



Meeting Date
December 3, 2009

AGENDA	
Proposal #	22
Item No.	X. A.

**AGENDA REPORT**  
*BREVARD COUNTY CHARTER REVIEW COMMISSION*

SUBJECT:                   Section 2.5       Candidacy and Elections

Petitioner:                Neta Harris, CRC appointee District 1

Requested Action: Add Purpose and Accountability

**Create 2.5.1a Nonpartisan Election of members of the Board of County Commissioners from each District**

All candidates' names shall be placed on the ballot without reference to political party affiliation. No nonpartisan candidate shall be required to state the party of which the candidate is a member.

**Create 2.5.1b Rules for Nonpartisan Election**

The winner is chosen from a runoff election where the candidates are the top two vote-getters from a primary election. (In the event that more than two nonpartisan candidates qualify for a single office, an election shall be held during the first primary and the candidate receiving the most votes shall be placed on the ballot for the general election.)

Summary Explanation & Background:

**Nonpartisan** is defined in the Merriam-Webster Dictionary as free from party affiliation, bias or designation.

In nonpartisan elections, each candidate for office is eligible based on her or his own merits rather than as a member of a political party. No political affiliation (if one exists) is shown on the ballot next to a candidate. Nonpartisan elections are generally held for municipal and county offices, especially school board, and are also common in the election of judges. In some nonpartisan elections, it is common knowledge which candidates are members of and backed by which parties; in others, parties are almost wholly uninvolved and voters make choices with little or no regard to partisan considerations.

**Advantages:**

- Citizens can not engage in vote pairing, straight-ticket voting, or other tactical voting methods resulting in an election outcome that is more likely to reflect the intent of the citizens.
- Elected officials are not beholden to a party apparatus that got them elected, and are not subjected to party restrictions on how they may vote, nor must they posture for the sake of an opposition party. Non-partisan officials can therefore more readily represent the actual needs of their constituents. The lack of such requirements may also bring more principled individuals up the ranks, as they do not have to make assertions against their beliefs in order to demonstrate "party unity" or adhere to a platform against their principles.
- Such systems are seen to invite a greater possibility of selection of traditionally-overlooked candidates from less self-promotional or less confrontation-accustomed populations, such as women or certain ethnic minorities.
- Constituents are not pigeon-holed into thinking of issues according to one "party view". They may also be more willing to implement the policies decided upon democratically in their region, when they are not tempted to resist doing so were they to disfavor an incumbent's party.

**Disadvantages:**

- Political parties may provide poorer candidates greater resources and financing to compete against wealthier candidates.
- Standardized party rules may thus help equalize the campaigning field and may insure all candidates conform to certain standards, which might be less the case in a non-partisan system, especially one which concentrated power.
- Many candidates may endorse the same or near identical policies so competing against each other wastes resources or splits the vote among them, thus allowing a less popular candidate with an unpopular agenda a win on plurality.
- Voters may find voting on a party basis more convenient than learning the platforms of innumerable candidates.

Contact:       Neta Harris   mvbh4gov@hotmail.com

Some information taken from Wikipedia, the free encyclopedia

Exhibits Attached:

1. Orlando Sentinel - **Partisan vs. Nonpartisan Elections** by Lou Treadway, May 17, 2009

Reviewed by Administrative Secretary/Chairman

Yes      No

Attachment:

1. [Orlando Sentinel - Partisan vs. Nonpartisan Elections by](#)

May 17, 2009 ... **PARTISAN vs. NONPARTISAN ELECTIONS FOR THE ORANGE COUNTY COMMISSION FOREWORD** Will Rogers, the noted American humorist once said that the ... [blogs.orlandosentinel.com/.../partisan-vs-nonpartisan-elections.html](http://blogs.orlandosentinel.com/.../partisan-vs-nonpartisan-elections.html) - [Cached](#) - [Similar](#)

**PARTISAN vs. NONPARTISAN ELECTIONS  
FOR THE ORANGE COUNTY COMMISSION  
FOREWORD**

Will Rogers, the noted American humorist once said that the problem in America isn't so much what people don't know; the problem is what people think they know that just isn't so. This statement is quite appropriate for the reasoning given for going to nonpartisan elections for the county commission.

Although Orange County voters approved nonpartisan elections for County Commissioners in 1992, neither the local Democrat nor Republican organizations supported the concept of nonpartisan elections. On good authority from a then local Democrat Party official, the issue was placed on the ballot because a Commissioner was concerned that Republican votes might be used against the Commissioner's run for the County Chairmanship, later designated the Orange County Mayor.

County Watch, a local bipartisan group that focuses on local government issues, advocated a return to partisan elections for County Commissioners in testimony before the 2000 Charter Review Commission (CRC) based upon input from both local political parties. The 2000 CRC was not supportive of the recommended change. Members of the CRC alleged that nonpartisan elections afforded greater voter participation and that there were limited party differences at the local level. *It should be noted that no proof or documentation was submitted in support of the allegation.* The 2004 CRC also rejected a recommendation by County Watch accompanied by research on the issue.

This paper provides a short history of nonpartisan elections along with the findings and conclusions reached from research on the issues of nonpartisan and partisan elections. *It should be noted that almost all information and research on non-partisan elections is directed toward municipal (city) elections.*

**HISTORY OF NONPARTISAN ELECTIONS**

In addition to passing a Constitutional Amendment in 1913 that provided for direct citizen election of U.S. Senators rather than by state legislatures, most states enacted reforms that included provisions for recall, initiative, direct primaries and at-large elections for city council members, along with nonpartisan elections. In many of the major cities in the U.S., party bosses controlled who was the party's nominee for city offices. This practice led to corruption of elected officials in issuing government contracts. The party bosses and their elected conspirators reaped the spoils of office. Muckraking (investigative) journalists exposed the details of such goings on. This exposure triggered reform efforts to reduce corruption, patronage and limit power of the party bosses to control the ballot. To this end, the reformers advocated direct party primaries and nonpartisan elections.

By the 1950s, more than 60 percent of municipalities nationwide had adopted nonpartisan elections. Today, 41 of the 50 largest cities in the U.S. with an elected mayor use nonpartisan elections including Los Angeles, Houston, San Diego, Detroit, Dallas, Phoenix, San Antonio, San Francisco, Boston and Seattle.

In some of the larger cities, the party structure is such that the party chooses the candidate it will support in the primary even though multiple candidates may be running under the same party label. This practice can lead to corruption. **NOTE:** *This is not the practice in Orange County as the local party organizations and party leaders have little or no control over who may seek election under their respective party labels. Under this arrangement, there is virtually no opportunity for local party leaders to exert pressure on or corrupt the elected official.*

By 1950, some political scientists led by Charles R. Adrian began theorizing that nonpartisan elections had undemocratic results. Conclusions drawn from studies conducted by Eugene C. Lee (1960) and Willis D. Hawley

(1968) lent empirical support to Adrian's claims that elections without party labels favored Republicans, increased the importance of ethnicity and incumbency, encouraged personality rather than issue oriented campaigns and depressed turnout.

However, a study by Susan Welch and Timothy Bledsoe (1986) tends to dispute some of the conclusions drawn from the works of Lee and Hawley. The study found that once a city's electoral environment was taken into account, "Republican advantage" appeared only in smaller cities, in those of moderate incomes, and those with at-large elections.

Larger cities (over 100,000 population) with district elections (single member districts) showed no "Republican Advantage."

In a 1986 article, reviewing the literature on nonpartisan elections, Carol A. Cassel noted that studies have shown the voter turnout is lower in nonpartisan than partisan elections. **COMMENT:** *This finding flies in the face of the contention by members of the 2000 CRC that nonpartisan elections increase voter participation.* She noted that two factors associated with the nonpartisan ballot tend to depress turnout: holding elections independent of state and national elections and instituting the council manager form of government. She cited studies that concluded nonpartisan elections contribute to the under representation of African-Americans in elected office. The literature also suggests that partisan incumbents have an advantage in those cities where no real opposition party exists.

**COMMENT:** *This observation comes as no surprise. An incumbent normally has an advantage irrespective of partisan or nonpartisan elections.*

**(The following information was extracted from a 2002 National Civic League (NCL) memo on nonpartisan and partisan elections.)**

### **MODEL CITY CHARTER MEMO-NONPARTISAN ELECTIONS**

**PROS:** According to the NCL, the following factors support nonpartisan elections for cities.

1. Nonpartisan elections downplay partisan differences between candidates that do not necessarily match significant policy differences. **COMMENT:** *If there are no significant policy differences to debate then what differentiates the candidates in place of party, his/her toothy smile/personality?*
2. Nonpartisan elections can make it easier for members of minority parties to be elected.
3. Nonpartisan elections promote local autonomy since the outcome of local elections is less likely to be determined by national or state political currents.
4. Partisan differences may be relevant to local policy decisions such as tax cuts and privatization and nonpartisan elections can be the venue of efforts to mobilize party supporters. **COMMENT:** *Baloney!! If partisan differences are relevant, it appears illogical to assume that nonpartisan elections will mobilize party supporters any more so than partisan elections. Party supporters would be mobilized irrespective of partisan or nonpartisan elections.*
5. In partisan elections, if one party with a substantial majority has more than one strong candidate, only one will emerge for the general election. In nonpartisan elections, the two top vote getters in the primary face each other in the general election which typically receives greater media attention and a larger turnout. **COMMENT:** *So, what is the point?*

However, the NCL states there can be advantages to party involvement in elections. City governments should recognize that nonpartisan elections could depress voter turnout among voters with lower socio-economic status and should take measures to encourage voter participation by these citizens. **COMMENT:** *It is the parties that develop programs to encourage voter participation.*

**PROS:** The following arguments were presented favoring partisan elections.

1. Partisanship is part of politics even when not officially recognized. **COMMENT:** *This is clearly supported in Orange County when both local parties-as well as the Supervisor of Elections and the League of Women Voters-*

*report that at each nonpartisan election, their headquarters receive numerous inquires from voters wanting to know the party affiliation of nonpartisan candidates.*

2. Parties can help candidates run better campaigns.
3. Party affiliation conveys information to voters, who for the most part do not have time to evaluate the effectiveness or distinguish the claims of each candidate.
4. Partisan elections offset the overrepresentation of minority parties.
5. Partisan elections can assist voters of lower socio-economic status.
6. The mobilization efforts of parties offset the informational and resource disadvantages of poorer, less-educated voters who are less likely to identify with organizations other than political parties.

**COMMENT:** *The contention by some that there are limited party issues at the local county level begs the question. Because of the ramifications from the 1968 Florida Constitution Revision, county government took on more responsibilities that previously were the responsibility of cities. These included the consolidation of jails and courts under county government. As Orange County became more urbanized, conservative rural values began to collide with the more liberal urban demands such as central sewer and water, fire protection, public transportation, growth management and waste water disposal. These issues became fertile feeding grounds for political debate and continue to be so today. Although the 2000 CRC argued that nonpartisan elections increased voter participation/turnout, this argument is not supported by the conclusions reached in the foregoing studies. There are a number of factors influencing voter turnout:*

1. Popularity of candidate.
2. Special interest issues i.e. education, environment etc.
3. Scandals/improprieties of candidate.
4. Voter attitude of "kick the rascals out."
5. Presidential elections.

*A check with the Orange County Supervisor of Elections office tends to support the above. Without emotionally charged issues, voter participation/turnout has been relatively flat in the 1990s. The conclusion can be drawn that non-partisan elections have little impact upon voter participation/turnout. There is a rationale for nonpartisan elections for the county commission when one party overwhelmingly dominates such as the situation that existed in Orange County prior to the 1970s when the Democrat Party was dominant in Orange County. As Dixie Barber, then Orange County Supervisor of Elections would tell those wishing to register Republican: "Why are you registering Republican? You can't vote for anyone." She was right; the only viable election was the Democrat Primary election. Republicans could have caucused in a phone booth. Nonpartisan elections in this case would have given candidates of Republican persuasion an opportunity to be elected.*

*Recently we had the phenomenon of a nonpartisan election becoming highly partisan-the City of Orlando Mayoral race. Media coverage emphasized the partisan nature of this race as the political affiliation of the candidates were highly publicized.*

## **SUMMARY**

The cornerstone of American politics is the two-party system. As Walter T. Mosley; a political activist and member of the Thurgood Marshall Democratic Club in Crown Heights Brooklyn, NYC pointed out in a New York Times article on efforts to have nonpartisan elections for City Council members. "Politics play a fundamental role in

shaping political debate. If anything, they give clarification to a race. It gives people a sense of the agenda and goals of a candidate." Vincent M. Ignizio, a leader in the Republican Party on Staten Island said in the same article. There is a philosophy associated with enrollment with a national, state and local party. And when an elected official speaks, he/she espouses that philosophy. It is notice to the public that there are certain principles that you stand for."

## **CONCLUSION**

*After reviewing the arguments both pro and con on nonpartisan vs. partisan elections, This writer finds no conditions in Orange County that would warrant the continuation of nonpartisan elections for members of the Orange County Commission and the County Mayor and action should be taken to return to partisan elections.*

*It is also concluded that members of the County Commission do not wish to return to partisan elections and as long as they make the appointments to the CRC then nothing will ever get on the ballot.*

*Lou Treadway*