

Heineman Picks Hastings Man For Senate Seat

LINCOLN, Neb. (AP) — Gov. Dave Heineman has announced his appointment to fill an open seat in the Nebraska Legislature. Heineman is scheduled to hold a news conference Saturday to announce that he has chosen Les Seiler of Hastings for the vacancy. The District 33 seat was held by the late state Sen. Dennis Utter, who died last month of complications from a lung disease. Heineman's office says he will officially announce the appointment Saturday morning at the Hastings Municipal Airport. Seiler is a senior partner at the Hastings law firm Seiler & Parker, P.C. He is a graduate of the University of Nebraska College of Law.

Daugaard Won't Pursue Health Exchange

PIERRE (AP) — Gov. Dennis Daugaard has announced that his administration will not pursue legislation to establish a health insurance exchange during this year's South Dakota's legislative session. In a news release, Daugaard says there is too much uncertainty right now to recommend setting up the kind of exchange included in President Barack Obama's health care overhaul. The law envisions that states would build the exchanges, which would be designed to help people who buy individual insurance plans. The governor says the U.S. Supreme Court might strike down the health care law, or Congress might eventually repeal it. Daugaard says he hopes the law is struck down. But he says South Dakota will apply for a federal grant to plan for an exchange in case the state is eventually required to establish one.

S.D. Getting Fed Money For Highways

SIOUX FALLS (AP) — South Dakota is getting about \$19.2 million from the federal government to help shore up roadways damaged by spring flooding last year. The money is through the Federal Highway Administration's Emergency Relief Program. About \$1.6 billion is being doled out nationwide to help repair highways damaged by natural disasters. FHWA Administrator Victor Mendez says that when disaster strikes, states and local governments can rely on the federal government to help out.

Autopsy Planned In S.D. Prison Inmate Death

SPRINGFIELD (AP) — An autopsy is planned to determine how an inmate at a South Dakota prison died. Corrections officials say 81-year-old Donald Regnier died at the Mike Durfee State Prison in Springfield on Thursday. The state Division of Criminal Investigation is looking into the death, which is standard procedure. Regnier was sentenced in 1991 to 60 years in prison for having sexual contact with a child from Codington County.

Man Convicted In Death Of Pizza Delivery Man

OMAHA, Neb. (AP) — A Douglas County jury has convicted an Omaha man of first-degree murder in the 2010 stabbing death of a pizza delivery man. KETV in Omaha says 20-year-old Dontavis McClain was found guilty on Friday in the death of Christopher Taylor. McClain, who was also convicted of conspiracy to commit robbery and a weapons charge, faces life in prison when he's sentenced in March. Prosecutors say even though McClain didn't physically stab Taylor, he was just as guilty because he was in the apartment when Taylor was killed.

No Smoking Ban Exemption For Casinos

RAPID CITY (AP) — A South Dakota lawmaker who drafted legislation to exempt Deadwood casinos from a state ban on smoking indoors in public places says a lack of support has changed his mind about introducing the bill. Republican Sen. Tom Nelson of Lead believes the voter-approved ban enacted in November 2010 is cutting gambling revenue. But he says he's gotten mixed messages when talking with lawmakers about exempting Deadwood casinos.

S.D. Man Sentenced For Selling Eagle Parts

SIOUX FALLS (AP) — A South Dakota man has been sentenced for illegally selling parts from federally protected eagles. Thirty-five-year-old Stanley Littleboy of Porcupine was sentenced to five months in custody and one year of supervised release. U.S. Attorney Brendan Johnson says Littleboy pleaded guilty last September to unlawfully selling parts of a bald eagle and a golden eagle in June 2009 and May 2010 in Shannon County. The U.S. Fish and Wildlife Service investigated the case.

Bill Would Allow Higher Permit Fee On Food Sellers

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — A bill that would raise the ceiling on permit fees for restaurants, grocers and pushcart vendors is critical to maintain food safety in Nebraska, an industry lobbyist said Friday. The measure, which would apply to businesses that sell or process food, finances the state inspection program that ensures food is properly stored and prepared, said Kathy Siefken, a lobbyist for the Nebraska Grocery Industry Association. Siefken said the bill — which, over time, would lead to higher fees for her group's own members — is the association's top priority this legislative session. The bill is set for a hearing Tuesday before the Legislature's Agriculture Committee. "If this bill doesn't pass, there won't be enough funding (for the inspections) provided through the cost of licenses," Siefken said. "They would have to cut staff. It's our opinion that food safety is one of the most important issues in this state, and we do not want to see those inspections decrease or become shorter. It's important that those in-

spectors are in our stores." The measure by Sen. Tom Carlson of Holdrege would not raise fees directly, but would establish a new ceiling. The Nebraska Department of Agriculture adjusts the fees annually to keep pace with inflation and maintain a small cash reserve, but the maximum they can charge is set in state law. The department asked Carlson to introduce the bill to keep the program's revenue and cost balanced, said assistant director Bobbie Kriz-Wickham. The bill, LB771, is designed to keep the contributions from permit fees in line with the tax dollar contribution from the state's general fund. The maximum initial permit fee for most food services would rise to about \$86, up from about \$74. The highest annual inspection fee would climb to about \$43, from \$37. Roughly half of the inspections are paid through the state's general fund, while the other half is covered through permitting fees paid by restaurants, grocers, convenience stores and vendors. The cities of Omaha, Lincoln and Grand Island collect their own fees and conduct their own inspections, but are required to follow the state rules.

"We didn't want the industry to be entirely dependent on the industry for funding," said Rick Leonard, an aide to the Agriculture Committee. "We've made the argument that the consumer public benefits with confidence (in the food safety), and the industry benefits as well." Nebraska has 14 regional food inspection offices. Siefken said the measure will increase funding for state agriculture department food inspectors who have seen their numbers shrink in recent years as the budget tightens. "There's nothing left to tighten," she said. "I've been on inspections with these people. There's no fat left to remove. The only answer to no fee increases this year would be to reduce the number of inspectors that are out there." The food code is updated every four years based on scientific evidence of foodborne illnesses and safety. The bill would update Nebraska's law to adopt the 2009 food code, Leonard said. The measure would also double the permitting fee if restaurants, grocers and other food vendors miss their payment date by more than a month.

A Bit Late, Winter Grips Midwest And Northeast

BY CAROLYN THOMPSON
Associated Press

BUFFALO, N.Y. — Many Americans' first real taste of winter this season blew through the Midwest and Northeast on Friday, leaving ski resort operators giddy, delaying commuters and air passengers, and forcing pedestrians along the East Coast to button up against biting winds. The storm blanketed the Upper Midwest before slowly swirling to points east. Snowplow drivers were out in force overnight in Chicago, where temperatures plummeted. It could drop as much of a foot of snow on parts of Ohio along Lake Erie before plodding on. In a typical year, such a storm would hardly register in the region. But atmospheric patterns, including the Pacific phenomenon known

as La Nina, have conspired to make this an unusually icy winter in Alaska and have kept it abnormally warm in parts of the lower 48 states accustomed to more snow. In Buffalo, worse than the accumulation of 5 inches — moderate by regional standards — were 25- to 35-mph winds that blew the snow in blinding sheets. "We go from no snow to a blizzard," said Courtney Taylor of Lewiston, north of Buffalo, holding on to keep her fur-lined hood up. For Steve Longo, a 47-year-old chiropractor from Wauwatosa, Wis., the wait to try out the cross-country skis he got for Christmas was excruciating. He and a friend wasted no time hitting the trails at Lapham Peak, about 25 miles west of Milwaukee. "I wasn't worried," Longo said. "I was just anxious."

The storm annoyed commuters, and authorities said it caused hundreds of traffic accidents and at least three road deaths — two in Iowa and one in Missouri. And while some lucky grade-schoolers cheered an unexpected day of sledding, hundreds of would-be air travelers had to scramble to come up with a Plan B. High winds delayed flights Friday, as the long Martin Luther King Jr. Day weekend began, heading to large East Coast airports including Philadelphia; Newark, N.J.; New York's LaGuardia; and Boston. Blowing snow appeared to factor into a mishap at Buffalo Niagara International Airport, where the nose gear of a plane on a flight arriving from Atlanta rolled from the runway onto grass and got stuck. No one was injured. While the dry weather has been

an unexpected boon to many cash-strapped communities, which have saved big by not having to pay for plowing, salting and sanding their streets, it has hurt seasonable businesses that bank on the snow. The arrival of blustery weather had Vermont's ski industry celebrating. The King Day weekend is one of the most important money-making weekends of the season. The snow finally enabled the state's snowmobile organization, the Vermont Association of Snow Travelers, to start opening some trails. "We are absolutely giddy, stoked, and the phones are ringing off the hook," said Jen Butson, a spokeswoman for the Vermont Ski Areas Association. "It's what we've been hoping for. Our snow dances have paid off."

Nebraska Corn Crop Estimated At Second Biggest Ever

LINCOLN, Neb. (AP) — The 2011 corn crop was Nebraska's second-biggest on record and its soybean crop was the state's third-largest ever, according to U.S. Agriculture Department figures. The USDA also reported Thursday that sorghum harvested for grain production in Nebraska was down 3 percent last year compared with 2010 figures. The state's hay production dropped 11 percent from the 2010 total. Nebraska farmers harvested an estimated 1.54 billion bushels of corn for grain production in 2011. The USDA said the estimate came from year-end surveys and was 5 percent higher than the 2010 harvest. The state's corn production record of 1.58 billion bushels was set in 2009. The average yield of 160 bushels an acre was unchanged

from the November forecast and was 6 bushels below the 2010 figure. The USDA's grain stocks report issued Friday said as of Dec. 1, 1.16 billion bushels of corn was stored in Nebraska, which is 3 percent less than stored a year earlier. Nebraska's soybean farmers also had a near-record harvest in 2011. Soybean production totaled 258 million bushels, the USDA said. That's 3 percent less than the 2010 harvest but still the third-highest on record. Soybean yield averaged 53.5 bushels an acre, a bushel higher than 2010 and the second-highest on record. As of Dec. 1, 200 million bushels of soybeans was being stored in Nebraska, which is 18 percent more than a year ago.

Dispute Settled, S.D. Tribe Won't Lose Buffalo Herd

RAPID CITY (AP) — The Cheyenne River Sioux Tribe in South Dakota has settled a \$1 million dispute with a rancher and will keep its herd of 600 buffalo. Clint Amiotte in 2009 accused the tribal subsidiary Pte Hca Ka Inc. of not paying him for 308 buffalo that were butchered and processed. A federal judge in August 2010 ruled the tribe should pay Amiotte about \$1 million — about triple what he was owed for his animals — and Amiotte was preparing to auction the tribe's buffalo herd to get his money. Amiotte and the tribe negotiated a \$583,000 settlement, and

a scheduled Jan. 23 auction has been canceled, the *Rapid City Journal* reported. Amiotte, who expressed relief that he doesn't have to resort to auctioning the tribe's buffalo, said he often does business the old fashioned way. "I'm a cattleman. I'm a buffalo-man," he said. "That's the way it goes. You do it on a handshake." Margaret Bad Warrior, attorney for Pte Hca Ka, said the organization decided the lawsuit had dragged on long enough. "I don't think anyone's really happy with the outcome, but we're happy that it's resolved," she said.

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