

## Clark County Board of Freeholders, 2013-14

# Partisan or Nonpartisan Elections

### Considerations

- Whether in the context of executive or legislative positions, America has a long history of partisan elections.
- Elected officials in Washington general law counties run in partisan races with the exception of District and Superior Court judges, whose positions are nonpartisan.
- Election on a nonpartisan basis was central to Progressive era reforms introduced near the end of the 19<sup>th</sup> century. Largely, it was a response to the “party machine” systems that had developed in large cities and counties. Reformers aimed to reduce corruption and patronage, increase voter choice, attract more candidates, and improve governmental efficiencies by limiting the power of party bosses to control the ballot. Reformers thought that by removing party cues, voters would more diligently seek other information and become better informed about candidates. Reformers also decried parties as symbols of divisiveness and narrow self-interest.
- The reformers were effective. Today, more than half of races in local U.S. elections are nonpartisan, so a good deal of academic research has been conducted on differences between partisan and nonpartisan. The results show three primary tendencies for nonpartisan races:
  - Voter turnout tends to be an average 10 percent less in nonpartisan elections than partisan elections.
  - Candidates’ party affiliations have less impact on voters in nonpartisan elections.
  - If party identification is not readily available, the impact of incumbency (and its associated name recognition) on voter choice becomes a stronger variable.
- Political science research has consistently shown that in the absence of a widespread crisis or similar galvanizing event, voters tend to be poorly informed and only moderately interested in local politics. Therefore, they are prone to reliance on informational short-cuts such as political party labels.
- Research has not supported the Progressive era idea that removing party labels leads to an increase in voters seeking alternative information about candidates. Instead, voters tend to rely on secondary short-cut cues such as name recognition, despite that those secondary short-cuts may be less informative than party affiliation.

### **Summary**

In politics, partisan refers to an election when a candidate for public office is required to declare his or her political party allegiance, affiliation or affinity, or list “none” as the alternative. An individual is partisan to the extent she or he adheres to the values and perspectives articulated by a particular political party, faction, ideal or cause. The more partisan one is (referred to as “partisanship”), the more likely one is to exhibit uncritical allegiance. Nonpartisan, on the other hand, is an election when no declaration of political party allegiance, affiliation or affinity is allowed by the jurisdiction holding the election.

- Extensive experimentation by Squire and Smith during the 1980s found the percentage of voters without opinions about candidates decreased substantially when voters were given partisan information. Researchers came to two conclusions: in a nonpartisan election voters were generally unaware of candidates' party affiliation, and voters felt less confident in their voting decisions without partisan cues.
- Persons of color tend to participate in political processes at a lower rate than whites. Therefore, when nonpartisan races draw low voter turnout, election results can disproportionately impact people of color.
- The percentage of Americans who prefer not to identify with party membership is increasing. This is particularly true for younger voters. Younger voters are more likely to view partisan elections as a problem that leads to divisiveness rather than a coalescing force that boosts participation in the political system.
- Elective county offices are currently partisan by state law, in accordance with Washington Initiative 872 (I-872), the People's Choice Initiative of 2004. Section 4 of I-872 states as follows: "The following are partisan offices: (3) All county offices except (a) judicial offices and (b) those offices for which a county home rule charter provides otherwise." Thus, it is under the authority of I-872 that county elective offices may be changed to nonpartisan through the home rule charter process.

### Perspectives

- Like fans rooting for sports teams, voters can develop psychological attachment to political parties. This attachment can override other considerations and negate voter objectivity. Put differently, when party identification becomes the central motivator for decision making, it decreases the voter's openness to learning about and critically evaluating policy positions, values, and perspectives for all candidates.
- On the other hand, due to psychological attachment, political party identification can motivate people to become more engaged in political processes. Surface evidence of this is shown in studies indicating average voter turnout is about 10 percent higher for partisan vs. nonpartisan elections.
- For politicians, party affiliation and identification can make an important difference in generating campaign financing since party money can augment personal campaign financing.
- Some potential candidates may be discouraged from running for partisan offices when they feel their values/beliefs do not align substantially with positions articulated by the major political parties.
- Some research has shown that nonpartisan elections are more advantageous for incumbents than challengers. When voters lack a party label with which to affiliate their vote, they simply resort to name familiarity and that familiarity is usually stronger with incumbents.
- Given that younger voters tend *not* to favor partisanship, a continuing emphasis on partisan elections could disenchant and disenfranchise younger voters. It is speculated that, over time, such disenchantment could lead to further deterioration in voter turnout.

## Clark County Board of Freeholders, 2013-14

### Briefing: Election of Legislative Body

And related discussion of legislative body size

#### Overview

- Under general law in Washington, county commissioners are *nominated* by voters from the district within which they reside, but are actually *elected* at-large, meaning elected by all voters in the county. (Currently, numerous candidates who reside in a district and otherwise qualify may submit their candidacy for the primary election; the results of the primary election will advance the two candidates who received the highest number of voters [regardless of party affiliation] to the general election; at the general election the winner will be that candidate receiving the highest number of votes cast countywide.)
- A Home Rule charter could change the current election process. For example, it could make both the nomination *and* the election of commissioners take place only within districts instead of at-large. Or, a charter could eliminate the district nomination process during the primary and make elections countywide during the general election, with the office going to the top vote receiver (regardless whether that person received a majority of the vote), although a primary would still be required, in accordance with state law, if the election was partisan instead of nonpartisan.
- A charter could also impose a combination of district and at-large voting by having some council positions elected by district and one or more elected at-large. The Whatcom County charter uniquely uses the district nomination and at-large election process for six members of the county council (two from each district), while having one member both nominated and elected at-large to hold the seventh position on the county council.
- Election by district was the only item approved by Clark County voters when the last charter was proposed by a Board of Freeholders in 2002. It passed by a 58% yes to 42% no margin, but did not take effect due to the failure of the charter itself (which was voted down 49.9% yes to 50.1% no, a difference of 187 votes).

#### **Summary**

This topic brief considers election of the legislative branch by district or at-large (countywide). It also delves into the related topic of size for the legislative body. It is assumed that executive branch elected officials, including Assessor, Auditor, Clerk, Sheriff, and Treasurer, as well as a County Executive if applicable, would all be elected at-large.

#### Perspectives

- At-large elections are usually thought of as producing better long-term policies from a countywide perspective. This is because elections held on an at-large basis tend to revolve around issues which are broader in scope and which tend to affect the entire county. District elections, on the other hand, can focus more on issues that are specific to a given area and not emphasize countywide issues to the same extent.
- The traditional rationale for election by district, as opposed to at-large, is to give support to minority interests. When minorities are concentrated in a specific geographical area, election by district helps to ensure their representation on the legislative body of the county. However, where the minority population is dispersed geographically, at-large elections may improve the

chances of a minority candidate being elected to office because members of the minority population, regardless of their location in the county, could coalesce in support of a minority candidate. “Minority” in this context could be regarded as stemming from demographic, socioeconomic, political, or other differentiation.

- Election by district may not have a significant cost impact on county elections, but it could have a definite impact on the campaign cost for individual candidates since the number of voters and area covered by the campaign would be smaller. This would tend to favor candidates with limited financial resources rather than those with more resources.
- Some studies have shown that economic development tends to be more systematic and less competitive within the county when controlled by a legislative body elected at-large. Officials elected by district, on the other hand, have been found to be focused more on economic development in their own geographical area in order to gain political capital with constituents. The same tendencies hold sway in opposing projects that bring devaluing effects on neighborhoods, such as sewer treatment plants or waste landfills.
- One argument in favor of electing by district is that it tends to equalize the delivery of services between districts. This is because all segments of a community have an equal voice and an equal vote on the county board/council in determining how, when, and where services will be delivered. Currently, Clark County’s service delivery is not allocated or prioritized by commissioner district.
- Legislative bodies are almost always comprised of an odd number to ensure that voting produces a majority. The most common sizes are 3, 5, 7, and 9 members. The current Clark County Board of Commissioners is a 3-member legislative/executive body. A challenge for that board is the inability for any two members to engage in a policy discussion outside of an officially noticed public meeting because that would trigger a quorum.
- The question of size relates to fragmentation. By having a larger legislative body, and having its members elected by district, county governance is fragmented into areas/communities of interest that may better advocate for individual and local concerns. However, fragmentation can also introduce elements of socioeconomic competition between districts for governmental resources. This competition between districts could become dependent on the effectiveness of elected personalities and lead to socioeconomic inequities such that more resources and services go to some districts while others gain fewer. Of course, the current system, with all three commissioners elected at-large, may be argued as favoring the dominant population represented by Vancouver and its interests.
- People may favor larger legislative bodies (and election by district) in the belief that, by shrinking the geographical and population size represented, an elected official will be more responsive to individual/local issues. Thus, the opportunity to increase connectivity between an elected official and the citizens he/she represents.
- A downside of fragmentation is that it can make collective action more difficult for issues of countywide significance and potentially result in a patchwork of county investment/programs. From this perspective, fragmenting a legislative body via district elections could limit the county’s ability to effectively focus on issues that cross district boundaries.

## Clark County Board of Freeholders, 2013-14

### Briefing: County Executive

#### Overview

- County executive is an elected official that represents the executive branch of county government. In representing the executive branch, the county executive is distinguished from the legislative branch of government (in this case often referred to as a county council).
- Under Washington's commission form of government (i.e., under general law), the executive branch of county government is shared jointly by the three Commissioners and six other executive elected officials including Assessor, Auditor, Clerk, Prosecuting Attorney, and Treasurer. A county executive would be in charge of those departments not otherwise led by such additional elected executive officers, such as Public Works, Public Health, Community Development, Public Information and Outreach, General Services, etc.
- A county executive would have appointment authority and oversight over non-elected department heads. In some charters these appointments are subject to review by Council.
- A county executive may, or may not, replace a county administrator. Typically, a county executive appoints a deputy to help administer the day-to-day operations of the county.
- The county executive initiates the budget process by proposing it to the county council.
- A county executive is most often the primary spokesperson for the county government.

#### **Summary**

A county executive is roughly equivalent at the county level to a "strong" mayor at the city level. Usually seen in the larger population home rule counties, a county executive is a countywide elected official who is responsible for many, but not all of the executive and administrative functions of the county. This position appoints and removes the key administrative officials (those who, under the charter, report directly to and assist the county executive), usually has veto authority over county council actions, and is a full-time salaried position. County executives are typically elected countywide to four-year terms.

#### Perspectives

- A key argument in favor of the county executive/council form of governance is that it gives the public a single elected official to look to and hold accountable when determining whether the county is operating effectively and efficiently (or not).
- When decisions require the agreement of both a county executive and county council, the public processes engaged by both branches generally provide more opportunities for participation and scrutiny. Thus, a public process to arrive at those decisions is generally more open and transparent than when a single body comprises both the executive and legislative branches, and has the ability to both approve and implement decisions.
- Critics of a county executive/county council structure argue that policy leadership may become politically divided, resulting in friction between the two branches of county government. Every elected official feels empowered to do the "right" thing. When each side feels it is directly elected and responsible to county constituents, each may be compelled to feel responsible for overall county policy. Negative outcomes could include policy disputes between the county executive

and council and, in extreme cases, sabotaging of programs or policies one side may want and the other not. Consequently, a county executive/council form of governance can become more polarized and politicized than the commission form (where the executive and legislative functions are consolidated in one decision-making body).

- As a further balance against county executive powers, in many charter counties the county council has subpoena powers to receive testimony and documents directly from staff that report to the county executive.
- As a further balance against county executive powers, in some charter counties department head appointments by the county executive are subject to acceptance or rejection by the county council.
- As part of the balance of powers between branches of government, the county executive will usually have veto authority over legislation approved by the county council. The council then has the ability to override that veto, usually by a 2/3 affirmative vote.
- With a single county executive to whom department heads report, a result could be improved implementation clarity and reduced ambiguity, as opposed to divergent policy viewpoints which may arise from multiple bosses having equal authority/influence.
- The effectiveness of any position will largely depend on the individual skills and personality brought to that office. As the top countywide elected official, the county executive has a greater capacity to influence fellow elected officials, interest groups, and other public interests to energize, mobilize, and galvanize internal and external support for policy initiatives. It is important to note, however, that this influence is not absolute, will be more or less effective depending upon the personality of the elected individual, and will occur under the extensive scrutiny of voters and the media.
- From a “political caché” perspective, a county executive can increase Clark County’s stature vis-à-vis regional, state, and federal governments. A county executive would be seen by many as the top politician in Clark County. The advantage in having that kind of political caché is the ability to coalesce the political stature of the entire county within a single person and utilize the whole of that weight to influence decision-making at regional, state, and federal levels (an activity that is currently dissipated between personalities and agencies). An elected county executive would thus become a singular voice for the entire county and consequently could be more effective at representing residents’ interests before regional, state, and federal governments.
- A county executive position may or may not cost more than a commission form of governance, but it depends on several adjustable factors such as the compensation of county council members, how many are on the council, and if new staff is required by the county executive.

## Briefing: County Manager

### Overview

- A county manager represents the executive branch of county government, but is appointed instead of elected. The county manager is appointed by, and works under the policy direction of, the legislative branch. The county manager functions the same as a city manager (local city manager examples are in Vancouver and Battle Ground). In this role, the county manager directs the organization much like the president or CEO of a private corporation.
- The manager's primary responsibility is to implement the policies of the legislative branch. As the top manager of the county, he or she organizes and directs department heads and staff to implement programs and deliver public services in accordance with policy. The county manager also prepares the annual budget, hires and fires personnel, and directs day-to-day operations. The county manager is empowered to manage the county without participation by the elected legislative branch, but that is also the body to which he or she answers and which can fire the county manager when it is unsatisfied with the manager's performance.
- One of the most important distinctions between a county manager and county executive is veto authority. The county manager does not have the power of veto over legislative actions as is typically granted to an elected county executive.
- When it comes to hiring and firing staff, the county manager is empowered to make the final decision, but the practical approach is for the county manager to work in consultation with the legislative body. In some county charters the county manager is given this authority exclusively and commissioners/councilmembers are specifically prohibited by the charter from participating in the hiring and firing of employees
- The concept of the council-manager form of government first developed in the late 19th Century as part of the Progressive Era reform movement. The concept was to have an elected council to legislate and set policies coupled with a strong, nonpolitical executive office to run the government and implement policies. The council-manager form was first adopted by cities, with the original adoption occurring in 1908 in the City of Staunton, Virginia.
- Council-manager government is now the most common form of city government. The legislative branch of city government is usually a council consisting of between five and seven members, one of whom is selected or elected as mayor. To implement its policies, the council hires a professional manager and thus combines the political leadership of an elected mayor and council with the managerial expertise of the manager.

### **Summary**

A county manager position is analogous to that of a city manager. Unlike a county administrator, the county manager represents the executive branch of government. And unlike a county executive, he or she is appointed by the legislative branch, not elected. A county manager is given full responsibility for the total operation of all departments, including the hiring and firing of department heads. However, the county manager serves at the pleasure of the legislative authority of the county and implements its policies. Generally, the legislative body is prohibited by the charter from interfering with the manager's administrative direction.

- With the evidence of more than 100 years of largely successful experience in cities, the council-manager form of governance has been increasingly adopted by counties. In 1932, Arlington County became the first county to adopt the council-manager form of government. According to the International City-County Management Association (ICMA), the number of counties adopting the council-manager form of government more than doubled just between 2001 to 2009, from 371 counties to 821 (26% of the 3,141 counties in the country). During the same time span, the commission form of executive governance decreased from 2,196 to 1,728 counties.
- Minimum qualifications for a county manager will vary from county to county. Qualifications may be expressed in a charter, and common provisions include having a Master's Degree in Public or Business Administration, at least five years' experience, and a residency requirement.
- The charter can specify whether hiring a county manager requires a simple majority vote of the legislative body, or a supermajority (e.g., two-thirds). Likewise, termination could require a simple or supermajority vote of the legislative body, depending on the charter.
- The county manager is almost always hired contractually, usually for a one or two-year term, which can then be renewed. Contracts can, and typically do require that the manager hold no other political or public office (though positions on nonprofit boards are usually acceptable).
- The legislative body commonly conducts a performance review of the county manager on an annual basis, at which time salary and benefit adjustments may be considered.
- Salaries for city and county managers vary widely depending upon jurisdictional population, demographics, region of the country, and agency responsibilities. In 2012 (per ICMA), the national median salary of county managers was \$117,000. In Clark County, the current annual salary for the county administrator (not a county manager) is \$145,000. Comparatively, the 2013 salary for the Vancouver city manager is \$169,660 and Battle Ground's earns \$134,516.

### Perspectives

- The council-manager form is familiar to Americans because it is essentially based on the business model where "stockholders" (voters) elect a "board of directors" (commission or council) who then choose a "CEO" (county manager) to run the "business" (county government).
- Critics of an elected commission (that combines the executive and legislative branches) feel that it increases the risk of disconnect between commissioners' policy skills and expertise, and the daily complexities of urban county government. The same concern exists with respect to an elected county executive. Instead, they favor the county manager form to ensure that appropriate skills and expertise run the executive branch.
- Critics also contend that in the absence of professional management of county affairs, key decisions are more apt to be politically driven.
- Opposition to establishing a county manager position is usually based in arguments that the position would be too powerful and would be accountable to a handful of commissioners or councilmembers, and not directly accountable to voters (as would a county executive).
- The county manager acts as the connecting point between elected officials and professional staff, in comparison to the direct administration of staff by a commission where the legislative and executive functions are combined. Proponents of a county manager position contend it reduces opportunities for political favoritism vis-à-vis county staff and increases professional management.