

Relating to the financing of election campaigns.

Ordinance No. 107772

AN ORDINANCE relating to municipal elections; providing for the limitation of contributions to and expenditures for municipal election campaigns and establishing a system of partial financing for public election campaigns; amending Sections 2, 16 and 21 of Ordinance 106653 (Fair Campaign Practices Ordinance) and adding thereto new sections 13-A, 13-B, 13-C, 13-D, 13-E, 13-F, 13-G, 13-H, 13-I, 13-J, 13-K, 13-L and 13-M.

11/2/78 - pass

71.B.17

Engrossed

Council Bill No. 99872

INTRODUCED: OCT 30 1978	BY: EXECUTIVE REQUEST
REFERRED: OCT 30 1978	TO: SPECIAL COMMITTEE on CAMPAIGN FINANCING
REFERRED:	
REPORTED: NOV 6 1978	SECOND READING: NOV 6 1978
THIRD READING: NOV 6 1978	SIGNED: NOV 6 1978
PRESENTED TO MAYOR: NOV 7 1978	APPROVED: NOV 7 1978
RETD. TO CITY CLERK: NOV 7 1978	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL..... PAGE.....	

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14

Ord 107978 - Amends Fair Campaign Practices Ord. to limit individual political contributions to groups.

Ord 108130 - Amending Sec 13-J of Fair Campaign Practices Ord. (106653) to provide expenditure authority from Election Campaign Account to the Elections Administrator.

C.F. 290471 - Documents on Seattle City Council deliberations regarding the Campaign Financing Ordinance.

Roll call vote below:

<i>yes - Revell</i>	<i>Smith - yes</i>
<i>no - Benson</i>	<i>Williams - yes</i>
<i>yes - Wildt</i>	<i>Kradel - no</i>
<i>yes - Sibonga</i>	
<i>yes - Miller</i>	
<i>no - Hill</i>	

- Elec. Admin.
Legis
Mayor
Doug Jewett
LEK
Funes

PUB. (BC)
BLDG.
ENG.
B. O.
A. C.
S. E.
C. O.
LIGHT

ORDINANCE 107772

1
2 AN ORDINANCE relating to municipal elections; providing for the limitation of
3 contributions to and expenditures for municipal election campaigns and
4 establishing a system of partial financing for public election campaigns;
5 amending Sections 2, 16 and 21 of Ordinance 106653 (Fair Campaign Prac-
6 tices Ordinance) and adding thereto new sections 13-A, 13-B, 13-C, 13-D, 13-
7 E, 13-F, 13-G, 13-H, 13-I, 13-J, 13-K, 13-L and 13-M.

8 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

9 Section 1. Ordinance 106653 is amended by adding thereto thirteen new
10 sections designated 13-A through 13-M as follows:

11 Section 13-A. FINDINGS OF FACT. The City finds that, in the interest of
12 the public health, safety and welfare, the municipal election process and municipal
13 government should be protected from undue influence by individuals and groups
14 making large contributions to the election campaigns of candidates for Mayor, City
15 Council, City Attorney, City Comptroller and City Treasurer.

16 The City finds that, in the interest of the public health, safety and welfare,
17 the municipal election process and municipal government should be protected from
18 even the appearance of undue influence by individuals or groups contributing to
19 candidates for Mayor, City Council, City Attorney, City Comptroller and City
20 Treasurer.

21 The City therefore finds that limitations on contributions of money, services
22 and materials by individuals or groups to municipal election campaigns should be
23 imposed by law to protect the public health, safety and welfare. These limitations,
24 however, should be reasonable, so as not to discourage personal expression.

25 Section 13-B. APPLICATION. These Sections 13-A through 13-M apply
26 only to candidates in any primary, general or special election for the offices of
27 Mayor, City Council, City Attorney, City Comptroller and City Treasurer of the
28 City of Seattle.

Section 13-C. CONTRIBUTIONS LIMITED.

(a) No person shall make a contribution of more than Two Hundred Fifty
Dollars (\$250) to any candidate for Mayor, City Council, City Attorney, City Comp-
troller, or City Treasurer, in any campaign year; Provided, a group of ten or more
individuals may contribute up to Five Hundred Dollars (\$500) to any candidate for

1 Mayor, City Council, City Attorney, City Comptroller, or City Treasurer, in the
2 name of such group; Provided further, that no individual member of such group
3 shall contribute more than Two Hundred Fifty Dollars (\$250) toward the group
4 contribution, nor an aggregate amount of more than Two Hundred Fifty Dollars
5 (\$250) to any candidate whether through a group contribution or a personal
6 contribution.

7 (b) No candidate for Mayor, City Council, City Attorney, City Comptroller,
8 or City Treasurer shall accept or receive a campaign contribution of more than
9 Two Hundred Fifty Dollars (\$250) from any person or more than Five Hundred
10 Dollars (\$500) from any group of ten or more individuals in any campaign year;
11 provided,

12 (1) The limitations imposed by this section shall not apply to a candi-
13 dicate's contributions of his/her own resources to his/her own campaign; the limi-
14 tations imposed by this section shall apply to the contributions of all others; and

15 (2) The limitations imposed by this section shall not apply to inde-
16 pendent expenditures as defined by this ordinance; and

17 (3) The limitations imposed by this section shall not apply to the
18 value of in-kind labor.

19 Section 13-D. FINDINGS OF FACT. The City finds it is in the public
20 interest to encourage the widest participation of the public in the electoral pro-
21 cess, to reduce the dependence of candidates on large contributions, and to in-
22 crease public knowledge of the candidates and of election issues.

23 The City finds that it is in the public interest to free candidates from the
24 time expended in raising funds in order to increase the time available to the can-
25 didate for the discussion of public issues.

26 The City finds that voluntary campaign expenditure limitations coupled with
27 provisions of public funds for campaign purposes are necessary to further these
28 public interests at a reasonable cost to the City and that such a program should be
established.

Section 13-E. CAMPAIGN CONTRACT.

(a) A candidate for Mayor, City Council, City Attorney, City Comptroller

1 or City Treasurer of the City may sign a contract with the City agreeing to abide
2 by limitations on candidates' contributions, limitations on campaign expenditures,
3 and limitations on the use of all contributions, as specified in this chapter in
4 exchange for public matching funds.

5 (b) The campaign contract must be signed by the individual candidate either
6 within thirty (30) days after the individual becomes a candidate as defined in
7 RCW 42.17.020, or at the time of filing for said office, whichever is earlier.

8 Section 13-F. CANDIDATES' CONTRIBUTION LIMITATIONS. A candidate who signs
9 a campaign contract shall make no contributions to his/her own campaign or political
10 committee which in the aggregate exceeds One Thousand Dollars (\$1,000) in any
11 campaign year.

12 Section 13-G. EXPENDITURE LIMITATIONS.

13 (a) A candidate who signs a campaign contract in accordance with Section 13-E,
14 shall not, during the campaign year, make expenditures exceeding the aggregate amount
15 of One Hundred Fifty Thousand Dollars (\$150,000) for the office of Mayor or Fifty
16 Thousand Dollars (\$50,000) for the offices of the City Council, City Attorney, City
17 Comptroller and City Treasurer; Provided, that no more than seventy-five percent
18 (75%) of the applicable expenditure limitation shall be spent through the day of
19 the primary election.

20 Independent expenditures, as defined by this ordinance shall not be included
21 in the computation of a candidate's expenditures.

22 Section 13-H. ELIGIBILITY REQUIREMENTS.

23 (a) To be eligible to receive public matching funds, a candidate for Mayor,
24 City Council, City Attorney, City Comptroller or City Treasurer must meet the
25 requirements of the City Charter; and during the campaign year,

26 (1) for the office of Mayor either (a) receive Twenty Thousand Dollars
27 (\$20,000) from at least one hundred (100) contributors or (b) receive three
28 hundred (300) contributions of Ten Dollars (\$10) or more;

(2) for the offices of City Council, City Attorney, City Comptroller
or City Treasurer either (a) receive Seventy-five Hundred Dollars (\$7,500) from at
least one hundred (100) contributors, or (b) receive two hundred (200) contributions
of Ten Dollars (\$10) or more.

1 (b) For purposes of establishing eligibility under this section, only those
2 contributions received from residents of the City of Seattle shall be counted
3 toward the requirement.

4 (c) Candidates must submit evidence of meeting the eligibility requirements
5 of this section to the Office of Election Administration for verification.
6 Upon verification of eligibility, a candidate who has signed a campaign contract
7 shall be eligible to receive public matching funds; Provided, that no such funds
8 shall be disbursed to any qualified candidate prior to January 1 of the
9 applicable campaign year; and Provided further, that any candidate who receives
10 public matching funds and later fails to file for public office or withdraws his/her
11 candidacy after filing shall return to the Election Campaign Account an amount
12 equal to the public funds disbursed to that candidate.

13 Section 13-I. PUBLIC MATCHING FUNDS.

14 (a) A candidate who has met the eligibility requirements for public matching
15 funds and who has signed a campaign contract shall be entitled to receive one
16 dollar in public matching funds for each dollar received from any individual to a
17 maximum of \$50 per individual, Provided, that neither loans nor the transfers of
18 anything of value other than money to the candidate or his/her political committee
19 shall be matched with public funds.

20 (b) A candidate who signs a campaign contract shall be eligible to receive
21 public matching funds even if his/her opponent has not signed a campaign contract.

22 (c) A candidate who has signed a campaign contract is eligible to receive
23 public matching funds until it is determined that such candidate has no opponent
24 at the close of the filing period or after the primary election as provided by
25 law. For purposes of this section, a write-in candidate shall not be considered
26 an opponent.

27 (d) If following the election wherein the candidate is elected or defeated, the
28 candidate has unexpended campaign funds, one-half of such surplus shall be returned
to the Election Campaign Account within ten days of certification of the election.

(e) A candidate who has signed a campaign contract may void his/her contract
within 15 days after the close of filing, Provided, an opponent of that candidate
does not enter into a campaign contract pursuant to this ordinance; and Provided
further, that the candidate returns all public funds received pursuant to this
ordinance.

Section 13-J. FUNDING.

(a) There is hereby established an Election Campaign Account in the Gen-

1 eral Fund into which shall be deposited such sums as may be appropriated from time
2 to time in the annual budget, gifts and donations made to the City for the support
3 of public election campaign financing, and such sums as may otherwise be appropriated
4 to said account. Money in said account shall be expended from time to time for the
5 purpose of partially financing public election campaigns.

6 (b) The Office of Election Administration may encourage and accept contri-
7 butions to the Election Campaign Account. These contributions may be accepted
8 at any time without limitation as to the amount.

9 Section 13-K. PERMITTED USE OF PUBLIC MATCHING FUNDS. Public matching funds
10 may be expended only for the receiving candidate's direct campaign purposes such
11 as, but not limited to, purchasing campaign literature or media space or time,
12 mailings, renting campaign headquarters, or paying for campaign headquarter telephones.
13 A candidate who signs a campaign contract may use neither contributions nor public
14 matching funds for indirect campaign purposes such as, but not limited to, providing
15 a candidate's personal support, or for donation to another's campaign. Permissibility
16 of an expenditure of public matching funds shall be determined by the Administrator
17 of the Office of Election Administration.

18 Section 13-L. TRANSITION. Candidates who receive contributions between
19 November 7, 1978, and January 1, 1979, and who wish to receive public matching
20 funds may apply such 1978 contributions toward meeting eligibility requirements for
21 public matching funds as though such funds were received in 1979; provided, that no
22 such contribution from an individual shall be deemed to have exceeded Two Hundred
23 Fifty Dollars (\$250), and no such contribution from a group shall be deemed to
24 have exceeded Five Hundred Dollars (\$500).

25 A candidate who wishes to qualify for public matching funds and who has con-
26 tributed more than \$1,000 of his/her own funds to his/her own 1979 campaign
27 between November 7, 1978, and January 1, 1979, may qualify only upon removing the
28 excess over \$1,000 of his/her own funds from his/her campaign fund, as well as
otherwise complying with the terms of this ordinance.

Section 13-M. As of November 15, 1982, Section 13-A through 13-M of this ordinance
are hereby repealed. On July 1, 1982, the Seattle City Council shall initiate
review of the operation of Sections 13-A through 13-M hereof and shall

1 determine whether or not these sections have effectively served the public
2 purposes expressed therein.

3 Section 2. Section 2 of Ordinance 106653 is amended as follows:

4 Section 2. DEFINITIONS. ((a)) "Administrative Code" means the Adminis-
5 trative Code of The City of Seattle, Ordinance 102228 as amended.

6 ((b)) "Administrator" means the Administrator of the Office of Election
7 Administration of The City of Seattle.

8 ((c)) "Agency" means all offices, boards, departments, divisions, commissions
9 and similar subdivisions of The City of Seattle.

10 ((d)) "Ballot proposition" means any measure, question, initiative, referen-
11 dum, recall, or charter amendment submitted to, or proposed for submission to the
12 voters of the City.

13 ((e)) "Campaign depository" means a bank designated by a candidate or
14 political committee pursuant to Section 4 of this ordinance.

15 ((f)) "Campaign treasurer" and "deputy campaign treasurer" mean the in-
16 dividuals appointed by a candidate or political committee, pursuant to Section 4 of
17 this ordinance, to perform the duties specified in this ordinance.

18 "Campaign year" means that period beginning twelve (12) months before the
19 general election and ending when a campaign is officially closed, as determined by
20 the Office of Election Administration.

21 ((g)) "Candidate" means any individual who seeks election to public office in
22 The City of Seattle, whether or not successfully. An individual shall be deemed to
23 seek election when he or she first:

24 (1) Receives contributions or makes expenditures or reserves space or
25 facilities with intent to promote his or her candidacy for office; or

26 (2) Announced publicly or files for office.

27 ((h)) "Charter" means the Charter of The City of Seattle.

28 "City" means The City of Seattle.

((i)) "Commercial advertiser" means any person who sells the service of
communicating messages or producing printed material for broadcast or distribu-
tion to the general public or segments of the general public whether through the

1 use of newspapers, magazines, television or radio stations, billboard companies,
2 direct mail advertising companies, printing companies, or otherwise.

3 ((f)) "Continuing political committee" means a political committee which is
4 an organization of continuing existence not established in anticipation of any
5 particular election.

6 ((k)) "Contribution" means a loan, loan guarantee, gift, deposit, subscription,
7 forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds
8 between political committees, or transfer of anything of value, including personal
9 and professional services, for less than full consideration, but does not include
10 interest on monies deposited in a political committee's account, ordinary home
11 hospitality, the rendering of "part time" personal services of the sort commonly
12 performed by volunteer campaign workers, or incidental expenses not in excess of
13 Twenty-five Dollars (\$25.00) personally paid for by a volunteer campaign worker.
14 For the purposes of this ordinance, the term "part time personal services" means
15 services in addition to regular full time employment or, in the case of an
16 unemployed person, services not in excess of twenty hours per week, excluding
17 weekends. For the purposes of this ordinance, contributions other than money or
18 its equivalents shall be deemed to have a money value equivalent to the fair market
19 value of the contribution. Sums paid for tickets to fund-raising events such as
20 dinners and parties are contributions; however, the amount of any such contribution
21 may be reduced for the purpose of complying with the reporting requirements of
22 this ordinance by the actual cost of consumables furnished in connection with the
23 purchase of such tickets, and only the excess over actual cost of such consumables
24 shall be deemed a contribution.

25 ((l)) "Elected official" means any person elected at a general or special
26 election to any public office of The City of Seattle and any person appointed to fill
27 a vacancy in any such office.

28 ((m)) "Election" includes any primary, general, or special election for public
office by The City of Seattle or any election in which a ballot proposition is sub-
mitted to the voters of the City; Provided, that an election in which the qualifica-
tions for voting include requirements other than those set forth in Article VI,

1 Section 1 (Amendment 63) of the Constitution of the State of Washington shall not
2 be considered an election for purposes of this ordinance.

3 ~~((n))~~ "Election campaign" means any campaign in support of or in opposition
4 to a candidate for election to public office of The City of Seattle and any campaign
5 in support of, or in opposition to, a ballot proposition.

6 ~~((o))~~ "Expenditure" means a payment, contribution, subscription, distribution,
7 loan, advance, deposit, or gift of money or anything of value, and includes a
8 contract, promise, or agreement, whether or not legally enforceable, to make an
9 expenditure. The term "expenditure" also includes a promise to pay; and a payment
10 or transfer of anything of value in exchange for goods, services, property,
11 facilities, or anything of value for the purpose of assisting, benefiting, or honoring
12 any public official or candidate, or assisting in furthering or opposing any election
13 campaign. For purposes of this ordinance, expenditures other than money or its
14 equivalent shall be deemed to have a monetary value equal to the fair market value
15 of the expenditure. The term "expenditure" shall not include: (1) the partial or
16 complete repayment by a candidate or political committee of the principal of a
17 loan, the receipt of which loan has been properly reported, or (2) payment of
18 service charges against a political committee's campaign account ~~((r))~~ , or (3) the
19 value of in-kind labor, or (4) fines or any amounts returned to the Election
20 Campaign Account as a result of any penalties imposed on a candidate for violating
21 this ordinance.

22 ~~((p))~~ "Fair Campaign Practices Commission (FCPC)" means the Fair Cam-
23 paign Practices Commission established by Section 18 of this Ordinance.

24 "In-kind labor" means services provided by a person who volunteers all,
25 or a portion, of his/her time to a candidate's election campaign, and who is not paid
26 by any person for such services.

27 "Independent Expenditure" means expenditure on behalf of, or opposing
28 the election of, any candidate, when such expenditure is made independently of the
candidate, his/her political committee, or agent, and when such expenditure is
made without the prior consent, or the collusion, or the cooperation of the can-
didate or his/her agent or political committee.

1 ((q)) "Public Disclosure Commission (PDC)" means the Public Disclosure
2 Commission established by RCW 42.17.350.

3 ((r)) "Final report" means the report described as a final report in Section 9
4 of this ordinance.

5 ((s)) "Person" means an individual, partnership, joint venture, public or
6 private corporation, association, federal, state or local government entity or
7 agency however constituted, candidate, committee, political committee, political
8 party, executive committee thereof, or any other organization or group of persons,
9 however organized.

10 ((t)) "Political advertising" means any advertising displays, newspaper ads,
11 billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television
12 presentations, or other means of mass communication, used for the purpose of
13 appealing, directly or indirectly, for votes or for financial or other support in any
14 election campaign.

15 ((u)) "Political committee" means any person (except a candidate or an
16 individual dealing with his own funds or property) having the expectation of re-
17 ceiving contributions or making expenditures in support of, or opposition to, any
18 candidate or any ballot proposition.

19 ((v)) "Public office" means any elective office of The City of Seattle.

20 As used in this ordinance, the singular shall include the plural and conversely,
21 and any gender, any other, as the context requires.

22 Section 3. Section 16 of Ordinance 106653 is amended to read as follows:

23 Section 16. ADMINISTRATOR -- DUTIES THEREOF. The executive head of
24 the Office of Election Administration shall be the Administrator, whose office shall
25 not be included in the classified Civil Service. The Administrator must have had
26 employment experience as an auditor and shall be appointed by the FCPC. Each
27 Administrator shall be appointed to an initial term of one year, subject to
28 confirmation by a two-thirds vote of the members of the City Council, and may
thereafter be re-appointed to subsequent four (4) year terms subject to a like vote.
The Administrator shall be removed from that position only for cause and subject
to a two-thirds vote of the City Council. The rate of compensation for such

1 position (~~is hereby fixed and established at a maximum of \$_____ per~~
2 ~~month,)~~ shall be as provided by the Salary Ordinance; Provided, that no ap-
3 pointment shall be made under the authority of this section except upon the filing
4 by the Civil Service Commission as a permanent record in the office of the City
5 Comptroller of its recommendation that such office, as a professional or adminis-
6 trative office or position similar to offices and positions designated in Article XVI,
7 Section 11 of the City Charter, should not be included in the classified Civil
8 Service.

9 The Administrator of the Office of Election Administration shall be respon-
10 sible for the management of said office, may in the exercise of such duties consult
11 with the Fair Campaign Practices Commission and in that connection is authorized
12 to:

13 (a) Adopt, promulgate, amend, and rescind suitable administrative rules and
14 regulations to carry out the policies and purposes of this ordinance, which rules and
15 regulations shall be promulgated pursuant to the provisions of the Administrative
16 Code (Ordinance 102228); Provided, that administrative rules and regulations
17 adopted by the PDC shall be applicable in the construction, interpretation and
18 implementation of such provisions of this ordinance as are substantially the same as
19 provisions of Ch. 42.17 RCW;

20 (b) Relieve, by published regulations of general applicability, candidates or
21 political committees of obligations to comply with the provisions of this ordinance
22 relating to election campaigns, if they have not received contributions nor made
23 expenditures of more than One Thousand Dollars (\$1,000) in connection with any
24 election campaign; and

25 (c) Require that forms developed and prepared by the PDC be utilized for
26 the reports and statements required to be made under this ordinance; Provided,
27 that whenever the Administrator determines that any such form is not reasonably
28 appropriate for the purposes of this ordinance, he may develop and provide suitable
forms as are reasonably necessary, and require such forms to be utilized for such
purposes;

(d) Encourage persons required to make reports under this ordinance to use

1 the PDC-published manual that sets forth recommended uniform methods of
2 bookkeeping and reporting;

3 (e) Compile and maintain a current list of all filed reports and statements;

4 (f) Investigate whether properly completed statements and reports have
5 been filed within the times required by this ordinance.

6 (g) Review all disclosure reports for completeness and internal consistency;

7 (h) Independently verify entries on disclosure reports and other forms
8 selected on an arithmetically random basis;

9 (i) Prepare and publish, not less than ten days before newly elected of-
10 ficers take office, a report setting forth, as to each candidate who filed a final
11 report, the amounts and sources of all contributions and the amounts and purposes
12 of all expenditures set forth in such final report; and the names and addresses of
13 any candidates who failed to file a final report or who filed an incomplete final
14 report; and prepare and publish such other reports as in his judgment will tend to
15 promote the purposes of this ordinance;

16 (j) Determine upon written complaint or upon his or her own initiative, in
17 accordance with Section 17 of this ordinance, that a violation of this ordinance has
18 occurred, and report such apparent violation to either the FCPC or the PDC;
19 provided that the Administrator shall have the authority to resolve with the person
20 who has apparently violated this ordinance, what the Administrator determines to
21 be inadvertent, de minimus violations without referring the matter to the FCPC or
22 the PDC for a hearing; provided further that the Administrator shall report
23 violations to the PDC only in the event the FCPC is unable to hear the matter.

24 (k) Have access to reports filed with the City Comptroller in accordance
25 with this ordinance and make copies thereof available at no charge for public
26 inspection with duplicates available during regular office hours at a reasonable cost
27 to the person requesting such duplicates.

28 (l) Keep, for a period of time not less than five years from the date of
filing, copies of all official reports, records and statements furnished by the City
Comptroller to the Administrator for public inspection.

(m) Review, four months prior to the beginning of any campaign year, the

1 costs of campaigning, and recommend to the City Council whether or not Sections
2 13-C through 13-I should be amended.

3 (n) Determine whether the evidence submitted by a candidate for Mayor,
4 City Council, City Attorney, City Comptroller, and City Treasurer meets the
5 eligibility requirements for receiving public matching funds.

6 (o) Accept campaign contracts from candidates for Mayor, City Council,
7 City Attorney, City Comptroller or City Treasurer.

8 (p) Monitor contributions and expenditures of candidates, and notify can-
9 didates who are close to their voluntary expenditure limitations.

10 (q) Attempt to secure grants or other sources of funding for the Election
11 Campaign Account in the General Fund.

12 Section 4. Section 21 of Ordinance 106653 is amended to read as follows:

13 Section 21. CIVIL REMEDIES AND SANCTIONS. One or more of the
14 following civil remedies and sanctions may be imposed by court order in addition to
15 any other remedies provided by law:

16 (a) If the court finds that the violation of any provision of this ordinance by
17 any candidate or political committee probably affected the outcome of any
18 election, the result of said election may be held void and a special election held
19 within sixty days of such finding. Any action to void an election shall be com-
20 menced within one year of the date of the election in question. It is intended that
21 this remedy be imposed freely in all appropriate cases to protect the right of the
22 electorate to an informed and knowledgeable vote.

23 (b) The violation or failure to comply with the provisions of Sections 3, 4,
24 5, 6, 7, 8, 9, 10, 11, 12, or 13 (regarding campaign reporting), or Section 13-C
25 (regarding contribution limitations) of this ordinance constitutes a violation subject
26 to the provisions of Chapter 12A.01 and 12A.02 of the Seattle Criminal Code, and
27 any person convicted thereof may be punished by a civil fine or forfeiture in a sum
28 not exceeding Five Hundred Dollars (\$500) per violation.

(c) Any person who fails to comply with the conditions of his/her campaign
contract shall be ineligible to receive further such funds until in compliance. Any
candidate who exceeds the expenditure limitation for which he/she has contracted

1 shall immediately return to the Election Campaign Account three
2 dollars (\$3.00) for every one dollar (\$1.00) he/she has overspent
3 in that campaign year, to a maximum amount equal to the total
4 sum of public funds he/she has received.

5 ~~((b) The court may enjoin any person to prevent the doing~~
6 ~~of any act herein prohibited, or to compel the performance of any~~
7 ~~act required herein.~~

8 ~~(c) Any person who fails to report a contribution or ex-~~
9 ~~penditure may be subject to a civil penalty equivalent to the~~
10 ~~amount not exceeding Five Hundred Dollars (\$500) he or she failed~~
11 ~~to report.~~

12 ~~(d) Any person who violates any of the provisions of this~~
13 ~~ordinance may be subject to a civil penalty of not more than Two~~
14 ~~Hundred Fifty Dollars (\$250) for each such violation; PROVIDED,~~
15 ~~however, that any person responsible for the filing of a properly~~
16 ~~completed statement or report within the time required by this~~
17 ~~ordinance who fails to file a properly completed statement or~~
18 ~~report within such time may be subject to a civil penalty of~~
19 ~~Ten Dollars (\$10.00) per day for each day each such delinquency~~
20 ~~continues; AND PROVIDED FURTHER, that no individual penalty~~
21 ~~assessed pursuant to this subsection (d) of this section shall~~
22 ~~exceed Two Hundred Fifty Dollars (\$250), and in any case where~~
23 ~~multiple violations are involved in a single complaint or hearing,~~
24 ~~the maximum aggregate penalty shall not exceed Five Hundred~~
25 ~~Dollars (\$500).)~~

26 Section 5. (EFFECTIVE DATE. This ordinance shall become
27 effective on January 1, 1979.

28

(To be used for all Ordinances except Emergency.)

Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 6 day of November, 1978,
and signed by me in open session in authentication of its passage this 6 day of
November, 1978.

John Miller
President of the City Council.

Approved by me this 7 day of November, 1978.

Charles Roper
Mayor.

Filed by me this 7 day of November, 1978.

Attest: *E. L. King*
City Comptroller and City Clerk.

(SEAL)

Published.....

By: *Rayne Angewine*
Deputy Clerk.

ORDINANCE 10.

AN ORDINANCE relating to municipal elections; providing for the limitation of contributions to and expenditures for municipal election campaigns; establishing a system of partial financing for public election campaigns; amending Sections 2, 18 and 21 of Ordinance 106653 (Fair Campaign Practices Ordinance) and adding thereto new sections 13-A, 13-B, 13-C, 13-D, 13-E, 13-F, 13-G, 13-H, 13-I, 13-J, 13-K, 13-L and 13-M.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Ordinance 106653 is amended by adding thereto thirteen new sections designated 13-A through 13-M as follows:

Section 13-A. FINDINGS OF FACT. The City finds that, in the interest of the public health, safety and welfare, the municipal election process and municipal government should be protected from undue influence by individuals and groups making large contributions to the election campaigns of candidates for Mayor, City Council, City Attorney, City Comptroller and City Treasurer.

The City finds that, in the interest of the public health, safety and welfare, the municipal election process and municipal government should be protected from even the appearance of undue influence by individuals or groups contributing to candidates for Mayor, City Council, City Attorney, City Comptroller and City Treasurer.

The City therefore finds that limitations on contributions of money, services and materials by individuals or groups to municipal election campaigns should be imposed by law to protect the public health, safety and welfare. These limitations, however, should be reasonable, so as not to discourage personal expression.

Section 13-B. APPLICATION. These Sections 13-A through 13-M apply only to candidates in any primary, general or special election for the offices of Mayor, City Council, City Attorney, City Comptroller and City Treasurer of the City of Seattle.

Section 13-C. CONTRIBUTIONS LIMITED.

(a) No person shall make a contribution of more than Two Hundred Fifty Dollars (\$250) to any candidate for Mayor, City Council, City Attorney, City Comptroller, or City Treasurer, in any campaign year. PROVIDED, a group of ten or more individuals may contribute up to Five Hundred Dollars (\$500) to any candidate for Mayor, City Council, City Attorney, City Comptroller, or City Treasurer, in the name of such group; Provided further, that no individual member of such group shall contribute more than Two Hundred Fifty Dollars (\$250) toward the group contribution, nor an aggregate amount of more than Two Hundred Fifty Dollars (\$250) to any candidate, whether through a group contribution or a personal contribution.

(b) No candidate for Mayor, City Council, City Attorney, City Comptroller, or City Treasurer shall accept or receive a campaign contribution of more than Two Hundred Fifty Dollars (\$250) from any person or more than Five Hundred Dollars (\$500) from any group of ten or more individuals in any campaign year; PROVIDED,

(1) The limitations imposed by this section shall not apply to a candidate's contributions to his/her own resources to his/her own campaign; the limitations imposed by this section shall apply to the contributions of all others; and

(2) The limitations imposed by this section shall not apply to independent expenditures as defined by this ordinance; and

(3) The limitations imposed by this section shall not apply to the value of in-kind labor.

Section 13-D. FINDINGS OF FACT. The City finds it is in the public interest to encourage the widest participation of the public in the electoral process, to reduce the dependence of candidates on large contributions, and to increase public knowledge of the candidates and of election issues.

The City finds that it is in the public interest to free candidates from the time expended in raising funds in order to increase the time available to the candidate for the discussion of public issues.

The City finds that voluntary campaign expenditure limitations coupled with provisions of public funds for campaign purposes are necessary to further these public interests at a reasonable cost to the City and that such a program should be established.

Section 13-E. CAMPAIGN CONTRACT.

(a) A candidate for Mayor, City Council, City Attorney, City Comptroller or City Treasurer of the City may sign a contract with the City agreeing to abide by limitations on candidates' contributions, expenditures, and limitations on the use of all contributions, as specified in this chapter in exchange for public matching funds.

(b) The campaign contract must be signed by the individual candidate EITHER within thirty (30) days after the individual becomes a candidate as defined in RCW 42.17.020, or at the time of filing for said office, whichever is earlier.

Section 13-F. CANDIDATE'S CONTRIBUTION LIMITATIONS. A candidate who signs a campaign contract shall make no contributions to his/her own campaign or political committee which in the aggregate exceeds One Thousand Dollars (\$1,000) in any campaign year.

Section 13-G. EXPENDITURE LIMITATIONS.

(a) A candidate who signs a campaign contract in accordance with Section 13-B, shall not, during the campaign year, make expenditures exceeding the aggregate amount of One Hundred Fifty Thousand Dollars (\$150,000) for the offices of the City Council, City Attorney, City Comptroller and City Treasurer; PROVIDED, that no more than seventy-five percent (75%) of the applicable expenditure limitation shall be spent through the day of the primary election.

Independent expenditures, as defined by this ordinance shall not be included in the computation of a candidate's expenditures.

Section 13-H. ELIGIBILITY REQUIREMENTS.

(a) To be eligible to receive public matching funds, a candidate for Mayor, City Council, City Attorney, City Comptroller or City Treasurer must meet the requirements of the City Charter and during the campaign year,

(1) for the office of Mayor either (a) receive Twenty Thousand Dollars (\$20,000) from at least one hundred (100) contributors or (b) receive three hundred (300) contributions of Ten Dollars (\$10) or more;

(2) for the offices of City Council, City Attorney, City Comptroller or City Treasurer either (a) receive Seventy-five Hundred Dollars (\$7,500) from at least one hundred (100) contributors, or (b) receive two hundred (200) contributions of Ten Dollars (\$10) or more.

(b) For purposes of establishing eligibility under this section, only those contributions received from residents of the City of Seattle shall be counted toward the requirement.

(c) Candidates must submit evidence of meeting the eligibility requirements of this section to the Office of Election Administration for verification. Upon verification of eligibility, a candidate who has signed a campaign contract shall be eligible to receive public matching funds; PROVIDED, that no such funds shall be disbursed to any qualified candidate prior to January 1 of the applicable campaign year; and PROVIDED further, that any candidate who receives public matching funds and who fails to file for public office or withdraws his/her candidacy after filing shall return to the Election Campaign Account an amount equal to the public funds disbursed to that candidate.

Section 13-I. PUBLIC MATCHING FUNDS.

(a) A candidate who has met the eligibility requirements for public matching funds and who has signed a campaign contract shall be entitled to receive one dollar in public matching funds for each dollar received from any individual to a maximum of \$60 per individual; PROVIDED, that neither loans nor the transfers of anything of value other than money to the candidate or his/her political committee shall be matched with public funds.

(b) A candidate who signs a campaign contract shall be eligible to receive public matching funds even if his/her opponent has not signed a campaign contract.

(c) A candidate who has signed a campaign contract is eligible to receive public matching funds until it is determined that such candidate has no opponent at the close of the filing period or after the primary election as

provided by law. For purposes of this section a write-in candidate shall not be considered an opponent.

(d) If following the election wherein the candidate is elected or defeated, the candidate has unexpended campaign funds, one-half of such surplus shall be returned to the Election Campaign Account within ten days of certification of the election.

(e) A candidate who has signed a campaign contract may void his/her contract within 15 days after the close of filing. Provided, an opponent of that candidate does not enter into a campaign contract pursuant to this ordinance; and PROVIDED further, that the candidate returns all public funds received pursuant to this ordinance.

Section 13-J. FUNDING.

(a) There is hereby established an Election Campaign Account in the General Fund into which shall be deposited such sums as may be appropriated from time to time in the annual budget, gifts and donations made to the City for the support of public election campaign financing, and such sums as may otherwise be appropriated to said account. Money in said account shall be expended from time to time for the purpose of partially financing public election campaigns.

(b) The Office of Election Administration may encourage and accept contributions to the Election Campaign Account. These contributions may be accepted at any time without limitation as to the amount.

Section 13-K. PERMITTED USE OF PUBLIC MATCHING FUNDS.

Public matching funds may be expended only for the receiving candidate's direct campaign purposes such as, but not limited to, purchasing campaign literature or media space or time, mailings, renting campaign headquarters, or paying for campaign headquarters telephones. A candidate who signs a campaign contract may use neither contributions nor public matching funds for indirect campaign purposes such as, but not limited to, providing a candidate's personal support, or for donation to another's campaign. The total amount of expenditure of public matching funds shall be determined by the Administrator of the Office of Election Administration.

Section 13-L. TRANSITION.

Candidates who receive contributions between November 7, 1978, and January 1, 1979, and who wish to receive public matching funds may apply such 1978 contributions toward meeting eligibility requirements for public matching funds as though such funds were received in 1979; provided, that no such contribution from an individual shall be deemed to have exceeded Two Hundred Fifty Dollars (\$250), and no such contribution from a group shall be deemed to have exceeded Five Hundred Dollars (\$500).

A candidate who wishes to qualify for public matching funds and has contributed more than \$1,000 on his/her own funds to his/her own 1979 campaign between November 7, 1978, and January 1, 1979, may qualify, upon removing the excess over \$1,000 of his/her own funds from his/her campaign fund, as well as otherwise complying with the terms of this ordinance.

Section 13-M. As of November 15, 1982, Section 13-A through 13-M of this ordinance are hereby repealed. On July 1, 1982, the Seattle City Council shall initiate review of the operation of Sections 13-A through 13-M hereof and shall determine whether or not these sections have effectively served the public purposes expressed therein.

Section 2 of Ordinance 106653 is amended as follows:

Section 2. DEFINITIONS.

(a) "Administrative Code" means the Administrative Code of the City of Seattle, Ordinance 102228 as amended.

(b) "Administrator" means the Administrator of the Office of Election Administration of the City of Seattle.

(c) "Agency" means all offices, boards, departments, divisions, commissions, and similar subdivisions of the City of Seattle.

(d) "Ballot proposition" means any measure, question, initiative, referendum, recall, or charter amendment submitted to, or proposed for submission to the voters of the City.

(e) "Campaign depository" means a bank designated by a candidate or political committee pursuant to Section 4 of this ordinance.

(f) "Campaign treasurer" and "deputy campaign treasurer" mean the individuals appointed by a candidate or political committee pursuant to Section 4 of this ordinance to perform the duties specified in this ordinance.

"CAMPAIGN YEAR" MEANS THAT PERIOD BEGINNING TWELVE (12) MONTHS BEFORE THE GENERAL ELECTION AND ENDING WHEN A CAMPAIGN IS OFFICIALLY CLOSED, AS DETERMINED BY THE OFFICE OF ELECTION ADMINISTRATION.

(g) "Candidate" means any individual who seeks election to public office in The City of Seattle, whether or not successfully. An individual shall be deemed to seek election when he or she first:

(1) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his or her candidacy for office; or

(2) Announced publicly or files for office.

(h) "Charter" means the Charter of The City of Seattle, "CITY" MEANS THE CITY OF SEATTLE.

(i) "Commercial advertiser" means any person who sells the service of communicating messages or producing printed material for broadcasts or distribution to the general public or segments of the general public whether through the use of newspapers, magazines, television or radio stations, billboard companies, direct mail advertising companies, printing companies, or otherwise.

(j) "Continuing political committee" means a political committee which is an organization of continuing existence not established in anticipation of any particular election.

(k) "Contribution" means a loan, LOAN GUARANTEE, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services, for less than full consideration, but does not include interest on monies deposited in a political committee's account, or home hospitality, the rendering of "part time" personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses not in excess of Twenty-five Dollars (\$25.00) personally paid for by a volunteer campaign worker. For the purposes of this ordinance, the term "part time personal services" means services in addition to regular full time employment or, in the case of an unemployed person, services not in excess of twenty hours per week, excluding weekends. For the purposes of this ordinance, contributions other than money or its equivalents shall be deemed to have a money value equivalent to the fair market value of the contribution. Sums paid for tickets to fund-raising events such as dinners and parties are contributions; however, the amount of any such contribution may be reduced for the purpose of complying with the reporting requirements of this ordinance by the actual cost of consumables furnished in connection with the purchase of such tickets, and only the excess over actual cost of such consumables shall be deemed a contribution.

(l) "Elected official" means any person elected at a general or special election to any public office of the City of Seattle and any person appointed to fill a vacancy in any such office.

(m) "Election" includes any primary, general, or special election for public office by the City of Seattle or any election in which a ballot proposition is submitted to the voters of the City; PROVIDED, that an election in which the qualifications for voting include requirements other than those set forth in Article VI, Section 1 (Amendment 63) of the Constitution of the State of Washington shall not be considered an election for purposes of this ordinance.

(n) "Election campaign" means any campaign in support of or in opposition to a candidate for election to public office of the City of Seattle and any campaign in support of, or in opposition to, a ballot proposition.

(o) "Expenditure" means a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. The term "expenditure" also includes a promise to pay; and a payment or transfer of anything of value in exchange for goods, services, property facilities, or

anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. FOR PURPOSES OF THIS ORDINANCE, EXPENDITURES OTHER THAN MONEY OR ITS EQUIVALENT SHALL BE DEEMED TO HAVE A MONETARY VALUE EQUAL TO THE FAIR MARKET VALUE OF THE EXPENDITURE. The term "expenditure" shall not include: (1) the partial or complete repayment by a candidate or political committee of the principal of a loan, the receipt of which loan has been properly reported; or (2) payment of service charges against a political committee's campaign account (4), OR (3) THE VALUE OF IN-KIND LABOR OR (4) FINES OR ANY AMOUNTS RETURNED TO THE ELECTION CAMPAIGN ACCOUNT AS A RESULT OF ANY PENALTIES IMPOSED ON A CANDIDATE FOR VIOLATING THIS ORDINANCE.

(p) "Fair Campaign Practices Commission (FCPC)" means the Fair Campaign Practices Commission established by Section 18 of this Ordinance.

"IN-KIND LABOR" MEANS SERVICES PROVIDED BY A PERSON WHO VOLUNTEERS ALL OR A PORTION OF HIS/HER TIME TO A CANDIDATE'S ELECTION CAMPAIGN, AND WHO IS NOT PAID BY ANY PERSON FOR SUCH SERVICES.

"INDEPENDENT EXPENDITURE" MEANS EXPENDITURE ON BEHALF OF OR OPPOSING THE ELECTION OF ANY CANDIDATE, WHEN SUCH EXPENDITURE IS MADE INDEPENDENTLY OF THE CANDIDATE, HIS/HER POLITICAL COMMITTEE, OR AGENT, AND WHEN SUCH EXPENDITURE IS MADE WITHOUT THE PRIOR CONSENT OR THE COLLUSION, OR THE COOPERATION OF THE CANDIDATE OR HIS/HER AGENT OR POLITICAL COMMITTEE.

(q) "Public Disclosure Commission (PDC)" means the Public Disclosure Commission established by RCW 42.17.350.

(r) "Final report" means the report described as a final report in Section 9 of this ordinance.

(s) "Person" means an individual, partnership, joint venture, public or private corporation, association, federal, state or local government, utility or agency, however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

(t) "Political advertising" means any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

(u) "Political committee" means any person (except a candidate or an individual dealing with his own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

(v) "Public office" means any elective office of The City of Seattle.

As used in this ordinance, the singular shall include the plural and CONVERSELY, and any gender, any other, as the context requires.

Section 3. Section 16 of Ordinance 106653 is amended to read as follows:

Section 16. ADMINISTRATOR — DUTIES THEREOF. The executive head of the Office of Election Administration shall be the Administrator, whose office shall not be included in the classified Civil Service. The Administrator must have had employment experience as an auditor and shall be appointed by the FCPC. Each Administrator shall be appointed to an initial term of one year, subject to confirmation by a two-thirds vote of the members of the City Council, and may thereafter be re-appointed to subsequent four (4) year terms subject to a like vote. The Administrator shall be removed from that position only for cause and subject to a two-thirds vote of the City Council. The rate of compensation for such position (as hereby fixed and established at a maximum of \$... per month,) SHALL BE AS PRO-

VIDED BY THE SALARY ORDINANCE; PROVIDED, that no appointment shall be made under the authority of this section except upon the filing by the Civil Service Commission of a permanent record in the office of the City Comptroller of its recommendation that such office, as a professional or administrative office or position similar to offices and positions designated in Article XVI, Section 11 of the City Charter, should not be included in the classified Civil Service.

The Administrator of the Office of Election Administration shall be responsible for the management of said office, may in the exercise of such duties consult with the Fair Campaign Practices Commission and in that connection is authorized to:

(a) Adopt, promulgate, amend, and rescind suitable administrative rules and regulations to carry out the policies and purposes of this ordinance, and such rules and regulations shall be promulgated pursuant to the provisions of the Administrative Code (ORDINANCE 102228); PROVIDED, that administrative rules and regulations adopted by the PDC shall be applicable in the construction, interpretation and implementation of such provisions of this ordinance as are substantially the same as provisions of Ch. 42.17 RCW;

(b) Relieve, by published regulations of general applicability, candidates or political committees of obligations to comply with the provisions of this ordinance relating to election campaigns, if they have not received contributions nor made expenditures of more than One Thousand Dollars (\$1,000) in connection with any election campaign; and

(c) Require that forms developed and prepared by the PDC be utilized for reports and statements required to be made under this ordinance; PROVIDED, that whenever the Administrator determines that any such form is not reasonably appropriate for the purposes of this ordinance, he may develop and provide suitable forms as are reasonably necessary, and require such forms to be utilized for such purposes; and

(d) Encourage persons required to make reports under this ordinance to use the PDC-published manual that sets forth recommended uniform methods of book-keeping and reporting;

(e) Compile and maintain a current list of all filed reports and statements;

(f) Investigate whether properly completed statements and reports have been filed within the times required by this ordinance.

(g) Review all disclosure reports for completeness and internal consistency;

(h) Independently verify entries on disclosure reports and other forms selected on an arithmetically random basis;

(i) Prepare and publish, not less than ten days before newly elected officers take office, a report setting forth, as to each candidate who filed a final report, the amounts and sources of all contributions and the amounts and purposes of all expenditures set forth in such final report; and the names and addresses of any candidates who failed to file a final report or who filed an incomplete final report; and prepare and publish such other reports as in his judgment will tend to promote the purposes of this ordinance;

(j) Determine upon written complaint or upon his or her own initiative, in accordance with Section 17 of this ordinance, that a violation of this ordinance has occurred, and report such apparent violation to either the FCPC or the PDC; provided that the Administrator shall have the authority to resolve with the person who has apparently violated this ordinance, what the Administrator determines to be inadvertent DE MINIMUS violations without referring the matter to the FCPC or the PDC; provided further that the Administrator shall report violations to the PDC only in the event the FCPC is unable to hear the matter.

(k) Have access to reports filed with the City Comptroller in accordance with this ordinance and make copies thereof available AT NO CHARGE for public inspection with duplicates available during regular office hours at a reasonable cost to the person requesting such duplicates.

(l) Keep, for a period of time not less than five years from the date of filing, copies of all official reports, records and statements furnished by the City Comptroller to the Administrator for public inspection.

(M) REVIEW FOUR MONTHS PRIOR TO THE BEGINNING OF ANY CAMPAIGN YEAR, THE COSTS OF CAMPAIGNING, AND RECOMMEND TO THE CITY COUNCIL WHETHER OR NOT SECTIONS 13-C THROUGH 13-I SHOULD BE AMENDED.

(N) DETERMINE WHETHER THE EVIDENCE SUBMITTED BY A CANDIDATE FOR MAYOR, CITY COUNCIL, CITY ATTORNEY, CITY COMPTROLLER AND CITY TREASURER MEETS THE ELIGIBILITY REQUIREMENTS FOR RECEIVING PUBLIC MATCHING FUNDS.

(O) ACCEPT CAMPAIGN CONTRACTS FROM CANDIDATES FOR MAYOR, CITY COUNCIL, CITY ATTORNEY, CITY COMPTROLLER OR CITY TREASURER.

(P) MONITOR CONTRIBUTIONS AND EXPENDITURES OF CANDIDATES, AND NOTIFY CANDIDATES WHO ARE CLOSE TO THEIR VOTABLE EXPENDITURE LIMITATIONS.

(Q) ATTEMPT TO SECURE GRANTS OR OTHER SOURCES OF FUNDING FOR THE ELECTION CAMPAIGN ACCOUNT IN THE GENERAL FUND.

Section 4. Section 21 of Ordinance 106653 is amended to read as follows:

Section 21. CIVIL REMEDIES AND SANCTIONS. One or more of the following civil remedies and sanctions may be imposed by court order in addition to any other remedies provided by law:

(a) If the court finds that the violation of any provision of this ordinance by any candidate or political committee probably affected the outcome of any election, the result of said election may be held void and a special election held within sixty days of such finding. Any action to void an election shall be commenced within one year of the date of the election in question. It is intended that this remedy be imposed freely in all appropriate cases to protect the right of the electorate to an informed and knowledgeable vote.

(B) THE VIOLATION OR FAILURE TO COMPLY WITH THE PROVISIONS OF SECTIONS 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, OR 13 (REGARDING CAMPAIGN REPORTING), OR SECTION 13-C (REGARDING CONTRIBUTION LIMITATIONS) OF THIS ORDINANCE CONSTITUTES A VIOLATION SUBJECT TO THE PROVISIONS OF CHAPTER 12A.01 AND 12A.02 OF THE SEATTLE CRIMINAL CODE, AND ANY PERSON CONVICTED THEREOF MAY BE FINISHED BY A CIVIL FINE OR FORFEITURE IN A SUM NOT EXCEEDING FIVE HUNDRED DOLLARS (\$500) PER VIOLATION.

(C) ANY PERSON WHO FAILS TO COMPLY WITH THE CONDITIONS OF HIS/HER CAMPAIGN CONTRACT SHALL BE INELIGIBLE TO RECEIVE FURTHER SUCH FUNDS UNTIL IN COMPLIANCE, ANY CANDIDATE WHO EXCEEDS THE EXPENDITURE LIMITATION FOR WHICH HE/SHE HAS CONTRACTED SHALL IMMEDIATELY RETURN TO THE ELECTION CAMPAIGN ACCOUNT THREE DOLLARS (\$3.00) FOR EVERY ONE DOLLAR (\$1.00) HE/SHE HAS OVERSPENT IN THAT CAMPAIGN YEAR, TO A MAXIMUM AMOUNT EQUAL TO THE TOTAL SUM OF PUBLIC FUNDS HE/SHE HAS RECEIVED.

((b) The court may enjoin any person to prevent the doing of any act herein prohibited, or to compel the performance of any act required herein.

(e) Any person who fails to report a contribution or expenditure may be subject to a civil penalty equivalent to the amount not exceeding Five Hundred Dollars (\$500) he or she failed to report.

(d) Any person who violates any of the provisions of this ordinance may be subject to a civil penalty of not more than Two Hundred Fifty Dollars (\$250) for each such violation; PROVIDED, however, that any person responsible for the filing of a properly completed statement or report within the time required by this ordinance who fails to file a properly completed statement or report within such time may be subject to a civil penalty of Ten Dollars (\$10.00) per day for each day each such delinquent contributor, AND PROVIDED FURTHER, that the individual penalty assessed pursuant to this subsection (d) of this section shall exceed Two Hundred Fifty Dollars (\$250); and in any case where in a single complaint or hearing, the maximum aggregate penalty shall not exceed Five Hundred Dollars (\$500).)

Section 5. EFFECTIVE DATE. This ordinance shall become effective on January 1, 1979.

Section 6. This ordinance shall take effect and be in force thirty

days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 6th day of November, 1978, and signed by me in open session in authentication of its passage this 6th day of November, 1978.

JOHN MILLER,
President of the City Council.

Approved by me this 7th day of November, 1978.

CHARLES ROYER,
Mayor.

Filed by me this 7th day of November, 1978.

Attest: E. L. KIDD,
City Comptroller and
City Clerk.

By: WAYNE ANGEVINE,
(Seal) Deputy Clerk.

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

(Boldface denotes deletion)
Date of official publication in the Daily Journal of Commerce, Seattle, November 9, 1978.
(C-678)

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on Special Committee on Campaign Financing

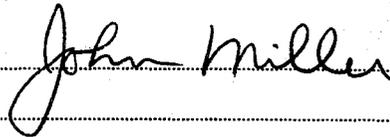
NOV 6 1978

to which was referred C.B. 99877

AN ORDINANCE relating to municipal elections providing for the limitation of contributions to and expenditures for municipal election campaigns and establishing a system of partial financing for public election campaigns; amending Section 2, 16 and 21 of Ordinance 106653 (Fair Campaign Practices Ordinance) and adding thereto new sections 13-A, 13-B, 13-C, 13-D, 13-E, 13-F, 13-G, 13-H, 13-I, 13-J, 13-K, 13-L and 13-M.

Recommends Same Do Pass *as amended*

Chairman



Chairman

Committee

Committee

C-673

Affidavit of Publication

STATE OF WASHINGTON
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

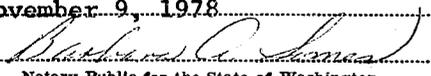
Ordinance No. 107772

was published on

November 9, 1978


Subscribed and sworn to before me on

November 9, 1978


Notary Public for the State of Washington,
residing in Seattle.