

Heat Still A Problem For Livestock In Nebraska

LINCOLN, Neb. (AP) — The U.S. Department of Agriculture says the heat and humidity continue to cause livestock deaths in Nebraska, while the growing number of grasshoppers is becoming a problem.

The USDA in its weekly crop report on Monday says temperatures last week averaged 2 degrees above normal, with highs mainly in the mid to upper 90s. Rainfall was heaviest in the eastern Panhandle and the south central region, with about 3.5 inches. The northern two thirds of Nebraska were dry, and grasshopper numbers are becoming a concern in parts of western Nebraska.

The USDA says 79 percent of the corn crop and 78 percent of the soybeans are in good to excellent shape.

The wheat harvest is nearly finished along with the second cutting of alfalfa.

Wet Weather Leading To Lower Wheat Yields

ABERDEEN (AP) — Extension educators say wet weather this spring and summer is contributing to lower wheat yields and more risks of disease.

Spink County Extension agronomy educator Mark Rosenberg says this growing season got wet and stayed wet, and those are not the best wheat growing conditions.

He tells the *Aberdeen American News* (<http://bit.ly/pNQI9T>) that not only have farmers been dealing with fewer than expected bushels, but diseases such as vomitoxin have been a major concern.

One spring wheat field west of Aberdeen was harvesting 20 bushels fewer per acre than expected, and extension educators in other counties were reporting similar conditions.

Kacey Holm, of Dickey County, N.D., Extension says farmers in that county are pleased with their yields but not the quality.

Omaha Police Arrest Suspect In Bank Robbery

OMAHA, Neb. (AP) — Omaha police say a bank robbery suspect assaulted an officer while he was being arrested.

Officers were able to find the suspect shortly after the downtown Omaha robbery was reported shortly after 11 a.m. Monday. The suspect was found on foot near the Bank of the West branch that was robbed.

Police say the 45-year-old man who was arrested assaulted a detective although the detective sustained only minor injuries.

Police said the man had an undisclosed amount of cash from the bank when he was arrested.

South Dakota Men Sentenced For ATM Theft

SIOUX FALLS (AP) — Two men accused of stealing a bank-owned ATM from a convenience store in Wessington Springs have been sentenced to prison.

U.S. Attorney Brendan Johnson says 19-year-old Kalup McGhee of Pukwana was sentenced to two years and two months in prison and ordered to pay about \$33,000 in restitution. Twenty-one-year-old Kelly McGhee Jr. of Fort Thompson was sentenced to two years and three months in prison and ordered to pay more than \$38,000 in restitution.

Both McGhees pleaded guilty earlier this year in the December 2009 theft.

Kelly McGhee also was sentenced on a charge of sexual abuse of a minor. He was ordered to spend two years and nine months behind bars, after his sentence on the burglary conviction. McGhee pleaded guilty to having sex with a child under 16.

200 Pounds Of Marijuana Seized On I-80

WAVERLY, Neb. (AP) — A Wisconsin man is in custody after the Nebraska State Patrol seized more than 200 pounds of marijuana in a weekend traffic stop.

State Patrol spokeswoman Deb Collins says the drugs were found in the back of a Chevrolet Tahoe around 11:30 Sunday morning.

Collins says the SUV was stopped for speeding along Interstate 80 near Waverly. The trooper detected the odor of marijuana and found the drugs hidden inside several duffel bags.

The 51-year-old man driving the vehicle was arrested on suspicion of possessing marijuana with the intent to deliver the drug. He is from Verona, Wis.

9/11 Survivor To Speak At Flag Ceremony

PIERRE (AP) — A retired New York City firefighter who is a survivor of the 9/11 terrorist attacks will speak at a Patriot Flag event in Pierre on Sunday.

Joe Torrillo arrived at the World Trade Center just minutes before the second plane struck the south tower. While evacuating people from the south tower, he was buried under the debris of the first collapse.

He now travels the country to speak of his experience.

The 30-foot-by-56-foot American flag known as the "Patriot Flag" is being flown in all 50 states to remember those lost during the events of 9/11.

Volunteers with the civilian, fire, medical, military and law enforcement sectors are organizing the ceremony in Pierre.

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Judge Tosses Lawsuit Over Black Hills Money

CHET BROKAW

Associated Press

PIERRE — Individual members of the Sioux tribes cannot persist with a lawsuit seeking a share of hundreds of millions of dollars awarded in old court cases for the improper seizure of the Black Hills and other land more than a century ago, a federal judge has ruled.

In a ruling issued Thursday, U.S. District Judge Lawrence Piersol dismissed a lawsuit filed by 19 members of Sioux tribes. He said individual tribal members have no legal standing to seek the money because it was awarded to eight tribes, and prior court decisions have found that individual American Indians do not have a right to tribal property or a claim to a share of money from the sale of tribal land.

The Sioux tribes have refused to accept money awarded for the Black Hills in a 1980 U.S. Supreme Court decision, and instead have sought the return of the land, Piersol noted. The lawsuit seeking payments for individual tribal members could not continue without the participation of the tribes, but they have refused to give up their immunity to being sued, he said.

"That difference of position is an internal tribal matter into which the federal courts cannot intrude," Piersol wrote.

A lawyer representing the individual tribal members who filed the lawsuit did not immediately return a phone call seeking comment.

Terry Pechota of Rapid City, a lawyer representing the Rosebud Sioux Tribe, said the tribes welcome the decision because any distribution of money from the 1980 court case would weaken the tribes' efforts to regain land in the Black Hills. The Rosebud Sioux filed documents in the lawsuit stating it seeks the return of land and rejects any monetary settlement.

"The consensus is, the tribes want this land back," Pechota said Monday.

The dispute is more than 130 years old.

In an 1868 treaty, the U.S. government agreed that a huge area west of the Missouri River would be set aside for use by the Sioux. After gold was discovered in the Black Hills, miners and other fortune-seekers flocked to western South Dakota. That led to military battles that culminated in George Custer's defeat at the Little Big Horn in 1876.

When the Sioux refused to ratify a new treaty giving up the Black Hills, Congress passed a law taking the land in 1877.

The U.S. Supreme Court in 1980 upheld a lower court ruling that awarded eight Sioux tribes \$106 million in compensation, the 1877 value of \$17.5 million plus interest. The nation's highest court said the government had to pay for taking the tribal property, and Pier-

sol said that award has now grown to \$650 million or more.

All the Sioux tribes have refused to take the money, with tribal officials and others saying the Black Hills are not for sale.

The lawsuit by the individual tribal members also sought distribution of a smaller amount of money awarded for land taken in the 1868 treaty. Filed two years ago, the lawsuit argued that because the court system cannot return the land to the Sioux, the only remedy is to distribute money to individuals.

Piersol said federal law provides that no money from the Black Hills case can be distributed until Congress appropriates funds and federal officials agree with the tribes on a distribution plan. Congress has not provided money and all eight tribes have passed resolutions opposing distribution of the money.

The return of any land is up to Congress, the judge said.

"The fact remains that resolution by the courts is at an end. If there is to be any result other than the current stalemate, then it must come from tribal government and the Congress of the United States," Piersol wrote.

The eight tribes listed in the lawsuit were the Crow Creek Sioux, Cheyenne River Sioux, Standing Rock Sioux, Lower Brule Sioux, Rosebud Sioux, Oglala Sioux, Fort Peck Sioux and Santee Sioux.

GOP Candidates Criticize Obama Over Credit Rating

BY MIKE GLOVER

Associated Press

ATLANTIC, Iowa — Presidential hopefuls Michele Bachmann and Tim Pawlenty on Monday blamed President Barack Obama's spending policies for the downgrade in the nation's credit rating, seeking political gain days before a test vote by Iowa Republicans.

"We were able to get through the Great Depression and not see a credit downgrade. Only under this president have we seen a credit downgrade," Bachmann, a Minnesota congresswoman, said at an appearance here.

In Ames, Pawlenty, a former Minnesota governor, called the decision by Standard and Poor's to downgrade the U.S. credit rating "just one of many indications that our federal government is out of control, our economy is stumbling and the president's direction has been ineffective and wrong."

Both candidates were packing their daily campaign schedules with multiple events ahead of Saturday's Iowa straw poll, an important test of organizational strength as well as popularity. The stakes are high for the rivals from Minnesota; Bachmann hopes to keep her momentum going with a strong showing while a struggling

Pawlenty is looking for a much-needed boost

"One has to beat expectations and one has to live up to them," said veteran GOP strategist Bob Haus, who is unaligned in the race.

Other candidates, to be sure, are on the ballot for the nonbinding vote in Ames. But some are competing more heavily than others.

Former Massachusetts Gov. Mitt Romney, the front-runner so far, along with former Utah Gov. Jon Huntsman and former House Speaker Newt Gingrich are bypassing the event even though they will be on the ballot.

Bachmann, a tea party favorite who has been running strong in polls since getting in the race earlier this summer, and Pawlenty, who has been building a campaign for more than a year but remains low in polls, arguably have the most on the line. They are seeking to reach as many GOP activists as possible over the next few days.

While the two largely focused their fire on Obama, Bachmann said her fight against the debt ceiling was unique; the congresswoman reminded Iowans that she voted against raising the debt ceiling.

Charitable Food Groups In South Dakota Face Paying Tax

SIOUX FALLS (AP) — About 275 groups that give food to South Dakota's needy will have to begin paying a long-unenforced sales tax later this year unless they manage to gain tax-exempt status or stop the donations.

An audit late last year discovered that handling fees organizations pay to the groups that supply them with food weren't being taxed, state Business Tax Division Director Jan Talley told the *Argus Leader* (<http://bit.ly/mXDbDG>). Beginning Oct. 1, groups such as Feeding South Dakota must charge taxes to nonexempt nonprofits that hand out free food.

"We think it's just outrageous," said Pastor Jeff Hayes of Faith Temple Church in Sioux Falls, which hands out thousands of pounds of free food each week to the needy. "The state shouldn't be putting hurdles or barriers in the way of people who volunteer and spend money to feed people during this tough economic time."

Many of the affected organizations can apply for tax-exempt status, Talley said. There are about 450 food banks and giveaway programs across the

state, and about 175 already have exempt status.

Hayes said getting tax-exempt status is not a simple undertaking, and Feeding South Dakota's director, Matt Gassen, said smaller organizations that give away food just a few times a year are likely to view it as a hassle.

"We could have some saying, 'we are just not going to do it,'" he said.

State officials are unsure how much revenue the sales tax will generate. Gassen estimates it at less than \$15,000.

Hayes said he's not sure whether his church will continue to give away food. He is pushing the state to reverse the tax decision.

"I'm kind of embarrassed as a citizen of South Dakota that the state would do it," he said. "The irony is the Department of Revenue wants to charge us a tax, and the Department of Social Services refers people to the food giveaway all the time."

Gov. Dennis Daugaard said changing the law would require legislative action. Rep. Manny Steele, R-Sioux Falls, said he doesn't see why the state is taxing organizations that aren't out to make money.

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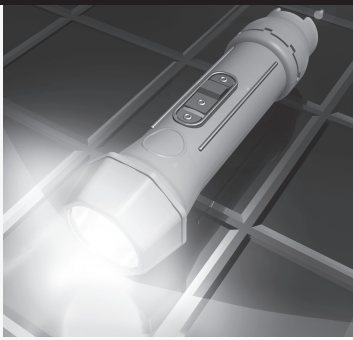
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Session 1: Yankton
8:30 a.m. - 11:30 a.m.
Thursday, August 25
Yankton Area Senior Center
900 Whiting Drive

Session 2: Yankton
5:30 p.m. - 8:30 p.m.
Thursday, August 25
Elks Lodge #994
504 W. 27th Street

This training is supported by Grant #R18TP000320 entitled, "A Health Security Card for Disasters and Public Health Emergencies" from the Centers for Disease Control and Prevention (CDC), Office of Public Health Preparedness & Response. Contents of this flyer are solely the responsibility of the project team and do not represent the official views of the AMA or the CDC.