

Gov. May Keep Memorial Open

PIERRE (AP) — South Dakota's governor has offered the use of state workers to keep Mount Rushmore National Memorial open if federal funding ends at midnight.

Gov. Dennis Daugaard says he sent a letter to the director of the National Park Service offering personnel and resources.

The letter included an attachment outlining how the state would operate the Black Hills tourist attraction. Private donations would pay for the lighting of the memorial and state personnel would provide security. The visitor center wouldn't be open, but the concessions and gift shop would be.

Delay Is Sought In Pierre Trial

PIERRE (AP) — Lawyers for a Pierre boy accused in the fatal shooting of a classmate are seeking a delay in his murder trial.

Seventeen-year-old Braiden McCahren is scheduled to go to trial Oct. 21 in Pierre. McCahren has pleaded not guilty to first-degree murder, attempted first-degree murder and aggravated assault in the Dec. 18 shooting of 16-year-old Dalton Williams.

McCahren's lawyers have sought to have him tried as a juvenile, but a circuit judge has ruled that McCahren will be tried as an adult.

KCCR Radio reports that McCahren's lawyers want a delay in the trial because they plan to appeal the judge's ruling that he be tried as an adult.

Court Asked To Allow Confession

SIoux FALLS (AP) — State prosecutors are asking the South Dakota Supreme Court to allow an alleged confession by a teenager charged with murder.

A circuit court judge threw out Maricela Diaz's statement, saying she did not waive her right to remain silent when being questioned in the November 2009 death of 16-year-old Jasmine Guevara of Mitchell.

But Deputy Attorney General Sherri Sundem Wald argued to the high court Monday that Diaz is a street-savvy girl who was fully aware of her rights.

Diaz's attorney, Chris Nipe, said officers minimized the Miranda rights by saying they were "not a big deal at all."

Diaz, now 19, was 15 years old at the time of Guevara's killing but is being tried in adult court. Her boyfriend is serving life in prison in the killing.

Trooper Shoots 1 Suspect In Chase

RAPID CITY (AP) — A South Dakota Highway Patrol trooper shot a person after a chase that ended on the west side of Rapid City.

The Pennington County sheriff says it started Monday afternoon in Meade County and finished near Interstate 90 and Deadwood Avenue when the suspect's vehicle crashed into the ditch.

Troopers arrested one of the men in the vehicle immediately.

But the other man ran away and was chased down by a trooper in the parking lot of the nearby Butler Machinery dealership. There was a confrontation and the trooper shot the suspect around 3:30 p.m. Mountain Time Monday.

Man Flashes Wedding Guests

LINCOLN, Neb. (AP) — A man who stripped naked within view of wedding guests at a Lincoln church has been cited.

Lincoln police spokeswoman Katie Flood says the incident occurred Saturday outside St. Mary's Catholic Church across from the state Capitol.

Witnesses told officers a man who wasn't invited to the wedding pulled up in a pickup and stopped outside the church. He got out with a head of lettuce and said he was going to feed the animals.

Flood says the man got back in the truck, drove 50 yards down the street and stopped before getting out and undressing. She says he'd gotten back into his truck before officers arrived.

The man was cited for driving the wrong direction on a one-way street and arrested on suspicion of indecent exposure.

Nebraska

Platte River Flooding Is Slowly Ending

BY JOSH FUNK
 Associated Press

OMAHA, Neb. — Flooding along the Platte and South Platte rivers in Nebraska should end early this week, but officials said Monday the water contaminated with bacteria and debris could still pose a health risk for weeks.

Although the rivers surged to record heights last week, the flooding did little major damage in the state. The National Weather Service predicts that the last minor flooding should end near Kearney and Grand Island on Tuesday, but the rivers will remain elevated well into October.

Damage reports are still being compiled from counties that experienced flooding after the rain that inundated Colorado in early September flowed

into the state. But Nebraska Emergency Management Agency officials don't expect enough damage to warrant a disaster declaration.

"The lingering issue is just cleaning up the debris that was left behind," NEMA spokeswoman Jodie Fawl said.

But levels of E. coli bacteria in the water remain high because of the flooding, so the Nebraska Department of Environmental Quality will continue testing for at least a couple more weeks.

Nebraskans are being advised not to drink any of the river water because ingesting E. coli can cause illness and even death.

Dave Schumacher, who monitors surface water for DEQ, said this kind of spike in E. coli levels is expected any time there is a major runoff event be-

cause the water washes bacteria into rivers and lakes.

The bacterial concern is more widespread now because the Colorado floodwaters are flowing all across Nebraska. And there were some instances of wastewater treatment plants dumping sewage directly into the water during the height of the flooding in Colorado.

Any E. coli level above 235 colonies of bacteria per 100 milliliters of water is dangerous. Tests performed on the Platte River last week showed levels of E. coli above 2,400 colonies per 100 milliliters in Brady, Cozad and Overton.

Bacteria levels are expected to rise east of Overton in this week's testing as the floodwaters continue to flow downstream.

Normally, the state bacteria tests would stop at the end of September when the recreation season typically ends, but they will continue until E. coli levels fall back to more normal levels.

"The timing of this helps out a little in that it's around the end of the recreation season, and there are fewer people on the water," Schumacher said.

Officials say the E. Coli doesn't represent a threat to wildlife or fish, and it's safe for fishermen to eat what they catch as long as the clean it properly and cook it thoroughly.

As the river levels continue to fall, the bacteria will be killed by ultraviolet light as the water spreads out, Schumacher said. And cooler water temperatures in the fall will also kill bacteria.

SD Retirement System Eyes Change To Benefit Plan

SIoux FALLS (AP) — The South Dakota Retirement System is planning a big change to the 40-year-old pension plan that covers more than 77,000 current and past employees of state and local governments.

Instead of increasing retirees' usual benefits the next time the system has a surplus, Retirement System leaders want to add a new benefit — a defined contribution plan like a 401(k).

Retirement System director Rob Wylie told *The Argus Leader* that the

defined contribution plan would be on top of the existing defined benefit pension, which would not go away.

"The plan of the board at this point is to move away from a fixed-benefit improvement to one that will have some variability with the marketplace," Wylie said. "My personal belief, and that of the Board of Trustees, has really been moving to a combination of the two is maybe the best solution that's out there. But it's going to take some time to evolve."

Retirement System officials hope

the new plan will provide insulation from market shocks. When the system's investments plunged in value in 2008, its costs stayed the same. The system then went to the Legislature and cut retirees' cost-of-living increases.

A defined contribution plan would not obligate the system to pay a fixed benefit.

So far, advocates for employees and retirees are open to the proposed change.

"So much just depends on the overall health of the system," said Eric

Ollila, executive director of the South Dakota State Employees Organization. "There's benefits and drawbacks to both a defined benefits and a hybrid benefit. It's really just a matter of making sure that those changes ... will indeed help the state and the people within the Retirement System."

Gov. Dennis Daugaard also said he thinks the plan is a good idea. He said the plan retains a defined benefit program for employees approaching the latter decades of their careers, but also creates a kind of self-discipline against benefit advancement.

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