

TransCanada Says Neb. Pipeline Route Still Valid

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — The developer of the Keystone XL pipeline said Monday that its proposed route through Nebraska is still legally valid until a higher court decides whether the state's pipeline siting law is constitutional.

A spokesman for Calgary-based TransCanada said last week's ruling to invalidate the proposed route cannot be enforced while a lawsuit filed by landowners is on appeal. The case is expected to end up in the Nebraska Supreme Court.

Company officials said the ruling shouldn't affect the ongoing federal review. TransCanada is not a party to the lawsuit between landowners and the state, but has followed the case because of its potential impact on the Canada-to-Texas pipeline.

"We have dealt with many issues related to this project in the past and we are confident we can overcome this latest hurdle," James Millar, a TransCanada

spokesman, said in a statement. "It is our view that the current 90-day (federal review) process that is now under way should not be impacted by the Nebraska lower court ruling since the approved re-route remains valid during appeal."

The route was approved by Republican Gov. Dave Heineman after an evaluation by the state Department of Environmental Quality. In their lawsuit, three landowners argued that the law, which allowed Heineman to approve the route, violated the state constitution because it took power away from the Nebraska Public Service Commission. The Nebraska attorney general's office is appealing the district court decision.

Pipeline opponents disputed the company's argument.

"Attorney General (Jon) Bruning and TransCanada may not like the fact that they have no legal route in Nebraska and no power of eminent domain, but their latest move is a slap in the face to landowners, citizens and our state constitution," said Jane Kleeb, executive director of the anti-pipeline group Bold

Nebraska.

David Domina, an attorney for the landowners, said state officials are bound to abide by the court's decision unless it is altered by the Nebraska Supreme Court.

If TransCanada were to start moving forward with the project while the case is pending, "it will find itself in an abrupt halt at the starting gate," Domina said. "A display of such corporate hubris would not go over well with the Nebraska judiciary."

President Barack Obama told a gathering of governors on Monday that he planned to make a decision on the pipeline soon, Heineman said. Heineman, who attended the National Governors Association meeting in Washington, said Obama told a gathering of about 40 governors that he would make a decision on the pipeline in "the next couple of months," but didn't offer a specific timetable. The comment from Heineman came in response to a question at the closed-door meeting.

SD House Says Insurers Must Provide Autism Benefits

BY BOB MERCER
State Capitol Bureau

PIERRE — Insurance providers should cover autism spectrum disorder in South Dakota, the state House of Representatives decided Monday.

House members voted 57-12 to send HB 1257 to the Senate for consideration.

"For seven dollars a year? That's nothing. That's peanuts. We blow that out of our gas tank driving around town every day," Rep. Charlie Hoffman, R-Eureka, said.

The bill's sponsor is Rep. Scott Munsterman, R-Brookings. He said a Wellmark witness testified the coverage would cost \$2 to \$7 per person annually.

"These kids are salvageable and we want to save as many as we can," said Rep. Scott Ecklund, R-Brandon. He is a medical doctor.

More than 30 other states have autism mandates, according to Rep. Melissa Magstadt, R-Watertown. "We need this for our kids," she said.

Only 25 to 35 percent of children with autism would be covered, according to Rep. Mike Verchio, R-Hill City. He asked who picks the winners and losers.

NE Bill Would Fund Alternative School Breakfasts

LINCOLN, Neb. (AP) — A bill designed to encourage more Nebraska students to eat breakfast drew support Monday from education groups and school system employees.

Sen. Bill Avery of Lincoln has introduced a bill that would encourage schools to create alternative breakfast programs, such as grab-and-go meals or food served in the classroom.

The bill, which would create a grant program for schools to establish such meal plans, was presented to the Education Committee on Monday.

"We want to be sure that our kids are not missing out on this opportunity to have a nutritious start every morning because we know it contributes to greater success in the classroom," Avery said.

South Dakota

Panel Rejects 2 Bills On Common Core Standards

BY NORA HERTEL
Associated Press

PIERRE — South Dakota's use of Common Core standards will stand after a legislative committee voted down Monday two bills that would have supplanted the standards and kept some of the state's students from taking tests based on those standards.

A third bill that requires public notice of hearings on future standards passed 13-1 in the House Education Committee and will be sent to the full House.

South Dakota adopted the standards, which set benchmarks for K-12 public school students in English and math, in 2010. Across the country, 45 states and the District of Columbia use the standards.

Supporters of the bill to supplant the Common Core standards argued that they were developed outside of the state, with the bill's main sponsor saying that the National Governors Association and the Council of Chief State School Officers had their own platforms in creating the standards.

"Common Core standards were presented as education reform," said Rep. Elizabeth May, a Republican from Kyle. "What are we reforming?"

But opponents of that bill said the Education Department and teachers can make adjustments to suit South Dakota's students.

"As a former teacher, I've seen nothing



Tyler

wrong with the standards," Democratic Rep. Kathy Tyler of Big Stone City said. "They're implemented. They're there. Let's just get going with this."

The measure was voted down by a narrow margin, 8-7. A similar Senate bill failed in committee earlier this month.

Another bill that failed 8-7 would have let parents exempt their child from taking standardized tests, and committee members considered the extent of parental choice.

"This is a bill promoting more parental involvement," said Rep. Jenna Hagggar, R-Sioux Falls.

But legislators who were against the bill said it's important to get test results from all students and that private student data is protected.

"Parental choice, parental decision-making, what are they going to decide next?" said Rep. Timothy Johns, a Republican from Lead.

The measure moving out of committee requires the state Board of Education to publicize hearings in newspapers and on the website of the local school district two weeks ahead.

It would also require 60 days between hearings.

"I think it's a reasonable thing to do," said Rep. Scott Ecklund, R-Brandon.

SD: E-Cigarette Measure Advances

BY CHET BROKAW
Associated Press

PIERRE — Electronic cigarettes should be kept out of the hands of minors, a South Dakota legislative panel decided Monday.

E-cigarettes are battery-powered devices that resemble traditional cigarettes. They heat a liquid solution, creating vapor that users inhale to get nicotine without the smoke of regular cigarettes.

"Today, South Dakota law is not clear on how these products can be sold or who can purchase them," said Sen. Dan Lederman, R-Dakota Dunes, the measure's main sponsor. "I think we can all agree that e-cigarettes are an adult product."

The bill, which next goes to the full Senate, would classify e-cigarettes containing nicotine as tobacco products that cannot be sold to or used by anyone younger than 18. Anyone selling electronic cigarettes to minors could be charged with a misdemeanor punishable by up to 30 days in

jail and a \$500 fine.

The State Affairs Committee voted 8-1 to pass the measure after Lederman said e-cigarettes sales have doubled nationally in the past year. An American Cancer Society study found that 10 percent of high school students have used the devices, he said.

"The vapor can be flavored like fruit and candy, which obviously has an appeal to youth," Lederman said.

Advocates of e-cigarettes said they can help smokers quit tobacco, but some health advocates contend the inhalers can get young people hooked on nicotine just like cigarettes.

"We need to make sure South Dakota is very clear that e-cigarettes should not be sold to children," Lederman said.

The bill would require merchants to place e-cigarettes behind a counter, and the product could be sold only in vending machines located in areas off limits to minors.

At least 27 states have passed legislation prohibiting the sale of e-cigarettes to mi-

nors, according to the National Conference of State Legislatures, a bipartisan group that aids state lawmakers.

State Health Secretary Doneen Hollingsworth said her agency helped rewrite Lederman's bill to mesh with existing law and keep e-cigarettes away from minors.

The bill also was supported by lobbyists for the American Cancer Society, the American Heart Association, the South Dakota State Medical Association, South Dakota Voices for Children and the state attorney general's office.

Shawn Lyons, director of the South Dakota Retailers Association, said many retailers already refuse to sell e-cigarettes to minors. He said classifying e-cigarettes as tobacco products means regulations will be the same statewide.

Alternative For Insuring Poor Nixed

PIERRE (AP) — The South Dakota House has rejected a plan to use state money to buy insurance for the working poor.

The measure failed on a vote of 24-45 after opponents said it would cost the state more than expanding the Medicaid program.

Gov. Dennis Daugaard has asked federal officials to let South Dakota expand its Medicaid program in a way that would provide Medicaid services only to those most in need. Most of that cost would be paid by the federal government.

The bill defeated Monday would have used \$14 million in state money to buy health insurance for people working 40 hours a week but earning less than 100 percent of the poverty level. The bill's sponsor, Rep. Scott Munsterman of Brookings, says that would have covered about 4,000 people.

House Shifts Funds For \$4M Vets Home

PIERRE (AP) — The South Dakota House has unanimously approved a bill that would use a windfall in state revenue to pay the state's share of constructing a new state Veterans Home in Hot Springs.

The measure next goes to the Senate.

The \$41 million project is being financed with \$23.6 million in federal funds and \$16.4 million in state funds. The state had planned to issue bonds to pay its share. Extra one-time revenue will allow the state to pay its share in cash rather than by issuing bonds.

Gov. Dennis Daugaard proposed the change in funding.

The funding covers design, construction and equipping of a new facility. The campus dates back to 1889.

Residents are expected to move into the new construction in early 2016.

Nebraska Medicaid Bill To Be Debated

LINCOLN, Neb. (AP) — A bill to expand Medicaid in Nebraska as part of the federal health care law has been sent to the full Legislature for debate.

The Legislature's Health and Human Services Committee voted on Monday to advance the "Wellness in Nebraska Act," a new version of a Medicaid-expansion proposal.

The new bill was introduced after a Medicaid expansion bill stalled in the Legislature last year. The rewritten proposal makes use of private insurance, cost-sharing and wellness incentives.

Committee members voted 5-1 to advance the bill. Sen. Dan Watermeier of Syracuse voted against it, and Sen. Bob Krist of Omaha did not register a vote.

Teen To Be Charged As Adult In Killing

OMAHA, Neb. (AP) — A county attorney says an Omaha teenager will be charged as an adult in the killing of another teen.

Douglas County Attorney Don Kleine announced Monday that 17-year-old Christopher Spears would be prosecuted as an adult. He's charged with second-degree murder and use of a weapon to commit a felony.

Spears, a student at Northwest High School in Omaha, was arrested after the killing of 17-year-old Dominique Hollie.

Kleine says the shooting happened after Spears made sexual comments about Hollie's sister, prompting Hollie to go to his bedroom and grab a sawed-off shotgun that he later returned to his room.

Kleine alleges that after an argument, Spears went to Hollie's room, returned with the shotgun and shot Hollie in the face.

Police arrested Spears a few blocks away.

NE: Pitch Made For Paid Family Leave

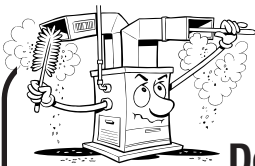
LINCOLN, Neb. (AP) — Bills to require paid family medical and sick leave in Nebraska are drawing support from worker-advocacy groups and opposition from business organizations, but no action is likely this year.

One bill by Sen. Annette Dubas would provide up to six consecutive weeks of paid family leave to care for a newborn, or an adopted or foster child. Another by Sen. Danielle Conrad would require certain employers to offer paid sick leave to full-time employees. Both were presented Monday to the Legislature's Business and Labor Committee.

Creighton University President To Exit

OMAHA, Neb. (AP) — Creighton University President Timothy Lannon has announced his intention to leave his post in June 2015.

Lannon returned to Creighton in 2011 as Creighton's 24th president. He said in an announcement Monday that when he returned he wanted "to give back to what the institution gave to me."



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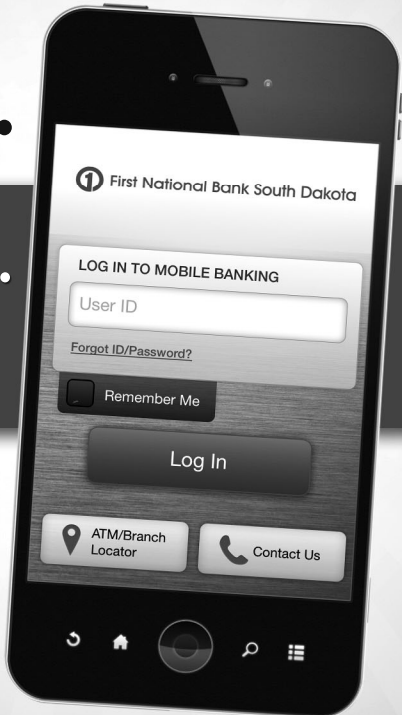
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