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OPINION OTHER VIEWS

The Arctic Isn't Saved Just Yet

LOS ANGELES TIMES (Sept. 29): It's tempting to think of the latest oil-drilling news as a victory: Royal Dutch Shell PLC announced that it was ending its barely begun operations in the Arctic seas off Alaska because its first exploration showed disappointing stores of oil in an area that had been considered one of the most promising. The withdrawal from the Beaufort and Chukchi seas follows similarly abandoned plans by Exxon and Chevron in other parts of the Arctic.

Certainly, Shell's withdrawal is a victory — although perhaps a temporary one — for the environment. Drilling in the seas off Alaska is particularly risky because of stormy waters and unpredictable ice. The area is also home to important marine species, especially walrus, which could be endangered by spills, among other things. Because no one believed there was enough oil in the Arctic to power the United States for more than four years, drilling operations in the area were never worth the risk. Now, with an even more disappointing show of oil under the seafloor and oil prices crashing, Shell decided that, at least for the foreseeable future, it was indeed not worth the risk.

But in terms of policy, the environment has not won. Shell's decision was based in large part on the current price of oil, as was Chevron's. Exxon held off on its exploration plans in the Russian Arctic because of a political dispute between the United States and Russia — a consortium that included Exxon abandoned plans in the Canadian Arctic, saying it could not complete the necessary work before its lease would expire. But if any of a number of factors change — the price of oil rises, a somewhat more bountiful supply is found in the seas, political disagreements are resolved — oil companies will be flocking back. The environment wasn't part of the consideration here.

To be sure, Shell officials took a swipe at federal regulators, calling the regulatory climate difficult and unpredictable after the Interior Department imposed added requirements for renewed drilling. (The company had been forced to halt earlier efforts after serious mishaps at sea.) That could well be, but it's the government's job to protect the environment by whatever requirements are necessary, and most of the limits imposed on Shell had been worked out with the company over the last several years. It's true that late in the game, the Interior Department imposed additional rules barring Shell from drilling two wells at the same time within a short distance of each other, but that was to protect the area's walrus population.

In the end, Shell decided that for now, the costs were not worth the benefits. But the oil company is talking about the economic costs, while the bigger concern should be the environmental risks. This is an opportunity for the federal government, which never should have allowed the Shell project to go forward, to reevaluate its policies in the still-pristine waters off Alaska. At this point, the nation's energy efforts should be focused on cleaner sources that don't contribute to global warming, thus protecting the Arctic from both drilling and from the already troubling effects of climate change.

IN HISTORY

By The Associated Press
Today is Thursday, October 1, the 274th day of 2015. There are 91 days left in the year.

Today's Highlight in History: On October 1, 1940, the first section of the Pennsylvania Turnpike — described as America's first superhighway — opened to the public, stretching 160 miles from Carlisle to Irwin.

On this date: In 1890, Congress passed the McKinley Tariff Act, which raised tariffs to a record level.

In 1908, Henry Ford introduced his Model T automobile to the market.

In 1932, Babe Ruth of the New York Yankees made his supposed called shot, hitting a home run against Chicago's Charlie Root in the fifth inning of Game 3 of the World Series, won by the New York Yankees 7-5 at Wrigley Field.

In 1939, Winston Churchill described Russia as "a riddle wrapped in a mystery inside an enigma" during a radio address on the invasion of Poland by Nazi Germany and the Soviet Union.

In 1955, the situation comedy "The Honeymooners," starring Jackie Gleason, Art Carney, Audrey Meadows and Joyce Randolph, premiered on CBS-TV.

In 1957, the motto "In God We Trust" began appearing on U.S. paper currency.

In 1961, Roger Maris of the New York Yankees hit his 61st home run during a 162-game season, compared to Babe Ruth's 60 home runs during a 154-game season. (Tracy Stallard of the Boston Red Sox gave up the round-tripper; the Yankees won 1-0.)

In 1964, the Free Speech Movement began at the University of California, Berkeley. Japan's first high-speed "bullet train," the Tokaido Shinkansen, went into operation between Tokyo and Osaka.

In 1965, the science-fiction novel "Dune" by Frank Herbert was published by Chilton Books. The Byrds' single "Turn! Turn! Turn!" was released by Columbia Records.

In 1971, Walt Disney World opened near Orlando, Florida.

In 1987, eight people were killed when an earthquake measuring magnitude 5.9 struck the Los Angeles area.

In 1995, Sheikh Omar Abdel-Rahman and nine other defendants were convicted in New York of conspiring to attack the United States through bombings, assassinations and kidnappings.

Ten years ago: Three suicide bombers struck three restaurants in Bali, Indonesia, killing 20 victims. U.S. millionaire scientist Gregory Olsen and an American-Russian crew blasted off from Kazakhstan on a journey to the international space station.

Five years ago: White House Chief of Staff Rahm Emanuel, planning an ultimately successful Chicago mayoral run, relinquished his post to Pete Rouse. CNN fired anchor Rick Sanchez a day after he called Jon Stewart a bigot during a radio interview in which he also questioned whether Jews should be considered a minority. Georgy Arbatov, 87, a foreign policy adviser to Soviet presidents and the Kremlin's top America watcher, died in Moscow.

One year ago: Secret Service Director Julia Pierson abruptly resigned in the face of multiple revelations of security breaches, bumping in her agency and rapidly eroding confidence that the president and his family were being kept safe. (Pierson was succeeded by Joseph Clancy.) In a striking public rebuke, the Obama administration warned Israel that plans for a controversial new housing project in east Jerusalem would distance Israel from "even its closest allies" and raise questions about its commitment to seeking peace with Palestinians.

Today's Birthdays: Former President Jimmy Carter is 91. Actress-singer Julie Andrews is 80. Actress Stella Stevens is 77. Rock musician Jerry Martini (Sly and the Family Stone) is 72. Baseball Hall-of-Famer Rod Carew is 70. Jazz musician Dave Holland is 69. Actress Yvette Freeman is 65. Actor Randy Quaid is 65. Rhythm-and-blues singer Howard Hewett is 60. All-country-rock musician Tim O'Reagan (The Jayhawks) is 57. Singer Youssou N'Dour is 56. Actor Esai Morales is 53. Retired MLB All-Star Mark McGwire is 52. Actor Christopher Titus is 51. Actress-model Cindy Margolis is 50. Rock singer-musician Kevin Griffin (Better Than Ezra) is 47. Actor Zach Galifianakis is 46. Singer Keith Duffy is 41. Actress Sarah Drew is 35. Actor-comedian Beck Bennett is 31. Actress Jurnee Smollett is 29. Actress Brie Larson is 26.

Thought for Today: "Everybody favors free speech in the slack moments when no axes are being ground." — Heywood C. Broun, American journalist (1888-1939).

FROM THE BIBLE

Luke alone is with me. Get Mark and bring him with you, for he is very useful to me for ministry. 2 Timothy 4:11. Portals of Prayer, Concordia Publishing House, St. Louis.

LETTERS TO THE EDITOR

A Tough Job

Don Munson, Yankton
When I served in the South Dakota Legislature, there were several former county commissioners in the Legislature. I asked some of the former county commissioners which public service position was the hardest. These former county commissioners stated the elected position was the hardest. They stated the elected position at the county level was the hardest as every decision was closely scrutinized

by the local voters.

The Yankton County commissioners have a difficult decision and addressed the need to maintain and upgrade the county roads and bridges. This costs money. That is a problem at the county level. The county government has very limited revenue sources compared to city of state governments. That is a problem. Regardless of the vote outcome, I applaud the county commissioners for addressing this issue.



Thomas E. Simmons

The Importance Of Punctuation

BY THOMAS E. SIMMONS
University of South Dakota

Last week, two events took place at or under the auspices of the USD Law School. The first was a celebration of Pierre lawyer Charlie Thompson; the second was the law students' celebration (or, perhaps more accurately, observation) of National Punctuation Day.

I attended the dinner in Pierre honoring Charlie Thompson, an excellent lawyer with many lawyer friends. One of the individuals with whom I spoke was the son of another superb South Dakota lawyer; I won't name that lawyer, but his name is recognizable. He is an estates attorney of whom his clients might say — as was said of the great fictional attorney Atticus Finch in "To Kill a Mockingbird": "He can make somebody's will so airtight you can't break it."

Neither the attorney's son nor his sibling had gone on to become lawyers themselves. Perhaps he could have been a lawyer, the young man speculated, since he liked to argue. The way in which the young man expressed himself exhibited a sensitivity to language, a care with words, diction, and emphasis.

"I disagree," I told him. "I think you would make a fine lawyer. Not because you have argumentative skills but because you are a wordsmith. You think about using the right words."

If mathematics is the language of science, then language is the language of law. We structure our society and our relationships with others with laws. The rule of law is composed in language and so ultimately it is language which structures our world in very important ways.

According to the Internet, punctuation once saved a man's life. The Czar of Russia had handed down a death sentence to an accused man. To the man's jailer, the Czar wrote: "Pardon Impossible. To be executed."

The jailer sympathized with the condemned man and transposed the Czar's writ by manipulating its punctuation: "Pardon. Impossible to be executed." The man's life was spared.



Thomas E. SIMMONS

Last year, a student at Yale Law School wrote an article on the frequency with which courts employ dictionaries to make decisions. When a statute uses a word without supplying a statutory definition, the word's ordinary meaning is presumed. What better place to assess a word's ordinary meaning than an ordinary dictionary?

In the United States Supreme Court's decision titled *Taniguchi v. Kan Pacific Saipan* (2012), the justices scanned several dictionaries for definitions of the word "interpreter." At issue was whether the Court Interpreters Act covered not only the cost of oral translation services, but also the translation of print.

The Court Interpreters Act was passed by Congress in 1978, and so the court sought out dictionaries which were published in 1978. The American Heritage Dictionary defined the term as "one who translates orally from one language into another." The Oxford English Dictionary defined interpreter as "one who translates languages."

"Based on our survey of the relevant dictionaries," the majority concluded, "the ordinary or common meaning of 'interpreter' does not include those who translate writings. Instead, we find that an interpreter is normally understood as one who translates orally from one language to another."

The importance of words and punctuation is seldom lost on a skilled attorney. Humorists also rely on a sensitivity to language. Perhaps you've seen the T-shirts that proclaim: "Punctuation saves lives" followed by two contrasting examples: "Let's eat, grandma!" And then: "Let's eat grandma!" The comma — and its placement — makes a difference.

Words and punctuation in statutes matter because that is how the law is written; not by arbitrary fiat or with gut reactions, but with language.

Thomas E. Simmons is an assistant professor at the University of South Dakota School of Law in Vermillion. Simmons' views are his own and not those of USD.

Boehner's Exit Doesn't Help

BY LEONARD PITTS JR.
Tribune Content Agency

Wonderful.

That's just what the conservative movement needs right now. Less adult supervision.

But with the fall last week of House Speaker John Boehner — more accurately, with his decision to resign because life is too short for Ted Cruz — that is precisely what conservatives now have. It is a development with sobering implications far beyond the political right.

Not that you'd have known this from the bacchanal of celebration the news set off among conservatives. Republican Sen. Marco Rubio was swamped by a roar of approbation when he announced the resignation at the Values Voter Summit in Washington. Sen. Cruz, who has long been Boehner's chief tormentor, seemed ready to lead a conga line as he joked about it before the same gathering.

And here, it might be instructive to remind ourselves of the nature of Boehner's supposed apostasy. He was, after all, aligned with his persecutors on pretty much every issue of substance. The Affordable Care Act? Guns? The debt ceiling? There was not a scintilla of daylight between him and them.

But what we've learned since the tea party came to town is that being right — as in right wing — is no longer enough. Now you must be so unyielding in your rightness that you'd rather damage the country than seek common ground with the other side. To do so is to risk being tarred, as Boehner was, as spineless and weak.

In the end, then, his sin was that he was a pragmatist; he understood, as Ronald Reagan did, as Bill Clinton did, as every successful leader in a democratic system must, that politics is the art of compromise. His sin is that he was a grown-up in a Congress of tea party children who made a calculated decision to render that body inert and ungovernable rather than yield, even in the face of inevitable discredit and defeat.

One is reminded of how toddlers will sometimes throw temper tantrums and threaten

to hold their breath until they get their way. With apologies to kids — who, after all, have the excuse of being kids — there are echoes of that kind of behavior in this last five years of governance by threat, high-stakes brinkmanship and fiscal hostage-taking. In fact, a new such fight was brewing even as Boehner called it quits. Hardline conservatives want to — all together now — shut down the government unless it defunds Planned Parenthood.

Republican Rep. Peter King probably put it best when he said of Boehner's resignation: "I think it signals that crazies have taken over the party."

Ya think? Heck, some of us — including some Republicans — have been saying that for years. Moreover, the unruliness of the tea party seems part and parcel of a more general lawlessness that has afflicted the once-upon-a-time party of law and order. Consider how GOP presidential candidates rushed to lionize Kentucky bureaucrat Kim Davis, who, in declining to issue marriage licenses to same-sex couples, did only what George Wallace and Orval Faubus did once upon a time: refused to abide by a Supreme Court ruling. Unable to vindicate their ideals within the rules, conservatives seem increasingly unwilling to be constrained by rules or, indeed, by much of anything.

These are the forces that felled Boehner, and you might describe it as a case of just desserts given that the speaker once supported, and saw political benefit from, the unleashing of those selfsame forces. But what happened here is not good for any of us. Governance in a democracy requires give and take between at least two political parties. More and more, we seem to find ourselves one party short, the GOP choosing instead to function as a cult or belief system.

Boehner's departure does not help. It only removes one more adult from the equation in a party that doesn't have any to spare.

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