

### Bosworth Still Can Practice Medicine

SIoux FALLS (AP) — A Minnehaha County judge is allowing former Republican U.S. Senate candidate Annette Bosworth to continue to practice medicine while her medical license revocation case is reviewed.

A medical board voted last month to revoke Bosworth's medical license, but she's appealing the decision. Friday's ruling allows her to practice medicine while the case proceeds.

A jury in May found Bosworth guilty of six counts each of perjury and filing false documents. She avoided serving prison time when a judge handed down a suspended sentence provided she completes three years of probation and 500 hours of community service.

Bosworth was out of the country on a medical mission during the period her nominating petitions were circulating, yet attested to witnessing people signing them. She cited inexperience for the mishandling.

### Man Arrested After Stabbing Woman

HOLDREGE, Neb. (AP) — Police have arrested a man accused of stabbing a woman at a grocery store in Holdrege.

Officers who were sent to the Sun Mart Foods a little before 3 p.m. Thursday found a 49-year-old Beaver City woman who'd been stabbed in the back. She was taken to a hospital for treatment and soon released.

The 27-year-old suspected of assailing her was later found at a Mosaic facility and taken to the Phelps County Jail, where he was booked on suspicion of theft, assault and use of a weapon to commit a felony. He has not yet been charged. Mosaic is a faith-based organization that treats people who have intellectual disabilities.

Holdrege police say the attack appears to be random because the man and woman apparently are not acquainted.

### Police Use Stun Gun To Subdue Burglar

HURON (AP) — Police in Huron used a stun gun to subdue a boy who broke into a Kmart store.

Officers responded to an alarm about 9:30 p.m. Thursday and encountered the juvenile in the store's pharmacy department. Authorities say the boy was uncooperative with officers and had to be subdued with a Taser.

The suspect is in a juvenile detention center facing numerous charges including burglary and drug-related counts. Authorities did not release his age.

### Man Sentenced For Holding Woman

RED CLOUD, Neb. (AP) — A 31-year-old man has been given six months in jail and three years of probation for holding a woman hostage in a Red Cloud home.

The *Hastings Tribune* reports that Charles Folkman, of Red Cloud, had pleaded no contest and was convicted of false imprisonment. Prosecutors had lowered the charge and dropped two others in exchange for Folkman's plea. He was sentenced earlier this month.

Officers responded around 2 a.m. on April 9 to the Red Cloud residence. Authorities say a negotiator arranged the release of an uninvolved 26-year-old man just before 3 a.m. The 46-year-old woman was released 15 minutes later and was treated at a nearby hospital for minor injuries.

Folkman surrendered around 5 a.m.

### Companies Appealing Billboard Lawsuit

RAPID CITY, S.D. (AP) — Two companies are appealing a federal judge's dismissal of a lawsuit over Rapid City's outdoor advertising ordinance.

The *Rapid City Journal* reports that the billboard battle has lingered for four years. Last month, U.S. District Court Chief Judge Jeffrey Viken dismissed a case in which Lamar Advertising of South Dakota and TLC Properties Inc. sought damages from Rapid City.

This week, Lamar and TLC appealed Viken's decision to the U.S. Court of Appeals for the Eighth District.

The original lawsuit claimed that ordinances regulating the new construction of electronic or digital-illuminated signs amounted to an illegal taking of private property without just compensation.

Viken in his ruling found that the companies failed to plead a plausible claim for entitlement to damages.

### No Engine Problems Found In Crash

CHADRON, Neb. (AP) — Authorities say they've found no engine problems so far that would have caused a Nebraska Panhandle plane crash that killed its Texas pilot.

Chadron radio station *KCSR* reports that a preliminary report from the National Transportation Safety Board says it's found no evidence of engine malfunction or failure. The single-engine Beechcraft P35 Bonanza went down on Oct. 6, killing 61-year-old John Prickett, of Double Oak, Texas. It crashed 10 miles south of Chadron Municipal Airport, a few minutes after takeoff on a flight to Alliance.

Safety board spokesman Keith Holloway says a final crash report normally takes a year or more to complete.

### Convenience Store Robbed At Gunpoint

RAPID CITY (AP) — Rapid City police are searching for a gunman who robbed a convenience store.

Authorities say a man walked into the Fresh Start store shortly before 10 p.m. Wednesday, pointed a gun at the clerk and demanded money.

He fled with an undisclosed amount of cash. Police canine units tried but failed to track him.

No injuries were reported.

### Man Gets Prison In Child Neglect Case

OMAHA, Neb. (AP) — An Omaha man accused of neglecting his disabled daughter until she was severely malnourished has been sentenced to five years in prison.

A 29-year-old man pleaded no contest to negligent child abuse and was sentenced on Thursday. The man and his 26-year-old wife were arrested in November 2014 after police were called to Children's Hospital and Medical Center about a severely malnourished child. The man's wife has pleaded guilty to two counts of child abuse and is set to be sentenced next week.

The *Associated Press* is not naming the child's parents to protect her identity.

Prosecutors say the child has been placed in foster care and is now healthy.

### Jury Awards Rally \$912K In 'Sturgis' Suit

RAPID CITY (AP) — A Rapid City jury has awarded Sturgis Motorcycle Rally Inc. \$912,500 in a four-year-old dispute over the "Sturgis" trademark.

Sturgis Motorcycle Rally Inc. sued Rushmore Photo and Gifts and Wal-Mart over its Sturgis trademark. The organization has contended that the trademark helps pay for the annual motorcycle rally and is a necessary protection so the city can make money.

The defendants maintained that Sturgis is geographically descriptive and shouldn't be trademarked.

The trial has been ongoing this week and jury deliberations began Thursday. Jurors reached their verdict about 3:40 p.m. MT.

The plaintiffs had been seeking up to \$7 million in damages from the defendants for sales of allegedly unlicensed products. Jurors filled out a complex 18-page form to determine the award after asking the judge for a calculator.

# SD Asks US Not To Remove State From EB-5 Program

BY JAMES NORD

Associated Press

PIERRE — South Dakota's economic development office on Friday defended its ability to administer a program for recruiting wealthy foreign investors for projects in exchange for green cards, saying problems flagged by the federal government stem from a private company that previously ran the program.

The state asked that U.S. Citizenship and Immigration Services refrain from ending South Dakota's participation in the EB-5 visa program as a result of alleged problems going back several years.

The agency determined that South Dakota's regional center for the EB-5 visa program isn't promoting economic growth and said administrators have failed to submit required information to the agency, according to the late September notification. The state had until the end of the month to respond.

SDRC Inc. previously managed the program, but the state took over administration after ending that contract in 2013. Since then, there haven't been any new projects.

The Governor's Office of Economic Development said in its response to the immigration agency that it is not seeking to defend SDRC, as it recognized the firm's problems and responded by terminating its contract.

Joop Bollen, a pioneer of EB-5 in South Dakota whose firm is the target of a state lawsuit about the program, said in a separate response to the federal agency that its grievances against him are overstated. He argued that Citizenship and Immigration Services shouldn't terminate the state's participation and said the regional center helped spawn successful projects with very few failures, according to a copy of his responses to the agency provided to *The Associated Press*.

Many questions raised in an agency inquiry into the South Dakota regional center concern the management of the program under Bollen, who oversaw it as a public employee and as part of SDRC.

The notification to the state cites conflicting information in federal filings that leaves \$5 million in EB-5 funds unaccounted for, and the diversion of about \$1.7 million intended for a South Dakota beef plant to a Cyprus-based holding company for two Russian firms involved in railway transportation and the repair of railroad rolling stock, among other allegations.

In his responses, Bollen denied intentionally providing inaccurate or incomplete information to Citizenship and Immigration Services and said the agency never flagged reports as problematic. He also "vehemently" disputed failing to meet management and oversight respon-

sibilities when he was associated with the state's regional center.

Bollen explained that fund discrepancies came from simple mathematical errors and argued that neither he nor anyone associated with SDRC were aware of the wire transfers to the Cyprus firm.

A review of the notice "indicates that (the agency) has gone well out of its way, beyond any norm, to terminate South Dakota's regional center," he said.

The state filed a lawsuit earlier this month against SDRC in part to compel it to turn over all documentation about its management of the program. Bollen said in written testimony to a legislative oversight committee in 2014 that he gave the state EB-5 documents when the contract to run the regional center was canceled.

The economic development office maintains that it still hasn't received a complete set of records from SDRC, including contact information for all EB-5 petitioners and the books, records and reports relied upon to complete its immigration agency reports. The office also wants the books, records and reports from each limited partnership created to pool investors' money.

SDRC said it has provided the records it uses to file its immigration reports, but limited partnership records are not part of the management of the regional center.

# Education Funding Panel Wraps Up Work In Pierre

BY STEPHEN LEE

Capital Journal

Gov. Dennis Daugaard's Blue Ribbon Education Funding Task Force wrapped up its main work Thursday in Pierre with a plan to push teacher pay in the state out of the national cellar, said its co-chairwoman, Sen. Deb Soholt, R-Sioux Falls.

"We don't want to be last," she said after the meeting. "This will make us about 39th (out of 50 states and the District of Columbia.)"

During the day-long meeting, Soholt and her co-chairwoman Rep. Jacqueline Sly, R-Rapid, pressed for consensus on several areas.

Soholt said clear consensus was needed because divided votes would strip the report of support or "ownership," from task force members themselves.

The two dozen members held their fifth and final meeting — all have been in Pierre, about once a month since July 7 — to knock out final broad outlines of what the final report will hold.

In April, May and June, task force members held smaller "stakeholder" meetings around the state to hear comments and ideas from voters and educators.

It's all part of the state's attempt to address what many agree is a crisis of teacher pay so low, relative to surrounding states, that schools are critically short of teachers.

On Thursday, the group agreed on several topics: changing how teacher pension levies are handled and how to retain more teachers by offering mentoring and other services. A way of providing accountability for the new money they propose to see enter the education system is needed, the group agreed.

But the main thing was how to bump up teacher pay — a lot.

The task force's funding formula assumes keeping the student/teacher ratio about where it is, on average across the state, of 14 students per teacher, while raising the salaries of the 9,300 teachers an average of \$8,000, which is 20

percent of the current average salary of about \$40,000 — last in the nation.

The state has about 129,000 students in grades K-12.

The task force's plan won't mean each teacher will get an \$8,000 raise, Soholt emphasized.

That will be up to each district and could depend on each school's situation. The task force used studies of how neighboring states fund education, and how much, Soholt said. North Dakota's average salaries, for example, have increased greatly in the past three years or so, largely because of oil production-related revenues.

But the task force also took into account South Dakota's lack of a state income tax, Soholt said, meaning teachers, like other workers, keep more of their pay than in surrounding states.

Soholt pressed the task force to not include too many figures or broad ranges in its report, which she said could hang up public and legislative acceptance of it.

Rather she emphasized the panel seemed to clearly agree that "at least \$75 million" in new revenues is needed to get teachers' salaries up to where they should be.

Increasing the state's sales and use tax appears to be the best source of the needed additional revenue, Soholt said.

The task force used experts' math suggesting that another half-penny of state sales tax would raise about \$104 million.

Because such a sales tax increase must, politically, be linked to some property tax relief — perhaps about \$30 million worth — it could produce the \$75 million needed for the task force's plan, said Eric Stroeder, member of the Mobridge school board and president-elect of the Associated School Boards of South Dakota.

He figures the task force plan might mean \$6,000 in average raises to Mobridge's teachers, who average about \$38,000 in annual salaries. Many of the decisions about how to spend the new money will be up to the local officials,

he said.

"We've been trying to hire a math teacher for two years," he said of the 600-student district on the Missouri River near North Dakota. A science teacher has to fill-in teaching math to aid the lone math teacher, and some courses can't be offered, Stroeder said.

"And we're not really a small school in South Dakota," he said.

LuAnn Lindskov, South Dakota's teacher of the year in 2014 and an otherwise decorated science teacher in Timber Lake in West River country, said she generally has agreed with the task force's compromises to reach a consensus.

But she wasn't pleased with the idea offered of phasing in a plan over three years or more.

"There is a sense of urgency right now with this topic in South Dakota and I would hope we can get teachers more rather than less, and that that would come sooner rather than later," Lindskov told her fellow task force members near the meeting's close.

After the meeting, Lindskov told the *Capital Journal* she's not sure teachers and voters are convinced the task force's ideas will work, or that they will see the light of day in the Legislature.

"Teachers, I think they are still skeptical until they see a check in their hand."

Lindskov herself illustrates the low level of teacher pay in South Dakota, relative to other states.

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