

# Legislators' Anti-Abortion Resolution To Be Given To U.S. Supreme Court

BY BOB MERCER  
State Capitol Bureau

PIERRE — Less than a decade after majorities of South Dakota voters rejected attempts to ban nearly all abortions within the state, some members of the Legislature now plan to take a resolution to the U.S. Supreme Court asking that abortion be illegal nationwide.

Rep. Roger Hunt, R-Brandon, said he and two other state lawmakers, Rep. Lynne DiSanto, R-Rapid City, and Rep. Kris Langer, R-Dell Rapids, will present the resolution on Sept. 15 to the U.S. Supreme Court clerk in Washington, D.C.

Hunt was author of the resolution that won approval during the 2015

legislative session on votes of 60-10 in the House of Representatives and 25-9 in the Senate. The resolution's opening clause questions the court's Roe v. Wade decision and asks the court to reconsider and overturn the 1973 ruling that legalized abortions.

"The damage we perceive that the Roe decision has caused to the intrinsic rights of children and their mothers and to their persons is too grave and too vast, and the error of the Court too plain for us not to act on behalf of those we serve," the resolution says at one point.

Hunt said the legislators would hold a news conference at the National Press Club and then go to the clerk's office to deliver the resolution. He said they will

ask the clerk's office staff to distribute copies to the nine justices.

"We're kind of looking forward to it," Hunt said. "At least we're going to tell the Supreme Court what the South Dakota Legislature thinks."

Hunt, 77, is a lawyer in private practice who is serving his nineteenth year in the House and is a previous House speaker. He is a major authority on the abortion issue in the Legislature and was prime sponsor of the 2006 ban that lawmakers approved but voters overturned that November, with 185,945 votes against it and 148,648 in favor.

Voters in 2008 likewise rejected an initiated ballot measure seeking a similar ban, with 206,535 against it and 167,560 supporting it.

# Pastor And Wife Among 4 Killed In Fiery Head-On Crash

DIRK LAMMERS  
Associated Press

SIoux FALLS — A popular Omaha minister who founded a nonprofit organization devoted to giving hope to inner city teens was among four people killed in a fiery head-on crash on Interstate 90 near Alexandria, authorities said Friday.

Tyler Schenzel, 54, served as an associate pastor and youth pastor at Omaha's Waypoint Church and founded the Hope Center for Kids with his wife, Theresa Schenzel, 59.

"Their mission is helping people find hope in their lives when hope was lost," said Silas West, Waypoint's executive pastor. "That's how they lived. That's the message on their hearts." The Schenzels and

another couple had set out on a road trip to see Mount Rushmore when a pickup truck heading the wrong way in Interstate 90's westbound lanes struck their vehicle head on about 4:30 p.m. Thursday, according to the South Dakota Highway Patrol. Both vehicles burst into flames. Investigators couldn't identify the make or model of the westbound vehicle due to the severity of the wreckage.

The crash killed the pickup truck driver, 75-year-old David Wise, of Salem, the Schenzels and the westbound vehicle's driver, 28-year-old Ryan Hrubes, of Omaha.

Another passenger in the vehicle traveling from Omaha, 26-year-old Emily Hrubes, was injured. The Highway Patrol said her

injuries were serious but not life threatening.

The afternoon crash brought traffic on the interstate to a standstill, and officers diverted traffic onto state Highway 38. Debris from the crash struck a westbound SUV, but its two occupants were not injured.

The Hope Center for Kids, a nonprofit organization devoted to inspiring hope in youth and children through education, employability, collaboration and faith, said its locations in Omaha and Fremont remained open for youth and children members on Friday. It released a statement calling the Schenzels beloved and integral members who will be deeply missed.

"We are saddened beyond belief by this news and our prayers are with their fami-

lies and the families of the other couple involved Ryan and Emily Hrubes, as well as the driver of the other vehicle," the statement said.

Silas said that Ty Schenzel left the Hope Center he founded in May. He had been on staff at Waypoint for about two years but was integral in helping the church's launch in 2007 in the role of an overseer. West said Schenzel's titles of associate pastor and youth pastor fail to convey how much he was valued at Waypoint and throughout the city.

"He was so much more than that here in Omaha and to our church," West said.

An evening gathering was being planned at Waypoint Church to provide prayers and comfort to friends of the families.

## \$1.5M Grant To Help Boost Grad Rates

SPEARFISH — Officials at Black Hills State University say the U.S. Department of Education school has awarded the school a five-year grant of nearly \$1.5 million to help increase graduation rates.

The *Black Hills Pioneer* reports that the five-year grant from the Federal TRIO Student Support Services Program allows for continuation of Black Hills State's outreach and student services to first-generation college students, low-income individuals and those with disabilities.

The Spearfish school has offered the program since 1971, boosting the academic and professional careers of several thousand students.

The funds provide support for academic advising and tutoring to help students successfully graduate from college.

Black Hills State President Tom Jackson Jr. says the program helps create an atmosphere of success and inspires students to set goals and seek new possibilities.

## 62-Year-Old Man Dies In Tractor Accident

JULIAN, Neb. — A 62-year-old man has been fatally injured in a tractor accident in southeast Nebraska.

The accident occurred around 11 a.m. Thursday, about 2½ miles west of Julian. The Nemaha County Sheriff's Office reports that Gerald Grotrian, of rural Johnson, was spraying a ditch when the tractor tipped and rolled over him.

The Sheriff's Office says Grotrian was pronounced dead at Nemaha County Hospital in Auburn.

## Officer Hit By Bat Thrown At Patrol Car

RAPID CITY — A Rapid City police officer was struck in the head by a baseball bat when a suspect threw it at a patrol car.

Police say the officer wanted to question the man early Thursday about allegedly trying to use the bat to strike a car stopped at a red light. The man threw the bat at the patrol car. It smashed the windshield, then bounced off and hit the officer in the head.

The officer pursued the 19-year-old man and arrested him on charges.

## Woman Gets Jail For Hitting Pedestrian

LINCOLN, Neb. — A Lincoln woman has been sentenced to 180 days in jail and two years of probation for using her car to hit a pedestrian following a dispute over a parking spot.

The *Lincoln Star Journal* reports 36-year-old Kimberly Pankratus was sentenced Thursday. She had pleaded no contest to attempting to leave the scene of an injury accident, third-degree assault and willful reckless driving.

Prosecutors say Pankratus was waiting for a parking spot outside a Wal-Mart when she yelled at a couple for taking the space as they walked to the store. Authorities say Pankratus struck the 40-year-old woman in the arm with the side mirror of her vehicle, leaving the mirror dangling. Pankratus was also fined \$500 and had her license revoked for 60 days.

## County Board Fires Corrections Director

GRAND ISLAND, Neb. — Hall County supervisors have fired the county corrections director and assistant director.

Director Fred Ruiz and assistant director Jimmy Vann were fired in board votes after each met behind closed doors with the supervisors on Thursday. Supervisors declined to say publicly why the men were dismissed. Neither man would comment about their firings.

One of four former corrections officers who attended the public meeting presented supervisors with a letter that said they and other officers had quit their jobs because of management issues under Ruiz and Vann.

The board hired a law firm in June to investigate the jail management after a 30-year jail worker retired and submitted a letter that detailed her management and operational concerns at the jail. Her lawyer says the woman is considering suing the county.

# New Trial Ordered In Case Against Nebraska School District

GRANT SCHULTE  
Associated Press

LINCOLN, Neb. — The Nebraska Supreme Court ordered a new trial Friday for a legal dispute between an architectural firm and a school district that was ordered to pay an extra \$2 million for construction work.

Facilities Cost Management Group had sued the Otoe County School District for breach of contract for failing to pay the full amount due for the construction and renovation of three schools.

Otoe County school officials hired the firm in 2007 for work at two elementary schools and a high school,

but stopped paying project invoices in 2009 when they learned the project was roughly \$2 million over budget.

According to the firm's lawsuit, the district had approved change orders at several points "which significantly added to the square footage and costs of the projects as well as the fees due" to the firm.

School officials argued the contract didn't specify the scope of work that resulted in higher fees and costs. The district said it already had paid more than \$3.6 million in fees and costs to the firm, and argued the firm had refused to show

how the additional fees and expenses were calculated.

The district counter-sued Facilities Cost Management Group, alleging the firm didn't properly estimate the total cost of work and didn't keep district officials informed about all of the expenses. According to the district's lawsuit, the firm structured its package and change orders in a way that allowed it to claim more fees and expenses.

A jury sided with the firm in February 2014 and awarded nearly \$2 million in damages. The state Supreme Court overturned the verdict, ruling the trial judge had erred in instruct-

ing jurors that key portions of the contract were "not ambiguous." District attorneys argued portions of the contract weren't clearly defined, including the "scope of work" that could lead to higher fees.

"It is not clear what is encompassed by 'scope of work,'" Justice Lindsey Miller-Lerman wrote in the high court's ruling. "There is some suggestion that square footage may be one way the scope of work may be determined, but there are arguably other ways to determine the scope of work under the contract."

## Judge Orders Suspect To Return From Extradite

WATERTOWN, — A South Dakota judge has ordered a suspect in a North Carolina homicide to be returned to that state to face prosecution.

Antonio Currie, of Gibsonville, North Carolina, was arrested in Watertown on May 27, on a first-degree murder warrant issued by police in Wilson, North Carolina.

KWAT radio reports that Currie had been fighting extradition, saying he was not the same person as the one North Carolina authorities alleged committed the crime.

Codington County State's Attorney Patrick McCann says prosecutors offered fingerprint evidence at a hearing on Wednesday, and Third Circuit Judge Robert Spears ordered that Currie be returned to North Carolina.

He's being held without bond until North Carolina authorities come to get him.

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