

### Police Say Man Shot In Omaha Has Died

OMAHA, Neb. (AP) — Omaha police say a man shot at a home in Omaha has died, and an arrest warrant has been issued for a suspect in the shooting.

Police say 26-year-old Philip Burden died Sunday afternoon at an Omaha hospital.

Police say officers responded to a call of a shooting just before 8:30 a.m. Saturday. When they arrived at the home, they found a Burden suffering from a gunshot wound.

Police say an arrest warrant has been issued for a 27-year-old man suspected in the shooting.

### Sioux Falls Year-Round Population Up 1%

SIOUX FALLS (AP) — The city of Sioux Falls is continuing to increase in population.

In a news release, Zoning Official Jeff Schmitt says the city's 2011 year-end count shows the Sioux Falls population increased by 1,600 people to 156,300. This is a 1 percent increase.

The city of Sioux Falls has grown by more than 25,000 people during the past 10 years. On an annual basis, the city has grown by about 2,500 people, or 1.8 percent, each year.

### Proposed Bill Would Open Governor's Records

PIERRE (AP) — A bill introduced in the South Dakota Legislature would provide for better access to the records of former governors and lieutenant governors.

KCCR reports that House Bill 1233 states that the record the records of any governor and lieutenant governor are the property of the state and should be transferred to the state archivist upon leaving office.

The bill also allows the state archivist to transfer the records to a museum, university or other institution after holding a public hearing.

Gov. Dennis Daugaard requested the bill. The bill has been prompted after discussions about what to do with the records of former Gov. Bill Janklow, who died Jan. 12. Janklow had been working to get his gubernatorial papers sent to the University of South Dakota.

### Two Hell Angels Bikers Convicted Of Assault

STURGIS (AP) — Two members of the Hells Angels Motorcycle Club have been convicted of assault in connection with a stabbing at last summer's Sturgis motorcycle rally.

The Rapid City Journal reports that 48-year-old Mark Allen Duclos, of Fairbanks, Alaska, has been convicted of aggravated assault, which is a felony. Fifty-seven-year-old George James Caruso, of Shirley, Mass., has been convicted of simple assault, a misdemeanor.

Duclos is scheduled to be sentenced on Feb. 21 and Caruso on March 5.

Police say two people were treated for knife wounds after the confrontation between the Hells Angels and the Mongols Motorcycle Club during the annual Sturgis Motorcycle Rally that draws hundreds of thousands of bikers to South Dakota's Black Hills.

### Neb. Bills Would Boost Burial Pay For Workers

LINCOLN, Neb. (AP) — Families of workers killed on the job in Nebraska could receive more for burial expenses under two bills in the Legislature.

Sens. Mike Gloor of Grand Island and Norm Wallman of Cortland have introduced bills that would increase the benefit from its current \$6,000. Both measures are set for a hearing Monday before the Legislature's Business and Labor Committee.

The benefit was last raised in 2007, and is paid to dependents of the person killed. Gloor's bill would raise the amount to \$10,000, while Wallman's version would set the benefit at 13 times the average weekly wage. In 2012, the benefit would total about \$9,200.

Nineteen people died on the job in Nebraska in 2010, up from 16 in 2009.

### S.C. Mayor To Propose Lower Camera Fines

SIOUX CITY, Iowa (AP) — Sioux City Mayor Bob Scott says he wants to lower the fine for people caught on camera speeding or running a red light.

Scott says the city has become too dependent on revenue from the fines, making it more about money than safety.

KTIV-TV reports Scott will introduce an ordinance that would reduce fines from \$185 to \$100 during the city council's Feb. 8 meeting.

In Sioux City, \$500,000 in traffic camera revenue has been earmarked to finish a new fire station, and a new \$18 million operations building would rely heavily on the funds.

Scott says he's not opposed to the cameras, especially in construction zones, where construction workers may be at risk from speeding vehicles.

Scott's proposal comes as state lawmakers consider a ban on the cameras.

## SDSU Grad Crowned Miss Rodeo USA

BY MARK WATSON.  
Blacks Hills Pioneer

BELL FOURCHE — Trisha Smeenk was about 10 years old when she won her first crown, when she earned the Aladdin, Wyo., rodeo princess title.

On Sunday she reached the culmination of her queen and rodeo pageant competition when she was crowned the 2012 Miss Rodeo USA in Oklahoma City, Okla.

"I couldn't believe it. I was so excited," Smeenk said Friday.

Smeenk also won the individual titles for speech and horsemanship.

But the results of the individual awards didn't give her any insight as to the outcome of the overall title.

"There's been girls who didn't win any individual awards yet still won the title," she said.

"We didn't know the results until they were announced," she added.

"My philosophy is to compete against myself and do the very best I can."

The seven contestants, from throughout the country, were prohibited to talking to people outside the pageant during the five days of contest. Internet was off limits, their phones were taken away from them and they were even prohibited from speaking with their families.

"That was OK though," Smeenk said. "I got to know the other six girls really well and have made

friends who I know I will keep in contact with.

Smeenk, now 24, began competing in pageants when she was 10.

"I grew up in rodeo and queen pageants. I fell in love with it," she said.

In January, 2011, she won the Black Hills Stock Show Rodeo Queen title.

The win made her eligible to compete in the Miss Rodeo USA competition.

Her platform was lifelong learning.

"It talked about the importance of learning throughout your life," Smeenk said. "Even after you graduate from high school and college, continue to learn something new every day."

She graduated from Newell High School in 2005 and then joined the South Dakota Air National Guard where she learned about weather.

A year later she enrolled at South Dakota State University where she received a bachelor's degree in broadcast journalism and sociology. It was there that she competed on the rodeo team's western team in horseman and reining.

She began her master's degree in counseling and human relations development and completed one semester.

She will now take a year off to represent the International Professional Rodeo Association as Miss Rodeo USA.

"It is an amazing opportunity that lies ahead of me the next year," she said. ". I'm going to meet so many amazing people and see some amazing things over this next year."

She also encouraged others to get involved in pageants.

"Being a part of queen contests and rodeo pageants is a great opportunity to promote the sport that you love and it helps you grow as a person," she said.

Smeenk will be at this year's Black Hills Stock Show to crown the new rodeo queen after the Jan. 27-28 competition.

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### South Dakota

# Prairie Dog Assistance Sought

BY CHET BROKAW  
Associated Press

PIERRE — After losing a court battle, some ranchers in southwestern South Dakota are asking the Legislature for help in dealing with prairie dogs that leave public land and invade their private ranches.

Charles Kruse of Interior said the damage from prairie dogs has decreased in recent years because many of them died from plague, but ranchers want to change state law to make sure the state is required to help control prairie dogs or give financial help to ranchers hurt by invading critters.

"We're going to keep after it," Kruse said.

Ranchers in an area near Badlands National Park have been trying to get state compensation for damages caused by prairie dogs. Dozens of ranchers filed a lawsuit in 2005 seeking state money. They argued that they lost money when prairie dogs spread from public land, particularly the Buffalo Gap National Grasslands, and destroyed private pastures that were needed to support cattle herds.

The lawsuit contended that South Dakota law required state officials to control prairie dogs that moved onto private land and to set up a way to compensate landowners for damage if the animals spread beyond specific acreage limits. The ranchers said the state failed to control the prairie dogs and did not pay them for their losses.

The South Dakota Supreme Court recently upheld a circuit judge's decision to throw out the lawsuit based on the doctrine of sovereign

immunity, which says the state is immune from such lawsuits unless it agrees to be sued. The state's highest court said the state was protected against the lawsuit because South Dakota law does not expressly grant anyone the right to sue the state for failing to control or manage prairie dogs.

The area's prairie dog population expanded after controls were relaxed with the reintroduction of black-footed ferrets, a prairie-dog eating species once thought extinct. The ferrets were released in the area because it had a substantial population of prairie dogs.

One bill introduced in the House this legislative session would waive the state's immunity from lawsuits resulting from a failure to control prairie dogs.

A second measure would require that the state Agriculture Department provide at least \$150,000 a year to control prairie dogs or make incentive payments to ranchers. The Game, Fish and Parks Department would have to provide at least \$130,000 a year.

If the two agencies failed to spend that money by Oct. 15 in any year, they would have to provide money or help to ranchers who apply for it. Ranchers who apply but don't get help within a year could then go to court seeking to force the state agencies to provide that assistance.

No hearing date has been set for the two measures.

Gov. Dennis Daugaard said he hasn't read the bills, but he believes a way can be found to deal with damage caused by prairie dogs without the state giving up its immunity to lawsuit.

Rep. Lance Russell, R-Hot Springs, said he introduced the bills for the ranchers after they lost the Supreme Court case. The bill seeks to make the state agencies comply with their responsibility to control prairie dogs, he said.

Russell said prairie dogs are now found on about a half million acres in the area he represents, which is Fall River, Custer and Pennington counties. Ranchers have lost a lot of money because prairie dogs have eaten the grass on which their livestock depend, he said.

"The unfortunate thing is these people just feel like they've been abandoned by everyone," Russell said.

Kruse said he was disappointed by the Supreme Court's decision because state law mandates that state agencies control prairie dogs that leave public land and invade private land. The constitution also bars the government from taking land or damaging it without providing just compensation to owners, he said.

The problem for ranchers in the area south of Badlands National Park was worse about five years ago after a prolonged drought had caused the prairie dogs to spread, but the population dropped after they got hit by plague, Kruse said.

Kruse said prairie dogs that came from public land now occupy about 20 acres of his private land, but they were spread over about 950 acres of his ranch a few years ago. He said he had to sell many of his cattle in the drought years when prairie dogs overran much of his land, but he had now built back up to about 100 cows that produce calves each year.

## Nebraska Exploring ACT As A Possible Assessment Tool

LINCOLN, Neb. (AP) — The Lincoln school district's 2,500 high school juniors who are expected to take the ACT college entrance exam this spring will be part of a statewide experiment to find out whether the ACT should replace statewide tests now given to all juniors.

The Lincoln students in the experiment will be joined by about 1,300 more students from seven other school districts: Alliance, Columbus, Gering, Hastings, Scottsbluff, Sidney and South Sioux City. They were chosen with an eye toward getting a good geographic and demographic cross-section of the state.

The Legislature is spending around \$430,000 to pay for the three-year experiment. The test is scheduled for April 24, the Lincoln Journal Star (<http://bit.ly/zDgHHb>) reported.

Legislators want to know whether making the ACT available to all students might encourage more of them to consider college. The lawmakers also want to find out whether high school students perform better on the ACT than on the statewide tests now given, showing the ACT could provide a better assessment.

"When we give the ACT to everybody, we will be capturing the 25 to 28 percent not taking it," said state Board of Education member Bob Evnen, who championed the pilot program. "What we hope for is identifying more students who might otherwise have been overlooked, who can go on to college."

The 3,800 11th graders in the study will take the current state tests as well, so state officials can compare results.

Nebraska gives tests in math, reading, writing and science to third- through eighth-graders and 11th-graders. The juniors traditionally have performed far worse on the tests than the younger students.

One theory for the juniors' poorer performance is that those students are more concerned with college prep exams, graduation demonstration exams and GPAs.

Colorado, Illinois, Kentucky, Michigan, North Carolina, North Dakota, Tennessee and Wyoming give the ACT to all juniors. Some of those states said that after a few years, their composite scores began to rebound after an initial dip.

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