

News From The States

EVENING WRAP

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By [Kate Queram](#)

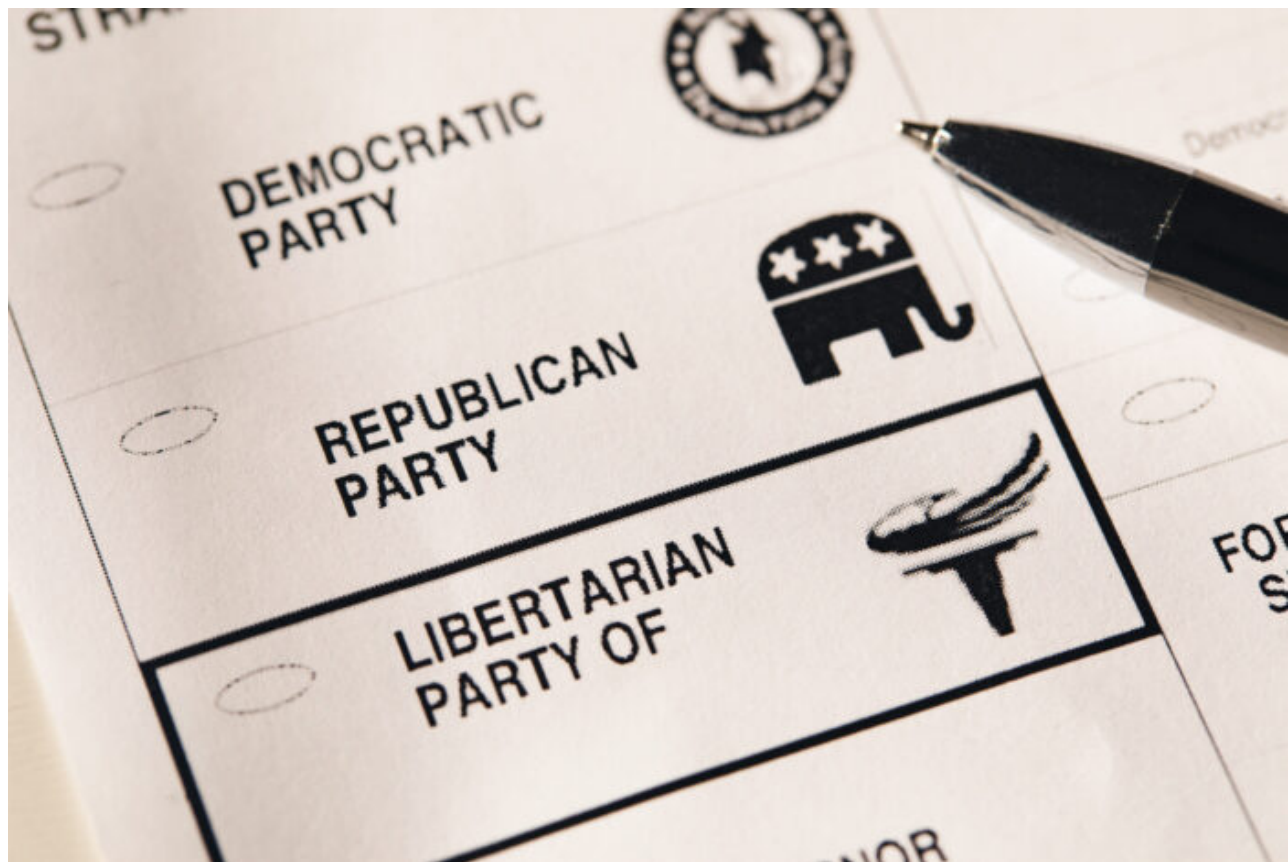
Once upon a time, there were entire days where nothing of consequence happened. On these days, entire newsrooms of reporters would sit in uncomfortable desk chairs and stare at each other and not know what to do with themselves. I lived through so many of these and yet somehow I cannot fathom such a world. An entire day! Where nothing happens!

Today is not that day. (Today is never that day.)



The Big Takeaway

The Colorado Supreme Court on Tuesday barred Donald Trump from appearing on the state's presidential primary ballot under the U.S. Constitution's insurrection clause, an unprecedented ruling that will inevitably end up before the U.S. Supreme Court. In a 4-3 decision, the court affirmed that Trump engaged in insurrection by fomenting a mob to storm the U.S. Capitol on Jan. 6, 2021, disqualifying him from seeking the presidency under [Section 3](#) of the 14th Amendment, [per Colorado Newsline](#).



*Donald Trump is also not on this ballot.
(Photo by Robin Opsahl/Iowa Capital Dispatch)*

The ruling marks the first time in history that a presidential candidate has been disqualified [under the clause](#), which bars from office anyone who takes an oath to defend the Constitution and then engages in insurrection against it. The policy, ratified in 1868, aimed to bar Confederate sympathizers from seeking office in the aftermath of the Civil War, which it did, albeit briefly. Within four years, Congress had restored office-holding rights to ex-Confederates via a series of amnesty measures, effectively retiring the clause.

Until now. The Colorado ruling tees up a high-stakes showdown before the U.S. Supreme Court, which will determine the fabric of the 2024 presidential election based on its own interpretation of an obscure provision approved and then discarded 150 years ago. Courts have already disagreed on whether the clause can be applied to the presidency, which is not explicitly included in a list of officeholders affected by the policy. The Colorado decision, which held that the language inherently includes the office of the president, overturned a [lower court ruling](#) that determined it did not.

“We do not reach these conclusions lightly,” justices in the majority wrote. “We are mindful of the magnitude and weight of the questions now before us. We are

likewise mindful of our solemn duty to apply the law, without fear or favor, and without being swayed by public reaction to the decisions that the law mandates we reach.”



Fear, favor, and public reaction.
(Photo by Robin Opsahl/Iowa Capital Dispatch)

The justices placed the ruling on hold until Jan. 4 to allow time for the U.S. Supreme Court to review the case, which theoretically allows Trump’s name to remain on the ballot for now. The Trump campaign confirmed Tuesday that it would appeal the decision, which it described as a “scheme to interfere in an election on behalf of Crooked Joe Biden.”

“We will swiftly file an appeal to the United States Supreme Court and a concurrent request for a stay of this deeply undemocratic decision,” said campaign spokesman Steven Cheung. We have full confidence that the U.S. Supreme Court will quickly rule in our favor and finally put an end to these un-American lawsuits.”

Trump did not mention the ruling during a speech in Iowa on Tuesday night,

choosing instead to focus on important topics like the state of the American dream (“dead”), the general vibe of the world (“in flames”), and the condition of the military under his leadership (“tippy top”). He also warned of a looming global conflict that is extremely real and can only be forestalled by his own re-election, [the Iowa Capital Dispatch reported](#).

“I’m the only candidate, and I think you know this, that can make this very important promise,” he said. “I think the world is in more danger than it’s ever been because of the power of weaponry, and I will be the only one that can say this with great surety: I will prevent World War III. World War III, we’re very close.”



VERY CLOSE.

(Photo by Brent Stirton/Getty Images)

Trump did not explain the details of the impending conflict, or identify any of the combatants, or expand on how he personally would prevent it, or clarify why no one seems to be aware of the looming war even though it is “very close.” But he *did* borrow Nazi talking points about immigrants — [again](#) — who he blamed for “destroying the blood of our country” in a pretty clear nod to Adolf Hitler’s “Mein Kampf” manifesto.

The similarities are unintentional, Trump said. He hasn’t even read that manifesto!

“They come from Africa. They come from Asia. They come from South America. But not just South America. All over the world. They dump them on the border, and they pour into our country,” he said. “They are ruining our country. And it’s true: They are destroying the blood of our country. They’re destroying our country. They don’t like it when I said that — and I never read ‘Mein Kampf.’ They said, ‘Oh, Hitler said that’ – in a much different way.”

A day later and in another reality, Biden concurred with part of the Colorado court decision, telling reporters there was “no question” that Trump had a role in the Jan. 6 insurrection, [our D.C. bureau reported](#).

“It’s self-evident. You saw it all,” Biden said after initially declining to comment. “Now, whether the 14th Amendment applies, I’ll let the court make that decision.”

“But he certainly supported an insurrection,” Biden continued. “No question about it. None. Zero. And he seems to be doubling down on about everything.”



*Florida Gov. Ron DeSantis has an opinion, probably.
(Photo via the Iowa Capital Dispatch)*

Florida Gov. Ron DeSantis took the opposite view — or at least I think he did, based on my best interpretation of the word salad he served up Wednesday during a campaign stop in Iowa. It began with some questions, [per the Florida Phoenix](#).

“If somebody is convicted or something, of some of these things, there was no trial on any of this,” DeSantis said. “They basically just said why you can’t be on the ballot? I mean, how does that work. What’s the limiting principle for that?”

Yeah, I don’t—

“Could we just say Biden can’t be on the ballot because he let in 8 million illegals into the country and violated the Constitution, which he has?” DeSantis continued.

I mean, no, that seems—

“I think the U.S. Supreme Court is going to reverse that,” he went on. “But here’s the larger thing ... they’re doing all this stuff to basically solidify support in the primary for him, get him into the general. And the whole general election is going to be all this legal stuff.”

Eventually he brought it back to the campaign, sort of, by asking the audience if they’d rather spend 2024 talking about Trump’s legal problems or about actual issues affecting their lives. It’s hard to imagine many people were still following along by that point, though it probably doesn’t matter either way. The Iowa caucus is less than a month away, and DeSantis trails Trump by [more than 30 points](#).

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Also Trending

Here is the most important environmental news of the week: Santa's reindeer have been cleared for Christmas Eve travel in every single county in Pennsylvania following a check-up with the state veterinarian, [the Pennsylvania Capital-Star reported](#).



PENNSYLSANTA

(Photo via the Pennsylvania Capital-Star)

“These reindeer needed to be inspected to make sure that their fur is clean so it can keep them nice and warm in flight, to make sure that their heart [and] lungs are in good working order, and their limbs are strong and healthy and free of injury, and make sure that their eyes are clear and ready to see what’s ahead so they can pull Santa’s sleigh safely,” said Dr. Alex Hamberg, who examined the reindeer on Wednesday afternoon.

The clean bill of health came with an official “certificate of veterinary inspection,”

presented to Santa by Hamberg and Gov. Josh Shapiro. The reindeer, Hamberg said, are “healthy and ready to move.”

Shapiro, celebrating his first holiday season as governor, could barely contain himself. Seeing the reindeer? Giving Santa a *certificate*? Introducing him to *reporters*?

This, he said, “may be the highest honor I’ve ever had in my career as a public servant.”

On Comet: [State regulators pass along \\$7.6B tab to ratepayers for Georgia Power’s Plant Vogtle](#) ... [Maine begins recovery efforts following widespread damage from violent wind, rain storm](#) ... [Maryland climate commission report sets guidelines for aggressive state action](#) ... [Feds announce new funding to restore Las Vegas Wash](#) ... [North Dakota regulators to take up local control in pipeline hearing](#) ... [Anonymously funded group stokes local opposition to Ohio solar project](#) ... [Oklahoma wildlife officials refuse to release former director’s severance agreement](#) ... [More protections coming for Oregon’s old-growth forests under federal plans](#) ... [Is it hunting? South Dakota’s ‘wild’ game increasingly raised in captivity for profit](#) ... [Worried about safety, a small West Texas town challenges planned cross-border pipeline](#) ... [‘Here we are, again’: Flooding reports from around Vermont](#) ... [New report says Virginia could incentivize methane capture from coal mines](#) ... [State finalizes deal for 20,000 acres of logging lands in southwest Washington](#) ... [\(Wisconsin\) Evers calls on Legislature to release PFAS funds, approve DNR groundwater rule](#)



From The Newsrooms

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- [Ohio CEOs made less in 2022. They still got hundreds of times more than the median worker](#)
- [‘Get your house in order’: Indiana lawmakers admonish gambling regulation agency, which defends processes](#)
- [‘It’s like trying to run a clinic on a foundation of quicksand,’ Maryland abortion provider says](#)



One Last Thing

Mickey Mouse will [enter the public domain](#) in 2024, but only the original Mickey Mouse, who [pilots a steamboat](#) and looks more like a rat than a mouse. Enjoy!

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