

# Neb. AG To Focus On Patent Trolls, Stalkers

BY GRANT SCHULTE  
Associated Press

LINCOLN, Neb. — Nebraska Attorney General Jon Bruning outlined his top legislative priorities on Tuesday, saying he'll push for laws cracking down on stalkers, people who solicit child pornography, patent trolls who target businesses and a synthetic drug known as K2.

"Criminals are evolving and constantly seeking ways to circumvent the law," Bruning said. "That's why we have to be vigilant in our efforts to keep Nebraska law up to date."

The legislative session begins on Wednesday, and a bipartisan group of lawmakers will introduce legislation on Bruning's behalf within the next two weeks.

One bill by Sen. Heath Mello is designed to hinder groups that acquire patents just to collect fees or to threaten small businesses and consumers with lawsuits. The bill would make bad-faith legal threats a violation of Nebraska's consumer protection law. It also would require anyone who sends 25 or more patent letters per year to report their activity to the Nebraska Attorney General's office.

"This bill will be a great addition in the



Bruning

fight to protect Nebraska businesses and consumers from patent trolls," Mello said.

Another measure by Sen. Burke Harr would make it illegal to solicit child pornography, because current state law only bans possession of child porn. Soliciting images is illegal in 13 states and violates federal law, and receiving child pornography is illegal in 14 states.

Harr's measure also would expand the definition of child abuse to include knowingly or intentionally placing a child in view of a live sex act. Current state law only makes it illegal to expose children through television or computers.

A third measure, from Sen. Danielle Conrad, would treat harassment and stalking as separate criminal offenses, and would allow stiffer penalties for prior violations. The measure would allow authorities to file charges in cases involving cellphones or the Internet, regardless of whether the threats were sent or received in Nebraska.

"We must work to prevent and eliminate these brutal crimes," Conrad said.

"Yet, when they do occur, we must improve our legal framework so that justice can prevail."

Sen. Ken Schilz will propose a ban on a new form of K2, a synthetic drug that has been blamed for the deaths of some local teenagers. The current ban was enacted in 2011 and updated last year, but chemists abroad adjust the formula to skirt the ban. K2 is made from synthetic cannabinoids that have been combined to make a street drug.

The drug was responsible for the October death of 18-year-old Billy Tucker after a weekend party in Lincoln, according to the local sheriff. Authorities have said Tucker died while sleeping at a friend's house in nearby Waverly.

"Because modified formulas of K2 are still sold in Nebraska, I lost my best friend, my beloved son Billy," his father, Steve Tucker, said during Tuesday's news conference with the attorney general. "We don't want any other parents to go through this kind of loss."

Lawmakers and the governor have approved 36 of the Attorney General's legislative proposals since 2003.

Mello, Harr and Conrad are Democrats in the officially nonpartisan, one-house Legislature. Schilz is a Republican.

## Civil Trial Begins In 1985 Slaying Case

LINCOLN, Neb. (AP) — An attorney for one of the six people wrongly convicted of the 1985 slaying of a Beatrice woman says the officials responsible have yet to take responsibility for the injustice.

Attorney Maren Chaloupka said Monday as the U.S. District Court civil trial got underway in Lincoln that the defendants in a lawsuit "haven't accepted one bit of responsibility."

Chaloupka represents Debra Shelden, who was one of the six who spent a combined 77 years in custody before DNA testing exonerated them in 2008. The tests pointed authorities to a man who died in 1992.

The six sued Gage County and various law enforcement officials, saying officials fabricated evidence and coerced the six to get convictions. The lawsuits were consolidated for a single trial.

## Cold Leads To Record Electricity Use

COLUMBUS, Neb. (AP) — The bitter cold weather in Nebraska led to a new record for peak electricity use at one of the state's largest utilities.

The Nebraska Public Power District says it set a new winter record for power usage between 7 a.m. and 8 a.m. Monday.

The utility says it generated 2,256 megawatts of electricity Monday. That beat the previous winter record of 2,219 megawatts set in December 2009.

NPPD officials say it helped that the utility has a mix of different power sources, and it even generated more than 216 megawatts of power from wind during the peak demand period.

## Neb. Eyes New Score System For Schools

LINCOLN, Neb. (AP) — Nebraska education officials intend to devise a new way to score public schools so they can get the help they need to improve.

The *Lincoln Journal Star* says the Education Department will be holding schools accountable for student achievement by combining what are now numerous rankings into just a few classifications.

On Monday the officials told Nebraska State Board of Education members that the new system will assign points to numerous measures, including graduation rate, test scores and improvement. Those points will be added together to come up with one score for each school. The score would be used to place each school and district in one of several classifications, from highest-performing to lowest-performing schools.

## Man Shot By Police Gets 25 Years

RAPID CITY (AP) — A man who was shot after he threatened two Rapid City police officers with a butcher knife is going to prison on a 25-year sentence.

Elijah White Magpie earlier pleaded guilty but mentally ill to two counts of aggravated assault on a law officer.

Judge Janine Kern sentenced the 21-year-old Tuesday, saying he's dangerous and unpredictable when he doesn't take his medication.

State's Attorney Mark Vargo says officer Jerry Moore shot White Magpie as he attacked officer Marc Black with a large kitchen knife, and the blade came within three inches of Black's throat.

Authorities say White Magpie had been using alcohol and marijuana before he threw a rock through a window at the public library, shattered a window in a parked van, threatened one officer and attacked the other.

# Sanford Giving \$125M To Health System For Genetics

BY DIRK LAMMERS  
Associated Press

SIoux FALLS — South Dakota philanthropist T. Denny Sanford is giving another \$125 million to the Dakotas-based health system that bears his name for a program that will incorporate genetics into primary care, Sanford Health executives announced Tuesday.

Kelby Krabbenhoft, the system's chief executive officer, said internal medicine is at the crossroads of all aspects of health care, and combining it with genetics is "the perfect marriage." Sanford Imagenetics will make genetic testing a part of everyday care, he said.

"This is going to have a huge impact in our part of the country," Krabbenhoft said during an announcement in Sioux Falls.

By later this year, Sanford's clinics in Sioux Falls, Fargo, N.D., Bismarck, N.D., and Bemidji,

Minn., will have genetic counselors on staff. Genetic consulting will eventually be available at all the health system's regional locations through telemedicine, said Gene Hoyme, president of Sanford Research.

Eric Larson, a Sanford internal medicine physician, said a patient would be able to give a blood sample and have genetic information pulled in a lab similar to the way a technician tests for cholesterol or blood sugar. The information would be placed on a glass slide, called a chip, and the genetic information would be stored in a patient's private electronic medical record.

A chip initially would be used to determine how a patient metabolizes 400 different medications, which could help avoid adverse drug reactions and side effects.

"Currently, we have no idea how a particular patient will re-

spond to a particular drug," Larson said.

Chips will eventually be used to predict how someone might be predisposed to a particular disease.

Sanford Health, a Sioux Falls- and Fargo, N.D.-based system with locations in 126 communities in nine states, estimates that the cost of genetic counseling and testing could run anywhere from \$200 to \$3,000 out of pocket, depending on the specific test.

Dan Blue, president of Sanford Clinic, said Sanford's own health insurance plan will cover the genetic tests, and he thinks others insurers will follow suit when they see how the tests can help them avoid paying for unnecessary complications.

Generally, health insurers will cover genetic testing when it's medically necessary to establish a diagnosis of an inheritable disease, said Susan Pisano,

a spokeswoman for America's Health Insurance Plans, a national trade group representing health insurers.

Pisano said insurers look at several criteria: There must be a clinical basis for suspecting the patient has the disease, there must be a good test available and there must be an available treatment if the test is positive.

"Is there something that can be done about it?" Pisano said.

The patient would also need to undergo genetic counseling to understand the findings, she added.

The money from T. Denny Sanford, a 78-year-old retired banker and businessman, will also be used to develop a research program to define successful genomic markers, recruit top geneticists and partner with Augustana College and the University of South Dakota for workforce development and education.

## OBITUARIES

### John Vorthierms

John G. Vorthierms, age 49, passed away early Monday morning, January 6, 2014 at the Avera Sister James Care Center, Yankton after a 6-year battle with cancer.

Funeral services will be held at 11:00 a.m. Thursday, January 9, 2014 at the St. John's Lutheran Church, Yankton, with Rev. Dave Gunderson officiating. Burial of John's cremated remains will take place at a later date at the Westbrook Cemetery, Westbrook, MN.

Visitations will begin at 5



Vorthierms

p.m. Wednesday, January 8, 2014 at the Opsahl-Kostel Funeral Home, Yankton with a 7:30 p.m. Prayer Service. Visitations will resume one hour prior to services at the church.

John Gerard Vorthierms was born on August 13, 1964 at Westbrook, MN to Leo and Agnes (Klein) Vorthierms.

After graduating from Westbrook High School in 1983, he attended Southwest

State Univeristy at Marshall MN.

As a jack of all trades, John worked at various jobs including: Manager with Domino's Pizza in MN, IA, SD, a driver for Cargill in Yankton, SD, a bee keeper for Honey Brandt Producers of Yankton, and finally as a yard manager at Fullerton, Yankton, SD. Given his outgoing, fun-loving nature, he was a natural as a part-time bartender at Phinney's.

As a member of St. John's Lutheran Church, John found comfort and strength through his faith and church family.

John married Peggy Weisser on September 5, 2009 and made their home in Yankton. He was proud of his children Michael (22) and Emily (20) and loved to attend their events and activities.

He enjoyed golfing, hunting, playing poker and pool. He remained true to his favorite Minnesota sports teams, the Twins, the Vikings and the Gophers. When needing to rest, he would tune in to the golf channel.

In January of 2008, John was diagnosed with metastatic lung cancer, which he heroically battled until his death.

He is survived by his wife Peggy (Weisser) of Yankton, SD; children: Michael and Emily of Yankton, SD, and step-daughter, Allison (Brandon) King of Vermillion, SD; parents, Leo & Agnes of Westbrook, MN; siblings: Ruth of Le Sueur, MN, Joyce of Westbrook, MN, Glen of Phoenix, AZ, Mary (Darin Hertwig) of Buffalo, MN; nieces, Kaitlin & Marissa of Phoenix AZ; mother-in-law, Lorraine Weisser of Tyndall, SD; sisters-in-law, Ileen Weisser of Vermillion, SD and Marsha (Vince) Efta of Tyndall, SD; nieces-in-law, Mallory (Dustin

Slining) of Sioux Falls, SD and Jamie Efta of Tyndall, SD; his faithful dog, Puggles and a large extended family and many beloved friends.

He was preceded in death by maternal & paternal grandparents.

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**PSAHL-KOSTEL**  
FUNERAL HOME & CREMATORY INC.  
Online condolences at:  
[www.opsahl-kostelfuneralhome.com](http://www.opsahl-kostelfuneralhome.com)

### Norm Nedved

Funeral services for Norman R. Nedved, 82 of Wagner will be 10:30 a.m. Friday, January 10, 2014 at the United Methodist in Wagner. Burial will be in the ZCJB Cemetery, rural Wagner with military honors.

Visitation will be at the church Thursday from 4 to 7, followed by a prayer service. Crosby-Jaeger Funeral Home is in charge of the arrangements.

Norman Rudolph Nedved, son of Ernest and Bessie (Benda) Nedved, was born September 2, 1931 at Avon, SD. He died peacefully January 7, 2014 at his home in Wagner under hospice care. Norm had attained the age of 82 years, four months and six days.

Norm grew up on the family farm. He attended Tobacco-Bottom Country School for eight years and then started farming with his parents. Norm was inducted into the United States Marine Corp, serving from February 11, 1952 to February 11, 1957.

Norm married Agnes Wampol on January 7, 1957. Two children, Patricia and Stanley, were blessed to their union. Together they farmed until 1962 and then moved into Wagner. Norm worked at the Wagner City Liquor Store and Rivin's IGA for several years. In 1972, Norm went into the gas station business. He owned Norm's Service for 32 years, retiring in 2004.

Norm was a very devoted American Legion Greer Post #11 member, serving as Commander for many years and Charles Mix County Vice Commander for one year. He was honored to be named Legionaire of the Year.

Norm served on the Wagner City Council for two terms and was a devoted fireman for 24 years, where he served as Fire Chief.

Norm also was a member of Dante Lake Club, Wagner Chamber of Commerce, Pheasants Forever, Ducks Unlimited and the Wagner Labor Day Committee. He and Agnes were Parade Marshals for the Labor Day Parade in 2002. Norm was also a 57 year member of the United Methodist Church.

Norm will be remembered for his love of hunting, fishing, gardening and card playing.

Thankful for having shared his life are his wife Agnes of 57 years; daughter Patty Addy and husband John of Canistota; son Stan Nedved and wife Janet of Wagner; five special grandchildren: Deanna, Jason, Lindsey, Laken and Landon; very special great grandchildren: Preston, Braxton, Adriana, Cesar, Roslyn, Rilee, Layla and Marley; two brothers: Walt and Joe and wife Judy, all of Wagner; sister-in-law, Margo Nedved of Rapid City; and many nieces, nephews and friends.

Norm was preceded in death by his parents; sister, JoAnn Efta; two brothers: Leland and Ernie; and sister-in-law, Janis Nedved.

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### Catherine Antelope

Funeral services for Catherine M. Antelope, 83, of Wagner are at 2 p.m. Friday, Jan. 10, 2014, at the Cedar Presbyterian Church, rural Pickstown, with burial in the church cemetery.

Wake services will be held Thursday night at the church. Crosby-Jaeger Funeral Home of Wagner is in charge of the arrangements.

Catherine died Monday, Jan. 6, 2014, at the Good Samaritan Society in Wagner.

### Donald Fredrich

Funeral services for Donald Fredrich, 81 of Wagner are scheduled for 1:30 p.m.

Saturday, January 11, 2014 at St. John Lutheran Church in Wagner, with burial in the ZCJB Cemetery, rural Wagner, with military honors.

Visitation will be Friday from 1 to 5 at the Crosby-Jaeger Funeral Home in Wagner.

Donald Jean Fredrich, son of John and Molly (Vavruska) Fredrich, was born November 30, 1932 at Wagner, SD. He died unexpectedly Sunday, January 5, 2014 at the Wagner Community Memorial Hospital in Wagner, SD. Donald attained the age of 81 years, one month and seven days.

Donald attended Wagner Community School and graduated from Wagner High School. He enlisted in the U.S. Army for two years, serving in Germany.

Donald married Charlotte Schwarz on January 17, 1957 at Zion Lutheran Church in Avon. Three sons were blessed to their union.

In his early years, Donald worked for the Ralph Davis Gas Station and the Crabb Grocery Store. After his marriage, he worked for Farmers' Union Exchange, Kocer Implement in Wagner and VanderWerff Implement in Platte.

Donald was a member of St. John Lutheran Church and the Rollie Bucholz VFW Post #7319 in Wagner. He also was a former volunteer fireman for the Wagner Fire Department.

Donald enjoyed hunting, fishing, wood working and gardening. He will be remembered for his love for his wife, Charlotte, his faith in

God and love of his family.

Thankful for having shared his life are his wife of nearly 57 years, Charlotte of Wagner; three sons: Michael and wife Deborah of Rapid City; Ronald and wife Brenda of Wagner; and Jay and wife Cynthia of Pierre; nine grandchildren; three step grandchildren; three great grandchildren; nine step great grandchildren; brother, John of Wagner; and relatives and friends.

Donald was preceded in death by his parents; four sisters and their husbands: Evelyn Maurus and Walter; Helen Knight and Clifford (Pete); Adella Kriz and Emil; and Susie Kriz and Frank; and sister-in-law, Pat Fredrich.

In lieu of flowers, memorials may be directed to St. John Lutheran Church in Wagner.

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### Ann Silvernail

Ann M. Silvernail, 41, of Yankton died unexpectedly at her residence early Tuesday morning, Jan. 7, 2014.

Memorial services are at 2 p.m. Friday, Jan. 10, at the Opsahl-Kostel Funeral Chapel, Yankton, with the Rev. Randy Tramp officiating. Burial of her cremated remains will be at the Yankton Cemetery following the funeral service.

Visitations will be held one hour prior to services at the funeral home.

### Catherine 'Kay' Waltner

Catherine "Kay" Waltner, 75, went to her heavenly home on Friday, January 3, 2014 at the Sanford Hospice Foundation Cottage, Sioux Falls.

Memorial services will be at 10:30 a.m. Saturday, January 11, 2014 at the Salem Menonite Church (South), rural Freeman.

Visitation with family present will be from 5-7 p.m. Friday evening at the Hofmeister Jones Funeral Chapel, Marion with a Prayer Service at 7:00 p.m.

Catherine "Kay" Ann (Handwerk) Waltner was born on September 22, 1938 to Joe & Dorothy (Logan) Handwerk of St. Francis, Kansas. At age 2, her mother passed away and her father later married Helen Wonder. From 5th grade through 12th she was sent away to a parochial school.

In March 1959, Kay was baptized and joined the Salem Menonite Church of Freeman where she was an active member until she died. On June 11, 1959 Kay married Larry James Waltner. To this marriage three children were born: Delryn, Marlyn, and Charlynn.

Kay's earthly services included a scrub nurse, Choice Books Manager, teacher's aide, medical receptionist/transcriptionist, and a Sanford Hospice volunteer for 13 years.

Kay loved to attend all of the grandkids events, volunteering/helping others, gardening, cooking, animals, decorating for different seasons, and playing games.

Grateful for having shared her life are her husband of 54 years, Larry; 2 sons: Delryn (Carleen) Waltner, Marlyn (Leslie) Waltner, both of Sioux Falls, SD; a daughter Charlynn (Darin) Hay of Parker, SD; 6 grandchildren: Brianna and Austin Waltner (Delryn), Layne and Alex Waltner (Marlyn), Cedric and Morgan Hay (Charlynn); 1 brother Robert (Agnes) Handwerk, Denver, CO; 1 brother-in-law Lonnie Waltner, 1 sister-in-law Karen (Jim) Wiebe, and a special dog Kota.

She was preceded in death by her parents, a sister and brother-in-law Bernice and George Aspley; a brother and sister-in-law Jack and Donna Handwerk; a sister-in-law Pat Handwerk; a sister-in-law Mary Waltner; and nieces Diane and Melissa.

Kay requested no flowers, memorials maybe directed to the Freeman Sanford Hospice or to sponsor a child with Compassion International.

Visit [www.hofmeisterjones.com/](http://www.hofmeisterjones.com/).

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**MORNING COFFEE**  
WEEKDAYS MONDAY-FRIDAY

**Wednesday, January 8**

7:40 am MVCA  
(Dana Forbes)  
8:20 am Hy-Vee Foods  
(Chef Staci)

**Thursday, January 9**

7:40 am Yankton EDC  
(John Kramer)  
8:20 am Yankton Conv/Vis  
(Lisa Scheve)

## IN REMEMBRANCE

**Daniel H. Kremer**

10:30 AM, Thursday  
St. Joseph's Catholic Church, Constance

**Nancy M. Lewon**

2:00 PM, Thursday  
First United Methodist Church, Randolph

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