

News From The States

EVENING WRAP

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By [Kate Queram](#)

Look, I'm just going to say it: American elections are weird. We award the presidency based on electoral votes, a dumb and racist system [devised](#) to keep white, male slave owners in power in an era where Black people were not considered full humans and women could not vote. Our constitution has [a clause](#) specifically designed to keep insurrectionists [off the ballot](#), which will [probably not](#) keep our [most famous insurrectionist](#) off the ballot. Voting is a fundamental right and the thing that propels politicians to elected office, which somehow does not stop many of them from using their elected office to whittle the right to vote. Since 2020, a lot of elected officials also question the validity of elections in general.

This makes sense, somehow — [Stockholm syndrome](#), probably — but also it doesn't. It is too weird. It defies comprehension. America: Nothing if not a mixed bag.



The Big Takeaway

The strangeness of the system extends all the way to the primary process, which traditionally begins with presidential hopefuls flocking to the Iowa State Fair to consume [piles of fried food](#) while pretending to care about [ethanol subsidies](#) in hopes of winning the hearts and minds of white Midwesterners. Whoever

survives that gantlet is rewarded with a trip to New Hampshire, where presidential aspirations live and die by one-on-one conversations with voters. So ingrained is this concept that there's an adage Granite Staters invoke to explain whether they'll support a given candidate.

"I don't know yet," they'll say. "I only met them three times."



*Like the hokey-pokey, but with felonies.
(Photo by Ethan DeWitt/New Hampshire Bulletin)*

But things are different in 2024. New Hampshire is no longer the first primary [for Democrats](#), the Republican contest isn't much of a contest at all. Four days out, Donald Trump remains the [overwhelming favorite](#) — despite a campaign schedule that featured big rallies, one-off speeches, and very little direct contact with supporters, [the New Hampshire Bulletin reported](#).

This isn't a new strategy for Trump, who has long preferred large, raucous rallies to debates roundtables or any sort of substantive policy discussion. He did dabble in face-to-face campaigning at least once in New Hampshire — at a

house party, back in 2015 — but it didn't really work, according to Greg Moore, state director of Americans for Prosperity New Hampshire.

“That event was absolutely wall to wall, and it became immediately clear that the more traditional, small group meeting setting wasn't really going to work for him,” Moore said. “And he shifted over to a strategy of the more rally style, which is more akin to an incumbent seeking reelection than it is to a traditional New Hampshire presidential candidate running for the first time.”

Which is to say: This is not a new New Hampshire. It's just Trump.

Incumbents — even de facto, indicted ones — don't need to pull facetime with voters the same way up-and-comers do. For better or worse, you already know who Trump is. For some Republicans, that's a bad thing. For voters like Ed Groves Sr., it's a comfort — and it's enough.

“I saw what he did,” he said. “And he accomplished a lot. And that's enough for me.”



*We all saw what he did.
(Photo by Brent Stirton/Getty Images)*

Among those “accomplishments:” A multi-state network of Republicans

who signed on as fake electors as part of [a wide-ranging scheme](#) to keep Trump in office after the 2020 election. Trump was later [indicted](#) for his role in the plot, and false electors from Georgia, Michigan and Nevada have [also faced charges](#). But not in New Mexico, where prosecutors concluded that the plan is not technically illegal under current state law, [Source New Mexico reported](#).

“As presently written, our laws fail to provide adequate protection against attempts to overturn the legitimate election results for President of the United States,” New Mexico Attorney General Raúl Torrez wrote in [a Jan. 5 letter](#) to Gov. Michelle Lujan Grisham. “Recognizing the limited scope of the upcoming budgetary legislative session, I write to request that you include this vital issue in a special message to the Legislature.”

The missive capped a two-year investigation that cleared five Republicans from criminal charges based mostly on the fine print attached to the certificate of votes bearing their signatures. Per the document, the five had signed only “on the understanding that it might later be determined that we are duly elected and qualified electors,” which would have been possible only if Trump had prevailed in one of his [many, many](#) post-election court battles.



Always in court, this guy.
(Photo by Michael M. Santiago/Getty Images)

The caveat effectively allowed the group to skirt prosecution [under state law](#), which prohibits falsifying election documents *and* blanket forgery only with an “intent to deceive or mislead.” Torrez on Wednesday asked the Senate Judiciary Committee to close that loophole by removing the “intent” requirement and expanding the statute to include a wider range of protected election documents. He also requested a new law specifically prohibiting rogue presidential electors — even those who slap a disclaimer on their fraudulent paperwork.

Lawmakers seemed receptive to the suggestion. Probably it should not be technically legal to try to give away a state’s electoral votes, mused state Sen. Joseph Cervantes, a Democrat and chair of the committee.

“We’re going to ... try and make sure there is a deterrent to anyone who would think that the solution to our presidential election is having five people represent themselves falsely as representing the state of New Mexico,” he said.



“Are we lobbyists?”

(Photo by Nicole Neri/Minnesota Reformer)

Accurate representation is at the heart of a new law in Minnesota that redefines “lobbyist” as anyone who makes or spends more than \$3,000 attempting to influence decisions by governmental bodies. Anyone who meets

that criteria must register as a lobbyist, whether their interaction is with state lawmakers, county commissioners or members of a local school or zoning board, [the Minnesota Reformer reported](#).

It sounds like administrative mumbo-jumbo until you realize it applies to basically anyone who interacts with an elected official as part of their job. For example, a small business owner with an annual salary of \$100,000 would need to register as a lobbyist if she spends 3% of her time advocating for economic development programs through her city council. Also a lobbyist: An employee of a real estate developer who appears in front of a county planning board to seek approval for a new development project. Know a teacher who organized a write-in campaign for more education funding from state lawmakers? Yeah, he's a lobbyist too. We're all lobbyists! (I am not a lobbyist.) (Or am I?)

Ostensibly, the policy aims to increase transparency around government influence, according to state Rep. Nathan Coulter, the Democrat who authored the bill.

“When somebody is being paid to lobby a local government body — city council, planning commission, etc...the folks who live in these communities have a right to know who they are and who's paying,” Coulter said.



TRANSPARENT

(Illustration via Getty Images)

The registration process is free and relatively straightforward ([only one form!](#)). When it's done, newly registered lobbyists are added to a searchable database and are subject to more stringent rules related to political donations. Registration is required within five days of becoming a lobbyist (when you hit \$3,000, I guess), and late filing is subject to a fine of \$25 per day, with a maximum penalty of \$1,000. But those rules are enforced only if someone complains, which seems unlikely under the new law.

For what it's worth, the lobbyists' lobbyists are not pleased. The new rules “have created significant uncertainty that could be overly burdensome, cause confusion and limit the public's access to their elected officials,” according to the Minnesota Government Relations Council. And they're not wrong, really. (Still not a lobbyist.) For example, you're *not* a lobbyist if you meet with an unelected parking commission to discuss the details of a privately funded parking ramp proposal, [according to](#) the state Campaign Finance and Public Disclosure Board. But you *are* a lobbyist if you take that same meeting with an *elected* parking commission, or you're discussing a *publicly* funded parking ramp proposal, or

you're trying to *influence* the group to approve or deny the project.

Sounds like a lot to sort through, honestly. Good luck out there.

Really not a lobbyist: [U.S. House Speaker Mike Johnson rallies with anti-abortion advocates at March for Life ... Congress speeds through short-term government funding bill before Friday shutdown deadline ... Arkansas Supreme Court will hear supporters' case for paper ballots amendments ... GOP senator eager to change Kansas' method of filling vacancies for U.S. Senate, two state offices ... Spending to lobby Kentucky legislature hit all-time high in 2023, spurred by gambling bills ... Louisiana Supreme Court map advances with justices still at odds ... Senators pull back on Louisiana Gov. Jeff Landry's closed party primaries proposal ... Republican hopefuls sounding MAGA curious in Minnesota's purple 2nd District ... Tempers flare in Missouri Senate during GOP fight over initiative petition changes ... Nebraska traditionalists preserve secret balloting for legislative leaders ... 'We have to win.' With Super Tuesday approaching, North Carolina Dems participate in candidate forum ... Threats, low pay causing high turnover in South Carolina election offices ... Ted Cruz backs defense of Trump's eligibility in 2024 election ... Money flows into Texas House GOP primary battles this season ... Yes, Utah is 'weird,' Utah governor says, but that's what its future depends on ... U.S. House Republicans move ahead with drive to impeach Mayorkas over immigration policy](#)



Gun Violence

The Nebraska Racing and Gaming Commission spent \$30,350 to arm 10 plainclothes investigators with short-barrel semi-automatic rifles, which officials said would be used as “a last resort” against an active shooter at a casino or racetrack. The Sig Sauer MPX rifles will not be carried on the casino floor, but they will be stored “within easy access,” [the Nebraska Examiner reported](#).



Jackpot! Guns!
(Photo by Getty Images)

“You have to meet force with force,” said Steve Eppens, a former deputy sheriff and one of the commission’s investigators. Specifically, you’ve got to meet active shooters (who usually use assault rifles) with assault rifles, he said.

“If you don’t think active shooter incidents happen at casinos, just google it,” he added.

I googled it, but you don’t really need to. This is America. [Active shooter incidents](#) happen everywhere. What you *should* google is how often a “good guy” with a gun — even one who’s well-trained in weaponry — [subdues a “bad guy” with a gun](#). Spoiler: Not often. Not even when the “good guy” is [380 police officers](#) responding to an active shooter at an elementary school.

But facts rarely matter when it comes to guns, except for certain facts, like this one: All of the commission’s investigators are sworn law enforcement officers who regularly train with weapons, including the rifles, which are the same model used by the Nebraska State Patrol SWAT teams, according to the agency’s director of enforcement. But members of the commission still questioned the need for semi-automatic weapons. For one thing, the state patrol would be

responsible for responding to active shooters at casinos — not investigators, according to state Sen. John Lowe.

“This is a regulatory agency,” he said.

At least two commissioners were comfortable with the purchase, but chastised the agency for failing to seek approval. The panel is now drafting guidelines for that process, they said.

Tom Sage, the agency’s director, defended the move as “proactive.”

“We’re trying like hell to make sure we don’t have a big issue at a casino and then we hear, ‘We told you so,’ ” Sage said in a recent interview. He has since taken a health-related leave of absence and was unavailable to respond to further questions.

But you’re the only one saying it: [Gun violence remains a consistent problem in Hawaii](#) ... [More handguns in Indiana’s Statehouse? Lawmakers seek to expand carry rights](#) ... [Fired Iowa corrections officer wins jobless benefits after incident with infant and gun](#) ... [More gun law reforms, human trafficking bills in the works for Michigan legislative session](#) ... [Bill expanding who can carry guns in schools advances in Missouri House](#) ... [After Chiefs win, Kansas Citians fire guns in the air. A lawmaker wants the team to speak out](#) ... [New Mexico governor prioritizes new gun law proposals](#) ... [Columbus continues gun safety fight with state of Ohio after getting court win](#) ... [Uvalde victims’ families get an official acknowledgement of botched shooting response — but some want criminal charges](#) ... [Washington lawmakers may end open carry in parks, require a permit to buy a gun](#)



From The Newsrooms

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- [Amid GOP attacks on LGBTQ+ Arizonans, Democrats continue to push for a](#)

[nondiscrimination law](#)

- [Teachers need student discipline support. West Virginia lawmakers will try to address a complicated issue.](#)



One Last Thing

Fans are [suing Madonna](#) for her “flippant difficulty” in appearing onstage in a timely manner during a trio of concerts last month at the Barclays Center in Brooklyn. The lawsuit, filed Wednesday, accuses the singer of false advertising and negligent misrepresentation after she began each show at 10:30 p.m., two hours after the billed start time. Millennials: Just trying to get to bed at a reasonable hour so we have the strength to deal with our existential malaise!!

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