

Seattle Ethics and Elections Commission Special Meeting

April 4, 2023

A special meeting of the Seattle Ethics and Elections Commission (SEEC) convened in Seattle Municipal Tower Conference Room 4080 and remotely. Vice Chair Kristin Hawes called the meeting to order at 4:03 p.m. The Vice Chair and Commissioners Richard Shordt and Susan Taylor attended in person with Commissioner Chalia Stallings-Ala'ilima attending remotely. Chair Zach Pekelis and Commissioner Hardeep Singh Rekhi were absent. Executive Director Wayne Barnett and staff members Cliff Duggan, Randal Fu, and Renè LeBeau were present. Staff members Fedden Amar, Polly Grow, and Marc Mayo, and Assistant City Attorneys Gary Smith and Joe Levan joined remotely.

The Vice Chair opened the meeting by asking if any written public comment had been received. Upon hearing none, the Vice Chair addressed the first Action Item.

Final Action Items

1. Approval of March 1, 2023, Commission Regular Meeting minutes

The Vice Chair noted that she had been unable to attend the March meeting. Commissioner Taylor made the motion to approve the March 1 minutes with the above noted revision. It was seconded by Commissioner Stallings-Ala'ilima. The March 1 minutes were unanimously approved.

2. Setting a hearing in *In re Mary Brown*

The Director spoke to Case No. 22-01-04528-1 *In The Matter Of Mary Brown*. Ms. Brown had been notified of the April 4 meeting but was not present. The Director requested scheduling a hearing on the calendar to coincide with the next SEEC Commission meeting. A motion to set a hearing for *In The Matter Of Mary Brown* for the May 3 Commission Meeting at 4:00 p.m. was made by Commissioner Shordt and seconded by Commissioner Taylor. The motion was unanimously approved.

Discussion Items

3. Democracy Voucher Program Discussion

The Director discussed some critiques of the Democracy Voucher Program. Critiques tend to appear in three primary areas.

The first is that there are so many candidates qualifying for the Voucher Program that newspaper op-eds or endorsements have become more important. To that point, the Director said that one of the goals of the Program has been to get more candidates involved. The Director recalled past elections having unchallenged incumbents but believes the current situation is much preferable.

The second is that the Program should do more to control Independent Expenditures because of the belief the Program drives up expenditures. The Director stated that Independent Expenditures have had First Amendment protection going back to the Supreme Court's landmark decision in 1974's *Buckley v. Valeo*. This is why the SEEC does not expend energy in controlling them.

The third is that the Program cannot point to any one candidate and state they would not have won without the help of Democracy Vouchers. Anecdotally, candidates have said they ran and won because of the Program. However, there is no way to run a controlled experiment. Trust needs to be placed with voters whether they approve of the Program or not. Commissioner Stallings-Ala'ilima thanked the Director for sharing this information. Commissioner Shordt also thanked the Director and pointed out that the purpose of the Democracy Voucher Program is not to influence any specific election.

4. PDC New Contribution Limits, Reporting Thresholds

The Director referenced a recent memo sent to the Commissioners regarding an increase of the City of Seattle's campaign contribution reporting thresholds. Effective April 1, the Washington State Public Disclosure Commission (PDC) adjusted many of their reporting thresholds in State law; some of which were in effect for more than 20 years. So, too, the City of Seattle's reporting thresholds and limits have remained unchanged for decades (except for routine contribution level revisions).

The State has revised the threshold for providing a donor's address to \$100 or more. The current SEEC threshold for the donor's address is \$25 or more. Likewise, the SEEC's requirement of providing a donor's occupation and employer is a contribution of \$100 or more; the new PDC threshold for occupation and employer reporting is now \$250 or more. The question before the Commissioner is if the SEEC should revise campaign contribution reporting thresholds to follow suit with the April 1 revised PDC thresholds.

The Director recommended that the Commissioners consider a rule revising the SEEC thresholds to reflect the new PDC thresholds. The Vice Chair, and Commissioners Shordt and Taylor voiced their agreement. A revised SEEC Elections Code Rule 15 – Monetary Thresholds will be prepared and presented at the May 3 Commission meeting for Commission vote.

5. Financial Interest Statement Update

Cliff Duggan reported that 73 percent of the 2,000+ identified City employees had submitted their Financial Interest Statements for CY2022. The submission deadline is April 15, 2023. Last year, 100 percent compliance was reached on May 5, 2022, with the Director's assistance. Mr. Duggan monitors the employee submissions daily and provides departments regular updates. After the deadline, identified employees are sent a reminder by the Director.

6. Democracy Voucher Program report

Ms. LeBeau presented an update as of March 31. Thirty-five candidates have joined the Program with seven pending qualification. Forty-three candidate trainings have been conducted. As of March 21, six campaigns have received a total of \$94,525 representing 3,781 vouchers. Compared to the last update of 3,400 vouchers processed, now there are 24,000 with a number of those online.

The Community-Based Organizations (CBOs) are building up their outreach programs. The Democracy Voucher Program staff have been able to provide continuous training and a large volume of material free of charge for the CBOs to distribute. Commissioner Taylor inquired when the CBOs will reach their maximum outreach. Ms. LeBeau mentioned a follow-up meeting on May 8 to check in with the CBOs' progress.

7. Executive Director's report

The Director reported on the search for a new Commissioner to replace Commissioner Winmill. It is believed that the Council President is willing to move ahead with a candidate. The Director has circled back with the candidate and is looking forward to soon adding a new Commissioner.

Hearing no other comments, the Vice Chair adjourned the April 4, 2023, SEEC Commission Special meeting at 4:27 p.m.