

The Press & Dakotan

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OPINION OTHER VIEWS

Let's See Details Of Trade Deal

THE KANSAS CITY STAR: The Obama administration is negotiating a huge international trade deal in secret. This is neither tea party fantasy nor conspiracy theory. It is the Trans-Pacific Partnership. Before the nation signs on, the public needs to see what is in it.

The administration has refused to disclose what is in the deal beyond broad-brush descriptions. The details matter. As the saying goes, never sign on the dotted line before you've read the fine print.

The White House is so intent on keeping the public in the dark that it wants Congress to give it "fast track" approval. It wants lawmakers to agree in advance to hold an up-or-down vote on the agreement without any amendments. It got an agreement with congressional leaders last week to do just that.

America's democracy does not thrive in the dark. This trade deal might hold reasonable compromises and tradeoffs that on balance would benefit the nation. Or it might create loopholes that send jobs overseas, cost consumers more and undermine environmental protections.

Only the lucky few privy to the negotiations can offer an informed analysis, but they have agendas that skew their views. The partnership is being written with corporate and industry representatives at the table but not advocates for consumers, workers and the environment.

Leaked draft sections hint at the direction the deal is heading, and there is plenty of cause for skepticism.

For example, one leaked section would create an "investor-state dispute settlement" process in a quasi-judicial space outside national courts. International investors and corporations could use it to sue against laws they don't like; individuals and advocates could not.

Under the investor-state clause, an international company could challenge U.S. laws that negatively affect its earnings. If Missouri outlawed a particularly nasty chemical from children's toys, the maker of that chemical could challenge it in the investor-state clause instead of under state and federal law.

The basic idea underlying the investor-state dispute settlement has some merit. One can make a case for handling international trade disputes outside any one country's jurisdiction. But according to the leaked documents, the investor-state clause would have bias built in. Corporate lawyers would staff it. The same lawyers who represent industry one day would render verdicts the next. That incestuous system would serve corporate, not public, interests.

Other leaked sections raise serious red flags about intellectual property and fair use.

It is one thing to play your cards close to your chest during the early stages of a negotiation. Before the Trans-Pacific Partnership is final, however, the American people and Congress should have a chance to weigh in so that changes can be made if necessary. If, as has been suggested, secrecy is out of fear that the public would not like what is in the agreement, then perhaps the administration should reconsider whether this is a good agreement in the first place.

Congress holds the winning hand in this debate. It can demand public review of the agreement a condition of fast-track authority. It could also not grant fast track at all, thereby ensuring the agreement is public before America has to take it or leave it.

ABOUT THIS PAGE

The View page provides a forum for open discussion of issues and interests affecting our readers. Initialed editorials represent the opinion of the writer, but not necessarily that of the PRESS & DAKOTAN. Bylined columns represent the view of the author. We welcome letters on current topics. Questions regarding the Views page should be directed to Kelly Hertz at kelly.hertz@yankton.net.

IN HISTORY

By The Associated Press
Today is Thursday, April 23, the 113th day of 2015. There are 252 days left in the year.

Today's Highlight in History: On April 23, 2005, the recently created video-sharing website YouTube uploaded its first clip. Titled "Me at the Zoo," the video consisted of 18 seconds of YouTube co-founder Jawed Karim standing in front of an elephant enclosure at the San Diego Zoo, commenting on the animals "really, really, really long, uh, trunks." (Today, YouTube claims more than 1 billion users and says that 300 hours of video are uploaded every minute.)

On this date: In 1616, English poet and dramatist William Shakespeare, 52, died on what has been traditionally regarded as the anniversary of his birth in 1564.

In 1789, President-elect George Washington and his wife, Martha, moved into the first executive mansion, the Franklin House, in New York.

In 1791, the 15th president of the United States, James Buchanan, was born in Franklin County, Pennsylvania.

In 1910, former President Theodore Roosevelt delivered his famous "Man in the Arena" speech at the Sorbonne in Paris.

In 1914, Chicago's Wrigley Field, then called Weeghman Park, hosted its first major league game as the Chicago Federals defeated the Kansas City Packers 9-1.

In 1935, Poland adopted a constitution which gave new powers to the presidency.

In 1940, about 200 people died in the Rhythm Night Club Fire in Natchez, Mississippi.

In 1954, Hank Aaron of the Milwaukee Braves hit the first of his 755 major-league home runs in a game against the St. Louis Cardinals. (The Braves won, 7-5.)

In 1965, the Coca-Cola Co. announced it was changing the secret flavor formula for Coke (negative public reaction forced the company to resume selling the original version).

In 1995, sportscaster Howard Cosell died in New York at age 77.

In 2007, Boris Yeltsin, the first freely elected Russian president, died in Moscow at age 76.

Ten years ago: Leaders of China and Japan met in Jakarta, Indonesia, to try to settle their nations' worst dispute in three decades, but failed to reach an agreement in the bitter feud over Tokyo's handling of its World War II atrocities. Silvio Berlusconi was sworn in as head of Italy's 60th

postwar government. Renowned British actor Sir John Mills died in Denham, England, at age 97.

Five years ago: Arizona Gov. Jan Brewer signed the nation's toughest illegal immigration law, saying "decades of inaction and misguided policy" had created a "dangerous and unacceptable situation"; opponents said the law would encourage discrimination against Hispanics. The Coast Guard suspended a three-day search for 11 workers missing after an explosion rocked the Deepwater Horizon oil platform in the Gulf of Mexico. Actress Sandra Bullock filed divorce papers in Austin, Texas, to end her five-year marriage to Jesse James.

One year ago: Georgia Gov. Nathan Deal signed a law allowing legally owned guns in bars without restriction and in some churches, schools and government buildings under certain circumstances. Facebook reported its earnings had nearly tripled and revenue had grown sharply in the first quarter, surpassing Wall Street's expectations. Mark Shand, 62, the brother-in-law of the Prince of Wales and a chairman of an elephant conservation group, died in New York after sustaining a serious head injury in a fall.

Today's Birthdays: Actor Alan Oppenheimer is 85. Actor David Birney is 76. Actor Lee Majors is 76. Hockey Hall of Famer Tony Esposito is 72. Irish nationalist Bernadette Devlin McAliskey is 68. Actress Blair Brown is 67. Writer-director Paul Brickman is 66. Actress Joyce DeWitt is 66. Actor James Russo is 62. Filmmaker-author Michael Moore is 61. Actress Judy Davis is 60. Actress Valerie Bertinelli is 55. Actor Craig Sheffer is 55. Actor-comedian-talk show host George Lopez is 54. Rock musician Gen is 51. U.S. Olympic gold medal skier Donna Weinbrecht is 50. Actress Melina Kanakaredes is 48. Rock musician Stan Frazier (Sugar Ray) is 47. Country musician Tim Womack (Sons of the Desert) is 47. Actor Scott Bairstow is 45. Actor-writer John Lutz is 42. Actor Barry Watson is 41. Rock musician Aaron Dessner (The National) is 39. Rock musician Bryce Dessner (The National) is 39. Actor-writer-comedian John Oliver is 38. Actor Kai Penn is 38. MLB All-Star Andrew Jones is 38. Actress Jaime King is 36. Pop singer Taio Cruz is 32. Actor Aaron Hill is 32. Actor Jesse Lee Soffer is 31. Actress Rachel Skarsten is 30. Singer-songwriter John Fullbright is 27. Tennis player Nicole Pietrangola is 26. Actor Dev Patel is 25. Actor Matthew Underwood is 25. Actor Camryn Walling is 25.

Thought for Today: "In the future everyone will be world-famous for 15 minutes." — Andy Warhol, American pop artist (1928-1987).

FROM THE BIBLE

[I ask] that they may all be one, just as You, Father are in Me, and I in You, that they also may be in Us, so that the world may believe that You have sent Me. John 17:21. Portals of Prayer, Concordia Publishing House, St. Louis.



Pierre Report

Summer Study Starts With Rules Issues

BY REP. JEAN HUNHOFF
R-Yankton

The summer legislative meetings have started with Rules meeting on April 20.

The Department of Agriculture, on behalf of the South Dakota Weed and Pest Control Commission, amended existing rules to add Japanese beetle and tarragon to the local noxious weed and declared pest list. This request was coming from Pennington County. At the department hearing, there was opposition to the addition based on interpretation of the definition of a noxious pest. During that hearing, eradication was used rather than management, which in the minds of SDSU agriculture staff was not applicable in this request. The rules committee focused on the use of local control to manage what they perceived as a noxious pest. The department hearing resulted in tarragon not being added to the list and the Japanese beetle being on the list. The rules committee supported the process for the recommendation of the Japanese beetle to be on the local noxious weed pest list.

GF&P had earlier in the year amended a rule to allow dogs to be used to hunt mountain lions year round in all areas of the state located outside of the Black Hills Fire Protection District.

(The Rules Committee by statute cannot meet during session. If departments enact rules during that time, the only option for the Rules Committee to address those changes is to hold a suspension hearing to determine if the process was followed. It takes a majority of the committee to support a suspension hearing. If that goes forward and ultimately the rule would be suspended, it would have to go back to the Legislature in the next session for any action.)

The Department provided an overview of the discussion that occurred at the department hearing and also a petition that came from a citizen following the hearing for not implementing the rule. The landowners outside of the Hills were asking for assistance from a private owner of dogs to assist in reducing the mountain lion population that has been impacting their herds. Since there was no rule to allow for using dogs for hunting of mountain lions, the owner of the dogs was requesting the rule change from GF&P.

Sen. Bradford felt strongly that this issue had been addressed in the Legislature previously and had not been supported. He moved to hold a suspension hearing. There was a second, so the rules committee needed to act on the motion. The motion was defeated 3 to 2. I voted no as this was a request coming from private land owners that were trying to protect their herds and do it within the rules of the state.

GF&P also brought forth rules to eliminate the Cottonwood Lake State Waterfowl Refuge in Sully County. Question was asked if the refuge status was removed, could it ever be reinstated; the answer was yes.

The majority of the remaining committee discussion focused on rules allowing law enforcement officers to require the removal of vegetation and all aquatic invasive species from a boat and to require that all drain plugs and related devices be opened or removed from all boats when being transported. Also, it was discussed whether to prohibit the transportation of fish and aquatic bait in water away from any aquatic invasive species containment water body and allow no more than five gallons of vegetation-free water to be possessed for transport of bait and fish away from water bodies not designated as aquatic invasive species containment waters.

In the GF&P minutes provided from the GF&P hearing, the majority of anglers' responses were to support the rule changes.

The Rules Committee discussion focused on how owners of boats and anglers were going to



J. Hunhoff

be educated on these changes. The department responded they have already begun an aggressive education program through their publications. They also indicated that education would come before any issuance of citations to our boaters. The citation for failure to comply is a class II misdemeanor.

The other rule of interest had to do with the elk licenses. The Department has developed an elk management plan, adopted by the GF&P Commission, that has as a goal a population of 7,000 elk for the Black Hills region. The management plan was developed by a work group of stakeholders that included ag producers and hunters. The plan is, over a three-year period, to build up to a herd size as identified in the plan. This is accomplished by controlling the growth rate through the issuance of licenses.

One of the new approaches is to have a contingency plan for additional licenses based on changing events that impact herd numbers. The commission by resolution on August could allocate a maximum of 20 percent of all antlerless elk licenses available for all combined Black Hills elk hunting units to determine the number of antlerless elk contingency licenses. The eligibility criteria for these licenses are resident only who was not issued an elk license from any regular elk drawing; any such application shall be made through the department website; landowner preference or preference doing do not apply. A resident's purchase and receipt of an antlerless elk contingency license does not affect the resident's eligibility or preference in future lottery drawings for elk seasons. The nine-year waiting period for a person does not apply.

They also determined that there was a disproportionate ratio of archery to rifle elk licenses. They set the ratio in the management plan of 25 percent archery licenses and 75 percent rifle licenses. Additional proposed changes were opening the mountain goat hunting season from Sept. 1 through Dec. 31. Two tags may be issued. The rest of the rules pertained to the number of elk licenses in the hunting areas. The rules process were approved by the committee.

The Board of Finance amended rules to increase per diems, lodging reimbursement, allowance for use of private vehicles and meal allowances. The commissioner of BFM said the rates had not been updated since 2008. He assured the chairs of both Senate and House Appropriations committees that the increases were to be absorbed in the 2016 department budgets. The rules process were approved.

Department of Natural Resources and Board of Water and Natural resources presented rule changes resulting from changes in the federal government programming that the department received dollars from to support South Dakota water and sanitation projects. Interestingly at the public hearing no comments were received by the department either supporting or opposing the proposed rule changes. Primarily dollars are shifting from federal mandates for participation to state requirements. The rule process was approved.

The Board of Medicine and Osteopathic Examiners presented rules to establish what constitutes a conflict of interest and potential conflict of interest related to hearing held by the board and add a code of ethics to existing rules. The rule process was approved.

As a reminder, department rules hearings are posted on the Legislative Research Council website; go to legis.sd.gov, click on Administrative Rules and click again on Current Register. The Register comes out weekly and will post hearings as well as Executive Orders.

If you have questions, please contact me at DJHunhoff@iw.net.

LETTERS TO THE EDITOR

AG Nominee

Chris Svarstad, Yankton

Let's push our Congress people to nominate Loretta Lynch as attorney general.

Five months after being nominated, she is still being held hostage by Republicans in Congress over a completely unrelated piece of legislation. I don't see this changing, unless

Congress decides to stop playing politics and continuing their trifecta against women — blocking the first African American AG, playing politics with trafficking victims, threatening women's and human rights.

Until they decide to do that, Ms. Lynch will continue to be forced to sit at the back of the bus.

KNOW YOUR RIGHTS: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." — The FIRST AMENDMENT to the U.S. Constitution

FREEDOM OF THE PRESS: It's Your Right To Know!