

Ordinance No. 123268

CONTRIBUTIONS TO OFFICE FUNDS

The City of Seattle - Legislative Department

Council Bill No. 116800

Council Bill/Ordinance sponsored by: Sam Licata

AN ORDINANCE relating to regulation of solicitation of contributions to Office Funds; amending sections 2.04.380 and 2.04.385.

Committee Action:

Date	Recommendation	Vote
3-24-10	APPROVE	3-0
		SC, SB, TB

Related Legislation File:

Date Introduced and Referred: <u>3-1-10</u>	To: (committee): <u>Committee on the Built Environment</u>
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: <u>3-29-10</u>	Date Presented to Mayor: <u>3-30-10</u>
Date Signed by Mayor: <u>4-8-10</u>	Date Returned to City Clerk: <u>4-8-10</u>
Published by Title Only _____	Date Vetoed by Mayor:
Published in Full Text <u>X</u>	Date Passed Over Veto:
Date Veto Published:	Date Returned Without Signature:
Date Veto Sustained:	

This file is complete and ready for presentation to Full Council.

Full Council Action:

Date	Decision	Vote
3-29-10	Passed	8-0 (Excused: Licata)

Law Department

1 No supervisor employed by the City may solicit a contribution to an office fund created
2 under section 2.04.180, a candidate for public office, a political party, or a political committee
3 from any person whom he or she supervises.

4 Section 3. This ordinance shall take effect and be in force thirty (30) days from and after
5 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
6 after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

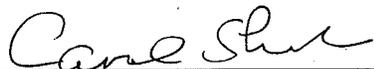
7
8 Passed by the City Council the 29th day of march, 2010, and
9 signed by me in open session in authentication of its passage this
10 29th day of march, 2010.

11
12 
13 _____
14 President _____ of the City Council

15 Approved by me this 8th day of April, 2010

16
17 
18 _____
19 Michael Patrick McGinn, Mayor

20 Filed by me this 8th day of April, 2010.

21
22 
23 _____
24 City Clerk

25
26
27
28 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Legislative	Mike Fong/5-1675	N/A

Legislation Title:

AN ORDINANCE relating to regulation of solicitation of contributions to Office Funds;
amending sections 2.04.380 and 2.04.385.

• **Summary of the Legislation:**

Amends the SMC to apply existing regulations regarding the solicitation of City employees for campaign contributions to Office Funds.

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

In June of 2009, the Council adopted ordinance 123011 establishing new regulations related to the solicitation of campaign contributions by elected officials, candidates for office and their agents. The new provisions prohibit the knowing or indirect solicitation of City employees by any of the above parties for campaign contributions. The ordinance identifies a set of exceptions under specific conditions where solicitation of City employees would not violate the new regulations.

The ordinance, among other goals, was intended to prevent public employees from being pressured or coerced into making financial contributions to political candidates or in support of ballot measures. The ordinance also cited the existence of State law that currently prohibits similar solicitations of employees by City officials (RCW 42.17.750).

Subsequent to adoption of this ordinance, some councilmembers have expressed an interest in extending these regulatory provisions to the solicitations for Office Funds. Given the risk of similar employer/employee interactions resulting from solicitations for contributions for an Office Fund compared with requests of financial support for political candidates or ballot measures, extending the regulations adopted in ordinance 123011 may be appropriate.

• *Please check one of the following:*

- This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*



STATE OF WASHINGTON – KING COUNTY

--SS.

253531
CITY OF SEATTLE, CLERKS OFFICE

No.

Affidavit of Publication

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.

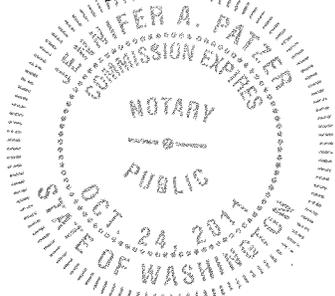
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123268 ORDINANCE

was published on

04/21/10

The amount of the fee charged for the foregoing publication is the sum of \$ 95.55, which amount has been paid in full.



Affidavit of Publication

[Handwritten signature]

Subscribed and sworn to before me on

04/21/10

[Handwritten signature]

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

ORDINANCE 123268

AN ORDINANCE relating to regulation of solicitation of contributions to Office Funds; amending sections 2.04.380 and 2.04.385.

WHEREAS, the City Council is committed to preventing public employees from being pressured or coerced into making financial contributions; and

WHEREAS, the State of Washington and the City already prohibits City officials from soliciting political campaign contributions from employees in the official's agency as stated in RCW 42.17.750; and

WHEREAS, the City Officials and supervisors are restricted from soliciting campaign contributions under SMC 2.04.380 and SMC 2.04.385

WHEREAS, solicitation of contributions to an Office Fund allowed by SMC 2.04.480 is no less coercive solicitation of political contributions; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 2.04.380, which was last amended by Ordinance 123011, is amended as follows:

Solicitation of contributions by elected officials, candidates or their agents

1. No elected official, candidate, or an official's or candidate's agent may knowingly solicit, directly or indirectly, a contribution to an office fund created under section 2.04.180, a candidate for public office, a political party, or a political committee from a City employee or any member of a City board or commission.

Section 2. Seattle Municipal Code Section 2.04.385, which was last amended by Ordinance 123011, is amended as follows:

No supervisor employed by the City may solicit a contribution to an office fund created under section 2.04.180, a candidate for public office, a political party, or a political committee from any person whom he or she supervises.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 29th day of March, 2010, and signed by me in open session in authentication of its passage this 29th day of March, 2010.

Richard Conlin

President of the City Council

Approved by me this 8th day of April, 2010

Michael Patrick McGinn, Mayor

Filed by me this 8th day of April, 2010.

Publication ordered by the City Clerk
Date of publication in the Seattle Daily Journal of Commerce, April 21, 2010.

4/21(253531)