

Deal For Omaha Fire Chief Is Off

OMAHA, Neb. (AP) — Omaha's mayor says a tentative retirement agreement for Omaha's former fire chief is off. Mayor Jean Stothert's office said Friday it was unable to come to an agreement with Mike McDonnell within a deadline specified in a memorandum of understanding. Stothert said in a statement that McDonnell demanded language be added to the document that was inappropriate for inclusion. McDonnell resigned from his longtime post Monday under a deal with Stothert that would have blocked significant cuts to the fire department over the next year. McDonnell remains on paid administrative leave and Battalion Chief Bernard Kanger is interim chief. A message left at the fire department was not immediately returned Friday.

Hospital Ground-Breaking Is Set

MADISON (AP) — Construction is to begin next week on a \$37 million hospital in Madison. A ground-breaking ceremony is now scheduled for Thursday for the 104,000-square-foot facility that will replace the existing Madison Community Hospital, an independent nonprofit that has provided medical care in the area for more than 100 years. The new hospital on 22 acres of land on the south side of the city of 6,500 people will employ about 160 people when it begins operating in early 2015.

SD Guard Recruits Despite Furloughs

RAPID CITY (AP) — The South Dakota Army National Guard is continuing to recruit new members even as its full-time soldiers are required to take furloughs because of federal budget cuts. Recruiting and Retention Commander Lt. Col. Kory Knight tells the *Rapid City Journal* that budget cut talk has created a false impression among prospective recruits and the general public that the Guard doesn't need new members. National Guard officials say they have about 60 positions to fill in the next month. And the 842nd Engineering Company in the northern Black Hills has many as 20 positions open for the part-time soldiers who typically train on weekends. About 4,300 of the nation's Army and Air National Guard members are in South Dakota.

Nearly 30 Neb. Parks To Close For Several Months

LINCOLN, Neb. (AP) — A tight budget and a long list of deferred maintenance projects have forced the temporary closure of nearly 30 parks, the Nebraska Game and Parks Board of Commissioners announced Friday. The closings of 24 state recreation areas and five historical parks will free agency staffers to help reduce more than \$30 million in deferred maintenance and help the state comply with the Americans with Disabilities Act and environmental concerns. The department has reduced services before but has never closed so many parks for so long, said Roger Kuhn, who oversees the parks division of the Game and Parks department. Most of the state recreation areas and historical parks on the list will close Sept. 16 and reopen May 1. Vehicle access to boat ramps will remain open at Riverview, Pelican Point and Sutherland's Hershey Beach. The closure of Arbor Lodge State Historical Park in Nebraska City will be delayed until Sept. 23, following the Applejack Festival, and will reopen April 23 for the Arbor Day celebration. Fort Atkinson State Historical park and Alexandria State Recreation Area will close Oct. 7 and reopen May 1. That allows Fort Atkinson to hold its annual living history weekend Oct. 5-6 and accommodates concessionaire services at the Alexandria recreation area. Kuhn said employees at the closed parks will be formed into teams that will attack some of the smaller maintenance projects they otherwise wouldn't be able to tackle, either at their facilities or others. He cited as an example the primitive pit toilets found at many of the state's 59 recreation areas. "We have hundreds. So on our list of deferred projects, we have a big backlog," Kuhn said. "Clean and functional toilets are a big, big demand, for obvious reasons," he said. Some of the replacement structures have been built by maintenance teams over the slower seasons, but the backlog demands more of them be built. "We want to use resources for multiple months instead of multiple weeks," Kuhn said. And doing so with available staff labor is cheaper than buying them commercially. The department lists the material

costs for construction of the pit toilets is around \$6,800 each, Kuhn said. That includes an environmentally acceptable tank, a sturdy shed and concrete work to comply with the disabilities act. Commercially, they'd cost about \$30,000 each, Kuhn said. "We haven't sat idle and not attacked our maintenance needs," he said. "But the list is growing. We're going to need additional funding if we're going to keep the park system at a quality level that people expect. We don't want to get further behind." The department's news release mentioned a proposed legislative measure that could provide the funding. Kuhn said the measure would eliminate the \$25 vehicle entrance user fee that raised \$5.5 million in 2012 and replace it with a \$7 fee on all virtually all Nebraska-registered vehicles that would raise about \$11 million a year. The measure, LB362, stalled in the Nebraska Legislature earlier this year after Sen. Annette Dubas, of Fullerton, led a successful filibuster against the measure, saying drivers shouldn't be charged more money to register their vehicles. Dubas, a Democrat who announced her candidacy for governor earlier this month, did not immediately return a message left Friday seeking comment about the measure and the plan to close state parks.



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South Dakota

More Public Info Now On Web

BY BOB MERCER
State Capitol Bureau

PIERRE — Three state government offices made notable advances this summer in placing more information on the Internet for public viewing. The most recent came Friday. Production and ownership data for every known oil and gas well in South Dakota is now on the web site for the Department of Environment and Natural Resources. The site has many interactive functions. DENR Secretary Steve Pirner described the "painstaking detail work" by state geologists to put all of the information into place. The same department has been a recent leader in transparency by placing all of its public notices and related applica-

tions and comments at a one-stop web site. Secretary of State Jason Gant, who made much headway quickly on his web site after taking office in 2011, recently updated his office's on-line listing of governor actions such as executive orders, proclamations and extradition orders. The site now has a search function that makes it simpler to find items. The state Department of Labor and Regulation this summer began posting on a web site the results of insurance companies' market-conduct examinations. Spokeswoman Dawn Dove said the examination reports were always available to the public upon request. She said Labor Secretary Pam Roberts decided they should be posted on the department's web site for open access. Last year the department began posting administrative actions taken against insur-

ance companies and agents. Those became available via the Internet on July 1, 2012. Roberts made that change for easier access for the public and regulators. "The change also freed up staff time by allowing interested parties to be referred to the website for all future actions," Dove said. She added, "Publication, especially to the Internet, is a national trend among insurance regulators." To take a closer look: • Oil and gas data — <http://www.arcgis.com/explorer/?open=dfb223c6d8974f6a123b9f03adb04d> • Insurance examinations — http://dlr.sd.gov/insurance/market_conduct_exams.aspx • Governor's actions — <https://executive.sdsos.gov/>

Courts Rejects Medicated Man's Appeal

OMAHA, Neb. (AP) — The Nebraska Supreme Court on Friday rejected the appeal of a man serving two life sentences who argued that he was too heavily medicated on anti-psychotic drugs to be competent to stand trial. Todd Baker, 50, was convicted in two separate killings in which authorities say he drove around and found his victims and then struck them with a hammer. Baker appealed after his request for a hearing on his motion for post-conviction relief was denied last year by a Lancaster County District Court judge. Prison inmates typically file post-conviction relief motions once they have exhausted all other appeals. Baker contends his convictions were unconstitutional. Baker was convicted at separate trials and sentenced to life in prison for the 1996 killing of Anne True and for the 1995 killing of 15-year-old Missy Schmidt. His ex-wife testified during his trial in True's killing that she was in a car with Baker when he jumped out, grabbed True as she walked along a city street and hit her with a hammer. Police say he left True's body in a field on the edge of town. In Schmidt's killing, police say Baker was driving around and spotted her sitting on the porch of her Lincoln home. They say he walked up and spoke to her, then pulled out a hammer and struck the back of her head. He dumped her body in a ditch west of town, according to police. In his request for a hearing, Baker listed a litany of anti-psychotic medications he was taking at the time of his murder trials. He argued that if he had been evaluated, he would have been found not responsible by reason of insanity or incompetent to stand trial. Baker also argued that his attorney was ineffective for not requesting a hearing to

determine whether he was competent to stand trial, that prosecutors engaged in misconduct by not requesting such a hearing and that the trial court erred by failing to order a hearing. The state's high court found no merit in Baker's arguments.

"He listed various medications he was taking and listed the possible side effects of such medications, but he made no allegations of fact to the effect that he suffered particular side effects or other narrative to support his claim that such medications made him incompetent," Nebraska Supreme Court Judge Lindsey

Miller-Lerman wrote. Baker, who acted as his own attorney, could not be reached for comment Friday. The Nebraska Attorney General's Office is pleased with the high court's ruling, said the office's spokeswoman, Shannon Kingery.

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Dr. Pietz joins Drs. David Barnes, McKenzie Hanson, Scott Weber, and Certified Nurse Practitioner, Jennifer McGinnis, in providing family care.

Please join us in welcoming Dr. Pietz, her husband, Aaron, and their children, Noah and Carson, to Yankton.

Dr. Pietz will begin seeing patients at the Yankton Medical Clinic, P.C. September 9, 2013.
Appointments can be made by calling 605-665-8910.

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