

## Marty Shooting Suspect Pleads Not Guilty

SIoux FALLS (AP) — A man accused of fatally shooting his uncle and wounding another relative on South Dakota's Yankton Indian Reservation has pleaded not guilty to all of the charges filed against him.

The *Daily Republic* newspaper reports that 23-year-old Dancing Bull Fischer appeared in U.S. District Court in Sioux Falls on Thursday and pleaded not guilty to second-degree murder, assault with intent to commit murder and discharging a firearm during a crime of violence.

Fischer is accused of killing 47-year-old Tony Fischer Sr. and shooting Dominic Fischer, whose age has not been disclosed. The FBI says Dancing Bull Fischer allegedly used an assault rifle.

Fischer could face life in prison if convicted. He is being held without bond until trial.

## Neb. High Court Upholds Sex Offender Ruling

LINCOLN, Neb. (AP) — The Nebraska Supreme Court has upheld a ruling that requires a Sargent man to register as a sex offender even though he wasn't convicted of a sex crime.

In a ruling released Friday the high court upheld a lower court's ruling against the appeal by 33-year-old Chad Norman.

The Supreme Court had asked the Buffalo County District Court in January 2012 to review evidence that proved Norman's crime involved sexual contact. The high court says in its ruling that the trial court found with clear and convincing evidence that Norman's crime involved sexual contact with his ex-girlfriend's 11-year-old son.

Norman was charged in 2009 with felony child sexual assault. After the prosecutor reduced the charge, Norman pleaded no contest to third-degree assault for threatening the boy.

## SD Senator Eyes Needs-Based Scholarship

PIERRE (AP) — The leader of the Republican majority in the South Dakota Senate says he will introduce a bill to create a state program that awards scholarships based on financial need.

Sen. Russell Olson of Wentworth says South Dakota is the only state that has no scholarship program based on financial need. He says details are not yet worked out, but he intends to use money available for one-time use to create an endowment fund for the scholarships.

Olson says Alumni associations at the state universities and technical schools would be asked to match the state money for scholarships.

House Democratic Leader Bernie Hunhoff of Yankton says he would welcome a change to get a needs-based scholarship started. He says low-income students have a hard time affording college in South Dakota.

## Ice, Fog Cited In Nebraska Collision Killing 4

WATERLOO, Neb. (AP) — Authorities say four people have been fatally injured in a collision outside Waterloo in eastern Nebraska's Douglas County.

The Douglas County Sheriff's Office says the accident occurred around 5 a.m. Friday on U.S. Highway 275.

The office says an eastbound car went out of control on the Waterloo viaduct and rammed into an oncoming pickup. All four people in the car were killed. The pickup driver was taken to an Omaha hospital.

The sheriff's office says fog and the icy roadway contributed to the crash.

## South Dakota

# Senate Panel OKs Justice Plan

BY CHET BROKAW  
Associated Press

PIERRE — A wide-ranging plan to cut South Dakota's prison costs by treating more nonviolent offenders in community programs passed its first test Friday in the state Legislature.

The Senate State Affairs Committee voted unanimously to approve the measure, which is backed by Gov. Dennis Daugaard, Supreme Court Chief Justice David Gilbertson and legislative leaders. The bill, written by an appointed panel, next goes to the full Senate.

The measure would use intensive probation and parole, along with special courts and other programs that treat drug and alcohol offenders, as part of an effort to divert offenders from prison and prevent them from committing future crimes.

If nothing is done to curb a rapid increase in adult inmates, the state would have to spend an estimated \$212 million to build and operate a new men's prison and a new women's prison in the next decade, officials have said. The proposed programs would cost about \$51 million, a difference of \$162 million.

## Nebraska

# Heineman Unveils Two Tax Reform Proposals

BY GRANT SCHULTE  
Associated Press

LINCOLN, Neb. — Farmers, manufacturers and shipping companies could lose millions of dollars' worth of sales tax breaks under plans announced Friday by Gov. Dave Heineman, but their income tax burden would also vanish.

The Republican governor unveiled two possible tax-reform packages, both of which would eliminate corporate income taxes and make up the lost revenue by ending the state sales-tax exemptions.

But the two measures differ in both their scope and who would benefit. Heineman said he submitted both to initiate a public discussion with lawmakers, business leaders and Nebraskans, while keeping his own plans fluid. The governor has said he would not support ending the tax exemption on food.

"Our sales tax system shouldn't favor one

Sen. Craig Tieszen, R-Rapid City, a former police chief, said the measure is a compromise reached by all those involved in the criminal justice system, but represents a change in how they'll seek to rehabilitate offenders.

"I think that profound shift in policy will not only save tax dollars, it will certainly change lives in South Dakota for the better," said Tieszen, a member of the panel that wrote the plan.

South Dakota's adult inmate population grew from fewer than 550 inmates in 1977 to more than 3,600 last year, outpacing the national growth rate. The study panel reported that South Dakota has 416 inmates for every 100,000 people, far higher than the average imprisonment rate of 307 per 100,000 in the neighboring six states.

And if the lock-up rate holds steady, South Dakota's adult prison population will increase by an estimated 900 people in the next decade, the study panel estimated.

Supporters also said sending offenders to prison isn't working, as many return to drinking, using drugs and committing crimes when they are released. So the proposal would re-

serve prisons for chronic, violent offenders, while enhanced probation and parole supervision would help nonviolent offenders avoid committing new crimes.

The bill would expand existing special courts that divert drug and alcohol offenders from prison as long as they get treatment, stay clean, get jobs and obey the law. It also would create a new program that keeps drug offenders out of prison as long as they pass random drug tests.

But not everyone feels the measure is the salve for South Dakota's imprisonment problems.

Jason Bjorklund, a Sioux Falls business owner, told the committee he believes the measure violates the state Constitution because it deals with more than one subject. Bjorklund also said he supports 90 percent of the bill's provisions, but they should be addressed with separate bills.

Jim Seward, the governor's legal counsel, disagreed with Bjorklund, saying the bill is constitutional because all provisions deal with public safety.

industry over another," Heineman said. "It's been nearly five decades since Nebraska has had a serious debate about our overall tax system. As I've said, life has changed drastically since the 1960s."

The last major overhaul of Nebraska's tax code was in 1967, when a constitutional amendment banned the state from using property tax revenues. The loss forced the state to enact both sales and income taxes.

The bills Heineman proposed are sponsored by state Sens. Beau McCoy and Brad Ashford, both of Omaha.

One measure would eliminate the state's individual income tax as well, but require lawmakers to cut \$2.4 billion in sales tax breaks to offset the lost state revenue. The second, smaller plan would eliminate \$395 million in sales tax exemptions, but only retirees would see their income taxes reduced. The proposal would exempt the first \$12,000 of retirement

income for married couples and the first \$6,000 for single filers.

Heineman said he supports the more ambitious plan to eliminate the state's income taxes, but is willing to work with lawmakers.

Even so, his plan is expected to face resistance from lawmakers who argue that it will shift the tax burden onto Nebraskans who are struggling to pay for other needs.

State Sen. Jeremy Nordquist of Omaha said the plan would increase the tax burden on Nebraska residents who take prescription medications and use the state's hospitals, and small businesses that need the tax breaks to launch. Under the governor's larger tax plan, college students would also pay more to live in dorms.

"I agree that this subject deserves a serious debate, but I cannot support a proposal that increases the burden on hard-working Nebraskans who most need the tax relief," Nordquist said.

## OBITUARIES

### Thorwald Raysby

Funeral services for Thorwald "Shorty" Raysby, 88 of Avon will be 10:30 a.m. Tuesday, January 22, 2013 at the Trinity Presbyterian Church in Avon. Burial will be in the Trinity Presbyterian Cemetery, rural Avon, with military honors.



Raysby

Visitation will be Monday from 4 to 7 at the church, followed by a prayer service.

Crosby-Jaeger Funeral Home of Avon is in charge of the arrangements.

Thorwald (Shorty) Raysby was born to Paul C. and Louise (Ritter) Raysby on June 3, 1924, South of Avon, SD. He died Thursday, January 17, 2013 in Sioux Falls, SD, a brief resident of Dougherty hospice center.

Shorty attended grade school at Trumbo rural school south of Avon. He then farmed with his father until he entered the US Navy on June 19th, 1944. He served in the Pacific theater from the Philippines through Okinawa and was honorably discharged in May of 1946. After coming home he returned to farming with his father.

March 1st of 1951 he married Cora Hubner and they moved to a farm west of Avon. He continued farming and also ran a repair shop in Avon from 1959 to 1961. Three children were born of this union, Audrey, Karl, and Keith. In 1962 the family moved to the farm north of Avon where Shorty farmed for 50 years until he retired and remained living on the farm until his death. Shorty was a member of the Arthur Wissman Legion Post.

Shorty enjoyed a rich and fulfilling life. He greatly enjoyed solving problems and inventing solutions to resolve the challenges that arose on the farm. Among many of his inventions was a portable welder using a 1941 Buick engine for a power source which he then used to do welding work for many local farmers and businesses.

Shorty enjoyed all aspects of farming. He was fond of the animals on the farm but most especially his dog Roscoe. However Shorty's greatest joy in life was his family which he spent the golden years of his retirement enjoying.

Thankful for having shared his life is his wife Cora, daughter Audrey and husband Ray Voigt of Avon SD, two sons; Karl and his wife Sandy of Tyndall, SD and Keith and his wife Candy of Norfolk, NE. The extended family includes 8 grandchildren, 13 great grandchildren, 8 step grandchildren, and 1 great, great grandchild which all together were a great source of pride and enjoyment for Shorty. Shorty is also survived by his twin brothers:

Neil and wife Darlene of Geddes and Noel and wife Mary of Tyndall; sister, Zona Robsahm and husband Leon of Sioux Falls; three sisters-in-law: Neva Raysby of Avon, Lois Raysby of Tyndall and Vivian Hubner of Tyndall.

Shorty was preceded in death by his parents, parents-in-law (Alex and Rosa Hubner) and two brothers, Lawrence and Gordon.

Yankton Press & Dakotan  
January 19, 2013

### Emil Hejna

Emil Peter Hejna, Jr. 80, of Sioux Falls, died Friday, January 18, 2013 at Dougherty Hospice House following a lengthy illness.

Emil Hejna was born April 15, 1932 to Emil and Helen (Kralich) Hejna at Yankton, SD. He grew up in the Tabor, SD area. In 1953, he entered military service, and served in the US Army during the Korean War. He attained the rank of Sergeant before receiving his honorable discharge in 1954.

On February 22, 1959, he was united in marriage with Lila Riedel at Sioux Falls, SD. The couple lived in Sioux Falls where Emil worked for the R.L. Kepner Roofing Company. In 1976, he began working as a meat inspector with the US Dept. of Agriculture. He continued in this position until his retirement. Emil was a member of First Lutheran Church, and the V.F.W. Post #628 in Sioux Falls.

Grateful for having shared his life are his wife, Lila, of Sioux Falls; two sons, Ron (Kim) Hejna of Sioux Falls, SD and Randy (Nichole) Hejna, from the Rosebud, SD area; one daughter, Sharon Parmley of Sioux Falls, SD; 4 grandchildren; 4 great grandchildren; one sister, Betty Slama, of Tyndall, SD; and 4 brothers, Kenneth (Agnes) Hejna of Tabor, SD, Larry Hejna living in Oklahoma, Lloyd (Marilyn) Hejna of Utica, SD; and Bob (Kathy) Hejna of Tabor, SD.

Emil was preceded in death by his parents; an infant daughter, Shoral Hejna; and two brothers, Steve Hejna and Clarence Hejna.

Funeral services will begin 11:00 a.m. Tuesday at Christ the Victor Chapel of First Lutheran Church. Interment will be in Mt. Pleasant Cemetery. Visitation with the family present will be from 5:00 to 6:00 p.m. Monday at Miller Funeral Home, Main Avenue location.

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January 19, 2013

### Ronald Jones

Ronald G. Jones, 76, of Yankton died peacefully, at his residence on Friday, Jan. 18, 2013.

Funeral services are pending with the Opsahl-Kostel Funeral Home & Crematory, Yankton.

### Shirley Foster

Shirley Marguerite Foster was born January 6, 1925 in Gayville, S.D. to George and Marguerite Edgerton. Shirley graduated from the University of South Dakota at Vermillion. She taught first grade in Covina, Ca. For nine years she headed a program for autistic children in Santa Cruz County, Ca., and also taught severely emotionally disturbed children.

Shirley was preceded in death by her beloved husband, David R. Foster in 2006. They had a wonderful forty eight year marriage and retired to Eureka, Ca. from Santa Cruz. Shirley was a member of the Mayflower Society, a direct descendant of William Bradford, a former member of Eastern Star, member of American University of Women, Society of Autism Educators, First Presbyterian Church of Eureka, and several friendship groups.

Shirley is survived by her son Tom and wife Kathy of Santa Cruz, son David A. Foster of Carson

### Viola Woehl

Funeral services for Viola Woehl of Scotland will be held at 10:30 a.m. on Saturday, January 19 at St. Paul Lutheran Church in Scotland with Rev. Ken Johnson officiating. Organist is Donna Knodel with special music by Jason and Julie Hamann. Interment will follow in Rosehill Cemetery, Scotland. Honorary casketbearers are Viola's granddaughters and active casketbearers are Viola's grandsons: Don Woehl, Jason Hamann, Lance Hamann and John Cap.

Online condolences may be sent at [www.goglinfh.com](http://www.goglinfh.com).

Viola Woehl was born Friday, September 30, 1921 near Tripp to Fred and Katie (Winckler) Roth. She was baptized on November 6, 1921 and confirmed on June 9, 1935, both at Zion Lutheran Church in Avon. She attended grade school at Vesper School near Avon. Viola was united in marriage to Leon G. Woehl on October 7, 1948 at Avon. She farmed with her husband near Scotland until 1978, when they retired. Viola moved to Scotland in 2006. She was a member of St. Paul Lutheran Church (Missouri Synod). She enjoyed sewing, espe-



Viola Woehl

cially embroidery, taught Sunday school, and was active in the Lutheran Women's Missionary League and Scotland VFW Auxiliary. Viola passed away on Wednesday, January 16, 2013 at Landmann-Jungman Memorial Hospital in Scotland at the age of 91 years, 3 months, and 17 days.

Grateful for sharing Viola's life are her three children: Don (Betty) Woehl of Scotland, Sharon (Darwin) Hamann of Correctionville, Iowa and Shirley (Steve) Cap of Scotland; eleven grandchildren: Jason (Julie) Hamann, Lance (Jana) Hamann, Kattie Hamann, Beverly (Terry) Vogt, Randy (Tina) Luke, Don (Judy) Woehl,

Monica (Joe) Keppen, John Cap and fiancé Analiese Koffler, Kristi (Jon) Burks, Amber (Chad) Guthmiller and Kalleen (Ryan) Wasson; 22 great-grandchildren; two brothers: Edwin Roth and Richard Roth, both of Avon; and two sisters: Gladys Brunken of Beaverton, Oregon and Marcella Petrik of Wagner.

In addition to her parents, Fred and Katie Roth, Viola was preceded in death by her husband, Leon, in 1991; a grandson, Bobby; four sisters: Ella, Hulda, two sisters in infancy; and a brother, Arvin.

Yankton Press & Dakotan  
January 19, 2013

## Goglin Funeral Home

Tyndall - Scotland - Tripp



[www.goglinfh.com](http://www.goglinfh.com)

City, Nevada, and her brother Jerry Edgerton and wife Loretta of Tucson, Az.

Per Shirley's request, no services will be held. Shirley and her family extend thanks to Eleanor Mazur, John and Judi Stopkowicz,

Gail Holland, Hospice, and many other dear friends.

Contributions in Shirley's name may be made to the American Cancer Society.

Yankton Press & Dakotan  
January 19, 2013

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