

MIDWEST DIGEST

Committee Agrees On Homestake Funding

PIERRE (AP) — The committee writing South Dakota's state budget has agreed to set aside \$5.4 million to support the underground science laboratory at the former Homestake mine in the Black Hills.

A special spending bill for the lab failed in the House a couple of weeks ago.

The Joint Appropriations Committee decided Friday to add the lab funding to the state's general budget bill. The committee approved language transferring \$5.4 million from five special funds to operate the lab for an extra six months until the National Science Foundation takes over and runs it as a national physics lab next year.

The committee delayed consideration of other proposed changes to the budget until more is known about whether the state will get some additional federal aid.

Group: Maternal Care Needed In Neb., S.D.

By The Associated Press

The human rights group Amnesty International USA says unequal and inadequate access to maternal care allows two to three women to die each day while giving birth in the United States.

Federal statistics say there are 6.2 deaths per 100,000 live births in South Dakota. That's far above the federal goal of 4.3 per 100,000 live births.

And the group says the problem is acute in Nebraska, where federal statistics say there are 12.6 deaths per 100,000 live births. That's far above the federal goal of 4.3 per 100,000 live births.

The group says many of the deaths could have been prevented had adequate maternal or other care been obtained.

But there are obstacles: The group says that in South Dakota, more than 13 percent of women are uninsured and 47 percent live in medically underserved areas.

In Nebraska, 1 in 8 women are uninsured and 31 percent live in medically underserved areas.

Amnesty International says the pending health care overhaul fails to address what the group says is a "crisis in maternal health care."

Trial Delayed For Tribal Councilman

RAPID CITY (AP) — Trial has been delayed for a Rosebud Sioux tribal councilman facing sex crimes.

Fifty-year-old Michael Valandra was to go on trial this week after pleading not guilty earlier to attempted sexual contact and soliciting a minor.

Pennington County Deputy State's Attorney Tracey Decker says there were problems getting witnesses to the trial, so she dropped the charges against Valandra but plans to refile them. She says she expects to do that by the end of the month.

More Charges Asked For Ellsworth Airman

ELLSWORTH AIR FORCE BASE (AP) — Additional military charges have been recommended for an Ellsworth Air Force Base airman facing court-martial in an off-base shooting.

A Friday statement from the base says Vinicus Santana is also suspected of aggravated assault with a loaded firearm, drunk and disorderly conduct, conspiracy to distribute controlled substances, possession of a controlled substance, communicating a threat, aggravated sexual assault and forcible sodomy.

Santana is already facing a military charge of attempted murder in a Sept. 5 shooting at a Rapid City apartment complex. He allegedly wounded another Ellsworth airman.

The base says the new charges came to light during the shooting investigation, but are not directly related.

A court-martial hearing is set for April 20.

'Person Of Interest' In Huron Case Kills Self

HURON (AP) — Authorities say a Huron man shot and killed himself during the course of a police investigation.

Attorney General Marty Jackley says Robert Sherwood shot himself late Thursday afternoon and died later at a Huron hospital.

Jackley says Sherwood was considered a person of interest in a police investigation. No other information was released.

Sherwood had a medical practice in Huron. He specialized in pediatrics.

Former Aberdeen Shelter Workers Accused

ABERDEEN — Two former employees at an Aberdeen crisis shelter that serves seven counties are accused of stealing at least \$5,000 over a period of two years.

A federal grand jury has indicted former Safe Harbor director Shirrelle Stadel and former office manager Christie Mack for embezzlement.

Forty-eight-year-old Mack did not immediately return a telephone call seeking comment. A telephone listing for 40-year-old Stadel was disconnected. The women are due back in court on Monday.

The investigation has been ongoing since last summer. The shelter has since hired a new director and office manager.

Neb. Lawmakers Back River Task Force

LINCOLN, Neb. (AP) — Nebraska lawmakers want a task force to recommend ways the Republican River basin can avoid water-shortage problems.

On Friday, they gave first-round approval to a bill (LB1057) that would create a 22-member task force mainly made up of people in the basin and appointed by the governor. The task force would cease its work in mid-2012.

The group would define water sustainability for the basin, recommend ways to achieve it and recommend a plan to avoid water-short years.

A water-short year is defined as when Harlan County Lake is less than about a third full.

Policymakers and water officials have been trying to find ways to meet Nebraska's obligations under a water compact that includes Kansas and Colorado and guides use of the Republican.

S.D. LEGISLATURE

School Funding Increases Rejected

BY WAYNE ORTMAN
Associated Press Writer

PIERRE — Lawmakers made it clear there won't be any increase in state funding for education next fiscal year in a move that proponents said is difficult but necessary because of budget problems.

Opponents countered in the House and Senate on Friday that the Legislature shouldn't back away from its commitment to a state funding formula that increases funding annually by 3 percent or the rate of inflation, whichever is less.

Under that scenario, the funding increase for education would be 1.2 percent next year, or about \$4 million.

When schools tell the state

they need more money, the response is, "We have a formula," said Rep. Bill Van Gerpen, R-Tyndall.

Now legislators are ignoring the formula at the same time schools are expected to raise test scores, meet standards of No Child Left Behind, and produce winning sports teams, he said.

"This is the biggest shortcoming of the session," said House Democratic leader Bernie Hunhoff, of Yankton.

He urged the Joint Appropriations Committee to find money for the 1.2 percent increase as they develop an overall state budget yet to be voted



Hunhoff



Van Gerpen

on by lawmakers. The governor has proposed using \$32 million in reserves to balance the budget for the year beginning July 1.

Republicans, who control the House and Senate, have proposed more than \$50 million in spending cuts and other actions to save reserve funds which they say may be needed in following years.

House Majority Leader Bob Faehn, R-Watertown, said the dim outlook on state revenue offers no choice but to keep education funding the same.

"Nobody likes this," he said. "We're not having fun here."

Democrat Sandy Jerstad said education should receive the same consideration that corporations received in a compromise to reduce tax refunds given for large construction projects.

"We have got to cut a deal with education. ... When you put them at zero percent the ramifications will go on beyond one year," she said, noting that it might force underpaid teachers to leave the state.

Sen. Bob Gray, R-Pierre, said it's disappointing that education would not get an increase, but he pointed out that state employees also are going without a raise.

Keeping funding at the same level should be viewed in the context that many parts of state government will see budget cuts, said Sen. Larry Rhoden, R-Union Center.

Judge: CSI Chief May Explain Evidence At Trial

PLATTSMOUTH, Neb. (AP) — A judge cleared the way Friday for Douglas County's top crime scene investigator to try to explain flawed blood evidence in a 2006 murder case when his tampering trial begins next week.

Cass County District Judge Randall Rehmeier also gave prosecutors permission to use evidence from a 2003 case against David Kofeod, who was acquitted last year on federal tampering charges.

Kofeod is accused of tampering with evidence in a 2006 Cass County case in which two men were wrongly charged in a double murder. Special prosecutor

Clarence Mock will be able to use evidence from the 2003 case where DNA found by Kofeod helped convict Ivan Henk of murdering his 4-year-old son, Brendan Gonzalez.

Kofeod's lawyer Steve Lefler has said he believes cross-contamination may explain why his client found blood linking Nicholas Sampson and Matthew Livers to the 2006 murders of Wayne and Sharon Stock of rural Murdock. Sampson and Livers were cleared after spending months in jail, but Lefler might try to suggest they played some role in the crime to clear Kofeod.

"I'm not in a position to tell a defendant he can't put on a defense," Rehmeier said when he gave Lefler permission to pursue the theory.

Though Lefler said he was fairly pleased with the judge's rulings, he also said the prosecution could inhibit other investigations because officers might fear being accused of misconduct.

"Every police officer is handcuffed to some degree and they can't do their job because they have this hanging over their head," Lefler said.

Mock said being allowed to use the Henk evidence should help his case, because Kofeod's behavior in the Henk and Stock

cases were strikingly similar.

Henk, who confessed to killing his son and dumping the body in a trash bin, is serving a life sentence for the slaying. The boy's body never has been found, but after Henk confessed, Kofeod reported finding traces of Brendan's blood inside the bin. A judge refused to overturn Henk's conviction last fall because he confessed and the blood evidence didn't play a critical role in the case.

Mock said experts have testified in the case that it would be highly unlikely for a full DNA sample from Henk's son to be found in a trash bin six months after he was killed.



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