

Trial Begins In R.C. Landfill Bribery Case

RAPID CITY (AP) — Jury selection began Monday for a former Rapid City landfill employee accused of helping a garbage company avoid paying some landfill fees.

Randall Meidinger is charged with two counts of grand theft and four counts of forgery.

Prosecutors have charged six people in what they describe as a scheme to defraud the city of \$100,000 in landfill fees by lying about the contents and weight of garbage trucks.

Meidinger is the first to stand trial. KOTA television reported that the court set aside seven days for his trial.

Neb. Supreme Court OKs Judge's Retirement

LINCOLN, Neb. (AP) — The Nebraska Supreme Court has approved the early retirement of Judge David Bush, a county judge in the 9th Judicial District, which covers Buffalo and Hall counties.

The court says in a statement on Monday that Bush's application for disability retirement has been granted, effective May 31.

The 62-year-old Bush began his judicial career on the Hall County Court bench in 1987.

Infant Mortality Task Force Members Named

PIERRE (AP) — Gov. Dennis Daugaard announced Monday that his wife, South Dakota first lady Linda Daugaard, will lead a task force on infant mortality.

Daugaard also announced the other members of the task force that will look into ways to reduce the state's infant mortality rate. The 27-member group composed mostly of health officials is to meet throughout the summer and fall and make recommendations to the governor by Dec. 15.

South Dakota's infant mortality rate over the past decade was 7.3 deaths per 1,000 births, higher than neighboring states and 29th highest in the nation, according to the governor's office. The infant mortality rate among American Indians in South Dakota is the highest of any state, at 12.4 deaths per 1,000 births.

"It was a shock to learn that an average of 79 babies die before their first birthdays each year in South Dakota," Linda Daugaard said. "I'm confident the dedicated experts on this task force can identify some concrete ways to start bringing those numbers down."

AG Won't Issue An Opinion On Nickname

BISMARCK, N.D. (AP) — North Dakota Attorney General Wayne Stenehjem says he won't issue a legal opinion on the University of North Dakota's Fighting Sioux nickname.

A group of 10 state lawmakers asked the attorney general to decide the legality of a new state law. It says UND has to keep the Fighting Sioux name and a logo showing an American Indian warrior.

The legislators say the law may infringe on the North Dakota Board of Higher Education's power to run North Dakota's public college system.

In a reply letter, Stenehjem said the issue may end up in court, and his office doesn't issue legal opinions on matters that are likely to be the target of a lawsuit.

Madison's Fire Chief Retires From Post

MADISON (AP) — Madison's fire chief has retired after 13 1/2 years on the job.

Jerry Johnson cites health reasons for his decision. He says he's no longer capable of effectively carrying out his duties as chief.

Johnson joined the department as a volunteer in 1979. The *Madison Daily Leader* reports that Friday was his last day on the job.

Custody Was Issue In Shooting

SCOTTSBLUFF, Neb. (AP) — Court documents indicate custody issues may have been a factor in a deadly drive-by shooting in Scottsbluff.

Daniel Morgan, of Scottsbluff, faces charges of first-degree murder and use of a weapon in the death of Dominic Marquez, who died at the scene last Friday. Morgan was arrested in Torrington, Wyo., a few hours after the shooting.

The Scottsbluff Star-Herald says an arrest affidavit filed Monday in Scotts Bluff County Court says Marquez and Morgan's girlfriend have a child.

An autopsy on Saturday showed Marquez died of multiple gunshot wounds to the head.

Morgan is being held in

Wyoming pending an extradition hearing. Scotts Bluff County Attorney Doug Warner says Morgan may appear in court in Nebraska as early as Tuesday, if he waives extradition.

NEBRASKA

Labor Panel Bill Veto Vowed

BY GRANT SCHULTE
 Associated Press

LINCOLN, Neb. — Gov. Dave Heineman issued a rare veto threat Monday against a bill that would change the process for breaking collective bargaining impasses, saying the current proposal to revamp a Nebraska labor panel doesn't address cost concerns raised by some cities and business groups.

The Republican rarely says whether he will sign or veto legislation, given possible changes that can take place before bills reach his desk. In this case, Heineman said he wanted to be "crystal clear" that the bill as it fails to answer the issues raised by several midsized cities, as well as state and local chambers of commerce.

His comments came as lawmakers prepare to end the session on June 8.

"We're at a very critical juncture this week and next week," Heineman said in a conference call with reporters. "It is now time for the legislature to get really serious on this issue, to make changes so that we have real reform."

The current bill would tighten the rules and procedures that apply to the Commission of Industrial Relations, an appointed body that resolves public sector wage and working condition disputes that have reached an impasse.

Heineman said he supports changes proposed by business groups that he believes would bring more consistency to the way public employee union disputes are handled. The business proposal would increase transparency of how union contracts are negotiated, he said, and would offer greater flexibility to state and local governments that have to pay different union employees different wages.

The governor pointed to a May 4 letter to the Legislature from the mayors of Grand Is-



Heineman

land, North Platte, Hastings, Fremont, Kearney, Holdrege and Lexington. The mayors complained that the bill would complicate the existing negotiation process, and still didn't give them the power they need to manage personnel costs.

Nebraska's debate over collective bargaining rights falls in the shadow of nationally watched union battles in Wisconsin and Ohio.

Lawmakers advanced the bill through a first-round vote earlier this month, after the bill's sponsor, Omaha Sen. Steve Lathrop, agreed to sit down with business officials to seek a compromise.

Lathrop has said his legislation would address much of the criticism leveled against the commission. In floor debate, Lathrop argued that the state will lose well-trained employees unless the commission is able to keep public wages at a professional average. Other supporters have said the loss of qualified employees could cost governments the money they invested in employee training.

"We can be short-sighted, and we can answer the call of what's happening across the country, and really hammer public employees," Lathrop said in the debate. "And you know what's going to happen? They're going to leave."

Lathrop has worked on the bill for the last eight months with help from Omaha Sen. Brad Ashford and Hastings Sen. Dennis Utter, who initially sought to abolish the commission but now supports Lathrop's proposal.

Ashford said Monday he was still confident that lawmakers could reach a fair compromise before they adjourn for the year. He said the

proposal has been "by far the most difficult challenge" he's faced in his 13 years in the Legislature, but the issue was too important to shelve.

"Obviously, the pressure's on," Ashford said. "We need to find a way through this, and we'll just keep plugging."

Lathrop's bill would require the commission to give preference to other cities or school districts in Nebraska when considering an appropriate wage, instead of making out-of-state comparisons that could increase the cost. The commission would have to look at private sector wages, as well. Commission members could not compare the wages of any local government with those in a city with less than half or more than twice the population.

The measure also would impose a "freeze" for cities or school districts with wages above the state average. The freeze would hold for double the time it takes for average wages to catch up. Local governments would receive credit for improvements made to retirement and health plans when commission members look at wages.

The commission has handled a range of disputes, ruling for employees in some cases and employers in others. In August, it ordered the city of Scottsbluff to reimburse its police officers' union for health insurance benefits it said were improperly withheld. In December, it ruled against an electrical workers' union that challenged the Omaha Public Power District's tobacco-free workplace policy.

Union leaders say they seldom file cases because they are costly and might produce an unfavorable ruling. Preparing and presenting a case can cost between \$30,000 and \$100,000 for surveys of comparable wages or benefits, expert witnesses and legal fees.

Rally Is Held At Swollen Devils Lake's Natural Outlet

BY DAVE KOLPACK
 Associated Press

DEVILS LAKE, N.D. — Hundreds of shovel-ready demonstrators gathered at the natural outlet of swollen Devils Lake on Monday in a symbolic show of support for digging out the area known as the Tolna Coulee.

Members of Citizens United to Regain Equity, or CURE, believe that lowering the coulee would be cheaper and more effective than the state's plan for an east-end outlet. One of the organizers, Nelson County Commissioner Dan Marquardt, said he was overwhelmed by the crowd.

"With a turnout like this, you could do it by hand," he said, referring to removing ground from the coulee.

Devils Lake has quadrupled in size since 1993, due to a series of wet years. It has swallowed up more than 160,000 acres of prime farm and pasture land. It is 2 feet above last year's record elevation and less than 4 feet from the spill elevation.

One of the demonstrators, Lee Gessner, 43, said it was his dream

to take over his father's farm, which he did. Now the water is taking over. He's lost about 1,000 acres of his land near the town of Penn.

"We had been losing a little bit at a time. This year it has really gone bad on me," Gessner said.

Jennifer Parker, 34, painted a sign that said "Ready" and attached it to her shovel.

"Ready, dig," she said, asked to explain the meaning. "I hope we

can make a difference. When people get together, things get done."

Many residents exchanged stories about the trials of navigating an area with washed-out roads and bridges. In order to get to his farm house, Chad Hoffart must drive a 4-wheeled ATV for 31/2 miles, take a duck boat guided by rope for 300 feet, and walk a quarter of a mile to a vehicle that takes him the rest of the way.

"People say they don't want our water," Hoffart said. "But it's not my water."

Lee Williams, 59, a fourth-generation farmer in the area, said he has lost his house and farm buildings and much of his land to the rising water. He wore a T-shirt that showed a map of the area and read, "Stop the Stupidity. Use the Stump Lake Outlet."

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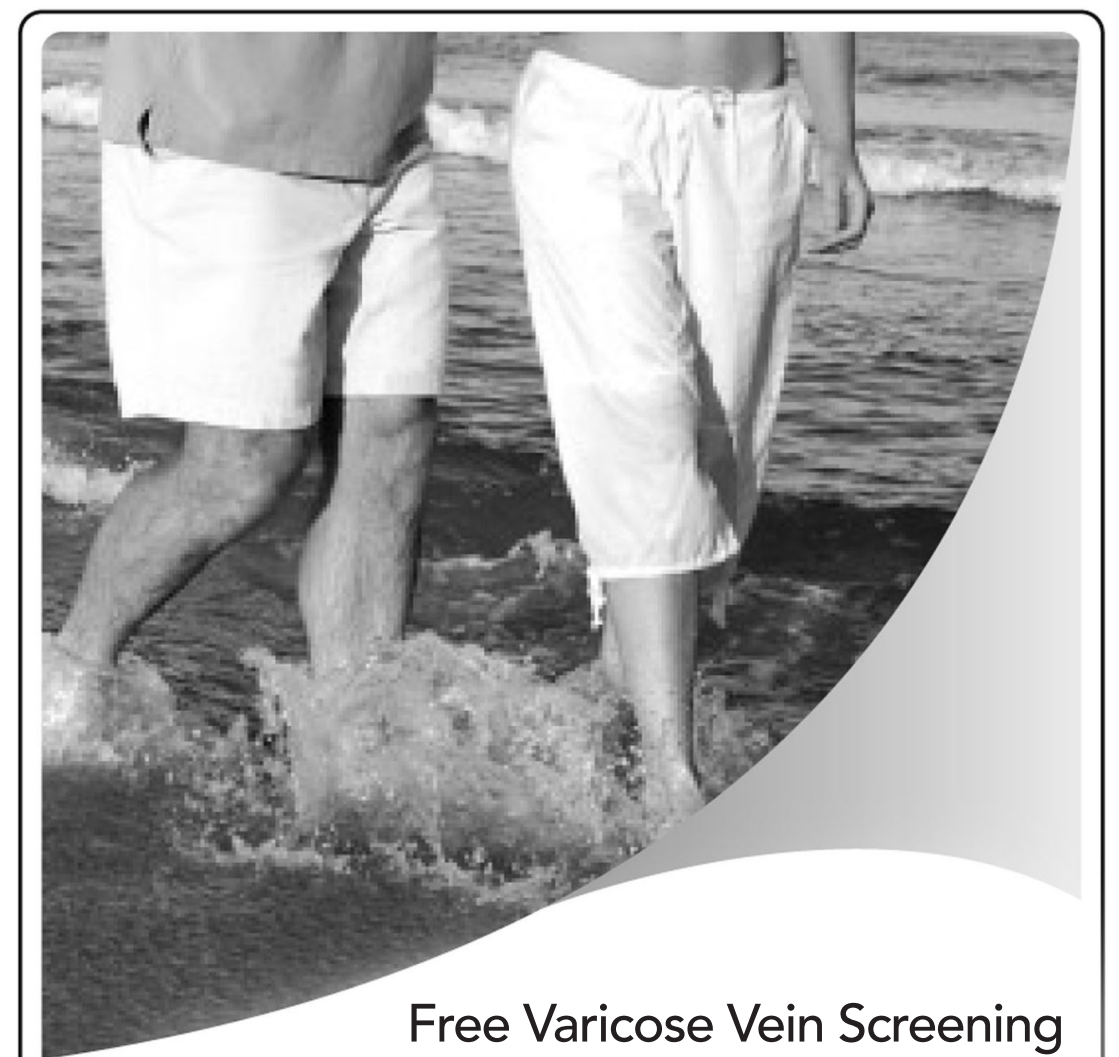
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