

## Tyson Workers Approve New Contract

DAKOTA CITY, Neb. (AP) — Workers at the Tyson Fresh Meats plant in Dakota City, Neb., will be getting raises under a new contract they approved.

Members of the United Food and Commercial Workers union approved the deal Saturday. The new five-year contract covers more than 3,500 workers.

Production workers will receive raises of \$1.60 per hour over the life of the deal.

Starting pay will increase to between \$13.92 and \$14.10 per hour.

Top maintenance workers will be paid up to \$19.95 an hour.

Tyson's Bruce Pautsch says the contract will benefit workers and help the company succeed.

Marvin Harrington, president of the union's Local 222, says the contract improves what workers had before without significant concessions.

## Mountain Lion Season Off To Slow Start

RAPID CITY (AP) — Hunters in the South Dakota's Black Hills are reporting a slow start to the season.

The *Rapid City Journal* reports that as of Friday, 10 mountain lions had been killed, which is about half as many compared to a typical season.

Hunters say lack of fresh snow in the region makes it more difficult to track the big cats.

Hunting seasons began in 2005 to control South Dakota's western lion population, reduce the impact on deer and elk, and address public safety concerns.

The season will run until March 31, or until 76 lions or 50 females are killed.

## Corn And Soy Stocks Up In S. Dakota

SIOUX FALLS (AP) — Stocks of corn and soybeans are up in South Dakota.

The U.S. Department of Agriculture says corn stocks on Dec. 1 totaled 644 million bushels, up 66 percent from the same date in 2012. Of that total, 410 million bushels are stored on farms, a 71 percent jump, and 234 million bushels are stored off-farm, a 59 percent rise.

The bushels of soybeans stored on Dec. 1 totaled 104 million, up 30 percent from last year. On-farm stocks are 48 million bushels, up 33 percent from a year ago. Off-farm stocks, at 56 million bushels, are up 26 percent from 2012.

All wheat stored totaled 50.9 million bushels, down 16 percent from a year ago. Oats in storage totaled 5.64 million bushels, more than double of last year's stocks.

# Bill To Recognize Tribal Rulings

BY GRANT SCHULTE  
Associated Press

LINCOLN, Neb. — Nebraska lawmakers would ensure the state recognizes civil rulings made by American Indian tribal courts under a bill prompted by a dispute about whether an athlete could participate in a high school wrestling program.

The wrestling disagreement was resolved, but supporters of the legislation said it pointed out the need to make clear that tribal rulings should be enforced as other rulings would in Nebraska.

"It's about the tribal laws and state laws, and how they coordinate so that there's not a difficulty that would trip a family up and ruin a season or a competition," said state Sen. Rick Kolowski, of Omaha, who proposed the bill.

The matter began in 2007 when John Keen tried to enroll his son, Taylor, in a Nebraska high school wrestling program.

Keen, 43, was given legal custody of his son Taylor after he and his wife divorced in 1992. All of the proceedings took place in a Cherokee Nation tribal court in their native Oklahoma. But Keen, who is part-Cherokee and part-Omaha, said he encountered problems after his son returned to live with him in the Omaha area for his senior year.

He enrolled Taylor at Elkhorn High School in 2007 after he moved from his

mother's home in Oklahoma, where he had lived for the last year. John Keen said he presented school athletics officials with a tribal court order to show that he had legal custody of his son, Taylor.

"They said, 'This isn't a court,'" Keen said. "I said, 'Well sure it is.' That's where I was born and raised. It's where my son was born, and it's where his mother and I divorced. Everything we did had to stay with that court."

Keen and his attorney said his son was rejected because of NSAA rules that generally require student athletes to live with a custodial parent. The rules are designed to keep students from "school-shopping" for a particular athletic program.

The matter eventually was resolved, but Keen said it cost him more than \$10,000 in legal fees.

Keen said a friend from the Omaha Tribe of Nebraska called him recently and asked for money to help address a similar problem. Frustrated, Keen said he reached out to his attorney and Kolowski, who represents him in the Legislature.

Kolowski said he proposed the legislation is modeled after a state law in Iowa that recognizes civil judgments in tribal courts and allows the state to enforce them.

Debra Velder, associate director for the Nebraska School Activities Association, said Taylor Keen was allowed to wrestle once his father

showed that he had legal custody of his son and that the two were living together.

Velder said the association has recognized tribal-court rulings for decades, but officials weren't able to confirm right away that Taylor Keen met the eligibility requirements. She declined to elaborate, citing confidentiality rules.

"In Nebraska, we would accept the tribal court as a court of competent jurisdiction," she said. "I've been here for 33 years, and that's always how it's been."

John Keen's attorney, Ben Thompson, said the association initially refused to recognize the order but did so "after a lot of convincing" in a meeting with the group's attorneys.

Thompson said the Nebraska bill includes several procedural safeguards to ensure that litigants in tribal court are given due process, and that the court was the proper authority to hear a case.

"Here in Nebraska, I think we're a bit behind the curve on these issues," Thompson said. "I'm hoping we can catch up and join the 21st century."

Judi M. Gaishkibos, executive director of the Nebraska Commission on Indian Affairs, said the proposal represents an important step in ensuring tribal courts are acknowledged by the state.

The courts have gained recognition in recent years, "but it's a really slow battle," Gaishkibos said. "The status quo wants to remain the status quo."

## Rule Changes Impacting Small Market Airports

NORTH PLATTE, Neb. (AP) — The airlines serving small markets in Nebraska and Iowa have had a hard time finding enough pilots since new rules took effect last year, so numerous flights have been canceled.

The canceled flights create hassles for passengers, and could make it harder for small airports to qualify for federal subsidies. Airports must serve at least 10,000 passengers a year to qualify for the subsidies.

Flight cancellations were common last year in North Platte and Scottsbluff, Neb., as well as Mason City, Iowa.

The new rules, which took effect in August, require co-pilots to log 1,500 flight hours before they can work for commercial airlines. The rules also require co-pilots, which are also called first officers, to have a rating for the type of aircraft they fly, involving additional specific training and testing.

Previously, co-pilots were only required to have 250 hours experience. Airline captains were already required to have at least 1,500 hours flight experience.

By the time pilots accumulate 1,500 flight hours of experience, they are often hired away by major airlines. That makes it harder for regional airlines to hire enough pilots.

# Spearfish Native Takes His Design Talents To The Winter Olympics

BY KAYLEE TSCHETTER  
Black Hills Pioneer

SPEARFISH (AP) — For one Spearfish native, a spur-of-the-moment decision has blossomed into a successful career in graphic design, an Emmy Award, and an upcoming trip to the 2014 Winter Olympics in Sochi, Russia.

Eric Say, a motion graphic designer for NBC located in New York City, grew up in Spearfish. But he hadn't thought much about graphic design until college became a fast-proving reality.

"A week before I had to go to college my parents sat me down and said, 'You have to pick a major.' So I was thumbing through the catalogue, saw graphic design, and thought that was interesting," he told the *Black Hills Pioneer*. "I liked it, but definitely fell in love with it."

Say received his degree in graphic design from South Dakota State University in Brookings. Now at NBC Sports, he is a member of a team that designs and animates motion graphics for various sports programs.

"I make the sports graphics they play during the broadcast," Say said. "I just work with sports and the

Olympics. It's mostly an art occupation, but somewhat technical. My main responsibilities are Sunday Night Football and the Olympic games."

Some might say that at the ripe old age of 26, Say's professional career — albeit a little unexpected — is also quite commendable.

As a member of the NBC Sports graphic design team, he was nominated for two team Sports Emmy Awards in 2013, one for Sunday Night Football and one for the 2012 Summer Olympics in London.

"Finding out we got nominated, that alone was pretty exciting," he said. "When the first one came up and we lost, that's when I realized how excited I was to win."

The graphic design team ended up bagging a 2013 Sports Emmy Award in the category 'Outstanding Technical Team Studio' for their on-site graphics work at the 2012 Summer Olympics in London.

"I was pretty thrilled," he said of the win. "It's one of those things — the work is very intense — so it's cool to see some rewards from there. To have some validation."

Since the win, Say has been busy with football season and preparing a preliminary graphics package for the

Olympic games. He takes off on Jan. 20 for the lengthy journey to Russia.

"We're there for a month working on site," he said, drawing from his experiences at the 2012 summer games in London. "It's hard to look back at the intensity of the work, but in hindsight, it's one of the best experiences I've had. It's a long grind. You work every day, sometimes 12-hour plus shifts. It's intense, but also one of the most rewarding experiences I've had."

Say said that although a smaller design team works on graphics ahead of the Olympics, numerous others will assist with the projects before the games have concluded.

"There's a ton of people who work the Olympics, and I'm involved in every aspect of it. Our sports group is probably 1,000 people with staff, crew, and cameramen. The graphics department is a little more isolated, but a lot of things get shared depending on strengths and traits," he said. "People move around projects all the time. The Olympic design team is quite small, but everyone helps out. It's hard to know how many there are, but they are the best in the business. I couldn't ask for a better team."

As the Olympics draw near, Say is

looking forward to seeing months of tedious pre-work come together in a final visual form.

"We've been working on the graphics package for about a year now," he said. "The team has put in a ton of work. I'm excited about how the graphics are looking, and I'm looking forward to revealing it to the world."

Say is also anticipating visiting Sochi, which is located in Krasnodar Krai, Russia, along the Black Sea coast. The city has undergone an extensive construction project in the last several years to accommodate the 2014 Olympics.

"I'm excited to see Sochi itself. I've heard that Sochi's kind of like the 'Aspen' of Russia. It's a resort town, but they don't have a lot of infrastructure so it's been a large construction project," he said. "It's also a coastal city with palm trees and the weather's nice. Then you drive up into the mountains. So it's like a brand new city on the coast."

Say and his team will stay in a media housing facility built into the Olympic Village.

"You're right in the middle of the Olympic Village," he said "It's a positive vibe so that's one of the very cool things."

Upon returning to the states, business for Say will slow — for a short while.

"All the other sports seasons start up — the NHL, the NFL. Then we have the Super Bowl next year," he said. "It's a couple slow months and then right back at it."

When things slow down, so to speak, Say relishes life in the city that never sleeps.

"I enjoy New York City. It's a pretty interesting place to live — the food, the people, the culture — all that good stuff," he said. "I enjoy the events because there's always something going on. It's still so new to me, but I'm pretty hooked on the city."

Say, whose parents Gary and Diane, and brother Ben, all hail from Spearfish, hasn't forgotten his roots. He said his parents were the first people he called after his Emmy win, and his career accomplishments still seem a bit surreal, even to him.

"There were definitely some circumstances I did not expect coming, but I'm thrilled that they did. I feel like I got lucky," he said. "It's a little cliché — I prepared myself and was ready, but the opportunity presented itself."

# Growth

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speech held up two of the Rounds-era projects — Northern Beef Processors of Aberdeen and Dakota Provisions of Huron — as examples of success in value-added agriculture development.

In recent months South Dakotans learned both companies were major recipients of loans from Korean and Chinese investors under the EB5 program. Northern Beef closed last year after two rounds of foreign financings. Dakota Provisions received two rounds as well.

Federal authorities however stopped a third round of EB5 loans for Dakota Provisions, and the Daugaard administration refused to allow an attempt at another round for Northern Beef shortly before the closure.

Nonetheless Daugaard has other achievements to show in expansions of existing businesses and recruitment of a major dairy processor, Bel Brands, which plans to open a cheese-making planta Brookings.

During his time as governor the past three years, South Dakota has seen forward momentum in much of the economy.

This wasn't the case as he began his campaign for governor in 2009. South Dakota's economy had contracted, and as the national recession deepened, South Dakota's labor force fell from 446,920 in January to a low of 439,965 by November.

Unemployment worsened to 5.0 percent that February and began a streak where the jobless rate continued at 5 percent or worse for 23 of the next 26 months.

In November 2010, as Daugaard won election, a rebound from the recession was getting started in South Dakota. The labor force had grown back to 444,040 — but still below the pre-recession level — and employment came back up to 421,585.

But things could still have gone either way. The unemployment rate was 5.1 percent and the number of unemployed was 22,455.

The labor force didn't grow much in 2011, but employment did, reaching 424,875 by November 2011. The unemployment rate that November meanwhile was down to 4.5 percent. The turnaround looked like it was under way.

By November 2012, the labor force had expanded slightly to 446,580 — still not quite above the pre-recession mark — and employment was 427,325, the unemployment rate was down to 4.3 percent and the number of unemployed was 19,255.

A post-recession pattern took hold: People wanted work and businesses wanted workers.

In November 2013, the labor force reached 450,250, which was several thousands of people larger than before the recession. Employment reached a record 433,890. The unemployment rate was down to 3.6 percent.

South Dakota's economy seemed back on full track. November of last year was the sixth consecutive month that the jobless rate was back below 4 percent. The number of unemployed was 16,405, the fewest since the recession.

## At A Glance

### APPOINTED LEGISLATORS

Six legislators submitted resignations since the 2013 session ended. Under state law the governor appoints their successors for the remainders of their two-year terms. The departures caused some interesting shuffles.

- Sen. Chuck Jones, R-Flandreau, replaces Sen. Russ Olson, R-Wentworth.
- Sen. Blake Curd, R-Sioux Falls, replaces Mark Johnston, R-Sioux Falls.
- Rep. David Anderson, R-Hudson, replaces Patty Miller, R-McCook Lake.
- Rep. Kris Langer, R-Dell Rapids, replaces Jon Hansen, R-Dell Rapids.

### OPEN VACANCY

There is one vacancy still to fill: Senator needed to replace Stan Adelstein, R-Rapid City.

### NEW GOP LEADERSHIP

- Tim Rave of Baltic moves up to leader, replacing Russ Olson.
- Dan Lederman of Dakota Dunes moves up to assistant leader, replacing Rave.
- Ried Holien of Watertown replaces Lederman in the whip group. Returning as whips are Larry Rhoden of Union Center and Ryan Maher of Isabel.

### A SENATE COMMITTEE GETS A NEW CHAIRMAN:

- Deb Soholt, R-Sioux Falls, replaces Mark Johnston in running Education.

### MOVING UP?

- Sen. Larry Rhoden of Union Center and Rep. Stacey Nelson of Fulton are candidates for the Republican U.S. Senate nomination.
- Sen. Shantel Krebs of Renner seeks the Republican nomination for secretary of state.

### TERMED OUT

Eight legislators are prohibited from seeking re-election this year to another term in their current seats, because they've reached the constitutional limit of four consecutive terms in the same chamber:

- Sen. Ryan Maher, R-Isabel.
- Sen. Jean Hunhoff, R-Yankton.
- Rep. Lance Carson, R-Mitchell.
- Rep. Marc Feinstein, R-Sioux Falls.
- Rep. David Lust, R-Rapid City.
- Rep. David Novstrup, R-Abbeville.
- Rep. Betty Olson, R-Prairie City.
- Rep. Manny Steele, R-Sioux Falls.

## Power Company Wants Rate Increase For Storm Costs

RAPID CITY (AP) — Black Hills Power wants its customers to help pay costs the company spent to restore and maintain electrical service during an October blizzard.

The *Rapid City Journal* reports that the state's Public Utilities Commission agreed last week to hear the utility's request to have its ratepayers cover the more than \$5 million cost.

Black Hills Power crews worked for days to restore power to as many 28,000 customers after the October blizzard.

Mike Theis, director of operations for the Rapid City-

based company, told the newspaper it was unusual but not unprecedented for the company to seek a rate increase as a result of storm damages.

"This particular case, these are some unique expenses that we incurred. It's not uncommon, but it's not something that we regularly do," he said. "Those would be more of a one-time thing until costs are recouped."

The Rapid City-based company also wants to raise its rates to cover the costs of closing a coal-fired power plant in South Dakota and two in Wyoming. The company says it has decided to close

the plants rather than comply with more stringent federal regulations.

Estimated expenses for de-commissioning the three plants total nearly \$11 million.

The company's request for another round of rate hikes comes just three months after regulators granted the utility a 5.7 percent rate hike that was implemented on Oct. 1. The rate hike is estimated to generate an additional \$8.8 million in annual revenue for the company.

In 2010, the PUC approved a 12.7 percent rate hike for the utility that primarily serves the Black Hills.

# Core

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states in an initiative started by the governors and chief education officers of the 45 states involved.

Individual student information only goes to parents, school administrators and that student's teachers, not the federal government, she said. Each school district chooses its own curriculum and other materials and decides how to teach those skills, Schopp said.

"That's all local control. Those are decisions that happen locally, so none of that has changed or will change as a result of Common Core," the education secretary said.

Legislative leaders said they doubt lawmakers will do away with Common Core because the state has too much time and money invested.

The governor would likely veto such an effort, said House Republican Leader David Lust, of Rapid City.

Senate Republican Leader Tim Rave, of Baltic, said he supports preventing the federal government from collecting data on individual students and requiring legislative approval before Common Core could be expanded to subjects beyond math and English.

"I think the logical thing to do, since many schools have it in place, would be to address some of the concerns and just get a handle on it going forward," Rave said.

House Democratic Leader Bernie Hunhoff,

said all lawmakers are interested in hearing ideas to improve Common Core. He's worried that the standards involve so much paperwork and regulation that teachers hardly have time to teach.

"I don't think we can necessarily just start over and trash it. I think we're too deep in now to go back, but we need to make it work the best we can," Hunhoff said.

Schopp said Gov. Dennis Daugaard has read the new standards, supports them and wants to deal with criticisms so officials can turn their attention to other education issues.

The state's prior standards were not rigorous enough, and the Common Core standards will help make sure South Dakota's high school graduates are ready for jobs or further education, she said.

Testing also will show how students compare with those in other states, Schopp said. The first online tests under Common Core will be given this spring but will be used mainly to determine how the test works and whether districts have sufficient Internet capacity and equipment, she said.

Many of the criticisms don't involve the actual standards but instead focus on a local district's curriculum or teaching methods, Schopp said. If South Dakota got rid of Common Core, any replacement would still require students to learn the same math and language skills in the same grades, she said.

Worries about Common Core are growing nationwide, Bolin said. He said he's been fighting Common Core for several years, but other South Dakota lawmakers are joining him.

"I just have a few more allies now," Bolin said.