

21 Arrested In Family Violence Sweep

RAPID CITY (AP) — Authorities in Pennington County say they've arrested 21 people on various charges as part of a family violence warrants sweep.

Officers checked 97 addresses on Wednesday during two sweeps that coincided with Domestic Violence Awareness month.

The participating agencies included the Box Elder Police Department, U.S. Immigration and Customs Enforcement, South Dakota Parole Services, the Black Hills Fugitive Task Force, the U.S. Marshals Service, the Rapid City Police Department and the Pennington County Sheriff's Office.

Pennington County Sheriff's Capt. Marty Graves praised the agencies' work and preparation to make such a high number of arrests.

SD Has First Confirmed Case Of The Flu

PIERRE (AP) — South Dakota has its first confirmed case of the flu this season.

Health Department officials say the case is in a Marshall County resident in the 70-79 age group. The person was hospitalized.

State Health and Medical Services Director Colleen Winter says people who haven't been vaccinated yet should get a flu shot.

The 2014-15 flu season was one of the deadliest in South Dakota history, with nearly 800 hospitalizations and 63 deaths.

Prosecutors Drop SD Midwife's Case

BROKEN BOW, Neb. (AP) — Nebraska prosecutors have dropped their case involving an unlicensed midwife who was charged with manslaughter and other crimes in the 2011 death of a newborn.

Sixty-eight-year-old Judy Jones, of Irene, South Dakota, also was charged with practicing without a license and criminal impersonation. Authorities say Jones helped deliver a baby in a rural Custer County home in September 2011, defying orders prohibiting her from practicing as a midwife in Nebraska and South Dakota. The infant died shortly after birth.

After several delays, Jones was scheduled to go on trial beginning April 19 next year. Custer County Attorney Steven Bowers says the case was dropped because the parties involved didn't want to proceed. But Bowers also says the state could refile charges later if the parties were to change their minds.

Boat Deployed To Reach Trucker In Pond

NORTH PLATTE, Neb. (AP) — Western Nebraska authorities say a truck driver was rescued from his big rig after it ran off Interstate 80 into a pond.

Firefighters and Nebraska State Patrol troopers were sent to the scene about two miles west of the Maxwell exit around 6:30 p.m. Thursday. The patrol says most of the truck cab was submerged.

Rescuers deployed a boat to reach the cab. They used a Jaws of Life to cut a hole in the cab because the cab doors couldn't be opened and the driver couldn't escape through any of its windows. The driver was taken to a North Platte hospital after he was freed and reached dry ground.

The accident cause is being investigated.

Police Find Nearly 63 Pounds Of Pot

OMAHA, Neb. (AP) — Authorities say a man bound for Wisconsin has been arrested after officers found nearly 63 pounds of marijuana in the vehicle.

The Douglas County Sheriff's Office says the sport utility vehicle was pulled over along Interstate 80 in eastern Omaha around 9:20 p.m. Thursday. A deputy became suspicious of the driver and called for a drug dog. The dog alerted officers to the back of the SUV, and the deputy reported finding the marijuana in three suitcases.

The Sheriff's Office says 22-year-old Joshua Wolenc, a resident of Wisconsin, was arrested on suspicion of possession for sale and a tax stamp violation. Online court records don't list the name of an attorney who could be contacted to comment on Wolenc's behalf.

Ride Service Paid \$3K To Settle Complaint

LINCOLN, Neb. (AP) — A state official says the ride-hailing service Lyft paid \$3,000 to settle a complaint filed by Nebraska regulators.

The Nebraska Public Service Commission accused the San Francisco-based company in July of failing to seek authority to operate in Nebraska and of operating illegally in the state for more than a year. Lyft later applied for the authority, which was granted in September.

The commissioners agreed to close the complaint Tuesday, after Lyft paid the fine.

The commission's Mark Breiner (BREYE'-nur) said Friday that the commission typically doesn't include the amount of fines in its orders. He also said the settlement with Lyft did not include any provision for keeping the amount confidential.

Groups Want Marker Near Sculptor's Home

CAIRO, Neb. (AP) — Two groups want to erect a historical marker near the home of a Hall County pioneer who later became a noted sculptor of frontier life in the American West.

Members of the Hall County Historical Society and the Cairo Roots group visited a spot northwest of Cairo on Thursday where Solon Borglum lived while ranching on his father's land in the 1880s. Borglum got his start there as an artist carving the likenesses of Native Americans.

Solon Borglum was the younger brother of Gutzon Borglum and uncle of Lincoln Borglum, the two men credited with the carvings at Mount Rushmore in South Dakota.

"Originally, he was a rancher," said Jean Lukesh, who has written a book about Solon Borglum, "Secret Brother, The Story of Solon Borglum, 'Sculptor of the Prairie.'"

"He was just out here ranching, but he always did sketches. He was doing sketches from the time he was a little kid. Always cowboys, Indians, horses, cattle and those sort of things," Lukesh said.

The Borglum land now is owned by Charles Kemptar, who guided Thursday's visitors to where Borglum lived in a dugout dwelling and to the bluffs where he carved into the clay soil.

The carvings "would last about four or five years and then they would wash out," Kemptar said.

When Gutzon Borglum visited his younger brother in 1893 he was impressed with Solon's development as artistic skills and asked him to move to California with him so he could teach him to be an artist.

That's when Solon Borglum left the ranch and went on to win acclaim and major international awards for his art, Lukesh said. He died in 1922.

Annette Davis with the historical society said the groups have raised nearly \$4,000 of the \$6,000 needed for a marker along Nebraska Highway 2.

States Reliant On Fossil Fuels Sue Over New Clean Air Rules

BY MICHAEL BIESECKER
Associated Press

WASHINGTON — States and industry groups dependent on fossil fuels filed court challenges Friday to President Barack Obama's Clean Power Plan, which aims to reduce greenhouse gas emissions.

Opponents of the plan filed a flurry of lawsuits at the U.S. Court of Appeals as the Environmental Protection Agency published its final version of the new regulations.

The challenges from all but two of the 25 states were filed by Republicans. They deride the plan as an "unlawful power grab by Washington bureaucrats" that will kill coal mining jobs and drive up electricity costs.

"The Clean Power Plan is one of the most far-reaching energy regulations in this nation's history," said West Virginia Attorney General Patrick Morrisey, among those leading the challenges. "I have a responsibility to protect the lives of millions of working families, the elderly and the poor, from such illegal and unconscionable federal government actions."

The Obama administration and environmental groups

counter that the rules are needed to cut carbon emissions while curbing the worst impacts of climate change and sea-level rise. They also say the plan will spur new clean-energy jobs.

The new rules require states to cut carbon emissions by 30 percent by 2030. Each state has a customized target and is responsible for drawing up an effective plan to meet its goal.

"We are confident we will again prevail against these challenges and will be able to work with states to successfully implement these first-ever national standards to limit carbon pollution, the largest source of carbon emissions in the United States," said EPA Administrator Gina McCarthy.

The EPA says it has authority to enact the plan under the Clean Air Act. At issue are dueling provisions added to the law by the House and Senate in 1990. The EPA's interpretation relies on the Senate language, but opponents argue that the House version should win out.

EPA already regulates other power-plant pollutants under a different section of the Clean Air Act, and the opponents claim the law pro-

hibits "double regulation."

Under the act, certain challenges to agency rules skip the federal district court and go directly to the appeals court in Washington, D.C.

Morrisey also filed a stay barring the plan from taking effect while the court challenges proceed, a question that will likely be up to the Supreme Court.

"We expect polluters and their allies to throw everything they've got at the Clean Power Plan, and we expect them to fail," said Sierra Club Executive Director Michael Brune, among those defending the law. "The Clean Power Plan is based on a law passed by Congress, upheld by the Supreme Court, and demanded by the American people."

The states challenging the plan in court are Alabama, Arkansas, Arizona, Colorado, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Michigan, Missouri, Montana, Nebraska, New Jersey, North Carolina, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Utah, West Virginia, Wyoming and Wisconsin.

Also filing suit against the EPA on Friday was Murray Energy Corp., the nation's largest privately owned coal

company.

Members of Congress from coal-mining states joined in, saying they will introduce new legislation aimed at blocking the EPA from enforcing the plan.

On the other side, 15 states and the District of Columbia say they are backing the Obama administration and will begin working to comply with the new rules.

There is some political variation in the positions taken within the states. In North Carolina, for example, the environmental agency controlled by the Republican governor joined the opposition without the participation of the state's Democratic attorney general.

Governors in Colorado, Michigan and New Mexico said they will work to comply with the new EPA rules, even as attorneys general from their states joined the lawsuit.

"Clean air and protecting public health should be everyone's top priority," Colorado Gov. John Hickenlooper, a Democrat, said Friday. "We believe that Colorado can achieve the clean air goals set by the EPA, at little or no increased cost to our residents."

Big Jumps Ahead In South Dakota Individual Market Premiums

BY JAMES NORD
Associated Press

PIERRE — Tens of thousands of South Dakota residents who buy health coverage individually, including through the federal marketplace created by the Affordable Care Act, are facing premium hikes for next year ranging from an average of about 13 percent to as much as 63 percent.

South Dakota's four main individual market insurers confirmed to The Associated Press this week their rate increases for 2016. Insurance company executives cite surging drug costs to many more people than expected racking up large medical bills.

Roughly 73,000 state residents enrolled in individual health coverage in 2014, according to the Kaiser Family Foundation. Nearly 19,000 South Dakotans have gotten coverage through the federal exchange and paid their premiums, according to federal figures through June 30.

Two companies that offer plans outside of the exchange, DakotaCare and Wellmark Blue Cross Blue Shield, are hiking premiums dramatically. DakotaCare Chief Marketing Officer Greg Jasmer said next year's individual market rates are increasing by an average of 63.2 percent, which affects about 4,300 members.

About 15,000 Wellmark members who have plans compliant with the health

care law face an average rate increase of almost 43 percent for next year, said Chief Financial Officer David Brown. A much larger group of about 36,000 enrollees that have pre-Affordable Care Act plans are seeing an average rate increase of almost 15 percent.

Brown said the 43 percent average rate increase is driven by a sicker enrollee pool than the company anticipated. He said those customers used more prescriptions than anticipated, including high-cost specialty drugs, and nearly a third more people than expected had claims that exceeded \$50,000.

"I wouldn't be surprised if we lost market share," Brown said of the hike, adding that the company has to focus on viability and that it can't afford to underprice.

With DakotaCare's departure from the federal health insurance marketplace, just two firms — Avera Health Plans and Sanford Health Plan — are selling coverage through the exchange. Consumers who use the marketplace are eligible for federal assistance, and open enrollment begins Nov. 1.

Both Sanford and Avera's rate increases are for plans on and off the exchange.

Jeff Sandene, interim president of Sanford Health Plan, said about 5,000 Sanford members, most of whom get coverage through the exchange, face an average premium increase of about 13 percent next year. As the health care law

grows older, insurers get more stability in their pricing — with two years of experience, Sandene said the company is more confident about these rates.

Avera Health Plans Chief Administrative Officer Debra Muller said the organization is hiking rates by an average of 13.7 percent, which would affect about 11,100 enrollees. Muller, like other carrier executives, cited a big surge in drug costs as a factor but said the firm has been able to keep other expenses down.

Kelsey Collier-Wise of Vermillion and her husband currently pay about \$261 a month through the exchange — a subsidy cuts the cost by more than half. Collier-Wise, executive director of the United Way of Vermillion, said they're pleased with their coverage through Sanford but still plan to shop around during open enrollment.

And even with a potential premium hike, Collier-Wise said the subsidies mean the family can likely stomach the increase. With their daughter also now covered through Medicaid, the family's health insurance bill has dropped dramatically.

"For us, the nice thing is that with the subsidy, we're paying so much less than we were paying prior to the (Affordable Care Act), that the gulf between now and what we used to pay is really huge, so there's a lot of movement in there that we can probably absorb," she said.

Film Narrates Efforts To Preserve Lakota Language In SD, ND

BY REGINA GARCIA CANO
Associated Press

ST. LOUIS — A documentary that chronicles efforts on reservations in North Dakota and South Dakota to save the language of the Lakota people is set to premiere on public television stations nationwide in November.

The 55-minute film "Rising Voices" highlights how classroom instruction and immersion preschools, dictionaries, voice recordings and animated cartoons are being used to preserve the Lakota language, which is estimated to be spoken by fewer than 6,000 people — less than 14 percent of the Lakota population in North and South Dakota — with an average age that will soon reach 70.

In the documentary, a wide range of Lakota people and some non-Native Americans who have learned the language share the successes and challenges they've faced in furthering the reach of the tongue.

"The Lakota are the most iconic of American Indians,"

said producer Larry Hott. "They are the ones that Hollywood thinks of; the Lakota have the headdresses, and the buffalo, and the teepee, and Sitting Bull. So, in the American imagination, this is what an American Indian looks like."

"This is a community that's very famous, that's iconic, that's actually known around the world, and here you have a language that was once spoken by many, many more thousands than those who speak it now. There's only 6,000 speakers left. That creates a race against time."

The film addresses what is now seen as a dark moment in federal education mandates: the assimilation policy that forced Native American children into boarding schools, where students were forced to speak English and were punished when they were caught speaking in their native tongues. The policy inherently limited or erased the Lakota fluency of some Native Americans who later were unable or refused to teach it to their children and the children of their children.

"I wasn't able to speak Lakota to my own children because I was afraid for them and what shame they would have to go through," Philomine Lakota said in the film, her voice cracking. "I was afraid that they would be rejected in their education system and go through the punishments that I went through."

A Lakota immersion program in Fort Yates, North Dakota, highlighted by the documentary had 11 children between the ages of 3 and 5 when the film crew visited. Enrolled students traveled from Bismarck and other areas, some making a two-hour round trip every day.

In another effort, a basketball coach tells how he

began to incorporate Lakota words during practices for shoot, pass, dribble, miss and rebound.

Philomine Lakota is now a Lakota teacher at Red Cloud Indian High School in Pine Ridge, where students take daily classes in Lakota and she encourages them to fight for the "biggest battle of their lives," which she believes is the one to preserve their language.

"There are days when we have real good days and they just start speaking Lakota on their own, and my heart swells with pride, and I say we have hope, we have hope, I have hope, I have hope, they are doing it and I don't want to break their momentum," she said. "Those are rare."

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