

Water Bill Being Weighed Upsets Anglers

PIERRE (AP) — A bill that's making its way through the South Dakota Legislature has upset some anglers. House Bill 1135 deals with the rights people have on water that's over private ground. The bill's backers say it's meant to help landowners. Professional fisherman Ted Takasaki says the legislation is anti-sportsman and would block hunters and anglers from accessing non-meandering waters — or lakes and sloughs that weren't mapped around when South Dakota was surveyed. The bill pertains to lakes on private grounds that aren't connected to lakes on public ground. KELO-TV reports that landowners would have to put up signs if they don't want people to use the water. The bill is scheduled to be in the Senate State Affairs Committee on Thursday morning.

USDA: Number Of Farms In N.D., S.D. Down

SIoux FALLS (AP) — The U.S. Department of Agriculture says the number of farms in North Dakota and South Dakota decreased in 2012 but the average size of each farm increased. According to the USDA, there were 300 fewer farms in South Dakota in 2012 compared to 2011. The total number of farms in 2012 was 31,000. South Dakota's average farm size was 1,408 acres, up 13 acres from the 2011 estimate of 1,395 acres. In North Dakota, the number of farms decreased by 200 to 31,600. The average farm size in 2012 was 1,253 acres, up from 1,245 acres the previous year.

Neb. Man Claims \$1M Jackpot At S.D. Casino

PINE RIDGE (AP) — A Nebraska man has claimed a \$1 million jackpot at Pine Ridge's Prairie Wind Casino, where he'd spent part of Valentine's Day with his wife of 60 years. Gordon "Bud" Thompson, a retired railroad conductor from Alliance, Neb., said his wife Donna was the one playing at the casino. He decided to try a few spins on a nearby Freedom Rings machine as he waited for her to finish. He put about \$9 worth of quarters into the three-reel machine and hit a jackpot worth about \$1,037,000. "I didn't even realize what had happened right away," Thompson, 80, told KOTA-TV. The machine locked up and required a casino worker to verify the size of the payout. "All at once, it hits you in the fanny and you just don't know what to think," Thompson told the *Rapid City Journal*. He said he doesn't expect to get the payout until spring, at the earliest. Thompson's family — including three sons, 12 grandchildren and 17 great grandchildren — are ecstatic, he said. "A family meeting will decide the outcome of the funds," he said, adding that they don't have extravagant plans in the works. "We've been pretty well satisfied with what we've got."

OBITUARIES

Tyler Gilpin

Tyler Roy Gilpin, age 30 of Santee, NE passed away unexpectedly at his home on Saturday, February 16, 2013. Funeral services will be 1:00 p.m. Saturday, February 23, 2013 at the Oyate Oyanke Community Center, Santee, NE with Rev. Patricia White Horse Carda and Walter Cutts officiating. Burial will be in the Ponca Native Cemetery, Ponca Agency, rural Niobrara, NE. Visitations will begin at 2:00 p.m. Tuesday, February 19, 2013 and continue until the time of service on Saturday. A prayer service will be held at 7:00 p.m. Tuesday, Wednesday, Thursday, and Friday evenings at the Oyate Oyanke Community Center, Santee. Opsahl-Kostel Funeral and Crematory, Yankton is in care of Tyler's arrangements. Tyler was born March 29, 1982 to Nathaniel and JoAnne (Red Owl) Gilpin in Creighton, NE. Tyler attended Santee Community School up to his senior year in 2000. He enjoyed his X Box, strategy games, shooting pool, and art (ex: lyrics of music he could recite many and reading poetry). He loved hanging out with his family and friends. He was a kind and loving person, especially when it came to his nieces and



Gilpin

nephews. Tyler loved cooking and when it came to his nieces and nephews he always cooked for them. Those who will cherish his memory forever

are his mom, JoAnne Gilpin of Santee, NE; his sisters: Nadine (Virgil) LaPointe of Columbus, NE, Michelle (Eugene) Saul, Jr. of Santee, NE, Tiffany Gilpin and her children of Santee, NE, and Josephine Gilpin and her children of Wisconsin; his brothers: Thomas (Trooper) (Deana) James, Jr., of Santee, NE, Travis Gilpin of Santee, NE, and Nathaniel (Nate) (Teresa) Gilpin, Jr. of Wisconsin; many aunts, uncles, nieces, nephews, and cousins. He was preceded in death by his father, Nathaniel Gilpin, Sr., brother, Adam Gilpin; two sisters, Teresa and Deanna and his grandmother, Lucille Red Owl.

Yankton Press & Dakotan
February 20, 2013

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Dennis Peitz

Dennis A. Peitz, 89, of Yankton, and formerly of Menominee, Neb., died Monday, Feb. 18, 2013, at Avera Sacred Heart Hospital, Yankton. Mass of Christian Burial will be celebrated at 10:30 a.m. Friday, Feb. 22, at Sacred Heart Catholic Church, Yankton, with the Rev. Mark Lichter officiating. Burial is in the Sacred Heart Cemetery, Yankton. Visitations begin at 5 p.m. Thursday at the Opsahl-Kostel Funeral Home and Crematory, Yankton with a 7 p.m. rosary and a 7:30 p.m. Scripture Service. Visitations will resume one hour prior to the service at the church.

Elvina Walter

The Elvina Walter obituary published in Tuesday's Press & Dakotan misidentified one of the individuals who preceded Elvina in death. She was also preceded by a great-great grandson, Bentley Lammers Rethwisch.

Kim Dallman

Kim Dallman, 52, of Hartington, Neb., died at her residence on Monday, Feb. 18, 2013. Funeral services are at 2 p.m. Saturday, Feb. 23, at the First Congregational United Church of Christ, Hartington, with the Rev. Gary Kimm officiating. Burial will be at the Hartington City Cemetery. Visitation is 4-8 p.m. Friday at the Wintz Funeral Home, Hartington. Visitation will continue on Saturday at church one hour prior to services.

IN REMEMBRANCE
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Heineman Decision On U.S. Senate Bid Would Shape Race

BY GRANT SCHULTE
Associated Press



Heineman

LINCOLN, Neb. — The Republican primary to replace U.S. Sen. Mike Johanns in Nebraska could unfold as an open-and-shut contest or a wide-open race, depending on what Gov. Dave Heineman decides.

Heineman would enter the 2014 election as a heavy favorite if he chooses to run for the seat, and his decision to run likely would keep other GOP hopefuls from joining the contest, party officials and strategists said Tuesday. Conversely, a decision by Heineman not to run would unleash a flurry of candidates without an obvious front-runner.

Johanns announced Monday that he would not seek re-election in 2014, saying he and his wife wanted to move to a new phase of their lives after a 32-year career in public service. Heineman said Monday he is considering a run for the seat, but he stressed during an un-planned news conference that he had not decided one way or the other.

Heineman, the state's longest-serving governor, has enjoyed fairly consistent approval ratings in the 60s and 70s, according to several polls. He also has statewide name recognition, a pulpit to garner press attention and a robust fundraising network from his two prior campaigns. He was twice elected governor with more than 70 percent support.

"With all of those advantages, I just can't possibly see anyone else getting in if the governor decides that he wants to run," said Jordan

McGrain, executive director of the Nebraska Republican Party. "If he doesn't, look out. The flood gates will open."

Nebraska remains solidly Republican, with the GOP holding all statewide offices as well as its three congressional districts. Republicans expanded their control last year's U.S. Senate race, when then-state Sen. Deb Fischer defeated Democrat Bob Kerrey.

Heineman was courted by national party officials after Democratic U.S. Sen. Ben Nelson announced in December 2011 that he was retiring. But he declined to enter the race at the time, saying he wanted to focus on his work as governor. Heineman is leaving office in 2015 because of term limits.

"He's a tier one candidate and everyone knows it," said Nebraska Republican consultant Sam Fischer, a partner at Meridian Strategies in Omaha. "I think it makes people think a lot harder about challenging Gov. Heineman. He's still immensely popular in the state, and I think it's potentially a primary-clearing event."

Fischer said Heineman also has the luxury of waiting for as long as several months, whereas other candidates will have to start campaigning by the start of summer to have a shot.

"To me, if they're serious, they're going to have to get their ducks in a row and hit the road by early summer," Fischer said. "With the summer, you've got all the fairs and parades. For

people who are lesser-known in the state, in my opinion, they're going to have to look at getting in by June 1."

Johanns' decision to not to seek re-election has drawn attention to a field of possible candidates from both parties, although none have announced or indicated how they're leaning. The Republican possibilities include U.S. Reps. Jeff Fortenberry, Adrian Smith and Lee Terry, Nebraska Attorney General Jon Bruning, state Treasurer Don Stenberg and former state Treasurer Shane Osborn.

Fortenberry has said he is considering a run for the seat. The five-term congressman ended 2012 with nearly \$771,000 in cash on-hand that could be used in a U.S. Senate campaign, according to federal election records. Terry finished the year with \$21,000, and Smith had \$628,000.

The possible Democratic U.S. Senate candidates include former University of Nebraska Regent Chuck Hassebrook, Lincoln Mayor Chris Beutler, former Lt. Gov. Kim Robak, and former gubernatorial candidate Mike Meister, a Scottsbluff attorney.

Vince Powers, chairman of the Nebraska Democratic Party, said if Heineman chooses to run for Senate he could face criticism for his administration's handling of problems at the Beatrice State Developmental Center and within Nebraska's child welfare system.

"The Republicans have been in power for so long that it leads to arrogance and scandal and corruption," he said.

Legislature: Preschool Computer Proposal Advances

PIERRE (AP) — A proposal for an at-home, computer-based preschool program for low-income families has won approval from a legislative panel, despite opposition from education lobbyists.

The plan, approved Friday by the House Education Committee, would put computers and software in low-income homes with 4- and 5-year-olds. Parents must promise that their children will spend at least 15 minutes a day working on programs covering reading, math and science.

Rep. Jacqueline Sly, R-Rapid City,

said she based her bill on a Utah program that costs about \$1,500 annually per child. She did not spell out how much the program might cost in South Dakota.

"It's been very successful in Utah," she said.

The South Dakota Head Start Association opposed the proposal. Kathy Cruse, the group's executive director, said Head Start serves 5,800 children in the state, but it doesn't have enough money to reach all preschool-age children. She said as many as 2,000 eligible youngsters

aren't served because of budget woes.

Cruse said she applauds efforts to expand preschool opportunities but doesn't like the idea of a child learning alone in front of a computer.

"We're against the basic concept of isolated, computerized learning ... and rote academic exercises," she said, according to the *Argus Leader* newspaper.

Linda Schauer of Concerned Women for America voiced similar concerns, saying that children benefit more from play time than comput-

erized instruction.

Rob Monson, executive director for School Administrators of South Dakota, said he liked the concept behind Sly's proposal but wants to know how the state would pay for it.

"We're not funding our K-12 education system fully," he said. After taking testimony last week, the House Education Committee voted 8-7 Friday to advance the bill to the Appropriations Committee without a specific dollar amount attached.

Guns

From Page 1

they have been convicted of violent crimes, Hunhoff said.

"There are (place's) names in America that are frozen in our minds — Columbine, Aurora, Newtown, Red Lake, Ft. Hood, Tucson, the Virginia Tech college campus," Hunhoff stated. "They are forever frozen in our minds because of the number of people killed in those communities in mass shootings. I know this committee and this Legislature would do anything they could to prevent any town name in South Dakota from joining that list."

NICS was created in 1998, and he wondered why South Dakota hadn't been supplying information on dangerously mentally ill individuals.

"I quickly found out why," Hunhoff said. "There is a strong lobby of really good people who believe we should go to some extremes to protect the rights of the mentally ill. I love those folks. They are the best people in the world."

Having a brother who has suffered from mental illness all his life, Hunhoff said he is sensitive to the rights of such individuals.

"He has been involuntarily committed, I think, once or twice in his life because medications have gone haywire," he stated. "When the medications go bad, the paranoia and anger that are normally not a part of his life become a big part of his life. I wouldn't want him to have a gun for his own good, let alone the good of the community."

In the last 20 years, Hosmer has represented approximately 1,500 persons at involuntary

commitment hearings before the Yankton County Board of Mental Illness.

He said that states currently have discretion about which information to submit to NICS but could send in the names of all people who have been involuntarily committed to a mental institution. That criteria is too broad, Hosmer argued.

The proposed House bill is a compromise between what could be submitted and what he believes South Dakotans would be comfortable with handing over to NICS.

Hosmer encouraged the committee to approve the legislation.

"If the Legislature and governor approve of this bill, then South Dakota will have spoken: We value the rights of the mentally ill," he stated. "There is a small possibility that the United States will override your decision and mandate submission of all names of persons involuntarily committed. Second, it can table the bill. The state will have missed its opportunity to express its opinion, to participate and to protect the rights of the mentally ill. The United States, if it acts, may dictate the terms to us. Or, perhaps the worst-case scenario, nothing will happen. The status quo will prevail."

Hosmer estimated that 10-20 percent of those committed involuntarily to the South Dakota Human Services Center (HSC) each year are determined to be a danger to others.

The determination of whether a person is a danger to others is made by a county Board of Mental Illness, which consists of a magistrate judge or lawyer appointed as chairman by the pre-

siding circuit judge, as well as two other members appointed by the county commission.

Because Yankton County is home to HSC, its board of mental illness is very active. Some counties choose to contract with other counties to provide the mandated services of the board.

Despite arguments by Hosmer and Hunhoff that the legislation is aimed at a specific sub-category of those with a mental illness, Phyllis Arends, executive director of the South Dakota chapter of NAMI, opposed the bill.

"By singling out one segment of the population, this legislation continues to create a buzz in the media that individuals living with a medical brain illness are dangerous people," she stated. "The general public does not always stop to think you are actually addressing a minute percent of the population."

Arends argued that there is no evidence such a list would prevent guns crimes, and money should instead be spent to provide treatment to those with mental illnesses before they commit crimes. She added that people who live with mental illness are more likely to be victims of a violent act than to perpetrate one.

"I urge you to vote no on any piece of legislation that tries to put individuals who live with mental illness on a list or registry of any kind," Arends said. "I ask that you put the money that would be spent on this wasteful use of taxpayer dollars into paying for services that are accessible, affordable and will encourage people to get the help they need to live healthy and

productive lives."

After testimony was taken, members of the committee voiced their own opinions of the bill.

Rep. Melissa Magstadt, R-Watertown, said the measure would let an appointed county Board of Mental Illness decide whether people should lose their right to own guns. Furthermore, the legislation targets people who have not committed a violent act but only may do so, she added.

"It just might be a little too overreaching," Magstadt stated.

But Rep. Steve Hickey, R-Sioux Falls, said he thought the bill should be debated by the full House.

"I think we're irresponsible if we identify dangerous people and we don't monitor them," Hickey said.

Added Rep. Karen Soli, D-Sioux Falls, "I take this constitutional right (to bear arms) very seriously ... but we also take the lives of that (mentally ill) person and their family, as well as the people they might harm, very seriously."

A motion to approve the bill was defeated in a 6-6 tie. The committee then voted 7-5 to defer the bill to the 41st day, essentially killing it.

The Association Press contributed to this report.

You can follow Nathan Johnson on Twitter at twitter.com/AnInlandVoyage

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