

Kearney Archway Attraction Files Bankruptcy

KEARNEY, Neb. (AP) — The Great Platte River Road Archway has filed for Chapter 11 bankruptcy protection so its finances can be reorganized.

Wednesday's filing in U.S. Bankruptcy Court in Omaha said the tourist attraction owes more than \$20 million to bondholders and other debtors. The filing will let the archway remain open and pay 10 staff members while the financial problems are addressed.

"We had a conversation with the bond managers about two months ago and told them we were at the end of the line," said Joel Johnson, who leads the archway foundation's board of directors.

The archway was built as habitable bridge of sorts, spanning Interstate 80 east of Kearney in south-central Nebraska. Its historical exhibits cover the Oregon, Mormon and California trails and also honor the nation's highway systems and railroads.

Johnson told the *Kearney Hub* that the attraction has been unable meet the inflated attendance projections that lured investors to pay \$60 million for bonds issued before construction.

Attendance was 223,013 in the archway's first year, 2000. More people went through the next year, 249,174, but the number has dropped since. The *Hub* said attendance was 49,960 last year.

"Last year was not a good year," Johnson said. "It was hot and dry and gasoline prices were high. When gas prices go up, attendance goes down, and that includes charter buses. That type of traffic is very volatile."

Officials have said the archway success has been limited awkward access for interstate travelers. A new Kearney interchange being built just east of the archway will ease the way for visitors and scheduled to open later this year.

In addition to ticket sales, archway revenue includes \$150,000 a year from the Kearney Visitors Bureau. The Visitors Bureau has already provided \$90,000 for 2013, said archway executive director Gary Rubicek.

Johnson said he and other foundation board members want the archway to stay open during the reorganization and operate indefinitely under a favorable bankruptcy settlement.

"I think we stand a chance this way," Johnson said.

Vietnam War Vet To Get New Purple Heart

RAPID CITY (AP) — A Vietnam War veteran living in South Dakota is set to get a replacement military medal after someone broke into his home and stole his Purple Heart.

Charlie Running Hawk, 66, of Rapid City, has been offered a replacement medal by members of South Dakota's Congressional delegation, *The Rapid City Journal* reported Thursday.

Running Hawk said he and his wife were away recently when their home was broken into and the suspect took his Purple Heart medal, \$80 in change and some prescription pills.

A representative from U.S. Sen. Tim Johnson's office said veterans can usually get lost or stolen medals replaced at least once. Joe Roberts, a staff assistant in the senator's Rapid City office, said he expects a replacement to arrive in three to six weeks.

The senator isn't the only person who came to Running Hawk's aid. Sandra Peterson of Sturgis offered a Purple Heart she was gifted two years ago as a symbolic replacement. While Running Hawk said he was particularly moved by Peterson's gesture, he politely declined the offer.

"It wouldn't be the same, but I thank that person and God bless her," he said. "That was very, very nice."

Like Running Hawk, Peterson's husband served in Vietnam.

"The military has sacrificed so much, it just touches me that these men are willing to take these risks," she said.

Panel Vote On Wind-Energy Bill Irks Heineman

LINCOLN, Neb. (AP) — A legislative committee has advanced a bill that would provide tax incentives for Nebraska wind farms, drawing the ire of Gov. Dave Heineman.

The renewable energy bill moved out of the Revenue Committee on Thursday with a 5-3 vote. In a statement after the vote, Heineman said the bill would extend "special interest tax breaks" to out-of-state companies.

Heineman said it was "very disappointing" that the committee advanced the wind-energy bill, and he criticized the committee for not focusing more on lowering taxes.

The bill would let certain renewable energy projects collect refunds on the sales taxes they pay, based on how much they invest and the level of ownership by Nebraska residents.

Sen. Galen Hadley of Kearney, the committee chairman, declined to comment.



Heineman

S.D. Legislature Creates Scholarship Programs

PIERRE (AP) — The South Dakota Legislature has created two new scholarship programs.

The Senate on Thursday voted unanimously to accept House changes to bills that will create the scholarships. The measures will become law if signed by Gov. Dennis Daugaard.

One measure will set up a program that will award scholarships based on students' financial needs. Sen. Tim Rave of Baltic says South Dakota until now has been the only state without a needs-based scholarship program.

The second bill creates a program that will award scholarships to college students who agree to teach in critically needed fields.

Each of the scholarship programs will get \$1.5 million in state money to help start the programs. Lawmakers say they expect the programs to grow in future years.

Canine Credited For Sniffing Out Marijuana

OMAHA, Neb. (AP) — Authorities in Omaha have confiscated about 50 pounds of marijuana following a traffic stop.

The Douglas County Sheriff's Office says the pot bust happened Wednesday afternoon on Interstate 80. A deputy stopped a Ford pickup truck driven by Nathan Holt, of Bend, Ore., for following too close.

The deputy became suspicious of illegal drugs in the vehicle and deployed a department canine.

A search of the truck's utility box on the pickup bed let to the confiscation. Authorities say the drugs have a street value of \$250,000.

The 30-year-old Holt was arrested and remains in custody. His charges include possession with intent to deliver marijuana.

Records do not list an attorney for Holt.

Neb. Man Sentenced For DUI Involving Child

WINNEBAGO, Neb. (AP) — A northern Nebraska man has been given probation for having a child passenger while driving under the influence.

U.S. Attorney Deborah Gilg announced Thursday that 24-year-old Joseph Snowball, of Winnebago, was sentenced to five years of probation. He also has been ordered to pay more than \$188,000 for injuries sustained by the people in his vehicle.

Prosecutors say Snowball was driving on the Winnebago Indian Reservation with four other passengers in May. He was intoxicated and did not have a driver's license.

Snowball lost control of the vehicle and it crashed into a tree. All the passengers suffered injuries, but they were not life-threatening.

Snowball received a felony conviction because one of his passengers was a 5-year-old child.

South Dakota Lawmakers Work To Pass New State Budget

BY CHET BROKAW
Associated Press

PIERRE — The South Dakota Legislature's budget-writing committee on Thursday began to put the finishing touches on next year's state budget, but the panel spent most of the day awaiting the outcome of other legislative action that could determine how much money is available to spend.

The Joint Appropriations Committee met for an hour and a half Thursday afternoon to approve some changes requested by Gov. Dennis Daugaard for the \$4.1 billion budget he has proposed for the fiscal year beginning July 1. The panel spent the rest of the day in recess as the House and Senate decided the fate of other bills that spent money that otherwise would be available for the operating budget.

The committee planned to meet early Friday to consider 58 other proposed changes, most of which were not expected to pass.

House Speaker Pro Tem Dean Wink said he hoped the committee could finish work on

the budget by midday so the House and Senate could pass the spending measure later Friday, the final day of the main run of this year's legislative session. Lawmakers return to the Capitol for a final day March 25, when they will consider any vetoes issued by the governor.

Wink, who was appointed as a temporary member of the Appropriations Committee to replace a lawmaker who is ill, said the panel had to delay work on the budget because other bills included spending that also has been proposed for the general budget.

"We just had to sort things out to make sure we didn't pass appropriations twice," said Wink, R-Howes, a former chairman of the House Appropriations Committee.

Daugaard's proposed budget would spend \$4.1 billion in state, federal and other funds. Lawmakers look most closely at the portion funded with more than \$1.3 billion in state general tax receipts.

The Republican governor proposed roughly 3 percent increases in spending on

schools and universities, as well as hospitals, nursing homes and other facilities that provide medical services to the poor under the Medicaid program. Some lawmakers have proposed extra money for education and medical facilities.

One change approved Thursday would spend \$650,000 to hire 13 people for a plan aimed at cutting prison costs by treating more nonviolent offenders through intensive probation, parole and other programs outside prison walls.

Jason Dilges, the governor's budget director, said most of the costs of the criminal justice reform measure were included in the governor's original budget proposal. But he said later changes in the plan required hiring more people, including four court service officers who will supervise offenders on probation.

The committee also cut nearly \$3 million in state funding because a wellness program for state employees will be delayed at least a year.

Voter ID Debate Rages In Neb. Committee Hearing

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — Opponents of a voter identification bill threatened a lawsuit Thursday if Nebraska lawmakers approve it, while supporters cast the measure as a preventive effort to protect against voter fraud.

The issue triggered a heated debate during a legislative hearing, where opponents outnumbered supporters by a nearly 5-to-1 margin. Some compared the bill to poll taxes levied in the post-Civil War South to keep minorities from voting. The head of a Nebraska taxpayers' group argued that any person who was "too lazy" to request a free state-issued ID probably wouldn't vote on Election Day.

Sen. Charlie Janssen of Fremont, a Republican candidate for governor, introduced the bill. He's tried similar measures several times, with last year's attempt making it to the floor after supporters failed to overcome an eight-hour filibuster.

Voter ID, an issue throughout the nation's statehouses, is trumpeted by Republicans as a way to prevent voter fraud, while De-

mocrats call it a political ploy to suppress voters who may not have proper identification, particularly groups that typically vote Democratic.

No cases of voter fraud have been reported in Nebraska. The bill would entitle voters without a driver's license to a free, state-issued identification card. The Department of Motor Vehicles would give free cards to voters who are indigent, and voters without IDs would still be allowed to cast provisional ballots.

Janssen, a former U.S. Navy rescue swimmer, said he cast his first vote while serving in the Persian Gulf.

"I'd hate to think that vote was wiped out by someone committing voter fraud," he told the Government, Military and Veterans Affairs Committee.

Nebraskans for Civic Reform, a voting rights group, promised to sue the state if the bill passes. The group's executive director, Adam Morfeld, said the bill was unconstitutional and would trigger an "expensive and unnecessary" legal fight involving a problem that doesn't exist.

"I personally believe, and other courts have found in this in

the past, that there has to be a compelling state interest to impose a burden on a constitutional right," Morfeld said. "For there to be a compelling state interest, there has an actual problem — an identifiable one."

If the measure passes, Nebraska would join 33 other states that have enacted voter identification laws. Sixteen states now request or require photo IDs. Seventeen states require IDs, but not necessarily ones that include photographs.

Janssen pointed to Nebraska statistics that show 98 percent of registered voters already have a state-issued ID.

The committee took no action on the bill Thursday. A similar bill made it to the floor last year, but supporters fell short of the votes they needed to end legislative debate.

Several Nebraska taxpayer groups spoke in support of the bill, saying the bill didn't pose any major hurdles for legal voters.

"Those who are too lazy to obtain a photo ID are probably too lazy to go to the poll on Election Day," said Doug Kagan, head of the group Nebraskans for Tax-

payer Freedom.

Julie Condon, co-founder of Western Nebraska Citizen's Caucus in Ogallala, said the bill would ensure that non-citizens don't vote.

"Every time a non-citizen votes, they are taking away the votes of a citizen," she said.

Former state Sen. Brenda Council of Omaha, a leading figure in last year's voter ID filibuster, said the bill fails to address mail-in voting, which has been the main source of voter fraud in the small handful of cases reported nationwide.

"It's very clear that the true intent of (the bill) is voter suppression," said Council, who had represented a minority-heavy district in north Omaha.

The bill imposes "a restrictive and unnecessary" mandate for voters and would increase the workload of overburdened poll workers, Rebecca Gould, executive director of the group Nebraska Appleseed, said. She also said the measure undermines democracy and could hinder the voting rights of seniors, students and those with low incomes and disabilities.

Speaker

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He refrained from endorsing Hussein's death by execution, however.

"We're called to be unconditionally pro-life," he said.

The United States is one of the few countries in the developed world that still carries out capital punishment.

Last year, 43 people in nine states were executed in America. That number came in behind Iran, Iraq and Saudi Arabia, according to Mikulich.

Those who are given the death penalty in the United States are often from minorities and are poor.

Mikulich said there is a saying that, "Those without capital get capital punishment," due to issues of racism and inadequate legal representation.

Compounding the issues with the death penalty in the United States is that dozens of death row inmates have been found innocent and exonerated after their cases were revisited, he stated.

A strong myth held by many people is that an execution can provide satisfaction to the victim's loved ones, Mikulich said. It is referred to as redemptive violence.

However, Mikulich cited a study published last year in the *Marquette Law Review* that found that the victim's loved ones found more satisfaction in Minnesota, a non-

death penalty state, than Texas, which does have executions. It found survivors in Minnesota had higher levels of physical, psychological and behavioral health because the legal system there made them feel like they had more control.

"In Minnesota, survivors had greater control, likely because the appeals process was successful, predictable, and completed within two years after conviction; whereas, the finality of the appeals process in Texas was drawn out, elusive, delayed, and unpredictable," the report stated. "It generated layers of injustice, powerlessness and, in some instances, despair. Although the grief and depth of sorrow remained high for Minnesotans, no longer having to deal with the murderer, his outcome, or the criminal justice system allowed survivors' control and energy to be put into the present to be used for personal healing."

Mikulich encouraged those present to become active in abolishing the death penalty and working toward restorative justice. That approach focuses on the needs of the victims and the offenders, and relies on the involvement of the community. The aim is to repair the harm that has been done.

"Restorative justice is harder work than retaliation," Mikulich said.

You can follow Nathan Johnson on Twitter at [Twitter.com/AnInlandVoyage](https://twitter.com/AnInlandVoyage)

Plan

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South Dakota currently has no incentive plan because a previous program that refunded construction taxes for large industrial projects was allowed to expire Dec. 31. In November, voters rejected a replacement plan suggested by Gov. Dennis Daugaard.

Officials say the state is at a disadvantage because of its up-front tax structure.

South Dakota charges a 4 percent sales tax on construction projects, as well as a 2 percent contractors' excise tax on gross receipts. Few other states have a contractors' excise tax, so construction is cheaper elsewhere.

The new plan would refund part or all of the state sales tax paid by projects of more than \$20 million

that would not located in South Dakota without such an incentive.

"These will be companies that will pay better than average wages and provide better than average benefits and are very actively involved in their communities in the charitable sense and have every intention of being very outstanding employers in our communities," said Pat Costello, commissioner of the Governor's Office of Economic Development.

The contractors' excise tax collected on those projects would be placed in the Building South Dakota Fund so the state can reinvest in future projects. The new fund would also get a portion of unclaimed property that the state receives from abandoned bank accounts.

The amendment adopted Thursday added a safety valve, withholding spending if projected ongoing revenues would be insufficient to fund education, Medicaid and state employee costs.

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