News From The States
EVENING WRAP

Thanks for being here and supporting our work.

By Kate Queram

I am fully primed to talk to you about kids, thanks to a week of school closures and many, many days with my own kids. Kids! They are why this introduction is short!

The Big Takeaway

Lawmakers in West Virginia are once again attempting to ban smoking in cars with kids, a fairly straightforward public health proposal with bipartisan support that has been resurrected — and then died — in each of the previous nine legislative sessions, West Virginia Watch reported.

Minty fresh.
(Photo by Justin Sullivan/Getty Images)

Generally, this is not a swift and merciful death. Since 2014, no version of the legislation has even made it out of committee, let alone come up for a vote in either chamber of the legislature. Opposition has held steady amid soaring levels of tobacco usage and lung cancer diagnoses among West Virginia residents, which lawmakers have attempted to frame as an issue of civil liberties and parents' right to expose their children to whatever they see fit. This is a stupid argument, because "protecting a parent's right to increase their child's risk of cancer" is not a vibe and also because those same lawmakers felt *just fine* about infringing on *different* civil liberties and *other* parental rights.

Which is, according to state Del. Mike Pushkin, quite the about-face.

"I don't believe this is a partisan issue — the opposition comes from a civil liberties standpoint and there's no better word to use for that argument than hypocritical," said Pushkin, a Democrat who sponsored a version of the smoking ban from 2018 to 2021. "It's hypocritical. That's all there is to say about it. This legislature has paid a lot of lip service to the lives of children. What I'd like to know is why, over and over, they don't apply that care after the child is born."

One of the great political mysteries of our time.
(Photo by snaptitude/Adobe Stock)

This year's proposal, introduced Jan. 12 by state Senate Majority Leader Tom Takubo, would ban smoking in a vehicle with a child under the age of 16, punishable with a $25 fine only when the driver has been pulled over for another moving violation. The bill is awaiting a hearing before the Senate Health and Human Resources committee, where it usually passes, though not without some drama from state Sen. Mike Azinger, a Republican who disputes the dangers of secondhand smoke and also the state's right to police a parent's ability to breathe noxious chemicals into their children's faces.

"This is just a bad bill," Azinger said in 2022. "I don't care what folks think about cigarettes and all that, but this is a violation of parental rights. I have a God-given right to be sovereign over my children — I'm their authority, my wife and I."

It's not that Takubo disagrees, exactly. It's just that this particular "freedom" has a way of infringing on other people's freedom to breathe and, you know, not get cancer.

"It's the question of individual freedom versus freedom as a whole," he said. "I will always support personal liberty, personal freedom, but there is a point where we

have to accept that our freedoms and liberties do affect others."

Grocery day.
(Photo by Getty Images)

As many as 23,000 children have been affected by Tennessee's inability to spend a massive surplus of federal anti-poverty funding, per the Tennessee Lookout. As of this month, the Temporary Assistance for Needy Families (TANF) program had $717 million cash on hand — down just $15 million from 2019, when the surplus was first revealed by a conservative think tank. All of that money is earmarked for specific projects, state officials said last week.

"Every dollar of the $717.5 million has a budgeted line item," said Danielle Cotton, a spokesperson for the Tennessee Department of Human Services.

That spending plan is required under a 2021 law, which capped the TANF surplus at $190 million unless the money is earmarked for a specific project and also required the state to spend its annual allotment — roughly $190 million — within 12 months. (The federal government places no such limits on the funding, which is administered via block grants that do not expire but also do not accrue interest.) Approximately 29,000 people, most of them children, are enrolled in Tennessee's program, which sends a portion of the federal money directly to low-income families via monthly cash stipends. Tennessee's average payment is $387 for a family of three, among the lowest in the nation.

Most of the surplus will be distributed via multi-year grants to community groups that provide services like child care or job training, with additional allocations to health department programs and an overhaul of the agency's outdated computer system. That process is expected to take three to four years, in part due to complex federal requirements that whittled the pool of eligible applicants, Cotton said.

Oranges!
(Photo by Justin Sullivan/Getty Images)

"There are a limited number of organizations that serve our fellow Tennesseans in the public safety net, and even fewer organizations that want to comply with the requirements and regulations of a federal grant," she said. "We have noticed that we are often reaching the same or similar audience with more and more opportunities but very few new participants."

That was a head-scratcher for critics, who questioned both the lengthy timeline and the logic of shoveling money into complicated grants rather than increasing direct stipends to needy families.

"The goal seems to be to give community grants to organizations when we know that TANF funding can go directly to the people who really need them," said Sen. Heidi Campbell, a Nashville Democrat who introduced a bill this year to mandate

cost-of-living increases for the cash payments given to families. “These dollars keep piling up when we have one of the most food insecure states in the nation.”

Snow day?
(Photo by Getty Images)

A longstanding teacher shortage shows no signs of abating in Oklahoma, where state officials issued a record-high 4,676 emergency teaching certifications from June through December. The previous record was 4,574, set in the 2022-2023 school year, the Oklahoma Voice reported.

The certificates, which permit a person with at least a bachelor’s degree to work in public schools with no experience or subject matter expertise, were traditionally used as a stop-gap measure to shore up short-term shortages. (In the 2013-14 school year, Oklahoma issued just 189.) When those shortages turned chronic, the certificates became a crucial tool for public schools struggling to fill their classrooms, said Chuck McCauley, superintendent of Bartlesville Public Schools. This school year, the district hired 57 teachers with emergency certifications. Nineteen are new to teaching.

“If there weren’t emergency certified teachers, we would not be able to have school,” McCauley said. “Teachers with those traditional certificates just aren’t there.”

The Iowa Department of Health and Human Services is violating a federal requirement to offer voter registration services to Medicaid recipients, likely leaving thousands of low-income residents off the state's voter rolls, advocates told our national bureau.

"I would regard this as major noncompliance with an agency's obligations under the [National Voter Registration Act]," said Brenda Wright, special litigation and policy counsel at the NAACP Legal Defense Fund.

ALSO VOTING
(Photo by Justin Sullivan/Getty Images)

Under the law, "public assistance" agencies must give clients the option to register to vote in *every* interaction, including (but not only) the initial application process. That includes the state health department, which administers Medicaid for roughly 860,000 Iowans who are required to renew their coverage each year. Most renew their coverage by completing an 11-page mailer sent by the department, which addresses voter registration on page 9 in the final bullet point in a section titled "Rights and Responsibilities."

It reads:

If you want to register to vote, you can complete a voter registration form at:

http://sos.iowa.gov/elections/pdf/voteapp.pdf

The link takes users to a registration form that can't be completed online and probably has to be mailed to an election office, though I can't say for sure because it doesn't provide an address or literally any other information about what a person is supposed to do after *manually typing* the *not particularly simple or short* link from the *paper form*. And that's it, your one voter registration option: A link on a piece of paper, do not pass Go, do not even bother if you do not have a printer; do not even bother if you have a printer but do not somehow, intuitively, in your Iowa bones, know where to send the form; do not register to vote, probably, seems like kind of a hassle!

Unless the form is accompanied by additional voter registration materials, it violates the law, four different experts confirmed. (Same story for first-time Medicaid applicants and those applying for other insurance benefits.) A spokesman for the health department did not respond to questions about additional materials but did say the agency offers voter registration during interviews (which are not typically required for Medicaid) and to anyone who applies in person, online or on the phone.

Unsurprisingly, this system did not result in massive voter registration numbers. In a typical election cycle, public assistance programs account for around 3% of voter registration applications. During the 2021-22 election cycle in Iowa, it was 0.1%, according to state-reported data.

From The Newsrooms

Education

- Alaska's schools have among the highest rates of chronic absenteeism
- North Carolina faces a child care cliff. Will state lawmakers step up as federal support ends?
- Arkansas lawmaker considers legislation to restore remote learning flexibility
- Whiter, richer high schools in the Twin Cities area send more students to college

Gov & Politics

- Joe Reed accuses Biden campaign of ‘handpicking’ Alabama Democratic delegates
- Louisiana’s special session on election matters: Winners and losers
- Federal judge blocks part of North Carolina Republicans’ new election law
- Women rally for reproductive rights as they look to the 2024 elections

Criminal Justice

- How four different Montana lawyers could claim that they’re the true Roosevelt County Attorney
- New Jersey county jail conditions — ‘hazardous even to a dog’ — spur calls for independent oversight
- Kansas congresswoman finds poignancy in 51st anniversary of Roe v. Wade, and 2022 reversal of landmark ruling
- Washington lawmakers consider free prison phone calls to help keep families connected

One Last Thing

There’s a new “Jurassic World” movie in the works, because *they never learn.*

States Newsroom – News From The States
1414 Raleigh Rd #127
Chapel Hill, NC 27517
United States