

## MIDWEST DIGEST

### Work Begins On \$55M Aberdeen Hospital

ABERDEEN (AP) — Preliminary work began Wednesday at the site of a \$55 million hospital in the northeast South Dakota city of Aberdeen.

Sanford Health-MeritCare says the 48-bed, 113,000-square-foot hospital will attach to its existing clinic.

The three-story hospital is expected to open in the summer of 2012 and employ more than 200 people.

An official groundbreaking celebration for Sanford Medical Center Aberdeen is set for May 18.

Sioux Falls-based Sanford Health merged with Fargo, N.D.-based MeritCare late last year, forming Sanford Health-MeritCare.

### S.D. Sheriff's Deputy Pleads Not Guilty To DUI

STURGIS (AP) — A Pennington County sheriff's deputy has pleaded not guilty to driving under the influence, but a change of plea hearing also has been scheduled.

Sgt. Randy Harkins was arrested April 9 at a sobriety checkpoint in Sturgis.

His not guilty plea included a request for a change of plea hearing, which was scheduled for May 18.

Defense attorney Kenneth Orrock says the change of plea hearing will give Harkins time to complete the necessary paperwork to request a suspended imposition of sentence. That would allow Harkins to eventually have a conviction removed from his permanent record.

### Second Suspect In Pizza Robbery Surrenders

RAPID CITY (AP) — A second suspect in the robbery of a man delivering pizza in Pennington County has turned himself in.

Authorities say the 27-year-old man surrendered on Tuesday. An 18-year-old man was arrested earlier at a Rapid City hospital, where he was being treated for a non-life threatening gunshot wound.

Authorities say 28-year-old Scott Parsons was delivering pizza about 10 p.m. Sunday when he was robbed and fought back by shooting a pistol at the suspects.

### Warrant Issued In Baseball Bat Killing

SIOUX FALLS (AP) — Federal officials have issued an arrest warrant for a Long Valley woman accused of beating a 32-year-old Wanblee man to death with a baseball bat.

Sharon McMillan faces a first-degree murder charge in Saturday's killing of Garland Morrison on the Pine Ridge Indian Reservation.

Oglala Sioux Tribe Police Chief Everett Little Whiteman said Wednesday that McMillan was initially jailed on tribal charges.

Court documents say a witness told an FBI agent that Morrison and McMillan and several others had been drinking throughout the day. The witness said they were sitting around McMillan's kitchen table when McMillan approached from behind and struck Morrison on the head.

McMillan told the agent that Morrison had first struck another person.

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### Attorney: Congress Can't Change Indian Settlement

HELENA, Mont. (AP) — The plaintiffs' attorney in a proposed \$3.4 billion settlement against the government for mismanaging Indian trust funds says Congress can't change the terms of the agreement.

Dennis Gingold says the proposed settlement will be terminated and the case will go back to litigation if Congress doesn't approve the agreement by May 28 or attempts to change any part of it.

Gingold was responding to comments last week by Sen. John Barrasso, R-Wyo., who says he thinks attorney fees in the case should be capped at \$50 million.

The proposed settlement in the 14-year class-action lawsuit calls for most of the 300,000 plaintiffs to each receive at least \$1,500.

# Johnson Offers Grasslands Wilderness Bill

BY CHET BROKAW  
Associated Press Writer

PIERRE — A part of the Buffalo Gap National Grasslands in southwestern South Dakota would be designated as a wilderness area under a measure introduced Wednesday by South Dakota Sen. Tim Johnson.

Johnson, a Democrat, said the measure would allow balanced, commonsense use of the area covering about 50,000 acres. However, the wilderness designation is likely to face continued strong opposition from some agricultural and outdoor recreation groups.

The bill would preserve the rugged area for the public by creating the nation's first wilderness area on national grasslands, Johnson said. Hunting, livestock grazing by ranchers who lease pastures, rock collecting and other activities would be allowed to continue in the area, he said.

"In listening to feedback from South Dakotans, I think this is a balanced approach to public access and making sure those who make their living on the national grasslands can still prosper," Johnson said in a tele-

phone press conference with reporters.

The senator said his bill is named in honor of Tony Dean, the nationally known outdoor enthusiast and conservationist who promoted South Dakota hunting and fishing in his television and radio programs. Dean, who lived in Pierre, died in 2008.

Johnson noted that the U.S. Forest Service, which manages the national grasslands, recommended in 2002 that areas in the Indian Creek and Red Shirt areas be given wilderness protection. He said his bill is based on that recommendation.

The area is near Badlands National Park, with some of it in the Cheyenne River valley. The rugged landscape includes badlands formations, buttes, valleys and mesas.

Johnson said the wilderness designation will not change efforts to control invasive insects or weeds, manage prairie dogs or fight wildfires in the area.

"Wilderness does not mean no management," he said.

Mike Held, chief executive officer of the South Dakota Farm Bureau, said the organization will continue to oppose the wilderness designation even if livestock grazing

and other uses are allowed. Management can change in wilderness areas, he said.

Held said last year that he viewed the destruction caused by mountain pine beetles in a wilderness area in the Black Hills.

"It's appalling to watch a resource go to pot like that because of lack of management. This would hold the same prospect," Held said.

Johnson said the grasslands area should not be compared with the Black Hills wilderness area because the two are totally different landscapes.

Cheryl Warren of Custer, manager of the South Dakota Wild Grassland Coalition, said support has been growing for giving wilderness protection to the areas in the grasslands. The proposal would protect public land for the benefit of everyone in the nation, she said.

"We're happy about it," Warren said. "We understand there are varying perceptions about it and not everybody is going to be thrilled about it. But you can't really get anything done that everybody is going to be happy about. We're happy the majority of people can see this is a good thing."

## Federal Court Backs Voting Rights Suit Dismissal

SIOUX FALLS (AP) — A federal appeals court Wednesday affirmed a judge's decision five years ago to dismiss a lawsuit alleging that the makeup of City Council districts in Martin violates the voting rights of American Indians.

The ruling by the full 8th U.S. Circuit Court of Appeals vacates previous rulings by the court's three-judge panels favoring the American Civil Liberties Union in a lawsuit filed in 2002 on behalf of two Indian voters.

The ACLU said the city's district boundaries spread out Indian voters and diminished their ability to elect an Indian candidate, even though Indians represented 36 percent of the city's population. U.S. District Judge Karen

Schreier dismissed the lawsuit in 2005, ruling the ACLU had failed to fully prove its case. On appeal to the 8th Circuit, a three-judge panel reversed Schreier's ruling. The court later approved a new voting plan offered by the ACLU. The city continued to appeal.

The St. Louis-based 8th Circuit, on a 7-4 vote, said it found no clear error in Schreier's original dismissal and set aside an order to reinstate the lawsuit.

"We think it exceptionally important for a federal court to ensure that there is a proven violation ... before ordering a city in South Dakota to undertake significant changes in its electoral process," the court said in its majority opinion.

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