

Farm Group May Seek Vote On N.D. Corporate Farm Ban Exemption

BY JAMES MACPHERSON
Associated Press

BISMARCK, N.D. — North Dakota's biggest farm group is considering a citizen initiative to overturn the Legislature's decision to loosen the state's Depression-era ban against corporate farming, a move the state's top agriculture official believes would lead to a legal challenge and put the entire law at risk of being ruled unconstitutional in the courts.

"It could be throwing the baby out with the bath water," Agriculture Commissioner Doug Goehring said.

Mark Watne, president of the North Dakota Farmers Union, said the group has planned a rally next week in Bismarck to show its opposition to legislation signed Friday by Gov. Jack Dalrymple that exempts pork and dairy operations from the state's anti-corporate farming law.

The so-called ham-and-cheese bill is intended to revitalize dairy and swine farms after years of decline, supporters said. Opponents believe the ban blocks unfair competition, and changing it even slightly will be an invitation for big, out-of-state corporations to set up operations in North Dakota.

Dalrymple said in a statement that the legislation is not a "threat to the farm sector as we know it."

Watne said his group of about 40,000 members believe otherwise and will decide next week whether to begin a petition drive to refer the legislation to voters.

"We haven't firmly made a decision but the early observations are we're going to do it," Watne said. "We're getting tons of calls."

The group would need to collect 13,452 signatures to force a vote.

North Dakota's anti-corporate farming law dates to 1932, when it was put on the ballot as an initiated measure and approved by voters. The law does allow farming by family-held corporations, which are limited to 15 shareholders who must be related by blood or marriage.

Legislation passed last week would allow non-family farm corporations to own or lease agriculture land, as long as the operations don't take up more than 640 acres of land, or a square mile. Facilities would have to have at least 500 hogs or 50 dairy cows.

Goehring supported the legislation to relax the corporate farming ban, saying exemptions would revive the

agriculture industry and help fuel other ag business, such as feed and fertilizer.

Eight other states have laws restricting corporate farming, though all allow exemptions for some livestock operations.

Goehring is opposed to scrubbing North Dakota's ban altogether but said the willingness by the Legislature to loosen the 83-year-old law could help fend off legal challenges that have happened in other farm states that have not fared well in the courts in recent years.

In South Dakota, for example, voters approved a corporate farming ban in 1998, but it was struck down by a federal judge as unconstitutional because it interfered with interstate commerce. In 2004, the U.S. Supreme Court refused to hear an appeal of the decision.

Goehring said if the North Dakota Legislature's recent action to loosen the law comes before voters, a lawsuit is likely by supporters of the exemptions, and the entire ban could meet the same fate as South Dakota's.

Watne, the Farmers Union president, doesn't buy that argument. He said if North Dakota's anti-corporate farming law was unconstitutional, "it would have been thrown out already."

Warner Proud Of Student Success, Growth

BY JAMES NORD
Associated Press

PIERRE — Jack Warner, who retires at the end of June as South Dakota Board of Regents executive director and CEO, said he has attempted to tamp down tuition and fee increases, despite deep state budget cuts, increase student enrollment and spur state investment in higher education.

The six public universities are growing in enrollment and are keeping graduates in the state, he said.

Warner also had to contend with a lawsuit related to the state's public investment-for-visa scandal that got swept up in the 2014 U.S. Senate election, which he said became a legal and political distraction as the Regents worked on other priorities.

Warner, who plans to retire to Rhode Island to spend more time with family, recently discussed his tenure with The Associated Press.

AP: Can you talk about some of the major accomplishments that you'll reflect on?

Warner: We've focused on



Warner

you look at some of the metrics, we've steadily increased the number of graduates each year over the course of years, and that's a prime metric for us: how many students are we graduating with degrees? ... We've expanded the medical school, put a new PhD program in physics and have enhanced our research agenda and have the basis now to form new research parks in the state, and that's designed to support the state's economic development.

AP: As I understand it, the total head count enrollment is 36,500 for fall 2014. And that's a bump over 2013?

Warner: Yep, we've had steady — modest, but steady — growth. You know, the population of South Dakota is not rapidly expanding, and, in fact, high school graduates in the Midwest

making students more successful in our system, first enrolling more students and then making them more successful onto graduation, and if

will shrink until about 2018, so it's a challenge to maintain enrollment under those conditions, but we've been able to do it.

AP: Can you talk a little bit about how you've tried to address (higher education affordability)?

Warner: First, we've reduced required credits to the degree from 128 to 120. That represents a savings of about \$2,000 to complete the degree on the required credits side. We've also kept our tuition and fee increases as low as possible. ... And (in) the current year we have a tuition and fee freeze in place.

AP: Do you think state lawmakers have done enough to address education affordability?

Warner: I think that, given the resources available, legislators have been very good about helping us ... and I would speculate that as state resources become more plentiful in the future, they will be very supportive of it.

AP: You've helped to shepherd millions of dollars of public investment toward the universities. Can you talk a little bit about that process?

Warner: There is strong support in the Legislature for producing a more highly educated population and for supporting our research agenda. Both the governor and the Legislature have been willing to invest in our research infrastructure. They've been willing to invest in expanding the medical school, creating the new physics program, which will have implications for the work done out at the (underground research lab in Lead).

AP: Tell me what it was like to navigate the EB-5 incident.

Warner: It's an issue that got tied up with a political campaign, and that made it much more visible. Mr. (Joop) Bollen was our employee (who oversaw the EB-5 program). We did have to defend a lawsuit in that regard ... and the procedures we have in place for conflicts of interest simply did not work in this case because any conflict of interest management requires, first, disclosure and then, second, management of the potential conflict. And since the conflict was not disclosed, it made it more difficult for us to manage it.

Helicopter Flights To Map Neb. Water

LINCOLN, Neb. (AP) — Helicopters will fly back and forth across parts of eastern Nebraska this spring to map out groundwater levels.

The *Lincoln Journal Star* reports several natural resource districts hired the helicopter to get a better idea of how much groundwater is available.

The low-level flights will cross parts of Butler, Saunders, Seward, Sarpy, Douglas, Lancaster, Cass, Otoe, Johnson, Nemaha, Richardson, Pawnee and Gage counties.

The helicopter will carry electronic instruments on a steel frame suspended 100 feet below the craft.

Gallery Displaying Inmate Artwork

ABERDEEN (AP) — An art exhibit featuring the work of inmates is opening at an art gallery in Aberdeen.

"Revealing the Inner Inmate: Expressions of Art and Poetry from Inmates in South Dakota" is now on display at the Aberdeen Recreation and Cultural Center. The exhibit features paintings, braille work, poetry, beadwork and sculptures from 35 artists and 13 poets who were or are inmates.

Gallery organizers aim to start a conversation about re-engaging inmates with society, reminding them of their humanity, getting their lives back together and becoming productive members of society, the *Aberdeen American News* reported. The project was facilitated by Lois Beckner, cultural arts program coordinator for the Aberdeen center, and Lawrence Diggs, Buddhist chaplain for the Sioux Falls prisons.

Diggs said the exhibit shows another side of prisoners. "Many of the inmates are lifers or have very long sentences," Diggs said. "Their family gets to see their good side. So many of them are defined by one event in their life. These guys change, and they want to be remembered by society by more than one event or events."

Inmates of the South Dakota State Penitentiary, South Dakota Women's Prison and Mike Durfee State Prison contributed to the exhibit. A piece from an inmate who is in the federal prison system is also being showcased.

The prisoners had limited access to materials, making pieces out of supplies such as toothpicks and scrap paper.

"People make art out of what they have and they have a deep need to create," Diggs said.

The artwork will not go back to the inmates after the exhibit ends April 27. The pieces will go to auction, prisoners' families or South Dakota Family Connection, where visitors can stay when they see inmates.

Brown Co. Fair Camping Rates Increase

ABERDEEN (AP) — Camping at the Brown County fairgrounds during fair week will cost more this summer.

The *Aberdeen American News* reports that the rates for some spots will increase by as much as \$50. The fairgrounds have nearly 450 camping spaces, not including what officials consider "primitive" and tent-only spaces.

County Commissioner Tom Fischbach says the camping spaces are routinely filled during the week of the fair.

The most expensive spaces, which include water, sewer and electric hook-ups, will cost \$200, up from \$150. The cheapest spaces that only allow for tent accommodations will cost \$50, up from \$30.

County commission vice chairwoman Rachel Kippley says the rate increases stem from a "supply and demand" decision. She says the waiting list for camping spots during the fair has up to 300 people.

Man Retires After 69 Years On Fire Dept.

MADISON (AP) — People laughed at Joe McAllister when in 1946 he set off to create a rural fire department for Franklin Township in eastern South Dakota.

Now, 69 years later and a successful fire department running, McAllister has decided to retire.

The *Madison Daily Leader* reports the 91-year-old McAllister has retired from the rural department's governing board.

Fire chief Randy Minnaert says six of the nine trucks now housed at the Madison Fire Department belong to the rural fire board. Those trucks help firefighters service more than 12,000 residents in Lake County.

McAllister says he and his dad knew early on that the community needed fire protection. McAllister's grandfather died of the lung damage he suffered after fighting a prairie fire.

McAllister says he is "darn proud" of the rural fire department.

Few Veterans In Black Hills Region Using New Veterans Program

RAPID CITY (AP) — A new program aiming to simplify private health care coverage for veterans and reduce wait and travel times hasn't caught on in the Black Hills region.

The VA Black Hills Health Care System reports that only about 2 percent of 3,219 eligible veterans made appointments through the Choice Card program. The system serves more than 19,330 veterans in portions of South Dakota, Nebraska, North Dakota, Wyoming and Montana.

Stephen DiStasio, the system's former director, attributes the low participation rate to veterans' preference for VA care, the *Rapid City Journal* reported. DiStasio said many veterans don't mind waiting longer because they would rather work with someone from the VA.

DiStasio said the Choice Card program also might be less attractive to eligible veterans since the Black Hills location already had expanded its use of non-VA care before the new program went into effect.

"I really think we were pretty far down that road already, in terms of getting care for veterans closer to home and if there was an exorbitant wait time," said DiStasio, who retired Feb. 27.

Veterans who qualify for the Choice Card program live more than 40 miles from the nearest VA facility or have been told they would have to wait more than 30 days for an appointment, among other criteria.

The Department of Veterans Affairs said in a report to Congress last month that just 27,000 veterans have made appointments for private care since the Choice Cards started to be mailed out in November. The department has sent 8.6 million cards.

The program was created as part of a law passed by Congress last year in response to reports that dozens of veterans had died while waiting for care at a Phoenix VA hospital.

In rural areas with few providers, veterans might find little use for Choice Cards, said Mike Mullen, a Vietnam veteran who's senior vice commander of the South Dakota branch of Veterans of Foreign Wars. He said those veterans are likely to call providers that were already booked up when the VA contacted them.

"I think they've got a lot of work to do on it," Mullen said of the Choice Card program. "It needs a little fine-tuning."

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