



President Barack Obama delivers remarks on the Clean Power Plan at an event in the East Room of the White House Monday in Washington.

OLIVIER DOULIERY/ABACA PRESS/TNS

# Obama's Power Plant Climate Plan Shifts To Courts, States

BY JOSH LEDERMAN  
Associated Press

WASHINGTON — President Barack Obama sought to clamp down Monday on power plant emissions with a federal plan that — if successful — would attempt to slow global warming by dramatically shifting the way Americans get and use electricity.

Touting the plan at a White House ceremony, Obama described his unprecedented carbon dioxide limits as the biggest step ever taken by the U.S. on climate change. On that point, at least, his opponents agreed. They denounced his proposal as egregious federal overreach that would send power prices surging, and vowed lawsuits and legislation to try to stop it.

“We’re the first generation to feel the impact of climate change, and we’re the last generation that can do something about it,” Obama said. He added, “We only get one planet. There’s no Plan B.”

Obama’s announcement sets off a years-long process for states to figure out how to comply.

Sixteen states — including energy-producing states like Kentucky, Wyoming and North Dakota — will face stricter emissions limits than they did under Obama’s previous proposal. Montana’s requirement more than doubled, from a 21 percent cut in the earlier plan to a 47 percent cut in the final version.

But other states like New Hampshire and Texas face more lenient cuts in the final plan. Three states got a pass from the Environmental Protection Agency and won’t have to reduce emissions: Vermont, Alaska and Hawaii.

By the time the plan takes effect, Obama will be long out of office. Still, Obama was hoping that the plan would bolster his status as the first president to seriously tackle climate change, and galvanize other countries to take aggressive action to achieve a global

climate treaty this year.

Under the plan, first proposed last year, the U.S. must cut overall power plant emissions 32 percent by 2030, compared to 2005 levels. The Obama administration said it would cost \$8.4 billion annually by 2030, but argued that power bills would decrease because people would use less electricity and rely more heavily on low-cost sources like wind and solar. The energy industry has dismissed those estimates as overly rosy.

Here’s what lies ahead for Obama’s controversial plan:

## LAWSUITS ABOUND

Threats of legal action started arrived within minutes of Obama unveiling his plan. In Texas, Kentucky, Kansas, Indiana and Wisconsin, to name a few, top officials said they would vigorously fight the rule, as did energy producers like Murray Energy Corp., a coal mining company.

In the coal-heavy state of West Virginia, state Attorney General Patrick Morrisey predicted that 20 to 25 states would join his suit against the government.

“Their legal foundation is very, very shaky,” Morrisey said of the Obama administration.

Morrisey echoed other critics in arguing Obama has exceeded his authority by requiring statewide steps like renewable energy use and reduced energy demand. He said under the Clean Air Act, the government can only require steps within a power plant.

In another hint of the likely legal strategy, Morrisey cited the Constitution’s 10th Amendment, which protects the states against undue intrusion by Washington.

## PASSING THE BATON

Another key threat could come from Obama’s successor. Because of the

lengthy timeline — states have 7 years to start complying — the next president will have ample time to unravel the rules if he or she chooses to do so. That means that a cornerstone of Obama’s presidential legacy rests in someone else’s hands.

Hillary Rodham Clinton, the front-runner for the Democratic nomination, has pledged to defend the rule if elected. But the Republican field is making the opposite pledge.

GOP candidates claimed Obama’s actions are burdensome to business and block job creation. Wisconsin Gov. Scott Walker said the regulation was like a “buzz saw” to the U.S. economy, while former Florida Gov. Jeb Bush said the plan “will throw countless people out of work and increases everyone’s energy prices.”

## STATE OF AFFAIRS

Each state now has an individualized emissions reduction target to meet — in some cases higher than Obama’s previous proposal, in some cases lower. States must submit implementation plans by 2018.

Starting in 2022, states will have to reduce emissions, but the cuts are phased in gradually until 2030, when states must meet their overall target. In 2020 and 2021, states that invest in renewable sources like wind and solar will earn credits that they can store away to offset pollution emitted later.

To meet their targets, states can use a variety of measures, including new technology to capture emissions, regional cap-and-trade schemes and energy efficiency programs.

Senate Majority Leader Mitch McConnell, R-Ky., has urged GOP governors not to comply, and many have agreed. McConnell also vowed Monday to use legislation to stop the plan, although Obama’s veto power makes that option unlikely.

## Colo. Jury Won’t Rule Out Death Penalty

CENTENNIAL, Colo. (AP) — Jurors on Monday moved one step closer toward sentencing James Holmes to death for his Colorado movie theater attack, taking less than three hours to reject arguments that the former neuroscience student’s mental illness means he should not die.

The decision clears the way for one last attempt from both sides to sway the jury, with gripping testimony from victims about their suffering and more appeals for mercy for the man convicted of murdering 12 people and trying to kill 70 more during the 2012 assault at a Batman movie.

Holmes, his reactions dulled by anti-psychotic drugs, stood as ordered and appeared emotionless as Judge Carlos Samour, Jr. read the decisions.

Robert and Arlene Homes held hands, their fingers interlaced, and directed their eyes at the floor. With each unanimous “yes,” it became ever more clear that jurors believe their son’s crimes outweighed their testimony. She began to cry, and her husband held out a box of tissues.

More tears flowed in the gallery. Rena Medek began silently sobbing when the judge read the name of her 23-year-old daughter Micayla. Ian Sullivan, the father of Holmes’ youngest victim, 6-year-old Veronica Moser-Sullivan, closed his eyes when her name was read. Veronica’s grandfather, Robert Sullivan, glared at Holmes and nodded his head softly.

## House GOP, Dems Step Up Iran Debate

WASHINGTON (AP) — House Republicans said Monday that they have the GOP votes to disapprove of the Iran nuclear deal as Democrats stepped up their support of the agreement the Obama administration and other world powers negotiated with Tehran.

Since Republicans hold a commanding 246 seats in the House, it was widely expected that the GOP would come up with 218 votes to support a resolution of disapproval, which has been introduced by Rep. Peter Roskam, R-Ill.

“Time is not the friend of this deal,” Roskam said in a statement. “The more time members spend evaluating this agreement, the more they realize it’s an historic mistake.”

It’s unclear, however, if there would be enough votes in the House to override President Barack Obama’s expected veto of the legislation. The president is counting on Democrats to sustain his veto, and House Minority leader Nancy Pelosi has said they will.

Obama would need 34 members of the Senate or 146 members of the House to stand with him.

## Man Killed At Mississippi Courthouse

CANTON, Miss. (AP) — A man got out of his pickup, walked up to the defendant in a drug-dealing case and fatally shot him in the chest, then set down his gun and surrendered as deputies confronted him outside a Mississippi courthouse Monday morning, law enforcement officials said.

Police and other officials said they weren’t sure why the suspect — 24-year-old William B. Wells, a former Canton firefighter with no history of trouble — would shoot Kendrick Armond Brown. But it came just days after Wells’ own mother was shot and wounded, a case that police are investigating.

Brown was in a small courtyard outside the Madison County Courthouse with his lawyer when he was shot, District Attorney Michael Guest said. Brown, 37, faced charges of selling cocaine and was a habitual offender who had been sentenced to prison time on past drug counts, according to an indictment. He was expected to reject a plea offer on his latest charges Monday and was not a witness or a suspect in other current criminal cases, Guest said.

Wells was in the county jail with a bail hearing set for Tuesday. Before Monday, “he hadn’t been in any trouble or anything,” Canton police Chief Otha Brown said.

Wells only had minor traffic tickets on his record, including a speeding ticket from 2009 and two tickets for improper license plates in 2013 and 2014, according to court documents.

## Cooler weather Aims Calif. Firefighters

LOWER LAKE, Calif. (AP) — Cooler weather helped crews build a buffer Monday between a raging Northern California wildfire and some of the thousands of homes it threatened as it tore through drought-withered brush that hadn’t burned in years.

At least two dozen homes were destroyed over the past few days, and more than 13,000 people were urged to flee.

The fire — the largest blaze in drought-stricken California — roughly tripled in size over the weekend to 93 square miles, generating its own winds that fanned the flames and reduced thousands of acres of manzanita shrubs and other brush to barren land in hours.

“There’s a lot of old growth-type vegetation and four years of drought to dry it all out,” said Lynne Tolmachoff, a spokeswoman for the California Department of Forestry and Fire Protection. “It was ready to go.”

The fire was burning in the Lower Lake area, about 100 miles north of San Francisco and 10 miles from Clear Lake, the largest freshwater lake entirely within California and a popular spot for boaters and campers. Fire officials said no homes around the lake were threatened.

## Carter Undergoes Liver Operation

ATLANTA (AP) — Former President Jimmy Carter is expected to make a full recovery after having an operation Monday to remove a small mass in his liver, according to a spokeswoman.

Carter Center spokeswoman Deanna Congileo called the procedure “elective” in a statement released Monday afternoon. She says the operation was completed without any issues and Carter’s “prognosis is excellent for a full recovery.”

In response to an email from The Associated Press asking how the mass was detected, what symptoms Carter had displayed, what follow-up care he will receive and what is known about the mass, Congileo said no further details would be provided.

Carter, 90, was the nation’s 39th president. After leaving the White House, he founded the center in Atlanta in 1982 to promote health care, democracy and other issues globally.

## Planned Parenthood

# Senate Defunding Attempt Fails

BY ALAN FRAM  
Associated Press

WASHINGTON — Republicans lost Monday’s Senate showdown over halting federal aid to Planned Parenthood. Yet the political offensive by abortion foes has just started, prompted by a batch of unsettling videos that has focused attention on the group’s little-noticed practice of providing fetal tissue to researchers.

Conservatives have long targeted Planned Parenthood, which provides health services, family planning and abortions in clinics across the country. The furtively recorded videos, with hair-raising close-ups of aborted fetal organs and Planned Parenthood officials dispassionately describing how “I’m not going to crush that part,” have forced the group and its Democratic champions into a defensive crouch.

Five things to know:

### THE BATTLEGROUND

Citing statements in the videos by Planned Parenthood officials, opponents including the Center for Medical Progress, which recorded the videos, accuse the group of profiting from selling fetal organs. That would violate a federal criminal statute that lets providers recover only their expenses. They also say Planned Parenthood is altering abortion procedures to better recover usable tissue.

Conservatives view the

videos as a huge political opportunity to galvanize support for banning abortions and, some hope, prohibiting fetal tissue research. But the issue is cutting both ways, with both sides using it for fundraising solicitations.

Planned Parenthood has apologized for comments in the video but says it has broken no laws. It accuses opponents of using selectively edited videos for their latest assault on abortion and women’s health choices.

The group also says it is among many organizations assisting fetal tissue research, a decades-old field scientists use to study Alzheimer’s and other diseases.

### WHAT PLANNED PATRHOOD DOES

There are roughly 1 million U.S. abortions yearly. In its most recent annual report, Planned Parenthood

said it performed 328,000 of them.

Planned Parenthood and its supporters have sought to shift the focus, saying abortions represent just 3 percent of the 10.9 million services the organization provides annually in nearly 700 clinics.

The group says its yearly workload includes 4.5 million tests and treatments for sexually transmitted diseases; 3.6 million contraception procedures and devices; 1.1 million pregnancy tests and 900,000 cancer tests and treatments.

Of Planned Parenthood’s 2.7 million annual clients, mostly women, it says 4 in 5 earn 150 percent of the federal poverty level or less. Democrats say an attack on Planned Parenthood is an effort to keep women, many of them poor, from needed health services.

### THE SENATE BILL

Monday’s vote was on barring federal aid to Planned Parenthood and shifting the money to other health care providers.

That’s big money for Planned Parenthood. It says of \$1.3 billion in revenue last year, \$528 million came from taxpayers, including state funds that help finance Medicaid.

Planned Parenthood defenders say cutting federal aid wouldn’t affect the abortions it provides because federal money cannot be used for abortions except for cases of rape, incest or when a woman’s life is in peril. Opponents say squeezing money from Planned Parenthood makes it

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