

SD Dems Continue Tax Refund Referral Effort

SIoux FALLS (AP) — Democrats say they've collected about half the signatures needed for a public vote on a state program to refund construction taxes on large industrial projects.

The Republican-controlled Legislature this year passed the bill at the urging of Republican Gov. Dennis Daugaard.

The law would provide refunds on projects that cost at least \$5 million.

Democrat Party Chairman Ben Nesselhuf told the *Argus Leader* that the money should be used instead for education or Medicaid.

The governor's office says the refunds promote business expansion and increase the property tax base to benefit local schools.

It takes nearly 16,000 petition signatures to refer the law to the ballot. They must be filed by June 27. The petition drive began March 31.

Mitchell Woman Claims \$177K Lottery Prize

MITCHELL (AP) — A Mitchell woman has cashed in a Dakota Cash lottery ticket worth \$177,068.

The South Dakota Lottery said Michelle Bathke redeemed the winning ticket Friday, more than a week after she bought it at a convenience store.

Bathke said it was a spur-of-the-moment decision to buy the ticket. She said some of the money will be used for home improvements and the rest will be saved and invested.

Motorcyclist Charged With Going 148 MPH

OMAHA, Neb. (AP) — A man who police say was clocked going 148 mph on a motorcycle in Omaha has been arrested.

KETV-TV in Omaha says the Nebraska State Patrol was conducting traffic patrol Thursday afternoon when 27-year-old David Oien drove by going 148 mph.

Authorities were able to locate Oien stopped near Interstate 680. He was taken into custody without incident.

Officials say Oien was taken to the Douglas County jail. On Friday jail officials say they have no one by that name in custody.

Court officials also say they don't have a file for Oien and no listing for an attorney.

KETV-TV says he is charged with felony flight to avoid arrest, willful reckless driving, driving under suspension, no registration and speeding.

Neb. Man Wins Nearly \$475K In Keno Game

COLUMBUS, Neb. (AP) — Authorities say a 58-year-old Columbus man has won the biggest jackpot ever awarded through Lotto Nebraska keno.

The Columbus Telegram is reporting that Glen Widhalm matched all nine numbers on a \$2 bet Wednesday afternoon. He won more than \$474,000 in a progressive jackpot from Lotto Gold at the Oasis Bar.

His take after taxes will be nearly \$324,000.

Widhalm said on Thursday, "I'm just in shock yet."

He says his numbers represent the his birthday and that of his father and one of his sisters.

Former City Manager Sentenced For Theft

STURGIS (AP) — The Sturgis city manager who resigned less than a day after being convicted of a felony was sentenced Friday to 60 days in jail, 200 hours of community service and \$7,300 in restitution.

David Boone was convicted in April of grand theft by deception in a case involving alleged insurance fraud. KBHB radio reports that he was given a suspended imposition of sentence, meaning the conviction will not go on his permanent record if he successfully completes four years of probation.

Boone apologized in court on Friday and said he "takes full responsibility for what happened."

County Must Pay Convicted Murderer's Bill

RAPID CITY, S.D. (AP) — A judge has ordered Lawrence County to pay the legal bill for Briley Piper, an Alaska man being sentenced a second time for murdering a South Dakota man 11 years ago.

The Rapid City Journal reports that the County Commission voted to stop paying Piper's bills, after having already spent nearly half a million dollars. But Judge Jerome Eckrich said the county has to pay the attorney bill for Piper's resentencing trial that's to start July 5.

Piper pleaded guilty to killing 19-year-old Chester Allan Poage near Spearfish in March 2000 and was sentenced to death. The state Supreme Court later ruled that a jury and not a judge should have decided Piper's fate.

No Threat From Odd Letter At Revenue Dept.

Authorities have determined there's no threat from a suspicious letter delivered to the Nebraska Department of Revenue.

A hazardous-materials unit responded to the Lincoln office about 10:15 a.m. Friday after a powdery substance was found in the letter.

The Lincoln fire department told KLKN-TV that it appears someone spilled a sugary substance on it. It's not hazardous.

Officials Plan Levees For River Flooding

BY CHET BROKAW
Associated Press

PIERRE — State and federal officials announced Friday they intend to build emergency levees to try to protect homes and public property in Pierre and Fort Pierre from water pushed through Missouri River reservoirs to drain flows from melting snow and recent heavy rains.

However, South Dakota Gov. Dennis Daugaard said some homes will be hit by rising water when flows are increased again Saturday ahead of work on the 4-foot-high earthen levees. Homeowners should not rely on protection from the levees, but instead should take steps to protect their property as if the levees will not work, he said.

"We believe the levee construction is certainly very good news, but some areas will be inundated even as the levees are being constructed," Daugaard said.

The U.S. Army Corps of Engineers announced Thursday that more water than previously projected would have to be released from the Missouri River dams to deal with water flowing in from recent heavy rains in western South Dakota and North Dakota, and Montana and Wyoming. Residents of low-lying areas of Pierre and Fort Pierre worked late into the night Thursday to protect homes with sandbags and move possessions out of their homes or at least to higher floors.

Eric Stasch, operations manager at Oahe Dam five miles upstream from the cities, said contracts would be awarded late



KELLY HERTZ/P&D
Members of Yankton Charlie Battery await their departure from the Yankton National Guard Armory Friday. The unit was activated by Gov. Daugaard late Thursday to assist with fighting back rising waters along the Missouri River in the Pierre area.

Friday for the earthen levees to be finished by next Thursday, shortly before the Corps of Engineers plans another increase in releases from the dam.

The levees will be built to a height that would handle more water than is currently projected to be released, Stasch said.

"We're building in a buffer. We're building in a safety margin," he said.

Most of Pierre, including the State Capitol, sits on hills well above the projected flood zone.

The Oahe Dam normally releases about 25,000 cubic feet of water a second through its hydroelectric power plant at this time of year. Releases have been increasing steadily in recent days and were projected to go to

85,000 cubic feet a second Saturday through the power plant and emergency gates. Releases are projected to rise again June 4-6 to 100,000 cubic feet per second, and then to 110,000 by late June or early July.

Stasch said the heavy releases will last at least until the middle of July, but some water will likely move through the emergency gates until December.

No evacuation orders were in effect Friday, but city officials said people living in areas expected to flood should be ready to leave their homes if necessary.

No count has been made of how many homes could be affected by rising waters. But even before the corps increased its projected releases, officials in the

two cities had expected 300 or more homes would be in danger of flooding.

Rayne Dosch of Pierre, who worked Friday with relatives and friends to put sandbags around her home in southeast Pierre, said she believes the Corps of Engineers should have used better planning to move water downstream earlier in the year. She said she's upset that her home is threatened by the actions of an agency, not an act of nature.

"They are purposely threatening my home with that same dam that was supposed to protect people living along the Missouri River," Dosch said.

Daugaard said he has activated a couple South Dakota National Guard units to help deal with flooding in the area. Mark Neveau of the Federal Emergency Management Agency said the organization has a half-dozen people working to help get whatever services or supplies are needed.

State Emergency Management Director Kristi Turman said officials also are looking at what might happen to communities downstream from Pierre and Fort Pierre, so people there can be warned to protect themselves and their property.

The governor said he and his wife, Linda, planned to stay in Pierre through the Memorial Day weekend to help people deal with the flooding.

"We've got a three-day weekend coming. I know there are many, many South Dakotans who are abandoning their vacation plans to help their friends and neighbors," Daugaard said.

Health Group Disputes S.D. 3-Day Abortion Wait

BY CHET BROKAW
Associated Press

PIERRE, S.D. — Planned Parenthood filed a lawsuit in federal court Friday seeking to block a South Dakota law that would require women seeking abortions to face the nation's longest waiting period — three days — and undergo counseling at pregnancy help centers that discourage abortion.

The lawsuit asks a federal judge to suspend the law from taking effect until a final ruling on whether the new law, set to take effect July 1, violates a woman's constitutional right to abortion established under the U.S. Supreme Court's 1973 ruling in Roe v. Wade.

The legal challenge was filed in Sioux Falls, where Planned Parenthood Minnesota, North Dakota and South Dakota operates South Dakota's only abortion clinic.

State Rep. Roger Hunt, the chief sponsor of the bill in this year's legislative session, said the lawsuit was expected.

"I don't understand why, because it just seeks to give women more information and it seeks to remove coercion, seeks to deal with a number of coercion elements where you have possible

rapes and problems within families and what not, and we're trying to help those women deal with that coercion," said Hunt, R-Brandon.

"All of that seems to me to be in support of women, but for some reason Planned Parenthood sees their money supply and the abortions being dried, up so obviously they're going to fight," Hunt said.

The lawsuit contends the law violates a woman's legal right to abortion by imposing "the most extreme mandatory delay in the country." The measure also interferes with a woman's right to privacy and violates the free-speech rights of women and their doctors, the lawsuit says.

"This law goes farther than any other in the country in intruding on the doctor-patient relationship and putting women and families at risk," Sarah Stoesz, president of Planned Parenthood, Minnesota, North Dakota and South Dakota, said in a written statement.

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