

Several S.D. Cities Pass 100-Degree Mark

SIoux FALLS (AP) — If you happen to feel extra hot and gross in South Dakota, there's a reason: Several cities are creeping past 100 degrees in recent days.

The *Argus Leader* reports that Sioux Falls on Monday reached 100 degrees for the second time this year, a first since 2002. KELO reports that Mitchell hit 103 degrees; Pierre, 104, and Winner, 106.

KDLT reports that even northern South Dakota was exceptionally hot, with Aberdeen and Sisseton at 93.

The National Weather Service says that parts of the state are expected to see some storms in the middle of the week, but the triple-digit temperatures are likely to return by week's end.

Neb. Man Sentenced For Killing Girlfriend

DAKOTA CITY, Neb. (AP) — A South Sioux City man will spend up to 16 years in prison for killing his girlfriend, whose body was found stuffed in a window seat of their home.

The *Sioux City Journal* in Iowa says 54-year-old John Baker was sentenced on Monday to 11 to 16 years in prison for manslaughter and concealing the death of another person. He pleaded guilty in May in Dakota County District Court.

Baker was charged in the death of 47-year-old Kelly Alspach in October 2011.

Baker was later arrested in North Dakota. He was originally charged with second-degree murder but pleaded no contest to the lesser charges.

Man Accused Of Luring Victims With Facebook

SIoux FALLS (AP) — A 21-year-old Sioux Falls man could face up to life in prison if convicted of charges that he set up a sexual liaison with 12- and 13-year-old girls.

Donald George East was indicted by a Minnehaha County grand jury last week on several charges, including one count of first-degree rape, two counts of second-degree rape and one count of fourth-degree rape.

The *Argus Leader* reports that the girls sneaked out of the house July 2 to meet East after he befriended them on Facebook. East is accused of giving the girls alcohol and having sex with them.

The first-degree rape charge carries a maximum sentence of life in prison. The punishment for the other charges range from 15 to 50 years behind bars.

Thune Vice President Rumors Resurface

SIoux FALLS (AP) — The "John Thune for vice president" rumor mill is at it again.

The *Hill* reported Monday that Thune has "reemerged" as a viable VP candidate for Mitt Romney, quoting the South Dakota Republican as saying he met with Romney's senior advisers in Boston.

But the meeting was months ago, and Thune told the congressional newspaper that although he met with Beth Myers, who is leading the VP search, it wasn't "about what you think it's about."

That hasn't stopped the story from trending its way onto numerous news websites — including one on *New York Magazine's* site headlined "The Possibly Unbearable Handsomeness of a Romney-Thune Ticket."

Thune stopped short of saying whether he's being vetted, but he had said he was not interested in being Romney's running mate.

Inmate Missing From Pierre Prison Facility

PIERRE (AP) — Police are searching for a 25-year-old inmate who walked away from a minimum-security prison in Pierre.

William Vandervier failed to return to the Rapid City Minimum Unit on Monday afternoon. State officials say he had been searching for a work-release job.

Vandervier was sentenced in March 2011 to four years in prison for possession of marijuana. People with information are asked to call law enforcement.

Man Pleads Not Guilty In Stabbing Death

RAPID CITY (AP) — A 30-year-old man has pleaded not guilty to charges he stabbed his former girlfriend to death in a Walmart parking lot.

Michael Young entered the plea Monday to charges of first-degree murder, fetal homicide, felony violation of a protection order and stalking for the deaths of 30-year-old Morgan Myers Goodhart and her unborn child.

The *Rapid City Journal* reports that Young was tracked to a nearby motel after the April 26 stabbing, where he was discovered bleeding from self-inflicted stab wounds inside a restroom. KEVN reports that Young was hospitalized until June.

The Pennington County State's Attorney's Office has not yet decided whether to seek the death penalty for Young. If convicted of either first-degree murder or fetal homicide, he would face mandatory life imprisonment.

Human Remains Found In Western Nebraska

CHADRON, Neb. (AP) — Authorities are investigating the discovery of human remains in Dawes County in western Nebraska.

County Attorney Vance Haug says a rancher found the remains on his property Monday morning while moving cattle near the South Dakota border and called law enforcement.

The sheriff's office and the Nebraska State Patrol are collecting evidence at the scene.

Haug, who also serves as county coroner, has ordered a forensic examination to determine a positive identification and cause of death.

No other details were immediately released.

Budget

S.D. Ends Year In The Black

Fiscal Year Closes With State Enjoying A \$47.8M Surplus

BY CHET BROKAW
Associated Press



Daugaard

PIERRE — South Dakota's state government ended the last budget year with a \$47.8 million surplus after tax collections exceeded expectations and state agencies spent less than they were authorized to spend.

Gov. Dennis Daugaard said revenue for the year that ended June 30 was \$24 million higher than the South Dakota Legislature projected in March, when lawmakers adjusted the budget. State agencies also spent \$13.8 million less than the budget authorized them to use. In addition, the Legislature intentionally left \$10 million unspent to replenish state reserve funds that were used to deal with last year's flooding along the Missouri River and the mountain pine beetle infestation in the Black Hills.

That means revenues exceeded expenses by \$47.8 million for the year, Daugaard said. That money has been transferred to the budget reserve fund as required by law, he said.

"We continue to meet the goal of balancing the budget in a conservative manner without raising taxes," Daugaard said in a written statement.

The governor said he is pleased that South Dakota's economy is strengthening faster than projected. The improved economy and growth in tax revenue means the state can continue to increase spending in important areas such as education, public safety and Medicaid, the state-federal program that cover health care costs for low-income people, he said.

Daugaard said sales tax collections, the

state's largest revenue source, continued to grow in recent months, as South Dakota's economy expanded even in the midst of global economic uncertainty. The state collected \$744.4 million in sales tax for the year, up 4.8 percent or \$34.2 million from the previous year.

Bank franchise tax revenue grew by \$25 million for the year, and the contractor's excise tax brought in \$17.3 million more than a year earlier. Video lottery, the only major revenue source to decline, was down \$7.9 million.

Daugaard said total state general fund receipts were \$1.28 billion for the year.

With the transfer of \$47.8 million, the budget reserve fund now holds nearly \$71.1 million, Daugaard said. Another reserve account, the Property Tax Reduction Fund, has a balance of \$63.6 million, giving state government total reserves of \$134.7 million in the two funds.

Inmates Backed By DOJ In Ceremonial Tobacco Lawsuit

BY DIRK LAMMERS
Associated Press

SIoux FALLS — The U.S. Department of Justice is supporting Native American inmates in their lawsuit challenging South Dakota's ban on tobacco in religious ceremonies.

Inmates Blaine Brings Plenty and Clayton Creek in their 2009 federal lawsuit against the South Dakota Department of Corrections contend that a prison policy that bans the use of tobacco during religious ceremonies is discriminatory. The state said ceremonial tobacco inside the state penitentiary was becoming increasingly abused, and the policy is not overly restrictive because it allows other botanicals such as red willow bark to be burned.

The Justice Department, in a brief filed late Friday, said the state's position runs contrary to the Religious Land Use and Institutionalized Persons Act and U.S. Supreme Court precedent.

"The court should decline this invitation to determine the importance of tobacco use to practitioners of Native American religions," the Justice Department attorneys wrote. "Accordingly, the court should also reject defendants' argument that they have not placed a substantial burden on plaintiffs' religious exercise."

The South Dakota prison system went tobacco-free in 2000 but made an exception for tobacco used in Native American ceremonies. But officials in October 2009 eliminated that exemption,

saying tobacco was being sold or bartered and inmates had been caught separating it from their pipe mixtures and prayer ties.

Members of prison-based Native American Council of Tribes sued, arguing that for Native American prayer to be effective, it must be embodied in tobacco and offered within a ceremonial framework.

Brings Plenty and Moore in their suit said the policy change violates their U.S. Constitutional rights ensuring that no prisoner be penalized or discriminated against solely on their religious beliefs or practices.

Their attorney, Pamela Bollweg, argued before U.S. District Judge Karen Schreier in March that prison officials have to show there's a compelling interest in limiting access, and even if there is a compelling interest they have to use the least restrictive alternative.

James Moore, the attorney representing prison officials, argued that South Dakota's policy change followed more than 10 years of conversations with tribal elders and traditional healers, some of whom perform pipe ceremonies without tobacco. He said prison officials stopped short of banning the use of pipes.

Moore did not immediately return a phone call Monday seeking comment on the Justice Department's intervention.

Other states, including Nevada and New Mexico, have prison smoking bans but allow Native Americans to use tobacco during religious ceremonies.

S.D. Lawmakers Weigh Pros, Cons Of Oil Development

BUFFALO (AP) — Oil development in northwestern South Dakota has prompted lawmakers from North Dakota to issue a warning: Brace yourselves.

"If it happens down here, you're going to have to educate everyone about its impact," Republican North Dakota state Sen. Bill Bowman told lawmakers gathered in Buffalo on Monday for an Oil and Gas Study Committee meeting.

Lawmakers from both states weighed concerns surrounding oil development in Harding County, the biggest-producing county in South Dakota's humble oil patch. About 50 residents — many of them ranchers — attended the meeting, which included tours of drilling and reclamation sites.

Though South Dakota has had oil drilling for more than 50 years, its production has been a fraction of North Dakota's, producing about 1.6 million barrels of oil a year for the past several years. North Dakota, the country's second-leading oil producer, exceeds that production in less than three days.

"The positive side for our state is that we've generated an awful lot of wealth," Bowman said.

But it's also brought plenty of problems, he said. The oil boom has created traffic, housing and infrastructure headaches. Bowman said the production overall has been a burden on the state.

As advanced drilling techniques learned in the Bakken Formation travel south, lawmakers say production in South Dakota could expand. The potential is still unclear, but South Dakota state Rep. Roger Solum said state officials want to be prepared.

"We're looking at the potential for problems," he said. "We want to address those before this starts."

Rancher Ray Gilbert, who lives south of Buffalo, has 21 natural gas wells on his land. He's worried the drilling industry isn't stable and contends bond amounts for all drillers should be higher.



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