

**1650 Houses For Sale****212 Lake Lesterville**

Cozy 1-bedroom, 1-bath bungalow, move-in ready! Furnished with furniture, appliances and washer/dryer. For a couple or investment. 605-665-9257 for more information. <http://www.yankton.net/app/ht/ml/212lake/>

**158 Lakeview Terrace \$334,500**

Best view on the lake! 4-bedroom, 3-bath, tri-level home, 2-fireplaces, wrap around driveway. Lots of new. Pat 605-661-3796; Joe 605-661-9240. <http://www.yankton.net/app/ht/ml/158lakeviewterrace/>

**1660 Acreage - Lots For Sale**

**Beautiful 6.83 acres** in Deerfield Ranch estates. Electricity on site. \$51,500. Kathy, Century 21 605-661-0389.

**1705 Items \$100 or Less**

**7' pre-lit Christmas tree**, \$25. Call 402-357-3525.

**New Nativity set**, never used, \$100. 605-665-3157

**Nice full size couch** with matching love seats, light colored, \$50. 605-660-9226

**Soft-side water bed**, 10-year old Queen made by Pembroke, 2 bladders and heaters, \$95. 605-661-6390

**1710 Antiques - Collectibles**

**Monarch Antique electric stove** with oven, first \$400 take it! Call 605-661-3313 pictures available.

**1775 Home Furnishings**

**Household furniture sale:** Oak dining room table with 6-chairs, microfiber sofa & large chair with ottoman. Oak king bedroom set with Tempu-Pedic mattress, night tables, TV & armoire dresser. Coffee tables, sofa table, lamps, large floor rugs & many extras. 605-857-0640.

**1800 Sports Equipment**

**Weslo exercise bike**, less than a year old, perfect condition, \$75. Call 605-661-3020 after 5pm.

**Injured Trooper Returns**

**RAPID CITY (AP)** — A South Dakota Highway Patrol trooper severely injured in a traffic stop assault says he has no qualms about returning to a law enforcement career.

Zachary Bader was assaulted Oct. 24 while making a traffic stop on Interstate 90 east of Rapid City. He suffered serious injuries to his head and face and continues to recover.

Four Washington state residents are charged in the incident, including a man who's accused of attempted murder.

The husband and father of three little girls tells KELO-TV that he anticipates his first traffic stop after he returns to work might be a little hard. But he says the "overwhelming" support he's received during his recovery reinforces his desire to serve the public.

Bader has more surgery ahead before he can return to work.

"I got four or five plates in my face, for the jaw stuff," he said. "I had to have my mouth wired shut for, I believe, for four weeks."

Bader's supervisor, Sgt. Matt Oxner, says the attack represents a low-percentage reality of a trooper's life, with many stops on the open road often miles from backup.

It's a rare but real possibility Bader said he'll have to live with, without letting it change who he is out on the highway as he deals with people.

**Insurers Paid Large Penalties In South Dakota During 2015**

**BY BOB MERCER**  
State Capitol Bureau

**PIERRE** — Insurance companies that violated South Dakota's laws agreed to pay more than \$1.3 million in penalties to state government during 2015.

That's according to records from the state Division of Insurance.

Penalties paid by insurers have grown substantially since Gov. Dennis Daugaard took office five years ago.

"I'm not sure I would consider this a trend," state insurance director Larry Deiter said.

"A large issue with a single company can lead to a significant penalty and can dominate a year's results such as the \$750,000 penalty did in 2015," he said.

Two groups of companies, Foremost Insurance and Farmers Insurance, agreed to a consent order June 3 to pay \$750,000 to informally settle an enforcement investigation.

Twelve enforcement actions this year resulted in penalties of \$10,000 or more. (See list.)

The total penalties paid in 2015 from 35 enforcement actions were \$1,314,249.91, Deiter said.

That is the largest amount since the Daugaard administration began.

Totals varied during the four previous years: \$177,500 from 41 actions in 2011; \$650,309 from 37 in 2012; \$606,000 from 52 in 2013; and \$383,250 from 44 in 2014.

Companies paid \$13,500 from 25 enforcement actions in 2010, the last year of Gov. Mike Rounds' administration.

**AT A GLANCE**

Here is a summary of penalties of \$10,000 or more that insurance companies agreed to pay during 2015 for violation South Dakota laws and regulations.

\* Ability Insurance Co., Omaha, Neb. Rate discrepancy. \$15,000.

\* Coventry Health and Life Insurance

Co., Bethesda, Md.; and First Health Life and Health Insurance Co., Downers Grove, Ill. Use of agents not licensed in South Dakota. \$20,000.

\* Zurich American Insurance group, Schaumburg, Ill. Violations of four South Dakota laws including refusal to cooperate in an examination; insufficient compensation for motor vehicle damages; failing to file rates with the state division; issuing contracts or policies conflicting with filed rates; and unfair trade practices regarding cancellation notices. \$100,000.

\* Nationwide Life Insurance Co., Columbus, Ohio. Failure to obtain prior approval of rates and forms. \$10,000.

\* Sentry Insurance group, Stevens Point, Wis. "Numerous violations" of South Dakota laws and regulation. \$125,000.

\* Foremost Insurance group, Grand Rapids, Mich., and Caledonia, Mich.; and Farmers Insurance group, Woodland Hills, Cal. "Numerous violations" of South Dakota laws. \$750,000.

\* American Modern Insurance Group, Amelia, Ohio. Loan insurance violations. Multi-state examination and multi-state penalty totaling \$6 million. South Dakota's share \$54,948.97.

\* Express Scripts Administrators, St. Louis, Mo. Failure to properly process claims submitted by state Department of Social Services. \$125,000.

\* Midland National Life Insurance Co., Des Moines, Iowa. Failure to properly appoint agents prior to accepting policies in South Dakota. \$15,000.

\* Allianz Life Insurance Co. of North America, Minneapolis, Minn. Failure to timely conduct checks of Social Security death master file. Multi-state examination and multi-state penalty totaling \$4,738,000. South Dakota share \$12,331.63.

\* Western Providers Inc., Rapid City, SD. Failure to register as third-party administrator. \$10,000.

**Community Cheers Rail Watchdog Overhaul**

**BY JAMES NORD**  
Associated Press

**PIERRE** — South Dakota's agricultural industry is cheering the first major overhaul in about two decades of the federal agency that serves as economic watchdog of the country's freight rail network.

President Barack Obama signed legislation on Friday to revamp the Surface Transportation Board. The measure is intended to boost the board's effectiveness, give it more investigative authority and head off potentially lengthy and expensive disputes over shipping prices, said U.S. Sen. John Thune, who sponsored the measure.

"Hopefully it'll put the board in the position where it could be more effective in responding to both the railroads and the shipper community," Thune said.

The Republican said the legislation will hopefully address the "crisis" of

railway backups and delayed grain shipments that peaked last year thanks to trains transporting oil. The new law gives the board the ability to start investigations into issues other than rate cases and also requires the agency to create a database of complaints.

It also increases the board's membership to allow communication among members without requiring public notice and expands voluntary arbitration for rate cases, among other changes.

Keith Alverson, president of the South Dakota Corn Growers Association's board, said he hopes the measure helps spur better shipping rates. He said that could help South Dakota's agricultural industry compete with neighboring states that have more transportation options.

"Something like this is pretty historic," he said. "If we pick up a nickel on corn price, that's money that stays than in the state rather than going ... to a rail com-

pany or somebody else."

Jerry Cope, vice president of marketing at Dakota Mill and Grain, said there aren't many shipping problems right now. He views the measure as a way to avert future problems.

"It's more of a framework to operate under going forward to ensure when we do have problems, we have a better way, a quicker way to solve them," he said.

Thune also said he's pleased that the railroad industry was able to see some value in the measure. Ed Greenberg, a spokesman for the Association of American Railroads, said the industry trade group welcomes the legislation.

"We felt it strikes the balance of preserving market-based structures for shippers and railroads while also providing common sense process improvements to help the (board) work more efficiently," he said.

**NE Jobless Rate Unchanged In Nov. At 2.9 Percent**

**LINCOLN, Neb. (AP)** — Nebraska's unemployment rate remained unchanged at 2.9 percent in November and was again the second-lowest state rate in the nation, according to a report issued Friday.

The U.S. Labor Department said Nebraska's November rate came in just above North Dakota's 2.7 percent.

Nebraska's preliminary November rate is two-tenths of a point under the November 2014 rate of 3.1 percent, the Nebraska Labor Department said, but well below the national unemployment rate, which remained steady from October to November at 5 percent.

Nebraska's nonfarm employment rose by 15,300

over the past year to reach nearly 1.02 million last month, the state said. Private industries with the most job growth year over year were education and health services, up by 5,444; trade, transportation and utilities, up by 3,544; and financial activities, up by 3,119.

The preliminary Omaha unemployment rate dropped two-tenths of a percentage point from October to 2.7 percent in November. The figure was four-tenths of a point under the 3.1 percent seen in November 2014. The Lincoln rate also dropped two-tenths of a point, to 2.1 percent, and was also two-tenths of a point under the November 2014 figure. The Grand Island rate was unchanged at 2.8 percent,

down from the November 2014 figure of 3 percent.

The unemployment rates for Grand Island, Lincoln and Omaha have not been seasonally adjusted, so they cannot be directly compared with the state unemployment rate.

Here are preliminary area labor market unemployment rates for November, followed by revised figures for October:

- Beatrice: 2.7, 3.1
- Columbus: 3.1, 3.2
- Fremont: 2.7, 3.0
- Hastings: 2.4, 2.6
- Kearney: 1.9, 2.1
- Lexington: 2.6, 2.8
- Norfolk: 2.1, 2.3
- North Platte: 2.4, 2.6
- Red Willow: 2.4, 2.5
- Scottsbluff: 3.0, 3.0

**UW Select SDSU Administrator As Next President**

**LARAMIE, Wyo. (AP)** — University of Wyoming trustees on Friday announced their choice of South Dakota State University administrator Laurie Nichols to serve as the next president of UW.

The trustees voted unanimously to select Nichols from among three finalists for the job. She's set to take office by July 1 and will be the first woman president of the Wyoming university.

Nichols is provost and executive vice president for academic affairs at South Dakota State. She succeeds Dick McGinity, who has been UW president for almost two years.

"This is just an incredible opportunity for me, and I am beside myself with excitement at being able to come to Wyoming," Nichols said in a statement released by UW. "It's a great university and a wonderful state, and I don't think I could have found a better place and a better fit."

Dave Palmerlee, president of the UW Board of Trustees, said the panel is delighted to have someone with Nichol's experience and enthusiasm take the job.

"We're confident she will work well with the trustees and UW's many stakeholders to lift the university to new heights of excellence," Palmerlee said in a statement from UW.

Nichols three-year contract includes annual base salary of \$350,000, a \$48,000 housing allowance, \$25,000 retention payment and \$35,000 contribution to a deferred compensation plan, the university stated.

UW said Nichols has held her current post at South Dakota State since 2009. She was dean of the SDSU College of Education and Human Sciences from 1994 to 2008.

In 2008 and 2009, Nichols served for nearly a year as interim president of Northern State University in

Aberdeen.

Nichols earned a bachelor's degree in education from South Dakota State in 1978 then got a master's degree in vocational and adult education from Colorado State University in 1984 and a Ph.D. in family and consumer sciences education from Ohio State University in 1988.

She and her husband, Tim Nichols, have two college-age daughters.

McGinity was appointed to the job of administering the university with about 13,400 students in January 2014. He replaced Bob Sternberg, who resigned in November 2013.

The other finalists for UW president were Jeremy Haefner, senior vice president for academic affairs and provost at the Rochester Institute of Technology in New York, and Duane Nellis, the president of Texas Tech University.

**Use Of Word 'Victim' Barred From Trial**

**SIOUX FALLS (AP)** — A judge has ruled that a teenager shot and killed after a car chase in Sioux Falls should not be referred to as a victim during the upcoming trial of the teen accused of pulling the trigger.

Conner Hanson is charged with murder in the January death of 18-year-old Anthony Gabriel. Hanson was 17 at the time but he's charged in adult court, where he's pleaded not guilty.

Hanson's attorney argued in court Thursday that Gabriel instigated the incident and that Hanson killed Gabriel in self-defense. He said calling Gabriel a victim would prevent a fair trial.

Judge Robin Houwman told prosecutors to avoid the term "victim" and instruct witnesses to refer to Gabriel by his name or as "the deceased."

**Latest Motion Of NE Woman Rejected**

**LINCOLN, Neb. (AP)** — The Nebraska Supreme Court has rejected the latest bid for freedom presented by a Beatrice woman serving a life sentence for beating her husband to death.

Susan DeJong was convicted of first-degree murder after authorities say she beat Thomas DeJong with two hammers at their home west of Fairbury on March 11, 2011.

Following failed appeals, she filed a motion last year for post-conviction relief. She appealed when a Jefferson County court denied the motion without a hearing. She argued that the lower court improperly denied the motion that claimed her lawyer was ineffective and that she was innocent.

The state's high court on Friday upheld the lower court's dismissal of her motion without a hearing, saying it found no merit in her arguments.

**Man Run Over By Own Vehicle, Killed**

**WHITE LAKE (AP)** — A Georgia man died when he was run over by his own vehicle in southeastern South Dakota.

The Highway Patrol says 54-year-old William Valentine, of Plainville, Georgia, was pulling a flatbed trailer with a pickup truck on Wednesday.

Authorities say Valentine got out of the truck on an Interstate 90 exit near White Lake, and the vehicle remained in gear and struck him.

The patrol is continuing to investigate the circumstances.

**Men Plead Not Guilty To Antelope Killing**

**BRIDGEPORT, Neb. (AP)** — Two men accused of illegally killing 25 antelope in a western Nebraska field and leaving the animals' carcasses to rot have pleaded not guilty to charges in the case.

Scottsbluff radio station KNEB reports that 24-year-old Taylor Mueller and 21-year-old Brent Hoerler are each charged with hunting without a permit, hunting in closed season, wanton waste of an animal, harassment of game and hunting with an artificial light. All of the counts are misdemeanors, carrying maximum punishments of three months to six months in jail.

Authorities say the antelope were illegally shot and killed in a wheat field in early November. Nebraska Game and Parks Commission officials discovered the animals in a field after hearing reports about the killings from area residents.

**Woman Killed By Truck Clearing Snow**

**PARKER (AP)** — A Parker woman died after being struck by a truck clearing snow in a restaurant parking lot.

Turner County Sheriff Byron Norgelmeier tells the *Argus Leader* that 55-year-old Cynthia Dornbusch died at a Sioux Falls hospital Wednesday evening.

The sheriff says the 33-year-old truck driver did not see Dornbusch and has not been charged in her death.

**Police Investigate Punching Of Student**

**OMAHA, Neb. (AP)** — The Omaha Police Department has launched an internal investigation, and the officer at the center of the investigation has been temporarily reassigned after he was seen on video punching a student while trying to break up a school fight.

A student's cellphone video of the fight between two male Millard South High School students show Officer Nicholas Caniglia punching a teen in the face several times while trying to break up the fight. The video also shows the student punching the officer at least twice.

The fight occurred Thursday afternoon. Police say a school district security guard and the officer struggled to break up the fight.

Police say they are looking into what precipitated the officer's actions and whether his actions were appropriate.

**Bond Reduced For Suspect In SD Slaying**

**SIOUX FALLS (AP)** — A judge has reduced bond for a Florida man recently charged in a 26-year-old killing in South Dakota but refused to outright release Kim Aune before his January trial.

The 57-year-old Aune from Florida's Lee County was charged earlier this year with murder in the 1989 death of 21-year-old Kimberly Eidsness, his girlfriend. Prosecutors haven't said why they reopened the case.

The *Argus Leader* reports defense attorney Beau Blouin during a Thursday hearing said Aune's limited criminal history, track record of making court appearances and the time that has passed since the slaying were grounds for Aune's release.

Prosecutor Aaron McGowan opposed even a bond reduction.

Judge Robin Houwman reduced bond from \$1 million to \$750,000, cash only.

**Man's Body Found Near Apartment**

**OMAHA, Neb. (AP)** — A man who survived being shot two months ago has been found dead behind a northwest Omaha apartment building.

Police found the body of 24-year-old Dominique Jones about 1:30 p.m. Thursday. A police department spokesman did not release the cause of his death. Police hadn't announced an arrest late Thursday.

The *Omaha World-Herald* reports that Jones is the sixth homicide victim in Omaha in December.

Jones and a 22-year-old man were shot and injured Oct. 15. The other man also survived a shooting in September.

**9 SD Inmates Indicted On Drug Charges**

**PIERRE (AP)** — A Hughes County grand jury has indicted nine inmates at the South Dakota Women's Prison in Pierre on drug charges.

The Attorney General's Office says two of the inmates smuggled methamphetamine into the facility, used the illegal drug and distributed it to seven other inmates who also ingested it.

The indictments followed an investigation by the state Division of Criminal Investigation.

**El Nino Helps Set Temperature Records**

**BROOKINGS (AP)** — SDSU Extension says a near-record strong El Nino has brought warmer than average temperatures to South Dakota throughout December.

Climate Field Specialist Laura Edwards says the National Oceanic Atmospheric Administration's Dec. 17 Climate Outlook shows that the trend is forecast to continue until spring 2016.

Edwards says that several records have already been tied or broken this month with high minimum temperatures across the region. On Dec. 10 alone, 35 records were set for high minimum temperatures across the state from Pactola Dam to Sisseton.

South Dakota State Climatologist Dennis Todey says that despite a cool-down over the next couple of days in South Dakota, the region is forecast to warm up again by the end of the month.