

SD House Approves Ethics Proposal

PIERRE (AP) — The House has approved a proposal to overhaul conflict-of-interest laws for South Dakota public employees in response to the investment-for-visa scandal that dominated last year's U.S. Senate race.

The House on Tuesday voted 67-1 for the measure, which broadens state law to prohibit state employees or officers from directly benefiting from contracts they approve.

Republican Rep. Mark Mickelson says his proposal extends that prohibition for a year after the employee leaves state government, with exceptions.

Mickelson says his proposal strengthens state law. It also extends to contracts that don't include the expenditure of public funds.

Democratic Rep. Peggy Gibson says a failed amendment she pushed to establish a state ethics commission would have helped provide a more open government.

She says the EB-5 visa scandal is still "shrouded in mystery."

Fremont Man Denied Lower Bond

FREMONT, Neb. (AP) — An 18-year-old Fremont man arraigned in the shooting death of his roommate has been denied a bond reduction.

The *Fremont Tribune* reports that Andrew Marty was arraigned Tuesday in Dodge County. He now faces charges of manslaughter, use of a firearm to commit a felony and other crimes.

Fremont officers responded to an apartment on Jan. 25 and found 19-year-old Kevin Kennebeck had been mortally wounded. An arrest warrant affidavit says Marty reported that he was cleaning his .223-caliber rifle and had pointed it at Kennebeck when it went off.

During the arraignment hearing, Marty's attorney, Leo Eskey, requested a bond reduction, saying the incident was an accident. The request was denied, and Marty's bond remains at \$250,000.

Marty will next appear in court on April 30.

Fire Destroys Tea Business; No Injuries

TEA (AP) — A fire in Tea has destroyed the industrial building in which it started Tuesday morning.

Officials say the fire began around 9:30 a.m. at the Huck Finn Painting Company, located in an industrial area of the town. The fire is now out but burned for several hours and filled the sky with thick black smoke that could be seen for miles.

Lincoln County Emergency Management Coordinator Harold Timmerman says fire started when a woodworking machine malfunctioned.

Timmerman says the fire burned quickly because the building was filled with paint, stain and lacquer.

All of the employees got out safely and no emergency responders were hurt as they spent hours fighting the flames.

Opening Statements Given In Gering Trial

GERING, Neb. (AP) — Opening statements have been delivered in the Gering trial of a man accused in the death of a 2-year-old girl more than six years ago.

Prosecutors opened the case on Tuesday against 28-year-old Dustin Chauncey, who is charged with child abuse resulting in the death of Juliette Geurts.

A jury of nine women and three men, plus a man and woman as alternates, was selected on Monday. Twenty-seven witnesses are expected to testify during the trial, including the girl's mother, Charyse Geurts. Chauncey was her boyfriend in July 2008, when little Juliette Geurts died. An autopsy report says she died of blunt force trauma, specifically injuries to her liver.

Two other charges against Chauncey — manslaughter and providing false information — were dismissed because of the statute of limitations.

Nonprofit Honors SD Justice Advocate

SIOUX FALLS, (AP) — A national animal defense nonprofit has honored a Lead woman who pushed heavily to make South Dakota the last state in the nation to make animal cruelty a felony.

The Animal Legal Defense Fund has named Shari Kosel one of its Top Ten Animal Defenders for 2015.

Kosel is the co-founder and chair of South Dakotans Fighting Animal Cruelty Together.

She petitioned the state Legislature for years to make malicious animal cruelty a penalty. Last year lawmakers passed a measure that reserves felony charges only for those who willfully and maliciously seek to harm animals, while keeping a misdemeanor penalty for neglect or mistreatment.

The ALDF says Kosel began pushing for tougher penalties after her neighbor's dog was tortured and murdered in 2008.

Man Imprisoned For Vehicular Homicide

OMAHA, Neb. (AP) — A 24-year-old man has been imprisoned for colliding with a motorcycle while driving drunk and in the wrong direction on an Omaha interstate.

On Tuesday a judge sentenced Victor Perez, of Omaha, to eight to 10 years in prison. Perez had pleaded no contest and was convicted of vehicular homicide while driving under the influence. In exchange for Perez's plea, prosecutors dropped a charge of failure to stop and render aid.

Prosecutors say Perez's blood alcohol content was more than twice the legal limit on June 23 when his SUV hit the motorcycle driven by 42-year-old Mickey Riesberg, who died later. Omaha police say the accident occurred just east of the U.S. Highway 75 north-Interstate 480 south split.

Mickelson Piggybacks On Democrats' Tax Bill

BY BOB MERCER
State Capitol Bureau

PIERRE — A possible candidate for the 2018 Republican nomination for governor took control of a Democratic-sponsored piece of legislation Tuesday and turned it into a tool for raising property taxes to fund public technical institutes.

Rep. Mark Mickelson, R-Sioux Falls, did the maneuver in the House State Affairs Committee. He inserted into the Democrats' bill his amendment that would allow South Dakota school districts in some cases to use capital outlay taxes for technical institutes.

The measure, HB 1218, comes to a vote in the House of Representatives today. Its original purpose was as a placeholder dealing with education funding. The prime sponsor of the placeholder version was Rep. Julie Bartling, D-Burke.

Now it's become a method for school districts that aren't charging the maximum amount of capital outlay taxes to levy up to 25 cents per \$1,000 of property value and use the revenue for helping to fund tech schools.



Stevens

The only school district that operates a tech school and has room in its capital outlay levy is Sioux Falls. The other three — Mitchell, Watertown and Rapid City — are at their maximum levy for capital outlay of \$3 tax per \$1,000 value.

House Democratic leader Spencer Hawley of Brookings questioned the move in the committee by Mickelson.

"I think it's caught everybody flat-footed here," Hawley said.

He noted there weren't any supporters or opponents who testified.

But another committee member, Rep. Mike Stevens, R-Yankton, spoke in favor. He said the Yankton community has been looking for ways to build a stronger technical-education program.

Mickelson said South Dakota currently relies on about \$25 million of state funding to support the four tech schools, with students paying the remaining two-thirds of the costs through tuition and fees.

Neighboring states balance the load

with local taxes providing about one third. He said that's why students in those states pay about half of the tuition for tech school that students pay in South Dakota.

Despite Hawley's reservations, he voted for it, as did Bartling and the rest of the committee, in recommending 13-0 that Mickelson's version of the bill be passed by the full House.

This is the third measure that Mickelson has brought out this year regarding tech schools.

The House has already approved his proposal for a constitutional amendment on the 2016 statewide election ballot that would set a barrier between the tech schools and the Board of Regents, whose members govern the state universities.

The House also gave its support to legislation from Mickelson that would clarify the process for tech schools to be governed locally by a nine-member board separate from the local school district.

Currently the four tech schools are operated by their local school districts.

Senate Approves Increase In Per-Student Aid

BY BOB MERCER
State Capitol Bureau

PIERRE — State senators voted 25-10 Tuesday to increase the per-student allocation by 2 percent for South Dakota's public schools and make the corresponding adjustments to general-education tax levies on property.

South Dakota uses a combination of state funding and local property taxes to provide general education funding to K-12 schools. The per-student amount of general funding would increase to \$4,876.76 for the next school year from the current \$4,781.14.

The nay votes came from a variety of Democrats and Republicans.

The measure, SB 53, now moves to the House of Representatives. Its passage would mark the first time the per-student allocation climbed past the \$4,805 amount that was in law prior to the 2011 budget cuts triggered by the recession.

Sen. Jim Peterson, D-Reville, said the legislation should pass but property value assessments need to be more accurate in the future.

Peterson noted the 19 percent increase for agricultural property statewide while the general-education levy on agriculture property would fall 13 percent as a result of the legislation.

Commercial property increased 9 percent in value while the general-education levy would go down 5 percent, he said, while owner-occupied homes increased about 6 percent and the levy will drop 6 percent.

"When the valuations come in higher, the local taxpayer is going to pay more," Peterson said.

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