

# THE PRESS & DAKOTAN

THE DAKOTAS' OLDEST NEWSPAPER | FOUNDED 1861

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## OPINION | OTHER THOUGHTS

# College Mistake Shouldn't Haunt Life

**ARGUS LEADER, Sioux Falls (Feb. 22):** Most of us had some sort of indiscretion in our past, and it's quite likely it occurred on a college campus.

In today's world, with instant access to every piece of information on a person's life, those youthful mistakes could mean the difference between getting a job or acceptance into a prestigious graduate program.

A partnership at work in Vermillion could give underage students who make a mistake in drinking alcohol a chance to make things right and keep the misdemeanor conviction off of their record.

Student leaders at the University of South Dakota are working with law enforcement officials in Vermillion on a promising new approach to handling first-time underage alcohol offenders.

Details are being worked out, and the Clay County State's Attorney has yet to sign off on the project, but the progress being made is encouraging nonetheless.

Young people arrested for underage consumption — whether they are college students or not — would get an option to bypass criminal prosecution on the charge. The youth, instead, could opt to come in twice a day for 30 days to take a Breathalyzer test and undergo counseling or other education options instead of being charged, prosecuted and potentially fined.

The idea is to try to change the behavior. If the person fell short of the testing and counseling requirements, he or she still could face prosecution.

Law enforcement officials say that alcohol and the fear of being caught drinking sometimes causes people to do dangerous things. Some attempt to flee a police raid on a house party by driving under the influence. The fear of the initial charge ultimately can cause a more serious mistake.

The diversion program's supporters are being realistic — estimating that maybe a dozen students a year would opt for such a program at first. But that's a good starting point.

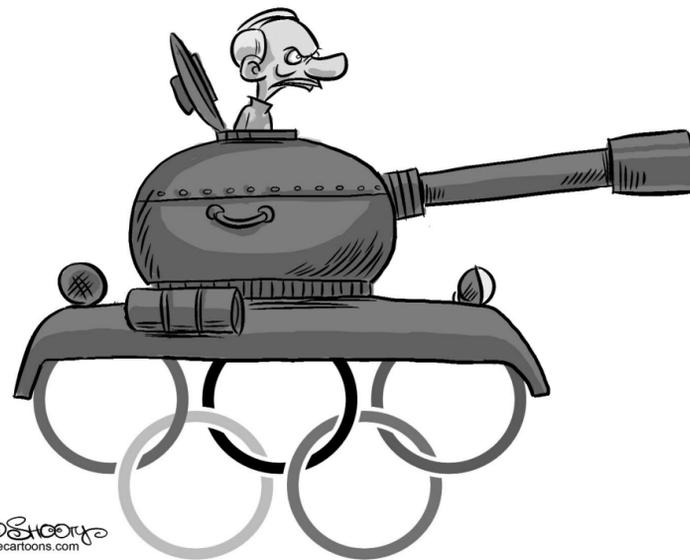
We believe Vermillion is an excellent community to pioneer this endeavor. The police already have agreed to work with the students in setting it up, and the numbers involved make it much easier to process and assess than in a metropolitan area such as Sioux Falls.

We like this idea, and we applaud the partners working to put it together in Vermillion. Student leaders on other state campuses already have shown interest in replicating the idea in their communities.

Clearly, there still are questions to be answered. For instance, the program must be affordable so that young offenders of all economic levels would have the opportunity to take part.

But we urge the Clay County State's Attorney to agree to institute this program — even for a test year. Look at the numbers and tweak the program as needed after that.

It is a sensible way to deal with misdemeanor offenses that someday could come back to haunt young people as they begin their adult careers.



## Capitol Notebook

# SD Legislature Seeks A Re-Balancing Of Power

BY BOB MERCER

State Capitol Bureau

**PIERRE** — In their search for a new executive director for the professional staff, the Legislature's leaders "would like to begin taking steps to achieve an appropriate balance" between the legislative branch and the executive branch.

That quote is an excerpt from the help-wanted ad posted on the Legislative Research Council's website.

But it's not the lands commissioner or state treasurer who has too much power for the Legislature's liking. It's the governor.

And it's not just Dennis Daugaard, either.

This is a chronic condition. South Dakota's state government is designed this way. The state constitution says the Legislature can meet a maximum of 40 days annually.

The legislators don't use the full 40 days, however. The last time was the 2009 session. The standard since then is 38 days, such as this year's session. The 2012 session was just 33 days.

The legislators are paid \$6,000 annually, plus a daily expense allowance while in session or traveling on official business. Their primary sources of income aren't their legislative paychecks.

Because of that, they have developed a four-day week for legislative work while in session. Most have drives of two to four hours each way between home and the Capitol.

Rarely does a legislator spend the weekend in Pierre during session, aside from the trio who represent the Pierre district.

Meanwhile the governor is working, in some fashion, every day of the year.

At least some of his aides — cell phones, texting and e-mails have made every day a work

day in some way — and some of his Cabinet are working every day or nearly every day, too.

That's the nature of their jobs and in many instances the people chosen by the governor for those jobs.

Their government service isn't part time. Their annual pay also isn't merely \$6,000. They're making between 10 and 20 times that much.

The Legislature has a full-time staff of 24, plus 30 people who work in temporary clerical and administrative posts during the annual legislative sessions.

The governor has a team of perhaps 100 or more professionals who are paid well by South Dakota standards. They include one dozen senior aides, 22 Cabinet members and scores of deputy secretaries and division-level directors.

Then there are many more program administrators in each of the departments and bureaus.

It's easy to see why — I'm quoting again from the help-wanted ad — "there is a consensus among legislative leaders that the balance of power between the executive and legislative branches has been heavily slanted toward the executive branch for many years."

The Legislature's Executive Board contracted with the National Conference of State Legislatures last year to perform a review of the South Dakota operations including the Legislative Research Council.

That report's findings and recommendations, and the Executive Board's response, led to the resignation by Jim Fry. He was LRC director 13 years. His predecessor, Terry Anderson, held the job 16 years before taking a similar post in Wisconsin.

Their stability was valuable. Now comes necessary change. Next week's column will look at ways the Legislature can be stronger. It doesn't have to be heavy lifting.

## ON THIS DATE

**By The Associated Press**  
Today is Monday, March 3, the 62nd day of 2014. There are 303 days left in the year.

**Today's Highlight in History:** On March 3, 1974, a Turkish Airlines DC-10 crashed shortly after takeoff from Orly Airport in Paris, killing all 346 people on board. A faulty cargo door had blown open, resulting in sudden decompression that caused part of the jetliner's floor to collapse, severely damaging the plane's control cables.

**On this date:** In 1845, Florida became the 27th state.

In 1849, the U.S. Department of the Interior was established.

In 1894, British Prime Minister William Gladstone submitted his resignation to Queen Victoria, ending his fourth and final premiership.

In 1913, more than 5,000 suffragists marched down Pennsylvania Avenue in Washington D.C., a day before the presidential inauguration of Woodrow Wilson.

In 1923, *Time* magazine, founded by Briton Hadden and Henry R. Luce, made its debut.

In 1931, "The Star-Spangled Banner" became the national anthem of the United States as President Herbert Hoover signed a congressional resolution.

In 1934, bank robber John Dillinger escaped from the Lake County Jail in Crown Point, Ind., along with another prisoner, Herbert Youngblood.

In 1943, in London's East End, 173 people died in a crush of bodies at the Bethnal Green tube station, which was being used as a wartime air raid shelter.

In 1945, the Allies fully secured the Philippine capital of Manila from Japanese forces during World War II.

In 1969, Apollo 9 blasted off from Cape Kennedy on a mission to test the lunar module.

In 1985, coal miners in Britain voted to end a year-long strike that proved to be the longest and most violent walkout in British history.

In 1991, motorist Rodney King was severely beaten by Los Angeles police officers in a scene captured on amateur video. Twenty-five people were killed when a United Airlines Boeing 737-200 crashed while approaching the Colorado Springs airport.

**Ten years ago:** Multnomah County, Ore., began issuing same-sex marriage licenses. The Walt Disney

Co.'s board voted to strip Michael Eisner of his chairman's post while retaining him as CEO.

**Five years ago:** U.S. Secretary of State Hillary Clinton, during a visit to Israel, promised to work with the incoming government, but said movement toward establishment of a Palestinian state was "inescapable." Guinea-Bissau's parliamentary leader Raimundo Pereira was sworn in as the country's new president, following the assassination of Joao Bernardo "Nino" Vieira. Sydney Chaplin, Charles Chaplin's son and himself a Tony-winning actor, died in Rancho Mirage, Calif. at age 82.

**One year ago:** Vice President Joe Biden led civil rights leaders and national political figures in a ceremonial crossing of a Selma, Ala., bridge where voting rights marchers were beaten by law enforcement officers in 1965. The SpaceX company's Dragon capsule made good on its latest shipment to the International Space Station, overcoming earlier mechanical difficulty to deliver a ton of supplies.

Bobby Rogers, a founding member of Motown group The Miracles and a songwriting collaborator with Smokey Robinson, died at his suburban Detroit home; he was 73.

**Today's Birthdays:** Socialite Lee Radziwill is 81. Movie producer-director George Miller is 69. Actress Hattie Winston is 69. Singer Jennifer Warnes is 67. Actor-director Tim Kazurinsky is 64. Singer-musician Robyn Hitchcock is 61. Actor Robert Gossett is 60. Rock musician John Lilley is 60. Actress Miranda Richardson is 56. Radio personality Ira Glass is 55. Actress Mary Page Keller is 53. Olympic track and field gold medalist Jackie Joyner-Kersey is 52. College Football Hall of Famer Herschel Walker is 52. Contemporary Christian musician Duncan Phillips (Newsboys) is 50. Rapper-actor Tone Loc is 48. Rock musician John Bigham is 45. Actress Julie Bowen is 44. Country singer Brett Warren (The Warren Brothers) is 43. Actor David Faustino is 40. Gospel singer Jason Crabb is 37. Singer Ronan Keating (Boyzone) is 37. Rapper Lil' Flip is 33. Actress Jessica Biel is 32. Rock musician Blower (AKA Joe Garvey) (Hinder) is 30.

**Thought for Today:** "Some people stay longer in an hour than others do in a month." — William Dean Howells, American author and editor (1837-1920).

## FROM THE BIBLE

*God is not unjust; he will not forget your work and the love you have shown him as you have helped his people and continue to help them. Hebrews 6:10 NIV.* Portals of Prayer, Concordia Publishing House, St. Louis

## YOUR LETTERS

### On Ordway

**Patti Lane Brooks, St. Paul, Minn.**

In response to Kelly Hertz's column, "An Ordway Dilemma," (*Press & Dakotan*), Feb. 21

I am pleased with the decision announced by the governor to stop the development of three abandoned HSC buildings.

Having been a student at Sacred Heart School of Nursing in the '60s, I still remember the sounds, the smells and many of

the names of patients. It was a dungeon of misery, many sad, forgotten souls. Many admitted there and forgotten. The treatment was inhumane; however, it was the level of care of the mentally ill at the time. One only has to visit the cemetery on the grounds to see graves of many of the nameless.

I concur with Mr. Hertz's column. Perhaps it would be fitting to replace the buildings with an area that would provide a place to remember these forgotten, faceless people.

BY MICHELLE MALKIN

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This may be the first and last time I ever write these words: America, follow Canada.

Our neighbors to the north finally have wised up to the international cash-for-visas scam. Last week, the country ended its foreign investor program that put residency up for sale to the highest bidder. We should have done the same a long time ago.

Canada's Immigrant Investor Program granted permanent residency to wealthy foreigners who forked over 800,000 Canadian dollars for a five-year, zero-interest loan to one of the country's provinces. The scheme turned out to be a magnet for tens of thousands of millionaires from Hong Kong and China. But as the Canadian Ministry of Finance concluded in its annual budget report this year, the program "undervalued Canadian permanent residence" and showed "little evidence that immigrant investors as a class are maintaining ties to Canada or making a positive economic contribution to the country."

In several provinces, the foreign investor rackets were riddled from top to bottom with fraud. Whistleblowers in the Prince Edward Island immigration office exposed rampant bribery among bureaucrats and consultants, who helped their clients jump the queue. The government failed to monitor immigrant investors or verify the promised economic benefits of the "investments." The program didn't just fast-track supposed business people with dubious business backgrounds, but also their entire extended families, who walled themselves in segregated neighborhoods.

Ads in Dubai bragged that investors didn't even need to live in the country to take advantage of the citizenship-for-sale deal — and that their dependents could avail themselves of full health care and education benefits.

Fifteen years ago, an independent auditor hired by the Canadian government warned that he had "found that in many cases there was no investment at all or that the amount of that investment was grossly inflated." The auditor nailed the expedient commodification of citizenship: "Canadians gave up something of real value — a visa or passport — and received very little in return." He concluded: "A lot of people made a lot of money, mostly lawyers and immigration consultants who set up these bogus investments. It's a massive sham. The middlemen made hundreds of millions of dollars."

I've been issuing the very same warnings about America's EB-5 immigrant investor visa program, created under an obscure section of the 1990 Immigration Act, for more than a decade. The details of the U.S. program vary, but the facade is the same: trading residency on the cheap for the shady promise of economic development. Just as in Canada, the U.S.

racket's alleged economic benefits are largely hype.