

Nebraska Judge

Inmates Not Entitled To Minimum Wage

BY MARGERY A. BECK
Associated Press

OMAHA, Neb. — A federal judge has dismissed a lawsuit by a Nebraska prisoner who argued that he should be making minimum wage for his work behind bars.

Stephen Cavanaugh, 23, sued several state prison officials earlier this year, saying that over the past year, he has been assigned to work as a food server, window washer and a prison yard maintenance worker, with his work time varying between six hours and eight hours a day for between five and seven days a week. Cavanaugh, who represented himself in the lawsuit, said he was paid between \$1.21 and \$2.25 a day for the work.

His lawsuit said he should have been paid minimum wage of \$7.25 an

hour and asked a federal judge to award him at least \$3,400 in wages he should have earned, plus \$350 for his legal costs.

"Cavanaugh continues to be employed on the yard crew and is still paid less than minimum wage," he wrote in his complaint. "Therefore, the amount of actual damages continues to rise."

But U.S. District Judge Laurie Smith Camp dismissed the lawsuit Wednesday, saying that while state law sets minimum wage at \$7.25 an hour, another state law specifically allows the prison system director to make rules governing the hours prisoners work and how much they're paid.

The judge also noted that language in state law regarding prisoners contemplates the possibility that some inmates will not earn minimum wage. The language says that "inmates earning at

least minimum wage" may have their wages withheld to be deposited in a state victim compensation fund.

"Clearly, if Nebraska's legislators intended that all prisoners earn minimum wage, this language would not have been necessary," Smith Camp wrote in her order.

Cavanaugh was sentenced last year to at least six years in prison after being found guilty of two counts of attempted first-degree assault and two counts of use of deadly weapon. Police say Cavanaugh threatened two Grand Island men with a hatchet in July 2012. One of the men had a protection order against Cavanaugh at the time.

Corrections department spokesman James Foster declined comment on the ruling and Cavanaugh could not immediately be reached by phone for comment.

Sattgast Has Money Advantage In S.D. Race

BY BOB MERCER
State Capitol Bureau



Sattgast

PIERRE — Republican Rich Sattgast raised and spent more than twice as much as his Democrat Denny Pierson in their contest to be elected South Dakota's state treasurer, according to their campaign finance reports.

Sattgast is seeking his fourth consecutive term as a state constitutional officer. He was state auditor from 2003 through 2010 and ran for treasurer because he was term-limited as auditor. He started as state treasurer in 2011.

Constitutional officers are elected to four-year terms.

Sattgast began 2014 with \$1,002.27 in his campaign account. He reported raising \$20,948.18 this year and spent \$19,589.30. He had \$2,316.15 left.

Pierson, a Democratic

former legislator from Sioux Falls, reported raising \$8,241.50, spent \$6,845.49 and had \$1,396.01 left.

Pierson received contributions of \$100 to \$200 from more than 20 semi-prominent Democrats who have been legislators and party activists.

He also received \$3,000 from the South Dakota Democratic Party and \$1,600 from five county-level Democratic organizations.

Pierson served a total of six years in the Legislature spread across two periods. He was in the House of Representatives from 1979 through 1982 while he lived in Davison County.

He returned in 1993-94 to the Senate, where Democrats held a majority that term. He

was part of the last Democratic majority in the Legislature.

Ken Santema of Aberdeen is the Libertarian candidate. Santema's campaign-finance report shows he didn't raise any money and didn't spend any money.

Sattgast reported receiving \$6,400 in individual contributions ranging from \$150 to \$600 from 15 people, mostly from Pierre and Sioux Falls, and \$6,403 in un-itemized smaller contributions.

He also reported \$1,000 from the South Dakota Republican Party, \$2,600 from county-level Republican organizations, \$500 from the campaign committee of U.S. Rep. Kristi Noem and \$4,045.18 from political action committees located in South Dakota.

One of those PACS was opened by Sattgast on Aug. 20 and operated in addition to his election committee.

He reported that SATTAPAC raised \$3,515 in cash and received \$1,100 of in-kind contributions of goods and services.

In turn SATTAPAC donated \$1,595.18 to Sattgast's election committee but didn't spend any money otherwise, according to the report.

SATTAPAC's revenue included \$1,000 from Integrated Legislative Strategies of Washington, D.C., \$1,005 from Andrew Northwall of Omaha, Neb., \$500 from Amy Kauffman of Hummelstown, Penn., \$500 from Sattgast and \$515 in un-itemized contributions.

SATTAPAC also reported in-kind contributions from Deadwood Grand \$250, Indian Motorcycle \$300, The Stadium \$200, Fresh Horses \$225, Broadwater Resort \$125 and Shipwreck Inn no amount. Addresses weren't reported for the businesses.

Decision 2014

Daugaard, Wismer Split On Final Campaign Strategy

BY KEVIN BURBACH
Associated Press

PIERRE — The leading candidates for South Dakota governor are taking two very different approaches in appealing to voters as Election Day nears.

With a comfortable lead in the polls, Republican incumbent Dennis Daugaard's team says he plans to campaign lightly but will mostly focus on his day job. He told the Associated Press last week that so far, he has done the occasional debate or fundraiser for the campaign, but has mostly relied on his track record in office.

"I have a job, and voters expect me to do it," he said. "So the best things I've found, is just to do my job and work hard."

Daugaard's campaign said he's expected to appear in public with U.S. Senate candidate Mike Rounds and other Republicans for a day or two before the election.

Meanwhile, state Rep. Susan Wismer has a packed schedule, traversing the state from Pierre to Mobridge to Sioux Falls to Pine Ridge from Thursday to Saturday.

Unlike her opponent, who's been governor since 2010 and was lieutenant governor for eight years before that, Wismer has struggled more with name recognition.

A poll published this week by the Argus Leader and KELO-TV in Sioux Falls found that 36 percent of voters said they did not recognize Wismer's name. That same poll found Daugaard had a 36-point lead on the six-year state legislator.

Wismer, a Democrat, will get a chance to reach out to South Dakota's younger demographic and Native American voters this weekend, as she's scheduled to attend the Rock the Vote concerts on the Rosebud and Pine Ridge Reservations on Saturday and one in Rapid City on Sunday.

While Wismer has traveled the state by car to spread her campaign message, Daugaard has relied more on advertising and name recognition. Campaign finance reports show the governor spent about \$880,000 from May 20 to Oct. 20. Wismer used up about \$240,000 during that same period.

Stops Yield Nearly \$560K In Suspected Drug Money

LINCOLN, Neb. (AP) — An eastern Nebraska county sheriff said deputies have seized nearly \$560,000 in suspected drug money in recent traffic stops.

The money was confiscated in three separate stops in Lancaster County, the *Lincoln Journal Star* reported.

Sheriff Terry Wagner said the biggest bust came on Saturday, when a deputy stopped 31-year-old Matthew S. Crothers of Palos Heights, Illinois, and 50-year-old Jeffrey A. Larkin of Orland Park, Illinois. Authorities say a search of their pickup yielded nearly \$439,000 in a spare tire and a small amount of marijuana.

Deputies also say they seized nearly \$54,000 in a Sunday stop and arrested 33-year-old Wing Lun Lau of Minneapolis.

On Friday, they confiscated \$67,000. The sheriff says deputies arrested 21-year-old James Milton Atkinson of Mankato, Minnesota, and 22-year-old Erik Joseph Felsheim of Waseca, Minnesota.

So far this year, deputies have seized more than \$3 million in suspected drug money, according to records from the Lancaster County sheriff's office. Last year, about \$1 million was collected.

Wagner said the office usually receives about 80 percent of the seized money once the cases work their way through the criminal justice system. The remaining funds are sent to the U.S. Department of Homeland Security and the Lancaster County Attorney's Office.

But the county sheriff's office hasn't received any money from the 33 drug-related seizures deputies have made this year so far, Wagner said.

Romney

From Page 1A

week showed he had a nine-point lead over Weiland.

Rounds appears to have headed his shifting position, telling about 50 volunteers in a Sioux Falls campaign office Thursday: Don't stop working to get Republicans to the polls until the race is over — and won.

At the rally, Romney criticized President Barack Obama for slowing progress on the Keystone XL pipeline, which would cut through South Dakota in transporting

oil from the Canadian tar sands to Nebraska. He also went after the president for the health care reform law, immigration policies and the administration's "hesitancy and weakness abroad."

Sen. John Thune, who has also been appearing with Rounds, told the crowd a Republican majority in the Senate is necessary to revive the chamber from being "a graveyard of good ideas."

Romney, who said he worked with Rounds when he was governor of Massachusetts, also praised the Republican for improving

South Dakota's education system and boosting the state's economic climate.

Rally attendee Patti Giebink said she doesn't always agree with Rounds, but she believes he's honest. The 64-year-old Chamberlain resident said she's confident Rounds wouldn't get caught up in Washington politics and forget his roots.

At a restaurant in downtown Sioux Falls, the three Republican politicians circulated among tables of people. A couple who had just moved back to South Dakota asked Romney about his

presidential ambitions in 2016.

"I'm trying to get some other people to run," Romney replied with a laugh. "I'm trying to get this guy elected. That's what I'm here for."

S.F. Snowplows Will Show Disclaimer

SIoux FALLS (AP) — Sioux Falls officials will add a disclaimer to city-owned snowplows following a controversy over religious messages that were painted by some students on the blades of two plows.

Officials say the disclaimer is meant to show the city isn't endorsing any particular message.

Students at two parochial schools painted the blades for the city's Paint the Plows program. One blade includes the words "Jesus Christ" and the other "Happy Birthday Jesus."

The Siouxsland Freethinkers complained, saying religious messaging doesn't belong on publicly owned vehicles. They say the messages violate the constitutional separation of church and state.

Mayor Mike Huether on Tuesday said the city wouldn't paint over the plows unless it received a court order.

Part of the disclaimer reads: "Any message or views expressed are not those of the city or endorsed by the city."

Man Found Guilty In Girlfriend's Death

OMAHA, Neb. (AP) — An Omaha man accused of fatally stabbing his ex-girlfriend last year has been found guilty of first-degree murder.

Jurors in Douglas County District Court deliberated more than two hours Thursday before reaching a verdict on 33-year-old Robert Grant.

Prosecutors said Grant stabbed 43-year-old Trudy McKee in September 2013. She was found with more than 40 stab wounds.

Grant was not present when the verdict was read. Sentencing is scheduled for Dec. 3.

Former Employee Sues County Sheriff

CENTRAL CITY, Neb. (AP) — A former office manager at a Nebraska county sheriff's office is suing the sheriff after she was acquitted of a theft charge.

Lori Sautter and her attorneys announced the lawsuit on Wednesday, claiming that Merrick County Sheriff Kevin Campbell invaded her privacy and painted her in a false light within the community. She appeared a news conference with Dane Sullivan, a write-in candidate for sheriff.

Sautter was charged with theft after a 2012 state audit found nearly \$17,300 missing from the department and all but about \$5,900 was later found. Sautter was found not guilty in May.

She is seeking more than \$56,000 in back pay, court costs of more than \$4,000 and more than \$6,000 for the loss of personal items. She said those items include a radio, vases and mugs.

"Although no amount of money can ever give me back what was taken from me, I have included in my lawsuit an action to have my personal items returned to me," she said.

Campbell did not attend the news conference and said the lawsuit isn't warranted. He said he was "confused" about being sued by Sautter for turning the investigation over to the State Patrol.

"That's what my job is," he said. "My job as sheriff is to keep the county safe, period. Whether it's a crime that happened in my office or to a community member, it's my job."

S.D. Has \$65M In Unclaimed Property

PIERRE — South Dakota's treasurer says the state has so far received \$65 million in unclaimed property this year.

Treasurer Rich Sattgast says the amount is consistent with the \$62 million to \$65 million estimates he reported to the state Legislature last year.

The sum includes account balances and other items of value that businesses, governments and other institutions must turn over to the state where they reside when the owner can't be found. For example, savings and checking accounts, life insurance policies, overpayments or rebates and gift cards.

Sattgast says one out of every four people in the state has unclaimed property.

People can check if they are owed money from the state using the Treasurer's Office website at www.sdtreasurer.gov

Board Shuts Down S. Falls Nail Salon

SIoux FALLS (AP) — South Dakota officials have shut down for good a nail salon after inspectors found unlicensed workers and safety and sanitary violations.

The South Dakota Cosmetology Commission has permanently revoked the license of —1 Nails Salon in Sioux Falls. The salon was owned and operated by Ngoc Lan Thi Nguyen.

Department of Labor and Regulations officials say Nguyen was ordered to take a safety and sanitation course stemming from a 2013 violation. A follow-up investigation uncovered dirty jet covers, used buffers, and unsanitary bottles, utensils and trays.

Officials say Nguyen also tried to bribe an inspector in two occasions. After the inspector refused the bribe, Nguyen asked that the incidents not be reported.

The department says the commission can provide individuals a complete safety and sanitation history of any local salon.

Broken Bow Wind Farm Dedicated

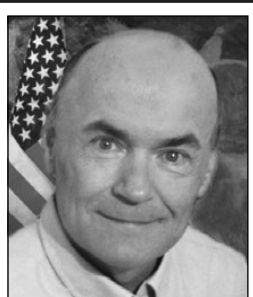
BROKEN BOW, Neb. (AP) — Central Nebraska officials have dedicated a new wind farm project near Broken Bow.

The *North Platte Telegraph* reports that the Broken Bow II wind has 43 turbines, doubling the number in an area northeast of the city.

Construction began in January. The wind farm was placed into commercial operation on Oct. 1.

Power from the facility will go to the Nebraska Public Power District, which bought it under a 25-year contract. Custer County now has the second-largest concentration of wind turbines in Nebraska.

Melissa Garcia, president and CEO of Custer Economic Development Corp, says the project will benefit local businesses.



Jay Williams

District 18 House

Education

State aid to education is lower now than 5 years ago.
I will work to restore funding for education.

Fair Wages

I worked to get the minimum wage increase on the ballot.
I will advocate for hard working South Dakotans.

Health Care

The Legislature refused \$250 million in Federal Medicaid.
I will work to secure these funds for our State.

Paid for by Win With Williams

We want to make you a loan!

\$100 - \$3000

GENTRY FINANCE

228 Capital • Yankton
605-665-7955

CONVENIENT LOAN

1818 Broadway Suite D-1 • Yankton
605-665-1640

Dirty Politics

Mr. Garrity is running for Yankton County Auditor and has put in his ads about mistakes made in the Auditor's office.

What he failed to tell you is that the previous auditor, Paula Jones, made these mistakes years ago due to brain tumors, 10 of them with fluid build that affected her physically and mentally.

Apparently, Mr. Garrity is running against a dead woman in the race and I find that unforgivable.

Mr. Garrity does not deserve to be elected auditor if he is willing to attack my wife - Paula Jones.

Please vote for Patty Hojem, she deserves it.

Sincerely,
Larry Jones
Yankton, South Dakota