

# Groton Daily Independent

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## Thursday, January 7

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

**School Lunch:** Mini corn dogs, baked beans, lettuce salad, fruit.

**Senior Menu:** Sweet and sour pork, steamed rice, carrot and broccoli medley, honey fruit salad, whole wheat bread.

**Birthdays:** Eugene Brolin, Mary Finnesand, Rodney Kappes, Terry Herron

1:30pm: St. John's Lutheran Nursery Circle

2:00pm: Emmanuel Lutheran Nigeria Circle

5:15pm: GBB at Milbank Area (C game at 5:15 followed by JV at 6:30 and varsity at 8:00)

6:00pm: Wrestling Triangular in Groton (Milbank and Sioux Valley)

## Friday, January 8

**School Breakfast:** Cinnamon roll, yogurt, fruit, juice, milk.

**School Lunch:** Pizza, peas, carrots and dip, fruit.

**Senior Menu:** Hot turkey combo, mashed potatoes and gravy, 7 layer salad, peach sauce.

**Anniv:** Steve & Audrey McKiver

**Birthdays:** Andrew Kappes, Dragr PJ Monson, Taylor Anderson, Wayne Hein.

5:15pm: BBB host Milbank Area (C game at 5:15 followed by JV at 6:30 and varsity at 8:00)

## Saturday, January 9

GBB Classic at Redfield (4:30 p.m., Groton Area vs. Tea Area)

**Birthdays:** Charlie Cooper, JoAnn Krueger, Koni Sims, Vickie Weifenbach, Kelly Cutler Clark, Jeremy Wieseler

10:00am: 7th/8th Jamboree in Groton (Webster MS, Britton-Hecla, Leola-Frederick)

10:00am: Wrestling Tourney at Miller

4:30pm: St. Elizabeth Ann Seton Catholic Church

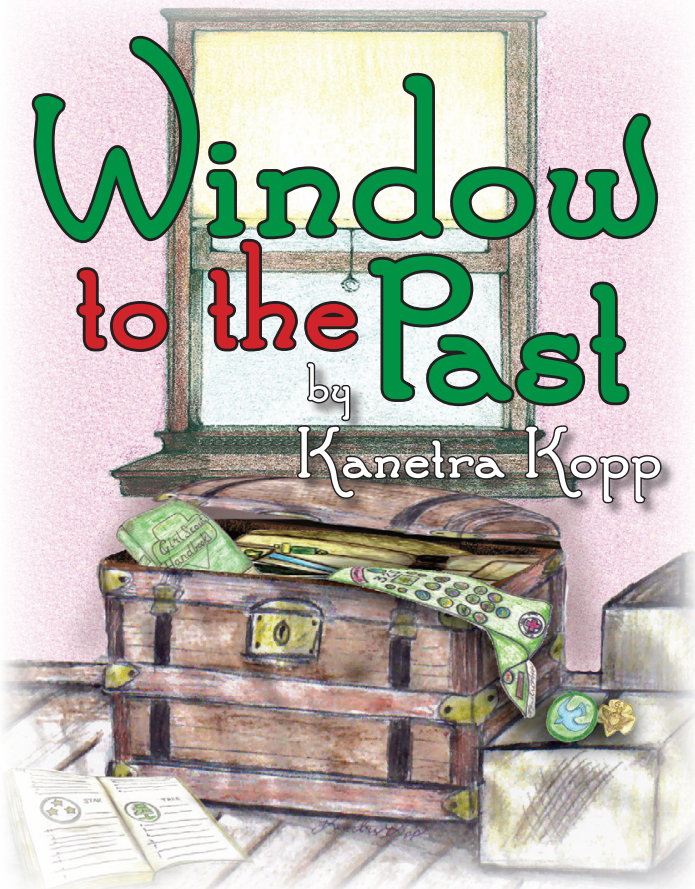
**Open:** Recycling Trailer in Groton  
The recycling trailer is located at 10 East Railroad Ave.

## The cardboard/paper

recycling trailer at the school is **Closed**

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**MCKIVER COLLISION**  
Lifetime Warranty on all Collision Work!  
13556 400th Ave., Groton SD 57445  
Allen McKiver, Owner ~ 605/397-4404



## Window to the Past

by  
Kanetra Kopp

## Reading Across the Nation 2016

Join young people inside  
their newspaper

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Written and Illustrated by Kanetra Kopp  
Produced by the Missouri Press Foundation

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Read “Window to the Past”  
only in your newspaper!

Young Jenny finds a “Window to the Past” when she discovers a diary in an old attic trunk. The stories in the diary reveal that one of her ancestors was a friend of Girl Scout founder Juliette Gordon Low more than 100 years ago.

“Window to the Past,” a new serialized story coming to your newspaper, will inspire young readers to seek out the interesting stories that can be found in their own families’ histories.

Newspapers across America are connecting young readers to their communities and improving reading skills with the Reading Across the Nation Project from the National Newspaper Association Foundation.

Read “Window to the Past” only in your newspaper. To download the companion educator guide, with activities that tie to some of the badge requirements for Girl Scouts, visit [mo-nie.com](http://mo-nie.com) and use code: **nnateach**.

**NATIONAL**  
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Missouri Press  
Foundation

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## Groton Prairie Mixed

**Team Standings:** Coyotes 11, Jackelopes 6 ½,, Pocket Gophers 6, Foxes 4 ½, Shih Tzus 4, Chipmunks 4

**Men's High Games:** Roger Spanier 223, John Sippel 222, Brad Waage 216, 202

**Women's High Games:** Vicki Walter 188, 183, Angie Carlson 179, Sue Stanley 173

**Men's High Series:** Brad Waage 616, Roger Spanier 566, John Sippel 554

**Women's High Series:** Vicki Walter 529, Sue Stanley 479, Angie Carlson 469



## Service Notice: Richard Nehls

Memorial services for Richard Nehls, 90, of Pierpont will be 1:00 p.m., on Friday, January 8th at St. John's Lutheran Church, Groton. Rev. Craig Grams will officiate. Inurnment with military honors will follow at St. Paul's Lutheran Cemetery, Ferney under the direction of Paetznick-Garness Funeral Chapel, Groton.

Visitation will begin at the church at 11 a.m. on Friday.

Dick died January 5, 2016 at Sanford Medical Center, Webster.

## Groton Coffee Cup

**Team Standings:** Jungle Lanes 11, Ten Pins 4 1/2, James Valley 4 1/2, Kens 4

**High Games:** Penny Stolle 198, Joyce Sanderson 180, Vicki Walter 177

**High Series:** Penny Stolle 490, Vicki Walter 461, Vickie Kramp 447

 **livestream**

Follow Us On Livestream at <http://livestream.com/gdi>  
Check in to see upcoming games that will be streamed.

Justin Olson (front) has been providing the play-by-play commentary of the Groton Area basketball games. You can watch the Groton games on-line with Paul Kosel (back) and Justin Olson at [livestream.com/gdi](http://livestream.com/gdi).

*“There's A Song In The Air”*

**To make you aware that  
the Coopers are having an**

**Open House**

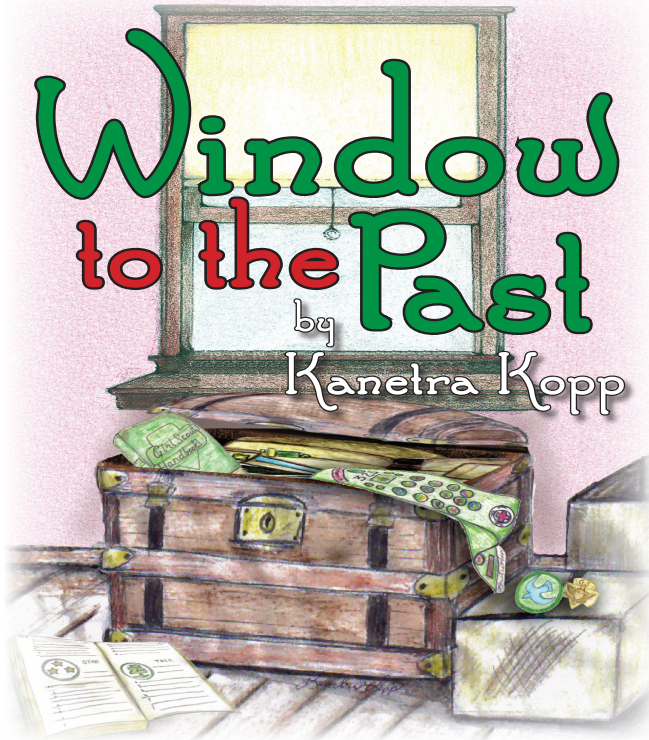
**Sunday, Jan. 17, 2016**

**1 p.m. to 5 p.m.**

**208 N. 2nd St., Groton**

## Window to the Past

by  
Kaneira Kopp



### Chapter One: The Attic Discovery

Jenny was sitting in the window seat watching the rain trickle down the windowpanes. Being at Grandma's house was usually lots of fun, but since it had been raining all week she was very bored. Jenny and her friend Emily, who lived down the road from Grandma, always looked forward to getting together and exploring down by the creek, but with all the rain the past week they hadn't been able to go. Jenny had called Emily to see if she could come over and play inside, but Emily had

gone to visit her cousins in the city today. She wished it would stop raining.

Jenny's thoughts were interrupted when her grandmother called from the hallway. "Jenny, can you come help me, please?"

"Sure, Grandma," she yelled back. "I'll be right there." Jenny jumped up and ran out into the hall. Grandma was standing by the attic door with her hands full of paper sacks. "What are you doing, Grandma?" Jenny asked.

"I think today would be a good day to start sorting some of the old junk out of the attic. Why don't you come upstairs and help me?" Grandma said.

"Okay, sure," she replied. Jenny had been up there once or twice before so she knew it was full of all sorts of cardboard boxes and furniture and lots of old dusty things. Jenny loved helping her grandmother, but spending the afternoon in Grandma's attic didn't sound like much fun.

Once they were upstairs Grandma said, "Let's start over in this corner, Jenny. I know I don't need all these old magazines anymore. We can sack them up for the recycling bin. Would you go see if there are any more magazines behind those boxes by the window?"

Jenny walked over and moved the boxes aside. She didn't see anything except a big wooden trunk. It looked just like the one in the old movie she had watched with Grandma last night. "There's just an old trunk over here," she told her.

"Do you think it's full of magazines?" Jenny asked.

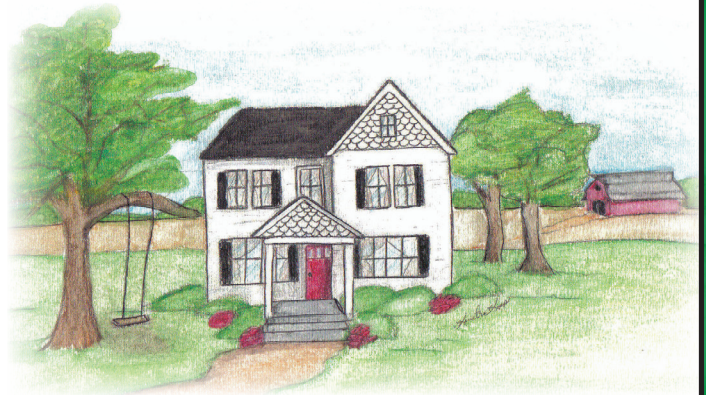
"Oh, no. You won't find any old magazines in there," Grandma answered. "What's in it, Grandma?" Jenny asked.

"Well, this trunk is full of my most cherished belongings. Would you like to see what's inside?" Grandma asked, as she pulled over a chair and sat down by the trunk.

"Sure," Jenny said, without much enthusiasm. She could only imagine how boring the afternoon was going to be if they had to look at old dusty pictures, newspaper clippings and clothes.

Grandma lifted up the big metal latch and raised the lid. Jenny saw the trunk was full of all sorts of old things. There were pictures and clothes, but there were also books and something covered in lace and an old doll in a long white dress.

Jenny started to reach for the old doll and was going to ask Grandma about it when something familiar caught her eye. "Hey, Grandma, what's this?"



### Things to Think About and Do

Newspaper stories and photographs are common keepsakes. Look through your newspaper to find different types of stories and photographs that readers might find important to save in their own treasure trunk. Cut out examples and explain why each would be important.

To download the companion educator guide, with activities that tie to some of the badge requirements for Girl Scouts, visit [mo-nie.com](http://mo-nie.com) and use code: **nnateach**.

Learn more about the Girl Scouts of the USA by visiting [www.girlscouts.org](http://www.girlscouts.org)

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## Today in Weather History

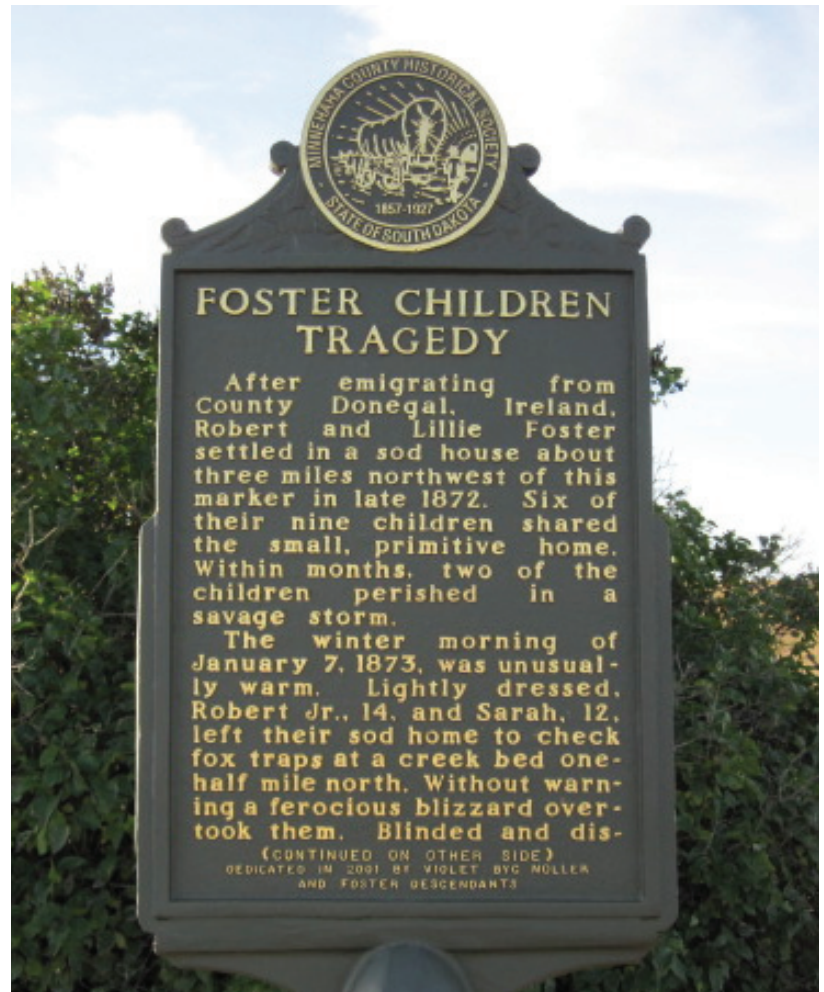
January 7, 1873: A blizzard raged across the Great Plains. Many pioneers, unprepared for the cold and snow, perished in the tristate region of southwest Minnesota, northwestern Iowa, and southeastern South Dakota. Visibility was down to three feet. Cows suffocated in the deep drifts and trains were stuck for days. More than 70 people died, some bodies were not found until spring.

The following appears on pages 260-261 in the "History of Dakota Territory" by George Kingsbury. "On the 7th of January, 1873, a brother and sister of "John Foster," aged respectively fourteen and twelve years, went a short distance from home and soon afterward a blizzard came up suddenly. The children wandered in the storm to an old sod house which stood out on the prairie and there sought shelter from the driving snow. However, as the house was roofless it afforded but poor protection against the blizzard and the children perished, their bodies being buried in the snow. Our subject and the father were absent from home at the time. Weeks passed and in spite of continued searching the bodies of the children were not found, but in March a neighbor dreamed that the children were in the old house and on the 16th of that month their bodies were found there."

January 7, 1980: A strong area of low pressure moved out of the northern Rockies across South Dakota and central Minnesota on January 6th and 7th. Heavy snow along with very high winds caused widespread blowing and drifting snow with low visibilities. Many roads were closed and many motorists were stranded. Snowfall amounts across western and northern Minnesota were from 7 to 12 inches.

January 7, 1989: Heavy snowfall of 5 to 19 inches fell in northern and east central South Dakota on the 6th and 7th. Snow and blowing snow reduced visibilities to near zero in many locations as winds gusted to near 50 mph. Part of Interstate 29 north of Sisseton was closed the night of the 7th. Icy roads contributed to a school bus accident which injured 8 boys. Extreme wind chills of 30 to 60 below also occurred. Snowfall amounts included 8 inches in Sisseton, with 12 to 19 inches across Marshall and Roberts counties.

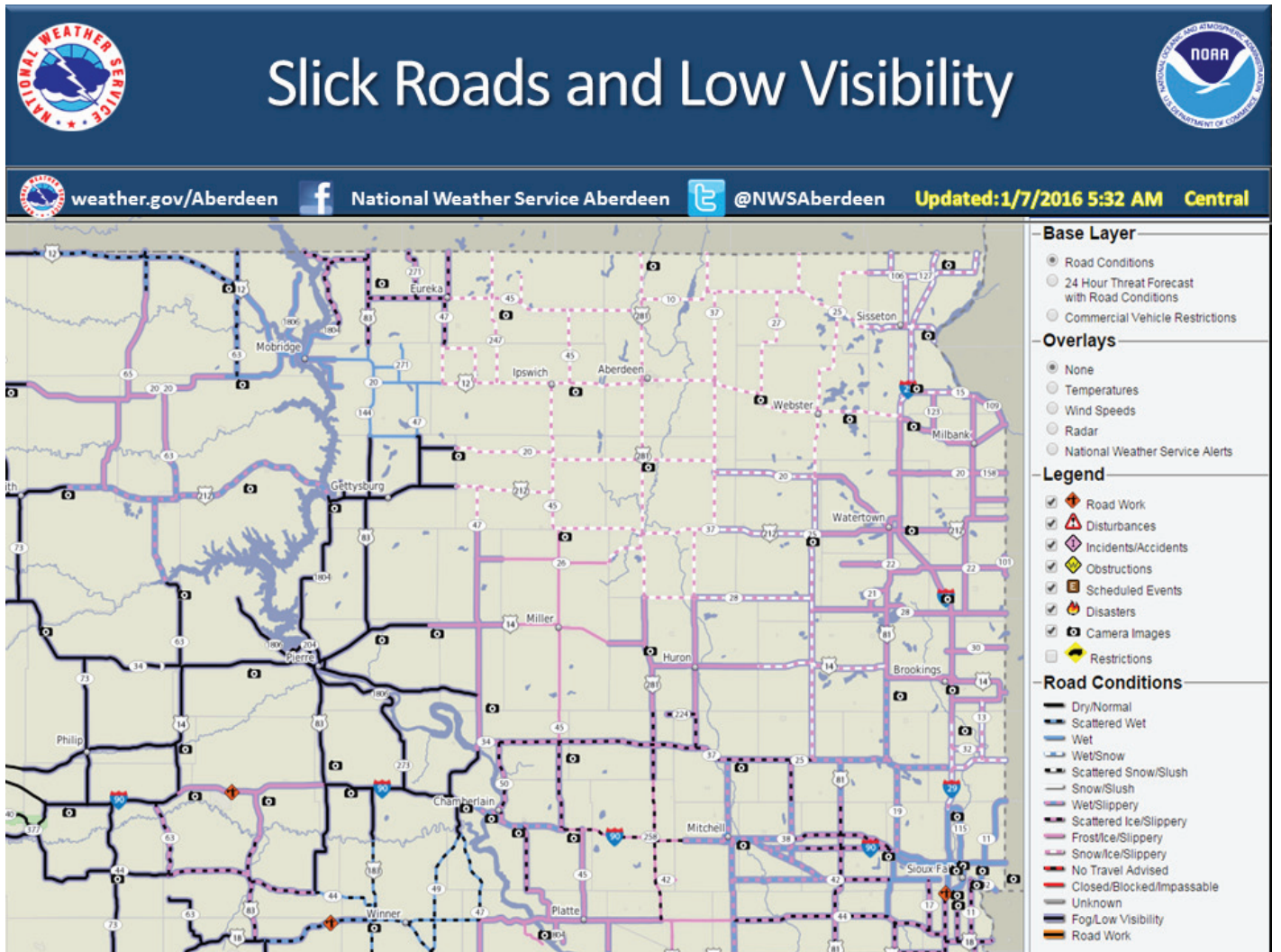
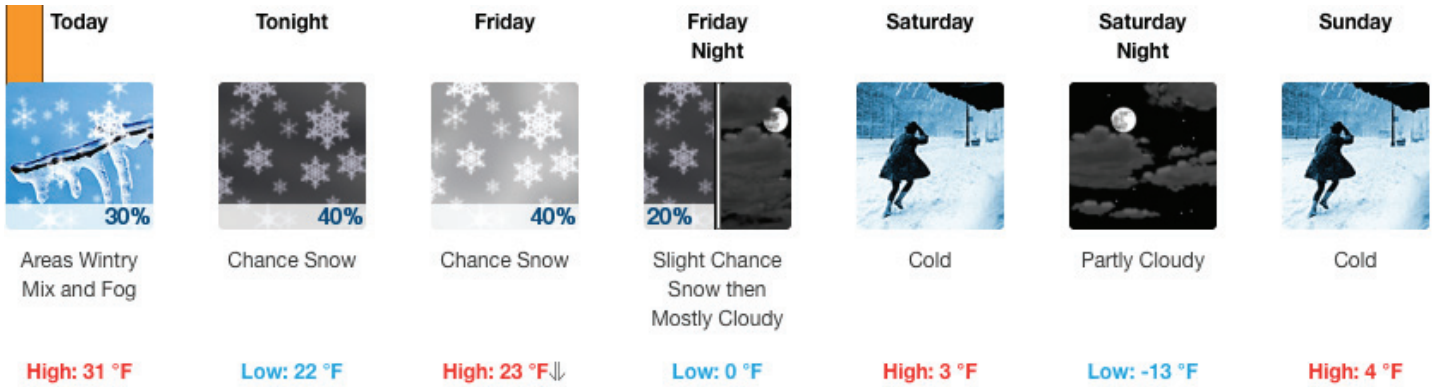
This storm also affected northern Minnesota from the 6th through the 8th with heavy snowfall of 8 to 12 inches with local amounts of 24 to 26 inches. The heavy snow was followed by an Arctic intrusion which brought in 35 to 50 mph winds. This caused a shutdown the Red River Valley. Snowdrifts were from 5 to 10 feet in some areas. Roads had to be closed. The strong winds caused near-blizzard conditions along with extremely low wind chills.



**Historical Marker at the Bethel Cemetery on West Benson Road in Minnehaha County.**

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Freezing drizzle and fog continue across much of the area early this morning, and has created icy roads and low visibility across area roads and highways. The map shows the current road conditions reported by the Department of Transportation at [www.safetravelusa.com](http://www.safetravelusa.com). Many roads are reported as being icy with low visibility as well. Use caution when traveling early this morning. \*NOTE: This map updates frequently so be sure to check out the [safetravelusa.com](http://safetravelusa.com) website for the latest details.

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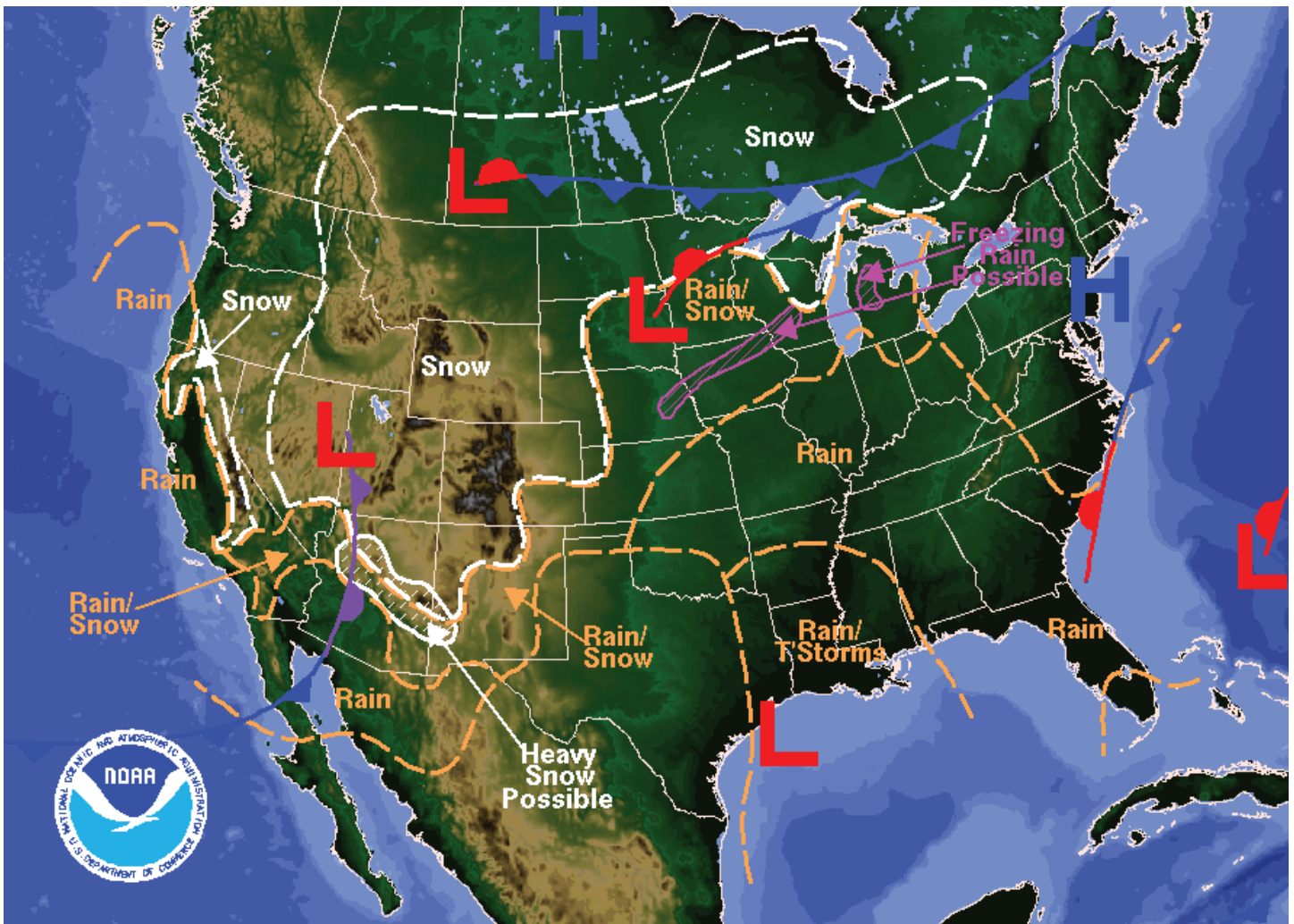
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## Yesterday's Weather

**High:** 31.3 at 8:14 PM  
**Low:** 21.6 at 7:20 AM  
**High Gust:** 8 at 3:39 AM  
Precip: 0.0

## Today's Info

**Record High:** 54° in 1963  
**Record Low:** -39° in 1912  
**Average High:** 22°F  
**Average Low:** 2°F  
**Average Precip in Jan.:** 0.13  
**Precip to date in Jan.:** 0.00  
**Average Precip to date:** 0.13  
**Precip Year to Date:** 0.00  
**Sunset Tonight:** 5:06 p.m.  
**Sunrise Tomorrow:** 8:12 a.m.



Weather Forecast for Thu, Jan 07, 2016, issued 3:54 AM EST  
DOC/NOAA/NWS/NCEP/Weather Prediction Center  
Prepared by Santorelli based on WPC, SPC and NHC forecasts

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## "HOIST THE SAILS!"

Hudson Taylor, missionary to China, is well recognized for his faith and faithfulness to God. He is the founder of the China Inland Mission, and at his death had recruited over 800 missionaries who worked in the innermost sections of China.

Once, on a trip from England to China, he was on a sailing ship that was stranded for lack of wind. It drifted into a current that was taking it toward an island of cannibals. Alarmed, the captain of the ship went to Taylor and said, "We're drifting into that cannibal island. Pray for wind." "I will," said Taylor, "if you hoist the sails." Reluctantly the captain hoisted the sails and Taylor began to pray. In just a few moments, the captain shouted, "Mr. Taylor, stop praying! We have more wind than we know what to do with."

Taylor had things in their proper perspective. We often pray with little expectation of needing to "hoist the sails." We pray and ask God for wind. But faith and trust say, "hoist the sails" and then pray in faith, believing and you will get more wind than the sails can hold. Jesus said, "You can pray for anything and everything and if you believe, you will have it." But it will only become yours if you believe!

**Prayer:** Lord, we do believe, but ask that You will help us to increase our faith until it works as it should. In Jesus' Name. Amen.

**Scripture for Today:** Mark 11:22-26 Therefore I say unto you, what things so ever ye desire when ye pray, believe that ye receive them, and ye shall have them.



## News from the Associated Press

### **New dietary guidelines: lean meat OK, cut the added sugars**

**MARY CLARE JALONICK, Associated Press**

WASHINGTON (AP) — Some Americans may not have to cut back on eggs and salt as much as they once thought and eating lean meat is still OK. But watch the added sugars, especially the sugary drinks.

The Obama administration's new dietary guidelines, released Thursday, back off the strictest sodium rules included in the last version, while still asserting that Americans consume too much salt. The guidelines reverse previous guidance on the dangers of dietary cholesterol and add strict new advice on sugars.

After a backlash from the meat industry and Congress, the administration ignored several suggestions from a February report by an advisory committee of doctors and nutrition experts. That panel suggested calling for an environmentally friendly diet lower in red and processed meats and de-emphasized lean meats in its list of proteins that are part of a healthy diet.

But as in the previous years, the government still says lean meats are part of a healthy eating pattern.

Released every five years, the guidelines are intended to help Americans prevent disease and obesity. They inform everything from food package labels to subsidized school lunches to your doctor's advice. And the main message hasn't changed much over the years: Eat your fruits and vegetables. Whole grains and seafood, too. And keep sugar, fats and salt in moderation.

This year, one message the government wants to send is that people should figure out what type of healthy eating style works for them, while still hewing to the main recommendations. The Agriculture Department, which released the guidelines along with the Department of Health and Human Services, is also releasing a tweaked version of its healthy "My Plate" icon to include a new slogan: "My Wins."

"Small changes can add up to big differences," said Agriculture Secretary Tom Vilsack.

One new recommendation is that added sugar should be 10 percent of daily calories. That's about 200 calories a day, or about the amount in one 16-ounce sugary drink. The recommendation is part of a larger push to help consumers isolate added sugars from naturally occurring ones like those in fruit and milk. Added sugars generally add empty calories to the diet.

Sugar-sweetened beverages make up a large portion of those empty calories. According to the guidelines, sugary drinks comprise 47 percent of the added sugars that Americans eat every day.

Americans also need to lower salt intake, the government says. New figures from the Centers for Disease Control and Prevention show that around 90 percent of people eat too much. The average person eats 3,400 milligrams of sodium a day, and the guidelines say everyone should lower that amount to 2,300, or about a teaspoon.

Lowering sodium intake was the major push of the 2010 guidelines, and that document recommended that those most at risk of heart disease, or about half the population, lower their intake to 1,500. The new guidelines drop that lower amount as part of the top recommendations. Still, advice buried deeper in the guidelines says that those with high blood pressure and prehypertension could benefit from a steeper reduction.

After years of doctors saying that Americans shouldn't eat too many eggs, recommendations for cholesterol have also shifted. The 2010 guidelines made a key recommendation that Americans consume less than 300 mg a day of dietary cholesterol, or about two eggs. That recommendation is gone, following increasing medical research showing the amount of cholesterol in your bloodstream is more complicated than once thought. Some more recent studies have shown little relationship between heart disease and how much dietary cholesterol one eats.

Still, egg lovers aren't completely off the hook. Discussion of cholesterol deeper into the document says "individuals should eat as little dietary cholesterol as possible while consuming a healthy eating pattern."

As in previous years, the report advises limiting saturated fats to 10 percent of total calories. And while lean meats are promoted, the government does suggest certain populations, such as teen boys and adult

men, should reduce their meat intake and eat more vegetables. Data included in the report shows that males ages 14 to 70 consume more than recommended amounts of meat, eggs and poultry, while women are more in line with advised amounts.

While the guidelines always have been subject to intense lobbying by food industries, this year's version set off unprecedented political debate, fueled by Republicans' claims the Obama administration has gone too far in telling people what to eat.

Congress got involved, encouraging the administration to drop the recommendations based on environmental impact and at one point proposing to set new standards for the science the guidelines can use. That language did not become law, however. A year-end spending bill simply said the guidelines must be "based on significant scientific agreement" and "limited in scope to nutritional and dietary information."

## Authorities conduct training drill in state Capitol building

PIERRE, S.D. (AP) — Local, state and federal authorities have conducted a drill at the South Dakota Capitol that simulated a shootout with a female visitor who brought a powder-emitting briefcase into the building.

The Department of Public Safety said the drill occurred Wednesday. Between 10 and 15 agencies were involved, ranging from local authorities to the state Division of Criminal Investigation and the FBI.

Col. Craig Price is the superintendent of the Highway Patrol. He says law enforcement has to train together so that agencies can best collaborate during a crisis.

A Department of Public Safety spokesman says between 70 and 90 people from the different agencies participated. There were also volunteer participants in the drill, including South Dakota Supreme Court Chief Justice David Gilbertson.

Authorities performed a similar exercise in 2014.

## TransCanada to file 2 legal challenges to Keystone rejection

**JUAN A. LOZANO, Associated Press**

HOUSTON (AP) — The Canadian company that proposed the Keystone XL oil pipeline filed a lawsuit over the U.S. government's rejection of the project and announced it plans to file a second legal challenge that will seek more than \$15 billion in damages.

TransCanada filed a federal lawsuit Wednesday in Houston alleging President Barack Obama's decision in November to kill the pipeline exceeded his power under the U.S. Constitution.

The company also announced the same day that it will submit a separate petition seeking the billions in damages, alleging the U.S. breached its obligations under the North American Free Trade Agreement.

In November, Obama quashed the pipeline, declaring it would have undercut U.S. efforts to clinch a global climate change deal at the center of his environmental legacy. The president said he agreed with a State Department conclusion that Keystone wouldn't advance U.S. national interests.

"TransCanada has been unjustly deprived of the value of its multi-billion dollar investment by the U.S. Administration's action," TransCanada said in a statement. "As the administration candidly admitted, its decision was not based on the merits of the project. Rather, the denial was a symbolic gesture based on speculation about the (false) perceptions of the international community regarding the administration's leadership on climate change."

In its lawsuit, TransCanada alleges Obama's decision exceeded his powers as president and infringed upon Congress' power under the Constitution to regulate interstate and international commerce.

The White House and the State Department both declined to comment on the lawsuit or the NAFTA challenge.

The lawsuit does not seek any monetary damages but asks for a ruling that the denial of the pipeline permit was without legal merit and that the federal government officials named in the lawsuit not be allowed to enforce Obama's decision to not proceed with the pipeline. Named as defendants in the lawsuit are: Secretary of State John Kerry; U.S. Attorney General Loretta Lynch; Homeland Security Secretary Jeh Johnson; and Secretary of the Department of Interior Sally Jewell.

TransCanada said it plans to submit a separate petition that alleges the U.S. breached four articles under

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NAFTA — which governs trade between the U.S., Canada and Mexico — that provide financial protections for all Canadian investors.

“The denial was based on politics, not the merits of the application,” attorneys for TransCanada said in a notice they filed with the State Department on Wednesday that the company will submit a claim of arbitration under NAFTA and ask for more than \$15 billion in damages.

TransCanada first applied for Keystone permits in September 2008 — shortly before Obama was elected. As envisioned, Keystone would snake from Canada’s tar sands through Montana, South Dakota and Nebraska, then connect with existing pipelines to carry more than 800,000 barrels of crude oil a day to specialized refineries along the Texas Gulf Coast.

Most pipelines wait roughly a year and a half for permits to cross the U.S. border, but Keystone’s review dragged on more than five times as long as average, according to an Associated Press analysis.

Republicans, Canadian politicians and the energy industry argued the pipeline would create thousands of jobs and inject billions into the economy. But Democrats and environmental groups latched onto Keystone as just the type of project that must be phased out if the world is to seriously combat climate change.

## Eagle Butte man gets 10 years in sexual abuse case

RAPID CITY, S.D. (AP) — A 52-year-old Eagle Butte (BYOOT) man has been sentenced to 10 years in prison for sexual abuse of a 17-year-old girl after giving her alcohol.

U.S. Attorney Randolph Seiler says Ronnie Keith Circle Bear pleaded guilty in October to one count of sexual abuse of a person incapable of consenting. He was sentenced this week.

The U.S. Attorney’s Office says Circle Bear asked the victim’s mother if she could go with him from Rapid City to McLaughlin in June 2014 to attend a powwow. Prosecutors say that after Circle Bear got a motel room in Eagle Butte, he gave the girl alcohol and began to remove her clothes and rape her as she was passed out on the bed.

She awoke and went to the front desk to get help.

## IPFW beats South Dakota 85-65

FORT WAYNE, Ind. (AP) — Mo Evans scored 20 points with nine assists as IPFW notched its sixth-straight win, beating South Dakota 85-65 on Wednesday night.

Evans finished with 7-of-13 shooting from the field including four 3-pointers for the Mastodons (13-4, 2-0 Summit League). Brent Calhoun, John Konchar and Max Landis added 15 points apiece. Konchar led the team in rebounds with 10.

The Mastodons opened the scoring and never trailed. Evans hit his first three from distance in the first half and Landis dropped two more to help lift IPFW to a 47-33 advantage at the break.

Evans opened the second half with his fourth 3-pointer, sparking a 13-6 run that put the Mastodons up 60-39 with 15:53 to play and they cruised from there.

IPFW averaged 52.4 percent shooting from the field, 62.5 percent from the line and had a 43-30 rebounding edge over South Dakota.

Shy McClelland led the Coyotes (9-8, 1-2) with 19 points.

## SD blocks Sioux City from accessing residents’ addresses

**JAMES NORD, Associated Press**

PIERRE, S.D. (AP) — An Iowa border town no longer has access to South Dakotans’ addresses through a state system that Sioux City police had used to find drivers caught on speed cameras, Gov. Dennis Daugaard’s administration said Wednesday.

South Dakota law is supposed to prevent other states or local governments from accessing residents’ driver information for the purposes of issuing such tickets. But Sioux City police last year said they were still able to get the necessary details from South Dakota, which doesn’t have red-light and speed cameras.

In what has become something of an inter-state chess game over access to driver information, South Dakota on Wednesday shut off the Sioux City Police Department's access to a resident's address and city, which had been used to send notice of the violation.

South Dakota had previously blocked Arizona-based Redflex Traffic Systems, which Sioux City contracts with for the cameras, from accessing information on the state's residents. But Sioux City police Chief Douglas Young said in August that his department was still able to get the information because it is a law enforcement agency.

Young didn't immediately return telephone messages from The Associated Press requesting comment Wednesday.

"Gov. Daugaard has the right to do whatever he wants to do. It's his state — he can run it how he wants to," Sioux City Mayor Bob Scott said. "They threatened to do this some time ago, so it's not a shock to me."

The South Dakota law isn't meant to defend against a ticket, said Matt Koenkamp, a policy adviser to the governor. He said Sioux City police could get a resident's address a different way.

Sioux City police can also still access a driver's name and information about their vehicle in the South Dakota system, Koenkamp said.

If an officer in Sioux City — the redaction only affects that department — is involved in a criminal stop, they can reach out to South Dakota's dispatch center to get more information on a driver, Koenkamp said.

"We have offered to discuss our concerns about what's happening with them, and we reiterated in a letter that if our concerns can be alleviated we can restore their full access to this information," Koenkamp said. "We hope that we could come to a resolution on this issue."

Assistant City Attorney Justin Vondrak told the Argus Leader newspaper that Sioux City will still work to send citations to South Dakota drivers.

## Medicaid expansion group shifting lobbying efforts to Pierre

**JAMES NORD, Associated Press**

PIERRE, S.D. (AP) — A coalition established by Gov. Dennis Daugaard to wade into the web of federal policy revisions necessary to satisfy his conditions for expanding Medicaid in South Dakota is turning its focus back on Pierre.

The group of health representatives and state and tribal officials met Wednesday for the final time before lawmakers convene for the 2016 legislative session. Daugaard has proposed expanding eligibility for about 50,000 South Dakota residents as long as the state's share of the cost is covered by savings.

A federal answer could come in February, so members of the group are shifting their lobbying efforts to state lawmakers now since expansion is a complicated topic, said Kim Malsam-Rysdon, a senior adviser to Daugaard.

"It's a dual front fight," she said. "The governor's not saying we're going to expand, because we don't have the information yet. But you have to be prepared if that is, in fact, what we feel the policy allows us to do."

Daugaard formally proposed broadening eligibility for the health coverage program for low-income and disabled people at his budget address last month. His openness marks a departure from many Republican governors nationwide who have resisted expanding Medicaid from opposition to the federal health overhaul.

There will be people who are ideologically opposed to expanding the program, regardless of the details, Malsam-Rysdon warned the group. She said members of the coalition will help educate lawmakers.

The proposal pays for the state's share of broadening eligibility in part by expanding access to services that are fully funded by the federal government. That could reduce current state spending to be put toward expansion.

Officials are focusing on people who are eligible for Medicaid but can get services through the Indian Health Service. The goal is make services through the Indian Health Service more accessible so that people don't have to go an outside health care provider, which can happen if IHS is unable to offer a specific service.

Those services at IHS are fully funded by the federal government through Medicaid rather than through

the typical split in financing between the state and the federal government.

The state is also asking for a change in the classification of some services to have them fully paid for by the federal government.

The potential expansion and changes at IHS have the potential to change thousands of Native Americans' health outcomes, Democratic Sen. Troy Heinert said.

"That totally changes our lives," he said. "People like to see, 'What does this really mean?' And to me, it means something."

## Where have the great mid-major teams gone?

**DOUG FEINBERG, AP Basketball Writer**

NEW YORK (AP) — It's been a tough season for mid-major teams.

A glance through the women's basketball poll this season and there are none of them in the Top 25. Monday marked the sixth straight week that there were no teams from non-power five conferences plus the Big East and American Athletic. It's the first time since the Top 25 became a writers poll in 1994-95 that no mid-major teams were ranked for more than three straight weeks.

George Washington and Chattanooga were the lone non-power schools to earn any time in the poll this season. Both were gone by the first week in December.

"There is still plenty of quality among mid-major teams this season, maybe even too much for the narrow space afforded them in the national picture," said Graham Hays, who has been ranking the top mid-major programs for ESPN for the past eight years.

"The depth, especially as those programs increasingly play each other, makes it difficult for any one of them to break free of the pack, as Princeton did a season ago. It has been more difficult to find an obvious No. 1 in the mid-major rankings this season, but also more difficult to limit the rankings at just 10 teams."

It's going to be even more difficult now for them to get into the Top 25 with conference play having started.

"I was thinking about that," Notre Dame coach Muffet McGraw said. "It's so hard for them to break into the poll. George Washington got ranked early on. If they have one or two losses they're done. People just drop them."

To McGraw's credit, the Irish played at South Dakota State earlier this season and came away with a tough nine-point victory. The Jackrabbits (12-3) are the highest ranked mid-major right now, sitting tied for 35th with four points in the poll.

Coach Aaron Johnston's team's only other losses came to then-No. 6 Maryland, by seven points, and Green Bay by one.

"The margin of error for mid-majors is so small," Johnston said. "We played Maryland and Notre Dame close this year, beat DePaul who's ranked and lose by one to Green Bay. Unfortunately one loss gets us out of people's minds."

The loss to Green Bay came a few days after the win over DePaul, which didn't help them with the voters. With limited national TV exposure for women's basketball, it makes it more difficult for smaller schools to garner any attention.

Still this season seems more of an anomaly for mid-majors. Last season was a huge breakthrough for them. Princeton went undefeated in the regular season and climbed as high as 13 in the poll. Chattanooga, George Washington and Florida Gulf Coast also were in the final poll. That marked the fifth time in the past 10 years that four non-power conference teams were in the last poll of the season.

"There was some recognition for some really good mid-majors," Johnston said of last year's success. "There haven't been enough of those big wins to get the recognition this year, maybe that's a part of it."

Getting a chance to play those big teams is difficult as many won't play road games.

"The challenge for a lot of mid-major teams is scheduling," said poll voter LaChina Robinson. "The stronger mid-majors programs struggle to get Top 25 teams to play them to have a shot at the poll. Once mid-majors hit their conference slate it's hard to stay in the polls with a loss and hard to move in even if you go undefeated."

The other part is that some of the perennial mid-major powers have struggled this season. Dayton lost two stars to graduation and then was hit by injuries. Marist had a few of its players transfer over the summer and coach Brian Giorgis is working with a young squad. Gonzaga sits at 12-4, but has no real big victories. Princeton lost an early game to Seton Hall and then dropped a pair of games at Dayton and Ohio State.

All of those programs have spent some time in the Top 25 over the past few years.

"That thing comes and goes in cycles," said Ohio State coach Kevin McGuff, who built Xavier into a power before it joined the Big East. "They'll come back around. I've been on both sides of it. At the mid-major level it usually takes a special group of kids that make a great run. It's hard to sustain from a recruiting stand point to keep it going at that level. But there are some great coaches at the level and they'll get them back up there."

## **Task force wants elder abuse laws to cover emotional abuse**

PIERRE, S.D. (AP) — A task force formed to tackle the issue of elder abuse in South Dakota wants to expand the state's criminal laws to include emotional and psychological abuse of elders and adults with a disability in addition to physical abuse.

The task force, which issued its recommendations on Wednesday, said that 38 other states criminalize both assaults and emotional and psychological abuse, and it is recommending that the 2016 Legislature amend the state's criminal statutes. It also seeks to increase the penalty for theft by exploitation of an elder or adult with a disability and clarify the standards for reporting the abuse, neglect or exploitation.

"Given the aging profile of this country's population, upward trends in elder abuse, neglect, and exploitation are likely to continue," the task force wrote in its report. "South Dakota is no exception to this dynamic.

The panel, created by the 2015 Legislature, includes three state senators, three state representatives, three members chosen by Gov. Dennis Daugaard, seven members appointed by Supreme Court Chief Justice David Gilbertson and one member appointed by Attorney General Marty Jackley.

It offers 16 recommendations to the 2016 Legislature, suggesting that lawmakers:

- Create civil rights of action that include protection orders and the ability to recover damages from exploitation.

- Support efforts to revise the definition of "severe mental illness," a basis for involuntary mental commitments, to exclude dementia patients.

- Employ a new state prosecutor and investigator specializing in elder abuse.

- Create a form for establishing a durable power of attorney for financial decisions and amend statutes to make sure a guardian or conservator divests of conflicts of interest.

Other recommendations included educational resources and background checks and monitoring for proposed guardians and conservators. The panel also recommended no action regarding the use of arbitration in long-term care contracts and suggested the decline to create a central registry for elder abuse, neglect, and exploitation

## **Ballot measure seeks to revise state campaign finance laws**

PIERRE, S.D. (AP) — Secretary of State Shantel Krebs says an initiated measure that aims to revise state campaign finance and lobbying laws and create an ethics commission has been certified to appear on the November ballot.

Krebs says the ballot measure sponsor turned in 24,532 signatures to the Secretary of State's office, and a 5-percent random sampling determined that 73.8 percent of the signatures were in good standing.

The initiative to be known as Initiated Measure 22 aims to revise state campaign finance and lobbying laws, create a publicly funded campaign finance program, create an ethics commission and appropriate funds.

It is the fifth of eight submitted measures to be approved by Secretary of State. The remaining three will soon be examined.

## **Disaster aid for South Dakota June storms tops \$3.4M**

PIERRE, S.D. (AP) — State and federal emergency officials say more than \$3.4 million in disaster aid has been approved to help communities in 12 South Dakota counties and three tribal nations recover from a series of June storms.

South Dakota Office of Emergency Management Director Tina Titze says 26 applicants including the city of Pierre, West Central Electric Cooperative and the Crow Creek, Lower Brule and Oglala Sioux tribal governments are receiving reimbursements for disaster costs and debris cleanup.

In July, President Barack Obama issued a major disaster declaration for the state, making 10 counties and the three tribal nations eligible for federal disaster aid.

Federal Coordinating Officer Gary Stanley says FEMA reimburses applicants for not less than 75 percent of eligible recovery costs, and the state contributes an additional 10 percent cost-share.

## **Pennington County voters reject wheel tax for road repairs**

RAPID CITY, S.D. (AP) — Pennington County voters have rejected a proposed wheel tax to fund road and bridge repairs.

KEVN-TV reports that nearly 60 percent of the 10,000 people who voted in Tuesday's special election rejected the proposal.

County commissioners approved a wheel tax of up to \$60 per vehicle last fall, but opponents gathered enough petition signatures to bring the matter to a public vote.

The Rapid City Journal reports that county officials said the tax would have raised \$2.5 million annually and would be necessary to qualify the county for bridge improvement grant funds from a state-run program. Opponents said it would add to people's tax burden.

## **South Dakota winter wheat crop appears to be in good shape**

SIOUX FALLS, S.D. (AP) — South Dakota's winter wheat crop appears to be in good condition heading into the coldest months of winter.

The Agriculture Department says in its latest crop report that 71 percent of the crop is in good to excellent condition. Only 1 percent is rated poor or very poor.

Cattle and calf conditions in the state are rated 84 percent good to excellent, and sheep and lamb conditions are 64 percent in those categories.

Hay supplies in South Dakota are rated 99 percent adequate to surplus, and stock water supplies are 86 percent in those categories.

## **Downtown outdoor music venue nearing reality in Sioux Falls**

SIOUX FALLS, S.D. (AP) — Outdoor concerts might soon be a part of the downtown landscape in Sioux Falls.

The City Council next month is slated to approve a 50-year agreement with the Los Angeles-based National Levitt Foundation and a group of local volunteers for a 1,500-seat outdoor music facility at Fall Park West.

The city would provide \$2.5 million for park improvements such as lighting, landscaping, restrooms and a performance stage. Friends of the Levitt and the national foundation would commit \$1.6 million for capital improvements and host at least 50 free concerts for the community each year.

Sharon Yazowski, executive director of Levitt Pavilions, said when talks started years ago, they saw diversity expanding in Sioux Falls "because of the growth trajectory and the economic stability and the opportunity that is here."

"The Levitt is a place for the entire community to come together, for people of diverse backgrounds, all ages, to come and have a shared experience," Yazowski said.

The structure would be owned and maintained by the city with an estimated \$500,000 worth of operating costs covered each year by Friends of the Levitt, which was formed by a local group of volunteers in 2012.

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The city would also pay some operating expenses estimated between \$70,000 and \$75,000 annually for utility bills and park maintenance, said city Parks and Recreation Director Don Kearney.

Levitt has pavilions in six other cities. A seventh is opening in Denver next year, with another expected in Houston by 2018. Yazowski said Sioux Falls stood out as a smaller city that could support such concerts. If approved in Sioux Falls, a pavilion would be ready for performances in 2019.

## Construction starts on \$6.3M welcome center in Deadwood

DEADWOOD, S.D. (AP) — Construction has begun on a \$6.3 million welcome center in Deadwood.

The facility will house the local Chamber of Commerce and will provide space for various community events. It's also intended to be a focal point for tourists.

The project was launched with a ground-breaking ceremony on Monday. Mayor Chuck Turbiville says it should be finished in May 2017.

## 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. HOW SEOUL IS ANSWERING KIM'S NUCLEAR MOVE

South Korea says it will retaliate for a North Korean nuclear test by resuming cross-border propaganda broadcasts that Pyongyang considers an act of war.

### 2. INVESTOR JITTERS RIPPLE ACROSS ASIA AGAIN

Chinese stocks nosedive, triggering the second daylong trading halt of the week and sending share markets, currencies and oil prices lower.

### 3. RANCHERS TOLD TO END ENCAMPMENT

Cheers erupt at a community meeting in rural Oregon when a sheriff says it's time for a small, armed group occupying a national wildlife refuge to "pick up and go home," but it's not clear when that will be.

### 4. 'OBAMACARE' SIGN-UPS SLOW MARKEDLY

Progress stalls on reducing the number of uninsured Americans under Obama's signature health care law, a major survey finds.

### 5. AP FACT CHECK: OBAMA'S GUN PROPOSALS AREN'T CLEAR-CUT

The president's proposals to tighten gun control rules may not accomplish his goal of keeping guns out of the hands of would-be criminals.

### 6. BLAND CASE TAKES 'BITTERSWEET' TURN FOR FAMILY

The indictment and expected firing of the Texas state trooper who arrested Sandra Bland, a black woman who later died in jail, was overdue but does not equal their loss, her sister says.

### 7. WHAT HOT HOLIDAY GIFT IS BEING OUTLAWED AT SCHOOLS

At least 20 universities have banned or restricted hoverboards on their campuses, saying the two-wheeled, motorized scooters are unsafe.

### 8. WHICH SURPRISE AGE GROUP IS BANKING MOST

Workers are saving more for retirement, and the youngest are boosting their savings faster than any other.

### 9. POWERBALL EXPECTED TO SET RECORD

The estimated prize of \$675 million for this weekend's drawing will be the largest jackpot of any lottery game in U.S. history.

### 10. WHO GOT DROPPED FROM LEBRON'S AGENCY

The NBA star ends his marketing agreement with Johnny Manziel, the embattled Cleveland Browns quarterback, so he could focus on his personal life.

## Powerball jackpot climbs to estimated \$675M

DES MOINES, Iowa (AP) — A lottery official says the estimated prize for this weekend's Powerball drawing is the largest jackpot of any lottery game in U.S. history.



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Texas Lottery spokeswoman Kelly Cripe says Saturday's drawing will be worth about \$675 million. That's because no one matched the numbers drawn for Wednesday night's estimated \$500 million jackpot.

Wednesday's numbers were 2, 11, 47, 62 and 63, and the Powerball was 17.

The previous record was a \$656 million Mega Millions jackpot won in March 2012.

Powerball is played in 44 states, the District of Columbia, the U.S. Virgin Islands and Puerto Rico.

## California weathers El Nino, but wild weather not over

**CHRISTOPHER WEBER, Associated Press**

LOS ANGELES (AP) — The worst storm in a series of storms has come and gone without serious consequences for California, but the El Nino-driven weather was still causing problems around the state.

That includes dropping temperatures, rising waves and pernicious winds predicted for Thursday.

Mountain areas were warned that blizzard conditions with wind gusts reaching 60 mph were possible above 4,000 feet, including the heavily traveled Grapevine section of Interstate 5.

Damaging surf of 10 to 15 feet was possible in Southern California and waves a whopping 15 to 25 feet could hit the Central Coast through Thursday night, the National Weather Service said.

In San Diego County, winds were serious enough to bring a brief tornado warning Wednesday.

And rains hit several areas hard late Wednesday night. Voluntary evacuation advisories in some burn areas in danger of mudslides were cancelled. But authorities evacuated 10 mobile homes in the Newhall area northwest of Los Angeles as watery mud flowed into the streets from hillsides burned bare in a June fire, Los Angeles County officials said. No injuries or serious damages were reported.

Northeast of Los Angeles in Monrovia, Wayne Socha used a sledgehammer to knock a hole in a cement wall in his backyard to let built up mud and debris flow through. A wildfire two years ago stripped away vegetation and loosened soil, and he feared the strong storms could bring it all down.

"It looked like Niagara Falls," Socha said. "It was quickly building up behind the house and I knew it could come right inside."

At the foot of the San Gabriel Mountains, Monrovia officials dispatched crews with sandbags to help protect Socha's neighborhood from landslides. That eased his mind somewhat, but he said he and his wife were vigilantly watching forecasts of more rain.

"We're amateur meteorologists now," he said.

Well over two inches of rain fell on several mountain areas of Southern California on Wednesday, including 3.5 inches at the San Gabriel Dam in the Angeles National Forest.

Driving rain also inundated the San Francisco Bay Area, causing nearly two dozen crashes among commuters, toppling trees and flooding streets and streams. Officials shut down the city's iconic cable cars for much of Wednesday.

Another less-powerful El Nino storm was right behind and expected to reach land Thursday.

Despite the potential for problems, the wet weather in California was welcome news for the state suffering from a severe drought. But officials warned residents against abandoning conservation efforts and reverting to wasteful water-use habits.

The current El Nino system — a natural warming of the central and eastern Pacific Ocean that interacts with the atmosphere and changes weather worldwide — has tied a system in 1997-1998 as the strongest on record.

## Big-dollar baby formula thefts dog stores, police across US

**MICHELLE L. PRICE, Associated Press**

SALT LAKE CITY (AP) — The recent arrests in Utah of three people accused of stealing thousands of dollars' worth of baby formula is the latest example of a problem that officials say is vexing stores and police nationwide as thieves systematically swipe the mixture from shelves and resell it to unsuspecting parents.

Baby formula is a major expense for many new parents, with small canisters starting around \$20 and special or prescription blends costing two or three times that.

It's also widely used. More than a third of infants receive formula in addition to breastmilk in their first

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six months, the Centers for Disease Control and Prevention estimates. Often, babies who are weaned of breastmilk will continue to drink formula into their toddler years.

The high price and broad demand make it an enticing target for thieves, who typically sell the stolen formula at flea markets or list it on websites like Craigslist and eBay.

In late December, police in Logan, about 80 miles north of Salt Lake City, confiscated 422 cans of stolen formula worth \$8,000 to \$10,000. It came from stores in Logan and three other northern Utah cities, and officers are looking for ties to similar recent thefts in Idaho cities about 150 miles away, Police Capt. Curtis Hooley said.

In Pleasanton, California, thefts of large amounts of formula are reported at least once a month, with thieves frequently hitting multiple stores around the San Francisco Bay Area, according to police Lt. Kurt Schlehuber.

He doesn't think the culprits are parents trying to feed their kids.

"There are people that are making money off of selling the stuff," Schlehuber said.

In April, Pleasanton police arrested two people suspected of stealing dozens of containers of the product.

Officers happened to see the pair running from the store with shopping baskets full of formula. But arrests can be rare when police often have only an anonymous face captured by a surveillance camera, Schlehuber said.

Around the country, law enforcement agencies in recent years have reported heists ranging from thousands to several million dollars' worth of baby formula.

In 2009, Florida authorities arrested 21 people accused in an elaborate theft ring that officials say pilfered more than \$2 million in formula annually.

Investigators working on that sting — called "Operation Hot Milk" — said thieves were paid between \$100 and \$300 a day and used multiple lookouts while filling bags with formula. They hit 15 or more stores a day and later repackaged the formula and sold it in other states, authorities said.

The Infant Nutrition Council of America, an association of baby formula manufacturers, does not keep statistics on the thefts but said it's a continuing problem nationwide.

"We're not talking about petty shoplifting," said Jennifer Hatcher, a senior vice president for government and public affairs at the Food Marketing Institute, which represents supermarket chains, small grocery stores, pharmacies and other food retailers.

Large thefts can be a particularly costly problem for many such stores, which are required to keep a minimum amount of formula on their shelves to accept customers spending money dispersed through the federal Women, Infants and Children nutrition program, known as WIC.

Hatcher said the industry has been working to combat the thefts for about 15 years.

For parents, stolen formula can be a safety concern.

They can't be sure that what they're buying has been stored at proper temperatures or isn't past its expiration date. Some sophisticated theft rings even print counterfeit formula labels to make a cow's-milk-based product appear to be a more expensive soy or rice formula designed for children with milk allergies, Hatcher said.

Mardi Mountford, the nutrition council's executive director, recommends that formula be bought only from a trustworthy retailer, either in-store or online.

New mother Erica Otten of Tabernacle, New Jersey, said she understands a parent's temptation to try and save on the expensive product by shopping for a discounted version online.

Her 5-month-old daughter has a protein allergy requiring a specific formula that costs \$32 for a 1-pound can that lasts four days at most. Still, Otten sticks to the major retailers.

"It sounds scary because you're feeding it to your infant," she said. "I inspect everything like crazy — the expiration date, the fact that it's sealed."

To help with the cost, Otten signed up to receive regular coupons from formula manufacturers while pregnant. She now swaps the coupons she doesn't need with other mothers around the country.

Some retailers take extra steps to combat thefts, keeping their baby formula under lock and key. Others stamp their store names and locations on containers to alert consumers or police if the stolen product

turns up for sale somewhere else, Hatcher said.

When large amounts of formula are stolen, lot numbers are provided to websites like eBay that can monitor sale listings for the products.

To chip away at the black market demand, federal officials have started requiring grocery stores and retailers that participate in the WIC program to buy formula only from approved wholesalers.

"Each one of these tactics, it seems to have helped alleviate some of the ability for them to resell this product quickly," Hatcher said. "That doesn't mean it's still not an incredibly attractive product to try to steal."

## Clinton, Sanders aim for victory in Nevada caucuses

**KEN THOMAS, Associated Press**

LAS VEGAS (AP) — Hillary Clinton and Bernie Sanders battled for support among Nevada Democrats on Wednesday night, looking beyond the leadoff contests of Iowa and New Hampshire to a state that could play a pivotal role in the nomination fight.

Clinton presented herself as the party's best choice to defeat Republicans in the fall and preserve the legacy of President Barack Obama, promising Nevadans would "always have a friend in the White House if I am your president."

"In January of 2017, a new president is going to walk into the Oval office and America can't afford it to be a Republican who will rip away all the progress we have made," Clinton said, as many of Sanders' supporters stood silently, holding up signs for the Vermont senator.

Sanders was greeted by a loud cacophony of horns and vuvuzelas in his cheering section, telling supporters that Republicans suffered from "an illness called amnesia. They seem to have forgotten the conditions they left this country in" when Obama took office in January 2009.

While the former secretary of state has led Nevada polls, Sanders has poured money and staff into the state in recent weeks in hopes of pulling off an upset. Nevada follows Iowa and New Hampshire on the Democratic calendar and a split decision by the first two states could place a greater emphasis on the Western state, which features a much more diverse electorate.

The third major Democratic candidate, former Maryland Gov. Martin O'Malley, has trailed Clinton and Sanders by a wide margin but won cheers from the crowd with a series of slams against the Republican presidential field.

Addressing Donald Trump, O'Malley said, "I'd like to say that Donald Trump is the most outrageous and unqualified person to ever run for president. But really, that's not fair to Ted Cruz."

The state party's caucus dinner at the MGM Grand brought together about 2,200 activists, one of the largest gatherings before the state's presidential caucuses on Feb. 20.

Clinton, backed by women and Latinos in large numbers, won the popular vote in Nevada's 2008 caucuses against Obama. But the future president narrowly prevailed in the delegate count with the help of a strong showing in rural areas.

In her speech Wednesday evening, Clinton reminded voters she was raising millions of dollars for state parties in an attempt to strengthen Democrats up-and-down the ballot. Sanders said the only way Democrats would win elections was through generating enthusiasm and a massive voter turnout.

Nevada's increasingly greater profile in the presidential sweepstakes has been promoted by Senate Democratic leader Harry Reid, who has remained neutral in the 2016 race but has encouraged an active caucus campaign.

Reid has sought to give his home state even greater prominence, noting its growing Hispanic population and role as a competitive state in recent presidential elections. Obama won the state in both 2008 and 2012 but it was fiercely contested in both campaigns.

"No state reflects the growing diversity of our nation better than Nevada," Reid said, before joining hands with the three Democratic candidates on stage.

Republicans sought to tie Clinton to Reid, calling him the "face of Washington dysfunction." Michael

Short, a spokesman for the Republican National Committee, said that "while Nevadans and the rest of the country want to turn the page on the Reid-Obama era, Hillary Clinton is promising an encore."

Reid is not the only powerful figure expected to stay on the sidelines in the Democratic campaign. The Nevada culinary union, which backed Obama in 2008, is not expected to endorse a candidate before the caucuses, putting the support of about 60,000 workers up for grabs.

In a competition of enthusiasm, the room offered a deafening roar at times as Sanders' cheering section screamed, "Feel the Bern," and blew into yellow vuvuzelas and air horns while Clinton's backers chanted, "HRC," and waved neon blue glow sticks.

The noise clearly got Sanders' attention, and he interrupted his speech at one point to tell his backers, "That music is really beautiful!"

## **Judge: Monkey cannot own selfie photos copyright**

**OLGA R. RODRIGUEZ, Associated Press**

SAN FRANCISCO (AP) — A macaque monkey who took now-famous selfie photographs cannot be declared the copyright owner of the photos, a federal judge said Wednesday.

U.S. District Judge William Orrick said in federal court in San Francisco that "while Congress and the president can extend the protection of law to animals as well as humans, there is no indication that they did so in the Copyright Act."

The lawsuit filed last year by People for the Ethical Treatment of Animals sought a court order allowing PETA to represent the monkey and let it to administer all proceeds from the photos for the benefit of the monkey, which it identified as 6-year-old Naruto, and other crested macaques living in a reserve on the Indonesian island of Sulawesi.

The photos were taken during a 2011 trip to Sulawesi with an unattended camera owned by British nature photographer David Slater, who asked the court to dismiss the case. Slater says the British copyright obtained for the photos by his company, Wildlife Personalities Ltd., should be honored worldwide.

PETA sued Slater and his San Francisco-based self-publishing company Blurb, which published a book called "Wildlife Personalities" that includes the "monkey selfie" photos.

The photos have been widely distributed elsewhere by outlets, including Wikipedia, which contend that no one owns the copyright to the images because they were taken by an animal, not a person.

Slater described himself as a nature photographer who is deeply concerned about animal welfare in court documents and said it should up to the U.S. Congress and not a federal court to decide whether copyright law applies to non-human animals.

Jeff Kerr, general counsel for PETA, said the organization will continue fighting for the monkey's rights.

"Despite this setback, legal history was made today because we argued to a federal court why Naruto should be the owner of the copyright rather than been seen as a piece of property himself," Kerr said. "This case is also exposing the hypocrisy of those who exploit animals for their own gain."

## **Job cuts at Macy's signal hard times ahead for retailers**

**ANNE D'INNOCENZIO, AP Retail Writer**

NEW YORK (AP) — Macy's is slashing jobs, a harbinger of hard times for retailers after a holiday season that saw a noticeable shift to online shopping and away from physical stores.

The nation's largest department store chain, which also operates Bloomingdale's, said late Wednesday it is cutting up to 4,800 jobs and trimming its profit outlook after a miserable holiday season.

"I think Macy's is likely to be a canary in a coal mine," said Ken Perkins, president of Retail Metrics, a retail research firm. He said retailers witnessed an acceleration of the shift toward online and mobile holiday spending in 2015.

About 2,110 of the job cuts at Macy's will come from reducing staffing at stores, eliminating duplications in back-office operations and consolidating regional store groups. The remaining 2,710 job cuts will come from the store closings that Macy's announced last fall, spokesman Jim Sluzewski said.

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As of Wednesday, Macy's had about 163,000 workers.

The moves are part of Macy's ongoing campaign to position itself to compete in a retail world where increasingly demanding shoppers are going back and forth between stores and their mobile devices. Analysts expect more retailers to announce they're shrinking their store counts further and making other moves to make their organizations leaner.

With store traffic down, stores had to discount more. Mother Nature also hurt holiday sales too, particularly at clothing stores. Unseasonably warm weather in some regions in the U.S. squelched shoppers' demand for cold-weather goods. Perkins expects fourth-quarter earnings to increase a meager 0.3 percent for the 119 retailers he tracks, compared with a 12.5 percent increase a year ago.

Macy's, which has corporate offices in Cincinnati and New York, says sales at existing stores and excluding licensed departments fell 5.2 percent in November and December. It said that the warm weather was the biggest culprit. That forced Macy's to step up discounts to clear out mounds of merchandise. Business was also hurt by lower spending by international tourists.

But, like other retailers, Macy's is also contending with broader changes in spending habits.

Macy's had been a stellar performer since the recession as it localized merchandise, cut costs and developed exclusive brands that set itself apart from others. But increasingly, Amazon.com and other online rivals are becoming a threat. It also has acknowledged that customers are spending more of their money on experiences like eating out and spas, instead of on clothing. And when they do buy fashions, they are more likely to buy name brands at fat discounts at such stores like T.J. Maxx.

In response, Macy's has been working hard to expand its online services while pursuing new growth opportunities. It purchased upscale beauty brand Bluemercury last year and made its first foray into discount stores under Macy's Backstage to go head-to-head with T.J. Maxx.

"In some cases, there will be short-term pain as we tighten our belt and realign our resources," said Terry J. Lundgren, chairman and chief executive at Macy's Inc. in a statement. "But our eye is on a long-term vision of Macy's Inc. as a dynamic retailer that serves existing customers and acquires new ones through innovative approaches."

Lundgren said that the company is buoyed by a strong performance in its online business. For the November and December period, Macys.com and bloomingdales.com filled nearly 17 million online orders, up 25 percent from the same year-ago period.

The company also listed Wednesday which 40 Macy's stores it would close or had closed. It had announced plans to close stores in September. Of the 40, 36 will close in early spring. The other four closed last year. Before the closures, the company had 770 stores under the Macy's name in the U.S.

Macy's said Wednesday that it now expects its profit for its fiscal fourth quarter and full year, which run through January, to fall short of its previous estimate.

The company's shares rose more than 3 percent to \$37.40 in extended trading Wednesday, after falling more than 2 percent to \$36.15 in regular trading. Macy's shares have lost more than 44 percent in the last 12 months.

## California issues 605,000 driver's licenses to immigrants

SACRAMENTO, Calif. (AP) — California issued more than a half-million driver's licenses under a new law granting the identifying documents to immigrants who may be in the country illegally.

The Department of Motor Vehicles announced Wednesday that 605,000 licenses were issued since AB60 took effect last January. That's out of 830,000 applications.

AB60 allows people who can't prove they're in the country legally to obtain driver's licenses using identification from their home countries.

They also must prove California residency and pass written and driving tests.

Supporters pushed for the law as a safety measure, arguing that many immigrants already get behind the wheel but lack the training and testing required of other drivers and may not carry insurance.

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## The latest in gadgets: Spotting stars \_ some faded \_ at CES

LAS VEGAS (AP) — The latest developments surrounding the consumer-electronics show in Las Vegas known as CES (all times local):

5:00 p.m.

In an event as large and sprawling as CES, sometimes it takes star power to attract attention — the type of star power that Las Vegas and Hollywood understand so well.

Repeat celebrity CES attendees include former basketball star Shaquille O’Neal, comedian and television host Nick Cannon and radio/TV personality Ryan Seacrest. Shaq is here for Monster, the audio equipment maker; Seacrest has represented iHeartRadio and his own mobile keyboard company in the past. This year, both he and Nick Cannon, who was the event’s “entertainment matters ambassador” last year, are leading sessions on tech.

Fitness trackers, of course, demand solid athletic endorsements, which is why sports stars such as football quarterback Tony Romo, Olympic swimmer Michael Phelps and baseball hall of famer Cal Ripken Jr. are making booth appearances. All three are representing Under Armour, which announced a new fitness tracker Tuesday.

Most CES celebrity appearances anymore are reserved for evening performances or parties sponsored by various brands.

Hip-hop artist Fetty Wap is featured at a Google cocktail party Wednesday. Chris Brown, a resident performer at Drai’s nightclub on the Las Vegas Strip who made news in the New Year when a woman accused him of battery, is the centerpiece of iHeartMedia’s annual CES party on Thursday. He’s denied any wrongdoing.

4:30 p.m.

The automotive presence at the CES gadget show in Las Vegas has grown so large that the show’s organizers are bragging about supplanting Detroit.

“You could say we’ve shifted the center of gravity from Detroit to Las Vegas this week,” Gary Shapiro, CEO and president of the Consumer Technology Association, said Wednesday at the introduction of Chevrolet’s new all-electric Bolt compact car.

Companies that make auto electronics such as computers, cameras, laser sensors and maps are ubiquitous at the Las Vegas show as the march toward autonomous cars gains speed. But they’re largely absent from the big Detroit auto show that opens next week.

Big automakers such as Ford and General Motors are now saving technology announcements for CES, leaving the Detroit show for new product introductions.

But those are down this year to 45, 10 fewer than last year.

— Tom Krisher, AP Auto Writer, Las Vegas

4:00 p.m.

Don’t forget to recharge your coffee mug.

Some people slurp their coffee while it’s piping hot, others warm their hands with it till it cools to a drinkable temperature. A smart mug called Ember aims to keep it at the perfect temperature for two hours using a rechargeable battery.

A touch sensitive logo indicates the temperature at which your java is resting, while turning the ring at the bottom lets you adjust that up or down. Apparently, most people enjoy their cup of joe at about 135 to 140 degrees Fahrenheit. A pop-up lid means you can drink from any direction without searching for the opening.

Pre-orders for the Ember cost \$129 and delivery is expected in May.

— Ryan Nakashima, AP Business Writer, Las Vegas

3:30 p.m.

General Motors executives say the new Chevrolet Bolt electric car was designed so it can handle a future filled with cameras, sensors and supercomputers on the way toward autonomous driving.

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"It is an upgradable platform for new technology," CEO Mary Barra said Wednesday as she introduced the car's production version, which boasts a 200-mile battery range, at the CES gadget show.

The five-passenger Bolt, priced about \$37,500 excluding a \$7,500 federal tax credit, has a 10.2-inch touch screen and can be recharged to 80 percent of its battery capacity in an hour on a 240-volt charger, she said. It will go on sale late this year as a 2017 model.

The Bolt should help GM in its alliance to provide cars and eventually self-driving vehicles to ride-sharing service Lyft. The company announced a \$500 million investment in Lyft on Monday.

GM says the Bolt's higher driving range, which competes with upstart Tesla Motors at a lower price, should draw buyers even with low gas prices. Research has shown that limited range is a big barrier to many drivers, the company said. "This takes that excuse away," said GM product development chief Mark Reuss.

— Tom Krisher, AP Auto Writer, Las Vegas

3:00 p.m.

Celebrities with new Netflix shows owe much of their current success to technology, and as a result are, well, big fans of Netflix. But they're a bit warier about the rest of the gadget world.

Krysten Ritter, who stars in the Netflix series "Jessica Jones," has a few ideas for new gadgets: a device that deactivates phones inside cars, and maybe a hoverboard "that doesn't blow up."

Comedian Chelsea Handler, meanwhile, says she runs her house from her iPad, but that if she tries to turn on the TV, "the microwave goes off. It's a mess." Take that, Internet of Things!

Actors Will Arnett ("Flaked") and Wagner Moura ("Narcos") are sanguine about the opportunities created by entertainment tech. Both expect TV watching to grow ever more immersive, with technologies like augmented and virtual reality putting viewers in the same room with actors.

But only up to a point. Moura says he just hopes "we're not going to be replaced by robots or anything."

— Kimberly Pierceall, AP Writer, Las Vegas

2:30 p.m.

They aren't Marty McFly's self-lacing sneakers from "Back to the Future," but Digitsole's shoes promise to tighten and loosen with a touch of a smartphone app.

The French company says the pair on display at this week's CES gadget show in Las Vegas will sell for \$450 starting around October.

Another French company says it has solved the problem of matching one's shoes to one's outfit.

Shoe retailer Eram, teamed up with tech firm BlueGriot to invent Choose, a shoe that the company says changes colors based on photos a person snaps — including images taken of a person's other attire.

— Kimberly Pierceall, AP Writer, Las Vegas

2:00 p.m.

Sony unveiled a prototype TV capable of showing 4K programming with a brightness level it claims is four times as bright as its competitors.

Using a technology it called Backlight Master Drive, the company said its prototype TV could emit 4,000 nits of brightness, which is four times as high as the 1,000 nits boasted by competitors LG and Samsung on their liquid crystal display TVs. It's about 10 times brighter than most sets today.

The company said the technology was unique to Sony. It also said it would launch an app called Ultra so users could buy and stream 4K movies that were also encoded for a new standard called high dynamic range (HDR). Titles to be made available include Sony Pictures films like "Elysium," "Chappie" and "Fury."

Sony also showed off a flagship TV it calls the X93D it will launch later this year to show 4K HDR movies and shows. It said it would brand all its new TVs that are capable of playing the new format with the "4K HDR" label, not the "Ultra HD Premium" label that is sanctioned by the UHD Alliance, a group of electronics makers and studios of which Sony is a member.

— Ryan Nakashima, AP Business Writer, Las Vegas

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1:45 p.m.

The government says companies shouldn't use "big data" to discriminate.

The Federal Trade Commission on Wednesday released a report with recommendations on how companies should use big data, or huge sets of information, when they incorporate it into decisions like hiring or lending. Chairwoman Edith Ramirez said during a talk at CES that it's important for companies to realize that using such data sets could exclude or hurt minorities.

The FTC's recommendations are not binding on businesses, but if they aren't followed, the FTC may scrutinize their practices.

The agency also says it will continue monitoring to see if companies' practices violate existing laws and "bring enforcement actions where appropriate."

— Tali Arbel, AP Technology Writer, New York

1:30 p.m.

For one week in Las Vegas, the likes of Samsung, Snapchat and a mobile game called Boom Beach are as visible as Britney, Cirque du Soleil and Donny and Marie.

You can't walk 10 paces down the Strip without buses telling you how to send digital cash, the monorail swooshing by leaving traces of cartoonish troops and tanks in its wake, or the walls of the city's monument-sized casino-hotels informing your choice of instant-messaging app.

Few are as omnipresent as ads for Boom Beach. As early as New Year's Eve, massive animated ads for the combat-strategy game were playing on rotation across the side of Planet Hollywood.

A representative for the company that owns the game, Supercell, didn't answer an emailed question asking how much the company spent on the CES-week promotions, saying the company's executives had been inundated with interest and couldn't be reached.

— Kimberly Pierceall, AP Writer, Las Vegas

1:00 p.m.

A breathalyzer for fat-burning? The folks at Seattle-based Levl claim to have come up with just that.

Blow into a small container for about five seconds then put it in a sensor-laden machine, and out pops a report that purports to tell you how much acetone you're producing. A number around 4 on a 5-point scale suggests you're incinerating the lipids. Below that and you might want to cut back on the carbs and get some exercise.

A few days of changed behavior can make a difference, the company says. The app is designed to encourage users who can manage a long streak of fat-burning; it estimates how many calories they'll burn in fat per day. But there's one big gotcha: drinking alcohol could throw off the reading and make it seem like you're burning more fat than you are.

The company aims to sell the product this year but hasn't determined a price.

— Ryan Nakashima, AP Business Writer, Las Vegas

12:30 p.m.

The Federal Aviation Administration says it has developed a smartphone app to show drone operators where it's OK to fly and what areas are off limits.

FAA Administrator Michael Huerta also announced at a news conference at the CES gadget show in Las Vegas that by early Wednesday, 181,061 operators had registered their drones as new rules require.

The FAA launched online registration Dec. 21. Officials say they hope registration will help them trace drones caught flying too close to manned aircraft or over crowds, and create a "culture of accountability."

The smartphone app, B4UFLY, uses maps that identify the operator's current location and restricted areas in a radius around the operator. It's available now for Apple devices from the App Store and for Android devices from the Google Play Store.

— Joan Lowy, AP Writer, Washington



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12:15 p.m.

Kids tossing around a football probably hope to throw a perfect spiral in a big game one day. Technology is about to help them out.

Sports equipment maker Wilson is preparing to release this year a smart football equipped with accelerometers that measures stats like spiral efficiency, spin rate, speed and distance. It can even tell if it was caught or dropped.

Developed by a trained aerospace engineer, the ball knows to wake up its Bluetooth transmitter with a specific snap motion, says Bob Thurman, Wilson's vice president of innovation. And because it can ignore the toss back by the receiver, a future Hall of Famer can drive down the field under time pressure without actually going anywhere. Talk about fantasy football.

Wilson is already selling a smart basketball for \$199 that can tell whether you've swished or missed and keeps track of your lifetime stats. It wakes up by being spun in the air. Thurman says the ball is 97 percent accurate at reading misses or makes. That's probably better than your free throw percentage.

— Ryan Nakashima, AP Business Writer, Las Vegas

11:30 a.m.

Chinese drone maker Ehang Inc. is unveiling what it calls the world's first drone capable of carrying a human passenger.

Ehang's booth in the Las Vegas Convention Center features a prototype of the Ehang 184 — covered with a cloth for a planned noon unveiling. In the meantime, the company played a video of the vehicle flying over cityscapes. It looks like a small helicopter but with four doubled propellers spinning parallel to the ground like other drones.

According to the company, the electric-powered drone can carry up to 100 kilograms of weight (220 pounds) and fly for 23 minutes at sea level. With propellers folded up, it's designed to fit in a single parking spot. The cabin fits one person and a small backpack and even has air conditioning and a reading light, Ehang said.

Some of the company's claims border on the heroic. The company said the drone can be fully charged in 2 hours, adding that after setting a flight plan, passengers only need to give two commands, "take off" and "land," each controlled by a single click.

U.S. authorities are just starting to lay out guidelines for drone use, and a human-passenger drone seems certain to face strict scrutiny.

— Ryan Nakashima, AP Technology Writer, Las Vegas

11:15 a.m.

The beginning of life itself? Now there's an app for that.

Pregnancy-test maker First Response is introducing a new Bluetooth-enabled stick that still requires nature's call. But it'll also distract a would-be mom with in-app videos or quizzes from BuzzFeed while she waits three minutes before she gets her answer.

Pregnancy tests have evolved rapidly from sticks with one or two lines, to digital readouts that say "yes" or "no," to tests that can detect a likely pregnancy several days before a missed period. Competitor Clear Blue also offers a digital test that it says can estimate the number of weeks a woman has been pregnant prior to taking the tests.

Having the test talk to your phone may be a new development. The app is designed to stick around as a resource for expectant mothers; it offers a calendar aid for calculating the likely due date and assistance for reaching out to a doctor and for letting others in on the news via texts and email.

First Response says the tests will ship to stores in the spring and should cost \$14.99 or \$21.99 depending on where they're sold. That's a bit more than the company's other digital and analog versions that offer two for \$9.99 or \$14.99.

— Kimberly Pierceall, AP Writer, Las Vegas

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10:30 a.m.

Netflix subscribers watched 12 billion hours of programming on the Internet video service during the final three months of 2015, a nearly 50 percent increase from the previous year.

CEO Reed Hastings disclosed the growth during a Wednesday presentation in Las Vegas at CES, a high-profile showcase for gadgets and technology services.

Netflix entered the fourth quarter with 69 million subscribers compared to the previous year's 53 million, a group that watched 8.25 billion hours of programming. That means Netflix subscribers watched a weekly average of 13 hours of programming in the 2015 period versus 12 hours in 2014.

The company's periodic revelations about the behavior of its subscribers are one of the few ways outsiders can gauge the popularity of its series and movies.

Netflix's stock rose \$2.40 to \$110.07 in early afternoon trading.

— Michael Liedtke, AP Technology Writer, San Francisco

10:00 a.m.

The much-hyped Oculus Rift virtual reality headset will cost \$599 and ship to 20 countries beginning on March 28, the company said Wednesday.

Bundles that include a powerful computer needed to use the device will be available for pre-order in February starting at \$1499.

The pricing details and shipping information had been long awaited. Oculus, which Facebook bought in 2014 for \$2 billion, began accepting pre-orders for the device at 11 a.m. E.T. on Wednesday.

It will also be available in some undisclosed retail locations starting in April.

The Rift comes with a built-in headphones and mic, sensor and an Xbox One controller. It also comes with a remote to help navigate virtual worlds.

PiperJaffray analyst Gene Munster said the cost of the Rift is higher than the \$449 he expected, but said he still expects a few hundred thousand units to sell during 2016.

— Mae Anderson, AP Technology Writer, New York

8:15 a.m.

The CES gadget show, which officially opens at 10:00 a.m. today in Las Vegas, has begun catering more heavily to startups hoping to break through the noise. The sprawling show has sections for wearable fitness gadgets, drones, autonomous vehicles, education, virtual reality, video games, robots, 3-D printers and smart homes.

The startups will help fill a gap left by many of technology's biggest names, who have been no-shows for some time. That roster includes Apple Inc., which has skipped the show since the 1990s, Microsoft Corp., which abandoned its keynote slot after 2012, Google's parent company Alphabet Inc. and Amazon.com Inc.

The Consumer Technology Association that runs CES is aiming for attendance this year at or below last year's record 176,000.

Shawn DuBravac, the CTA's chief economist, argues the show's maturity is a good thing because its focus has shifted over two decades from the "technologically possible" to the "technologically meaningful." In other words, it's no longer about a robot that can walk up steps. It's about robots that actually mow your lawn.

CES is first and foremost a venue for promoting the tech industry, and sometimes the hype falls flat. 3-D screen technology unveiled at CES in 2010 went from the next big thing to a mostly unused feature. Netbooks introduced in 2009 took a back seat to the iPad released a year later. And concepts such as the smart home have taken a really long time to materialize.

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## Today in History The Associated Press

### Today in History

Today is Thursday, Jan. 7, the seventh day of 2016. There are 359 days left in the year.

### Today's Highlight in History:

On Jan. 7, 1789, America held its first presidential election as voters chose electors who, a month later, selected George Washington to be the nation's first chief executive.

### On this date:

In 1610, astronomer Galileo Galilei began observing three of Jupiter's moons (he spotted a fourth moon almost a week later).

In 1800, the 13th president of the United States, Millard Fillmore, was born in Summerhill, New York.

In 1904, the Marconi International Marine Communication Company of London announced that the telegraphed letters "CQD" would serve as a maritime distress call (it was later replaced with "SOS").

In 1927, commercial transatlantic telephone service was inaugurated between New York and London.

In 1942, the Japanese siege of Bataan began during World War II. (The fall of Bataan three months later was followed by the notorious Death March.)

In 1949, George C. Marshall resigned as U.S. Secretary of State; President Harry S. Truman chose Dean Acheson to succeed him.

In 1955, singer Marian Anderson made her debut with the Metropolitan Opera in New York, in Verdi's "Un Ballo in Maschera." The opening of the Canadian Parliament in Ottawa was televised for the first time.

In 1959, the United States recognized the new government of Cuba, six days after Fidel Castro led the overthrow of Fulgencio Batista.

In 1963, the U.S. Post Office raised the cost of a first-class stamp from 4 to 5 cents.

In 1979, Vietnamese forces captured the Cambodian capital of Phnom Penh, overthrowing the Khmer Rouge government.

In 1989, Emperor Hirohito of Japan died in Tokyo at age 87; he was succeeded by his son, Crown Prince Akihito.

In 1999, for the second time in history, an impeached American president went on trial before the Senate. President Bill Clinton faced charges of perjury and obstruction of justice; he was acquitted.

**Ten years ago:** Jill Carroll, a freelance journalist for The Christian Science Monitor, was kidnapped and her translator shot dead in one of Baghdad's most dangerous Sunni Arab neighborhoods. (Carroll was freed almost three months later.) A Black Hawk helicopter carrying eight U.S. troops and four American civilians crashed near the northern Iraqi city of Tal Afar, killing all aboard. U.S. Rep. Tom DeLay, R-Texas, facing corruption charges, stepped down as House majority leader. (DeLay was found guilty in Nov. 2010 of illegally funneling corporate money to Texas candidates; his conviction was eventually overturned.)

**Five years ago:** A package addressed to Homeland Security Secretary Janet Napolitano ignited at a Washington postal facility, a day after fiery packages sent to Maryland's governor and state transportation secretary burned the fingers of workers who opened them.

**One year ago:** Masked gunmen stormed the Paris offices of Charlie Hebdo, a French newspaper that had caricatured the Prophet Mohammad, methodically killing 12 people, including the editor, before escaping in a car. (Two suspects were killed two days later.) Actor Rod Taylor 82, died in Los Angeles.

Today's Birthdays: Author William Peter Blatty is 88. Magazine publisher Jann Wenner is 70. Singer Kenny Loggins is 68. Singer-songwriter Marshall Chapman is 67. Latin pop singer Juan Gabriel is 66. Actress Erin Gray is 66. Actor Sammo Hung is 64. Actor David Caruso is 60. Talk show host Katie Couric is 59. Country singer David Lee Murphy is 57. Rock musician Kathy Valentine is 57. Actor David Marciano is 56. Sen. John Thune, R-S.D., is 55. Actress Hallie Todd is 54. Sen. Rand Paul, R-Ky., is 53. Actor Nicolas Cage is 52. Singer-songwriter John Ondrasik (on-DRAH'-sik) (Five for Fighting) is 51. Actor Rex Lee is 47. Actor Doug E. Doug is 46. Actor Kevin Rahm is 45. Actor Jeremy Renner is 45. Country singer-musician John Rich is 42. Actor Dustin Diamond is 39. Singer/rapper Aloe Blacc is 37. Actress Lauren Cohan is 34. Actor Brett

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Dalton (TV: "Marvel's Agents of S.H.I.E.L.D.") is 33. Actor Robert Ri'chard is 33. Actress Lyndsy Fonseca is 29. Actor Liam Aiken is 26. Actress Camryn Grimes is 26. Actor Max Morrow is 25. Actor Marcus Scribner (TV: "black-ish") is 16.

**Thought for Today:** "One cannot and must not try to erase the past merely because it does not fit the present." — Golda Meir, Israeli prime minister (1898-1978).