

MIDWEST DIGEST

Man Gets 20 Yrs. For Porn Charge

YORK, Neb. (AP) — A York man has been sentenced to 20 years in prison on a federal charge of manufacturing child pornography.

A release Friday from the U.S. attorney's office in Omaha says 45-year-old Roy Hickman took pornographic photos of an underage girl, which were found on his computer during an April 2009 search.

Hickman pleaded guilty in the federal case in June and in a related state case in August.

Court records show he's scheduled to be sentenced Sept. 20 in York County District Court for first-degree sexual assault of a child. Authorities said he assaulted a 14-year-old.

Drivers Get Prison For Man's Death

SIoux FALLS (AP) — Two drivers accused of hitting and killing a pedestrian in Sioux Falls have each been sentenced to four years in prison.

Television station Kelo reports 33-year-old Benny Luna and 24-year-old Kevin Mays were sentenced Friday for their third DUIs and hit-and-run. They'd earlier pleaded guilty.

Authorities have said Luna, then Mays hit 28-year-old Justin Jarman on April 25 and left him lying in the road. Jarman died at the scene.

Lawyers At Odds Over Immigration

OMAHA, Neb. (AP) — Attorneys involved in the legal fight over Fremont's ban on hiring and renting to illegal immigrants disagree on the impact of a federal appeals court's decision overturning a similar law in Pennsylvania.

The law in Hazleton, Pa., was thrown out Thursday by the 3rd U.S. Circuit Court of Appeals, which ruled the measure usurped the federal government's exclusive power to regulate immigration.

Fremont attorney Kris Kobach said Friday that the Nebraska case likely will go to the 8th Circuit, where case law seems supportive of the Fremont ordinance.

The Mexican American Legal Defense & Educational Fund is one of two groups challenging Fremont's law. Its attorney Shirley Mora James hailed the ruling. She says the 3rd and 8th circuits often rule similarly.

Storms Lead To Flooding, Wildfires

BISMARCK, N.D. (AP) — Storms late Thursday and early Friday sparked small wildfires in western South Dakota and led to flash flooding in parts of North Dakota.

Officials say the biggest of the wildfires touched off by lightning Thursday in South Dakota was less than 1/2 acre.

The storms brought heavy rain, strong winds and hail to much of North Dakota. The National Weather Service says nearly 5 inches of rain fell in the Zap area of Mercer County, flooding county roads and farmland.

N.D. Highway 200 west of Zap was closed because of the flooding. State Transportation officials early Friday said it had reopened.

The National Weather Service on Friday morning lifted a flood watch for southeast North Dakota.

Man Dies In Collision On Neb. Road

DALTON, Neb. (AP) — Authorities say a 46-year-old Dalton man died after his car collided with a pickup on a rural county road in the Nebraska Panhandle.

Morrill County Attorney Jean Rhodes said Friday that Gene Brogren was driving south late Thursday afternoon when his car hit a northbound pickup driven by 20-year-old Garrett Tvers, of Sidney.

Rhodes says the accident occurred about four miles from Dalton on a gravel road. She says it's too early in the investigation to say what caused the accident. She could say only that officers don't believe alcohol consumption played any role.

Rhodes says Brogren was pronounced dead at the scene. Tvers and his passenger, 20-year-old Cody Ross, also of Sidney, were taken to hospitals. Their injuries are not believed to be life-threatening.

Suspect In SD Killing Pleads Guilty

HURON (AP) — A Sturgis man faces up to 40 years in prison after pleading guilty in a Beadle County killing.

Sentencing is set Oct. 18 for 42-year-old John LeGrand, six days after he was to go on trial for the April 2009 shooting death of 23-year-old Ricardo Hein at a mobile home park in Huron.

LeGrand in court on Wednesday admitted shooting Hein four times with a shotgun in a dispute over money. In a plea agreement with prosecutors, LeGrand pleaded guilty to first-degree manslaughter. He also will plead guilty to a Meade County drug charge.

Had he been convicted at trial, he could have faced life in prison.

SD Crop Forecasts Change Little

SIoux FALLS (AP) — The Agriculture Department's forecasts for South Dakota's corn and soybean crops have not changed much over the past month.

The department's Sept. 1 estimate released Friday pegs the South Dakota corn crop at 630.8 million bushels, down 2 percent from the previous month and down 11 percent from last year.

The soybean estimate is 172.0 million bushels, the same as the previous month and down 2 percent from last year.

South Dakota sorghum production is forecast at 6.1 million bushels, down 3 percent over the month and down 17 percent over the year.

Widow Of Gordon MacRae Dies

LINCOLN, Neb. (AP) — The widow of singer-actor Gordon MacRae has died in Lincoln, Neb.

Elizabeth MacRae died Tuesday at age 84. Tom Roper at Roper & Sons funeral home said Friday that MacRae died at a rest home after a lengthy illness.

MacRae was born in Davenport, Neb. Her husband, Gordon, was best known for his work in movie versions of two Broadway musicals, "Oklahoma" and "Carousel." He died in January 1986 at age 64, also in Lincoln.

The former Elizabeth Lambert was MacRae's second wife. Elizabeth met Gordon in New York City, and they married in 1967. Their daughter, Amanda, was born the next year.

The MacRaes made Lincoln their year-round home in 1980. A memorial service for Elizabeth MacRae is scheduled for Monday in Lincoln.

Schweitzer: Canadian Pipeline Co. To Seek U.S. Crude

BY JAMES MACPHERSON AND MATTHEW BROWN
Associated Press Writers

BILLINGS, Mont. — A Canadian company said Friday that it will invite U.S. oil producers to bid on transportation capacity for a proposed pipeline from Canada to the Gulf of Mexico.

TransCanada Corp. and Montana Gov. Brian Schweitzer plan an official announcement Monday to kick off a so-called "open season" to solicit interest in the pipeline from companies in Montana and North Dakota.

Calgary-based TransCanada has faced political pressure to allow U.S. oil on its 1,980-mile Keystone XL pipeline.

The project will carry oil sands crude from Canada to Gulf Coast refineries — following a route that passes through or near several major oil fields along the Montana-North Dakota border.

Industry representatives say

interest in developing Montana and North Dakota oil has been hampered in the past by a lack of refineries, pipelines and rail facilities.

"This is an opportunity for producers in the Bakken and the Cedar Creek Anticline in both Montana and North Dakota to get their oil out," Schweitzer said, referring to major oil formations in the region.

The two states combined produce about 380,000 barrels of oil daily, primarily from North Dakota, said Justin Kringstad, director of the North Dakota Pipeline Authority. Industry representatives have said that figure could triple over the next several years.

The U.S. Geological Survey in 2008 estimated that up to 4.3 billion barrels of oil could be recovered from the Bakken in North Dakota and Montana, using current technology. The agency called it the largest continuous oil accumulation it had ever assessed.

But getting that oil onto the TransCanada pipeline would require

an "onramp" for the crude that was not included in the company's earlier plans.

Oil producers have accused TransCanada in the past of ignoring their requests to build an entry point where they could tap into Keystone XL.

"From the beginning, TransCanada has opposed allowing any U.S. crude in their pipeline that lays across the U.S.," said billionaire oilman Harold Hamm, chairman of Continental Resources Inc., an independent oil and gas company based in Enid, Okla. "That went against the grain of everyone here in the U.S., as it should."

Continental was one of the first to tap the Bakken formation in North Dakota's oil patch more than 20 years ago.

Schweitzer had threatened to hold up Keystone XL's 280-mile route through his state if it did not agree to an onramp. North Dakota Gov. John Hoeven also has pushed for U.S. access to the pipeline.

Hamm and Ron Ness, president

of the North Dakota Petroleum Council, said a combination of political pressure and prolific oil production likely led TransCanada to open the way for U.S. crude to get on the pipeline.

North Dakota surpassed Louisiana last year as the fourth-largest oil-producing state, behind Texas, Alaska and California.

"Whether they've seen the upside of Bakken crude or it was forced up on them, who cares?" Ness said. "This is unbelievably great news for North Dakota and Montana."

Dave Galt, with the Montana Petroleum Association, said TransCanada's announcement means the company will be "in the game" for producers from his state.

"An open season is an opportunity for people to make commitments for product capacity to the pipeline, so (TransCanada) can determine whether or not they can make this onramp work," Galt said.

Neb. Tax Revenue Beats Projections In August

BY JOSH FUNK
AP Business Writer

OMAHA, Neb. — Nebraska tax revenue beat projections in August for the first time since May, so the state budget picture looks a little better, according to a report released Friday.

The Nebraska Department of Revenue said net tax revenue topped projections by 2.7 percent last month.

The positive revenue report makes it less likely a special legislative session will be needed to address the budget.

But one positive month won't solve everything. Lawmakers are likely to face a budget shortfall of several hundred million dollars when they meet in January to craft a two-year budget.

"August receipts are good news, but one month is not a trend," Gov. Dave Heineman said. "We will continue to monitor receipts very closely."

Net revenue exceeded projections for all four state tax categories, including a jump in corporate income taxes, to help the state collect \$322 million net revenue in August. The forecast was \$313 million.

Tax Commissioner Doug Ewald said corporate tax payments were strong in August, and he expects them to remain strong this fall. He said many Nebraska businesses cut costs during the recession and have yet to begin widespread hiring, so they're operating efficiently.

Ewald said the state received \$6.6 million net corporate income taxes in August. That was well above the projected \$710,000 because businesses paid more taxes than expected and the state issued fewer corporate refunds.

But corporate income taxes represent a relatively small part of state revenue. Sales and individual income taxes are the most important revenue categories because of their size. In August, Nebraska received \$189.6 million net individual income tax and \$111.8 million net sales tax.

Nebraska's budget includes extra cash equal to 3 percent of the state's general fund, and there is a separate emergency fund in the budget to help the state deal with lower-than-expected revenue.

But the state finished the 2009 fiscal year with \$76.4 million less than what was projected by the Nebraska Economic Forecasting Advisory Board in February. And through the first two months of the current fiscal year, Nebraska tax revenue is running about 2 percent, or \$10.5 million, behind projections.

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