

Shoot down HB 1010

A piece of legislation that likely is very similar to a bill that couldn't survive a veto from Gov. Dennis Daugaard at the end of last year's legislative session has been introduced again.

The new bill may have the same intent as the one from last year. It couldn't be introduced, however, in a time of wildly different circumstances.

State Representative Lance Russell (R-Hot Springs) and Senator Ernie Otten (R-Tea) have introduced HB 1010, the South Dakota

BETWEEN THE LINES



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“Constitutional Carry Bill” of 2013.

The legislation is backed by an organization called South Dakota Gun Owners, which claims to have 4,000 members in the state.

In a press release issued by South Dakota Gun Owners Monday, Rep. Russell states, “This common-sense bill provides safety for South Dakota families and matches the clear intent of the Second Amendment.”

The bill’s supporters claim it has also won strong support from the National Association for Gun Rights, which has 1.8 million members and supporters nationwide and over 3,000 in South Dakota.

Excuse us if we don't share Russell's enthusiasm, or, for that matter, the excitement exhibited by South Dakota Gun Owners.

This bill was a bad idea last year, and it's still a bad idea. We say this without passion – it's easy, after the mass shootings this nation experienced in 2012, to be swayed by emotion instead of rational thought.

Sandy Hook happened approximately a month ago and many people are still reeling from that, with some calling for stricter gun control while others, citing the Second Amendment, call for an affirmation of the freedom to bear arms.

The South Dakota “Constitutional Carry Bill,” if approved as currently written, removes the penalty for carrying a concealed handgun without a permit. According to South Dakota Gun Owners, it eliminates “intrusive, government mandated background-checks for law-abiding citizens and does away with the tax or fee and the waiting period currently required to obtain the permit.”

South Dakota Gun Owners calls this a “common sense approach.” We find it to still be just as unnecessary as it was last year, when the governor vetoed it, and for all of time before that when South Dakotans did just fine, thank you, without this law.

In his veto address last year, Daugaard said the state's permitting laws are already “fair and reasonable.” Nothing since then has changed to make those laws unfair or unreasonable.

“Each year, locally-elected sheriffs deny permits, in most cases because the applicant has a serious criminal history,” Daugaard wrote in his veto message. “Under this bill, those

who are prohibited from carrying a concealed weapon would no longer be informed of that fact. Understandably, law enforcement officials from across South Dakota have objected to this bill.”

There has been no press announcement, to our knowledge, from any state or local law enforcement organization in reaction to the announcement about this bill. Currently, sheriffs are required to issue permits to any adult who does not have something in their background that would prohibit them from carrying a weapon, such as a history of mental illness, chronic drug or alcohol use or violent crimes or domestic violence.

“Constitutional Carry” supporters evidently believe that the simple act of being required to get a permit to carry a gun is government overreach.

“Law-abiding people shouldn't be forced to get a government permit before they can exercise their right to self-defense,” said Zach Lautenschlager, a senior consultant for South Dakota Gun Owners and the field director of the National Association for Gun Rights.

We believe the permitting process makes sense. It helps law enforcement identify people, who because of mental health issues or criminal convictions, shouldn't be carrying a concealed weapon or issued a concealed carry permit.

In its press release, South Dakota Gun Owners uses the flawed logic that since criminals don't get permits to use their guns, no one else should have to, either.

“Criminals don't stop to get a permit before they commit a crime with a handgun,” Lautenschlager said. “But the permit does keep some law-abiding people from defending themselves, and restricting the right to self-defense actually helps cause terrible tragedies like the Aurora and Newtown shootings.”

Yes, South Dakota Gun Owners are correct when they state that criminals won't stop to get a permit before using guns. Criminals won't get a fishing license before casting a line in their favorite fishing hole. That doesn't mean the SD GF&P should stop regulating hunting and fishing in our state.

There's no evidence that the permitting process has ever restricted anyone's right to self-defense. It appears, in fact, that state residents are having no problem abiding with current law so that they may carry concealed weapons.

South Dakota Secretary of State Jason Gant said his office has seen a significant increase in the number of permits to carry a concealed pistol issued in recent months. “The total number of active permits in South Dakota as of Jan. 11, 2013 is 65,754.”

In 2011, nearly 16,000 concealed pistol permits were issued in South Dakota. That number grew to just over 18,000 in 2012.

In just the first 11 days of this month alone, concealed pistol permits have been issued to 3,029 South Dakotans.

A concealed weapons' permit requirement, is hardly a restriction on our constitutional rights. We urge state lawmakers to reject this highly unnecessary Constitutional Carry legislation.

VIEWPOINTS



From their spot in sun to my snowy stoop in the cold

“In the depth of winter, I finally learned that there was in me an invincible summer.” – Albert Camus, French author, journalist and philosopher

This time of year, fruit baskets make their way into our frostbitten homes – juicy pink grapefruit, oranges, tangelos, pineapples and the like. This is perhaps to rub it in, since while we scurry around in a long state of frozenness up North, elsewhere summer carries on quite nicely without us.

I get the same sense when I shuffle past the exotic fruits section at the supermarket and become fixated on, let's say, pomegranates and mangoes, which grow in South Florida and Southern California.

The closest I've ever come to eating a pomegranate is downing a glass of cranberry-pomegranate juice. I do not know what God was thinking when He created this homely, pithy hard shelled fruit. But when I see one and utter its name, I feel transported vicariously to the tropics.

Now, when it comes to mangoes, I am not quite as lost, since I have tried them fresh and frozen. Mangoes have a slimy texture and are mildly sweet taste, like peaches. They are quite tasty in smoothies and fruit salads.

Kiwis – I can't get enough of them. When very ripe, the sweet juicy lime innards and lovable fuzzy brown peel makes this tiny piece of fruit downright cute. However, removing the inedible peel is difficult without taking too much fruit with it. Once inside, the artistry of soft edible seeds, arranged so perfectly in a black circle, is unmatched by any other fruit – except for watermelons, maybe.

MY STORY YOUR STORY



PAULA DAMON
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Midwest.

Mention persimmons and kumquats and I can go on and on. Ordinarily, most people who have lived all their lives in Zone 5, areas that are low on the vegetation hardness scale, well, we wouldn't have a clue about persimmons or kumquats.

Call me an oddball, but I just happen to know a thing or two about both. My first encounter with these divine fruits was in Los Angeles, where my parents lived their later years until they passed away in 2005 and 2007. From the moment I first sunk my teeth into a juicy ripe persimmon and traversed the tart orange-like kumquat, I was a goner.

Looking very much like tomatoes, persimmons are sure to fool the eye, as their soft fleshy texture oozes a full-bodied cherry-plum-peach taste. Odd thing is, when I spotted persimmons at my local grocer's, I

hardly recognized them for the faded orange coloring. This was unlike the rich red hue of freshly picked and ripened varieties I grew accustomed to in Southern California.

Now, kumquats are in a league all of their own since they are in the citrus family but no peeling is required. This small oval cross between a lemon and an orange possesses an extremely tart and mildly sweet flavor – an acquired taste that's for sure. Trust me; eating right through the citrus peel to its juicy center is other-worldly in a delectably delicious sort of way.

Like popcorn and potato chips, once you get started on kumquats, it is very, very difficult to stop. Not such a bad habit, though, since this miniature treat is quite nutritious.

This time of year, Mom and Dad always would mail a box of fresh persimmons and kumquats from their spot in the sun to my snowy front stoop in the cold. This most surely created in me “an invincible summer.”

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A resident of Southeast South Dakota, Paula Bosco Damon is a national award-winning columnist. Her writing has won first-place in competitions of the National Federation of Press Women, South Dakota Press Women and Iowa Press Women. In the 2009, 2010 and 2011 South Dakota Press Women Communications Contests, her columns have earned eight first-place awards. To contact Paula, email boscodamon.paula@gmail.com, follow her blog at my-story-your-story.blogspot.com and find her on FaceBook.

Guest Commentary:

Working together to improve public safety

By Gov. Dennis Daugaard

In South Dakota, we have an opportunity to make our state safer and save tens of millions of taxpayer dollars. It is an opportunity we must seize.

South Dakota's prison population has grown by six times in the last 35 years. Spending on corrections has tripled in the last 20 years alone. Our state locks up more people, per capita, than any of our bordering states. We lock up 75 percent more men than North Dakota and four times as many women as Minnesota. We are a clear outlier.

Unfortunately, these high levels of imprisonment have not made our state safer. In the past decade, 17 states have lowered their imprisonment rates while

also lowering their crime rates at twice the rate that South Dakota's went down.

If we do nothing, our prison population will grow by 900 inmates – that's 25 percent – in the next 10 years, costing taxpayers \$224 million. We will need to build two new prisons.

This spring, I joined the Chief Justice and legislative leaders in engaging over 400 stakeholders before establishing a bipartisan, inter-branch work group to look into this problem. The group included law enforcement, judges, legislators, treatment providers, defense attorneys, and prosecutors.

We asked this work group to see if we could improve public safety, hold offenders more accountable, and get a better return on our public safety dollars. I'm pleased that the work group

came back with robust recommendations.

Following my State of the State address, the Chief Justice and 70 legislators, including the Republican and Democratic leaders of the House and the Senate, joined me in submitting the South Dakota Public Safety Improvement Act.

This measure, Senate Bill 70, will improve supervision on probation and parole through expanded treatment and reduced caseloads, and it will use proven tools like drug courts and a new 24/7-style program for drug offenders.

It will focus our prison space on violent and career criminals by punishing drug kingpins more harshly than users while ensuring swift and certain sanctions for offenders.

Finally, the bill calls for improved victim notification and restitution collection, and it requires that all of these programs be measured and evaluated for effectiveness, year after year.

This path will save our state tens of millions of dollars in prison costs while keeping South Dakota safer. This is the right path forward, and I'm not alone in supporting the measure. I'm joined by the Chief Justice, Attorney General, Sheriffs and Police Chiefs, Victims Advocates, State's Attorneys, County Commissioners, the State Bar, and Treatment Providers.

South Dakota is showing, once again, that we can work together to find common sense, smart solutions to our biggest problems.

LETTERS TO THE EDITOR

Be proud, Vermillion

While visiting family over Thanksgiving, I had the opportunity to accompany my sister-in-law to the Vermillion Wal-Mart on Thanksgiving evening to begin the Black Friday frenzy. I was apprehensive, but could not allow her to go it alone. Having never shopped on Black Friday before and seeing news reports of people battling over merchandise for many years, I was expecting complete mayhem.

Instead, to my delight, the people of Vermillion (nearly all of them, I imagine) exhibited restraint and decorum during the rush for toys, televisions and treasures. I did not witness shoving, angry words, or aggressive parking lot behavior.

In fact, I heard friendly greetings and jovial discussions among neighbors, colleagues, and cousins. Even strangers were polite and respectful of one another. Make no mistake, people were strategically positioned to pick up that prized purchase and poised to ensure shopping success, but they were orderly and courteous in their pursuits.

Vermillion residents can be proud that their actions were in the spirit of the season and an excellent example of how it should be done. It was a pleasure rubbing elbows (and a few other things) with these folks and I look forward to my next visit.

Sarah Musler
Oklahoma City, OK

First week hectic, but good
By Rep. Ray Ring, Dist. 17

After my first hectic week in the state legislature, it's time to report back. First, thank you to the people of Clay and Turner Counties for trusting me to represent you in “the people's House.” I am doing my best to deserve that trust.

Gov. Daugaard was quite optimistic in his state of the state address. He is proposing major criminal justice reform focused on integrating prisoners into society through alternative sentencing with intensive probation, addiction counseling and mental health treatment. All of this will require upfront investment of money and people, but lower long-run costs and fewer prisons.

I was assigned to the education and

transportation committees. In education, we have heard introductory presentations from Secretary of Education Melody Schopp and Regents Executive Director Jack Warner. We'll get into specific issues soon enough; that's bound to happen in an area as consequential and controversial as education. Surely there will be more to report in future weeks.

In transportation, we heard the report of the task force on safe teen driving, which met last year. We will be considering a series of task force proposals to tighten up the requirements for attaining a driver's license, add restrictions for teens with restricted permits, and improve driver education courses across the state. All the proposals are backed-up with an impressive array

of research, from South Dakota and other states, demonstrating that these changes reduce accident rates and traffic fatalities.

Despite being told that a legislator does a lot more than just attend committee meetings and formal sessions on the House floor, I am amazed at the number of other meetings to which we are invited. It started right after the election with invitations to meet with representatives of several interest groups, and it promises to continue right through the session's final days.

This week I met with several District 17 residents representing entities located in the District. (I won't name specific persons or groups, to save space and the embarrassment of leaving someone

out.) Organized groups and their lobbyists provide critical information and answer important questions, and many of them do represent your interests, but I also want and need to hear your personal opinions on the many issues that will come before us, especially when you have strong feelings or special expertise.

The best way to reach me is e-mail Rep.Ring@state.sd.us. You can also call the Legislative Research Council at (605) 773-3251 and leave a short message that will be delivered to my desk on the house floor. My cell phone is (605) 675-9379. I can't promise to respond to every message, but I'll do my best to give priority to my District 17 constituents.

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