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Scientific Games Gets License For Deadwood

BY BOB MERCER

State Capitol Bureau

PIERRE — An international gambling corporation that is a big contractor for the South Dakota Lottery received state regulators' approval Tuesday to move into Deadwood casino gambling.

into Deadwood casino gambling. Scientific Games is acquiring WMS Industries, another international gambling company listed on the New York Stock Exchange.

WMS already held a manufacturer license from the South Dakota Commission on Gaming. WMS will be a wholly owned subsidiary of Scientific Games and will remain the licensee.

In a report dated Oct. 11, state gaming commission officials said they looked into Scientific Games majority owner and director Ronald Perelman, Scientific Games chairman and CEO Lorne Weil and seven other board members.

"No concerns were identified during the course of our background investigations that would preclude licensing. Staff has reviewed the proposed documentation for the acquisition and has no objection," said the report, signed by Craig Sparrow, the commission's director of operations and enforcement.

In a related action the commission approved a conflict of interest waiver for its legal counsel, Mike Shaw of Pierre.

Shaw is a member of the May Adam Gerdes Thompson law firm that represents Scientific Games on matters involving the South Dakota Lottery. Two of the firm's lawyers, Brett Koe-

necke and Justin Bell, registered as lobbyists representing Scientific Games during the 2013 legislative session.

The gaming commission has a rule specifically prohibiting a commission member, officer, agent or employee from accepting anything of value from a licensee or applicant and can be a ground for denial of a license.

Scientific Games holds long-running contracts with the South Dakota Lottery for scratch-ticket printing and for the central monitoring system for video gambling. The lottery operates under a separate state commission.

The lottery commission's contract

for the video-lottery system was reached in 2009. The terms called for the lottery to pay Scientific Games a \$2.9 million licensing fee and another \$1.7 million-plus for controllers installed at establishments.

In addition, Scientific Games receives 0.30 percent of net machine income — money lost or left behind by video lottery players — on a bimonthly basis.

The lottery commission entered the scratch-ticket printing contract in 2010 and later extended it into 2016.

The company, based at Alpharetta, Georgia, received payments from the lottery of approximately \$700,000 last year and more than \$1.1 million the previous year, according to state vendor records.

A company official told the gaming commission members Tuesday that the WMS merger is a means for Scientific Games to move further into slot machine activity. The company is seeking regulatory approval from various U.S. jurisdictions before completing the merger.

Council Bluffs To Pay \$6M To Settle Wrongful Conviction Lawsuit

BY DAVID PITT Associated Press

DES MOINES, Iowa — The city of Council Bluffs will pay \$6 million to settle a lawsuit with two Omaha, Neb., men who sued after the courts concluded they were wrongfully convicted and imprisoned for 25 years for the shooting death of a retired police captain.

Terry Harrington and Curtis McGhee will be paid \$2.3 million immediately and the remainder in six annual payments of \$528,571. A final payment of \$728,571 will be made in July 2020.

The settlement agreement resolves the lawsuit naming the Council Bluffs and retired city police detectives Daniel Larsen and Lyle Brown, who were alleged to have coerced witnesses into making up testimony among other misconduct.

The lawsuit was scheduled for retrial Tuesday before a federal jury in Des Moines. The first trial ended in mistrial last December when jurors could not agree on the verdict.

In that trial Harrington sought more than \$60 million and McGhee was asking for more than \$50 million. The two black men were

The two black men were seeking compensation for

years spent in prison for what the courts have concluded was a wrongful conviction in the 1977 shooting death of John Schweer, a white retired police captain who was working as a security guard for Council Bluffs car dealerships.

The agreement signed Friday splits the money evenly between the two men in exchange for dismissal of the lawsuit filed in November 2003 in U.S. District Court in Des Moines. It specifies all parties will pay their own attorney fees and costs. The agreement specifies no admission of fault, liability or wrongdoing by any party and bars anyone from making public statements suggesting otherwise.

The agreement also requires all involved and their attorneys to refrain from any disparagement or criticism regarding the lawsuit claims or the settlement. Parties involved in the case have agreed to make no public statement for at least 60 days other than to say the matter has been satisfactorily resolved. After that, statements may be made "in good faith about matters relating to the claims or settlement as long as they do not engage in disparagement and criticism."

S.D. Tribe Lays Off Employees In Shutdown

BY CHET BROKAW Associated Press

PIERRE — The Oglala Sioux Tribe in southwestern South Dakota is laying off 118 people after running out of federal money for many programs due to the federal government shutdown, Tribal President Bryan Brewer said Tuesday.

Brewer said the temporary layoffs on the Pine Ridge Indian Reservation will hurt programs that provide meals to older people, prevent suicide, care for children removed from their homes, provide child care for working parents and help people pay their heating bills. The program that provides meals to elderly people will be limited to one meal a day, and other programs will be stopped because of a lack of federal money to keep them operating, he said.

"We don't have any money now to help people with individual needs, electricity or anything like that. We have nothing right now," Brewer said.

The furloughs amount to about 7 percent of the tribe's employees, Brewer said. The tribe recently got permission to spend some of the federal money it had already drawn down, a move that prevented more extensive layoffs that could have sent up to half the tribe's employees home, he said.

In addition to the layoffs, many other tribal employees will see their paychecks cut because they will work only 56 hours in an 80-hour pay period, Brewer said.

Other American Indian tribes around the nation have already furloughed employees in crucial programs, but some have used their own money to keep programs operating. Officials of other South

Dakota tribes did not immediately return phone calls Tuesday seeking information on how they are dealing with a lack of funding caused by the government shutdown.

Brewer said even if the government shutdown ends soon, it could take a month or more to get federal funding to fully restore the programs that are being cut. When the Tribal Council approved the layoffs, it also passed a resolution guaranteeing that those who are furloughed will regain their jobs once funding is restored, he said.

The federal government is obligated by treaty to fund the programs, Brewer said, adding that he hopes Congress reaches agreement soon to end the shutdown.

Lydia Bear Killer, chair of the Oglala Sioux tribal health and human services committee, said the governmentfunded programs are not entitlements, but instead are contractual and legal obligations of the U.S. government. She said the lack of funding on the Pine Ridge and other reservations will also hurt businesses in non-Indian communities near the reservations

Worker: Northern Beef Didn't Give Notice

ABERDEEN (AP) — A man laid off by Northern Beef Packers in Aberdeen has filed a class-action lawsuit against the plant that has filed for bankruptcy.

The *Aberdeen American News* reports that Jorge Alvarado claims he and others weren't given proper notice before losing their jobs.

Northern Beef laid off 108 workers on April 24 and roughly another 260 on July 26.

Alvarado was laid off in July and filed the lawsuit against the beef plant individually and as a representative "for all similarly situated individuals" who were laid off within 90 days of July 19.

According to court paperwork, Alvarado claims the workers weren't given proper notice under the federal Worker Adjustment and Retraining Notification Act.

A judge would have to certify the lawsuit as a class-action case before moving forward.

Docs Frustrated With Electronic Records

SIOUX FALLS (AP) — Doctors aren't pushing for a return to paper but say they're frustrated with the transition to electronic health records.

South Dakota State Medical Association president Dr. Daniel Heinemann says the busy work required of them now adds about an hour to their day.

He tells the *Argus Leader* that patients also have complained about less eye contact during office visits because physicians turn away while typing on a keyboard.

The medical association represents 2,000 physicians and medical students in South Dakota. Heinemann is chief medical officer for Sanford Health.

The California research group Rand Corp. did a study that found electronic conversion a stress factor contributing to professional dissatisfaction.

Mount Rushmore Reopens To Tourists

KEYSTONE (AP) — Tourists are once again flocking to Mount Rushmore National Memorial in the Black Hills of western South Dakota.

National parks have been closed since Oct. 1 because of the partial government shutdown, but South Dakota and several corporate donors worked out a deal with the National Park Service to reopen the iconic landmark beginning Monday.

Spokeswoman Maureen McGee-Ballinger says about 3,000 people visited the site on Monday — typical for a cold, snowy October day.

McGee-Ballinger says the site is funded for 10 days, through Oct. 23. The *Rapid City Journal* reports that the Park Service is charging the state \$15,200 per day.

Attorney To Challenge Rep. Fortenberry

OMAHA, Neb. (AP) — A Lincoln attorney said Tuesday that he will seek the Democratic nomination to challenge Republican U.S. Rep. Jeff Fortenberry next year.

Dennis Crawford, who has practiced personal injury and workers compensation law in Lincoln for nearly 30 years, told The Associated Press in an interview that the federal government shutdown and threat of the country defaulting on its debt motivated him to run for Nebraska's 1st District seat.

"The decisions being made in Washington are actively hurting Nebraskans," Crawford said. "It's terrible. I'm angry about it."

Crawford acknowledged he faces a daunting task in trying to unseat Fortenberry, who is seeking his sixth term representing the Lincoln-based district. Fortenberry has more than \$984,500 in his campaign war chest.

But Crawford called Fortenberry "part of the problem." "Fortenberry generally votes with the tea party," Crawford said. "I find that alarming."

Neither Fortenberry nor his campaign office immediately returned phone and email messages Tuesday seeking comment.

Vince Powers, chairman of the Nebraska Democratic Party, said Crawford is the second candidate fielded this week by Democrats for Nebraska congressional races "thanks to Washington's dysfunction."

On Sunday, Omaha City Councilman Pete Festersen announced he would run for the U.S. House seat occupied by Republican Rep. Lee Terry

