

14 Students Receive Travel Scholarships

VERMILLION (AP) — Fourteen students at the University of South Dakota are the first to receive scholarships to study abroad through a new international travel fund at the Vermillion instruction.

The new International Opportunity Fund in USD's College of Arts and Sciences was established by alumni Tom and Nancy Gallagher. The couple gave approximately \$1 million to the USD Foundation to support international travel by students.

The scholarship awards range from \$600 to \$2,500 each and the students will travel to 11 different locations including the Galapagos Islands, Scotland and Peru.

The fund awarded about \$20,000 in all to support travel costs. More money will be allocated through a competitive

Execution Of SD Inmate Berget On Hold

SIOUX FALLS (AP) — A circuit court judge has put the execution of death row inmate Rodney Berget on hold. Attorney General Marty Jackley says Circuit Court Judge Douglas Hoffman issued a stay of the execution after

Berget filed a habeas petition. Berget was sentenced to die the week of May 3 for his role in killing State Penitentiary guard Ronald Johnson during an April 2011 escape attempt.

Another inmate charged in Johnson's death, Eric Robert, was executed in 2012. A third inmate, Michael Nordman, was sentenced to life in prison for providing materials used in the slaying of Johnson, which happened on his 63rd birthday.

Jackley says it remains the state's position that due process has been satisfied.

Defense attorney Jeff Larson declined to comment.

Bond Set For Man Charged In Shooting

BISON (AP) — A judge has set bond for a northwestern South Dakota man accused of shooting a man in his home at \$150,000.

Twenty-two-year-old Brady Hooker appeared in court for the first time this week.

KBJM-AM reports authorities say Hooker shot 32-yearold Leon Paulsen following an incident at Hooker's home in Lemmon. More details on the incident have not been

Defense attorney Randy Connelly tells the Associated Press that it's still early but appears to him to be the "seeds of a self-defense case." Connelly says he is pushing to get Hooker a preliminary hearing instead of a grand jury. He says both families involved are still in "deep, deep shock" over the matter.

Hooker's first-degree manslaughter charge carries a maximum penalty of life in prison.

Charges Dismissed Against Councilman

CANTON (AP) — Rape charges have been dropped against a former teacher and Canton city councilman.

Jeffrey Nolte faced two counts of rape and one count of sexual contact with a child younger than 16 years old.

KELO-TV reports that Lincoln County State's Attorney Tom Wollman dismissed the charges after the alleged victim testified at a competency hearing that there had been a "bad touch," but was not able to further describe the alleged events in open court.

Wollman says because the victim could not testify, it would be difficult to convince a jury.

Nolte's attorney Jeff Larson declined to comment on the matter to the Associated Press.

Nolte worked in the Oldham-Ramona School District when the charges were filed.

Students Suffer Minor injuries In Crash

RAPID CITY (AP) — The Rapid City School District says some middle school students suffered minor injuries in a

District officials say about 55 middle school students were on the bus when it crashed about 7:45 a.m. Thursday.

A second bus was sent to the scene to bring the stuents to school. Some were referred to a school nurse or doctors. It was not immediately clear how many students

KOTA-TV reports the crash happened after a woman driving a Jeep pulled out in front of the bus. The woman was ticketed for failing to stop at a stop sign.

Court Reaffirms Construction Option

OMAHA, Neb. (AP) — The Nebraska Supreme Court has reaffirmed that public school districts are not prohibited by state law from using lease-purchase agreements to fund building projects.

The decision Thursday came in a lawsuit filed by taxpayers in 2012 after the after Scribner-Snyder Community School district entered a lease-purchase agreement with a bank to pay for building several classrooms. That came after voters rejected a \$7.5 million bond proposal by the school district for the work. The taxpayers did not seek a temporary restraining order to try to stop construction.

The high court found the taxpayers' claims moot because the work has already been done. But it issued a "public interest" ruling, finding that state law does not prohibit use of such lease-purchase agreements.

Senate GOP Caucus To Hold **Leadership Elections Next Month**

Associated Press

SIOUX FALLS (AP) — The Senate GOP caucus will meet next month to fill the leadership void left when two top Republican members resigned, and President Pro Tempore Corey Brown said Thursday he will run for Senate majority leader.

Caucus elections are scheduled for May 9 at the state Capitol in Pierre, Brown said. The 25-member Republican Senate conference — which could grow if Gov. Dennis Daugaard fills the two vacancies before the caucus elections — will vote to fill the spots that former Senate Majority Leader Tim Rave and former Assistant Majority Leader Dan Lederman vacated with their midterm departures from the Legislature.

Tony Venhuizen, the governor's chief of staff, said in an email that Daugaard hopes the two seats will be filled within a month.

The Senate leaders play a key role in negotiating policy positions. During the 2015 Legislature that meant fighting for the Senate stance on issues such

insurance coverage of treatments for children with autism.

'In that role of leader, essentially, you're ... one of the chief negotiators with the House and with the governor and with the minority party," Brown said. "Having had been involved with a lot of those discussions over the last four or five years, I think my fit in the caucus is maybe better in that particu-

Brown said he isn't aware of challengers for the majority leader spot. He has previously served as assistant majority leader.

Republican political observers have said bids for the leadership posts could come from one of the caucus' three majority whips or from a rank-and-file member. If a whip were elected to a higher post, an additional vote to fill the spot would be necessary, and if Brown succeeds Rave, a new president pro tempore would need to be chosen.

The three majority whips are Sens. Ried Holien, Ernie Otten and Deb

Holien was unavailable for comment.

they intend to run for assistant leader. Soholt said she is "taking a strong look" at a run for assistant leader or presi-

dent pro tempore. "I'm at 98.9 percent that I'm going to be running," Otten said. "I think I could bring a position from the harder right and be a person that could bring also the middle and hopefully bring every-

body together." Greenfield, who doesn't occupy a leadership position, said if elected, he wouldn't simply succumb to the executive branch. He said he would be the 'strongest voice for the Legislature that I know how to be, and ultimately for my caucus."

Minority Leader Billie Sutton, who leads the eight-member Democratic caucus in the Senate, said Brown would make a good Republican leader. He said he hopes the conference chooses a leader who can bridge the gap between the more conservative and the moderate Republican members.

"I think he's probably one of the ones who could do it," Sutton said.

Food Stamp Recipients Entitled To Local Hearing

BY MARGERY A. BECK

Associated Press

OMAHA, Neb. (AP) — Food stamp program recipients in Nebraska are entitled to a face-to-face meeting in their local welfare office for hearings that could affect their benefits, the state Supreme Court found Thursday.

That upends the Nebraska Department of Health and Human Services' longstanding practice of requiring recipients to travel to Lincoln for the hearing or participate by telephone.

The ruling came in the case of Melanie Marshall of North Platte, who was charged with welfare fraud in 2013 and accused of lying on applications to garner more than \$40,000 in federal food stamp assistance over four years to which she was not entitled. She was convicted this year of one count and found responsible for \$6,370

in overpayments. She was sentenced to two years' probation and ordered to pay back that money.

Marshall, who has maintained that she did not lie on her applications, is appealing. She also sued the agency and its top officials after she was denied an in-person hearing in the North Platte office on a plan to reduce the Supplemental Nutrition Assistance Program benefits for Marshall and four of her children and to require her to reimburse the state for alleged overpayments.

She had said the 450-mile roundtrip to Lincoln would prove too onerous, mainly because she is the main caregiver for her youngest child, who was born without kidneys and suffers from the effects of a stroke. The department rejected her request, offering instead to let her participate by telephone.

A Lincoln County District Court sided with the department, and Marshall appealed, arguing that the denial of a local in-person hearing violated her due process rights and the department's own regulations.

The high court rejected Marshall's due process claim, saying the lack of a face-to-face meeting did not infringe on her constitutional rights. But the Supreme Court found that the department's own regulations — which are tantamount to state law — require it to provide in-person hearings at the recipient's local welfare office.

The regulation states that those requesting a hearing will be notified by the department whether a hearing officer will travel to the recipient's local office for a face-to-face hearing or whether the hearing will be held in Lincoln, with the recipient participating by telephone. But it also says that "the household must be given the option of requesting a face-to-face hearing if a telephone hearing was scheduled.

'Regulations bind the agency that promulgated them just as they bind individual citizens, even if the adoption of the regulations was discretionary," Justice William Connolly wrote for the court. "An agency does not generally have the discretion to waive, suspend or disregard a validly adopted

Department of Health and Human Services spokeswoman Kathie Osterman said Thursday officials are reviewing the opinion to determine what impact it will have on department policy.

It was unclear how Thursday's ruling will affect Marshall's case. Her attorney, William J. Erickson, declined to comment, and a home phone number for Marshall rang unanswered Thursday.

Neb. Senators Vote To Cut Ties With Rail Bloc

LINCOLN, Neb. (AP) Nebraska would cut its membership in the Midwest Interstate Passenger Rail Compact under a bill that cleared first-round debate in the Legislature.

Senators voted 37-0 Thursday to leave the compact in three years, an action senators have been debating for the past eight

The sponsor, Sen. Bill Kintner of Papillion, says Nebraska has been wasting time and \$15,000 a year in dues for a membership that does little to benefit

the state. But Sen. Jeremy Nordquist of Omaĥa says Nebraska has not invested time and effort in the opportunities the compact provides to link Midwestern states with alternate forms of transportation.



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