

**Group Challenges Prayer At Council Meetings**

RAPID CITY (AP) — The Freedom From Religion Foundation has asked the Rapid City Council to stop having a local minister lead a prayer to start council meetings, a request that has not been well-received by city leaders.

The Wisconsin-based nonprofit, which advocates for the separation of church and state, said it received a complaint from a Rapid City resident who objects to the prayers, the *Rapid City Journal* reported.

"I think the best thing is for the council to just get down to business and do the work they're there to do, rather than engage in religious issues," said Patrick Elliot, the attorney who drafted the group's letter to the city.

Mayor Sam Kooiker noted that the Legislature and Congress open sessions with prayer and said he is "strongly in favor" of continuing the practice at Rapid City meetings. The council has had ministers lead a prayer to start meetings since at least the 1960s, he said.

"I believe that this is a time-honored tradition that has strong community support," Kooiker said. City Council President Bonny Petersen also said she supports having prayers before a meeting as long as they are legal.

The Freedom From Religion Foundation didn't explicitly threaten to sue in its letter to the city. But Elliot said the group this year will push to resolve the prayer issue in courts across the country, if necessary.

"In the coming year, (Freedom From Religion) will be involved in lawsuits on this issue. I won't disclose where those cases will be," Elliot said. "Our preference is to not have a lawsuit. I don't think it's in anyone's interest to be in litigation like that."

Kooiker said he supports drafting a policy on the prayers, which he said might protect the city in case of a lawsuit. City Attorney Joel Landeen said there is no guarantee such a policy would protect the city but he still recommended writing one for the council's consideration. The city's Legal and Finance Committee is to discuss the matter Wednesday.

Elliot said a compromise would be for the council to hold a moment of silence before meetings.

**Ex-BPI Worker Lawsuit Moved To Federal Court**

SIOUX FALLS (AP) — A lawsuit a former Beef Products Inc. worker filed against ABC News and celebrity chef Jamie Oliver over the use of the term "pink slime" has been moved to federal district court.

Bruce Smith was one of about 750 people who lost their jobs at BPI after the company took a financial hit following news reports about lean, finely textured beef. Smith sued ABC, ABC News, Oliver and food blogger Bettina Siegel in December for \$70,000 in damages.

Smith filed the suit in Dakota County District Court in Nebraska, saying he wanted the case tried in the location where the damage was done.

But the defendants filed a notice last week that it was moving it to federal court in Omaha.

A lawsuit filed by BPI against ABC is pending.

**Cause Of Triple-Fatal S.D. Fire Undetermined**

SIOUX FALLS (AP) — Authorities cannot determine the cause of a house fire in Sioux Falls that killed three children because the home was so badly damaged, investigators announced Tuesday.

The Dec. 22 blaze killed Michael Hensley, 16, Savannah Coon, 12, and Alivia Coon, 6. Their mother, Rhiannon White, and her husband escaped with minor injuries by jumping from a second-floor window.

City Fire Marshal Dean Lanier said officials think the fire started in the home's living room but the cause can't be determined, according to a Tuesday *Argus Leader* story.

"The focus in that living space was a table and chair that sat up against a wall in the living room," Lanier said. "We found this area to be the origin of the fire. However, due to the lack of evidence, we are going to have to list the fire as undetermined."

The home was so damaged that authorities were unable to enter it for a couple weeks.

White, 34, faces drug charges for allegedly having methamphetamine and ecstasy in her body at the time of the fire. Police spokesman Sam Clemens said there was no evidence of drugs or paraphernalia inside the home.

**South Dakota**

**Senator Seeks To Get Rid Of Alienation Lawsuits**

BY CHET BROKAW  
Associated Press

PIERRE — A South Dakota state senator had hoped a sensational trial that aired details of a prosecutor's romance would help him in his decade-long quest to get rid of a state law that allows people to seek financial damages from someone for stealing a spouse.

But the senator's effort suffered a major setback Tuesday, when a legislative committee voted to keep the law, which its supporters argue helps protect marriage by deterring attempts to seduce married people.

The South Dakota law is based on centuries-old British law. State Sen. Stan Adelstein, a Republican from Rapid City, says it treats a spouse as property and that only a half dozen other states still allow such lawsuits. Adelstein said he will continue to push his measure to repeal the law that allows alienation of affection lawsuits.

"The concept was that women were basically mindless and could be easily carried away by a handsome man or an unhandsome man who was particularly articulate," Adelstein said. "It's really a ridiculous idea."

Adelstein had hoped his cause would be helped by a recent trial in Rapid City that attracted a lot of attention in South Dakota. Former county prosecutor Glenn Brenner was sued by his wife's ex-husband, businessman Douglas Rumpca, claiming Brenner stole Kellie Rumpca from a loving mar-

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STAN ADELSTEIN

riage. Douglas Rumpca sued Brenner in 2010 after his wife, Kellie, filed for divorce. Brenner married Kellie Rumpca in 2011.

Douglas Rumpca's lawsuit seeking \$350,000 in damages from Brenner was ultimately unsuccessful, but not before details about Brenner's romance with Kellie Rumpca were revealed in court.

Adelstein said such lawsuits, although rare, particularly hurt the children of those involved in the legal disputes. He said the Brenners are moving to Texas because of the publicity, uprooting their children from their friends.

But Dale Bartscher of the South Dakota Family Heritage Alliance said the threat of an alienation of affection lawsuit can save marriages and deter someone from trying to seduce a married woman. He said he knows of one marriage that likely was saved when a husband learned his wife was hav-

ing an affair and threatened to sue her lover.

"We simply say once two people are married in South Dakota, leave that marriage alone," Bartscher said.

Adelstein and Bartscher said Hawaii, Illinois, Mississippi, New Hampshire, New Mexico, North Carolina and Utah also still allow such lawsuits.

For decades, South Dakota law allowed a man to sue if another man seduced his wife, but not for a woman to sue a husband's lover. In 2002, the Legislature rejected Adelstein's attempt to repeal the law, but it changed it so a wife also could sue for alienation of affection.

Sen. Jim Bradford, a Democrat from Pine Ridge, said he supports getting rid of the law because such lawsuits are more about money than love.

"The whole idea isn't to bring the marriage back together. It's to get some money out of somebody," Bradford said.

But Sen. Mike Vehle, a Republican from Mitchell, said the law serves a purpose by warning people not to try to seduce someone else's spouse. Too many marriages now end in divorce, Vehle said.

"I'd hate to see us, by passing this, have South Dakota look like we are adding to that trend by saying it's OK to steal the affections of someone else and break up that family," Vehle said.

The Senate Judiciary Committee voted 4-3 Tuesday to reject Adelstein's proposal. Adelstein said he may ask the full Senate to override the committee's decision and debate the bill.

**Neb. Lawmakers Review Oversight Of Crop Dusters**

BY ALISSA SKELTON  
Associated Press

LINCOLN, Neb. — A Nebraska lawmaker wants to change how much crop-dusting companies can be fined when pesticides drift onto another property, but the Department of Agriculture says few companies are penalized in the first place.

The Legislature's Agriculture Committee held a hearing Tuesday to discuss how to fine pilots and companies that violate the state's pesticide laws. The committee also considered a proposal to change the state agency overseeing aerial pesticide sprayers, which was met with opposition.

Omaha Sen. Bob Krist introduced legislation that would allow only the company to be fined for aerial pesticide spraying violations. Current law allows the Department of Agriculture to fine both the pilot and pesticide spraying company. Krist says companies are being unjustly fined significantly more based on income.

Tim Creger, the Department of Agriculture pesticide program manager, said the department levies few fines each year and that he is not sure why it has drawn Krist's concern.

The Department of Agriculture investigated 11 complaints against pilots wrongly spraying pesticides in 2012. The agency issued a fine \$1,250 in one 2012 case where an aerial application drifted and hit a person, Creger said. The maximum state penalty for one violation is \$5,000.

"The actual numbers would say the industry is underpenalized," said Creger, who did not testify or take a stance on the bill. "When I show people the estimated number of inspections and then the penalties we hand out, they say, that's it? It's almost embarrassing."

Those fines do not benefit the agency, but go into a Nebraska educational fund, he said. The agency goal is to get businesses and pilots to comply with the law rather than punish them, he said. The department weighs a number of factors when issuing a penalty including the toxicity of the chemical, the degree of intent to harm and how many past violations the company or pilot has had. Creger said he has received several complaints from Nebraskans saying they wish the Department of Agriculture would fine negligent pesticide companies more.

Tim Hauder, owner of Har-Mor Ag Air, testified in support of the

bill. He claimed his company and his pilot were fined too much for a pesticide overspray violation. Hauder said his company was fined about ten times more than his pilot.

"As a business owner, we find this as a hindrance to grow our business and hire additional pilots," he said.

Since the state's pesticide law went into effect in 1993, Creger can only recall a few instances — including Hauder's fine — when the Department of Agriculture issued penalties for the company and pilot. Creger said Hauder and his independently contracted pilot had multiple previous violations, which influenced the agency's decision to fine both of them at a higher amount.

Brian Wilcox, president of the Nebraska Aviation Trade Association, was the only person to testify against the bill. He said companies and pilots should both be fined for violations in order to boost safety.

Krist's bill also request aerial spraying violations be routed through the Department of Aeronautics rather than the Department of Agriculture. He said the Department of Agriculture takes too long to investigate aerial pesticide cases. Complaints should be settled within 90 days, Krist said.

Krist said the Department of Agriculture lacks expertise in federal aviation standards. Creger said he was surprised to see Krist's bill because he already refers cases of negligent aircraft operation to the FAA. The Department of Aeronautics also has no jurisdiction over the negligent flying cases, he added.

Krist explained that the Department of Aeronautics would not investigate the cases, but rather refer the complaints to the local Federal Aviation Administration office, which would investigate the cases. Getting the FAA involved would allow aerial pesticide violations to affect the pilot's license, Krist said. FAA violations follow a pilot across the United States, while Department of Agriculture violations do not, Krist said.

Department of Aeronautics Director Ronnie Mitchell, who was not at the hearing, said he doesn't think the bill would require his agency to hire additional staff or request more funding. Mitchell said he understands that the cases would then be referred back to the Department of Agriculture after the local FAA reviewed the cases.

"I'm not really sure how it speeds up the process," Mitchell said.

**OBITUARIES**

**Betty Jensen**

Betty Jean (Johnson) Jensen, 84, of Vermillion, passed away on January 26, 2013, at Sanford USD Medical Center in Sioux Falls, SD.



Jensen

Visitation will be held from 6-7 p.m., with a prayer service to begin at 7 p.m., on Thursday, January 31, 2013, at Trinity Lutheran Church in Vermillion.

A funeral service will be held at 1:30 p.m. on Friday, February 1, 2013, at Trinity Lutheran Church. Both services will be officiated by Rev. Anna Peck.

Services have been entrusted to Kober Funeral Home of Vermillion.

Condolences may be posted online at [www.koberfuneralhome.com](http://www.koberfuneralhome.com).

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**Mary Glanzer**

Mary E. Glanzer, 101, of Freeman and formerly of Menno, passed on to be with her heavenly father Tuesday, Jan. 29, 2013, at Oak Terrace Nursing Home, Freeman.

Funeral services are at 10:30 a.m. Friday, Feb. 1, at Salem M.B. Church, rural Bridgewater, with Pastor Michael Petts officiating. Burial will follow at the church cemetery.

Visitation is 5-7 p.m. Thursday with a 7 p.m. prayer service, all at Walter Funeral Home, Freeman.

Reck Funeral Home, Miller, has been entrusted with Mary's arrangements. Visit [www.familyfuneralhome.net](http://www.familyfuneralhome.net)

**Tony Kaiser**

Funeral services will be held for Tony Kaiser, 57, of Henning, Minn., on Saturday, Feb. 2, 2013 at 11 a.m. at Good Shepherd Lutheran Church, Henning.

Visitation is 4-7 p.m. Friday with a prayer service at 7 p.m. at the Belmont Funeral Home, Henning, Minn. Visitation will resume one hour prior to the service at church.

Tony, formerly of Meckling, died Jan. 27, 2013, after a brief illness, at the St. Cloud Hospital in St. Cloud, Minn.

Tributes may be posted online at [belmontfuneral.com](http://belmontfuneral.com).

**Sylvia Peitz**

Sylvia C. Peitz, 91 of Hartington, Neb., died Monday, Jan. 28, 2013, at the Golden Living Center, Hartington.

Mass of Christian Burial is at 1:30 p.m. Friday, Feb. 1, at the Holy Trinity Catholic Church, Hartington, with the Rev. Jeffery Losek officiating. Burial will be in St. Michael's Cemetery, Hartington.

Visitation is 4-8 p.m. Thursday, with a vigil service at 7 p.m., at the church. Visitation will continue one hour prior to services on Friday at the church.

Wintz Funeral Home, Hartington, is in charge of arrangements.

**Claudia Kramer**

TUPELO, Miss. — Claudia Kramer, 53, died at home in Tupelo, MS, on January 21, 2013.



Kramer

Born on November 11, 1959, in Kitzingen, Germany, to Ed and Irene Kosark, she married Dennis Kramer, formerly of Hartington, NE, in Lincoln, NE, on November 17, 1979. Since her father was in the Air Force, she had the opportunity to travel all over the world but considered Hattiesburg, MS, her home. Since moving to Tupelo, she was employed at North Mississippi Medical Center as a data analyst and was a member of St. James Catholic Church.

Always a devoted wife, loving mother, and genuine friend to many, Claudia is survived by her parents, her husband Dennis, and four children: Kyle (Keri), Andrew (Cathy), Brian, and Laura. She is also survived by her siblings Sandy Hayward, Scott Kosark, and David Kosark,

all of Nebraska.

Visitation was Thursday, January 24, with Rosary at 5 p.m. and visitation following until 8 p.m. at Forrest Funeral Home in Hattiesburg. A memorial service was held on Friday, January 25, at 10:00 a.m. at St. Thomas Catholic Church in Hattiesburg.

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**Lorene Zephier (Victoria Rames)**

Lorene Victoria (Rainwater) Zephier, aka Victoria Rames, 100, of Wagner entered the Spirit World on Saturday, January 26, 2013 at the Good Samaritan Society in Wagner.

Funeral services are at 1 p.m. Wednesday, Jan. 30, at the Boys & Girls Club in Marty. Wake services began Sunday at the Club in Marty. Burial is in the Sundance Grounds at Seven Mile Creek, rural Marty.

Crosby-Jaeger Funeral Home, Wagner, is in charge of arrangements.

**Paul 'Pete' Klemme**

Funeral services for Paul "Pete" Klemme, 94, of Scotland will be held at 11 a.m. on Friday, February 1, 2013 at St. Paul Lutheran Church in Scotland with Rev. David W. Ellis officiating. Interment will follow in Rosehill Cemetery, Scotland.

Visitation will be held on Thursday from 4-7 p.m., with family present to greet visitors from 6-7 p.m., at the Goglin Funeral Home in Scotland.

Pete passed away on Monday, January 28, 2013 at Avera Sacred

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

**Goglin Funeral Home**

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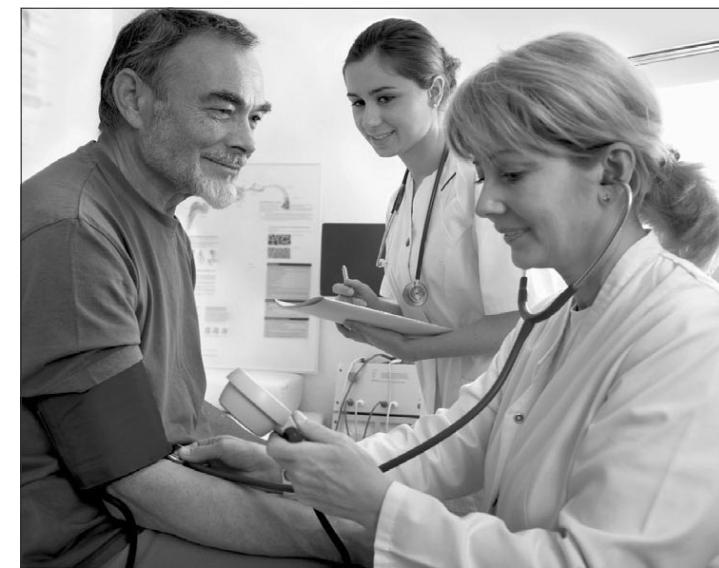
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**Heart Screening**

Date: February 2, 2013

Time: 9 a.m. – 1 p.m.

Location:  
University of South Dakota Health Fair, USD campus, Vermillion, SD  
Cost: \$25 per screen

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