

Shooting Suspect Asks To Be Tried As Juvenile

PIERRE (AP) — A hearing is set for April to determine whether a 16-year-old Pierre youth should be tried as an adult on murder charges. KCCR reports that Judge John Brown set a hearing date of April 10-12 to determine whether Braiden K. McCahren will be tried in adult or juvenile court.

Prosecutors want to try McCahren as an adult on charges of first-degree murder, attempted first-degree murder and alternate counts of aggravated assault. McCahren has pleaded not guilty to the charges.

He is accused in the Dec. 18 fatal shooting of 16-year-old Dalton Williams, as well as pointing a gun at a third 16-year-old boy who also was in the house at the time of the shooting.

The jury trial has been scheduled to start June 3.

Two Nebraska Students Handle Rabid Bat

BELLEVUE, Neb. (AP) — A bat that was handled by two students who found it clinging inside the window of a Bellevue high school has tested positive for rabies, the Nebraska Humane Society said Wednesday.

The students found the bat inside of a window at Bellevue East High School on Thursday. They handled it before taking it to a teacher.

School officials contacted the Nebraska Humane Society. Animal control officers took the animal, which was then sent for testing at the Kansas State University Veterinary Diagnostic Laboratory in Manhattan, Kan.

On Tuesday the society was told the bat tested out positive for rabies, so the high school and the students' parents were notified.

While it's unlikely the students contracted rabies, the humane society said, it suggested the students seek immediate medical treatment. Rabies can be fatal, but the society said that every year tens of thousands of people are treated with anti-rabies vaccines after exposure.

U.S. medical authorities say only two or three people die of rabies each year in this country.

Man Pleads Guilty To Escaping Fed Custody

SIOUX FALLS (AP) — A South Dakota inmate has pleaded guilty to escaping after receiving a furlough to attend a funeral.

Twenty-two-year-old Barry Allman, of Hermosa, was released from federal custody for the funeral last November and failed to return. He was captured in Rapid City about a month later.

Allman had pleaded guilty to assault charges for firing a handgun at a party on the Rosebud Indian Reservation and injuring two men with ricochets.

U.S. Attorney Brendan Johnson says Allman faces up to five years in prison on the escape charge.

S.D. Tribe Proposing \$34 Million Casino

OACOMA (AP) — The Lower Brule Sioux tribe is pursuing a \$34 million casino along Interstate 90 just west of the southeastern South Dakota town of Oacoma.

Rapid City developer Richard Rangel told a crowd at the Oacoma Community Center on Tuesday night that the project is envisioned in two phases — a casino and travel plaza, followed by an events center, hotel and water park, *The Daily Republic* newspaper reported.

The tribe has secured a loan for the first phase from the Shakopee Mdewakanton Sioux Community, which operates a Minnesota casino and other enterprises and runs a charitable giving program. The Lower Brule tribe still needs approval from the federal Interior Department and the state. Should that happen, the tribe also would need to renegotiate a gambling compact with the National Indian Gaming Commission.

South Dakota

Committee OKs Gun Rights Bill

By The Associated Press

PIERRE — South Dakota could oppose any federal attempts to restrict the constitutional right to bear arms, under a measure endorsed Wednesday by a legislative committee.

The measure passed 8-1 by the State Affairs Committee, a Republican-controlled panel that includes Senate leaders from both parties, also would direct the state attorney general to fight in court against any reduction in Second Amendment rights. The bill next goes to the full Senate.

The bill's main sponsor, Sen. Larry Rhoden, R-Union Center, said the measure does not seek to nullify federal laws because the U.S. Constitution says federal law takes precedence over state law. The bill instead expresses the Legislature's belief that the constitution prevents the federal government from restricting gun ownership, he said.

"It drives a stake down in our state statutes to define what we hold dear in our Second

Amendment," Rhoden told the committee.

The measure, containing findings by the Legislature, says the Second Amendment prevents federal initiatives to restrict gun ownership or the right of self-defense.

"We look askance at all federal legislation and executive orders that contrive to evade or elude the sacred, hallowed, and clear intent and purpose of the Second Amendment which specifically and definitively prohibits all infringement of this fundamental right by federal insinuation," the measure says.

Rhoden said the bill is designed to be a "constructive, conservative and reasoned affirmation" of rights at a time when many believe those rights are being threatened by an emotional federal response to gun-related tragedies. He said the bill is not aimed at any particular federal proposal.

After the shootings at a Newtown, Conn., elementary school, President Barack Obama proposed a ban on assault weapons and high capacity magazines for ammunition. He also

wants to require all gun buyers to undergo background checks.

No one spoke in opposition to the bill at Wednesday's hearing.

Sen. Larry Lucas, D-Mission, the only committee member to vote against the bill, said the measure takes too strong a stance against restrictions on gun rights. The federal and state governments already have banned people from owning machine guns and sawed-off shotguns, he said.

The bill also will lead to legal fights if Congress passes any restrictions, such as limiting the capacity of ammunition magazines, Lucas said.

"We're going to turn around and say South Dakota's going to sue them because we don't like that," Lucas said.

Republican Attorney General Marty Jackley told the committee he favors the bill, including its requirement that his office protect against restrictions of gun rights.

Daugaard Signs Criminal Justice Reform Measure

PIERRE (AP) — As dozens of state lawmakers watched, Gov. Dennis Daugaard on Wednesday signed into law a plan to cut South Dakota's prison costs by treating more nonviolent offenders through intensive probation, parole and other programs outside prison walls.

South Dakota Supreme Court Chief Justice David Gilbertson and legislative leaders stood by the governor's side during the ceremony in the Capitol Rotunda. Daugaard, Gilbertson, Senate Republican Leader Russell Olson and House Republican Leader David Lust appointed a study panel that recommended the bill.

"We are going to change the administration of criminal justice in this state for the good of all its citizens," Daugaard said as he signed the bill.

The law will use intensive probation and parole, along with expanded special courts and other programs that treat drug and alcohol offenders, as part of an effort to divert offenders from prison and prevent them from committing future crimes.

Officials have said if nothing is done to curb a rapid increase in adult inmates, the state would

have to spend an estimated \$212 million to build and operate a new men's prison and a new women's prison in the next decade. The new programs will cost an estimated \$51 million, resulting in a savings of more than \$160 million, they said.

Daugaard said the changes in the criminal justice system should begin to reduce the rate at which South Dakota locks up offenders. The study panel reported that South Dakota has 416 inmates for every 100,000 people, far higher than the average imprisonment rate of 307 per 100,000 in the neighboring six states.

The Republican governor said prison will be reserved for violent and chronic offenders. Probation, parole and other treatment programs will be used to help nonviolent offenders overcome the drug, alcohol and other problems that got them into trouble, he said.

"Those offenders will be able to be in their communities, still working at jobs, still paying for their rent and putting food on the table for their families," Daugaard said after the signing ceremony.

Tax Plan Pits Heineman Against Business groups

LINCOLN, Neb. (AP) — Nebraska Gov. Dave Heineman's tax plan is pitting the Republican governor against many of his traditional allies in the business community, who welcome the conversation but say his specific plan would create financial uncertainty.

Heineman presented his plan to a legislative panel Wednesday, with an argument that it would benefit small businesses, working Nebraskans and veterans.

Some lawmakers challenged the assertion that eliminating the income tax and ending sales-tax exemptions would help the economy. Heineman argued that the risk of not acting outweighs any uncertainty.

Groups that represent retailers, banks and independent businesses have come out against the proposal.

The bill is sponsored by Sens. Beau McCoy and Brad Ashford, both of Omaha.

OBITUARIES

Eldonna Bartlett

Eldonna Ilithe Bartlett was born April 6, 1936 in Washburn, ND to Ellsworth and Ida (Oakland) Peterson. She died Monday, February 4, 2013 at Pioneer Memorial Hospital in Viborg, SD, surrounded by her family, at the age of 76 years, 9 months and 28 days.



Bartlett

Eldonna graduated from Centerville High School in 1954. She married Ronnie Bartlett on December 31, 1955. She was a member of Scandia Lutheran Church and Esther Circle. She was also a member of the American Legion Auxiliary, 20th Century Club and the General Federation Women's Club of South Dakota which she served as State President from 1996 to 1998.

Eldonna was an interviewer with the Department of Labor from 1964 to 1986 in Yankton and Sioux Falls. She worked at USD in Vermillion and later worked at First Midwest Bank in Centerville from 1992 to 2002.

Her family was most important in her life. She is survived by 3 daughters, Sandy (Gary) Edman and Lori (Allen) Hise, both of Centerville and Sheri (Mitchel) Morse, Vermillion, SD; 2 sons, Roger (Lori) Bartlett, Joplin, MO and Brian (Nicole) Bartlett, Centerville; 11 grandchildren, Jason (Nicki) Hise, Nathan (Angela) Hise and Alison Hise and her fiancé Nick, Tara (Jeff) Cole, Tim (Jen) Edman, Bobbi Bartlett, Erik (Cathy) Bartlett, Michele Morse and fiancé Jordan, Stephanie Morse, Matthew Morse and Michael Morse; 8 great grandchildren, Hannah and Bryan Hise, Jacob and Aidan Cole, Haleigh and Khloe Edman and Karson and Charlee Whitaker; 2 sisters, Marlys (Noble) Nelson and Priscilla (Dick) Landsman; a brother Ronnie (Jenny) Peterson; in laws, Claire (Bob) Jacobsen, Punk (Connie) Bartlett, and Lila Smit; and many special nieces,

nephews and cousins.

She was preceded in death by her husband Ronnie, her parents and a brother Bud Peterson.

Funeral services will be held 10 a.m., Thursday, February 7 at Scandia Lutheran Church in Centerville with burial at Riverview Cemetery. Visitation will be Wednesday at the Scandia Lutheran Fellowship Hall from 4-8 p.m. with family present from 6-8 p.m. and a prayer service at 7 p.m.

Visit
www.wassfuneralhome.com
Yankton Press & Dakotan
February 7, 2013

David Macy

David Macy, 61, of Vermillion passed away Wednesday, February 6 at the Avera McKennan Hospital in Sioux Falls, SD.

David was born June 8, 1951 in Vermillion to Merle and Marjorie (Hilker) Macy. He graduated from Vermillion High School and attended the University of South Dakota. He served in the National Guard and married Janet Walz on April 11, 1970 in Vermillion. David retired as an Ag Loan Officer for the Randolph State Bank in 2008.

He is survived by his wife Janet of Vermillion, his mother Marjorie of Yankton, SD a son Michael David Macy of Des Moines, IA, a daughter Dana Marie (Paul) Winslow of Vermillion, a brother Dale (Sue) Macy of Aberdeen, SD and two sisters; Cleo (Loren) Anderson of Yankton and Carol (Michael) Engh of Ripon, WI. He is also survived by two grandchildren; Adam David and Macy Marie Winslow and numerous nieces and nephews.

Funeral service will be 10 a.m. Saturday, February 9 at the Hansen Funeral Home in Vermillion with visitation one hour prior.

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DAILY LUNCH SPECIALS
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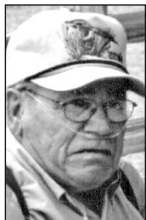
Dwight Harris

Dwight Harris, age 82, of Yankton, South Dakota, died Tuesday, February 5, 2013 at Wakonda Heritage Manor in Wakonda, South Dakota.

Funeral services are 2 p.m., on Friday, February 8, 2013 at the Wintz & Ray Funeral Home in Yankton with Pastor Nathan Martin officiating. Burial will be in the Garden of Memories Cemetery in Yankton with military honors provided by the Ernest-Bowyer VFW Post No. 791.

Visitation is from 3-8 p.m., on Thursday, at the Wintz & Ray Funeral Home in Yankton with a prayer service at 7:00 p.m. Visitation resumes one hour prior the funeral.

Pallbearers are Chad and Todd Sherman, Ben and Sam



Harris

School in 1948 and then joined the United States Army. Dwight served in the Engineer Construction Platoon during the Korean War and was honorably discharged in March of 1952. He then started working for Western Construction and was involved in building Gavin's Point Dam in Yankton. On August 7, 1954, Dwight married Lois Bennett. After their marriage, they moved all across the country

Harris, Mike Kitelson and Ed Jared.

Dwight was born July 28, 1930 in Marquette, Kansas to Dale and Lola (Hall) Harris. He graduated from Marquette High

Kurt (Desperotto) Lorenz

Kurt (Desperotto) Donn Lorenz, 58, Yankton, died Friday, Feb. 1, 2013, in his home of natural causes.

Memorial Services are at 2 p.m. Monday, Feb. 11, at Opsahl-Kostel Funeral Chapel, Yankton, with the Rev. Rick Jensen officiating.

Visitations begin at noon Monday at the funeral home.

Milford Folkers

Milford Folkers, 89, of Apple Valley, Minn., died Wednesday, Feb. 6, 2013, at the Augustana Health Care Center, Apple Valley. Milford's arrangements are entrusted in the care of the Opsahl-Kostel Funeral Home and Crematory, Yankton.

Pearl Huber

Pearl Huber, 76, of Mission Hill died Tuesday, Feb. 5, 2013, at

working on different projects with Western Construction. In 1970, they moved back to Yankton and Dwight worked for Gunderson International. In 1973, he started working for Mark's Machinery in Yankton until his retirement over 30 years later. After retirement, Dwight enjoyed fixing lawn mowers and also helping his son at R&D Repair. In June of 2012, he became a resident of Wakonda Heritage Manor. Dwight enjoyed reading and always loved helping and visiting with his customers.

Dwight is survived by his wife, Lois Harris of Yankton; four children: Rhonda (Tim) Sherman, Steve Harris, Ron (Geraldine) Harris and Tabitha Harris, all of Yankton; six grandchildren; 10 great grandchildren; brother, Gib (Gerda) Harris of

Shell Knob, MO; two sisters, Joyce (Don) Buffington of Williamsburg, NM and Phyllis (Uvon) Johnson of Little River, KS; and many nieces and nephews.

Dwight was preceded in death by his parents; grandson, Craig Harris; and brother, Galen Harris.

To post an online sympathy message, please visit
www.wintzrayfuneralhome.com.

Yankton Press & Dakotan
February 7, 2013

WINTZ & RAY
FUNERAL HOME
and Cremation Service, Inc.
Online condolences at:
www.wintzrayfuneralhome.com

Avera Yankton Care Center, Yankton.

Funeral services are at 10:30 a.m. Saturday, Feb. 9, at the United Church of Christ Congregational with the Rev. Dr. Rick Jensen officiating. Burial will be in the Garden of Memories Cemetery in Yankton.

Visitation is 5-8 p.m. Friday at

the Wintz & Ray Funeral Home, Yankton, with a prayer service at 7 p.m. Visitation will resume one hour prior to the funeral at the church on Saturday.

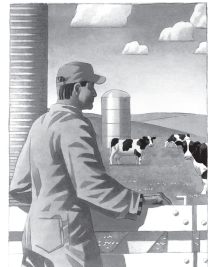
To send an online sympathy card, visit
wintzrayfuneralhome.com.

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Thank you

The family of **Luther Nielson** would like to extend our heartfelt thank you to all of those persons who were with Luther on his final journey. The outpouring of support for his family has been immeasurable and words cannot describe our appreciation. We would like to especially extend our gratitude to the following groups: All of the ministerial support provided by Pastor Lance Lindgren and Pastor Rick Hazen as well as the musical accompaniment of Sandy Brewer; the excellent care given by the staff of Yankton Medical Clinic, Sacred Heart Hospital, Rexall Pharmacy and Wakonda Heritage Manor; the personal care and attentiveness given by Wintz-Ray Funeral Home; the exceptionally performed military rites conducted by Scott Olson, the SDARNG Honor Guard, the Gayville American Legion Honor Guard and the V.F.W. Honor Guard; all of those involved with the luncheon including Dick Sherman and the Ladies WELCA and volunteers of Vangen Lutheran Church; each of the Pallbearers and Honorary Pallbearers; all of the individuals and families who had called, sent flowers, memorials and food.

The Family of Luther Nielson



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IN REMEMBRANCE

Dwight Harris 2:00 PM, Friday Wintz & Ray Funeral Home Yankton	Pearl Huber 10:30 AM, Saturday United Church of Christ Congregational Yankton
Gordon Kirchhevel 2:00 PM, Saturday Wintz & Ray Funeral Home, Yankton	

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