Minnesota Representative Steve Simon (D) always greets an elections bill with the same question: What impact will the proposed law have on both urban and rural communities?

The query comes from an understanding that every jurisdiction in his state has different needs and conditions for running elections, from Hennepin County and its 712,151 registered voters in and around Minneapolis to the 2,075 voters in Traverse County.

“I think most states have what Minnesota has: at least one densely populated metropolitan area and large swaths of rural communities,” he said. “The voting environment is very different in each of those communities.”

In this article, The Canvass will examine some key variations between urban and rural jurisdictions, learn how some legislators have balanced a desire for statewide uniformity while still providing local flexibility, consider why innovations tend to take shape in communities with large numbers of voters and peek at a forecast for how such differences in jurisdiction sizes could further impact elections policy.

Because elections are de-centralized, they are guided by local officials and often are shaped by the communities they serve. Los Angeles County, the largest voting jurisdiction in the country with 4.8 million registered voters, employed helicopters to ferry ballots from some of its most distant precincts. Some elections offices in Wisconsin townships are headquartered at the home of the local elections administrator.

Those longstanding differences only gained prominence after the clamorous 2000 U.S. presidential contest and its postmortem trained a nation’s focus on the elections process.

That gave rise to the Help America Vote Act of 2002 (HAVA), which set new elections standards and injected states with $3 billion in federal funds to improve the country’s voting systems. The law highlighted the divide between how elections worked in urban and rural communities, said Doug Chapin, director of the Program for Excellence in Election Administration at the University of Minnesota.

“There have always been those tensions,” Chapin said. “You started to see more of a recognition and friction between jurisdictions about where that (HAVA) money would be spent and how it would be spent. The recognition of those differences is very new.”

(cont. on page 2)
Worlds Apart: Urban and Rural Voting (cont. from page 1)

Key Differences

Typically, urban jurisdictions have a more migratory set of voters, greater resources to use during an election, a larger pool of poll workers to lean on and more often serve as the Petri dish for innovations in elections administration.

Rural jurisdictions often have more settled voters, shorter wait times at the polling places but are challenged with smaller elections staffs and less money to spend on election administration. Typically, local election officials in small jurisdictions also favor traditional in-person Election Day voting, according to the report by David Kimball and Brady Baybeck, “Are All Jurisdictions Equal? Size Disparity in Election Administration.” Rural areas tend to have higher costs per voter. An analysis of Colorado’s 2013 coordinated election showed higher costs per voter in several rural counties.

The sheer size of some rural jurisdictions mean transportation is an issue for voters seeking to get to the polling place, or, sometimes, to obtain required identification for voting purposes. It’s also a time-and-money issue for administrators, who must service polling places that are an hour or even two hours away from the county seat.

Chapin added that legislators should consider which policies should be uniform in every jurisdiction and which policies are best left to the discretion of localities based on budget, space and personnel.

Those rural budgets are easily stretched thin whenever a state has a policy that is geared toward voters in urban communities but applies to all jurisdictions, said Doug Lewis, director of Election Center, a nonprofit that serves local election administrators.

“The more requirements for doing (elections) in sort of a cafeteria-style plan, in offering voters every option that they might want, ...the more difficult it is for smaller jurisdictions to keep up with that,” Lewis said.

An additional complication is that many elections administrators are tasked with a variety of duties such as county clerk or auditor.

“In some cases, these people are not just wearing a hat as an election administrator,” he said. “They are trying to work election administration in as a piece of what they do.”

A Fine Line between Uniformity and Variation

Legislators have long grappled with creating election laws that achieve uniformity for all jurisdictions but also account for the preferences of voters and the resources of local elections officials.

Texas Representative Geanie Morrison (R), who chairs the House Elections committee, said she always keeps in mind that proposed changes must be fair to voters in every jurisdiction. “My top priority is to make certain that the bill benefits all Texans,” she said.

Chapin said there is some value to having the same set of laws for every community but warns there should be some allowance for variation between urban and rural jurisdictions.

Simon said that kind of thinking shaped HF 894, enacted in 2013, which allows any town of any size to hold all-mail elections. Previously, all-mail elections were allowed only in towns with fewer than 400 registered voters. Yet, towns with larger populations also wanted the option to run their elections through the mail service.

“Townships with limited and, in some cases, nearly nonexistent budgets had trouble maintaining a polling place particularly to the standards required by state and/or federal law,” he said, adding that the new law is permissive as it gives local elections officials flexibility to implement all-mail elections for their communities.

Earlier this year, Republican legislators in Wisconsin passed SB 324 on the basis that statewide uniform times and dates for early voting were necessary. The measure eliminated early voting on weekends, which had been common in urban areas. Supporters of early voting say it provides more convenience because it increases the opportunities to cast a ballot and participate in an election. Opponents such as the Republican National Lawyers Association maintain that early voting is too costly and resources should be devoted instead to absentee voting and improving polling places on Election Day.

Implementing new elections policy that uses technology, such as online voter registration or electronic poll books, could favor urban jurisdictions that have more robust access to the Internet over rural communities, where connectivity is a key concern for legislators.

Wyoming Representative Troy Mader said he considers how each new elections policy will affect his constituents who live in a county that is 4,802 square miles and where turnout is acutely impacted by the distance between a person’s home and the polling place.

“Already less than half of the rural voters in my district vote, and most of my district is rural,” he said.

The Path of Elections Innovations

Because large municipalities have a wider tax base, elections administrators in urban jurisdictions often have more resources than their rural colleagues.
Worlds Apart: Urban and Rural Voting

This enables urban election administrators to tackle two challenges Kimball and Baybeck noted in their 2013 report that are unique in such communities: maintaining an accurate voter registration list amidst the tides of incoming and outgoing residents as well as managing a large and complex elections system of polling places and poll workers.

The report included a survey that showed elections officials in urban communities supported new voting methods such as vote centers, early voting, voting by mail and Internet voting more than elections administrators from rural jurisdictions.

Morrison said it is important to embrace changes brought about by new technology but she said those changes should “protect the voter and the integrity of our electoral process.”

Simon said there can be drawbacks when an innovation takes shape in an urban jurisdiction. He said electronic poll books were a big hit for some of Minnesota’s elections administrators when they were first tested but using them to help verify and check-in voters at the polling places was not possible in some rural communities that did not have adequate wireless connectivity.

Looking Ahead

Chapin said it is no accident that new voting systems to replace the country’s fast-aging voting equipment are being developed in Los Angeles County, Calif., and Travis County in Austin, Texas, both of which are massive jurisdictions. California legislators in 2013 passed SB 360, which unhooks testing and certification from federal voluntary guidelines and allows development of a new system based on state standards.

Chapin said jurisdictions are likely to look to similarly sized communities in other states to refine their elections administration procedures.

He said the future for elections technology could unfold in one of two ways: large jurisdictions could continue to develop innovations that suit their voters’ needs, and smaller jurisdictions can choose components of those systems that best serve their communities.

“The other extreme would be a system where urban jurisdictions and rural jurisdictions have such vastly different election policies that it really does matter where you live in terms of what kind of experience that you have,” Chapin said.

– Michael D. Hernandez

A Snapshot of Rural Elections

Powering a voting machine sometimes means starting up a generator. Dozens of miles can separate polling places. Workers to help check voters in and count ballots are becoming scarcer by the year.

Welcome to running elections in rural America, where often everyone knows your name.

“Voting is the time that our people communicate with their neighbors,” a Wyoming election administrator told NCSL last month.

That means neighbors are sometimes called upon to lend a hand at the polling place; it also means frayed feelings if an election experience does not meet expectations.

In some of Colorado’s rural communities, elections administrators have dealt with these challenges by pooling resources for new hardware and by divvying up data.

“Thank goodness for our sister and brother counties,” Morgan County Clerk Connie Ingmire said. “The sharing of information is just critical to what we do.”

Mesa County Clerk Sheila Reiner agreed, adding that the collaboration has helped Colorado’s rural communities keep pace with federal and state election requirements.

<table>
<thead>
<tr>
<th>Urban jurisdictions</th>
<th>Rural jurisdictions</th>
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<tr>
<td>More migration of voters into and out of area</td>
<td>More settled voters</td>
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<tr>
<td>Bigger staffs and more resources</td>
<td>Smaller staffs and limited resources</td>
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<tr>
<td>Larger pool of residents for poll workers</td>
<td>Smaller but more engaged pool of workers</td>
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<td>Longer wait times at polling places</td>
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<td>Administrators likely to favor early voting</td>
<td>Administrators likely to favor Election Day voting</td>
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<td>More resources to devote toward innovations</td>
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<tr>
<td>Better selection for polling places</td>
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<tr>
<td>Likely to have wireless Internet access</td>
<td>More prone to inaccessibility to Internet</td>
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<tr>
<td>Tend to have lower costs per voter</td>
<td>Tend to have higher costs per voter</td>
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Elections Resources from NCSL’s Legislative Summit

The flurry of elections panels at this year’s NCSL Legislative Summit stirred up a wealth of discussions and produced resources on topics that ranged from voter ID lawsuits to notable ballot measures voters will see in November. You can find links to presentations, handouts, as well as audio and video recordings on our 2014 Legislative Summit Online Resources webpage.

Here is a rundown of some of our sessions:

- Recounts: Politically Decisive, Costly—and Controlled by State Law.
- The Voting Rights Act Evolves in the Post-Shelby County v. Holder World.
- The Presidential Commission on Election Administration: Three Legislative Take-Aways.
- Bridging the Ideological Divide.
- Outlook for 2014 State Elections.
- Voter Verification, the Courts and the Future.
- The Ethical Challenges of Dark Money.

One big number

6,049. That’s how many state legislative races are being contested this year out of a total of 7,383 legislative seats.

But you probably already knew that if you follow StateVote, NCSL’s center for pre- and post-election information. The webpage includes comprehensive data and analysis of legislative elections and statewide ballot measures. NCSL’s staff is gearing up to bring you another round of Election Day news and post-election analysis on StateVote.

The webpage already includes pre-election data, such as a view of party composition for each legislative chamber, a tally of which legislative seats are in play and a database that holds all of the ballot measures from this year.

An Elections Question for NCSL

Why does Louisiana run its primary election on Nov. 4?

For state and Congressional races, the Bayou State pits all candidates for a seat, regardless of party affiliation, against one another on the same ballot. California and Washington use a similar system they call top-two primaries but those states have their primaries in June and August respectively. Nebraska also runs all candidates for nonpartisan races, including those for legislators, on the same primary ballot in May.

In Louisiana, if no candidate receives more than 50 percent of the vote, a runoff election is held between the top-two vote-getters of the primary election. Because Louisiana’s primary comes late in the election calendar, a runoff would be held Dec. 6.

That process is especially important this year as voters in Louisiana could determine which party has control of the U.S. Senate. Democratic Senator Mary Landrieu and top Republican challenger Bill Cassidy are among eight candidates vying for the seat and party strategists believe a runoff is likely.

Georgia’s U.S. Senate race may also be up in the air after Nov. 4. If none of Georgia’s three senatorial candidates can garner a majority of votes, the state’s top two finishers will head to a Jan. 6 runoff, a date that legislators designated through HB 310, enacted this year. Such a possible runoff election would come three days after Congress is sworn in.

Republicans must gain six additional seats to claim a 51-49 majority in the Senate. An evenly split Senate would allow Vice President Joe Biden to break tie votes and keep intact Democratic control of the chamber.
From the Chair

Pennsylvania Representative Daryl Metcalfe (R) is chair of the House’s State Government Committee.

He represents a portion of Butler County, which has suburban communities and rural towns about 20 miles north of Pittsburgh. Metcalfe has represented his community in the Legislature since 1999. The Canvass spoke to him on Sept. 16.

Excerpts:

- “We put a lot of effort into trying to advance voter ID to protect the integrity of the election process. That measure is something that myself and others believe is needed and we have not given up the fight.” Editor’s note: Pennsylvania enacted a strict voter ID law in 2012; several of its provisions were struck down this year by a state court ruling.

- “We want to change the law to bring about continuity from the judge of elections at the precinct (level), to the county, to the state and have accountability throughout that process. That is to ensure that when the votes are being cast and by the time you have the results delivered, that the process has integrity and there is not a breakdown in the process because there was no accountability between the entities.”

- “Every legally cast vote is important. It should be counted and it should never be canceled out because of incompetence or corruption.”

- “I think that one-on-one interaction – sitting down with another (legislator) and sharing your idea with them – is the best way to move legislation.”

Read the full interview with Metcalfe.

The Election Administrator’s Perspective

Joe Gloria is the registrar of voters for Clark County, Nev., which includes Las Vegas, home to about 806,000 registered voters. He got his start in elections administration in his hometown of Las Cruces, N.M.

The Canvass spoke to Gloria on Aug. 4.

Excerpts:

- “Early voting plays a huge role in what we do to support elections. It’s not just that it’s a successful program and that people have become accustomed to voting early. It’s that it is much more economical for us as a department to process voters during the early voting cycle than it would be on Election Day.”

- “There are some states that the schools have told (elections administrators) they cannot use (school buildings for polling places) but here in Clark, we’d be dead in the water. There are not enough government or private facilities to support Election Day voting in the current way we support it.”

- “We always try to make it as easy as we possibly can for voters to register and to show up at the polls and vote so that we don’t disenfranchise anyone. But you always have to keep security in mind, be transparent about how you do things and share exactly what you have in place for those security measures.”

- “Nothing stays the same. The only thing constant in this world is change.”

Read the full interview with Gloria.
Worth Noting

- The U.S. Supreme Court has allowed Ohio to shorten its early voting period to 28 days from 35 days. The order stayed an appellate court ruling that would have preserved the expanded early voting period. Ohio legislators this year cut seven days from the early voting period when they passed SB 238. Even at 28 days, Ohio offers more early voting than most states.

- “When is enough enough?” Mississippi Representative William Denny (R) asked during an Aug. 19 elections policy session at NCSL’s Legislative Summit. Denny was wondering why federal oversight of local and state elections policies would still be necessary in Mississippi. That oversight was struck down after the Supreme Court’s ruling that carved away a provision of the Voting Rights Act.

- In the 2012 election, the big story—administratively speaking—was wait times for voters. The General Accounting Office (GAO) has just tackled the issue in Observations on Wait Times for Voters on Election Day 2012. The gist of it: “most jurisdictions did not have long wait times on Election Day 2012” and “GAO estimates that 78 percent (from 74 to 83 percent) of jurisdictions did not collect data that would allow them to calculate wait times.” In November this year, we’re betting far more jurisdictions will be using a stop watch.

- A single county in Michigan had 5,666 spoiled ballots during the August primary election from voters who chose candidates from both parties, according to The Pew Charitable Trusts. The state’s open primary system allows voters to cast a ballot in either party’s primary election.

- Downloads of the federal application (FPCA) to register to vote for Americans serving in the military or living overseas.

- Informing unlikely voters of a new voter ID requirement raises turnout by about one percent, according to a recent study published in Election Law Journal. A Harvard Law report shows there can be unexpected costs in obtaining a free voter identification card.

- Maryland in this year’s general election must provide an absentee voting tool that allows certain voters to receive a ballot over the Internet that they can fill out on the computer, print out and return via mail. The tool, sought by advocates for voters with disabilities, was allowed by a federal judge despite not winning approval from Maryland’s State Board of Elections amidst warnings from security experts that the system could be hacked and voter privacy would be at risk.

- Recent NCSL blogs on elections include why it’s not a good idea to gamble on elections, a timeline that shows the trend of voter ID laws over the past 14 years, and alternative ideas for boosting voter turnout such as making Election Day a holiday.

From NCSL’s Elections Team

We are already at work crafting panel discussions on elections policy for NCSL’s Legislative Forum, Dec. 10-12, in Washington, D.C. There is still time to suggest elections policy topics you would like NCSL to present at the forum so please email us your suggestions. And don’t forget to visit our registration webpage, which includes details about lodging and travel. We hope to see you in Washington.

As always, thanks for reading,

Wendy Underhill and Michael D. Hernandez