



ENVIRONMENTAL LAW & POLICY CENTER

Protecting the Midwest's Environment and Natural Heritage

TO: ELPC Colleagues and Supporters

FROM: Howard Learner, Al Grosboll, David McEllis and Ann Mesnikoff

RE: NOVEMBER 2020 ELECTIONS: MIDWEST ENVIRONMENTAL AND ENERGY IMPLICATIONS, AND WHAT'S NEXT

DATE: November 16, 2020

Election Day, nationally, was full of surprises. Election outcomes in the battleground Midwest states, however, ended up mostly as expected when all votes were finally counted. The “Blue Wall” of Michigan, Pennsylvania and Wisconsin held for President-elect Joe Biden albeit with narrower margins than most polls forecasted. The Midwest’s Congressional Delegation and State Legislatures remained largely unchanged even following hundreds of millions of dollars of campaign spending by both sides and affiliated PACs.

The Midwest/Great Lakes states provided President-elect Joe Biden and Vice-President-elect Kamala Harris with their critical margin of victory. That should be reflected in the incoming administration’s policies and priorities. While the nation was transfixed by the 2020 election votes being methodically counted over the past week, this is the starting line and kick-off for the hotly-contested 2022 Governors races in Illinois, Iowa, Michigan, Minnesota, Ohio and Wisconsin.

President-elect Biden’s and Vice-President-elect Harris’s election lifts up hope and unity, democracy and decency. There should be new opportunities for environmental progress:

- Pres.-elect Biden’s election means that we should be able to work much more productively with the U.S. EPA, CEQ, and the Departments of Agriculture, Energy, Interior, Justice and Transportation to advance positive actions, instead of ELPC and our colleagues facing and challenging the Trump administration’s continual rollbacks of core environmental protections.
- Climate change actions are among Pres.-elect Biden’s top priorities: Americans have "given us a mandate for action on COVID, the economy, climate change, systemic racism."
- Expect the United States to rejoin the Paris Climate Accord, and the Biden administration to begin reversing many of the Trump administration’s anti-environmental actions on Day One.
- Look for a COVID-19 and overall economic stimulus and infrastructure bill to hopefully move forward in Congress with significant clean energy and transportation components.
- The centrality of the Great Lakes states in the 2020 election and the upcoming 2022 Gubernatorial elections likely support bipartisan actions to protect and restore the Great Lakes.

The “Blue Wall” Held for President-Elect Biden: Shifts to Democratic Votes in Key Swing Counties Are Important for 2022 Governors’ Race. The “Blue Wall” held for Pres.-elect Biden, reversing 2016 Trump victories in Michigan, Pennsylvania and Wisconsin. Biden-Harris won in

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Michigan by close to 3%, in Minnesota by 7%, in Pennsylvania by 1%, and in Wisconsin by 0.63%. Each of these states will have hotly-contested Gubernatorial races in 2022 with the incumbent Democrats likely facing strong Republican challengers.

Underlying those victories were some key voting shifts: Kent County, Michigan (home of Grand Rapids) swung Democratic for the first time in a Presidential election since 2008 – there was a 31,000-vote shift from Trump in 2016 to Biden in 2020 – and the Biden-Harris ticket gained votes in the Detroit suburbs. In Wisconsin, Biden-Harris gained votes in Dane County (home of Madison) and in the swing southwest Wisconsin Driftless Area counties, the Green Bay area “BOW” counties, and the conservative Republican Milwaukee suburban “WOW” counties.

President-elect Biden won by the expected large 16% margin in Illinois, while the Dakotas remain solidly Republican. President Trump held Iowa and Ohio, each by comfortable 8% margins, which was about the same as in 2016, thereby dashing Democrats’ hopes again.

The Midwest Congressional Delegation Stayed Mostly the Same with Few Changes. All of the region’s incumbent U.S. Senators – Dick Durbin (D-IL), Joni Ernst (R-IA), Gary Peters (D-MI), Mike Rounds (R-SD) and Tina Smith (D-MN) – won re-election although Great Lakes leader Sen. Peters’s election was closer (1.6% margin) than expected. Almost all of the incumbent Representatives won and the D v R delegation count remains about the same, in part reflecting the Republicans’ gerrymandered Congressional maps in Indiana, Michigan, Ohio and Wisconsin. The Democrats’ gerrymandered map in Illinois has played out in unusual ways as Democratic Rep. Sean Casten and Rep. Lauren Underwood captured what had been longstanding Republican seats in the Chicago suburban areas in 2018, and they retained these seats in 2020.

There were just a few changes in the House delegation, and they all shifted to Republicans. Long-time incumbent and House Agriculture Committee Chair Rep. Collin Peterson (D-MN) lost, as did freshman Rep. Abby Finkenauer (D-IA) to Republican challengers Michelle Fischbach and Ashley Hinson, respectively. In Iowa, the race between Rita Hart (D) and Mariannette Miller-Meeke (R) for the open seat held by retiring Rep. David Loebsack (D-IA) is still being counted. In Michigan, Republican Pete Meijer was elected to the open seat held by retiring Rep. Justin Amash (I/R-MI).

No state legislatures shifted. Illinois Democrats retain supermajorities in the Senate and House. Republicans hold majorities in the Indiana, Iowa, Michigan, North Dakota, Ohio, South Dakota and Wisconsin state legislatures. Minnesota is split as Republicans control the Senate, and Democrats control the House. See more details below on each state’s results.

Shout out to Deborah Anderson Andraca, former ELPC Communications Director, and now a new Wisconsin State Assemblywoman (D) who defeated a longstanding incumbent Republican in a Milwaukee suburban district. Shout out to pollster Ann Selzer whose Iowa polling turned out to be very accurate in contrast to most other pollsters this election cycle. As many of you know, Ann has done polling and focus group messaging research for ELPC in the Midwest for many years.

Midwest Congressional Leadership on Key Environmental Committees. One practical impact of the relative stability of the Midwest Congressional Delegation is that these members are gaining more seniority, committee and sub-committee leadership roles, and positions of influence. We

look to continue working with Senate Democratic leaders Dick Durbin, Tammy Baldwin, Sherrod Brown, Tammy Duckworth, Gary Peters and Debbie Stabenow on multiple issues, and with Senate Republican leaders Chuck Grassley and Rob Portman on targeted issues. Likewise, with House leaders on environmental, clean energy and climate change issues including Representatives Cindy Axne, Cheri Bustos, Sean Casten, Bill Foster, Chuy Garcia, David Joyce, Marcy Kaptur, Ron Kind, Raja Krishnamoorthi, Andy Levin, Betty McCollum, Mark Pocan, Mike Quigley, Bobby Rush, Jan Schakowsky, Brad Schneider and Elissa Slotkin, among others.

Presidential Leadership on Climate Change and Many Other Environmental Issues. The likely impacts of the Biden-Harris administration in redirecting U.S. policies on climate change cannot be overstated. President-elect Biden has identified climate change action as one of his four priorities, and he will move the United States back into the Paris Climate Accord on Day One. Environmental policies based on sound science are back. Look for all cabinet departments to be engaged with the U.S. EPA in advancing climate change actions and solutions. President-elect Biden's administration will likely rebuild and put the "Protection" back in the U.S. EPA's actions.

Ironically, President Trump's expansive use of Executive Orders paves the way for President-elect Biden to do the same for pro-environmental purposes starting on Day One (while reversing many of President Trump's executive actions). Look for actions on clean vehicles standards, halting oil and gas development on federal lands, methane pollution reduction, and advancing climate actions. The Biden-Harris administration will likely move on a dual path of reversing some of the Trump administration's administrative regulations while starting the clock on advancing more pro-environmental standards. Look for the U.S. Department of Justice to evolve some of its legal positions on Trump anti-environmental regulations and rollbacks – e.g., NEPA, Clean Car standards, Mercury and Air Toxics standards, Methane pollution reduction standards – that ELPC and our environmental group colleagues are challenging in federal courts.

The Power to Appoint Can Make an Enormous Difference. President-elect Biden will appoint the leaders of the Environmental Protection Agency, Department of Agriculture, Department of Energy, Department of Interior, Department of Justice, Department of Transportation, Council on Environmental Quality, and other many agencies that can make an enormous difference for the environment. For four years, we have dealt with Trump appointees who were anti-environment, anti-clean energy, and pro-development on federal lands. There were too many Trump agency directors from the heart of the "swamp," such as EPA Administrators Scott Pruitt and Andrew Wheeler, who were advocates for coal companies and other fossil fuel interests. Elections have consequences and one of them is appointments to key positions.

After watching the Trump administration use hundreds of Executive Orders and rule changes to roll-back environmental and conservation protections, we will likely now see an administration use its power to reverse many of the Trump actions. Through executive powers and appointments, the Biden administration can accomplish much – even if the closely-divided Senate is unwilling to affirmatively act (and while it cannot block much).

The Senate (Regardless of the Two Georgia Races) and The House Will Be Challenging – No Kidding! – But There Are Bipartisan Opportunities for Environmental Progress. The Biden administration may well be dealing with a Senate controlled by a narrow Republican majority, but

even a 50:50 Senate with Vice President-elect Harris casting a tie-breaking vote will be challenging. Democrats retained control of the U.S. House with a narrow margin and a divided caucus. That makes President-elect Biden's expanded ability to act through Executive Order and administrative action even more important. There also are opportunities to advance bipartisan legislation. For example, first, support for the Great Lakes Restoration Initiative, coastal resilience and better protection of safe, clean drinking water are gaining bipartisan support. With experienced Presidential leadership, as opposed to the Trump administration's resistance, there are opportunities for progress. Second, solar energy and wind power tax credits have achieved bipartisan support. Third, there is strong bipartisan support for infrastructure investment and with Presidential and House leadership, there are possibilities of bringing the Senate on board with a relatively greener transportation bill including, for example, more public transit funding, EV charging system buildout, and higher-speed passenger rail development. (Noting that both President-elect Biden and U.S. Senator Susan Collins are historically strong passenger rail supporters.)

Vice-President-elect Kamala Harris – Historic. We should pause and reflect on the historic significance of Kamala Harris's election as the next Vice President of the United States. She is the first woman, first Black woman, and first person of South Asian descent to be elected Vice President. This is significant in so many ways for our nation and our society.

Looking Ahead to the 2022 Elections, Which Are Already Gearing Up. Historically, midterm elections go badly for the President's party. In 2022, Democrats will attempt to defend their narrow U.S. House majority and gain control of the U.S. Senate, which has 34 Senate seats up for election -- mostly Republicans. Midwestern Senators Roy Blunt (R-MO), Tammy Duckworth (D-IL), Chuck Grassley (R-IA), John Hoeven (R-ND), Ron Johnson (R-WI), Rob Portman (R-OH), John Thune (R-SD) and Todd Young (R-IN) are all up for re-election. Sen. Pat Toomey (R-PA) announced that he will not run for re-election, thus setting up a hotly-contested open seat race.

The conclusion of the 2020 Election signals the beginning of Gubernatorial contests, and redistricting battles – for example, Illinois is likely to lose one or two U.S. House seats. In 2022, six first-term Midwest Governors and several first-term Attorneys Generals will be facing re-election. All appear likely to be vigorously contested.

- Illinois Governor JB Pritzker (D) won in 2018 by a large 16% margin, but the state faces huge financial challenges and Republican push-back to his pandemic actions. Pres.-elect Biden also won in Illinois by 16% so it's a tough battlefield for a Republican challenger.
- Iowa Governor Kim Reynolds (R) won a tight election in 2018, and she will likely face a strong Democratic challenger in 2022. Iowa trended strongly Republican in the 2020 elections.
- Michigan Governor Gretchen Whitmer (D) won in 2018 by nearly 10% over her Republican opponent. She has faced strong opposition from the Republican-controlled state legislature. Pres.-elect Biden won in Michigan by 2.6%, and voters re-elected Senator Gary Peters (D).
- Minnesota Governor Tim Walz (D) won in 2018 by more than 11% in a Democratic sweep year. Pres.-elect Biden won in Minnesota by 7%, as voters re-elected Senator Tina Smith (D).
- Ohio Governor Mike DeWine (R) won a competitive race in 2018 by 3.7%. Ohio trended strongly Republican in the 2020 elections. Republicans control both legislative chambers.

- Wisconsin Governor Tony Evers (D) won in 2016 by about 1% (30,000 votes) in an extremely close race over two-term Republican Governor Scott Walker. Pres.-elect Biden won this battleground state by 0.63% (20,546 votes). Republicans control both legislative chambers.

MIDWEST STATE-BY-STATE RESULTS

Illinois: Much of the focus was on Governor Pritzker's Fair Tax Constitutional Amendment, which would have moved Illinois from a flat income tax to a progressive tax. It was soundly defeated. The failure of this Amendment and Illinois' existing budget crisis means that Governor Pritzker must make difficult decisions to either dramatically cut essential programs or raise taxes across the board. These unpopular decisions, combined with a political corruption scandal involving Commonwealth Edison and Exelon with leading legislative Democrats, could make 2022 a challenging year for Democrats. Dick Durbin easily won re-election to the U.S. Senate while several Congressional races were closer than expected.

U.S. Senate: Assistant Minority Leader Dick Durbin won his fifth term by a comfortable 15% margin. Senator Durbin is a strong environmental champion and leader. Senator Tammy Duckworth (D), a rising environmental leader in the Senate, will face re-election in 2022.

U.S. House: Illinois' House delegation includes 13 Democrats and 5 Republicans. Four races were seriously contested. Democrat Rep. Sean Casten won re-election by more than 7% over right-wing Republican Jeanne Ives in the Chicago suburbs, and Democrat Rep. Lauren Underwood narrowly won re-election over right-wing Republican Jim Oberweis in a neighboring Chicago suburban district. DCCC Chairwoman Cheri Bustos won re-election over Republican challenger Esther King in a downstate race that was closer than expected (3.8%). Republican Rep. Rodney Davis won re-election over Democratic challenger Betsy Dirksen Londrigan in a hotly-contested race in Central Illinois. Democrat Marie Newman was elected to her first term following her successful primary challenge to Rep. Dan Lipinski. All other members of the Illinois delegation were easily re-elected. The upcoming redistricting in which Illinois will lose one or two House seats will be challenging and likely contentious.

State Legislature: Illinois Democrats control both legislative chambers with supermajorities. Senate Democrats began with a 40 – 19 majority and picked up one additional seat in the suburbs so they now have a 41 – 18 supermajority. House Democrats started with a 74 – 44 supermajority and lost two seats so they now have 72 – 46 supermajority.

The federal investigation into political corruption and bribery involving Commonwealth Edison and Exelon with Illinois House Speaker Michael Madigan and other Democratic legislators was the focal point of Republican attack ads in 2020, and they seemed to work. In every contested major race, the Democratic candidates' association with Speaker Madigan was highlighted. The same was true for the Fair Tax Amendment referendum, which was defeated. Speaker Madigan and the House Democrats picked up two suburban seats, but lost two other suburban seats and two downstate seats. The federal investigation continues, Democratic party leaders Senator Durbin, Senator Duckworth and Governor Pritzker have called for Speaker Madigan to step down from his role as Chairman of the state Democratic Party while some House members have called for him to step down as Speaker.

Indiana: There were no surprises in Indiana. Republican Governor Eric Holcomb easily won re-election, and both chambers of the Indiana General Assembly remain overwhelmingly Republican.

U.S. House: Republicans hold seven of Indiana's nine House seats. In the open seat in the Indianapolis suburbs that was expected to be competitive, Republican Victoria Spartz defeated Democrat Christina Hale by a 50% – 46% margin.

Iowa: President Trump won Iowa by an 8% margin after earlier polling had shown a much closer race, and the voters moved in Republicans' direction across the board.

U.S. Senate: Senator Joni Ernst (R) defeated Democratic challenger Theresa Greenfield by a 7% margin in a race that Democrats hoped would help change control of the U.S. Senate.

U.S. House: Iowa's Congressional map is determined by a nonpartisan process, and the four-member delegation has been shifting. In 2016, three Republicans and one Democrat won. That flipped in 2018 with three Democratic winners. In 2020, all four races were viewed as competitive. Democrat Rep. Cindy Axne won re-election over former Republican Rep. Dave Young. Republican challenger Ashley Hinton defeated Democratic Rep. Abby Finkenauer who had won in 2018. Republican Randy Feenstra easily defeated Democrat J.D. Scholten for the seat formerly held by Republican Rep. Steve King. The very close race between Rita Hart (D) and Mariannette Miller-Meeks (R) for the open seat held by retiring Rep. David Loebsack (D-IA) is still being counted.

State Legislature: 25 of the 50 Iowa Senate seats and all 100 Iowa House seats were up for election. Heading into Election Day, Republicans held a 32 – 18 advantage in the Senate and a 53 – 47 advantage in the House. Republicans continue to hold 32 Senate seats, and they flipped six House seats, expanding their majority to 59 – 41.

Michigan: Michigan is a pivotal swing state that the Biden and Trump campaigns repeatedly visited. In March 2019, President Trump seized the opportunity during his trip to Grand Rapids to reverse his position of having gutted funding for the successful Great Lakes Restoration Initiative. He declared that somehow: "I love the Great Lakes, always have." Pres.-elect Biden won Michigan by 147,400 votes in 2020, reversing President Trump's 10,700-vote win in 2016.

Biden flipped Michigan because of increased turnout and gaining votes in the Detroit suburbs and strong support in university communities (Ann Arbor, East Lansing). Biden also flipped Kent County (home of Grand Rapids and its suburbs), winning by 21,000 votes in a county that Hillary Clinton lost by 10,000 votes in 2016. Biden is just the second Democrat to carry Kent County in more than 50 years; President Barack Obama did so in 2008 by a very narrow margin. Michigan has tilted toward the Democrats in the last two election cycles, but Gov. Whitmer is nonetheless likely to face a strong Republican opponent in 2022.

U.S. Senate: Democrat Senator Gary Peters faced Republican John James, a well-funded challenger. James had good name recognition from an unsuccessful 2018 Senate race and made the race close. Senator Peters won by a 1.6% margin (86,700 votes).

U.S. House: Michigan's House delegation included seven Democrats, six Republicans and one Libertarian – former Republican Justin Amash, who retired. The 3rd Congressional District was thus a competitive open seat, which was won by Republican Peter Meijer. First-term Democratic Representative Elissa Slotkin and Haley Stevens both faced strong challenges, and both won re-election by about a 3.5% margin.

State Legislature: All 110 House seats were up for election. Each party flipped two seats, and the Republicans appear to have maintained their 58 – 52 majority. Republicans hold a 22 – 16 majority in the State Senate.

Supreme Court: Two seats were up for election, and the Democratic candidates won both. Michigan Supreme Court Chief Justice Bridget Mary McCormack retained her seat by a wide margin. Elizabeth Welch, a Grand Rapids attorney who served as Chair of the Board of the Michigan League of Conservation Voters, won the second seat. There will now be a 5 – 4 Democratic majority on the Michigan Supreme Court.

Minnesota: Because Hillary Clinton won Minnesota by only a 1.5% margin in 2016, the Trump campaign targeted this state in 2020. Pres.-elect Biden won in Minnesota by 232,562 votes with a 7.1% victory margin.

U.S. Senate: Democratic Senator Tina Smith won a competitive election in 2018 to fill a vacancy. In 2020, she faced the voters again and was opposed former Rep. Jason Lewis. Senator Smith won re-election by a 5.3% margin.

U.S. House: Minnesota's House delegation included five Democrats and three Republicans. Three of these districts were competitive in the 2020 election cycle. Both Republican Rep. Jim Hagedorn and Democrat Rep. Angie Craig prevailed over strong challengers. Not so in the 7th Congressional District where long-time Democratic Rep. Collin Peterson, who is Chair of the House Agriculture Committee, was soundly defeated by Republican former Lieutenant Governor Michelle Fischbach.

State Legislature: All 67 seats in the State Senate were up for election in 2020 where Republicans held a 35 – 32 advantage while the Democrat-Farmer-Labor Party held a 75 – 59 majority in the House. Divided government continues. Although the DFL may pick up one seat, Republicans will continue to control the Senate by a narrow 34 – 33 majority. Likewise, Republicans appear to have picked up five House seats, but the DFL will continue to control the House by a tighter 70 – 64 majority.

Ohio: President Trump won in Ohio in 2020 by almost exactly the same margin (461,000 votes and 8.1%) as he won in 2016 (447,000 votes and 8.1%), notwithstanding some polling that gave Democrats greater hope.

U.S. House: Ohio's House delegation includes 12 Republicans and 4 Democrats. There was only one competitive race in which Republican Rep. Steve Chabot won by 7.4% over Democratic challenger Kate Schroder.

State Legislature: Republicans held a 24-9 advantage in the Senate and a 61-38 advantage in the House. All House districts were up for election in 2020 as were 16 of the 33 Senate districts. Republicans expanded their majority in the House by two seats and gained one seat in the Senate. There is a scandal hanging over the Ohio General Assembly, following the indictment of former House Speaker Larry Householder. (We note that Householder was re-elected to the legislature with 70% of the vote.)

Wisconsin: Wisconsin, along with Michigan and Pennsylvania, were the pivotal battleground states targeted by both Presidential campaigns. In 2016, President Trump won Wisconsin's ten electoral votes by less than 23,000 votes for a 0.7% margin. Pres.-elect Biden flipped Wisconsin and won by 20,546 votes for a 0.63% margin. Pres.-elect Biden achieved an increased margin of 36,000 additional votes in Dane County (home of Madison) compared to Hillary Clinton's margin in 2016, and he gained votes in the swing southwest Wisconsin Driftless Area counties, the Green Bay area "BOW" counties, and the conservative Republican Milwaukee suburban "WOW" counties.

U.S. House: Wisconsin's House delegation includes five Republicans and three Democrats. There was only one competitive race in which Democratic Rep. Ron Kind, won by about 3% over Republican challenger Derrick Van Orden.

State Legislature: All 99 Assembly (House) seats, and 16 of the 33 Senate seats were up for election in 2020. Republicans held an 18 – 13 majority in the Senate with 2 vacancies, and held a 63 – 34 advantage in the Assembly with 2 vacancies. For the Senate, Republicans flipped two seats held by Democrats, but Democrat Brad Pfaff narrowly defeated former Republican Sen. Dan Kapanke in the 32nd District (La Crosse), thereby preventing a Republican supermajority that would have given the party more influence with redistricting. For the Assembly, Democrats flipped two seats held by Republicans – including former ELPC Communications Director Deborah Anderson Andraca's victory over a long-time incumbent Republican in the Milwaukee suburbs – thereby decreasing the Republican majority to 61 – 38.

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ELPC will be doing much more strategizing and planning in light of the 2020 elections. For now, President-elect Biden's and Vice-President-elect Harris's election lifts up hope and unity, democracy and decency.

We live in two Americas when it comes to politics, policies and values, to advancing racial justice and equality, and to geography. Pres.-elect Biden and Vice-Pres.-elect Harris are right on-target about the overriding, compelling need to bring Americans together as we face the multiple challenges of the COVID-19 pandemic, climate change, racial injustice and extreme political divisiveness. Let's engage and all come together to advance positive solutions for people, our communities and our planet. "Yes, we can."