

## 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.