



MIDWEST

LOOKING BEYOND THE PANDEMIC

Midwestern Legislatures Address New Challenges

A webinar series hosted by the CSG Midwestern Legislative Conference

Preparing for the 2020 Elections and Beyond

Thursday, June 11, 2020 | 10:00 – 11:00 am CDT

MODERATOR

Sen. Elaine Bowers, Kansas

PRESENTERS

Sean Morales-Doyle

Brennan Center for Justice

Tim Harper

Bipartisan Policy Center

LOOKING BEYOND THE PANDEMIC WEBINAR SERIES

BACKGROUND & GOALS

- This webinar series grew out of the desire by the MLC leadership to continue to provide our members with information on ongoing challenges that Midwestern state and provincial legislators are facing in light of the pandemic
- Goals
 - Explore institutional, organizational and policy challenges posed by the continuing pandemic
 - Identify the long-term impacts on Midwestern states and provinces
 - Highlight state and provincial approaches to addressing these new challenges

LOOKING BEYOND THE PANDEMIC WEBINAR SERIES

TOPICS

Six live, web-based teleconferences that will be made available to a wide audience of state officials, policy experts and interested stakeholders.

In addition to the live webinars, each will be recorded and made available on the CSG Midwest website.

- 1. Preparing for the 2020 Elections & Beyond**
2. Remote Legislative Sessions
3. Legislative Oversight
4. Fiscal Impact of the Pandemic
5. Emergency Preparedness
6. Reopening the Economy

PREPARING FOR THE 2020 ELECTIONS AND BEYOND

MODERATOR



Sen. Elaine Bowers

Kansas

Majority Whip

Chair of the Ethics, Elections and Local
Government Committee



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LOOKING BEYOND THE PANDEMIC WEBINAR SERIES

PREPARING FOR THE 2020 ELECTIONS AND BEYOND



Today's webinar will cover:

- Best practices for holding elections during the pandemic
- How states are using their elections-related CARES Act funding to prepare for November
- Steps states can take to ensure a safe, fair elections process in November and beyond.

PREPARING FOR THE 2020 ELECTIONS AND BEYOND

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Preparing for an Election Under Pandemic Conditions

Sean Morales-Doyle

June 11, 2020

Who We Are

- **Democracy and Justice**
- **Our Model:**
 - Think Tank
 - Advocacy Group
 - Public Interest Law Firm
 - Communications Hub



Four Critical Components

- **Voter Registration**
- **Mail Voting**
- **In-person Voting**
- **Voter Education**



Mail Voting

- **Must be an option for all**
- **The process**
 - **Requesting**
 - **Receiving**
 - **Returning**
 - **Counting**



In-Person Voting

- Failsafe
- Mail not an option for everyone
 - Voters with disabilities
 - Language assistance
 - Mail access



In-Person Voting

- Early in-person options
- Healthy polling places
 - Locations
 - PPE
 - Cleaning
 - Social Distancing



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BIPARTISAN POLICY CENTER

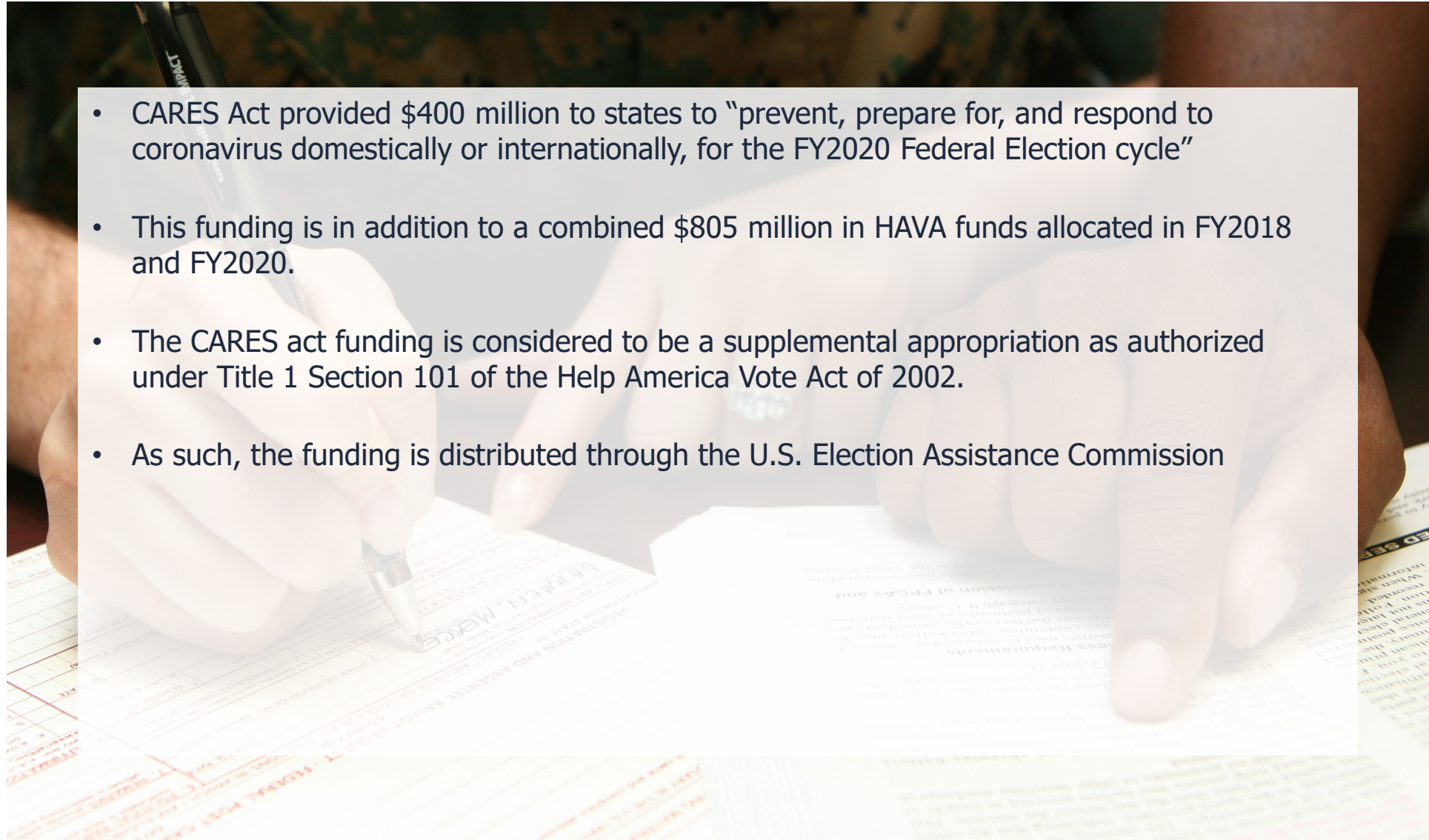
**Preparing for 2020 Elections:
States Use of CARES Act Funds**

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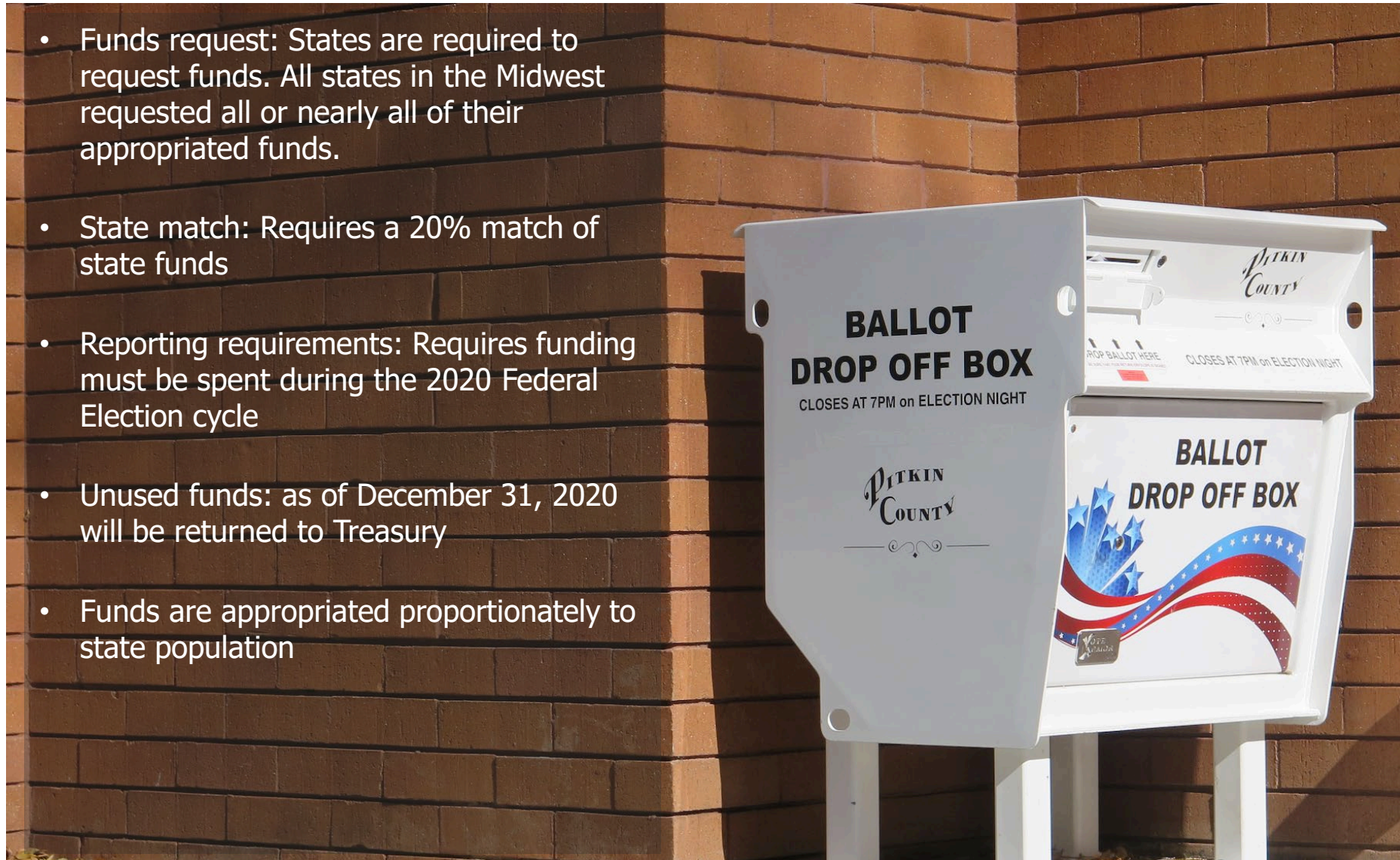


- CARES Act provided \$400 million to states to “prevent, prepare for, and respond to coronavirus domestically or internationally, for the FY2020 Federal Election cycle”
- This funding is in addition to a combined \$805 million in HAVA funds allocated in FY2018 and FY2020.
- The CARES act funding is considered to be a supplemental appropriation as authorized under Title 1 Section 101 of the Help America Vote Act of 2002.
- As such, the funding is distributed through the U.S. Election Assistance Commission





- Funds request: States are required to request funds. All states in the Midwest requested all or nearly all of their appropriated funds.
- State match: Requires a 20% match of state funds
- Reporting requirements: Requires funding must be spent during the 2020 Federal Election cycle
- Unused funds: as of December 31, 2020 will be returned to Treasury
- Funds are appropriated proportionately to state population

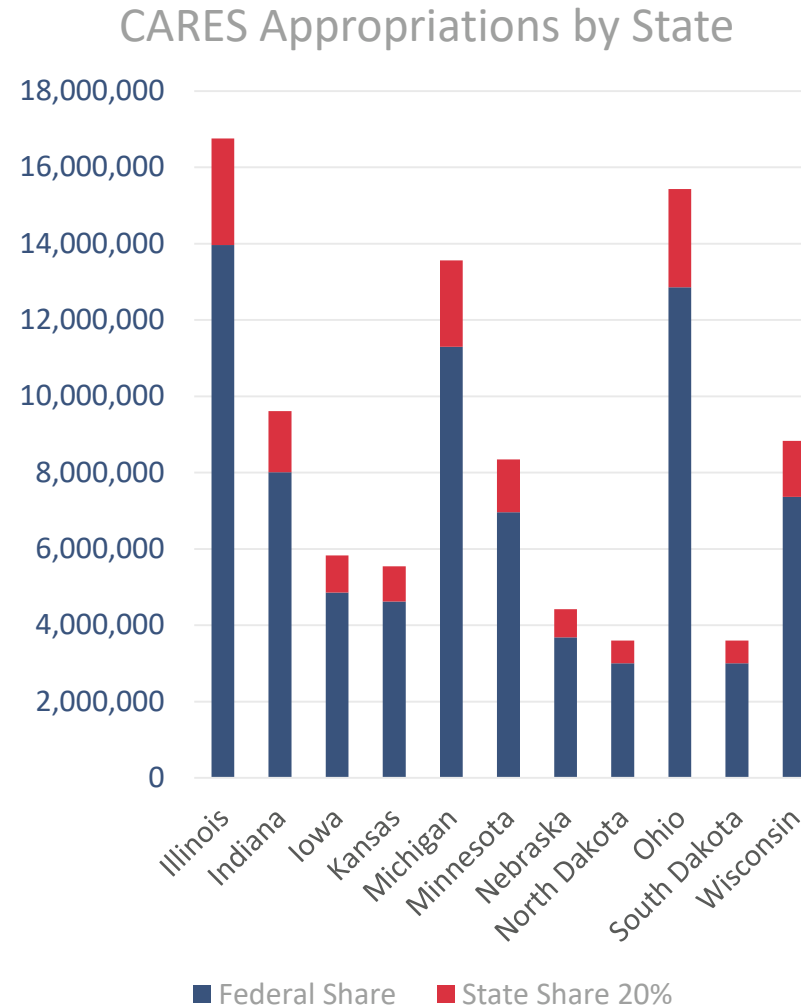


CARES ACT APPROPRIATIONS – MIDWEST STATES



State	Federal Share	State Share 20%
Illinois	13,966,097	2,793,220
Indiana	8,013,610	1,602,722
Iowa	4,859,545	971,909
Kansas	4,622,500	924,500
Michigan	11,299,561	2,259,913
Minnesota	6,958,233	1,391,647
Nebraska	3,686,252	737,250
North Dakota	3,000,000	600,000
Ohio	12,861,311	2,572,262
South Dakota	3,000,000	600,000
Wisconsin	7,362,345	1,472,469

Source: U.S. Election Assistance Commission





- Develop the infrastructure necessary to support expanded vote-by-mail operations.
 - This includes: Purchasing equipment and supplies (tabulators, applications, ballots, envelopes), paying for postage, hiring and training short-term staff, renting larger/additional facilities, installing dropboxes, developing tracking software, and procuring PPE
 - Anticipate 50% + mail-voting. This is more than double the rate of absentee voting in Midwest states in 2018 (regional average = 22%).

State	Absentee %
Illinois	0.07
Indiana	0.33
Iowa	0.41
Kansas	0.15
Michigan	0.26
Minnesota	0.22
Nebraska	0.27
North Dakota	0.23
Ohio	0.21
South Dakota	0.28
Wisconsin	0.05
Average:	0.22



Source: 2018 Election Administration and Voting Survey



- Prepare for modified in-person voting that protects poll workers and voters
 - Despite a surge in vote-by-mail, in-person voting will still need to go forward. Local officials struggling with poll worker shortages will need to raise salaries, rent out additional sites for polling locations, consider adding vote centers.
 - This also includes implementing social distancing, and purchasing PPE for staff, poll workers, and voters
- Double down on voter education and outreach
 - All states are likely to make changes to their election administration policies and laws. These can confuse voters, increase ballot rejection rates, and create distrust unless they are effectively communicated to voters.





State	VBM General	Tabulating Equipment	Staffing	Supplies (Ballots, envelopes) and Printing	Vote Centers and Poll Relocations	Machines Testing and Vendor Support
Illinois	✓	✓	✓	✓	✓	✓
Indiana	✓		✓	✓	✓	
Iowa	✓					
Kansas	✓				✓	
Michigan	✓	✓				
Minnesota	✓		✓	✓	✓	✓
Nebraska	✓		✓	✓		✓
North Dakota	✓	✓		✓		
Ohio	✓	✓	✓	✓	✓	
South Dakota	✓			✓	✓	
Wisconsin	✓			✓	✓	

Source: Midwestern State Funds Requests, US EAC

MIDWESTERN STATES USE OF CARES FUNDS:



State	PPE and Cleaning Supplies	Voter Education	Poll workers (total # and salaries) and Training
Illinois	✓	✓	✓
Indiana	✓		✓
Iowa	✓	✓	
Kansas	✓	✓	
Michigan			
Minnesota	✓	✓	✓
Nebraska	✓	✓	
North Dakota			
Ohio	✓		
South Dakota	✓	✓	
Wisconsin	✓		

Source: Midwestern State Funds Requests, US EAC



State and local election administrators across the country are planning for voting in primaries and the November general election during the rapidly evolving COVID-19 pandemic. These officials are guided by the deeply held belief that every eligible voter be afforded a safe opportunity to vote.

Election administrators are drafting realistic contingency plans for voting in real-time. They do not, however, have the power to implement these plans without state policymakers who may need to adjust, at least temporarily, state requirements to make voting work during a public health crisis.

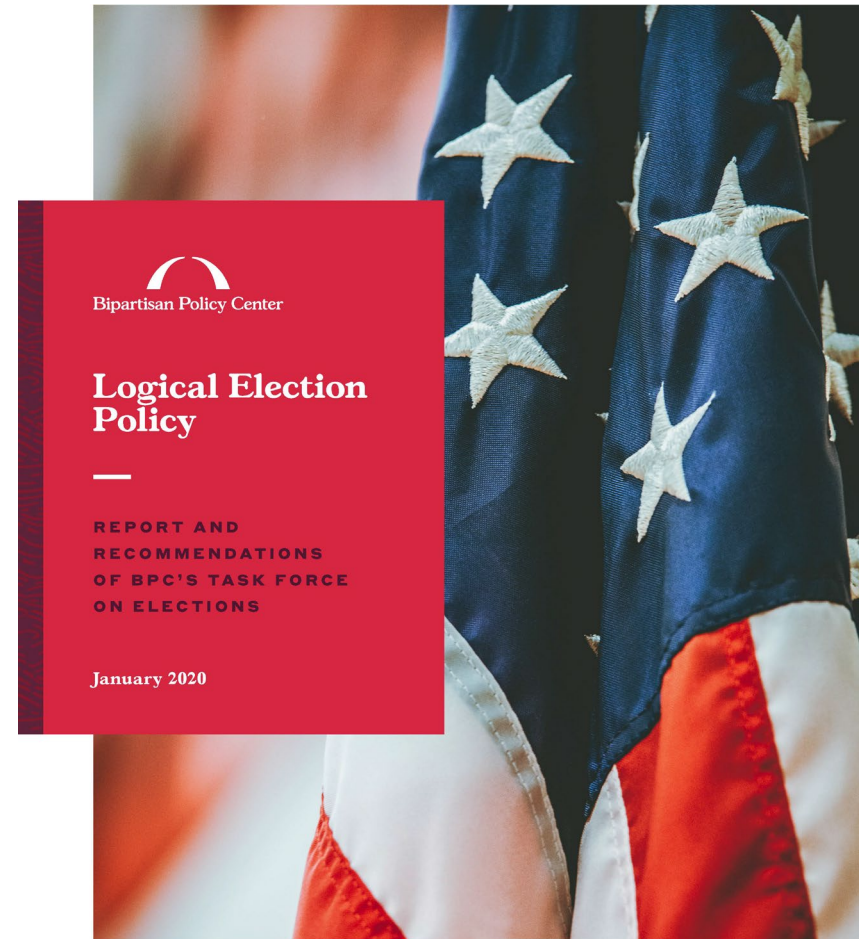
Policymakers need to understand the full breadth of issues that can arise throughout the remainder of the primary season and the general election campaign if election administrators are not given the room to be flexible and meet voters where they are.

The authors come to the opinions in this document from decades of experience. Christopher Thomas was the state election director for Michigan for 36 years and served as a commissioner on the Presidential Commission on Election Administration in 2013. Matthew Well has served on the research team at the U.S. Election Assistance Commission and is the director of the Elections Project at the Bipartisan Policy Center, which is responsible for the BPC Task Force on Elections.

ELECTIONS
Christopher Thomas
and Matthew Well

This report is a product
of the BPC Task Force
on Elections

The BPC Task Force on Elections released a full [report](#) in January 2020 on policy recommendations that would modernize the entire election ecosystem. Those recommendations remain relevant for states considering even temporary changes to confront this year's unexpected crisis.



Logical Election Policy

REPORT AND
RECOMMENDATIONS
OF BPC'S TASK FORCE
ON ELECTIONS

January 2020



BIPARTISAN POLICY CENTER

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Improving our Elections in 2020 and Beyond

Sean Morales-Doyle

June 11, 2020

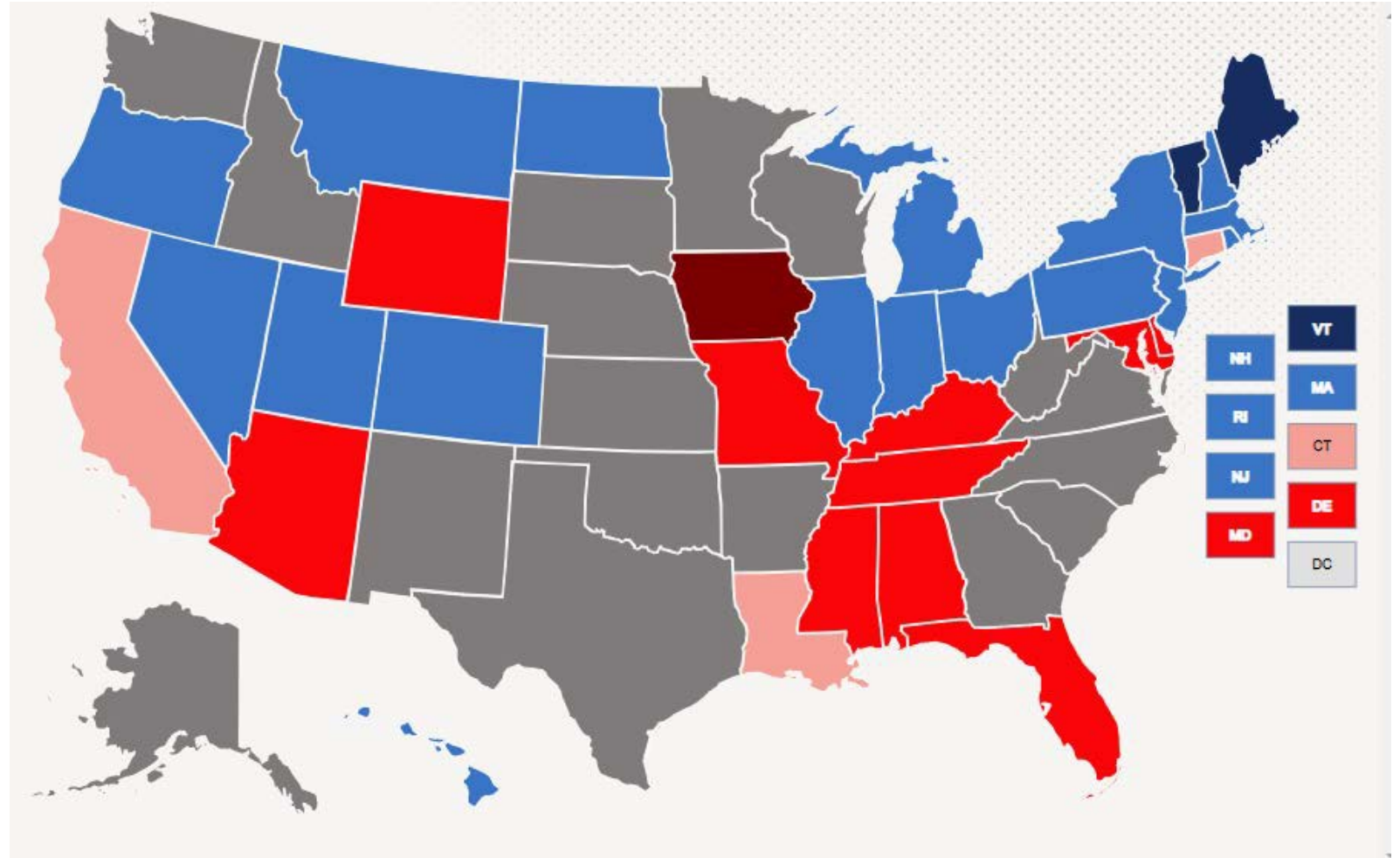
Automatic Voter Registration

- Opt out, not opt in
- Electronic transfer
- Protection for certain groups
- Avoid unfair penalties for inadvertent registration
- Public education



Rights Restoration: A Patchwork

- Permanent disenfranchisement for all people with felony convictions, unless government approves individual rights restoration
- Permanent disenfranchisement for at least some people with criminal convictions, unless government approves restoration
- Voting rights restored automatically after release from prison and discharge from parole (people on probation may vote)
- Voting rights restored upon completion of sentence, including prison, parole, and probation
- Voting rights restored automatically after release from prison
- No disenfranchisement for people with criminal convictions



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PREPARING FOR
THE 2020
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BEYOND

DISCUSSION

Questions?

Comments?

PREPARING FOR THE 2020 ELECTIONS AND BEYOND

RESOURCES



MIDWEST

The Council of State Governments

- [Ohio enlists National Guard to help with elections security](#) (December 2019)
- [Washington's Modernized Elections System Provides One-Stop-Shop for Voters](#) (November 2019)
- [Securing the vote: Steps for states include updating voting infrastructure and holding post-election audits, but funding is a stumbling block](#) (April 2018)

Brennan Center

- [Preparing Your State for an Election Under Pandemic Conditions](#) (June 2020)
- [Ensuring Safe Elections](#) (April 2020)
- [How to Protect the 2020 Vote from the Coronavirus](#) (March 2020)

Bipartisan Policy Center

- [Accessing the Vote During a Pandemic](#) (May 2020)
- [The November Presidential Election Needs Emergency Federal Funding](#) (March 2020)
- [Logical Election Policy: Report and Recommendations of BPC's Task Force on Elections](#) January 2020

Other Resources

- [Obstacles at Every Turn: Barriers to Political Participation Faced by Native American Voters](#) (Native American Rights Fund)
- [Vote-by-Mail Elections](#) (Kansas Legislative Research Department, May 2020)
- [Fair Elections During a Crisis](#) (Ad Hoc Committee for 2020 Election Fairness & Legitimacy)
- [Recommendations for Election Polling Locations: Interim guidance to prevent spread of coronavirus disease 2019 \(COVID-19\)](#) (CDC)
- [National Association of State Election Directors COVID-19 resources webpage](#)
- [U.S. Elections Assistance Commission COVID-19 resources](#)

LOOKING BEYOND THE PANDEMIC WEBINAR SERIES

Thank you for joining us today!

Future Webinars:

- Legislating Remotely: Experiences with Virtual Sessions
June 18 | 10:00 am CDT
- Check & Balances in Times of Emergency: Legislative Oversight of Executive Actions
June 25 | 10:00 am CDT
- The Pandemic's Impact on Midwestern State & Provincial Budgets
July 9 | 10:00 am CDT
- Lessons Learned: Preparing for the Next Public Emergency
July 16 | 10:00 am CDT
- Back to Business: Assessing Economic Reopening Strategies
July 23 | 10:00 am CDT

Register on the CSG Midwest website: csgmidwest.org