

## Central Nebraska Farmers Warned About Tornado Debris

NORTH PLATTE, Neb. (AP) — Livestock producers are being warned to watch out for plastic, insulation and other debris in pastures and in feed from Sunday night's tornado that hit North Platte. Randy Saner is the extension agent for Lincoln and McPherson counties with the University of Nebraska. He says insulation and plastic are apparently spread across a wide area and can cause problems if eaten by cattle, sheep or goats. Saner says fiberglass isn't toxic, but it can block the digestive system. Saner recommends picking up insulation and plastic found in fields and discarding hay and other feed heavily contaminated with tornado debris. An EF3 tornado, with winds up to 165 mph, hit North Platte, injuring four people, damaging homes and vehicles and derailling railroad cars.

## Lawmakers Uphold Veto Of Digital Billboards

PIERRE (AP) — The South Dakota Legislature has upheld Gov. Dennis Daugaard's veto of a bill that would have prohibited cities from banning digital billboards. The Senate voted to pass the law over the governor's objections, but the House fell four votes short of the two-thirds majority needed to override Daugaard's veto. That means Daugaard has successfully blocked the law from taking effect. Rapid City voters last year passed an initiated ordinance that banned new digital billboards. In his veto message, the governor said the Legislature should not pass a new law while a lawsuit is pending over the Rapid City ordinance. Opponents of the legislative proposal urged that lawmakers uphold the governor's veto because the measure would have interfered with local control of billboards.

## Columbus Man Pleads Guilty In Stabbing Death

COLUMBUS, Neb. (AP) — A Columbus man has pleaded guilty to second-degree murder in the stabbing death of another man in a motel parking lot. Twenty-one-year-old Ozzy Tilden was charged with first-degree murder in the death of 36-year-old Jerry Garcia during a fight in the parking lot of the Sundown Motel in Columbus last October. The *Columbus Telegram* says Tilden pleaded guilty last Friday in Platte County District Court. Prosecutors agreed to dismiss a weapons charge. Tilden will be sentenced April 20. He faces 20 years to life in prison.

## S.D. Court Hears Costner Art Appeal

VERMILLION (AP) — A lawyer for actor Kevin Costner has asked the South Dakota Supreme Court to affirm a ruling that he did not breach a contract with an artist whom he commissioned to produce a bronze sculpture of bison and American Indians. The Hollywood superstar paid Peggy Detmers \$300,000 to make the sculpture in the 1990s for a resort he planned in South Dakota's Black Hills. The resort was never built and he instead placed the sculpture at his Tatanka attraction near Deadwood. A lower court judge ruled last summer that this alternative placement did not constitute a breach of contract. Costner's lawyer, Kyle Wiese, on Monday asked the Supreme Court justices to affirm that decision. Costner filmed much of his Academy-Award-winning movie "Dances with Wolves" in South Dakota.

## McGovern Grandson Running For State PUC

SIOUX FALLS (AP) — The grandson of former South Dakota senator and Democratic presidential candidate George McGovern says he will seek the Democratic Party's endorsement to run for a seat on the South Dakota Public Utilities Commission. Sioux Falls attorney Matt McGovern says he will be an "independent voice" and will not accept campaign contributions from lobbyists or the utilities the PUC regulates. McGovern is challenging Kristie Fiegen. She was appointed to the PUC to fill a vacancy last August. McGovern in 2009 was mentioned as a possible U.S. Senate candidate but said at the time he was focused on his work with a nonpartisan group promoting sustainable energy initiatives.

## Bill Would Increase State Contract Scrutiny

LINCOLN, Neb. (AP) — Nebraska state agencies that want to award contracts worth more than \$15 million to private providers would have to submit their proposals to stricter state scrutiny under a measure that won first-round legislative approval Monday. The bill by Sen. Bill Avery of Lincoln was inspired by oversight problems with Nebraska's child welfare privatization effort, which has led to ballooning costs and prompted four of five private agencies to back out of their child welfare contracts. Nebraska has reclaimed case management duties for children statewide, except in two Omaha-area counties, since the privatization move began in 2009. "I believe there was conviction and genuine belief in the efficacy of privatization," Avery said. "I don't believe anybody was prepared for the outcome that we've witnessed since we actually started the privatization process."

## S.D. Supreme Court

# Appeal In '75 AIM Killing Heard

BY DIRK LAMMERS  
Associated Press

VERMILLION — A Canadian man convicted in the 1975 killing of a fellow American Indian Movement activist says the government should not have been allowed to move his case from federal to state court after his extradition to the U.S. John Murphy, attorney for John Graham, told the South Dakota Supreme Court on Monday that he didn't have sufficient time before trial to question the court's decision to allow Graham's case to be moved. Graham, a member of the Southern Tutchone tribe in Canada's Yukon territory, was convicted in December 2010 of taking part in the killing of Annie Mae Aquash. Murphy said that during Graham's trial, the judge told Graham that he had no standing to challenge his presence in state court, saying, "it doesn't matter how you got here. Now that you're here, this case can proceed." Prosecutors say Graham and two other AIM activists, Arlo Looking Cloud and Theda Clarke, killed Aquash because they suspected she was a government informant. Aquash was a member of the Mi'kmaq tribe of Nova Scotia. Federal agents investigated the case for



Aquash

years. Clark, who was never charged, died in October. Graham was arrested in December 2003 in Vancouver, British Columbia, on federal charges in Aquash's killing. But two courts ruled that the U.S. government lacked jurisdiction to try Graham because he is not American Indian, and the case was eventually moved to state court. Graham was acquitted of premeditated murder but convicted of felony murder and sentenced to life in prison without parole. Murphy said that since the trial, he has obtained a photocopy of a waiver of speciality filed with the extradition paperwork that he says raises more questions than it answers.

"We know nothing of how this got into South Dakota courts," he said. South Dakota Attorney General Marty Jackley said Monday that any extradition issues were ruled on by the Canadian government and are not relevant in the appeal. He said the shift from a federal murder charge to a state murder charge was justified. "It's the same offense. It's the same facts," he said. Murphy also contends that several witness statements should not have been allowed at the trial, including those made by Looking Cloud about an alleged 2002 conversation between Looking Cloud and Aquash's daughter, Denise Maloney, in which Looking Cloud said Graham shot Aquash with Looking Cloud and Clarke present. "Looking Cloud's statement in 2002 is inconsistent with his trial testimony and with every other statement he gave," Murphy said. Murphy also questioned the inclusion of a conversation between an AIM member and Leonard Peltier — who is serving a life sentence after being convicted in 1977 of shooting two FBI agents — in which Peltier accused Aquash

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## AIM Activist Means To Speak About Wounded Knee At Augustana

BY KRISTI EATON  
Associated Press

SIOUX FALLS — Former American Indian Movement activist Russell Means, who led the 1973 armed uprising at Wounded Knee, will speak at a conference recognizing the upcoming 40th anniversary of the takeover, event organizers announced Monday. Means will give a special address reflecting on Wounded Knee at the annual Dakota Conference at Augustana College's Center for Western Studies in Sioux Falls, which is slated for April 27-28. This year's conference theme is "Wounded Knee 1973: Forty Years Later." Mean's address is scheduled for April 27. "Mr. Means' ability to share first-hand details of the occupation, and his reflections 40 years later, will no doubt provide fascinating insight into one of the Northern Plains' most significant historical events," Harry Thompson, executive director of The Center for Western Studies, said in a statement. The Dakota Conference is bringing together several players from all sides of the uprising, including federal agents and prosecutors, activists and witnesses. The daughter of slain AIM activist Annie Mae Aquash also is slated to speak. Means was a prominent mem-

ber of AIM, which was founded in the late 1960s to protest the U.S. government's treatment of Native Americans and demand it honor treaties with Indian tribes. One of the group's most well-known events was the 71-day armed takeover of Wounded Knee to protest government corruption. Means' scheduled speech comes months after he announced his recovery from cancer. In August, Means said he had inoperable throat cancer and was forgoing mainstream medical treatments in favor of traditional American Indian remedies and alternative treatments in Arizona. He said in December that he had beaten the cancer. Artists from all over the country also have submitted work for a first-of-its-kind art show and exhibit dedicated to the 1890 Wounded Knee massacre and 1973 occupation ahead of the Dakota Conference. The artwork, which is on display at Augustana College through May 26, is meant to help foster understanding and build stronger relationships between Natives and non-Natives as the anniversary of the Wounded Knee takeover approaches, said Timothy Hoheisel, director of Outreach and Promotion at The Center for Western Studies.

## Decision 2012

# Kerrey Complains About Tone Of Residency Ruling

BY JOSH FUNK  
Associated Press

OMAHA, Neb. — Bob Kerrey agrees with a ruling affirming his right to run for his old job in the U.S. Senate, but he's taking issue with the way it was worded. The Democratic former senator and governor fired off a letter Monday accusing Republican Secretary of State John Gale of letting partisan politics affect the way he handled questions about Kerrey's Nebraska residency. Although Gale ultimately sided with Kerrey last week in issuing an opinion that lets him run in Nebraska, Kerrey complained that he framed the decision in a way to hurt his chances of winning. Kerrey, a former governor who lived in New York for the past decade, decided last month to return to the state and run following Democratic Sen. Ben Nelson's decision not to seek another term. "It is as if you wrote the statement for the expressed purpose of giving Karl Rove some language to use in one of his commercials against me," Kerrey wrote in a letter sent Monday. Gale issued the four-page opinion in response to a complaint filed by the Nebraska Republican Party that questioned

the legality of Kerrey's voter registration. Kerrey first listed his sister's Omaha home as his place of residency on Feb. 28, but changed it the next day to that of an Omaha friend and a campaign donor, where he is staying in a guest home. Gale said he was bothered by the addresses Kerrey used because he was staying at a downtown Omaha hotel when he registered to vote. "He may well reside there now, but the filing form says that he has to be residing there as of the time he filed the partisan candidate form. And we didn't find, under his voter registration form, that he had accomplished that as of Feb. 29," Gale said. "The fact that he bounced from one voter registration one day to another kind of reflected a cavalier attitude about the process." But Gale said the only requirements Kerrey must meet to appear on the ballot are the ones in the U.S. Constitution — that senators must be residents of the state they serve by the time they're elected. Deputy Secretary of State for Elections Neal Erickson said Monday that Gale stands by the ruling he issued last week and wouldn't comment on Kerrey's letter.

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