

Hartington Man Honored By White House

DES MOINES, Iowa (AP) — Two Nebraska farmers and one from Iowa have been recognized by the White House for their efforts to support the government's sustainable and climate-smart agriculture program.

A statement from the White House Monday credits Keith Berns, of Bladen, Nebraska, with educating farmers and ranchers about the importance of soil health and carbon sequestration.

Martin Kleinschmit, of Hartington, Nebraska, an organic grain and cattle farmer, mentored others through a four-year program that enrolled 60,000 Nebraska acres in a USDA organic transition program.

Timothy Smith of Eagle Grove, Iowa, who grows soybeans, corn and cover crops on his family's Century Farm, was recognized for his work with the Iowa Soybean Association and other groups to implement new farming methods designed to strengthen soil health and improve water quality.

Bosworth's Husband Appears In Court

PIERRE (AP) — The husband of former U.S. Senate candidate Annette Bosworth made his first court appearance Monday after being indicted in connection with his wife's 2014 campaign, which left her with a conviction on 12 felony counts.

Chad Haber appeared at the Hughes County Court-house. He has been charged with one count each of perjury and offering false or forged instrument for filing.

At issue is a nominating petition Haber submitted for his wife's Senate campaign, according to the August indictment, but further details are scarce. A former candidate for state attorney general, Haber has said the charges are unfounded.

Haber faces a maximum penalty of four years in prison and \$8,000 in fines. He said during the hearing that he plans to hire an attorney and said he has "lots of questions" about the charges.

The Hughes County state's attorney is prosecuting the case. Haber's next court appearance is Dec. 1.

A jury in May found Bosworth guilty of six counts each of perjury and filing false documents in connection with her campaign petitions. She avoided serving prison time when a judge handed down a suspended sentence in July.

She was out of the country on a medical mission during the period her petitions were circulating, yet attested to witnessing people signing them. Under state law, the person circulating petitions must witness the signings from registered voters.

Bosworth blamed bad advice from a former attorney and political consultant.

The South Dakota Board of Medical and Osteopathic Examiners voted last month to revoke Bosworth's medical license because of her conviction. She is appealing the conviction and the licensing board decision.

New Neb. Justice Won't Have To Testify

LINCOLN, Neb. (AP) — A newly appointed Nebraska Supreme Court justice won't have to testify about why she took eight months to rule on a motion in a drug case.

Scott Johnson was arrested Jan. 31, 2012, after a Lancaster County Sheriff's deputy arrested him for allegedly finding four small bags of methamphetamine in his pockets when he was stopped for a traffic violation.

The next day, Scott Johnson posted bond and was released from jail. On March 20, 2013, then-Lancaster County District Judge Stephanie Stacy heard testimony on a defense motion to suppress evidence in the case. More than eight months later on Dec. 2, 2013, she entered an order denying it.

Scott Johnson's former attorney, Matt Kosmicki, moved for absolute discharge, saying the wait violated his client's right to a speedy trial. Stacy overruled the motion, and Kosmicki appealed.

The Nebraska Court of Appeals sent the case back in February because there was no reason for delay on record. Stacy said she hasn't been asked to explain the time she took, and didn't volunteer to, because judges are prohibited in general from being witnesses.

The *Lincoln Journal Star* reports that District Judge Vicky Johnson dismissed a motion filed last week by the Scott Johnson's attorney Matt Catlett, saying the case already had been decided.

Catlett argued that the delay violated a law that requires defendants be brought to trial within six months of charges being filed. Stacy concluded in April that Scott Johnson's right to a speedy trial had not been violated.

"He does not get a second bite of the apple simple because he has developed an alternative theory of why the original delay for the ruling on his motion to suppress occurred," Vicky Johnson said.

She cancelled a Nov. 6 hearing and voided all subpoenas, including one directing Stephanie Stacy, now a Nebraska Supreme Court justice, to appear to give testimony.

On Friday, Stacy was sworn in to a new post on the state's supreme court.

Motorcyclist Killed In Collision Near Tea

TEA (AP) — A 55-year-old man was killed when the motorcycle he was driving was struck by a pickup truck near Tea.

The South Dakota Highway Patrol says a crash happened just after 4:30 a.m. Sunday on Interstate 29 when 25-year-old Cody Hillestad, of Brandon, lost control of his truck and it went into a ditch, hit the median and rolled. The truck landed in northbound traffic and collided with the motorcycle driven by Bradley Carlson.

Carlson was pronounced dead at the scene. It wasn't immediately known if Hillestad suffered any injuries.

The crash prompted a four-hour shutdown of the interstate.

South Dakota

Victim Rights Measure Depends On Technology

BY BOB MERCER
 State Capitol Bureau

PIERRE — The leader of a petition drive to put a victim rights amendment in the South Dakota Constitution faced a mix of skepticism and support Monday during a presentation to members of the governor's special panel studying child sexual abuse.

The Jolene's Law task force hosted Jason Glodt, a Pierre lawyer who is a long-time political advisor and Republican activist.

Glodt said the proposed amendment, known as Marsy's Law from its start in California, generally fits with the task force's work but isn't a precise match.

He said 32 states have victim rights provisions in their constitution and South Dakota is among seven more states where efforts are underway.

The amendment, which he's trying to get on the 2016 general election ballot, would guarantee victims have a right to be heard at every step of the criminal process, he said, and would put victims at the front of the line for restitution before court fees.

Glodt faces a Nov. 9 deadline to submit a minimum of 27,741 valid signatures of registered South Dakota voters. He said his group plans to file in the near future.

Rep. Peggy Gibson, D-Huron, asked how a victim would proceed if the rights guaranteed in the amendment weren't upheld. She asked what the follow-through and penalties would be.

Glodt said the victim could sue the government and the judge. "This makes those rights enforceable. It really gives victims a hammer to have their rights enforced," he said.



PHOTO: BOB MERCER

The Jolene's Law task force convened in Pierre Monday to weigh the merits of a proposed state constitutional amendment on victims' right.

Gibson asked about penalties. Glodt said there wouldn't be any punishment financially or otherwise. But a plea agreement, for example, could be overturned if the victim wasn't provided a chance to know about it and comment on it, he said.

"It simply guarantees a voice and a right to be heard," Glodt said.

Daniele Dosch, a victim specialist for the Federal Bureau of Investigation in Rapid City, said the federal system for notifying victims is "very slow." She told Glodt she supported his effort.

"There is such a need for this," Dosch said.

Wendy Kloepfner, the Hughes County state's attorney, asked Glodt whether the victim rights amendment would create an adversarial relationship between a victim and a prosecutor. Glodt said "the exact opposite" is the goal.

Glodt said the victim

notification would hinge on South Dakota's new SAVIN system that was approved by the Legislature two years ago. SAVIN stands for Statewide Automated Victim Information and Notification.

South Dakota is among the handful of states where SAVIN isn't functioning yet.

Law enforcement would be given the responsibility to distribute a notification card to victims explaining their rights, Glodt said.

The card also would show the SAVIN system contact protocol.

Kloepfner said she has worked in three prosecutor offices in Butte, Meade and Hughes counties. In Belle Fourche, she didn't have staff able to work directly with victims and she didn't have time to meet with every victim.

"We did the best job we could," she said.

Now in Hughes County she has a victim rights person

on her staff. Kloepfner asked whether there is a proposal to help in those counties where the state's attorneys don't have the staff and time.

Glodt said, "In answer to your question, the SAVIN system is the solution."

He said Minnehaha County has two full-time victim assistants and sought a third. He said SAVIN would streamline the system and reduce workloads. He later added that the victim rights amendment wouldn't be possible without SAVIN.

SAVIN is the responsibility of state Attorney General Marty Jackley to start and manage. Gibson asked Glodt whether the attorney general is on board with the proposed amendment.

"Good question. I believe he will be a strong supporter. I can't speak for him at this time," Glodt responded.

Flandreau

Tribal Pot Plan May Force Legislative Look

BY JAMES NORD
 Associated Press

PIERRE — The Flandreau Santee Sioux's plans to sell marijuana in a lounge on tribal land will likely thrust the issue before legislators in the upcoming session, the head of the State-Tribal Relations Committee said Monday.

The committee discussed the tribe's marijuana operation, which is scheduled to open New Year's Eve. Democratic Sen. Troy Heinert, the committee chairman, said he hopes the Santee Sioux and nontribal authorities can find common ground.

Republican Sen. Craig Tieszen said the situation is a "jurisdictional and enforcement nightmare" since marijuana is illegal under state law, and Attorney General Marty Jackley has said any changes in tribal laws won't affect any non-Indians or any nontribal lands.

"The only thing that averts a crisis is people using common sense and being reasonable, but strict enforcement of the law would cause chaos," Tieszen said. "That's just the way it is."

Ryan Kills A Hundred of the Santee Sioux's executive committee said the tribe wants to work with the state and authorities. Speaking before the panel, Kills a Hun-

dred and executive committee Trustee Kenny Weston stressed the safeguards the facility has in place to prevent any marijuana from leaving. The tribe is also emphasizing efforts to prevent impaired driving.

Every plant in Flandreau's growing facility has a barcode. After being harvested and processed, marijuana will be sold in sealed 1-gram packages. Customers will be allowed to buy only 1 gram at a time and will have to return the empty, barcoded package of their purchase in order to be able to buy another gram.

But potential legal questions for marijuana users re-

main. Representatives from Jackley's office told the committee that the presence of THC, the psychoactive compound that gives marijuana users a high, in someone's blood or urine is considered possession under state law.

That could spell trouble for users who ingest marijuana on the reservation and then leave its borders.

Assistant Attorney General Kirsten Jasper said she doesn't believe there are plans to camp at the border of the reservation north of Sioux Falls to pull over drivers but said she couldn't say what individual law enforcement agencies would do.

Heinert encouraged the

tribe to learn about the legislative process. He said there will be legislative changes or "darn sure some conversations" about the tribe's endeavor into marijuana at the Capitol during the 2016 session.

Weston said the Legislature should look at changing the state's ingestion law and decriminalizing the use of marijuana.

"We are a nation within a nation, and I hate feeling like we're a nation surrounded by a hostile nation," Weston said. "There's bigger problems going on out there in the world. This shouldn't be one of them."

Hy-Vee Honors Yankton Employees for Service Milestones

More than 2,400 Hy-Vee employees will be honored this month for their years of providing helpful smiles and dedication to the company.

Each year, employees from across Hy-Vee's eight-state region gather together at a series of Service Award Dinners, which celebrate employees' career milestones in five-year increments, from five to 45 years and beyond.

These festivities have been a Hy-Vee tradition for more than 50 years. Attendees receive gifts and personal congratulations from top company executives, including Hy-Vee Chairman, CEO and President Randy Edeker, who poses for a commemorative photo with each Service Award recipient.

Yankton has 14 2015 Hy-Vee Service Award recipients. Those reaching service milestones this year were:

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15	Vicki	Buum
15	Wanda	Miller
15	Steven	Obr
15	Donald	Odens
15	Richard	Peterson
15	Pearl	Potts
15	Charity	Schantz
15	Dorothy	Winchell
20	Lupillo	Morales
20	Jerald	Mutchelknaus
20	Paula	Sager
20	David	Sorensen
25	Michael	Pieper

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