

OPINION

REVIEW EDITORIAL

Public should not pay Reynolds wrong to pass along bill

Gov. Kim Reynolds was sued for violating Iowa's open records law, which is hardly a surprise for those of us who have tried to obtain information from the governor.

Reynolds chose to settle three lawsuits, which is often a wise move. But using \$174,000 of public money to do so is a poor choice, and an unfair burden on Iowa taxpayers.

On Wednesday, the State Appeal Board approved the settlements by a 2-1 vote, with the no vote coming from state auditor Rob Sand, the lone Democrat in statewide office.

The lawsuits stem from public records requests filed between April 2020 and November 2021 that Reynolds and her administration either ignored or responded to in a very delayed manner.

The Iowa Capital Dispatch, the Iowa Freedom of Information Council and Laura Belin, who operates the progressive blog Bleeding Heartland, were represented by the ACLU, which filed a lawsuit in December 2021 objecting to the failure to respond to requests for public information on several matters, including a private dinner with Reynolds at the governor's mansion that was auctioned to raise money for Des Moines Christian School as well as written communications between the former director of the Iowa Veterans Home, who was reportedly paid \$100,000 improperly, and Reynolds' staff. Belin also sought access to videos that Reynolds made and shared with meatpacking workers, a legitimate story during the depths of the pandemic.

The news agencies made 45 requests for public information and followed those up with renewed requests. All were ignored.

The other two lawsuits were filed in August 2021 by Suzette Rasmussen, a Utah attorney for a research organization called Jittai — a Japanese term for truth and fact. It requested information on a \$26 million, no-bid coronavirus testing contract that Iowa signed with Nomi Health, a Utah firm, in April 2020 for 540,000 coronavirus tests.

Paul Huntsman, chair of the board of The Salt Lake Tribune newspaper, founded Jittai to seek public records related to Test Utah and similar programs in Iowa, where it is known as TestIowa, as well as Nebraska and Tennessee.

Jittai filed lawsuits against Gov. Reynolds, and the Iowa Department of Public Health, claiming they failed to provide data as requested.

Reynolds has claimed she was busy, but the requests did not ask

for immediate responses. Instead, they were ignored for months, at a time when Iowa residents had a right to expect openness and transparency on how the state was addressing this major health issue.

Even the Iowa Supreme Court, which is filled with five justices appointed by Reynolds and two by her mentor, former Gov. Terry Branstad, called it an "unreasonable delay."

So, who will pay for this unreasonable denial of public access? You will.

The plan approved Wednesday, which still must be finalized by a district court, calls for paying \$135,136 to the ACLU of Iowa for representing the three plaintiffs. The court also will oversee any further problems with obtaining public information from the governor's office in the next year.

Iowa — meaning you — will pay \$38,972.75 for Rasmussen as a representative of Jittai.

Sand said this proposed settlement is a "brazen scam," and Reynolds should be held accountable, as state law mandates.

"These insiders have no shame. They abuse your rights, and then want to use your money to pay for having abused you," he said. "I will not go along with this disgusting abuse of power."

Iowa Freedom of Information Council executive director Randy Evans told The N'West Iowa REVIEW that Sand's objections were "spot-on."

In the past, when lawsuits were filed against government staffers, the state often paid the settlement amount, angering the public, Evans said.

"That has gotten under the skin of conservatives and liberals alike, and it's the same thing in this case," Evans said.

"If you're a Democrat or Republican or Whig, this should bother you."

Evans, a longtime Iowa journalist before taking the helm of the Iowa Freedom of Information Council, said the court ruling in their favor has been proof of the validity of the claim.

"At each turn in this case, our conclusion has been upheld: The governor and her staff cannot ignore their obligations under the public records statute, even when doing so might be inconvenient or embarrassing," according to a statement from the council. "The governor's failure to comply with the law will cost Iowa taxpayers \$135,000. Those are 135,000 reasons why state and local government officials and employees should understand that they cannot ignore their duty to comply in a timely manner with requests for records."

EDITORIAL PAGE LESSON

What's an editorial? An editorial is the newspaper's view on an issue. In developing editorials, employees of the newspaper consider what, in their collective view, is best for the community. Editorials are meant to suggest a course of action and to foster discussion.

What's a column? A column is one person's opinion on any given issue, published as a regular feature

in the newspaper. A column does not necessarily reflect the views of the paper.

What's a letter to the editor? A letter to the editor is a reader's view on an issue, submitted to the newspaper for publication. Submit your letter online at www.nwestiowa.com/submit. All letters require a verifiable name, phone number and signature. They also are subject to editing as needed.



A U.S. political enigma

At the signing of the Nazi-Soviet Non-Aggression Pact in August 1939, the erudite and ever-quotable Winston Churchill characterized Russia as, "a riddle wrapped in a mystery inside an enigma."

The statesman, and soon-to-be prime minister, was perplexed by Russia believing it could maintain a peace accord with arch-rival Germany when trouble was brewing in Europe. The enigma quickly unfolded. In June 1941, Germany launched Operation Barbarossa, its invasion of Russia. Russia had been duped.

Were he alive today, Churchill might deploy his phrase to characterize American politics — especially those of rivals Donald Trump and Adam Schiff. Both politicians are now wearing official accusations as badges of honor.

On June 13, Donald Trump was charged with 37 felony counts in a federal district court in Florida for his handling, or mishandling, of classified documents after leaving office in January 2021. Trump kept many of these documents at Mar-a-Lago, his Florida estate.

Immediately after his arraignment, Trump enjoyed a raucous reception at Versailles, a popular restaurant and bar in Little Havana where politicians frequently go to connect with Cuban American voters. Later that same day, he flew to his golf club in Bedminster, NJ, for a fundraising event. There, he was able to air his grievances before a friendly crowd —



GEORGE SCHNEIDERMANN
REVIEW COLUMNIST

and, of course, raise lots of campaign cash.

Trump supporters are easily ginned up with his claims of a stolen election and a justice system with double standards, probably because there is at least a bit of truth there.

Adam Schiff (D-California) was censured by the House of Representatives on a party-line vote this week on charges that he purposefully and repeatedly lied to Congress and the American public about a collusion between the Trump presidential campaign in 2016 and the Russian government, and that he encouraged abusive intelligence investigations.

Schiff, the chairman of the Intelligence Committee at the time, often said that he had strong evidence of this collusion, but never disclosed that evidence. He also told reporters and fellow members that the evidence was hiding in plain sight. He led the first impeachment of Donald Trump on allegations that he used aid to Ukraine as leverage for investigations into the Bidens. Trump was acquitted by the Senate.

Schiff didn't waste a moment to tell Republicans — on the floor of the House — that, "You honor me with your enmity." Schiff is running for the California Senate seat

now held by Dianne Feinstein (D-California). His campaign relishes the opportunity to use his censure to stir up his supporters and raise money for his campaign. At his fundraising events, Schiff will air his grievances, which include retaliation — by MAGA Republicans — for being effective in managing Trump's first impeachment.

Such, at least in part, is the state of our politics. It is perplexing indeed that a candidate for president can gain the support of the majority of his party while under indictment for criminal offenses, and that a candidate for Senate gains support while reveling in a censure by his peers.

Meanwhile, there are competent candidates for office that display traditional values: hard work, thrift, compromise, concern for the young and the needy, and strong foreign relations. They try to reach voters, but in the current political atmosphere, they are not heard or heeded.

Churchill watched and wondered how Russia thought it could rely on a peace treaty with Germany. Churchill was right to wonder. The treaty did not work. We watch and wonder how some politicians think they can win by wooing voters with complaints and grievances. It is an enigma. I think we are right to wonder, and to doubt that this tactic will work. We, like Russia, don't want to be duped.

George Schneidermann lives in Rock Rapids. He may be reached at gschneidermann@iowainformation.com.

LETTER TO THE EDITOR

Project will provide boost to economy

To The REVIEW:

I have been following the progress of the three proposed Carbon Capture Utilization and Storage projects — Navigator CO2's Heartland Greenway, Summit's Midwest Carbon Express and Wolf/ADM in eastern Iowa. The more I learn about carbon capture the more it becomes apparent these projects will be critical to Iowa's economic future.

A study earlier this year found that Iowa farmer income could decline \$1.1 billion annually if ethanol plants in that state can't capture and sequester carbon in the

future. In addition, Iowa ethanol production could contract by 75 percent — nearly 3.5 billion gallons per year — leading many plants to shut down.

Considering these eye-opening numbers, I encourage my fellow Iowans to familiarize themselves more with these projects.

Ask their teams questions rather than relying on gossip online or at the gas station when you grab your morning coffee.

I have found speaking directly to the company has worked best since they can provide the expertise and accurate information. For instance, that's how I found out that Navigator's Heartland Greenway pipeline will be at least five feet deep. In fact, in

many places it will be much deeper to ensure they maintain a one-foot separation below field drainage tile and two feet of separation from existing utilities it may cross. I would not have known if I didn't have a conversation with the company.

I encourage landowners, area residents and readers of this newspaper to reach out to the companies proposing the projects so that there can be productive conversations with accurate information. Innovative Carbon Capture Utilization and Storage technology will provide the economic boost we need in every rural community across the Corn Belt.

Daryl Haack,
Pringhar

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OPINION

Refurbished Arnolds Park ride ready for more thrills

There are few of us living in N'West Iowa who haven't ridden the famous Legend Roller Coaster at Historic Arnolds Park Amusement Park at least once.

The Legend, originally named The Thriller when it was built, is listed as the 13th oldest existing wooden roller coaster in America.

There's one retired couple at the Iowa Great Lakes who are said to have ridden it more than 600 times last year. That's how much some people feel about the wonderful old thrill ride.

Even more interesting, that same couple have already ridden the all-new Legend more than 200 times this year.

Yes, you read that correct. Although you can miss it at first glance, the Legend's ancient wooden framework is completely new from the ground up this year. It's just part of the many exciting improvements taking place at the much-loved N'West Iowa amusement park.

If you are also a subscriber to our Osceola County Gazette-Tribune, you might have read about the totally refurbished and freshly painted miniature train running around the track at the amusement park again this year.

That effort, as wonderful as it is, pales in comparison to all that has been done to preserve the life of The Legend.

I'm told that some of the restoration preparations began as long as two years ago. But those efforts were



PETER W. WAGNER
PUBLISHER

not obvious to the public. The great width and depth of the project only became visible in September, days after Arnolds Park closed for the season.

It was then that an experienced coaster building construction crew arrived on the scene. Section by section and piece by piece, the workers quickly demolished the old wooden structure that had long held the coaster's track high in the air, sometimes even above the trees.

That crew stayed at the job at Arnolds Park until near Christmas. By that time, the entire support structure had completely been rebuilt with all new lumber and materials. Jon Pausley, chief executive officer of Arnolds Park, said the men were up working on the crossbeams and track bed in some of early winter's cold-est weather.

But even before they started that stage, the construction crew built a new, solid, sidewalk-like foundation for the entire structure following the footprint of the old installation. That solid concrete base will provide greater stability for the ride than the old posts set into the ground. It also provides for a more attractive park.

There are some interesting stories about the demolition of the old structure.

One is how residents and visitors clamored for pieces of the old structure as it was being torn down. Pausley reported that a long line quickly grew near one side of the demolition site as passers-by stopped to ask if they could have a chunk of the demolished, white, 2-by-6 boards as a memento. The demand got so great that the various pieces were being sold for \$5 each.

Another is how closely the support piece structure was tied into the Mirror Maze building. Some of the tall vertical beams of the ride went through the Maze building roof before reaching their anchors. Removing those beams left such gaping holes in the age-old roof and questions regarding its stability, that it made the most sense to tear it down. It will be replaced elsewhere on the grounds, Pausley said, but that might not happen for a couple of years. Meanwhile, the mirrors and glass panels have been carefully stored away for future use.

The famous "Point of No Return" sign at the top of the ride before the first huge drop is another interesting story. When the workers prepared to take it down, they found it so weathered and aged it almost crumbled. The amusement park is having it preserved and placed in the adjacent Arnolds Park Museum. Meanwhile, another sign, much like



Thrill seekers ride the Legend Roller Coaster at Arnolds Park Amusement Park on Thursday. The framework for the roller coaster underwent a massive reconstruction. Photo by Rylan Howe

the first, is being created for that famous spot where folks typically lift their hands into the air and prepare to scream at the top of their lungs all the way down the first plunge.

That first drop, by the way, is usually at a speed of about 52 mph. The forward motion of that first exciting drop is strong enough to move the three-car train around all the ups and downs of the balance of the ride.

Early this spring the construction crew came back to Iowa to finish the project. The most demanding task was attaching the steel track to the wooden structure. Most of the ride continues to use the old track but some new track was

used at the beginning of the ride, the space between the loading area and the first big drop.

Three times, while testing the ride, the trio of cars got stuck going up the first incline.

The new track was too slick, it was decided, and had to have some heavy use to get it broken in and usable. All three cars were loaded with sandbags and sent on their way. A crane was used to pull them up the slick tracks when they stalled.

After a few test runs, Pausley told me, the surface became scuffed enough to make everything run as expected. The price tag for the rebuild-

ing and upgrading the safety of The Legend: Just under \$3 million.

One more thing about the new Legend: The boards of the wooden structure are no longer painted white. In fact, they are not painted at all. Arnolds Park Amusement Park's insurance carrier wants them left natural, so it is easier to see any potential stress or rotting issues. Safety, it seems, wisely comes first at Arnolds Park Amusement Park.

Peter W. Wagner is the founder/publisher of The N'West Iowa Review. He lives in Sibley and may be reached at pw@iowainformation.com.

Comprehensive package will reignite American economy

Thanks, in large part, to President Joe Biden's tax-and-spend policies, the state of the American economy is bleak. Wasteful government spending fueled the worst inflation crisis in more than 40 years, small business optimism has plummeted, interest rates on everything from home mortgages to car loans continue their devastating trajectory upward, and the cost of farm inputs remains historically high.

Left unresolved, these economic challenges will spell disaster for American prosperity, productivity and competitiveness.

As a member of the House Ways and Means Committee, I have worked with my colleagues over the last several months to assemble a comprehensive economic and jobs package — the American Families and Jobs Act — that will reignite the American economy, deliver much-needed tax cuts for our families and cut red tape that burdens our small businesses.

When I came to Congress, I promised to be a strong voice for our families, farmers, main street businesses and rural communities. This legislation will deliver relief, support and opportunity for each of these four pillars that make rural Iowa the best place to call home.

First and foremost, this package benefits our families.

In addition to the enhanced standard deduction — which was raised from \$6,500 to \$12,000 for individual



RANDY FEENSTRA
U.S. HOUSE REPRESENTATIVE

filers and from \$13,000 to \$24,000 for joint filers as part of the Tax Cuts and Jobs Act of 2017 — this legislation provides a new \$4,000 guaranteed deduction bonus over the next two years that will help Iowa families keep more of their hard-earned money and weather the costly impact of inflation.

Dubbed the Tax Cuts for Working Families Act, this bill builds upon the success of the enhanced standard deduction — whose reauthorization I strongly support — and keeps the IRS out of Iowans' bank accounts.

This policy blueprint also includes provisions to repeal the superfund tax on petroleum, which — coupled with attempts to curtail domestic energy production — has significantly increased gas prices. By eliminating this unnecessary tax, Iowa families will see lower prices at the pump, alongside homegrown E-15, and save more money in their wallets.

Second, the American Families and Jobs Act will support our agricultural community and especially help new and beginning farmers

purchase the equipment they need to start their businesses and succeed.

More specifically, this legislation will allow immediate expensing for purchases — like precision agriculture tools, machinery, tractors, combines and more — of up to \$2.5 million.

By expanding immediate expensing, small businesses owners and family farmers will be able to invest more back into their businesses, and ultimately expand their operations, hire new employees, and increase wages.

I am also encouraged that this legislative playbook includes language to deter foreign acquisition of American farmland, particularly at the hands of the Chinese Communist Party. Like Iowans already know, and I firmly believe, Iowa farmland belongs to the Iowa farmer.

Third, small businesses will enjoy several pro-growth provisions because of this package.

Primarily, as we heard from small business owners in field hearings in West Virginia, Oklahoma and Georgia, making immediate research and development expensing permanent — which lapsed at the conclusion of 2021 — would help continue American leadership in innovation and allow our small businesses to lessen their tax burden and reinvest those proceeds in their operations and workforce. This is particularly important for our manufacturers,

biofuels producers and agriculture community that dedicate significant dollars toward innovation and research to advance their competitiveness, lower their operating costs, and make their businesses more productive and profitable.

Absent this simple fix, domestic manufacturers would face over \$32 billion in new taxes in 2023 alone and our farmers would incur \$400 million in higher taxes. Making 100 percent R&D expensing permanent would also elevate our competitive advantage against China, which provides its manufacturers and small businesses with a 175 percent R&D expensing deduction.

In the same vein, our package also helps small businesses and manufacturers more quickly depreciate their equipment and machinery expenses.

Beginning in 2023, job creators can only deduct 80 percent of the cost of equipment, machinery, and vehicle purchases, which leaves family farmers and main street businesses on the hook for higher taxes. Fortunately, our solution makes 100 percent bonus depreciation permanent, ensuring that small businesses can grow their operations without burdensome financial penalties.

Finally, our rural communities will reap the benefits of rural opportunity zones enacted by the Rural Opportunity Zone and Investment Act. By applying the same tax provisions enjoyed by urban cities to our

rural communities, this legislation takes real steps to attract private investment and encourage robust economic activity in rural communities that have experienced population loss in recent years. Rural opportunity zones seek to reverse this trend, grow our local communities, and keep our families and job creators in Iowa.

Delivering results for our families, farmers, main streets and rural communities is not just a slogan; it's personal to me. I know the families and farmers who call rural Iowa home.

On my biannual 36 County Tour, I've walked the vibrant main streets of every community in every corner of my district. I know that our rural communities share a common appreciation for hard work, helping our neighbors and building a stronger country for our children and grandchildren.

With these values and memories close to my heart, I will always do what's best for our families and communities in rural Iowa.

The American Families and Jobs Act — forged with the best interests of Iowans in mind — reflects my commitment to deliver real results for the good people I am honored to represent in Congress.

Randy Feenstra of Hull represents Iowa's 4th Congressional District in the U.S. House of Representatives. He may be reached through feenstra.house.gov.

Cameras and recorders are needed in Trump criminal case

Forty-four years ago, the Iowa Supreme Court made an important change in the way the state courts operate — allowing journalists to bring their cameras and audio recorders inside courtrooms during hearings and trials to better inform the public about noteworthy cases.

Iowa was a pioneer in making its court proceedings more accessible and transparent to people who could not be there in person to watch.

It is long overdue for the federal courts to follow Iowa's lead and swing open the doors of federal courtrooms across America to provide similar access. The coming proceedings in Florida in the case of United States of America vs. Donald J. Trump cry out for making this change.

Most court proceedings in Iowa and in the federal courts are open to spectators. But there rarely is space in the courtroom for more than an audience of a few dozen people.

This is where journalists historically have played an important role in Iowa as the intermediary for the public at large. Instead of limiting



RANDY EVANS
STRAY THOUGHTS

reporters to using notepads and pens in court, the Iowa Judicial Branch allows what it calls "expanded news media coverage," subject to approval from the presiding judge. This allows journalists to use video and still-image cameras, audio recorders, laptop computers and smartphones inside courtrooms.

Iowa's court rules give the judge authority to block journalists from photographing or taping certain witnesses, such as minor children, the victims of sexual abuse, undercover police officers, or witnesses in criminal cases who fear for their safety. The court rules also prevent journalists from taking photographs or video of the jurors.

Absent any of those concerns, allowing journalists to use their

electronic gear inside courtrooms enables readers and viewers to have a fuller understanding of witnesses' testimony and the exhibits each side presents to a jury.

Two trials in recent years illustrate the importance of this comprehensive coverage. There was live, gavel-to-gavel coverage by the Court TV cable news channel for police officer Derek Chauvin's murder case in Minneapolis for the death of George Floyd, and for Brooklyn, Iowa, farmhand Crisťian Bahena Rivera's trial for the abduction and killing of Iowa college student Molly Tibbetts.

The public was able to listen to the attorneys' questions and hear the testimony of experts on whether Chauvin's restraint technique prevented Floyd from breathing. Viewers could watch the testimony of detectives who were led by Rivera to the field where Tibbetts' body was concealed. The public could see Rivera's reaction.

Trump's indictment on charges relating to possession of classified government documents has touched off bitter division across the United States. Never in U.S. history has a

former president been charged with such crimes. Never has a candidate for president faced felony charges of such magnitude.

Whether you believe the former president is being railroaded or think he acted with reckless disregard for our nation's security, allowing journalists to provide live coverage from inside the Miami courtroom where his case will be decided is essential if we hope to have public confidence in our government and in the fairness of our courts.

Prominent First Amendment Floyd Abrams told The Washington Post recently: "There could hardly be any case in American history in which cameras in a courtroom could play a greater role in educating the public about the nature and fairness of a trial. The absence of cameras in the Miami courtroom in which a former president and likely future candidate for the presidency will be held would be an enormous public and historical loss."

Many reporters are skilled notetakers. But it is asking a lot to expect them to be able to scribble on a notepad the complex legal details,

the nuances from the questions and the testimony — with no chance of replaying a certain passage or listening again to an important series of questions.

Mary Moriarty, a public defender in the Twin Cities for 30 years, said she had initially opposed televising the Chauvin trial. Afterward, though, her view had changed.

"It was important for people to see what happened, what the witnesses said, what the lawyers said, what the judge did, for the legitimacy of the process," she told Minnesota Public Radio.

With so much at stake in the Trump case, everyone should hope the federal courts take steps to ensure the legitimacy of the pretrial proceedings and trial. One way is for the judge to hold the courtroom door open for journalists' television cameras, computers and recorders. It has worked well in Iowa.

Randy Evans lives in Des Moines where he is the executive director of the Iowa Freedom of Information Council. He may be reached at DMREvans2810@gmail.com.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.