

Judge Rules In Favor of SD Candidate

SIOUX FALLS (AP) — A federal judge has ordered South Dakota Secretary of State Jason Gant to certify a new running mate for independent candidate for governor Mike Myers.

Myers picked Lora Hubbel as his running mate when his initial choice, Caitlin Collier, had family health issues. Myers sued Gant earlier this month after he wasn't allowed to substitute Collier for Hubbel.

South Dakota law allows nominees of political parties to be replaced on the ballot, but there's no such provision for independent candidates.

Gant says he won't appeal Monday's decision by U.S. District Judge Lawrence Piersol and will list Hubbel as Myers's pick for lieutenant governor.

Ballots for the election in November will be printed in early September.

Wetland Backlog Concerns SD Farmers

PIERRE, S.D. (AP) — Some South Dakota farmers say it's taking the government too long to deal with requests for wetland determinations.

A wetland determination helps producers know where wetlands are located so they can make plans to drain areas without losing eligibility to participate in federal farm programs.

South Dakota has nearly 3,000 backlogged requests — much more than other states in the region, the Capital Journal reported. North Dakota, for example, has about 860.

Andover farmer John Horter, president of the South Dakota Soybean Association, said the backlog means he has to wait up to two years before he can do any draining projects.

"That's burdensome. Myself as a farmer, I'm not against wetlands. I just want the determinations to be done in a timely fashion, and fair and accurately," Horter said.

The federal Natural Resources Conservation Service in South Dakota in recent years has been using private consultants to try to address the backlog. Nearly 400 requests have been handled since last October.

Judge: Man Not Competent For Trial

LINCOLN, Neb. (AP) — A judge says a Lincoln man accused of killing his wife and decapitating her head is not competent to stand trial, but he could be in the future.

The *Lincoln Journal Star* reports Lancaster County District Judge Paul Merritt Jr. made the ruling Monday about 41-year-old Kent Burklund.

Merritt says there is a substantial likelihood that Burklund's competency can be restored. He was ordered to the Lincoln Regional Center for medical tests.

Merritt said he would review the case in February, or sooner depending on Burklund's treatment.

Burklund is charged with second-degree murder in the death of 41-year-old Bettina Burklund. She was found dead in the couple's home in April.

Candidate Weiland Enlists New Adviser

SIOUX FALLS, S.D. (AP) — U.S. Senate candidate Rick Weiland has enlisted a new campaign adviser.

The Democrat on Monday announced that veteran political strategist Steve Jarding will serve as his senior adviser and spokesman for the remainder of the race.

Jarding has worked on statewide races in South Dakota, Nebraska and Virginia. He is a lecturer at Harvard University's Kennedy School of Government.

Weiland, a businessman and former staffer for Sen. Tom Daschle, is running for the seat being vacated by U.S. Sen. Tim Johnson, who will be retiring after serving South Dakota since 1997.

Nebraska May Have To Repay \$2.5M In Medicaid Money

BY JOSH FUNK

Associated Press

OMAHA, Neb. (AP) — Federal officials want Nebraska to repay nearly \$2.5 million because they say the state mishandled some Medicaid prescription drug claims.

The problem was discovered by an audit the Inspector General of the U.S. Department of Health and Human Services released earlier this month. Several other states have been criticized for similar problems.

The report said between 2009 and 2011, Nebraska officials failed to collect detailed information about prescriptions doctors administered in clinics and hospitals, and the state failed to claim rebates from drug manufacturers.

During the period covered by the audit, Nebraska spent \$45.9 million on these physician-administered drugs and

received \$27.2 million in reimbursement from the federal government.

The rebate program has existed since 1991, but states didn't have to collect rebates on these physician-administered drugs until 2007.

Federal investigators said in their report that Nebraska did tell health care providers in 2008 they needed to submit detailed information about the drugs used in their claims for reimbursement. But the state failed to catch numerous claims that lacked the drug information.

Nebraska officials said they have made changes to the system to eliminate the problem, but the state disputes the amount that will have to be repaid to the federal government.

"Going forward, we believe we have pretty much solved the problem," said Kerry Winterer, CEO of the Nebraska Department of Health and Human Serv-

ices.

Nebraska officials believe they will be able to go back and collect rebates for many of the drugs at issue in the audit, and that will reduce the amount owed to the federal government.

So the final amount Nebraska owes to the federal government won't be known until sometime early next year.

Winterer said federal officials are aware of the situation and have approved the delay while the cases are reviewed and Nebraska seeks additional refunds.

State and federal officials will work together to review cases from the years since the audit to determine if any additional reimbursement is needed. Federal officials said the state might owe up to \$1.5 million more on top of the \$2.5 million identified in the audit if additional problems are found.

Kearney, Neb. Residents Worry Over Re-Entry Center

KEARNEY, Neb. (AP) — Some Kearney residents are concerned about a re-entry center for federal prisoners that could be built in their city.

A Kentucky-based company called Dismas Charities operates re-entry programs and secured a building permit in 2013 for property in Kearney, The *Kearney Hub* reported.

The company wants to build a Nebraska facility to house federal prisoners who have committed nonviolent crimes that are primarily related to substance abuse. The center would offer supervision and support for inmates nearing release, said Steven Vice, the company's vice president of business development.

Dismas Charities has submitted a bid for a Kearney re-entry center to the federal Bureau of Prisons. U.S. officials had requested proposals last year for one in Nebraska. No bid has been approved yet. Kearney resident Mike

Wise said that his main concern with the project is for residents' security.

"I want to make sure it's safe for our citizens," Wise said. "If it's something the community is willing to accept, then why can't it be located away from the general citizenry? I'm not 100 percent opposed to it, I'm just opposed if there is risk to the citizenry."

Vice said the company has contacted social services agencies and church officials in Kearney. He said Dismas Charities plans to contact neighborhood property owners soon.

"We have developed the project in accordance with the community requirements as they were provided to us by the planning officials," Vice said. "We would be happy to speak with (local business and property owners). Until a few days ago, we had no indication that there was any opposition to our project."

Sioux Falls Street Safety Effort Prompts Warnings

SIOUX FALLS (AP) — Sioux Falls police issued warnings to about two dozen people each day during the first week of a campaign to enhance safety on city streets.

The push to change behavior was prompted by a summer of fatal accidents involving motorists, pedestrians and cyclists. There have been 16 accidents in Sioux Falls this year involving vehicles and bicycles, including the death of a 22-year-old woman on a bike about a month ago, according to KDLT-TV.

Officers this week will stop issuing warnings in favor of tickets that carry fines, such as \$25 for jaywalking or \$120 for a motorist not yielding to a pedestrian.

"Hopefully, the people we've contacted will change their habits, so when we start giving out tickets we see those numbers go down," police spokesman Sam Clemens told the *Argus Leader* newspaper.

Gretchen Johnson, 32, prefers to bike or run to work and said the daily commute had become nerve-wracking. Since the start of the education patrol, she has seen a change in behavior, she said.

"I've seen more cars watching out," Johnson said. "But I think it's been going both ways, with more bikers and runners watching out."

Police planned a Monday night forum at the downtown library to review the rules of the road with the public and discuss changes in their approach to making the streets safer for motorists, cyclists and pedestrians.

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