

MIDWEST DIGEST

Neb. State Fair To Open At New Home

GRAND ISLAND, Neb. (AP) — The Nebraska State Fair opens Friday at its new digs at Fanner Park in Grand Island.

The fair had been held in Lincoln for more than a century. It moved this year to make way for the University of Nebraska to build a high-tech research park at the old fairgrounds.

The 141st fair runs through Sept. 6. The theme will be "It's a Grand Affair" in honor of the move to Grand Island.

A ceremony celebrating the move will be held at 4 p.m. Friday, followed by a parade. Gov. Dave Heineman and his wife, Sally Ganem, will take part.

Entertainment during the 11-day fair will include concerts by country music stars Mel Tillis and Martina McBride, Christian rock band Lifehouse and the classic rock band Heart.

Water Imperiled By Neb. Plant's Coal Ash

LINCOLN, Neb. (AP) — Environmental groups say coal ash from power plants in Nebraska and other states is polluting nearby ground-water supplies.

The groups want the federal Environmental Protection Agency to regulate coal ash disposal. The agency is holding a series of hearings on the issue.

A report released Thursday by the Environmental Integrity Project, Sierra Club and Earthjustice mentions a Sheldon power plant in southeast Nebraska as one of the sites. The report says such sites have higher concentrations of arsenic, lead and other heavy metals than federal standards allow for drinking water.

Nebraska Department of Environmental Quality spokesman Brian McManus says the Sheldon site is being monitored, but it's not been proven to be the source of the heavy metals.

Agreement OK'd Over Abortion Screenings

OMAHA, Neb. (AP) — A federal judge has approved an agreement between Nebraska Attorney General Jon Bruning and Planned Parenthood of the Heartland that blocks a law requiring health screenings for women seeking abortions.

Bruning's office announced last week that it wouldn't defend the law in court because there's little chance it would prevail. The judge earlier indicated the law was likely unconstitutional.

The law would have required women wanting abortions to be screened to determine whether they had risk factors indicating they could have mental or physical problems after an abortion.

Planned Parenthood has said the law could be difficult to comply with and could require doctors to give women irrelevant information.

The judge approved the agreement Tuesday.

Westboro Drops Suit Over Neb. Prosecution

OMAHA, Neb. (AP) — A federal judge has dismissed a lawsuit against Nebraska authorities accusing them of malicious prosecution of a member of Kansas' Westboro Baptist Church.

The dismissal Tuesday followed a court filing from Shirley Phelps-Roper that she was dropping the case. She had promised to do so in a deal to avoid trial in Sarpy County Court over charges stemming from a 2007 protest outside a soldier's funeral.

Phelps-Roper's lawsuit accused Sarpy County Attorney Lee Polikov of violating her constitutional rights "by investigating her for protected expressive activity," among other things.

As part of her deal, Phelps-Roper also agreed to remove Polikov from a separate lawsuit challenging the constitutionality of the state's funeral protest law.

Neb. Stem-Cell Funding In Jeopardy?

OMAHA, Neb. (AP) — University of Nebraska Medical Center officials are wondering whether a federal judge's ruling jeopardizes funding for the school's research using human embryonic stem cells.

On Monday, U.S. District Judge Royce Lamberth said federal funding violates a federal law barring the use of taxpayer money for experiments that destroy human embryos. His injunction prohibits the National Institutes of Health from funding research under the administration's new guidelines.

Thomas Rosenquist is UNMC vice chancellor for research. He said late Wednesday that just one of UNMC's human embryonic stem cell projects is supported by NIH money.

Rosenquist says UNMC is still awaiting word from NIH on whether the judge's ruling will affect support for the project.

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Neb. High Court To Get Immigration-Law Question

BY MARGERY A. BECK
Associated Press Writer

OMAHA, Neb. — The Nebraska Supreme Court should answer a legal question about whether a Nebraska city's ban on hiring and renting to illegal immigrants is allowed by state law, a federal judge ruled late Wednesday.

U.S. District Judge Laurie Smith Camp ruled on briefs from parties in lawsuits filed by the

American Civil Liberties Union of Nebraska and the Mexican American Legal Defense & Educational Fund, also known as MALDEF. Those lawsuits challenging Fremont's ban have since been combined.

A portion of the lawsuit claims the city of Fremont exceeded its municipal authority under Nebraska law when it enacted the ban this summer.

Smith Camp had asked for the

briefs last month, saying she wasn't sure whether the lawsuit should be heard in federal or state court.

She has given the civil rights groups, as well as Fremont's attorney, Kris Kobach of Kansas, until Sept. 1 to craft the language of the question that she will present to the Nebraska Supreme Court.

"We'd like to see it resolved at the Nebraska Supreme Court,"

said Shirley Mora James, an attorney with MALDEF. "If the state supreme court finds that the ordinance is invalid, then we never reach the federal question ... so, we're done."

"That would save the city's time and energy, and it certainly would save everyone involved time and energy."

Nebraska ACLU's attorney, Amy Miller, did not immediately return a message left Thursday

by The Associated Press seeking comment.

Kobach said he, too, was pleased with Smith Camp's decision.

"Frankly, we don't think this is a particularly strong claim the plaintiffs have made," Kobach said. "We're confident that cities like Fremont do have the authority to impose conditions upon a lease permit or the hiring of an employee."

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