

Wind Energy Tax Measure Headed To Final Vote

LINCOLN, Neb. (AP) — A bill designed to attract large wind-energy farms to Nebraska is headed to a final vote in the Legislature. Lawmakers gave second-round approval Tuesday to the bill, which would extend sales tax exemptions to wind-energy companies. One firm, TradeWind Energy, has expressed interest in developing a wind farm in Dixon County, on the Iowa and South Dakota border. Nebraska ranks as one of the nation's biggest wind-producing states, but 26th in the energy it could produce with equipment currently installed. Sen. Steve Lathrop of Omaha says the bill is designed to keep Nebraska competitive with other high-wind states in the Plains. Some lawmakers questioned whether Nebraskan residents would receive enough of the direct benefits.

Neb. Gov. Vetoes \$200K In Golf Tourney Funds

LINCOLN, Neb. (AP) — Nebraska Gov. Dave Heineman has used a line-item veto to strike \$200,000 from the state budget that was approved for an Omaha golf tournament. The governor said Tuesday that funding for the U.S. Senior Open golf tournament is unjustified, given the state's other spending priorities on education and changes to juvenile services. Heineman also argued that the event is heavily supported by the private sector and experiencing record ticket sales. Heineman signed the remainder of the budget bill, which authorized funding for deficit appropriations. The bill was one of seven budget measures that lawmakers have passed this year.



Heineman

High Prices Send CRP Enrollment In Neb. Down

LINCOLN, Neb. (AP) — Soaring prices for corn and soybeans have Nebraska farmers taking more erosion-prone land out of a federal conservation program and back into crop production. The *Lincoln Journal Star* reports that landowners in southeastern Nebraska, which has been a stronghold for the federal Conservation Reserve Program, are moving away from the 10-year federal contracts and toward row-crop production. That includes landowners in Johnson, Gage, Otoe and Lancaster counties. Pawnee County, which once had about 60 square miles enrolled, saw enrollment drop to less than half that last year. Officials say that while more crop production is good news for livestock feeders, ethanol plants and other potential profit-makers, it's not so good for prairie chickens, pheasants and other wildlife that depend on CRP habitat.

S.D. Social Services Wants Tribes' Lawsuit Tossed

BY KRISTI EATON
Associated Press

SIoux FALLS — The head of South Dakota's Department of Social Services asked a judge to toss out a lawsuit filed by two tribes alleging that the state routinely breaks federal law governing foster care and adoptions for American Indian children. Lawyers for DSS Secretary Kim Malsam-Rysdon wrote in a motion to dismiss filed Monday that there is no evidence Malsam-Rysdon made deliberate choices that violated tribal members' rights. "The complaint is devoid of any specific facts that (DSS) took any action pursuant to an alleged unconstitutional policy or custom," a memorandum supporting the motion to dismiss said. The Oglala Sioux and Rosebud Sioux

tribes, along with three Native American parents, sued Malsam-Rysdon, as well as DSS employee LuAnn Van Hunnik, Pennington County State's Attorney Mark Vargo and 7th Judicial Circuit Court Presiding Judge Jeff Davis. Van Hunnik, Vargo and Davis have also filed motions to dismiss. The lawsuit alleges the state is violating the Indian Child Welfare Act by holding improper hearings after children are removed from homes. It says the hearings are sometimes as short as 60 seconds and do not give parents the opportunity to introduce evidence showing their ability to care for the child or to question the state. The suit is part of an ongoing dispute about Native American children in foster care in South Dakota. Federal law requires that Native American children removed from homes be placed with

relatives or with other Native American families, except in unusual circumstances. Tribal officials contend South Dakota removes too many American Indian children from their homes and then puts them in foster care with non-Indian families. The defendants said the tribes have failed to state a claim and lack standing to bring the suit. They asked that the federal lawsuit be tossed. Steven Pevar, an American Civil Liberties Union attorney representing the tribes, said he expected the defendants to file a motion to dismiss and the tribes will be responding within the time required. Congress passed the Indian Child Welfare Act in 1978 because of the once high number of Indian children being removed from their homes by public and private agencies.

S.D. Court Considers Discipline For Former Lawmaker

BY CHET BROKAW
Associated Press

PIERRE — Former state Rep. Shawn Tornow of Sioux Falls asked the South Dakota Supreme Court on Tuesday to give him only a private reprimand for his actions in two cases when he was an assistant city attorney for Sioux Falls. The State Bar's Disciplinary Board has recommended Tornow, who was a state representative in 2005-2006 and 2011-2012, be publicly censured for violating rules governing lawyers' conduct. A public reprimand would involve publication of that reprimand in the State Bar's monthly newsletter. The Disciplinary Board found that while Tornow was an assistant city attorney, he acted unfairly by not giving some information to a former city commissioner involved in a

case before the city's Ethics Board. The board also found Tornow had an improper conversation with another lawyer representing Tornow's daughter on a traffic violation. Court records show Tornow had a telephone conversation on May 18, 2010, with former city council member Kermit Staggers about the Ethics Board's handling of a case involving Staggers. Staggers later called requesting a copy of a recording of the conversation, incorrectly referring to it as the "May 17 conversation." Tornow told him there was no such recording, but did not inform Staggers that was because the conversation actually occurred May 18. Robert Frieberg, a lawyer for the Disciplinary Board, called Tornow's response unfair to Staggers. "A lawyer has to be fair and tell the truth. That's what the rule

says," Frieberg told the Supreme Court. Tornow said he was "hypersensitive" to the confidentiality surrounding Ethics Board proceedings and he believed the phone conversation was a confidential work product. He said he now realizes he should have asked Staggers if he was referring to the May 18 conversation. The court also considered an improper conversation which Tornow is accused of having when his daughter fought 2009 city citations for speeding and failing to wear a seat belt. The city attorney's office could not prosecute the citations because Tornow worked there, but they could be prosecuted under state law. Court records indicate that when his daughter's lawyer called, Tornow told the lawyer there was no agreement allowing the county to prosecute such a case.

The case initially was dismissed but later prosecuted under state law. Frieberg said Tornow should not have interfered in the case against his daughter. Tornow acknowledged it would have been better for him never to have talked with the lawyer representing his daughter. "I guess what I learned through this is that it's really probably toughest knowing your lifelong obligation is to be a parent first," Tornow told the Supreme Court. Frieberg said the Disciplinary Board felt Tornow had a heightened responsibility as a public official. "I think most important perhaps in all of this is a concern about public trust. We expect a public official to be honest, forthright and treat us fairly," Frieberg said. The Supreme Court will issue a decision later.

OBITUARIES

Cleo Johnson

Cleo Mae Johnson, age 90 of Crofton, Nebraska died on Sunday, May 19, 2013 at the Avera Sacred Heart Hospital in Yankton, SD. Funeral Services will be on Thursday, May 23, 2013 at 11:00 a.m. at the United Church of Christ Congregational in Crofton with Pastor Les Parmenter officiating. Burial will be at the Crofton City Cemetery in Crofton, NE with military graveside rites by the Crofton American Legion Post 128. Visitation with the family present will be on Wednesday from 6-8:00 p.m. at the Wintz Funeral Home in Crofton. Visitation will continue on Thursday, at church, one hour prior to services.

Pallbearers will be Mike Johnson, Christopher Johnson, Mark Egger, Evan Egger, Gaylon Johnson, and Matt Egger. Honorary pallbearers will be Cleo's great grandchildren. Cleo was born in Crofton on May 2, 1923, the oldest child of John and Edith (Murray) Merchen. She attended Crofton Public Schools and graduated in 1941, enjoying music, playing trumpet in the band and singing in chorus. After graduation, she worked in the Crofton post office for two years. In 1943, she attended the Commercial Extension School in Omaha followed by employment with Mutual of Omaha for a short time. In 1944, she joined the WAVES, (Women Accepted for Volunteer Emergency Service), serving 19 months in the U.S. Navy, stationed at the Naval Air Station in Alameda, CA, working in the communications department. After being discharged in 1946, Cleo went to cosmetology school in Jacksonville, IL and re-



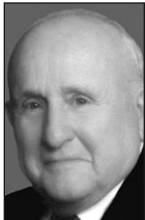
Johnson

turned to Crofton in 1949. She operated a beauty shop in Crofton until marrying Ralph Johnson on January 28, 1954 in LuVerne, Minnesota. She became a farm wife and mother of two children, Gaylon and Karla. Cleo was a member of the United Church of Christ Congregational in Crofton, a lifetime member of the Crofton American Legion Post #128 and the Crofton Legion Auxiliary. Cleo also liked to crochet and spend time with grandchildren. She is survived by her son Gaylon and wife Sharon Johnson of Yankton, SD; daughter Karla and husband Matt Egger of Martell, NE; five grandchildren; 11 great grandchildren; one brother Galen Keith "Skeeter" Merchen of Bloomfield, NE. Cleo was preceded in death by her parents, infant son Nolan Reed Johnson; husband Ralph on November 16, 1994 at the age of 79 years; and sister Audrey Waggoner. Memorials have been designated to the Crofton Community Foundation Fund, an affiliated fund of the Nebraska Community Foundation, for community betterment in the Crofton area. Yankton Press & Dakotan May 22, 2013

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Warren Kuhler

Warren G. Kuhler, 90, died Monday, May 20, 2013, at Wakonda. His funeral service will be at 10:30 a.m. Saturday, May 25, 2013, at the United Methodist Church in Wakonda. Burial will be in the Union Cemetery at Wakonda with military honors by the American Legion Gingrich-Dixon Post #13. Visitation will be from 4-8 p.m. Friday, May 24 at the Hansen Funeral Home in Irene with a prayer service at 7 p.m. Memorials may be directed to the Wakonda Community Health Foundation. Visit www.hansenfuneralhome.com.



Kuhler

Warren George Kuhler was born May 25, 1922, to George and Ellen (Buehler) Kuhler in Wakonda. He graduated from Wakonda High School where he was active in music and sports. In 1939, he was a member of the first basketball team from Wakonda to play in the South Dakota state basketball tournament. While a student at Morningside College in Sioux City, Iowa, Warren enlisted in the U.S. Army and was called to active service in 1943. He took his Air Force cadet training at Moorhead, Minnesota. While in the Fargo-Moorhead area, he met his future wife, Lillian Mae Hennings. They were married February 14, 1945, at the American Lutheran Church in Fargo. Warren graduated as a Second Lieutenant from navigation school at San Marcos, Texas, and from flight engineering school at Amarillo, Texas. He had a dual rating as a navigator and flight engineer on B-29 aircraft. After being honorably discharged from the U.S. Army Air Corps in 1946, he finished his education at Morningside College. Warren returned to Wakonda to farm with his father before moving to Colton, California in 1956 to go into partnership with his brother-in-law in the Blue Mountain Dairy. After two years, he returned to Wakonda to the family farm. He

was always very proud that his family had farmed the same land since 1878 and that the farm remains in the family still today. In 1962, Warren left full-time farming to become the director of the South Dakota United Methodist Foundation for the next seven years. He became the administrator of the Pioneer Hospital and Nursing Home in Viborg in 1969, a position which he held for 21 years. He held several offices on the state and national level with health care associations and was elected a Fellow in the American College of Nursing Home Administrators in 1976. Dakota Wesleyan University awarded him an honorary doctorate degree in 1979. Warren was a member of the Wakonda United Methodist Church and a life member of the American Legion. For many years he was active in the Wakonda Community Club, the Wakonda Development Association, the Wakonda Alumni Association, the Clay County Historical Association, the Wakonda Community Health Foundation and was editor of the Wakonda Centennial History book. He was instrumental in the building of the Wakonda Heritage Manor Nursing Home, assisted living apartments and free-standing apartments, and the Wakonda Café. Warren enjoyed singing and his voice was heard in community groups for many years, including the church choir. He sang baritone in a male quartet for several years which included Orville Brugger, lead, Cockey Hatch, bass, and Adolph Forsberg, tenor. Warren's love and devotion to God was a priority in his life. He projected his Christian spirit in all aspects of his life. Within the United Methodist Church he personified lay leadership on the local, state and national levels. In 2009, he was honored as Lay Leader Emeritus. Warren and Lillian enjoyed traveling and visiting other countries and cultures. They visited six continents and all fifty states during their retirement. Warren enjoyed spending time with his family, of which he was very proud. He was preceded in death by his parents; his wife, Lillian on April 19, 2013; and his brother-in-

law, Herbert Rowley. Survivors include his children, George (Deborah) Kuhler of Huron, Margaret (Stevan) Peterson of Wakonda, and Karen (Jeff) Trammell of Sioux Falls; six grandchildren, John (Kelli) Peterson of Wakonda, Karen (Chad) Hutchinson of Sioux Falls, Carrie Peterson (Nathan Clark) of Aalborg, Denmark, Ellen (Kersten) Kappmeyer of Sioux Falls, Alyssa (Trent) Schafer of Watertown, and Eric Chesley of Sioux Falls; three great-grandchildren, Julia Hutchinson and Braxton and Mason Chesley; his sister, Mary Ellen Rowley of Sun City, California; and many nieces and nephews. Yankton Press & Dakotan May 22, 2013

Joyce Dallman

Joyce K. Dallman, 82, of Hartington, Neb., died on Tuesday, May 21, 2013, at the Golden Living Center in Hartington. Funeral services will be on Friday, May 24, at 2 p.m. at the First Congregational United Church of Christ, Hartington, with the Rev. Gary Kimm officiating. Burial will be in the Hartington City Cemetery. Visitation will be on Thursday, with the family present from 5-8 p.m., at the Wintz Funeral Home, Hartington. Visitation will begin one hour prior to services on Friday at the church. To view the video tribute or to send online condolences, visit www.wintzrayfuneralhome.com

Dennis Knudsen

ROBEBUCK, S.C. — Dennis Lee Knudsen entered into rest May 3, 2013, at the Charlie Norwood VA Medical Center, Augusta, Ga.

Mr. Knudsen's remains will be buried at a later date in Turkey Valley Cemetery. McNeill Funeral Home 109 Shaw St. Martinez, Ga., is overseeing arrangements.

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