

# Memo

To: Seattle Ethics and Elections Commission

From: Abbot Taylor

Date: August 21, 2020

Re: Proposed Rule to Update SEEC Rules After SMC Changes

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The 2019 Democracy Voucher Program was largely a success, enabling more small donors than ever to donate to an increased number of eligible candidates. However, as the treasurer for seven of those candidates, there were also a number of issues that lead to much confusion and frustration.

One of the primary issues was the disconnect between the Seattle Municipal Code (“SMC”) and the Seattle Ethics & Elections Commission Rules (“Rules”). These Rules, particularly Rule 16 and its subsections, were mostly adopted after the passage of I-122. Since then, the Seattle City Council has changed the underlying SMCs, but the Commission has not updated the Rules to reflect those changes.

In their current state, five of the eight sections of Rule 16 refer to SMCs that are no longer in the Code or do not apply to the subject of the Rule. For example:

- Rule 16.A. is about Candidate Representatives, but the SMC cited (2.04.620(d)) does not exist.
- Rule 16.E. is about Use of Democracy Voucher Proceeds, but the SMCs cited (2.04.630(i) & (j)) do not exist.
- Rule 16.H.1. references SMC 2.04.630(b), (d) and (f) regarding Candidate Spending & Contribution Limits. There is no 2.04.630(f), and 2.04.630(b) and (d) describe the qualification and disqualification processes and have nothing to do with Spending or Limits.

Given the importance of making the Rules match both the SMCs and I-122’s intent, the Rules need be updated more consistently than they are currently. As such, I propose the following Rule to be adopted by the Commission.

## Rule 13C. Commission Rules to be Updated after Seattle Municipal Code Changes

1. Whenever there is a change to Seattle Municipal Code that affects the Seattle Ethics and Elections Commission Rules, including but not limited to Title 2 – Elections and Chapters 4.16 and 4.20.800 through 4.20.880, the Commission shall update the Rules according to the procedures set forth in SMC 3.02 within two months of the date the Seattle City Clerk records the Final Action on those changes.
2. Any Rules that contain references to incorrect, missing, or irrelevant SMCs that have not been updated within the time required by Section 1 shall be no longer be applicable to the current election until updated by the Commission.

I urge the Commission to adopt this Rule and update any Rules as needed ASAP.

Sincerely,

Abbot Taylor