

S.D. Companies Sue State Over Contract

SIoux FALLS (AP) — Three Sioux Falls staffing companies are suing over a \$5 million state contract awarded to a national employee recruiting firm.

The lawsuit alleges that the governor's office lacked the authority under the state or U.S. constitutions to enter into a contract that gives one company an exclusive franchise within private industry. It also alleges the state broke competitive bidding laws.

Gov. Dennis Daugaard early this year announced the contract with Manpower Inc. to recruit 1,000 out-of-state workers to South Dakota to fill needs in four areas: financial services, information technology, engineering and manufacturing. The Legislature approved the spending.

A spokesman for Daugaard tells the *Argus Leader* the contract process followed the law. He says the worker recruitment program is a cost-effective way to attract new people to the state.

Neb. Jobless Rate Drops To 4 Percent In March

LINCOLN, Neb. (AP) — Nebraska's unemployment rate dipped slightly to 4 percent in March, keeping the state's rate the second-lowest in the country, officials said Friday.

The state's preliminary March rate is slightly better than the revised February rate of 4.1 percent. The national rate also improved from February's 8.3 percent to 8.2 percent in March.

State Labor Commissioner Catherine Lang says Nebraska's continued low jobless rate is good news for the future economy.

"A sustained labor force of over 1 million Nebraskans working or actively looking for work is a historic milestone," she said.

North Dakota maintained its status as having the lowest unemployment rate in the U.S., at 3.0 percent in March.

The number of unemployed people in Nebraska was estimated at 40,399 in March. That was a drop from 41,113 in February and from 44, 763 in March 2011. The total workforce in the state is just more than 1 million.

Unemployment in state's largest city of Omaha fell to 4.7 percent in March from 5.1 percent the previous month and from 5.3 percent last March.

In Lincoln, the rate fell to 3.7 percent in March. The rate had been 4.1 percent in February and 4.3 percent in March 2011.

The unemployment rates for Lincoln and Omaha are not seasonally adjusted, so they cannot be directly compared to the state unemployment rate.

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Lawsuit Filed In Ongoing Hutterite Dispute

SIoux FALLS, S.D. (AP) — A federal lawsuit against three Aberdeen attorneys is the latest spat in an ongoing battle over control of a Hutterite colony near Stratford.

Two groups have been at odds over which branch of the Hutterite religion to follow. A judge in 2010 ordered dissolution of the colony, but the state Supreme Court overturned the decision, saying it's a religious matter.

The Hutterville Hutterian Bretheran, George Waldner Sr., Tom Waldner and Kenneth Waldner filed a racketeering lawsuit Thursday against the Siegel, Barnett and Schutz firm and attorneys Jeff Sveen, Rodrick Tobin and Harvey Jewett.

The suit alleges the attorneys helped get the colony under the leadership of Joseph Wipf.

Sveen did not immediately return a phone and email message seeking comment.

South Dakota

Female Prison Inmates, Officials Settle Meds Suit

BY DIRK LAMMERS
Associated Press

SIoux FALLS — South Dakota corrections officials and women's prison inmates have reached a settlement in a class-action lawsuit, which had alleged that staffers were denying inmates their mental health medications.

A federal judge on Friday dismissed the 2007 lawsuit after a mediated settlement was reached earlier in the week.

In their complaint, the inmates claimed that prison officials showed deliberate indifference to their mental health conditions in violation of their U.S. Constitutional rights under the 8th and 14th amendments.

Judge Charles Kornmann, in his order approving the settlement, prohibited prison officials from changing, increasing, reducing or discontinuing the dosage of any prescription

except under the direction of a qualified physician or other person authorized by law to prescribe medications.

State prison officials did not admit to any violation of prisoners' rights under the settlement.

"The relief afforded by the settlement agreement is narrowly drawn to correct the alleged violations of inmates' federal rights," Kornmann wrote. "The settlement agreement does not impair the rights of individual inmates to seek relief not sought in the class action."

Jamie Lambertz-Brinkman, Laura Rivera, Christa Stork and seven unnamed inmates filed the lawsuit in U.S. District Court against South Dakota's corrections secretary, now Denny Kaemingk; the women's prison warden, now Brenda Hyde; and prison clinical supervisor Tanya Reiser.

Messages left for Kaemingk and Hyde were

not immediately returned.

A message left for Michael Abourezk, the inmates' attorney, also was not immediately returned.

In his brief supporting his motion for class action, Abourezk said Lambertz-Brinkman was incarcerated in 2005 with psychotropic medication prescribed to her by a treating medical physician.

"However, nursing staff confiscated the medication upon her arrival and refused to allow her access to it," Abourezk wrote. "A physician did not evaluate this decision. All of the decisions were made by nurses or other personnel who are themselves not licensed or legally qualified to prescribe or withhold medications."

Kornmann wrote that the settlement is fair, reasonable and adequate to redress the claims of current and future class members.

Another Nebraska City Eyes Ban On Gender-Based Discrimination

LINCOLN, Neb. — Lincoln would join Omaha in extending anti-discrimination protection to gay and transgender residents if the City Council adopts a soon-to-be proposed measure.

City councilman Carl Eskridge plans to introduce the measure on April 30. Similar to an ordinance passed last month by Omaha's council, the Lincoln measure would bar discrimination against gays and transgender people in housing, employment and public accommodations. Nebraska's anti-discrimination laws and federal regulations don't extend protection to gay and transgender people.

"This is an issue of fundamental fairness in terms of how we treat a segment of our population in Lincoln," Eskridge said earlier

this week.

At a news conference Thursday, several business owners and at least one pastor supported the measure, the *Lincoln Journal Star* said (<http://bit.ly/J1KNaT>) in a story published Friday.

"As a person of faith who practices the peaceable, inclusive religious principles of the Jesus movement, discrimination has no basis because God shows no partiality," said the Rev. Karla Cooper, pastor of Quinn Chapel and chaplain at Doane College.

"It is a divine mandate and imperative to pass the fairness ordinance in the city of Lincoln," she said.

The Nebraska Family Council will oppose the measure, said the Rev. Al Riskowski, who is the council's executive director.

"This is truly more of a moral-

ity issue than a minority issue," Riskowski said.

In Omaha, backers argued the proposal would make Omaha a more welcoming city to a diverse workforce. Opponents said it would add an unnecessary layer of bureaucracy and open up businesses to lawsuits.

Eskridge said he didn't expect the city of Lincoln to go through the heated debate that took place before Omaha's proposal was adopted.

But, he said, there won't be unanimity in Lincoln.

"This issue may be challenging, but we can talk about it; we can work together to find a solution," Eskridge said.

Information from: *Lincoln Journal Star*, <http://www.journalstar.com>

Nebraska Will Not Immediately Turn Over Execution Drug

OMAHA, Neb. (AP) — Nebraska will not immediately turn over to federal authorities its supply of a drug used during lethal injections.

Instead, the Nebraska Attorney General's office is calling on the U.S. Food and Drug Administration to appeal a federal judge's recent ruling that the drug, sodium thiopental, was wrongly allowed into the U.S.

That judge also ordered the FDA to notify any state with foreign-manufactured thiopental that its use is prohibited and that it must be turned over to the FDA.

Earlier this month, the FDA sent a letter to Nebraska authorities requesting the state's supply of sodium thiopental.

The Nebraska Attorney General's office sent a response Friday to the FDA saying "we are unaware of any evidence or reasons why" the state should turn over its supply of the drug.

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