

## **SEEC Rule Regarding Replacement Democracy Vouchers**

Whereas, because of the COVID-19 public health emergency, the Washington State Governor has issued Proclamations mandating social distancing; and

Whereas, campaigns for the August 2021 primary election are already well underway, with some campaigns having already collected more than \$100,000 in vouchers; and

Whereas, while the vaccine rollout is gathering momentum, restrictions on person-to-person contact remain in place; and

Whereas, for the Voucher program to remain a viable option for campaigns, it is critical that allowances be made for collecting vouchers electronically; and

Whereas, action is necessary to facilitate the operation of the Voucher program, while ensuring the safety of campaign workers; and

Whereas, in RCW 29A.84.280 regarding paid initiative and referendum petition solicitors, the State Legislature recognizes that paying a worker to secure signatures of voters encourages the introduction of fraud in the signature gathering process and threatens the integrity of the election process by providing an incentive for misrepresentation in an attempt to secure signatures;

Whereas, recent concerns regarding misleading language used by Replacement Democracy Voucher collectors establish a need to regulate Replacement Democracy Voucher collection to avoid confusing or defrauding voters and 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 SEEC adopts the following rules regarding replacement democracy vouchers.

### **Rule on Online Posting of Democracy Voucher Replacement Forms**

During the remaining time period that the Washington State Governor's Proclamations mandating social distancing are in effect due to the COVID-19 public health emergency, such that person to person solicitation of Seattle voters is prohibited or not feasible, Democracy Voucher Campaign Replacement Forms may be posted to a campaign website, provided that the following conditions are observed:

1. The form must only be posted on the campaign's official website and not a third party contractor website.
2. Only the first signature line can be set as a required field. The remaining signature lines must be set as optional.
3. Printing the form must not be an option offered on the website.

For forms submitted to the Commission either electronically or on paper, the Commission will accept forms for processing only if:

4. Submissions contain current and complete information.

5. The campaign has submitted to the Commission the name of the representative who accepted the individual form.

This Rule shall no longer be in effect 48 hours subsequent to the Governor rescinding any proclamations or other authority mandating social distancing, such that person to person solicitation of Seattle voters is allowed or feasible, as determined by the SEEC Executive Director. Upon making that determination, the Executive Director shall immediately provide notice to any affected campaigns.

### **Rule on Replacement Democracy Voucher Collection**

1. Definitions:
  - a. For purposes of this Rule, a “Replacement Democracy Voucher Collector” (“Collector”) is an individual, whether paid or unpaid, who engages with members of the public, in person, for the purpose of collecting Replacement Democracy Vouchers. Collectors include campaign staff and campaign volunteers.
  - b. For purposes of this Rule, a “Replacement Democracy Voucher Collection Entity” (“Entity”) is an entity that engages with and directs Collectors as the Entity’s employees, subcontractors, or volunteers. Entities include political committees and also include consultants or contractors hired by the candidate or political committee to collect Replacement Democracy Vouchers.
2. For purposes of this Rule, Collectors and Entities are “candidate’s representatives” subject to the registration requirements provided in SMC 2.04.624 and Rule 16. Prior to a Collector’s or Entity’s collection of Replacement Democracy Vouchers, a candidate or an officer of the candidate’s political committee shall register Collectors and Entities as candidate’s representatives.
3. Entities are responsible for their Collectors’ compliance with this Rule.
4. While attempting to collect vouchers, Collectors:
  - a. Shall disclose their role in writing via a conspicuous and legible sign, placard, or badge.
    - i. Unpaid Collectors’ disclosures shall say, “REPLACEMENT DEMOCRACY VOUCHER COLLECTOR for [Candidate].”
    - ii. If a Collector is an Entity’s employee or subcontractor, the Collector’s disclosure shall say, “PAID REPLACEMENT DEMOCRACY VOUCHER COLLECTOR for [Candidate].”
  - b. Shall verbally disclose that they are collecting Replacement Democracy Vouchers and identify the candidate on behalf of whom the Collector is acting.
5. Replacement Democracy Vouchers submitted to the candidate or to the Ethics and Elections Commission shall be accompanied by a statement including the following information:
  - a. Identify the Collector.

- b. Identify the Entity.
  - c. Provide the address or specific location where the identified Collector collected the Replacement Democracy Vouchers.
  - d. Provide the date and approximate time when the identified Collector collected the Replacement Democracy Vouchers.
6. Violations
- a. If the Executive Director determines an Entity or Collector is in violation of this rule, the Executive Director may deem void any Replacement Democracy Vouchers collected during the activity in violation of this Rule.
  - b. The Executive Director may use the information required by Section 5.a through 5.d to determine which Replacement Democracy Vouchers are void.