

SEATTLE ETHICS AND ELECTIONS COMMISSION RULE

Regulating the Collection of Democracy Voucher Replacement Forms 2022

Whereas, the Democracy Voucher Program gives Seattle voters certificates that the voters can use to financially support Seattle campaigns; and

Whereas, when a voter is unable to locate their democracy vouchers, the voter may sign a Campaign Replacement Form identifying the campaign(s) to which the voter wishes to assign their vouchers and in what amounts; and

Whereas, voters may submit Campaign Replacement Forms to campaigns or to the Seattle Ethics and Elections Commission; and

Whereas, individuals registered as campaign representatives may collect Campaign Replacement Forms from voters; and

Whereas, in 2021, concerns were raised regarding Campaign Replacement Form collectors' use of misleading language to persuade voters to unknowingly donate Democracy Vouchers; and

Whereas, the use of misleading language threatens to undermine the integrity of the Democracy Voucher Program by confusing or defrauding voters; and

Whereas, on June 2, 2021, the Seattle Ethics and Elections Commission adopted a rule requiring Campaign Replacement Forms to be accompanied by specific information when collectors (whether paid or unpaid) submit the forms to candidates or to the Commission; and

Whereas, the June 2021 rule also required paid and unpaid collectors to “disclose their role in writing via a conspicuous and legible sign, placard, or badge”; and

~~Whereas, in RCW 29A.84.280, State law acknowledges that, in the context of gathering signatures to support petitions, paying workers to secure voter support encourages the introduction of fraud and threatens the integrity of the process by incentivizing misrepresentation in an attempt to secure signatures; and~~

Whereas, the Democracy Voucher Program and its Campaign Replacement Form option are ~~similarly~~ vulnerable to threats against the Program's integrity based on financial incentives tied to the collection of Campaign Replacement Forms; and

Whereas, removal of financial incentives serves to protect the integrity of the Democracy Voucher Program~~;~~;

Now, therefore, pursuant to the authority of SMC 2.04.090 and 3.20.030, the Seattle Ethics and Elections Commission determines the following:

Section 1. Collection of Campaign Replacement Forms are subject to the following regulations:

A. Definitions

For purposes of this Rule, a “Democracy Voucher Campaign Replacement Form Collector” (“Collector”) is an individual who engages with members of the public, in person, for the purpose of collecting Campaign Replacement Forms (“Replacement Forms”). Collectors include campaign staff and campaign volunteers.

For purposes of this Rule, Collectors are “candidate’s representatives” subject to the registration requirements provided in SMC 2.04.624 and Rule 16.

B. Prior to collecting Campaign Replacement Forms, each Collector must first be registered by a candidate or an officer of the candidate’s political committee as a candidate’s representative.

C. Collectors shall not receive compensation, or other financial incentive, from any source for collection of Replacement Forms. Collectors who are otherwise employed by a campaign and who cannot separate paid from unpaid time during their workday may only collect Replacement Forms during non-work times such as evenings, weekends, or other personal time. ~~Collection of Replacement Forms shall be on a solely voluntary basis.~~

D. While collecting Replacement Forms, Collectors:

1. Shall disclose their role in writing via a conspicuous and legible sign, placard, or badge stating, “DEMOCRACY VOUCHER CAMPAIGN REPLACEMENT FORM COLLECTOR for [Candidate].”
2. Shall orally disclose that they are collecting Democracy Voucher Campaign Replacement Forms and identify the candidate on behalf of whom the Collector is acting.

E. Democracy Voucher Replacement Forms submitted to the candidate or to the Ethics and Elections Commission shall be accompanied by a statement including the following information:

1. Identify the Collector.
2. Provide the address or specific location where the identified Collector collected the Replacement Forms.
3. Provide the date and approximate time when the identified Collector collected the Replacement Forms.

Section 2. Candidates are responsible for compliance with this Rule.

Section 3. Violations. If the Executive Director determines a Collector is in violation of this rule, the Executive Director may deem void any Replacement Forms collected during the activity in violation of this Rule.

Section 4. For each election cycle, the Executive Director will revise the Replacement Forms to:

- A. Describe the nature of the Democracy Voucher Program;
- B. Identify the elected positions eligible for Democracy Voucher funding; and
- C. Specify the number of Democracy Vouchers each that each resident may submit.

Approved by the Seattle Ethics and Elections Commission on _____, 2022.