

# Groton Daily Independent

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## Homecoming Theme for 2015-2016 is Holidays.

### Daily Themes

- Monday--MS/HS is Sports Day; Elementary is Camo Day
- Tuesday--MS/HS is Toga Day; Elementary is Sports Day
- Wednesday--MS/HS is Tacky Tourist Day; Elementary is Pajama Day
- Thursday--MS/HS is Color Day (Seniors-black, Juniors-white, Sophomores-blue, Freshmen-yellow, 8th grade-red, 7th grade-green, 6th grade-purple, Staff-pink); Elementary is Holiday Dress-up Day.
- Friday--Spirit Day

**Open:** Recycling Trailer in Groton  
The recycling trailer is located at 10 East Railroad Ave.

**The cardboard/paper**  
recycling trailer at the school is **Open**

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### Wednesday, September 23

**MS/HS is Tacky Tourist Day**  
**Elementary is Pajama Day**

**School Breakfast:** Breakfast pizza, juice, milk, fruit.

**School Lunch:** Garlic cheese bread, mixed vegetable, broccoli and dip, fruit.

**Senior Menu:** Baked pork chop, macaroni salad, pineapple strawberry ambrosia, whole wheat bread.

**Birthdays:** • Carolyn Snyder • Duane Johnson  
7:00am: United Methodist Men's Bible Study  
12:00pm: Kiwanis meets at the Community Center

6:45pm: Emmanuel Lutheran League

7:00pm: Emmanuel Lutheran Confirmation

### Thursday, September 24

**MS/HS is Color Day (Seniors-black, Juniors-white, Sophomores-blue, Freshmen-yellow, 8th grade-red, 7th grade-green, 6th grade-purple, Staff-pink)**

**Elementary is Holiday Dress-up Day.**

**School Breakfast:** French toast sticks, fruit, links, juice, milk.

**School Lunch:** Hot ham and cheese, sweet tots, romaine salad.

**Senior Menu:** Spaghetti with meat sauce, broccoli or carrots, garlic toast, sherbert.

**Birthdays:** • Jesse Overacker • Charles Dirks  
• Ben Woodward • Turner Webb • Jerry Locke • Wade Marzahn

10:00am: Boys golf at Sisseton

4:00pm: 7th Grade FB host Aberdeen Central

4:30pm: VB hosts Clark-Willow Lake (7th/8th play at same time on two courts)

6:00pm: Volleyball hosts Clark-Willow Lake (JV at 6 followed by varsity)

### Friday, September 25

**Spirit Day**

**School Breakfast:** Breakfast bagel, fruit, juice,

Mark Malmberg, DDS

19 North 6th St.

Oakes, N.D.

701-742-3401



## Warner beats Groton Area in volleyball

Warner won the varsity and junior varsity matches while Groton Area won the C match in volleyball action Tuesday night in Warner.

In the varsity match, game scores were Warner winning all three games, 25-23, 25-9 and 25-17. Groton was 43 of 47 in serving with four ace serves. Marlee Jones was 12 of 13 with one ace serve and Payton Maine was 10 of 11 with one ace serve. In sets, Jones was 71 of 73 with 15 assists. Groton was 53 of 68 in spikes with Carly Wheeting being 19 of 20 with 10 kills and Audrey Wanner being 16 of 22 with six kills. Wheeting had one block and in digs, Wanner had 10 and Maine nine of the team's 38 digs.

Warner won the junior varsity match by game scores of 25-20 and 25-11. Groton Area won the C match by game scores of 25-21 and 25-17.

Groton Area will host Clark-Willow Lake on Thursday.



**Treeline Tree Service**

**Over 30 Years  
of Combined  
Experience!**

**TJ Sperry:  
380-7915**

**Tyler Sperry:  
216-8431**

**Sperry Stump Removal**

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I just read about a town in Louisiana that is fining people for wearing their pants too low, exposing too much flesh and/or undergarments! I'm not sure if it's true as I don't believe everything I read but wouldn't it be cool if it was?

This information shifted my overly active thought process into high gear and I started to wonder if similar fines would eventually be imposed for untied shoes, plunging necklines that are leaving absolutely nothing up to the imagination and the overuse of pajamas in public. Perhaps I'm the only one that notices some of these things but I have to wonder just how far we feel we have to go to make our mark on the world around us. I can't even begin to tell you how many shoes I've seen untied with feet in them. I don't really care but you know who's going to be sued if "Mr. I'm Too Cool With My Untied Shoes" wipes out due to the fact that he tripped over his own stupidity.

And then there are the females in assorted ages that



## **Bevitized: Yep, I'm a Fuddy Duddy**

**by Beverly  
Patterson**

make conscious decisions to lower their necklines to a place that gives them more of the wrong attention than they will ever know. Don't get me wrong, guys love it but they also love having to search for things too and it's much more fun. I'm getting a bit more comfortable with showing a tiny amount of cleavage but I won't ever be the one that will have to worry about an inappropriate slip as those variations in skin color are no where near the places where "fabulous" is flaunted.

I know I'm paranoid and I know I need a more "I really don't care what people think" attitude and I don't care if you want to call me an uptight old fuddy duddy but can you honestly say jeans literally hanging on people's hips haven't disgusted you just a bit and made you wonder how they stay up. Haven't you fought the desire to tie a shoe here or there at least once? Hasn't someone's jiggle, exposed cleavage or vast crevice made you just a little uncomfortable? And didn't the one you saw out shopping in her pajamas make you feel lazy and unproductive? Maybe not. Maybe you're one of those types and if you are, so be it. It takes all kinds to make this world go round but you might want to stay out of that town in Louisiana. Getting that initial \$50 fine for not pulling your pants up might sting but the subsequent \$100 fines after your first offense might cut pretty deep into your low riding jeans budget....just sayin!

## NSU undergraduate headcount remains steady for 2015

SEPTEMBER 22, 2015; ABERDEEN, S.D. – The number of undergraduate students at Northern State University this fall is almost identical to the number enrolled at Northern a year ago, according to 2015 figures released by the South Dakota Board of Regents today.

Northern's undergraduate headcount remained steady, with enrollment of 3,041 almost identical to 2014's undergraduate headcount of 3,042. Overall headcount at Northern State declined slightly from 3,580 in 2014 to 3,497 this fall, a 2.3 percent change.

"We are pleased that our undergraduate headcount stayed steady from last year to this year," said Dr. James Smith, NSU president. "To keep growing our undergraduate enrollment, we need to continue adding and enhancing our undergraduate program opportunities to make sure that we offer the academic choices that students are seeking today."

Graduate school headcount, which increased a year ago, declined from 538 to 455, a 15% decline.

"We are closely examining strategies for enhancing our current graduate offerings, aggressive recruiting efforts and pursuing additional program opportunities to address critical workforce needs," said Smith. "We fully expect our graduate school enrollment to return to positive gains in the coming months."

Smith also noted that Northern State continued to grow its online enrollment, up from 841 in 2014 to 932 this fall, a 10.8 percent increase. The number of students transferring to Northern also increased this fall, up 7 percent, and Northern's international programs increased the number of countries represented on Northern's campus to 42 including the U.S.

"Our online numbers continue to be strong," Smith said. "We now offer more than 300 courses online, which includes several undergraduate and graduate degree offerings. And growth in our international enrollment continues to be a highlight as students from an increasing number of countries are attracted to Northern."

The Regents reported that enrollment at the six public universities was essentially flat compared to last year. Headcount enrollment was down by 93 students across the entire system, while the number of full-time equivalent students being served decreased by 52.8 students.

Total headcount at the six public universities was 36,439, a decrease of 0.25 percent since last year. The number of full-time equivalent students for the Fall 2015 term—based on total credit hours generated by all students within the regents' system—decreased to a total of 26,684, or -0.20 percent.

"Given the very low unemployment rates, flat enrollment is not surprising," said Mike Rush, the regents' executive director and CEO. "We just need to continue to emphasize the critical role higher education plays in individual success and in the economic vitality of our state."

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## Fall Enrollment Remains About the Same at Public Universities

PIERRE, S.D. – Fall enrollment at South Dakota’s six public universities remained essentially flat compared to last year, dropping just one-quarter of one percent, the South Dakota Board of Regents reported today. Headcount enrollment was down by 93 students across the entire system.

Total headcount at the six public universities was 36,439, a decrease of 0.25 percent over last year. The number of full-time equivalent students for the Fall 2015 term—based on total credit hours generated by all students within the regents’ system—decreased by 52.8 students to a total of 26,683.8, or -0.20 percent.

Enrollment growth within the system was led by Dakota State University at Madison, which posted a better than 3 percent increase in headcount enrollment and nearly 7 percent growth in its full-time equivalent students. South Dakota School of Mines & Technology also was up slightly in both its headcount and FTE students.

“Given the very low unemployment rates, flat enrollment is not surprising,” said Mike Rush, the regents’ executive director and CEO. “We just need to continue to emphasize the critical role higher education plays in individual success and in the economic vitality of our state.”

### South Dakota Public University System: Fall 2015 Enrollments

Institution	Headcount				Full-time Equivalent			
	Fall 2014	Fall 2015	Enrollment Difference	Percentage Difference	Fall 2014	Fall 2015	Enrollment Difference	Percentage Difference
BHSU	4,489	4,395	-94	-2.09%	2,919.7	2,882.5	-37.2	-1.27%
DSU	3,047	3,145	98	3.22%	1,739.6	1,858.9	119.2	6.85%
NSU	3,580	3,496	-84	-2.35%	2,143.8	1,995.2	-148.6	-6.93%
SDSM&T	2,798	2,843	45	1.61%	2,391.2	2,404.6	13.4	0.56%
SDSU	12,557	12,589	32	0.25%	10,179.9	10,141.5	-38.4	-0.38%
USD	10,061	9,971	-90	-0.89%	7,362.3	7,401.1	38.8	0.53%
<b>TOTAL</b>	<b>36,532</b>	<b>36,439</b>	<b>-93</b>	<b>-0.25%</b>	<b>26,736.5</b>	<b>26,683.8</b>	<b>-52.8</b>	<b>-0.20%</b>

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## Lowest Seasonal Gas Prices Since 2004

Sept. 22, 2015 – Today's average prices for regular gasoline across South Dakota and the nation are the lowest for this date since 2004, and prices continue to march lower. The national average has dropped for 36 consecutive days for a total of 39 cents per gallon. Today's average nationwide price of \$2.28 per gallon is four cents per gallon lower than one week ago, 34 cents less than the price recorded one month ago and \$1.06 per gallon below the price on Sept. 22, 2014.

"South Dakota's pump prices are also trending lower," said Marilyn Buskohl, spokeswoman for AAA South Dakota. "It's the same old story, crude oil is down and petroleum is in good supply. However, there have been a few days recently when the state price average has risen. Today, for example, it's nearly two cents higher than yesterday."

	Today	Last Week	Change	18-Aug	Change	Last year
<b>Aberdeen</b>	\$2.396	\$2.383	\$0.013	\$2.634	-\$0.238	\$3.376
<b>Brookings</b>	\$2.432	\$2.386	\$0.046	\$2.686	-\$0.254	\$3.299
<b>Huron</b>	\$2.622	\$2.643	-\$0.021	\$2.794	-\$0.172	\$3.451
<b>Mitchell</b>	\$2.444	\$2.490	-\$0.046	\$2.845	-\$0.401	\$3.275
<b>Pierre</b>	\$2.564	\$2.658	-\$0.094	\$3.002	-\$0.438	\$3.430
<b>Rapid City</b>	\$2.539	\$2.632	-\$0.093	\$2.864	-\$0.325	\$3.461
<b>Sioux Falls</b>	\$2.092	\$2.168	-\$0.076	\$2.646	-\$0.554	\$3.116
<b>Vermillion</b>	\$2.323	\$2.384	-\$0.061	\$2.576	-\$0.253	\$3.272
<b>Watertown</b>	\$2.329	\$2.372	-\$0.043	\$2.621	-\$0.292	\$3.440
<b>Yankton</b>	\$2.336	\$2.548	-\$0.212	\$2.685	-\$0.349	\$3.381
<b>South Dakota</b>	\$2.374	\$2.469	-\$0.095	\$2.748	-\$0.374	\$3.345

This past summer was characterized by relatively high driving demand and strong refinery usage. As a result, many refiners say they expect the fall maintenance season to be heavier than usual. But because oil is in such good supply, here as well as globally, retail prices for gasoline will likely not climb this fall, barring unanticipated spikes in the price of crude oil.

The nation's most expensive fuel is in Alaska, whose state average is \$3.13, followed by California \$3.04, Nevada \$2.99 and Hawaii \$2.92.

The global oil market appears to be holding steady following the Federal Reserve's decision to leave interest rates unchanged. The Fed has kept interest rates near zero since 2008 in an effort to help stimulate economic growth. Raising U.S. interest rates often causes the U.S. dollar to gain strength, which makes oil more expensive for countries holding other currencies.

Attention is focused now on oil inventories, reports of production declines and falling oil rig counts. West Texas Intermediate crude oil closed Monday's formal trading session on the NYMEX up \$2.00 at \$46.68 per barrel.

Motorists can find current gas prices along their route with the free AAA Mobile app for iPhone, iPad and Android. The app can also be used to map a route, find discounts, book a hotel and access AAA roadside assistance. Learn more at [AAA.com/mobile](http://AAA.com/mobile).

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## Today in Weather History

September 23, 1984: Snow fell from the early morning to the late evening hours across northwest South Dakota bringing more than a foot of snow to some locations. Camp Crook in Harding County reported 14 inches. Amounts between six and twelve inches were common across Harding and Perkins Counties as well as parts of Meade and Butte Counties. Roads in these areas were slushy with icy bridges. The snow covered much of the western third of South Dakota with depths generally an inch or less.

September 23, 2004: Northeast of Browns Valley during the late afternoon, a tornado touched down and traveled through a cornfield and a farmstead before dissipating. The tornado damaged several sheds and a travel trailer along with toppling a large grain bin. The storm traveled northwest across Lake Traverse and into South Dakota where another tornado touched down south and southwest of Rosholt in Roberts County in the late afternoon. This tornado was stronger and destroyed a house, a mobile home, and a travel trailer. Another house and travel trailer was damaged and a shed was also ripped apart. The tornado also killed three cattle.

1722: New Orleans was founded May 7, 1718, by the French Mississippi Company, under the direction of Jean-Baptiste Le Moyne de Bienville, on land inhabited by the Chitimacha. Four years later, a hurricane destroys nearly every building in the village, including the only church and hospital.

1975: On September 22, the cyclone intensified to attain Category 2 strength, and became a major hurricane of Category 3 status shortly thereafter as it turned towards the northeast. Several ships penetrated the storm's center during its passage through the gulf. Hurricane Eloise continued to strengthen until it reached its peak winds of 125 mph and a minimum barometric pressure of about 955 mbar. It moved ashore along the Florida Panhandle near Panama City on September 23.

1815 - One of the greatest hurricanes to strike New England made landfall at Long Island and crossed Massachusetts and New Hampshire. It was the worst tempest in nearly two hundred years, equal to the hurricane which struck in 1938, and one of a series of severe summer and autumn storms to affect shipping lanes that year. (David Ludlum)

1904 - The temperature at Charlotteburg, NJ, dipped to 23 degrees, the coldest reading of record for so early in the autumn for the state. (The Weather Channel)

1983 - A thunderstorm downburst caused a timber blowdown in the Kaibab National Forest north of the Grand Canyon. Two hundred acres were completely destroyed, and scattered destruction occurred across another 3300 acres. Many trees were snapped off 15 to 30 feet above ground level. (The Weather Channel)

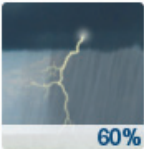






1987 - Autumn began on a rather pleasant note for much of the nation. Showers and thunderstorms were confined to Florida and the southwestern deserts. Warm weather continued in the western U.S., and began to spread into the Great Plains Region, but even in the southwestern deserts readings remained below 100 degrees. (The National Weather Summary)

1988 - Thunderstorms developing along a cold front in the south central U.S. produced severe weather in Oklahoma during the afternoon and early evening hours. Thunderstorms produced softball size hail near Noble and Enterprise, and baseball size hail at Lequire and Kinta. A tornado near Noble OK destroyed a mobile home injuring one person. (The National Weather Summary) (Storm Data)

1989 - Seventeen cities in the north central U.S. reported record low temperatures for the date, including Devils Lake ND with a reading of 22 degrees. Jackson KY reported a record low of 41 degrees during the late afternoon. Strong northwesterly winds ushering cold air into the central and northeastern U.S. gusted to 55 mph at Indianapolis IND. Winds along the cold front gusted to 65 mph at Norfolk VA, and thunderstorms along the cold front deluged Roseland NJ with 2.25 inches of rain in one hour. The temperature at Richmond VA plunged from 84 degrees to 54 degrees in two hours. Snow and sleet was reported at Binghamton NY. (Storm Data) (The National Weather Summary)

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Today	Tonight	Thursday	Thursday Night	Friday	Friday Night	Saturday
						
60%	40%	30%				
T-storms Likely	Chance T-storms	Chance Showers	Mostly Cloudy	Mostly Sunny	Partly Cloudy	Sunny
High: 69 °F	Low: 58 °F	High: 72 °F	Low: 54 °F	High: 76 °F	Low: 58 °F	High: 79 °F

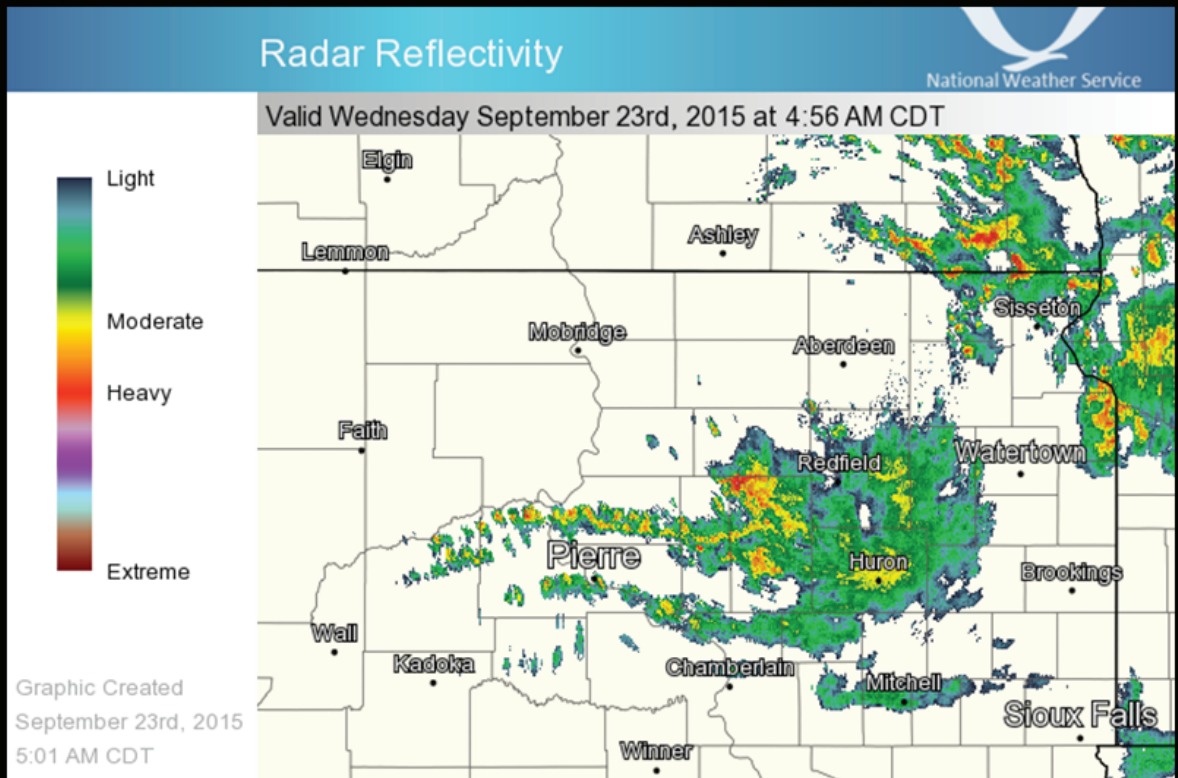


**Happening Now**



## Two Waves Of Moisture Today

Initial round of moisture is ongoing this morning  
Second round moves in from Nebraska this afternoon/evening



Graphic Created  
September 23rd, 2015  
5:01 AM CDT

**Updated: 9/23/2015 5:04 AM Central**

Published on: 09/23/2015 at 5:06AM

A slow moving system will continue to generate showers and thunderstorms this morning. Another wave of moisture will move out of Nebraska and into the forecast area this afternoon and evening. Dry conditions are expected to develop Thursday and persist through the weekend.



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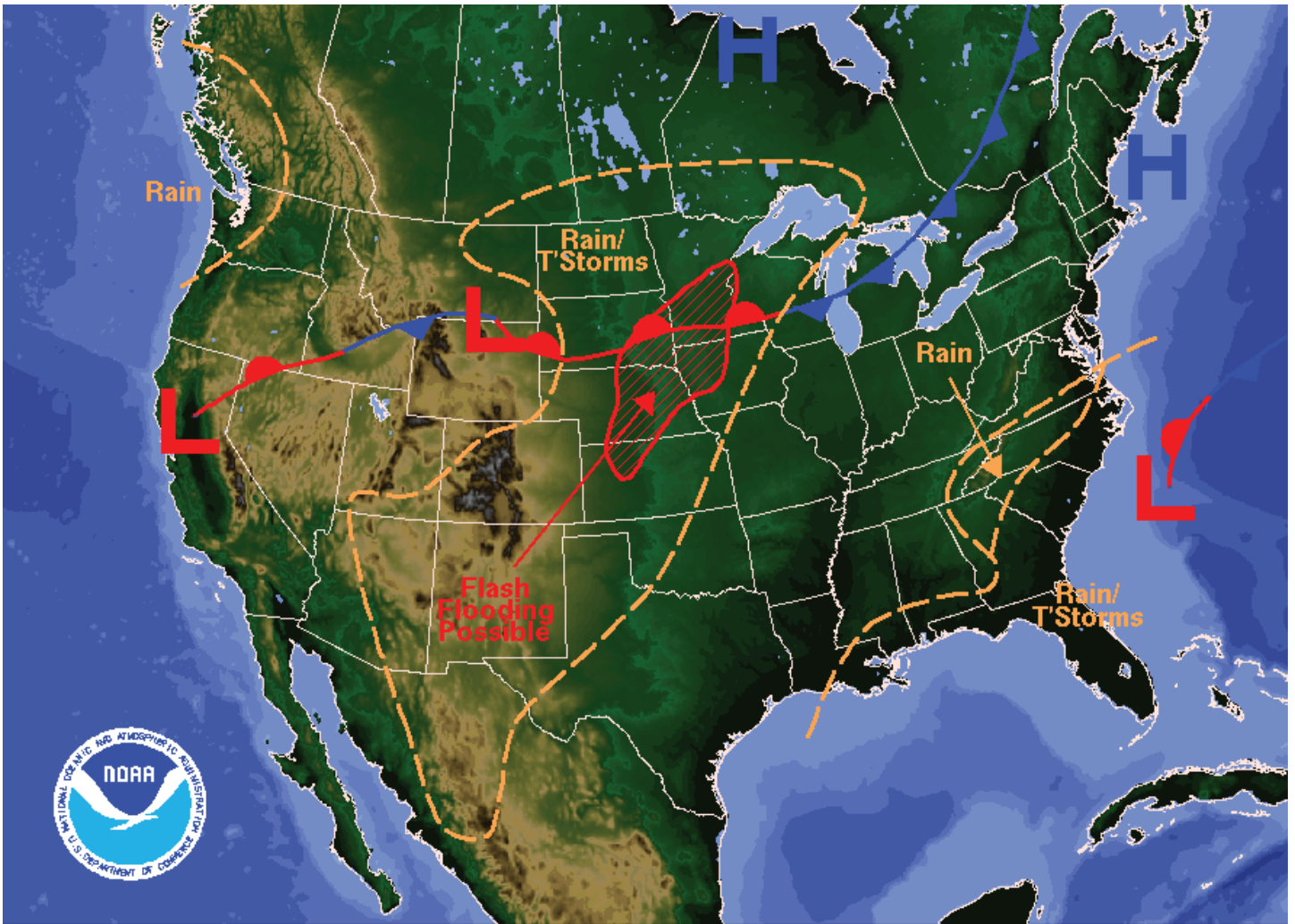
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## Yesterday's Weather

**High:** 71.6  
**Low:** 49.2  
**High Gust:** 19  
**Precip:** 0.78

## Today's Info

**Record High:** 94° in 1935  
**Record Low:** 22° in 2012  
**Average High:** 69°F  
**Average Low:** 42°F  
**Average Precip in Sept.:** 1.69  
**Precip to date in Sept.:** 1.13  
**Average Precip to date:** 17.98  
**Precip Year to Date:** 17.93  
**Sunset Tonight:** 7:29 p.m.  
**Sunrise Tomorrow:** 7:22 a.m.



Weather Forecast for Wed, Sep 23, 2015, issued 4:37 AM EDT  
DOC/NOAA/NWS/NCEP/Weather Prediction Center  
Prepared by McCreynolds based on WPC, SPC and NHC forecasts

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## TODAY

A young Marine was leaning against the side of his tank early one morning during the Korean War. He was eating beans from a can with his penknife. It was cold and foggy and the silence was frightening.

A reporter, aware of the impending battle softly asked, "If I were God and could give you anything you wanted, what would ask for?"

After a lengthy pause, he answered, "Today!"

All that any of us have is today. Few of us, however, realize the importance of each day that God gives us.

The Psalmist said, "Teach us to make the most of our time..." Time is a gift and we must be aware of each tick of the clock and moment of the day. Once gone, time can never be reclaimed or recycled. What we have done with it becomes a part of history.

Realizing the significance of time and the uncertainties of life should help us put our priorities in order. The first is our relationship with God. Is it all that it can be? Second, is our responsibility to others. Is there someone, somewhere who needs God's message? And, finally, do I need to make things right with others?

**Prayer:** Lord, may we see the value of time in light of eternity and use it wisely to Your glory. In Jesus' Name, Amen.

**Scripture for Today:** Psalm 90:12 So teach us to number our days, That we may gain a heart of wisdom.

## News from the Associated Press

### **13-year-old Baltic boy missing in bean field found safe**

BALTIC, S.D. (AP) — A 13-year-old Baltic boy who was missing for nearly a day has been found safe. The Minnehaha County Sheriff's Office says Caleb Schreurs was found at 6:45 a.m. Wednesday.

The boy had last been seen about 8 a.m. Tuesday, after accompanying his sister to a bus stop and then leaving on a bicycle. The bike was found in a bean field, and more than 50 people scoured the area until the search was suspended about 1 a.m. Wednesday. It resumed at daybreak.

Sgt. Preston Evans tells the Argus Leader newspaper that Caleb was found at the water plant 2 miles north of Baltic and returned to his parents.

It was not immediately clear why the boy went missing, but no foul play was suspected.

### **Sioux Falls man arrested after allegedly punching officer**

SIOUX FALLS, S.D. (AP) — A Sioux Falls man is in custody after allegedly punching a police officer in the head.

Authorities say two officers stopped to talk with the man Tuesday night after spotting him walking in traffic and being disorderly. The officers moved the man to a safe spot but he then walked back into traffic. When the officers approached him again, he allegedly assaulted one of them.

The officers used a stun gun to subdue the man and arrest him on charges of assault on a law officer, disorderly conduct and obstructing police.

### **Breaking Keystone silence, Clinton says she opposes pipeline**

**KEN THOMAS, Associated Press**

**CATHERINE LUCEY, Associated Press**

DES MOINES, Iowa (AP) — Hillary Rodham Clinton said Tuesday she opposes construction of the Keystone XL pipeline, breaking her longstanding silence over a project criticized by environmentalists as a threat to the planet's climate.

The Democratic presidential candidate said she decided to speak out after concluding the ongoing debate over whether the pipeline should be built had become a distraction to larger efforts to fight climate change.

That distraction, she said, is "unfortunately, from my perspective, one that interferes with our ability to move forward to deal with the other issues. Therefore I oppose it."

Clinton's announcement came as she has ceded ground in some polls to Vermont Sen. Bernie Sanders, who has long opposed the project. It also followed the appearance of protesters at some of her recent campaign events holding signs that read, "I'm Ready for Hillary to say no KXL."

The former secretary of state had previously said she shouldn't take a position on the issue, because she didn't want to interfere with the Obama administration as it considers whether to allow construction of a pipeline that would transport oil from Canada's tar sands to refineries on the Gulf of Mexico.

The announcement was viewed with disappointment in Canada, where Prime Minister Stephen Harper has said as recently as last month that he was confident the next U.S. president would approve the project.

"This is not a debate between Canada and the U.S.," said Stephen Lecce, a spokesman for Harper. "We know the American people support the project. We will not engage in presidential primary debates."

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Less reluctant was Republican presidential candidate Jeb Bush, who said on Twitter that Clinton's decision proves she "favors environmental extremists over U.S. jobs."

Spurred on by environmental activists and liberals who play a key role in the Democratic primaries and vigorously oppose the pipeline project, Clinton had expressed impatience in recent weeks over the Obama administration's drawn-out deliberations.

Her campaign said the White House was briefed on Clinton's position prior to her comments and she privately made her opposition to the pipeline known when she discussed her plans with labor officials in recent weeks.

Clinton is scheduled to raise money in California over three days beginning Sunday and was sure to face questions from donors on why she had yet to stake out a position.

Tom Steyer, a leading environmentalist and top Democratic donor, said it was a "clear example of people power overcoming the special interests" and credited Clinton for joining with "thousands of Americans calling on President Obama to reject the Keystone XL pipeline in favor of building an American economy powered by clean energy."

Reince Priebus, the chairman of the Republican National Committee, said Clinton was being "blatantly dishonest" when she said her role at the State Department had prevented her from taking a position. Concern about Vice President Joe Biden political future played a role, too, he said.

"Clearly, Hillary Clinton's rapid decline in the polls and the prospect of the vice president entering the race caused her to change course," Priebus said in a statement.

Clinton announced her decision moments after Pope Francis arrived in Washington at the start of a closely watched visit to the United States. Her opposition came in response to a question from a Drake University student attending a forum on prescription drugs.

"I was in a unique position having been secretary of state, having started this process and not wanting to interfere with the ongoing decision making," Clinton said. "I thought this would be decided by now and therefore I could tell you whether I agree or disagree. But it hasn't been decided and I feel now I've got a responsibility to you and other voters who ask me about this."

Clinton's main rivals for the Democratic nomination have campaigned against the project. Sanders, who has surpassed Clinton in some polls in Iowa and New Hampshire, said in a statement he was "glad that Secretary Clinton finally has made a decision and I welcome her opposition to the pipeline. Clearly it would be absurd to encourage the extraction and transportation of some of the dirtiest fossil fuel on the planet."

Former Maryland Gov. Martin O'Malley, who trails Clinton and Sanders by a wide margin in polls, used the moment to criticize the Democratic front-runner, saying her late-breaking opposition to Keystone is akin to how she arrived at her positions on gay marriage, offering driver's licenses for people not living in the country legally and the Syrian refugee crisis.

"On issue after issue," O'Malley said in a statement, "Secretary Clinton has followed — not forged — public opinion. Leadership is about stating where you stand on critical issues, regardless of how they poll or focus group."

Clinton said she would roll out a plan aimed at fighting climate change in a few days and noted proposals released earlier in the campaign that would bolster solar energy and produce more renewable energy.

She said the nation had "a lot of work to do" and that shifting to more renewable energy would create jobs.

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## South Dakota Supreme Court to hold October sessions at USD

VERMILLION, S.D. (AP) — The South Dakota Supreme Court will hold its October sessions at the University of South Dakota School of Law.

The high court will hear oral arguments in three cases each day on October 5, 6 and 7.

In addition to the nine cases scheduled for oral arguments during the court's October term, the justices will consider several non-oral cases.

Arguments at the school in Vermillion are open to the public.

Court will open at 9 a.m., and cases will commence on the hour.

## Tickets available to honor senator, transportation advocate

PIERRE, S.D. (AP) — Tickets are available to attend a state senator's induction into the South Dakota Transportation Hall of Honor.

The Department of Transportation said Tuesday that tickets for state Sen. Mike Vehle's banquet must be purchased by Oct. 5.

The event will be held on Oct. 8 in Mitchell. Vehle will be the 84th South Dakotan to be inducted.

Vehle has served in the Legislature for 11 years. The department says in his tenure, the Republican has led efforts to address the state's long-term transportation funding needs.

He has chaired the Senate Transportation Committee and, most recently, Vehle pushed in this year's legislative session to drastically increase funding for South Dakota's ailing roads and bridges.

## Tuesday's Scores The Associated Press

### Volleyball

Andes Central/Dakota Christian def. Tripp-Delmont/Armour, 25-6, 25-19, 25-16

Arlington def. Hamlin, 25-19, 25-14, 25-14

Avon def. Colome, 19-25, 22-25, 25-22, 25-17, 15-12

Baltic def. Irene-Wakonda, 26-24, 25-23, 25-17

Belle Fourche def. Newell, 25-14, 25-11, 25-19

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## State education department releases 2015 report card

SIOUX FALLS, S.D. (AP) — South Dakota education officials have released the state’s 2015 Report Card.

The report shows performance information, including how schools and school districts in the state scored on the new Smarter Balance tests in English language arts and math. The tests given to students in grades 3-8 and 11 are designed to evaluate whether students are on track to be college ready.

Scores show that the percentage of South Dakota students in those grades at or above Level 3 “proficient” was 49.5 percent in English language arts and 41.3 percent in math.

State Education Secretary Melody Schopp says students in the state performed better than expected on the more rigorous assessment tests.

The report card also shows 36 of the state’s 661 schools earned the “exemplary” distinction this year based on the School Performance Index, while 459 were labeled as “progressing.”

## SD revenue hikes bring in more funding for roads and bridges

**JAMES NORD, Associated Press**

PIERRE, S.D. (AP) — South Dakota has raised at least \$20 million more for road and bridge funding since a package of tax and fee hikes went into effect earlier this year, and Gov. Dennis Daugaard’s office said Tuesday he is confident the measure will meet initial fiscal expectations.

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Revenues were up at least \$20 million from April through August over the same period last year, according to rough figures from the Department of Revenue. Projections pegged the infrastructure package at bringing in about \$85 million in its first year through fuel taxes, fees and other assessments. Most of the measure went into effect April 1, including a 6-cent hike in gas taxes.

"The Governor believes this is on track with what we hoped and is pleased that we will be maintaining and improving our highways and bridges," spokeswoman Kelsey Prichard said in a statement.

During a legislative oversight panel meeting Tuesday, Department of Revenue Secretary Andy Gerlach said the agency would provide lawmakers with more information in the future about the infrastructure package revenue.

"It's too hard to know, but I think we're definitely seeing an increase, and I think we'll see more of a positive increase as we go forward," Gerlach said in an interview. "I don't know if we'll get to the \$85 (million), but we'll get more money in the highway fund, I guarantee you that."

Department of Transportation Secretary Darin Bergquist told lawmakers on the Government Operations and Audit Committee that the extra funding has come in too late to impact this year's construction season.

The additional funding will allow officials to complete more construction projects that need to be finished without having to defer them into future years, Bergquist said. Bidding for work for next year's construction season is set to begin this fall.

"Because of the timing, you didn't see a lot of new, additional construction barrels out there this summer, and you will next year," he said.

Lawmakers in the 2015 session passed the plan to pay for infrastructure spending. The measure increased state's fuel taxes on gas and diesel from 22 cents to 28 cents, for example. The package also increased the state's motor vehicle excise tax from 3 percent to 4 percent and hiked license plate fees by 20 percent, among other provisions.

So far, the excise tax has generated nearly \$8 million more than over the same period last year. The gas taxes have raised nearly \$12 million in additional money.

"It does not appear that the tax increase is having a negative effect on people's gas purchases or how they're driving," Gerlach said.

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## Sage grouse plan aims for balance between industry, wildlife

**MATTHEW BROWN, Associated Press**

**MEAD GRUVER, Associated Press**

BILLINGS, Mont. (AP) — A cooperative effort to save a ground-dwelling bird has diverted it from possible extinction, federal officials declared Tuesday, as they sought to safeguard the habitat of a declining species while maintaining key pieces of the American West's economy — oil and gas drilling and ranching.

The Obama administration said the greater sage grouse does not require Endangered Species Act protections, walking a fine line with its assertion that economic development and preservation can coexist across the bird's 11-state range.

But critics from each side of the political spectrum quickly denounced the move, concentrating on new plans signed in conjunction with the decision that will guide the use of 67 million acres of public lands.

Industry representatives and some Republicans claim the plans would unnecessarily lock up land from drilling, mining and other uses. Wildlife advocates countered that loopholes in those plans still would allow drilling, further threatening the chicken-sized grouse.

Tuesday's announcement reversed a 2010 finding that the bird was headed toward possible extinction

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as development cut into its vast but shrinking sagebrush habitat ranging from California to the Dakotas.

Flanked by the governors of Wyoming, Montana, Nevada and Colorado, Interior Secretary Sally Jewell said at an event near Denver that a massive five-year effort to keep the bird off the endangered and threatened species list had paid off. That includes commitments of more than \$750 million from government and outside interest groups to buy up conservation easements and restore the bird's range.

Jewell called it "the largest, most complex land conservation effort" in U.S. history.

"It does mean a brighter future for one amazing, scrappy bird," Jewell said at the Rocky Mountain Arsenal National Wildlife Refuge.

The government will provide some level of habitat protections on most federal lands in the grouse's range, including 12 million acres where strict limits on oil and gas limits will be enforced, Jewell said. The federal holdings make up more than a third of the animal's total range and do not include millions of acres of private land that will be restored or protected, agency officials said.

The species once numbered an estimated 16 million birds. Over the last century, they lost roughly half their habitat to development, livestock grazing and an invasive grass that's encouraging wildfires in the Great Basin of Nevada and adjoining states. An estimated 200,000 to 500,000 birds now occupy sagebrush habitat spanning 11 states.

The U.S. Fish and Wildlife Service in 2010 declared the species to be in precipitous decline. Under a court settlement with the group WildEarth Guardians, Fish and Wildlife faced a Sept. 30 deadline to decide the bird's status.

Criticism of the administration had been brewing for months, as the deadline approached and drafts of the land-use plans emerged.

Erik Molvar with WildEarth Guardians said Interior Department officials had turned an opportunity to help the grouse into "an epic conservation failure." He said exceptions, modifications and waivers within the land-use plans mean protections could evaporate with the stroke of a pen.

Republicans cast the issue as evidence of endangered-species laws run amok. Congress last year voted to block Fish and Wildlife from spending money on efforts to change the bird's legal status.

House Natural Resources Committee Chairman Rob Bishop said the decision on grouse was a "cynical ploy" intended to mask the fact that the Obama administration was imposing limits on development across the West.

"Do not be fooled," the Utah Republican said in a statement. "The Obama administration's oppressive land management plan is the same thing as a listing" under the Endangered Species Act.

Jewell said the strictest development rules don't apply to 90 percent of lands with "medium or high potential" to produce oil and gas.

At the center of the fracas has been Wyoming, home to roughly 40 percent of the bird's population and a hub of fossil fuel development, with huge potential for wind energy and uranium mines.

Efforts to avoid protections there have resulted in a significant impact: No drilling may take place near vital sage grouse breeding grounds during nesting season and oil and gas wells in core habitat must be clustered together. Other states have adopted similar plans.

The U.S. Department of Agriculture also has worked with ranchers to improve habitat by removing fences, uprooting invasive trees and buying conservation easements to keep the land from being altered.

Nevada rancher Duane Coombs said a more trustful relationship between residents of Western states and Washington helped make those measures possible.

He said during Tuesday's event that although he inherited his father's distrust of the federal government, he raised his daughter to help him tie markers on ranch fences to keep sage grouse from flying



into them and getting killed.

"The sage grouse was going to be the spotted owl for the livestock grazing industry," he said, referring to federal wildlife protections approved 25 years ago that greatly impeded the logging industry. "You know, we saw the way the spotted owl, the impact that that had on the timber industry in the 80s. And that was the fear."

## **SD man charged with 1st-degree rape held on \$25K bond**

WATERTOWN, S.D. (AP) — A northwest South Dakota man who authorities accuse of sexually abusing a child younger than 13 years old is being held on a \$25,000 cash-only bond.

The Watertown Police Department on Tuesday said the 36-year-old man is facing a first-degree rape charge after officers investigated a report of a sexual assault Saturday.

The department would not say if the man and the victim are related.

The Watertown man is in custody at the Codington County Detention Center. If convicted, he faces a maximum penalty of life in prison and a \$50,000 fine.

It wasn't immediately clear if he has legal representation.

## **Officials: South Dakota man killed wife, 4 kids then himself**

**DIRK LAMMERS, Associated Press**

PLATTE, S.D. (AP) — A father's apparent killing of his wife and four children with a shotgun and the grim discovery of their charred remains has shaken a rural community in South Dakota and left residents asking why.

Authorities believe Scott Westerhuis fatally shot his wife and four children on Thursday, torched their house near Platte and then turned the shotgun on himself, South Dakota Attorney General Marty Jackley said.

Ken Lieuwen, a hardware store owner and distant cousin of Scott Westerhuis, said the deaths have rocked Platte, a community of around 1,200 residents about 110 miles west of Sioux Falls.

"I just feel sorry for the family and friends," Lieuwen said Tuesday. "There's anger at Scott, and disbelief that the family is gone."

The bodies of Scott and Nicole Westerhuis and their children Kailey, Jaeci, Connor and Michael were found in the burned ruins of their home. A passer-by reported the blaze early Thursday, but the fire chief said the home was all but destroyed by the time firefighters arrived.

Scott Westerhuis worked as business manager for an educational cooperative. A state official said Tuesday that the co-op had been informed a day before the fire was reported that the state would not renew a \$4.3 million contract to administer a college readiness program for Native American students, but the co-op superintendent said that wouldn't have jeopardized Westerhuis' job.

Counselors returned to Platte-Geddes schools on Tuesday to be available to students, and the district highlighted the Westerhuis children's personalities in a statement.

Kailey, a third-grader, lit up a room with her smile and personality. Jaeci, a fifth-grader, was quieter, active in basketball, volleyball and swim team. Connor, an eighth-grader who played football, basketball and baseball, was polite, considerate and a bit of a prankster. Michael, a sophomore, was an excellent athlete, a talented musician and singer who also was on the quiet side, the district said.

The Westerhuis property on a gravel road 3 miles south of Platte resembles a mini sports complex, with a half-size football field with two goalposts and a two-story metal building that houses an indoor gym and weight room. The buildings were undamaged by last week's fire, as was another partially

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completed structure whose open walls awaited roof trusses that sat on the ground nearby.

Joel Bailey, the Platte-Geddes schools superintendent, said the gym was a popular spot for many students.

"The friends of Michael and Connor would go and play basketball there," Bailey said. "Various groups were allowed to use it for practices."

Tami Smit, who works at a coffee shop on Platte's Main Street, said it was difficult to tell her 10- and 13-year-old daughters about the apparent murder-suicide.

"It's a whole another set of emotions for the kids to process," she said. "This is something that all of our kids are going to need help with for who knows how long."

Scott and Nicole Westerhuis worked for Mid-Central Educational Cooperative, a Platte-based education organization that provides speech, language and hearing services to several area school districts. Scott was business manager for 15 or 16 years, and Nicole assistant business manager for about eight years.

The state Education Department decided not to renew the \$4.3 million contract in the wake of a state audit last year that took issue with Mid-Central's documenting of some expenses. The audit found the company owed \$214,000 to the state, which it paid. Tony Venhuizen, chief of staff for Gov. Dennis Daugaard, said preliminary results of this year's audit showed similar issues.

Mid-Central's total revenue for the current budget year is \$10.5 million.

Mid-Central Superintendent Dan Guericke said he knew of no financial issues facing the couple and Scott Westerhuis' employment would not have been in jeopardy because of the loss of a state contract.

"It would not have led to him losing his job," Guericke said.

Scott Swier, an attorney whose firm represents Mid-Central, said he had no reason to believe Scott Westerhuis committed any wrongdoing before the incident last week. The Westerhuises were both still employed by Mid-Central at the time of the fire. He said he couldn't comment further on personnel issues.

## **Q&A: What is a sage grouse and why is the bird imperiled?**

**MEAD GRUVER, Associated Press**

CHEYENNE, Wyo. (AP) — The Interior Department said Tuesday it won't propose federal protections for the greater sage grouse, a chicken-sized bird of the sagebrush that ranges from California to the Dakotas.

The implications of the announcement were huge for oil and gas drilling, renewable energy development and cattle grazing: The bird ranges across all or part of 11 states, and federal protections could have placed new restrictions on those industries.

Here are some questions and answers about the sage grouse:

### **WHAT IS A SAGE GROUSE?**

Mottled brown and easily overlooked in their native setting as a rock or a piece of wood, the sage grouse is not much to look at until spring breeding season. That's when the males puff their chests and flare their feathers in courtship displays at special areas called leks.

The greater sage grouse flies but not well, sometimes killing themselves by flying into barbed-wire fences.

They're also shy, and they keep clear of tall objects — cliffs, trees, transmission towers and windmills — that offer a handy perch for raptors.

In spring, they eat insects and small flowering plants, switching to sagebrush in fall. Mostly they

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keep hunkered down and out of sight amid the pungent-smelling, olive-green shrubs for which they're named.

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## WHAT IS THE BIG DEAL?

Sage grouse once numbered in the millions. They're down to several hundred thousand now with the incursion of oil and gas drilling, homes, roads and other trappings of human civilization into their habitat, the vast "sagebrush sea" in the lower open country of the West.

No state has more sage grouse or more at stake than Wyoming, home to as many as half a million of the birds and the region's biggest coal, natural gas and uranium mining industries.

In the Great Basin states of Nevada, western Utah and small portions of Idaho, Oregon and California, an invasive species called cheatgrass has run rampant in the sagebrush. Cheatgrass burns hotter and is more susceptible to wildfire than sagebrush — and fires in cheatgrass-infested sagebrush are burning up sage grouse habitat at an alarming rate.

Some environmentalists say only tight restrictions on development and grazing can save the sage grouse. Others, including the petroleum industry, say cooperation between government and the private sector can help the bird while not wreaking economic havoc.

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## WHAT'S BEEN DONE ALREADY?

Wyoming officials began preparing for the possibility of federal protection for the sage grouse more than a decade ago. The state was first to designate sage grouse core habitat where development would face certain restrictions, an approach copied by other states and Interior itself.

The U.S. Bureau of Land Management and U.S. Forest Service have approved new policies for sage grouse in 10 of the 11 sage-grouse states. They include spacing out oil and gas wells and prohibiting drilling during sage grouse mating season. Interior officials describe these changes as the biggest land-planning effort the government has undertaken for a single species.

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## WHAT HAS CONGRESS DONE?

Last year, Congress approved a budget provision that prohibits the U.S. Fish and Wildlife service from spending any money on putting into place any listing of the greater sage grouse as threatened or endangered. Such "budget riders" typically remain in effect until they're overturned — unlikely while a Republican majority remains in place. Republicans have pointed to the sage grouse issue as an example of potential government overreach.

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## WHAT ABOUT THE OTHER SAGE GROUSE?

Last year, Fish and Wildlife decided to list the Gunnison sage grouse of Colorado and Utah as a threatened species, a decision being challenged by Colorado.

Precedent exists for deciding that enough has been done to warrant keeping sage grouse off the endangered or threatened list. In April, Fish and Wildlife decided against listing the Mono Basin sage grouse, a genetically distinct population of the greater sage grouse that lives along the Nevada-California line.

Of the three, the greater sage grouse is by far the most numerous and widespread.

## Fall enrollment flat at South Dakota public universities

PIERRE, S.D. (AP) — Enrollment at South Dakota's six public universities has remained flat this fall. The South Dakota Board of Regents on Tuesday said the headcount enrollment was down by 93 stu-

dents to 36,439, a decrease of about quarter a percent over last year.

The number of full-time equivalent students decreased by more than 50 students to about 26,684, that's a drop of about one-fifth of a percent. The number of full-time equivalent students is based on total credit hours generated by all students within the university system.

CEO Mike Rush says the board is not surprised by the flat enrollment given the very low unemployment rates in the state. He adds education officials must continue to emphasize the "critical role" that higher education plays in individual success and the state's economy.

## **The Latest: Rancher: Sage grouse cooperation broke distrust**

BILLINGS, Mont. (AP) — The latest on the decision not to list the greater sage grouse as threatened or endangered (all times local):

12 p.m.

A Nevada rancher says a more trustful relationship between Western states and Washington helped avoid federal protections for the greater sage grouse that many argued would threaten industry.

At Tuesday's announcement of the decision outside Denver, Duane Coombs says he inherited his father's distrust of the U.S. government but that cooperation between private landowners and federal officials to protect the bird has changed his mind.

He says his 11-year-old daughter grew up helping him tie markers on ranch fences to keep sage grouse from flying into them and getting killed.

The Obama administration, affected states and outside groups have committed more than \$750 million to saving the sage grouse without Endangered Species Act protections. The bird's habitat spans 11 Western states.

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10:46 a.m.

U.S. Interior Secretary Sally Jewell says the plan to protect the greater sage grouse is the "largest, most complex land-conservation effort" in the United States.

Jewell on Tuesday officially announced the federal government's decision not to list the bird as endangered or threatened. She shared the stage with the governors of Colorado, Wyoming, Montana and Nevada at the Rocky Mountain Arsenal Wildlife Refuge outside Denver.

Jewell says the decision stems from states, ranchers and the energy industry successfully working with the federal government to protect grouse habitat spanning 11 Western states.

She says that besides providing a brighter future for an "amazing, scrappy bird," the decision gives communities and landowners certainty about where development can proceed. She also says the plan will protect an entire landscape, benefiting other wildlife, ranchers and outdoor enthusiasts.

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9:35 a.m.

A senior congressional Democrat says Republican criticism of the decision not to give federal protections to the greater sage grouse lacks credibility.

U.S. Rep. Raul Grijalva (gree-HAHL'-vuh) of Arizona says House Republicans attack President Barack Obama when his administration lists a species as endangered and attack him when it decides against a listing, comparing the rhetoric to a game of "Mad Libs."

The Interior Department said Tuesday that the bird doesn't need to be listed as threatened or endangered across its 11-state Western range.

Grijalva is the ranking Democrat on the House Committee on Natural Resources. The panel's chair-

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man, Republican Rob Bishop of Utah, says the announcement is intended to mask the fact that the Obama administration has imposed limits on development across the West.

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9:07 a.m.

Wildlife advocates have mixed reactions to the rejection of federal protections for greater sage grouse. Groups including the Environmental Defense Fund and the National Audubon Society said Tuesday's announcement shows cooperation between government and private interest groups can preserve imperiled species.

But critics say loopholes in dozens of government land-use plans intended to preserve the bird's shrinking habitat would allow too much development.

Erik Molvar with WildEarth Guardians says federal officials were missing a chance to save the bird. He called it an "epic conservation failure."

Molvar's group challenged the government's failure to act on sage grouse in 2010 as its population declined. That resulted in a settlement with the U.S. Fish and Wildlife Service that forced Tuesday's decision on the bird's legal status.

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8:20 a.m.

The head of the House Committee on Natural Resources calls the decision not to seek federal protections for the greater sage grouse a cynical ploy.

The U.S. Interior Department said Tuesday that the bird does not need to be listed as threatened or endangered across its 11-state Western range. But Republican Rob Bishop of Utah says the announcement is intended to mask the fact that the Obama administration has imposed limits on development across the West.

He's referring to changes in government policies guiding lands controlled by the U.S. Forest Service and Interior's Bureau of Land Management.

The Independent Petroleum Association, meanwhile, says the land use plans will hurt the country's smaller oil and natural gas producers, which operate about 95 percent of its wells.

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7:30 a.m.

An aide to Interior Secretary Sally Jewell says recent policy changes provide protections for the greater sage grouse on 67 million acres of federal lands. That includes 12 million acres where strict limits on oil and gas drilling will be enforced.

Sarah Greenberger made the comments after the U.S. Interior Department said Tuesday that the bird does not need to be listed as threatened or endangered across its 11-state Western range.

Greenberger says efforts made by the federal and state governments in recent years produced the largest land conservation effort in U.S. history.

The Obama administration says it has struck a balance to save the imperiled ground-dwelling birds from extinction without crippling the West's economy.

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7 a.m.

The U.S. Interior Department says the greater sage grouse does not need federal protections across its 11-state Western range after some limits were put on energy development and other activities.

Tuesday's announcement signals that the Obama administration believes it has struck a balance to save the widespread, ground-dwelling birds from extinction without crippling the West's economy.

It follows a costly conservation effort, and could help defuse a potential political liability for Democrats heading into the 2016 election.

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Federal protections could have brought much more sweeping restrictions on oil and gas drilling, grazing and other human activities from California to the Dakotas.

Republicans have seized on the issue as supposed evidence of wildlife protection laws run amok. Environmentalists who sued to force Tuesday's decision are certain to challenge it.

## 2-vehicle crash near Plankinton kills man from town

PLANKINTON, S.D. (AP) — A two-vehicle crash near Plankinton has killed a man from the town.

The Highway Patrol says 59-year-old James Knigge was driving a van that collided with a semitrailer at an intersection a mile east of Plankinton shortly before 6 p.m. Monday.

Knigge died at the scene. The 74-year-old Plankinton man driving the semi was not hurt.

## Warm, windy weather advances crop maturity in South Dakota

SIOUX FALLS, S.D. (AP) — A week of warm, windy weather has advanced the maturity of crops in South Dakota.

The Agriculture Department says in its weekly crop report that the harvesting of corn and soybeans is getting underway, at 2 percent and 3 percent, respectively. That's slightly behind the average pace.

Winter wheat planting is halfway done, well ahead of the average. Winter wheat is seeded in the fall and harvested the following summer.

The third cutting of alfalfa hay is 80 percent complete and the fourth cutting is 26 percent done.

Pasture and range conditions in South Dakota are rated 56 percent good to excellent. Stock water supplies are 74 percent adequate to surplus.

## Psychiatric exam ordered for Rapid City murder suspect

RAPID CITY, S.D. (AP) — A judge has ordered a psychiatric evaluation for a Rapid City woman accused in the stabbing death of her boyfriend.

Forty-three-year-old Corinne Vermillion is accused of fatally stabbing 37-year-old Donny Ladeaux in January at a public housing complex in Pennington County where the couple and their two children lived. She pleaded not guilty in February to second-degree murder and an alternate count of first-degree manslaughter.

Prosecutors last week asked the court to order the psychiatric exam, after a mental health expert brought by the defense said that Vermillion is a battered woman who suffers from post-traumatic stress disorder.

Defense attorney Tom Diggins objects to a court-ordered evaluation and says he'll take the matter to the South Dakota Supreme Court.

## 10 Things to Know for Today

The Associated Press

Your daily look at late-breaking news, upcoming events and the stories that will be talked about today:

1. POPE OF THE POOR ARRIVES IN U.S.

Francis and Obama will meet in the Oval Office to advance causes dear to them both, watched by a nation that can't get enough of the humble man and also unsettling conservatives in American Catholicism.

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## 2. REFUGEE CRISIS AMPLIFIES EU RIFTS

European Union leaders are divided along an east-west fault line, over whether their countries should be required to accept asylum seekers, mostly Muslim, fleeing the Middle East.

## 3. ECONOMY ON CHINESE PRESIDENT'S AGENDA IN U.S.

When Xi Jinping addresses top American business leaders, they may be most interested in what he says about progress toward a treaty for broader investment.

## 4. CHINA'S SLOWDOWN FUELS UNEASE ABROAD

But even a weaker Chinese economy is on track to turn in some of the world's strongest growth this year.

## 5. YANKEES HALL OF FAME CATCHER YOGI BERRA DIES AT 90

He is renowned as much for his dizzying malapropisms as his record 10 World Series championships with the New York Yankees.

## 6. WHERE EXPERTS, LOCALS SCRAMBLING TO DOCUMENT HERITAGE

In Syria, the rush is on to find creative ways to protect its cultural legacy in the face of eradication at the hands of the Islamic State group.

## 7. WHO APPEARS ON STEPHEN COLBERT'S SHOW

The CBS host showers thanks on Donald Trump, reducing the usually domineering GOP front-runner to a straight-man status.

## 8. VOLKSWAGEN SHARES SLIDE AGAIN ON SCANDAL

VW said 11 million of its diesel vehicles worldwide contain software that can evade emissions controls.

## 9. JUDGE FREES 'HAPPY BIRTHDAY' SONG FROM COPYRIGHT CLAIMS

"Happy Birthday" is finally free after 80 years," says Randall Newman, one of the plaintiffs' attorneys.

## 10. WHAT'S HOT FOR HALLOWEEN

Expect to see a lot of Michelangelo, Donatello, Leonardo and Raphael this year.

## AP News in Brief

### **In grandeur of Oval Office, president and humble pope to look for common ground**

WASHINGTON (AP) — In a moment weaving strands of politics, religion and emotion, Pope Francis and President Barack Obama are set to meet in the grandeur of the Oval Office to advance causes dear to them both.

Eagerly watching will be a nation that cannot get enough of Francis, a humble man rejuvenating American Catholicism while giving heartburn to its conservatives.

The pope was to deliver his opening remarks to the United States on the White House lawn on Wednesday morning and speak to America's bishops later. That speech was highly anticipated, given a certain disconnect between Francis' focus on social justice and a merciful church and the culture wars that America's bishops have waged in recent years over abortion and gay rights.

From the instant the white-robed and broad-grinned Francis landed in the U.S. on Tuesday, doffed his skullcap in the breeze and got into a modest, charcoal-gray Fiat, his visit electrified wonky Washington, which can be jaded about the comings and goings of world figures.

Washington was the first stop on the pope's six-day, three-city visit to the United States.

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## **The Latest: UK's David Cameron urges EU states to deport more 'economic migrants'**

BRUSSELS (AP) — The latest developments as European governments struggle to cope with the huge number of people moving across Europe. All times local:

11:55 a.m.

British Prime Minister David Cameron wants EU countries to deport more of the so-called economic migrants as the EU struggles to deal with a huge number of refugees arriving from the Middle East and Africa.

Cameron met French President Francois Hollande late Tuesday, and Cameron's office says they "agreed that EU countries should do more to return migrants who don't have a genuine claim for asylum to their countries of origin."

## **Deeply-divided EU to hold emergency summit on migration crisis to deal with outstanding issues**

BRUSSELS (AP) — The deeply-divided leaders of the European Union have been called to an emergency summit Wednesday to seek long-term responses to the continent's ballooning migrant crisis, a historic challenge that EU President Donald Tusk said the bloc has failed dismally to meet so far.

Among the outstanding issues that Tusk, the summit's official host, wants addressed: increasing assistance to EU member nations that are receiving the brunt of the migrant influx, and greater cooperation with non-EU countries in the Balkans and Turkey, which is now home to almost 2 million refugees — many of whom have fled Syria's civil war.

Tusk, who recently visited the Middle East, also wants to discuss diplomatic efforts to end the Syria conflict. One issue, the EU president said, requires urgent attention: increasing contributions to the U.N.'s World Food Program to help it provide critically-needed food supplies to 11 million people in Syria and the region.

"There is a long list of issues where we could blame one another, but it will not help us in finding a common solution," Tusk said in a letter to EU presidents and prime ministers. "Today we must absolutely work out policies that we can implement in order to help each other."

On Tuesday, the 28-nation EU took a modest step toward dealing with the issue by agreeing to relocate 120,000 asylum-seekers to ease the strain on Greece and Italy, which are on the frontline of the migrant flood. But the decision bared the wide divisions that Europe's greatest refugee crisis since World War II has spawned, with four eastern European countries — the Czech Republic, Slovakia, Romania and Hungary — voting against it.

## **Chinese president to meet with American business leaders, investment treaty likely topic**

SEATTLE (AP) — When Chinese President Xi Jinping addresses a meeting of some of the top names in Chinese and American business Wednesday, they may be most interested what he says about progress toward a treaty between the nations that would provide a framework for broader investment in each other's economy.

Apple Chief Executive Tim Cook, Microsoft's Satya Nadella, Amazon's Jeff Bezos, investor Warren Buffett and Jack Ma of Chinese e-commerce giant Alibaba are among the 30 top executives attending a



closed-door discussion being moderated by former U.S. Treasury Secretary Henry Paulson, who has advocated for such a treaty. All of the American CEOs participating signed a letter to Xi and U.S. President Barack Obama urging them to support an agreement.

Bilateral investment treaties provide the rules of the road for companies doing business in other countries, and can help ensure that the rights of foreign investors are protected and that foreign companies operate on a level playing field with domestic ones. An agreement with China would open up more of that nation's massive market to American companies, provide clearer rules for Chinese investment in the U.S., and create jobs on both sides, supporters say.

Such treaties "can be a powerful catalyst for more economic growth," Evan Feigenbaum, vice chairman of the Paulson Institute, which is co-hosting Wednesday's meeting, said Tuesday.

Xi arrived in Seattle Tuesday for a three-day visit before he travels to the White House later this week. He's expected to make brief remarks to the attendees before the session closes to the press.

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## Hall of Famer Yogi Berra dies at 90; Yankees great was beloved for slugging and sayings

NEW YORK (AP) — The lovable legend of Yogi Berra, that ain't ever gonna be over.

The Hall of Fame catcher renowned as much for his dizzying malapropisms as his unmatched 10 World Series championships with the New York Yankees, died Tuesday. He was 90.

Berra, who filled baseball's record book as well as "Bartlett's Familiar Quotations," died of natural causes at his home in New Jersey, according to Dave Kaplan, the director of the Yogi Berra Museum.

Berra played in more World Series games than any other major leaguer, and was a three-time American League Most Valuable Player.

For many, though, he was even better known for all those amusing "Yogi-isms."

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Some of the more widely quoted philosophy of Yogi Berra

NEW YORK (AP) — Some of the more widely quoted philosophy of Yogi Berra, the New York Yankees Hall of Fame catcher who died Tuesday at age 90:

On his approach to at-bats: "You can't think and hit at the same time."

On selecting a restaurant: "Nobody goes there anymore. It's too crowded."

On economics: "A nickel ain't worth a dime anymore."

On the 1973 Mets: "We were overwhelming underdogs."

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## 'Late Show' host Stephen Colbert turns GOP front-runner Donald Trump into straight man

NEW YORK (AP) — Stephen Colbert showered thanks on Donald Trump, his "Late Show" guest.

"I want to thank you not only for being here but for running for president," Colbert told the GOP front-runner Tuesday night. "I'm not going to say this stuff writes itself, but you certainly do deliver it on time every day."

Colbert's gratitude for Trump's comic assistance was well-placed. Peppering Trump with questions and wisecracks during his appearance, the CBS host reduced the usually domineering Trump to straight-man status, an unaccustomed role Trump performed with rare grace.

Bringing up Trump's proposal to build a wall between the United States and Mexico, Colbert offered his own mocking version of a way to bar illegal immigration: Two walls, and in between them a moat

filled with fire and fireproof crocodiles. "Is that enough?" Colbert asked.

And focusing on Trump's insistence that Mexico would pay for the wall, Colbert drew him into a role-playing exercise — a phone call where "you're you, and I'm the president of Mexico."

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## **Volkswagen shares volatile as future of CEO uncertain amid emissions scandal**

BERLIN (AP) — Volkswagen's share price swung wildly Wednesday as the future of CEO Martin Winterkorn hung in the balance amid the company's growing emissions scandal.

Having fallen below 100 euros for the first time in nearly four years, Volkswagen AG's share price recovered to trade 2.5 percent higher at 108.5 euros. Wednesday's gyrations followed declines of 17 percent and 20 percent in the first two days of the week that saw nearly 25 billion euros (around \$28 billion) wiped off the company's market value.

Before the scandal, VW had planned to extend Winterkorn's contract at a meeting Friday of the supervisory board. But the events of recent days have raised questions over his future, and German media were widely reporting that the board's executive committee was meeting Wednesday to discuss the crisis. Agency dpa and daily Bild cited people close to the committee.

VW is facing the prospect of multiple investigations and lawsuits following its admission that it used software to evade emissions controls in the U.S.

Already, the Environmental Protection Agency, which disclosed the company's misdemeanors, has said the company could face fines of as much as \$18 billion. Other countries, such as South Korea, have also ordered investigations into emission levels of VW cars and there's growing speculation the company may face class-action suits for mis-selling products.

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## **New push to document and possibly protect or recreate Syria's heritage in face of IS danger**

BEIRUT (AP) — Scientists are slipping 3-D cameras into Syria to local activists and residents to scan antiquities. A U.S.-funded project aims to provide local conservators with resources to help safeguard relics. Inside Syria, volunteers scramble to document damage to monuments and confirm what remains.

The rush is on to find creative and often high-tech ways to protect Syria's millennia-long cultural heritage in the face of the threat that much of it could be erased by the country's war, now in its fifth year. Giving the drive new urgency, experts are desperate to stay a step ahead of the Islamic State group, which has ruthlessly destroyed and looted sites that fall into its hands as it spreads across Syria and neighboring Iraq.

The efforts are tempered by a recognition of the realities — that in some cases the best that can be hoped for is to document ancient monuments in as great detail as possible so that if they are destroyed they can still be studied in the future, or possibly accurate replicas could one day be built. All acknowledge that nothing short of a military or political solution can stop the danger posed by the militants and the conflict.

The campaigns are also fraught with risks. Getting supplies to activists on the ground can expose them to retribution from IS militants or others suspicious of outside powers. As a result, the various efforts underway are mostly cloaked in secrecy, with their organizers reluctant to give specifics on their activities for fear of endangering those on the ground.

But among experts, there's a feeling that something — anything — must be done.

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## Today in History The Associated Press

Today is Wednesday, September 23, the 266th day of 2015. There are 99 days left in the year. Autumn arrives at 4:21 a.m. Eastern time.

### Today's Highlight in History:

On September 23, 1952, in what became known as the "Checkers" speech, Sen. Richard M. Nixon, R-Calif., salvaged his vice-presidential nomination by appearing live on television to refute allegations of improper campaign fundraising.

### On this date:

In 1779, during the Revolutionary War, the American warship Bon Homme Richard, commanded by John Paul Jones, defeated the HMS Serapis in battle off Yorkshire, England; however, the seriously damaged Bon Homme Richard sank two days later.

In 1780, British spy John Andre was captured along with papers revealing Benedict Arnold's plot to surrender West Point to the British.

In 1806, the Lewis and Clark expedition returned to St. Louis more than two years after setting out for the Pacific Northwest.

In 1846, Neptune was identified as a planet by German astronomer Johann Gottfried Galle (GAH'-luh).

In 1908, an apparent baserunning error by Fred Merkle of the New York Giants cost his team a victory against the Chicago Cubs and left the game tied 1-1. The Cubs won a rematch and with it, the National League pennant.

In 1939, Sigmund Freud (froyd), the founder of psychoanalysis, died in London at age 83.

In 1955, a jury in Sumner, Mississippi, acquitted two white men, Roy Bryant and J.W. Milam, of murdering black teenager Emmett Till. (The two men later admitted to the crime in an interview with Look magazine.)

In 1957, nine black students who'd entered Little Rock Central High School in Arkansas were forced to withdraw because of a white mob outside.

In 1962, New York's Philharmonic Hall (later renamed Avery Fisher Hall) formally opened as the first unit of the Lincoln Center for the Performing Arts. "The Jetsons," an animated cartoon series about a Space Age family, premiered as the ABC television network's first program in color.

In 1973, former Argentine president Juan Peron won a landslide election victory that returned him to power; his wife, Isabel, was elected vice president.

In 1987, Sen. Joseph Biden, D-Del., withdrew from the Democratic presidential race following questions about his use of borrowed quotations and the portrayal of his academic record.

In 1999, the Mars Climate Orbiter apparently burned up as it attempted to go into orbit around the Red Planet.

**Ten years ago:** Hurricane Rita, down to Category 3, steamed toward refinery towns along the Texas-Louisiana coast, creating havoc even before it arrived; levee breaks caused new flooding in New Orleans, and 23 people were killed when a bus carrying nursing-home evacuees caught fire in Texas. Embattled FDA Commissioner Lester Crawford abruptly resigned. Puerto Rican nationalist Filiberto Ojeda Rios, wanted in a 1983 robbery of a Connecticut armored truck, died during a gunbattle with FBI agents in Puerto Rico.

**Five years ago:** The U.S. delegation walked out of a U.N. speech by Iranian President Mahmoud Ahmadinejad (ah-muh-DEE'-neh-zahd) after he said some in the world had speculated that the U.S. staged the September 11, 2001 attacks in an attempt to assure Israel's survival. Congressional Republicans unveiled their "Pledge to America," a strongly worded manifesto promising to return government

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to the people. Teresa Lewis, 41, was executed by the state of Virginia for arranging the killings of her husband and stepson to collect on a \$250,000 insurance policy. The children's show "Sesame Street" announced it wouldn't televise a taped segment in which the Muppet character Elmo sang with bustier-clad pop star Katy Perry.

**One year ago:** In the first international test for his climate-change strategy, President Barack Obama pressed world leaders at the United Nations to follow the United States' lead on the issue. The U.S. struck the al-Qaida-linked Khorasan group with Tomahawk missiles and other ordnance near Aleppo in northwestern Syria based on fears it was planning terrorist attacks on the U.S. and Europe. A man wearing his work uniform opened fire inside a UPS sorting facility in Birmingham, Alabama, a day after he was fired from the company, killing two supervisors before committing suicide.

**Today's Birthdays:** Singer Julio Iglesias is 72. Actor Paul Petersen (TV: "The Donna Reed Show") is 70. Actress-singer Mary Kay Place is 68. Rock star Bruce Springsteen is 66. Rock musician Leon Taylor (The Ventures) is 60. Actress Rosalind Chao is 58. Golfer Larry Mize is 57. Actor Jason Alexander is 56. Actor Chi McBride is 54. Country musician Don Herron (BR549) is 53. Actor Erik Todd Dellums is 51. Actress LisaRaye is 49. Singer Ani (AH'-nee) DiFranco is 45. Rock singer Sarah Bettens (K's Choice) is 43. Recording executive Jermaine Dupri is 43. Actor Kip Pardue is 39. Actor Anthony Mackie is 37. Pop singer Erik-Michael Estrada (TV: "Making the Band") is 36. Actress Aubrey Dollar is 35. Tennis player Melanie Oudin (oo-DAN') is 24.

**Thought for Today:** "I cannot endure to waste anything as precious as autumn sunshine by staying in the house." - Nathaniel Hawthorne, American author (1804-1864).