 5 primary ballot because South Dakota law requires that ballots had to have been given to county auditors by Wednesday so absentee voting can start Friday, also set by law. A federal law requires that absentee ballots be provided to military personnel and other overseas voters beginning Saturday, he said. Another primary race cannot be added to the ballot after people have already started voting absentee, Gant said. Once people have cast absentee ballots that do not include any GOP congressional primary race, those ballots cannot be pulled back, he said. Noem is expected to run uncontested, so the GOP congressional race won't be included on the ballot. "I absolutely do not see any possibility on how we could add someone to the ballot after today," Gant said Wednesday. Strong argues that Gant, the state's chief elections officer, unfairly rejected some of the signatures on her nominating petitions. Circuit Judge Mark Barnett of Pierre held a brief hearing Tuesday in Strong's case, but he adjourned after a few minutes because he was unable to reach Strong on the telephone. Barnett said he was unable to determine whether Gant had been properly served with the lawsuit.

Assistant Attorney General Rich Williams, who is representing Gant, said he talked with Strong early Wednesday and she requested that a court hearing be held May 1, even though he told her it was too late to put her on the ballot. Strong, who owns a business with her husband, did not immediately return a phone call Wednesday seeking comment on the issue.

Fed Officials Order Neb. To Turn Over Execution Drug

BY MARGERY A. BECK
Associated Press

OMAHA, Neb. — Authorities have ordered Nebraska prison officials to turn over their supply of a drug used during lethal injections after a federal judge ruled that the drug was wrongly allowed into the U.S. The Nebraska Department of Corrections and the Nebraska Attorney General's office confirmed Wednesday that they recently received letters from the federal Food and Drug Administration requesting that the drug, sodium thiopental, be turned over to federal authorities. Sodium thiopental is an anesthetic used to put inmates to sleep before other lethal drugs are administered during an execution. Nebraska obtained a stock of the drug from a foreign supplier after the drug's U.S. manufacturer announced last year it would no longer produce it. The order follows a federal judge's ruling late last month in a case, *Beatty vs. FDA*, that found the FDA wrongly allowed other states to import the drug. U.S. District Judge Richard Leon also ordered the FDA to immediately notify any

state correctional departments with foreign-manufactured thiopental that its use is prohibited by law, and that the drug must be returned to the FDA. Nebraska Corrections Department spokeswoman Dawn-Renee Smith did not say whether her agency planned to turn over the state's supply of sodium thiopental, but she did say the department is working with the Nebraska Attorney General's office "to determine the appropriate next steps." Attorney General's Office spokeswoman Shannon Kingery also declined to say whether the state would turn over the drug, but hinted that state officials question whether federal authorities had a right to take the supply. "The March 2012 decision in *Beatty vs. FDA* has no legal effect or relevance with Nebraska's supply of the drug," Kingery said. "The supply referenced in *Beatty* was purchased from Dream Pharma and was previously detained by the FDA as an unapproved and misbranded drug. "Nebraska's supply was purchased from a different supplier and was approved for importation" by the FDA and other federal agencies, she said.



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