

**Approach One: No recommended changes.**

This would not provide any guidance or emergency procedures, but the Governor would maintain his or her peacetime emergency authority. “A peacetime declaration of emergency may be declared only when an act of nature, a technological failure or malfunction, a terrorist incident, an industrial accident, a hazardous materials accident, or a civil disturbance endangers life and property and local government resources are inadequate to handle the situation.” Minn. Stat. § 12.31.

**Approach Two: Specific tools authorized in law to use at the local level and their use would be at the discretion of the local election officials.**

This approach would provide local election officials the ability to use certain procedures if they encounter an emergency situation requiring their use. Such procedures could include:

- Consolidation of polling locations;
- Relocation of polling places in advance of the election and with greater flexibility in location; or
- Extension of polling place hours.

This would essentially expand the emergency procedures that we already allow local election officials to use at their discretion. The current procedures only allow pulling a voter to serve as an election judge (Minn. Stat. § 204B.23) and moving the polling location on election day within the precinct or within a mile of the precinct (Minn. Stat. § 204B.16, subd. 7).

**Approach Three: Specific tools authorized in law to use at the local level when the local jurisdiction declares an emergency.**

This approach is similar to approach two, but would require a local declaration of an emergency to use the special procedures.

**Approach Four: Specific tools authorized in law to use upon a declaration of election emergency by the governor or other state official(s).**

This approach would allow the governor or other state official(s) (such as the Executive Council) to declare an elections emergency that authorizes the use of specific procedures or tools. Such procedures could include:

- Postponement of Election Day;
- Extension of absentee ballot deadlines;
- Alternative methods for absentee ballot acceptance;
- Expansion of UOCAVA voting procedures; and
- Increase in polling place hours.

The declaration could make these procedures available state wide or the declaration could limit the procedures to the affected emergency area or to the affected persons.

## Possible Emergency Procedure Approaches

**Approach Five: Specific tools authorized in law to use upon a declaration of an election emergency by the governor or other state official(s), and specific tools authorized for use at the local level.**

This would essentially be a combination of either approaches two and four, or approaches three and four. This would provide certain emergency procedures could be authorized at a state level and certain procedures could be authorized at the local level.

**Approach Six: The Secretary of State is authorized in law to develop a set of emergency procedures through rulemaking that can only be used in the case of a declared emergency by the governor or other state officials(s).**

This is similar emergency structure in the Emergency Energy Conservation and Allocation Plan. Minn. Stat. § 216C.15. This would require that the OSS engage in rulemaking.