### 2010 **Legal and Public**

owner and upon the streets, sidewalk or other public or private property. For the purpose of this section, a dog shall be considered NOT to be at large whenever the dog is under the immediate control of a person by means of a leash, chain, cord or rope of not more than ten (10) feet in length and of sufficient strength to control the dog.

Any owner found in violation of this section shall be fined in the amount of twenty-five dollars (\$25.00) for the first offense, fifty dollars (\$50.00) for each second offense, and one hundred dollars (\$100.00) for each subsequent offense thereafter within any one (1) year period.

Section 2: Keep of Vicious or Dangerous Dogs

It shall be unlawful for any person to keep or harbor within the town any vicious or dangerous dog. A vicious or dangerous dog shall be defined as a dog which without obvious or overt provocation bites, mauls, or otherwise attacks or attempts to attack in such a manner as to cause bodily harm.

Any person violating this section shall be fined in the amount of one hundred dollars (\$100.00). If the owner is unknown, the animal shall be immediately destroyed in a humane manner.

Section 3: Disturbance and/or

The owner of a dog shall not allow the animal to disturb the peace and quiet of the town by allowing the animal to continuously bark or howl for a period of more than fifteen (15) minutes per twenty-four (24) hour intervals.

A violation of this section shall be twenty-five dollars (\$25.00) for the first offense, fifty dollars (\$50.00) for the second offense, and one hundred dollars (\$100.00) for each violation thereof. Section 4: Kennels

Definition of a kennel for the purpose of this Ordinance shall mean an enclosed place wherein a dog is kept. Kennel height shall be not less than six (6) feet. Covering of the kennel shall be determined by the size and agility of the animal.

### ARTICLE III - LICENSING OF DOGS

Section 1: Annual Fee Each owner, keeper and person in charge of any dog shall, before the first day of July in each year, pay a license fee as established by the

First Dog: Fifteen dollars (\$15.00) Additional Dogs: Ten dollars (\$10.00) for each additional

dog(s) No license fee will be required for any dog under three (3) months of age if kept on the property of the

Any owner found in violation of this section shall be fined one

hundred dollars (\$100.00).

Section 2: Rabies Vaccination Prerequisite to License

No license required by this section shall be issued for any dog unless it shall have been vaccinated by a licensed veterinarian with antirabic vaccine within three (3) months proceeding the date on which the dog is licensed. Vaccination with live embryonated egg vaccine within two (2) years shall be deemed vaccination sufficient to permit the issuance of the license required by this section, and a veterinarian's certificate to that effect shall be in compliance with this section.

Section 3: Issuance of License

The Finance Officer or his/her designee shall issue a receipt for the payment of the license fee imposed upon dogs by this section, and the Finance Officer or his/her designee shall issue to the person a certificate to the effect that the dog(s) therein described has been duly registered and shall also deliver to such a person a metal tag, which certificate and tag shall bear the registry number of the dog together with the year in which the certificate and tag was issued. The tag shall be securely fastened upon a durable collar around the neck of the dog, said collar to be furnished by the owner of the dog.

**ARTICLE IV - CLAUSES** Section 1:

All ordinances, resolutions, or motions, or parts thereof, in conflict herewith are hereby expressly repealed. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given without such invalid part or parts.

Section 2: This Ordinance shall be effect on passage or publication as provided

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## N.D. Gears Up For Legal Dispute On Abortion Laws

BY JAMES MACPHERSON

**Associated Press** 

BISMARCK, N.D. — North Dakota's governor positioned the oil-rich state Tuesday as a primary battleground in the decades-old fight over abortion rights, signing into law the nation's toughest restriction on the procedure and urging lawmakers to set aside cash for an inevitable legal

Minutes after Republican Gov. Jack Dalrymple signed three anti-abortion measures — one banning them as early as six weeks into a pregnancy — unsolicited donations began pouring into the state's lone abortion clinic to help opponents prove the new laws are unconstitutional.

'Although the likelihood of this measure surviving a court challenge remains in question, this bill is nevertheless a legitimate attempt by a state legislature to discover the boundaries of Roe v. Wade," Dalrymple said in a statement, referring to the 1973 U.S. Supreme Court ruling that legalized abortion up to until a fetus is considered viable usually at 22 to 24 weeks.

Dalrymple seemed determined to open a legal debate on the legislation, acknowledging "the constitutionality of this measure is an open question." He asked the Legislature to set aside money for a "litigation fund" that would allow the state's attorney general to defend the measure against lawsuits.

He also signed into law measures that would make North Dakota the first state to ban abortions based on genetic defects such as Down syndrome and require a doctor who performs abortions to be a physician with hospital-admitting privileges. The measures, which would take effect Aug. 1, are fu-

eled in part by an attempt to close the Red River Women's

"The impact is very, very clear. It would have an immediate and very large impact on the women in North Dakota."

**JULIE RIKELMAN** 

Clinic in Fargo — the state's sole abortion clinic.

Tammi Kromenaker, the clinic's director, called the legislation "extreme and unconstitutional" and said Dalrymple "awoke a sleeping giant" by approving it. The clinic, which performs about 3,000 abortions annually, was accepting cash donations and continued to take appointments Tuesday, she said.

"First and foremost, abortion is both legal and available in North Dakota," she said. "But anytime abortion laws are in the news, women are worried about access.'

The Center for Reproductive Rights announced Tuesday that it has committed to challenging the fetal heartbeat bill on behalf of the clinic. The New York-based group already represented the clinic for free in a lawsuit over a 2011 law banning the widely accepted use of a medication that induces abortion. A judge has temporarily blocked enforcement of the law, and a trial is slated for April in Fargo.

Attorney General Wayne Stenehjem told The Associated Press that the attorneys from his office would defend any lawsuits that arise but an increase to the agency's budget would likely be necessary. He did not have a dollar

The state has spent about \$23,000 in legal costs to date defending the 2011 legislation banning the widely accepted use of a medication that induces abortion, according to agency records obtained by the AP.

Julie Rikelman, litigation director for the Center for Reproductive Rights, said the group has provided three attorneys to argue that case. But in the recent round of legislation, the fetal heartbeat measure is the priority because it would effectively ban abortion in the state, she

"The impact is very, very clear," she said. "It would have an immediate and very large impact on the women in

North Dakota. Rikelman said the center also would support the clinic in other litigation, if need be and at no cost.

Kromenaker said other states have spent millions of dollars defending legislation, if the case reaches the nation's high court. Rikelman said it's impossible to put a dollar amount on the impending legal fight in North Dakota.

"Litigation is so unpredictable," she said. "It could be very quick with a ruling in our favor."

North Dakota's law, which would ban most abortions as early as six weeks into a pregnancy, goes even further than a bill approved earlier this month in Arkansas that establishes a 12-week ban — prohibiting them when a fetal heartbeat can be detected using an abdominal ultrasound. That ban is scheduled to take effect 90 days after the Arkansas Legislature adjourns.

A fetal heartbeat can generally be detected earlier in a pregnancy using a vaginal ultrasound, but Arkansas lawmakers balked at requiring women seeking abortions to have the more invasive imaging technique.

North Dakota's legislation doesn't specify how a fetal heartbeat would be detected. Doctors performing an abortion after a heartbeat is detected could face a felony charge punishable by up to five years in prison and a \$5,000 fine. Women having an abortion would not face

# Amanda Knox Saga Still Not Over For Italian Courts

BY FRANCES D'EMILIO

Associated Press

ROME — It's not over yet for Amanda

Italy's top criminal court dealt a stunning setback Tuesday to the 25-year-old college student, overturning her acquittal in the grisly murder of her British roommate and ordering her to stand trial again.

She thought that the nightmare was over," Knox's attorney, Carlo Dalla Vedova, told reporters minutes after conveying the unexpected turn of events to his client, who had stayed up to hear the ruling, which came shortly after 2 a.m. West Coast time. "But she's ready to fight."

Now a student at the University of Washington in Seattle, Knox called the decision by the Rome-based Court of Cassation 'painful" but said she was confident that she would be exonerated.

The American left Italy a free woman after her October 2011 acquittal — but only after serving nearly four years of a 26-year prison sentence from a lower court that convicted her of murdering Meredith Kercher. The 21-year-old exchange student's body was found in a pool of blood, her throat slit, in a bedroom of the house the two shared in Perugia, a university

Raffaele Sollecito, Knox's Italian boyfriend at the time, was also convicted of the Nov. 1, 2007, murder, then later acquitted. His acquittal was also thrown out Tuesday and a new trial ordered.

Italian law cannot compel Knox to return for the new trial and Dalla Vedova said she had no plans to do so.

In any case, the judicial saga is likely to continue for years. It will be months before a date is set for the new trial, to be held in Florence instead of Perugia because the small town has only one appellate court, which already acquitted her.

Prosecution and defense teams must also await details of the ruling explaining why the high court concluded there were procedural errors in the trial that acquitted Knox and Sollecito. The court has 90 days to issue its explanation.

Another Knox defender, Luciano Ghirga, said she was gearing up psychologically for her third trial. Ghirga said he told Knox: "You have always been our strength. We rose up again after the first-level convictions. We'll have the same resoluteness, the same energy" in the new trial.

Still, it was a tough blow for the former exchange student, whose parents mortgaged both their homes to raise funds for

her lengthy, expensive defense. "It was painful to receive the news that

the Italian Supreme Court decided to send my case back for revision when the prosecution's theory of my involvement in Meredith's murder has been repeatedly revealed to be completely unfounded and unfair," Knox said in a statement.

She said the matter must now be examined by "an objective investigation and a capable prosecution."

No matter what happens, my family and I will face this continuing legal battle as we always have, confident in the truth and with our heads held high in the face of wrongful accusations and unreasonable adversity," Knox said.

Prosecutors alleged that Kercher was the victim of a drug-fueled sex game gone awry. Knox, then 20, and Sollecito, then 24, denied wrongdoing and said they weren't even in the apartment that night, although they acknowledged they had smoked marijuana and their memories were clouded.

An Ivory Coast man, Rudy Guede, was convicted of the slaying in a separate trial and is serving a 16-year sentence.

Sollecito, whose 29th birthday was Tuesday, sounded shaken when a reporter reached him by phone.

"Now I can't say anything," said the Ital-

ian, who has been studying computer science in the northern city of Verona after finishing an earlier degree while in prison.

Later, Sollecito said in a statement that he was "saddened" by the high court decision and will "continue to fight for my innocence, hopeful and confident that truth will prevail."

A local Italian news report quoted Sollecito's current girlfriend as saying he and Knox spoke by phone and described him as being psychologically destroyed.

His lawyer, Luca Maori, said neither Sollecito nor Knox ran any danger of being arrested. "It's not as if the lower-court convictions are revived," he said, noting that the high court didn't determine "whether the two were innocent or guilty."

For those familiar with the U.S. legal principle of "double jeopardy" — which holds that no one acquitted of a crime can be tried again for it — the idea that the Italian justice system allows prosecutors to appeal acquittals is hard to absorb.

Knox attorney Dalla Vedova dismissed the "double jeopardy" concern, maintaining the high court ruling hadn't decided the defendants' guilt or innocence, but merely ordered a fresh appeals trial, which he said was unlikely to start before early 2014.

From Page 1

"Over the past decade, there has been a steady increase of families in the state that are on the Supplemental Nutrition Assistance Program (SNAP)," Cochran said. "Children who are hungry and do not have access to sufficient food can face serious prob-

lems growing up." In addition to the number of kids on the SNAP program increasing, there has also been a similar increase of children who are on Medicare

Also on hand at Tuesday's briefing was Jennifer Kline, executive director of South Dakota Voices for Children. Her focus of the presentation was on bills in Pierre this legislative session and how they impacted children in

"We want to make sure the health, education and safety of all kids in the state is taken care of the best way we can," she said.

Kline said that there were 81 legislative bills introduced this winter that had a direct impact on children. Of those 81 bills, the policy committee of Voices for Children took positions

The group took an in-depth look at the teenage driving bills that were proposed this session.

Teenage deaths in South Dakota has been right near the top of the nation the past several years," Kline said. "Most of the deaths have been as a result of car crashes.

Four bills were proposed this session related directly to teenage driving. Of those four, one was passed.

"SB 106, which was passed, said that teenagers who are just learning to drive should focus on driving and not anything else," she said. "The bill bans those new drivers from using any wireless communication devices while driving."

Another bill that Voices for Children advocated for would have placed more regulations on family daycare

"South Dakota is the only state where up to 12 kids can be in a daycare setting with no regulations, Kline said. "The next state down from us has a limit of seven kids. The bill would have brought the

limits to seven, and would have placed more safety restrictions on daycare providers. The bill passed the senate committee, but failed in the full senate.

"Our goal is to be able to take the data we have, sort it and arrange it in order to try and improve the wellbeing of children in South Dakota," Cochran said. "We want to be able to impact kids in the state and region in a positive way.'

You can follow Andrew Atwal on Twitter at twitter.com/andrewatwal

### **CROSSWORD** By THOMAS JOSEPH

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AXYDLBAAXR is LONGFELLOW

One letter stands for another. In this sample, A is used for the three L's, X for the two O's, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.

**CRYPTOOUOTE** 3-27

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# Carda

3. Besides the budget, what would you say is the No. 1 issue facing the school district?

The absolute number one issue facing the district is our committment to providing the children in this community the best possible education we can afford. Yankton has an excellent academic reputation. From a college perspective I can tell you with all honestly that graduates from our high school are some of the best prepared students for the college experience. We have extremely high graduation rates and offer programs that help all students

4. What are your thoughts on the school sentinel bill? While I understand and respect the right for individuals

to bear arms, I feel the bill is misguided. The practicality of sentinels escape me. We have six separate facilities. I would like us to consider other community police oportunities that other communities have found to be mutually beneficial.

5. Final thoughts?

I feel my professional experience, community and state committee experience prepares me for this position. It is a difficult time in our community because of the divide caused by the failed opt-outs. It is time we all work together to put our kids and their education first.

### Gant

tions," he said. "I think we want this to be an option." In other issues discussed Tuesday, Gant noted that South Dakota has seen a dramatic increase in the number of concealed pistol permits being issued.

"In January and February (of 2013), we almost equated what we did in all of 2008," he said. "The month of March has kind of started to slow down. We've seen a little bit of an uptick after Congress talked about a ban on assault weapons. Our pistol permits are definitely up and down based off what the news is in Washington,

Through the end of February, the state issued 9,927 permits. That compares to 18,031 for all of 2012. Gant said he had to hire temporary staff to deal with

the high volume of permit requests. Right now, we're at one-day turnaround," he stated. Beginning July 1, pistol permits will be valid for five years rather than four.

Additionally, Gant pointed out that 7,108 new corporate entities were created in South Dakota during 2012, an increase of 986 compared to 2011. More than 70 percent of new business registrations

You can follow Nathan Johnson on Twitter at twitter.com/AnInlandVoyage

take the form of a limited liability company (LLC).

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