

**Neb. Collective Bargaining Bill Clears Vote**

LINCOLN, Neb. (AP) — A bill that would alter Nebraska's collective bargaining process has won final legislative approval. The measure (LB397) cleared the Legislature easily on Wednesday, with a 48-0 vote and no debate. The compromise marks the first major change in more than four decades to the Commission of Industrial Relations, a public-sector labor court. Lawmakers have hailed the package as an overhaul that preserves collective bargaining rights but helps local governments control their budgets. Public debate over the commission had intensified in recent months, after larger union battles erupted in Wisconsin and Ohio. Gov. Dave Heineman had threatened to veto an earlier version of the bill, but called the compromise measure a victory for Nebraska taxpayers. The governor confirmed he will sign the bill when it reaches his desk next week.

**Horse Virus In Check In Nebraska**

LINCOLN, Neb. (AP) — State officials say Nebraska is in the clear so far in an outbreak of a highly contagious virus that kills horses. The Equine Herpes Virus-1 has infected dozens of horses in at least 11 states and Canada. The infected horses were among roughly 400 that attended the National Cutting Horse Association Western National Championship in Ogden, Utah, earlier this month. Christin Kamm of the Nebraska Department of Agriculture told the *Lincoln Journal Star* on Wednesday that no confirmed cases have been reported in Nebraska. The disease poses no threat to humans, but is easily spread among horses. Five horse farms in Nebraska will remain under quarantine until at least next week. The newspaper says the horse-show schedule remains intact at Lincoln's Lancaster Event Center.

**Heineman Vetoes Of Food, Horse Racing Hold**

LINCOLN, Neb. (AP) — Nebraska lawmakers have failed to override Gov. Dave Heineman's vetoes of healthy foods and horse track racing bills. The governor's veto stuck for both bills Wednesday after lawmakers tried unsuccessfully to muster the 30 votes needed to push the measures into law. In letters to the Legislature, Heineman said the foods bill was duplicative of other programs and the racetrack bill appeared to be unconstitutional. Wilber Sen. Russ Karpisek disputed the opinion and said his horse track racing measure (LB256) was intended to give the state's struggling horse racing industry time to recover. Omaha Sen. Brenda Council said her foods bill (LB200) addressed demonstrable health needs of poor children and families. She said the bill evolved out of a study that confirmed the presence of food deserts throughout the state.

**Flood Gate Leads To Wastewater Discharge**

DES MOINES, Iowa (AP) — A flood gate weighing several tons has fallen at the Des Moines wastewater treatment plant, leading to a discharge of partially treated wastewater into the Des Moines River while repairs are made. The gate, which is closed when the river threatens the plant, fell Wednesday morning. Dave Perry of the Iowa Department of Natural Resources says it appears a metal pin that holds the gate in place broke, causing the gate to drop. Perry says officials are still trying to recover the gate, and there's no estimate on how long repairs may take or how much partially treated wastewater has been released. The plant discharges about 120 to 180 million gallons per day. The city is testing for pollutants, and the agency is monitoring the situation.

**FEMA To Assess Minneapolis Tornado Damage**

MINNEAPOLIS (AP) — Officials from the Federal Emergency Management Agency will inspect the area of north Minneapolis damaged by Sunday's deadly tornado to determine whether the area is eligible for federal aid. Teams of city, state and federal officials will also assess damage to public buildings and public infrastructure, like roads and sidewalks. They will start Thursday. They'll try to estimate repair costs. The state will then determine whether the damage is beyond what the city and state can pay for. A determination that there was at least \$6.4 million damage to uninsured public property would trigger federal disaster aid. State Homeland Security and Emergency Management director Kris Eide expressed confidence that threshold would be met during a news conference Wednesday. Minneapolis Mayor R.T. Rybak encouraged residents to be honest with inspectors.

**Judges To Weigh Death For Man Who Killed Nebraska Girl**

DAKOTA CITY, Neb. (AP) — A three-judge panel will convene next month to decide whether to impose the death penalty for a Mexican national convicted of killing a 3-year-old Nebraska girl. A hearing for Melecio Camacho-De Jesus has been scheduled for June 7 in Dakota County District Court. Camacho-De Jesus, 31, was convicted last July of first-degree murder in the May 2009 death of Evelyn Verdugo Paniagua in South Sioux City. During the first part of the sentencing phase of his trial, jurors found there were aggravating circumstances that warranted the death penalty. Prosecutors said the death penalty was an option because he killed the girl during a sexual assault. But the second part of Camacho-De Jesus' sentencing phase was delayed because the judge who handled his case retired at the end of 2010. Camacho-De Jesus's attorney Todd Lancaster said it will resume with the June hearing, at which the judges will consider any mitigating factors and whether they outweigh the aggravating circumstances. A death sentence requires a unanimous decision from the three-judge panel. Authorities have said Camacho-De Jesus broke into the girl's home, sodomized her, then killed her as her family slept. A death certificate said she died of asphyxia. Camacho-De Jesus was arrested a few hours later at a home where he had been staying in Sioux City, Iowa. The town is across the Missouri River from South Sioux City. Camacho-De Jesus' lawyers argued he didn't understand his actions that night because of cocaine in his system.

**Neb. Supreme Court Stays Moore's Execution**

BY TIMBERLY ROSS  
Associated Press

OMAHA, Neb. — The Nebraska Supreme Court issued an order Wednesday staying what was to be the state's first execution using lethal injection, giving attorneys for Carey Dean Moore a chance to challenge one of the execution drugs on appeal. Moore, 53, was scheduled in April to be executed June 14 for the 1979 slayings of two Omaha cabbies. But the high court said in its two-page order that Moore can't be executed until his appeal in Douglas County District Court is resolved. "The matter needs to be litigated in the post-conviction motion," Moore's attorney, Jerry Soucie, said. "Once that's done, the state and the defense will move on from there."

A message left Wednesday with the Nebraska Attorney General's Office wasn't immediately returned. Shannon Kingery, a spokeswoman in the Nebraska Attorney General's Office, said the state is reviewing its options. In the pending appeal, Moore challenged the state's purchase of one of the three drugs used in its lethal-injection protocol in district court. Soucie, has questioned the legality of Nebraska's purchase from an Indian company and whether the state bought the right substance. A worldwide shortage of the drug, sodium thiopental, has made it difficult to acquire. Soucie said during a Tuesday hearing that the state Department of Correctional Services might as well have bought the drug "from some out-of-work meth dealer," the *Lincoln Journal Star* reported. The Nebraska Attorney General's Office

said such a challenge should be heard in federal court, and the district judge on Tuesday gave Soucie until June 7 to respond to a filing from that office. The Nebraska Supreme Court last month rejected a similar appeal by Soucie and ordered Moore to be executed. Moore was convicted of first-degree murder for killing Maynard D. Helgeland and Reuel Eugene Van Ness during botched robberies. Six days before Moore was scheduled to be executed in 2007, the state's high court issued a stay because it wanted to consider whether the electric chair should still be used. The court ruled in 2008 that the electric chair amounted to cruel and unusual punishment. Nebraska lawmakers voted in 2009 to replace the electric chair with lethal injection as its preferred method of execution.

**Electronic Poll Books Work Well In SD Election**

SIoux FALLS (AP) — State and local officials in South Dakota praised new voting technology and methods used for the first time in Tuesday's school board election in Sioux Falls. The election was the first in the state to use electronic poll books and voting centers. The electronic poll books replace the large paper volumes of voters' names and automate the voter check-in process, while the voting centers reduce the number of polling sites that need to be staffed while giving voters more options on where to cast ballots. "In one word, I would characterize it as 'excellent,'" Secretary of State Jason Gant told the *Argus Leader*. "It was just what we



Gant

expected it to be." Gant, who was in Sioux Falls to get a firsthand look at Tuesday's election, said he plans to ask the 2012 South Dakota Legislature to pass a law allowing the new technology to be used in other elections across the state. County auditors and city clerks from other South Dakota communities were in Sioux Falls to see how the new technology worked, he said. "Absolutely, this will take off in other places," Gant said.

Instead of sending voters to 59 precincts in their respective neighborhoods, the Sioux Falls school district used 10 voting centers. Residents could cast ballots at any of the centers, no matter where they live in the city. The electronic poll books use a computer program to allow election officials to scan a driver's license to speed up verification of a voter's eligibility. Bev Chase, election manager for the school district said the new technology will cut the cost of elections. She said she previously hired 262 poll workers for the 59 precincts, at a cost of slightly more than \$100 for each worker. This year she hired 74,

meaning savings of nearly \$20,000. Chase said she also did not have to print the paper volumes of voters' name and some other documents. "I don't have a hard number yet, but I'm saying the savings are huge," Chase said. Officials said they had few problems with the new technology. Gant said the system occasionally could not provide information after a voter's driver's license was scanned, but that was expected because some people registered to vote years ago when a driver's license number was not required on a voter registration card.

**Bismarck Puts Out 'Urgent' Call For Sandbaggers**

BISMARCK, N.D. (AP) — City officials in Bismarck put out a call Wednesday for people to help fill sandbags, saying volunteers are urgently needed as residents along the rising Missouri River continue efforts to safeguard their property. The river has been swollen by spring snowmelt and heavy rain, and releases from Garrison Dam will be at record levels. The river could rise 2 feet above flood stage in the Bismarck-Mandan area, according to the Army Corps of Engineers. "There is an urgent need for volunteers to fill sandbags at Sandbag Central at the Missouri Valley Complex (fairgrounds), Bismarck Expressway," the city's statement said. "Bring gloves and a shovel." Todd Sando, chief engineer for the State Water Commission, said flooding is likely to cause basement water problems in south Bismarck because dikes won't be able to keep out water

that seeps underground in the area's sandy soils. He advised residents to have a spare sump pump and a generator in case there are power problems. Bismarck was closing some parks and Riverwood Golf Course, *The Bismarck Tribune* reported. Dakota Zoo was building perimeter dikes and contacting other zoos in case some animals need to be moved, Director Terry Lincoln said. "We are keeping our fingers crossed," he told KXMB-TV. "Let's just say we've got a lot of animals and they certainly don't walk on a stock trailer themselves." The Lewis and Clark Riverboat should be able to continue

operations but will have to be moved to a new dock. Tracy Potter, director of the Fort Abraham Lincoln Foundation, told the *Tribune*. To the north, Minot's dike system was being shored up in anticipation of higher flows on the Souris River. The Army Corps of Engineers hired contractors to shore up about 40 spots, City Engineer Alan Walter told the *Minot Daily News*. The work was likely to result in some street closures. The Souris is flooding because of excessive spring snowmelt and rain in the river basin in the U.S. and Canada. Lake Darling upstream from Minot is near its maximum elevation and officials say more water

will need to be released later this week, increasing flows through Minot. "They tell me that they'll start opening the gates at Lake Darling on Thursday," Walter said. "It's a race, yes." In western North Dakota, Sully Creek State Park and the Bully Pulpit Golf Course at Medora remained closed Wednesday because of flooding along the Little Missouri River. The Badlands Ministries summer camp south of Medora was reachable only by boat. The small town of Mar-marth formulated an evacuation plan, though Slope County Emergency Manager Richard Frederick told *The Dickinson Press* that it appeared the danger had passed.

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