

S.D. Official: ‘New Era’ In School Accountability

PIERRE (AP) — South Dakota Education Secretary Melody Schopp says the state’s waiver from key provisions of the federal No Child Left Behind law “marks a new era in accountability for South Dakota schools.”

South Dakota is among five additional states being freed from the 2002 law’s requirements in exchange for developing their own accountability plans. Schopp says South Dakota’s plan “encompasses multiple measures that indicate how well a school is performing.”

They include student achievement, academic growth, attendance, teacher and principal effectiveness, school climate, and college and career readiness.

Schopp says components of the plan will be phased in over time, with full implementation during the 2014-15 school year.

Missouri River Flooding Delays Flood Study

FREMONT, Neb. (AP) — Last year’s flooding along the Missouri River has delayed a flood control study for Fremont.

The *Fremont Tribune* says the U.S. Army Corps of Engineers initially thought the delay would be about six months. Now, officials say it’s closer to a year.

Mark Nelson is the corps’ project manager of the dike project, which is intended to take Fremont, Ingewood and parts of Dodge County out of the Platte River flood plain.

Nelson says the impact of last year’s flooding was “enormous” and the Fremont project isn’t the only study that was delayed. He says the corps will be busy with planning and study matters into 2013, but anticipates a public meeting on the Fremont project in December.

Officials Still Checking Teacher Bill Referral

PIERRE (AP) — South Dakota election officials expect to determine early next week whether enough valid petition signatures have been submitted to refer Gov. Dennis Daugaard’s controversial education plan to a public vote.

Opponents two weeks ago submitted about 30,000 signatures, nearly double the number needed to refer the measure passed by this year’s Legislature to a vote in the November election.

Secretary of State Jason Gant says his office expects to finish checking signatures by Monday or Tuesday. If 15,885 valid signatures were submitted, the law will be suspended pending the outcome of the fall election.

The measure would give bonuses to top teachers, phase out teacher tenure and recruit new teachers into critical subjects.

Daugaard says the measure will improve student achievement. Opponents say it would hurt the quality of education.

Xcel Energy Requests Electricity Rate Increase

SIOUX FALLS (AP) — Xcel Energy is asking the South Dakota Public Utilities Commission to approve an 11.5 percent electricity rate increase.

The company says the rate hike is needed to provide reliable and cost-effective service, support Sioux Falls’ future growth and invest in its Monticello and Prairie Island nuclear plants.

The utility asked to recover the costs of investments through a rate increase of approximately 11.5 percent, or a total revenue increase of about \$19.4 million.

Xcel says typical residential electricity customers would see their monthly bills go up by about \$10.

Laura McCarten, regional vice president of Xcel’s Northern States Power Co.-Minnesota, says the company invested about \$8 million in 2011 directly in South Dakota on projects. It has also invested in nuclear and other power plants that serve the state.

S.D. Forest Fire Now 60 Percent Contained

RAPID CITY (AP) — A forest fire in South Dakota’s Black Hills southwest of Rapid City is now 60 percent contained, and evacuation warnings have been lifted for 18 homes and structures in the area.

Sheridan Lake Road also has been reopened to traffic.

The Dakota Fire has burned about 330 acres near Sheridan Lake. Officials say the more than 200 firefighters battling the blaze made significant gains the past few days.

Most of Sheridan Lake is now open to boating, but the lake’s east arm remains off-limits.

Tulsa Group Approves Keystone XL Segment

TULSA, Okla. (AP) — The U.S. Army Corps of Engineers in Tulsa has approved a segment of TransCanada’s Keystone XL pipeline planned to run from Cushing to Texas.

Ross Adkins, chief of public affairs for the Tulsa district, confirmed the decision Friday. If the overall project is approved by the president, the pipeline would eventually transport tar sands oil from western Canada down to refineries along the Texas Gulf Coast.

The Obama administration shelved the project earlier this year, explaining that officials needed more time to study alternate routes that would bypass certain environmentally sensitive areas in Nebraska.

The pipeline has drawn opposition from environmental groups like the Sierra Club, which says the 1,700-mile line is a natural disaster waiting to happen if a section were to leak and threaten the drinking water supply.

New South Dakota Laws Taking Effect

BY CHET BROKAW

Associated Press

PIERRE — New state laws taking effect Sunday will require South Dakota residents to pay slightly more on their phone bills to support the 911 emergency network, allow players to place higher bets in Deadwood casinos and change the way the state assesses school performance.

Most laws passed by this year’s South Dakota Legislature take effect July 1, the start of state government’s fiscal year.

Jim Fry, director of the Legislative Research Council, said lawmakers introduced 471 bills this year and 256 were passed by both the House and Senate. Gov. Dennis Daugaard vetoed three, so 253 were signed into law.

One of the most controversial measures passed by the Legislature, the governor’s plan to give bonuses to top teachers, is likely to be suspended and referred to a statewide public vote. Secretary of State Jason Gant said his office expects to complete checking petition signatures submitted by opponents of the law on Monday or Tuesday. If enough valid signatures were submitted to put the measure on the November ballot, the law will be suspended pending the outcome of the public vote.

That law would give bonuses to top teachers, establish college scholarships to recruit new teachers into critical subjects, give bonuses to math and science teachers, and phase out tenure for teachers who are not already tenured by 2016.

The majority of new laws will have little or no noticeable effect on most people.

However, nearly all South Dakota resi-

dents will be affected by a new law that increases the 911 surcharge on monthly bills for cellphones and landlines from the current 75 cents a month to \$1.25. A 2 percent surcharge will be added to all prepaid cellphone service.

Ted Ruffelt Jr., chair of the State 911 Coordination Board, said the surcharge has not been changed since it was imposed in 1989. The additional revenue will be used to support the 911 centers and to update the system, he said.

“That’s 23 years without a funding increase in an industry that has changed almost beyond recognition in that time,” Ruffelt said.

He said the most of the existing system is based on technology from the 1970s, which means people with modern smart phones cannot send text messages or photos or videos of crime scenes or suspects to 911 dispatch centers.

Another new law raises the current \$100 bet limit in Deadwood casinos to \$1,000. Supporters said the higher bet limit could help casinos recover from a drop in revenue attributed in part to a ban on smoking in casinos imposed nearly two years ago.

The state Education Department will begin using a new accountability method that replaces the requirements set in the federal school improvement law known as No Child Left Behind. The new law would measure public school achievement using indicators that include student growth and their readiness to attend college or enter the workforce.

Sunday also marks the day the new \$4 billion state budget takes effect. The spending plan begins to replace money cut last year for school districts and medical services for

poor people. It also gives state employees a 3 percent across-the-board pay raise, their first salary increase in three years.

Also taking effect are a number of financial incentives the governor proposed to recruit doctors and other health professionals to rural areas and to train people to fill shortages in technical jobs.

Another law repeals a tax rebate program for low-income households and reallocates the money to a different system to help people buy food. Roughly \$838,000 left in the tax refund program would be used to give grants to organizations that distribute food to the needy.

At the suggestion of Attorney General Marty Jackley, lawmakers also passed a law aimed at preventing death-row inmates from filing repeated appeals in an effort to delay their executions. After people convicted of serious crimes have completed their direct appeals, they would be limited to one secondary appeal in most cases.

South Dakota counties will be able to choose cremation instead of burial when indigent people die. Counties pay funeral and burial expenses when a destitute person dies and no one else is available to pay the costs. If no next of kin is available to decide if a destitute person is cremated or buried, county commissioners could decide. In cases involving Native Americans, that person’s tribe could decide.

Military veterans will be able to get state drivers’ licenses that identify them as veterans. Including that designation on drivers’ licenses will help veterans verify their status when dealing with various programs, said Steve Harding, deputy secretary of the state Department of Veterans Affairs.

Neb. Senate Race Shifts To Focus On Health Care

BY MARGERY A. BECK

Associated Press

OMAHA, Neb. — The U.S. Supreme Court’s decision upholding the vast majority of the federal health care overhaul law has prompted a shift in the U.S. Senate race that, until now, has mostly seen Deb Fischer and Bob Kerrey sniping over Kerrey’s 10-year residency in New York and Fischer’s cut-rate grazing fees on federal land.

“This is an important issue, and it has sharpened the focus of this race,” Fischer, a Republican, said the day after the landmark decision. “I’ve never shied away from saying I want to repeal Obamacare, and he’s never shied away from supporting it.”

Nowhere does the federal health care law stir more controversy than in Nebraska, where outgoing Democratic Sen. Ben Nelson provided the final vote needed in 2009 to advance it to the full Senate, where it eventually passed. Republicans accused Nelson of trading his vote for a deal that would have given Nebraska federal funding for Medicaid expansion, an agreement opponents dubbed the “Cornhusker Kickback.” The proposal was removed before the bill’s final passage.

Kerrey, a Democrat, supports the overhaul but wants to make changes to it — and he said he’s willing to work with Republicans on that, as well as solving the nation’s budget crisis.

“We’re going to have to find common cause between Republicans and Democrats in order to

solve the problem, because otherwise all we’ve solved is maybe the problem of getting elected,” Kerrey said. “But we haven’t really addressed the challenges of having a budget that contains way less revenue than expenditures on the table.”

Kerrey said he’s particularly interested in a proposal by Republican Sen. Lamar Alexander of Tennessee that would see the federal government and state “swap” responsibilities for Medicaid and public schools. Under the plan, the federal government would take full responsibility for Medicaid, a federal-state program for poor and disabled people, while states would take full responsibility for public schools.

Kerrey also sees an urgent need for Nebraska to set up a health insurance exchange as required by the federal law. States have until Nov. 16 to tell the federal government how they plan to run an exchange, which would allow people and small businesses to comparison shop online for insurance starting in 2014.

Fischer, on the other hand, called the law “an attempted government takeover of our health care system that is burdening American families and small businesses with crushing taxes and regulations.”

Like other Republicans, Fischer seized on a portion of the Supreme Court’s majority opinion that said the law’s requirement that people

buy health insurance is constitutional because it is based on Congress’ power to impose a tax.

“So the mandate has been renamed to what it actually is. It’s a tax,” she said.

Fischer proposes allowing health insurance be sold across state lines to expand options and restricting malpractice awards to restrain health care costs.

The Supreme Court’s ruling was the catalyst in getting the two candidates redirect their attention to weighty issues six weeks after the primary, said Paul Landow, a political science professor at the University of Nebraska at Omaha.

“Clearly, we weren’t quite there yet,” Landow said. “We were still talking about being from New York and about being a welfare rancher. That said, the race ultimately would have gelled into discussion of substantive issues, because that’s what people want to hear.”

Fischer’s supporters have dubbed Kerrey — a former Nebraska governor and senator — a carpetbagger, because he lived in New York for more than a decade and moved back to Nebraska only after deciding to run for its open Senate seat. Kerrey supporters say it’s hypocritical of Fischer, a rancher, to call for slashing government spending while taking advantage of a federal grazing program estimated by the U.S. Government Accountability Office to cost taxpayers about \$140 million a year.

Both candidates will welcome the shift, Landow said, because Kerrey won’t have to talk about his residency and Fischer can focus less on defending her family business.

“Now, because of the health care ruling, the race is going to go to substance much more quickly,” he predicted.

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