

Farmers Union Wants CRP Opened To Haying

HURON (AP) — The South Dakota Farmers Union is urging Agriculture Secretary Tom Vilsack to open Conservation Reserve Program acres in South Dakota to haying and grazing to combat the lingering drought.

Farmers Union President Doug Sombke says in a letter to Vilsack sent Wednesday that South Dakota has gone from severe and moderate drought levels to extreme and severe, resulting in a loss of haying capability and capacity.

Sombke says that without sufficient feed, some cattle producers could be forced to sell parts of their herds.

He says the move to allow CRP haying and grazing will help ranchers retain their livestock rather than sell off numbers to withstand the remainder of the drought.

Defense Presents Case In Neb. Abuse Case

BEATRICE, Neb. (AP) — An attorney for a man accused of abusing developmentally disabled patients at a state-run center is getting a shot at painting his client in a better light.

After two days of testimony against Matthew Pangborn, defense attorney Brett McArthur began his case Wednesday, calling witnesses to the stand.

The *Beatrice Daily Sun* reports that Martha McCarthy, a former staff assistant at the Beatrice State Development Center, testified that Pangborn was well-liked by residents at the center.

Under cross-examination, McCarthy revealed that she had worked a total of 19 days with Pangborn.

On Monday and Tuesday, former co-workers testified that they saw Pangborn hit and choke residents at the center. Pangborn is being tried on six counts of abuse of a vulnerable adult and four counts of strangulation.

SD Child’s Death Highlights Jurisdictional Blur

WAGNER (AP) — Officials say a rural Wagner housing development where a 2-year-old girl was believed slain straddles city, state and tribal jurisdiction, hampering law enforcement.

Yankton Sioux Tribe Secretary Glenford Sully tells the *Argus Leader* that there are a lot of officers around, but they can’t always work together as well as they should. He thinks the system needs to be overhauled.

Authorities have deemed the girl’s death a homicide. They have taken an 11-year-old male cousin of the girl into custody but haven’t charged him. They also are considering charges against the boy’s mother, who also was the girl’s legal guardian, and her husband. Authorities say the July Fourth death wasn’t reported for hours.

The newspaper reports that the Tower Housing development is known for frequent drug- and alcohol-related incidents.

Flags To Be Lowered For Former Neb. Governor

LINCOLN, Neb. (AP) — U.S. and Nebraska flags will be lowered to half-staff this weekend to honor former Nebraska Gov. Norbert “Nobby” Tiemann.

The office of Gov. Dave Heineman says the lowering coincides with a memorial service scheduled for Saturday in Lincoln. Tiemann died June 19 at the age of 87.

He served just one term in the governor’s office, 1967 to 1971.

Flags will be flown at half-staff beginning Friday until sunrise Monday.

Mayor Calls On Residents To Conserve Water

LINCOLN, Neb. (AP) — Lincoln’s mayor is calling on residents to voluntarily conserve water for the rest of the summer by adhering to outdoor water use limits.

Mayor Chris Beutler says the restriction is voluntary, but noted that the city is about two inches below normal rainfall for the year and temperatures remain high.

Beutler is asking residents with street addresses ending in even numbers to limit outdoor water use — including watering lawns and washing vehicles — to Wednesdays, Fridays and Sundays. Those with addresses ending in odd numbers are asked to limit their outdoor water use to Tuesdays, Thursdays and Saturdays.

The mayor’s water conservation task force also recommends, among other things, that residents water lawns during the coolest part of the day and refrain from watering when it’s windy.

Nebraska

Medicaid Head Pulled From Health Care Meeting

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — Gov. Dave Heineman told Nebraska lawmakers Wednesday that he will not allow the state’s Medicaid director to attend a health care planning session, calling it an “organizational meeting” with advocates who want to expand the program.

The Republican governor repeated an earlier warning that he will oppose any efforts to extend Medicaid coverage in the wake of the U.S. Supreme Court’s ruling on the federal health care law.

Heineman is one of at least six Republican governors who have promised to defy a provision of the federal health care overhaul that would expand Medicaid, a government-run health benefit program for low-income adults and the disabled. The law is one of President Barack Obama’s crowning achievements as he runs for re-election.

The high court upheld most of the law last month, including a requirement that states create online marketplaces for people to comparison shop for health insurance. But the court ruled that the federal government cannot penalize states that defy the Medicaid expansion provision by withholding Medicaid funding it already gives to states, which amounts to a significant portion of their budgets.

“The bottom line is the unfunded Medicaid expansion will ultimately cost the State of Nebraska hundreds of millions of dollars,” Heineman said in the open letter to lawmakers. “Furthermore, the federal government has a history of not fulfilling their financial commitment.”

The meeting was organized by Sen. Jeremy Nordquist, an Omaha Democrat who supports the health care law, and co-sponsored by Republican Sens. Kathy Campbell of Lincoln and Mike Gloor of Grand Island, who lead the Legislature’s Health and Human Services Committee.

Nordquist, a frequent critic of the



Heineman

governor, said his office invited both supporters of the health care law and stakeholders who likely opposed it. The meeting set for Thursday will include doctors, hospital administrators, consumer groups and insurance industry representatives.

Nordquist said the state’s Medicaid director, Vivianne Chaumont, who is a member of Heineman’s cabinet, previously confirmed in an email that she was planning to attend. According to a meeting agenda, she was expected to provide an update of the state’s efforts to enact requirements of the health care law.

“It’s extremely disappointing that Governor Heineman and his administration won’t engage in a serious public dialogue in our state,” Nordquist said Wednesday. “This is a bipartisan meeting of all key stakeholders about how we should move forward.”

Nordquist pointed to U.S. census data that show Nebraska’s rate of uninsured increased from 9.8 percent when Heineman took office in 2005 to 13.3 percent this year. He also cited statistics from the Commonwealth Fund, a private health care foundation, that show premium costs in Nebraska increased by 42 percent for single coverage and 45 percent for family coverage between 2003 and 2010.

The meeting was scheduled one week before an official legislative briefing with the Nebraska Department of Insurance, which is preparing the state to comply with the law. Department administrators have said they are designing a state-run health exchange to help Nebraskans comparison shop, but have complained about a lack of specific guidance from the federal government.

A U.S. Department of Health and Human Services official who is scheduled to speak at the Thursday meeting said he planned to pitch the benefits of the health care law.

“This was a hard-fought, very emotional battle over health care, and understandably

so,” said Jay Angoff, a regional director for the U.S. Department of Human Services in Kansas City, Mo. “But I think once people have an opportunity to step back and actually look at the numbers, they’ll see what a terrific value it is — particularly for states that have not covered a lot of people under Medicaid.”

The health care law required states to expand their Medicaid coverage to adults who make up to 133 percent of federal poverty levels, starting in 2014. A report commissioned by the Nebraska Department of Health and Human Services estimated that the Medicaid expansion would require coverage for an additional 108,000 to 145,000 residents. Most people who enroll would likely qualify for taxpayer-financed subsidies.

Omaha Sen. Beau McCoy, a Republican who sits on the Banking, Commerce and Insurance Committee, said only 12 of the Legislature’s 49 lawmakers were invited to attend the meeting.

“I am disappointed that a small group of my fellow senators have chosen to meet tomorrow behind closed doors with a small group of advocates who were hand-picked to discuss the future of health care for all Nebraskans,” McCoy said.

Heineman said in his letter that expanding Medicaid could force a tax increase or drain money from K-12 education, a network of small state colleges, and the University of Nebraska. He said expanding Medicaid would also add to the state’s projected shortfall, which, according to the Legislative Fiscal office, is projected at \$619.7 million for the upcoming two-year budget.

Heineman pointed to a University of Nebraska report that showed state aid for Medicaid increasing nearly 1,300 percent between 1984 and 2013. State aid for the university increased by 215 percent in that period, according to the report.

“My position is very clear — Nebraska can’t afford an unfunded Medicaid expansion,” Heineman said.

S.D. Board Sets Hearing On Dairy Water Permit

PIERRE (AP) — A state board decided Wednesday to hold a hearing in September to reconsider whether to grant a water permit to a proposed large dairy operation in southeastern South Dakota.

The Water Management Board last year granted a water permit to Hanson County Dairy, but opponents of the project appealed that decision in court. Circuit Judge Sean O’Brien overturned the board’s decision in April, ruling that the board did not adequately consider whether the underground aquifer in the area could supply the amount of water to be used by the dairy.

The proposed 7,000-head dairy,

which would be located two miles northeast of Fulton, would use an estimated 720,000 gallons of water a day.

The board decided not to appeal the circuit judge’s decision to the South Dakota Supreme Court, but instead will hold a new hearing on the permit September 18 and 19.

South Dakota Assistant Attorney General Diane Best, representing the state’s Water Rights Program, said the judge sent the case back to the board to only consider whether water flowing into

the aquifer will compensate for the water pumped by the dairy.

But all parties in the case have agreed the hearing also will deal with the other factors legally required for issuing a water permit, she said. That means evidence can be presented on whether the dairy’s use of water would be a beneficial use, be in the public interest and not harm existing water rights held by others, Best said.

Lawyers for Hanson County Dairy and Concerned Citizens of Hanson County, a group of residents who oppose the project,

agreed to the date and terms of the new hearing, Best said.

The board’s attorney, Assistant Attorney General Jeff Hallem, said the dairy permit is the only issue scheduled to be handled in the September board hearing.

In his April decision, Judge O’Brien said the board had failed to adequately consider evidence under a state law that requires an analysis of whether the amount of water drawn from an underground source will exceed the amount of water flowing into the source.

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November 19

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