



**NOTICE OF PUBLIC MEETING
AND POSSIBLE EXECUTIVE SESSION OF THE
STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION**

Location: Citizens Clean Elections Commission
1110 W. Washington, Suite 250
Phoenix, Arizona 85007

Date: Thursday, June 27, 2024

Time: 9:30 a. m.

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the Commissioners of the Citizens Clean Elections Commission and the general public that the Citizens Clean Elections Commission will hold a regular meeting, which is open to the public on June 27, 2024. This meeting will be held at 9:30 a.m. **This meeting will be held in person and virtually. The meeting location will be open by 9:15 a.m. at the latest.** Instructions on how the public may participate in this meeting are below. For additional information, please call (602) 364-3477 or contact Commission staff at ccec@azcleelections.gov.

The meeting may be available for live streaming online at <https://www.youtube.com/c/AZCCEC/live>. You can also visit <https://www.azcleelections.gov/clean-elections-commission-meetings>. Members of the Citizens Clean Elections Commission may attend in person, by telephone, video, or internet conferencing.

Join Zoom Meeting

<https://us02web.zoom.us/j/89282837153>

-
Meeting ID: 892 8283 7153

-
One tap mobile

1-253-215-8782,, 89282837153# US

Please note that members of the public that choose to use the Zoom video link must keep their microphone muted for the duration of the meeting. If a member of the public wishes to speak, they may use the Zoom raise hand feature and once called on, unmute themselves on Zoom once the meeting is open for public comment. Members of the public may participate via Zoom by computer, tablet or telephone. A dial-in option is also available but you will not be able to use the Zoom raise hand feature, so the meeting administrator will assist phone attendees. Please keep yourself muted unless you are prompted to speak. The Commission may allow time for public comment on any item on the agenda.

Commission members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing Commission staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date. The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item listed on the agenda, pursuant to A.R.S. § 38-431.03 (A)(3). The Commission reserves the right at its discretion to address the agenda matters in an order different than outlined below.

Any person with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Commission at (602) 364-3477. Requests should be made as early as possible to allow time to arrange accommodations.

The agenda for the meeting is as follows:

- I. Call to Order.
- II. Discussion and Possible Action on Meeting Minutes for May 16, 2024.
- III. Discussion and Possible Action on Executive Director’s Report, Enforcement and Regulatory Updates, and Legislative Update.

Note: The executive director’s report includes announcements and information about elections and campaign finance, a report on voter education activities, administrative information, including the results of a recent survey of younger voters, information on candidates running clean, reports on legal proceedings involving Clean Elections and other Arizona election officials, a report on correspondence from other agencies, appointments, enforcement status, and regulatory agenda. It is included in the Commission packet available on the Commission’s website or by request at ceec@azcleelections.gov.
- IV. Discussion and Possible Action on Updates for 2024 Voter Education Efforts.
- V. Discussion and Possible Action on Advisory Opinion arising from a request by Star Spangled Media under the Voter’s Right to Know Act regarding whether its activities are campaign media spending, whether it is a covered person, whether the media exception applies, and whether its revenue is business income as these terms are defined in the Act.
- VI. Public Comment.

This is the time for consideration of comments and suggestions from the public. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date or responding to criticism
- VII. Adjournment.

This agenda is subject to change up to 24 hours prior to the meeting. A copy of the agenda background material provided to the Commission (with the exception of material relating to possible executive sessions) is available for public inspection at the Commission’s office, 1110 W Washington St, #250, Phoenix, AZ 85007.

Dated this 25th day of June, 2024
Citizens Clean Elections Commission
Thomas M. Collins, Executive Director

THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF VIRTUAL PUBLIC MEETING

Phoenix, Arizona

May 16, 2024

11:00 a.m.

Miller Certified Reporting, LLC
PO Box 513, Litchfield Park, AZ 85340
(P) 623-975-7472
www.MillerCertifiedReporting.com

Reported By:
Angela Furniss Miller, RPR
Certified Reporter (AZ 50127)

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

2

1 VIRTUAL PUBLIC MEETING, BEFORE THE CITIZENS CLEAN
 2 ELECTIONS COMMISSION, convened at 11:00 a.m. on
 3 May 16, 2024, at the State of Arizona, Citizens Clean
 4 Elections Commission, 1110 West Washington, Suite 250,
 5 Phoenix, Arizona, in the presence of the following Board
 6 Members:
 7 Mr. Mark S. Kimble, Chairman
 Mr. Galen Paton
 8 Ms. Amy Chan
 Mr. Steve Titla
 9 Ms. Christina Estes-Werther

10 OTHERS PRESENT:

11 Thomas M. Collins, Executive Director
 Mike Becker, Policy Director
 12 Gina Roberts, Voter Education Director
 Avery Xola, Voter Education Manager
 13 Kara Karlson, Assistant Attorney General
 Cathy Herring, CAE
 14 Emma Cone-Roddy, Member of the Public

15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

4

1 minutes as written.
 2 CHAIRMAN KIMBLE: Okay. Thank you, Commissioner
 3 Chan.
 4 Is there a second?
 5 COMMISSIONER WERTHER: Second.
 6 CHAIRMAN KIMBLE: Okay. It's been moved by
 7 Commissioner Chan, seconded by Commissioner Werther to
 8 approve the minutes.
 9 I will call the roll.
 10 Commissioner Chan.
 11 COMMISSIONER CHAN: Aye.
 12 CHAIRMAN KIMBLE: Commissioner Titla.
 13 COMMISSIONER TITLA: Aye.
 14 CHAIRMAN KIMBLE: Commissioner Paton.
 15 COMMISSIONER PATON: Aye.
 16 CHAIRMAN KIMBLE: Commissioner Werther.
 17 COMMISSIONER ESTES-WERTHER: Aye.
 18 CHAIRMAN KIMBLE: Thank you. The minutes are
 19 approved 5-to-nothing.
 20 Item III, discussion and possible action on the
 21 Executive Director's report.
 22 Tom.
 23 MR. COLLINS: Yes. Thank you, Mr. Chairman. Thank
 24 you, Commissioners, for being here today on our -- for this,
 25 for being flexible to move this meeting up a couple of

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

3

P R O C E E D I N G

1
 2
 3 CHAIRMAN KIMBLE: Thank you. My name is Mark
 4 Kimble. Agenda Item I is the call to order.
 5 It's 11:00 a.m. on May 16th, 2024, and I call this
 6 meeting of the Citizens Clean Elections Commission to order.
 7 With that we will take attendance. Commissioners,
 8 please identify yourselves for the record.
 9 COMMISSIONER CHAN: I'm Amy Chan.
 10 COMMISSIONER ESTES-WERTHER: Christina Werther.
 11 CHAIRMAN KIMBLE: Okay. I heard Commissioner Chan
 12 and Commissioner Werther.
 13 COMMISSIONER PATON: Galen Paton.
 14 COMMISSIONER TITLA: Yeah, Steve -- Steve Titla.
 15 CHAIRMAN KIMBLE: Okay. Thank you, Commissioners
 16 Paton and Titla; we have all five of us here today. Thank
 17 you.
 18 Item III [verbatim], discussion and possible action
 19 on minutes for the April 18th, 2024, meeting.
 20 Commissioners, you have the minutes from our last
 21 meeting in your packet. Is there any discussion from the
 22 Commissioners?
 23 COMMISSIONER CHAN: Mr. Chairman.
 24 CHAIRMAN KIMBLE: Commissioner Chan.
 25 COMMISSIONER CHAN: I move that we approve the

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

5

1 weeks.
 2 I want -- and we have actually a pretty
 3 action-packed Executive Director's report; three huge items.
 4 We have commenced our debate season. Our
 5 legislative debates kicked off about 10 days ago and our
 6 televised debates for statewide and federal offices started
 7 last night with a debate between the candidate -- Democratic
 8 candidates for the Congressional District 1 nomination.
 9 This was a really great event, and the beauty of it
 10 is it not only is available to -- for live broadcast but
 11 also will be available -- to the entire Arizona media
 12 association consortium to broadcast across the state. So we
 13 will see rebroadcast of this particular debate throughout
 14 the week and weekend, and then we anticipate as we move
 15 forward, additional broadcasts.
 16 We have two other important voter education
 17 announcements and then I -- Mr. Chairman, if I may, I just
 18 want to make sure after a note that if Gina had anything
 19 that she wanted to make sure we highlighted.
 20 But we've also relaunched our website with a
 21 redesign. I encourage everyone to take a look at that.
 22 We're very excited about it. I've highlighted some of
 23 the -- some of the things that I think Alec is most proud
 24 of. I want to thank Alec for his hard work in -- in
 25 accomplishing this relaunch. It's a lot of work between him

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

6

1 and -- and the rest of the voter education staff and our
 2 partners at Riester as well as our IT folks so.
 3 But it's really exciting, it's dynamic, it's fresh
 4 and I think welcoming and organized. And I think that when
 5 we think about this is in terms of what voters are seeing
 6 and how important it is for them to get access to
 7 information that they can -- they can readily find what
 8 they're looking for, I think is really -- it's really
 9 important.
 10 CHAIRMAN KIMBLE: Tom, if I could just say. I
 11 spent some time looking at the new website the past couple
 12 days. It's very, very well done. It's easy to navigate, it
 13 really draws your attention to some of the more important
 14 parts of the website. And Alec and Gina and the other
 15 people who worked on it, fabulous job.
 16 MR. COLLINS: No, absolutely. Absolutely.
 17 And then we will have this Friday the files for the
 18 print version of the Voter Education Guide will be uploaded
 19 for print. And that will be -- they'll have 196 candidates
 20 that are in the booklet, and as well as our -- our -- as
 21 we've seen in prior presentations our new sticker, our "I
 22 voted" sticker.
 23 So I did -- Mr. Chairman, if I could, I just want
 24 to make sure if Gina had anything she wanted to make sure we
 25 highlighted on those three items. I don't know if she does.

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

8

1 to the Arizona Media Association and Riester. So we're,
 2 again, very happy with the look and feel of it.
 3 We had six candidates which was pretty large, and
 4 we felt that it -- it worked very well. We're very happy
 5 with our moderators who were Steve Goldstein and Richard
 6 Ruelas. So it's a great start to our -- our debate season
 7 this year.
 8 And as Tom mentioned, we do go to print with our
 9 Voter Education Guide on Friday. We're going to have almost
 10 2.4 million pieces that will go out to -- to households with
 11 registered voters across the state. The introduction of
 12 that guide has great information of the logistics of voting,
 13 everything a voter needs to know; and then, of course,
 14 the -- the statements.
 15 Now that voter guide does print the candidate
 16 statements for statewide and legislative office, however you
 17 will see on our website we have significantly more candidate
 18 profiles on there ranging from our federal candidates to
 19 local candidates. We are seeing a lot of city council
 20 candidates who are coming to our site to use it, which is
 21 fantastic; candidates for mayor, for school districts.
 22 So we're seeing a lot of candidates really wanting
 23 to utilize the resources that Clean Elections is providing.
 24 So with that, I'm happy to answer any questions.
 25 CHAIRMAN KIMBLE: Any questions for Gina from any

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

7

1 MS. ROBERTS: Mr. Chairman, may I?
 2 CHAIRMAN KIMBLE: Yes. Gina.
 3 MS. ROBERTS: Thank you. Mr. Chairman,
 4 Commissioners, thanks. Actually here's what that sticker
 5 looks like.
 6 So this will be inserted in the center of the Voter
 7 Education Guide. We have an English sticker here; you flip
 8 it over, we got the Spanish sticker right there. So we're
 9 very excited about that.
 10 And then regarding the CD-1 debate, that was the
 11 first debate in our new studio. I believe your packet has
 12 some photos of what that set looks like, and we were very
 13 happy with the carriage plan which I believe you also have
 14 in your packet.
 15 So just to give you a recap of that. We had that
 16 debate that was available for voters for the CD-1 Democratic
 17 candidates. It aired on live TV from an English standpoint;
 18 we also had it airing live on Spanish. And we had a lot of
 19 partners pick it up for streaming as well too. We also note
 20 during the 6:00 p.m. news hour some -- some of our media
 21 partners cut over to the debate and showed it in screen and
 22 were referring people to it. We saw some of our media
 23 partners do a post-debate analysis on it.
 24 So we were very happy with the reach and coverage
 25 that this debate had and, again, that is due in partnership

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

9

1 member of the Commission?
 2 (No audible response.)
 3 CHAIRMAN KIMBLE: Thank you, Gina.
 4 Tom.
 5 MR. COLLINS: Yes, thank you. Mr. Chairman, I just
 6 wanted to finish out the report. You can see we've, you
 7 know, continued and has been -- you know, to do outreach on
 8 the ground, especially with Avery's continued effort to be
 9 available to civic engagement partners around state.
 10 We continue to put -- we are continuing to do
 11 candidate workshops and we are starting to see candidates --
 12 more candidates turn in their \$5 slips with an eye towards
 13 funding. I don't know, I don't think we have a precise
 14 number yet of how many candidates. We do know it,
 15 obviously, continues to be at a lower number of candidates,
 16 you know, than in, you know, 10, 15 years ago. But,
 17 nevertheless, we're -- we're proceeding with that.
 18 I think that I do need to mention, you know, as we
 19 go -- so the State budget is a -- being negotiated according
 20 to media reports between some legislative members and -- and
 21 members of the Governor's staff.
 22 As part of the budget process, the -- the
 23 Department of Administration has sort of been set up it
 24 seems like to manage agency implementations of potential
 25 budget cuts and -- and related actions.

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

10

1 So in the last month a letter came out from the
2 Governor's office to all state agencies that indicated that,
3 you know, there was going to be something they're describing
4 as a -- as a head-count cap, some other -- some other things
5 along those lines. And then some counties are -- or
6 counties, I was in the meeting with a county. Some agencies
7 are being required to make -- to show how they would make
8 cuts in the current fiscal year to their General Fund
9 appropriation.
10 So how did that affect -- how does that affect us?
11 We are not -- we were not asked to make -- demonstrate our
12 ability to make cuts for our -- to our current spending
13 because we're not -- at least we assume it's because we're
14 not funded through the General Fund.
15 We have been told that we are subject to the
16 head-count cap which includes not just staff but also
17 contractors, and also the -- what they are describing as a
18 pause on pay increases and also performance-related
19 incentive payments.
20 So one of the things that -- the reasons I wanted
21 to highlight this for the Commission, I think it's important
22 for business is, you know, there -- the DOA has indicated
23 there is going to be some kind of process by which, and
24 we've had a little bit of information about this, how we
25 might if we needed to make an hire or if we needed to

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

12

1 of the Commission.
2 You can see the sort of, the kind of -- you know,
3 as bad as -- as much as people may not make slippery-slope
4 arguments, if the Department of Administration can tell us
5 when we can hire and when we can't hire, then the Department
6 of Administration can tell us basically when we can function
7 and when we can't function by -- by sort of, you know, sort
8 of by logical extension.
9 So it is something we do need to keep an eye on for
10 that reason.
11 But, you know, again, so far we've been able --
12 we've worked through. And, of course, we have been and
13 through the budgets you-all approved over the years and then
14 the management decisions we made, we are, in fact, running
15 a, you know, a -- we're running a tight ship in terms of
16 staffing. We don't have a lot of excess staff. I mean, we
17 really -- in fact, I would say we are probably running
18 understaffed. You know, there's some good reasons for that
19 and some coincidental reasons for that. But, nevertheless,
20 you know, we do think we've been responsible with respect to
21 our -- our -- our administration of the -- of the budget.
22 So, you know, we -- we don't want to end up being
23 the sort of the victims of our efforts to not unnecessarily
24 expand staff and those kinds of things down the road.
25 Especially because without, you know, absent some action by

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

11

1 especially bring on an additional contractor, how we might
2 do that.
3 The bigger -- the big picture. So -- so hopefully
4 that will work and avoid sort of a direct conflict.
5 But the reality is that, you know, given that the
6 Commission is not under the General Fund and given that the
7 Commission under the case law and given our structure does
8 not report to the Governor's office, it's -- we're in a
9 little bit of an odd situation where the -- you know, having
10 the Department of Administration sort of dictate to us those
11 kinds of management decisions. It's not, for example,
12 particularly clear to me what DOA's authority for -- for
13 doing that is, nor has it been particularly clear to me what
14 DOA's authority is for a number of different things we've
15 been dealing with with them.
16 So, you know, our goal will be if things come up,
17 we will try to work through the exception process rather
18 than have, you know, sort of a direct conflict about this
19 issue. But I do think, you know, that we need to be aware
20 that, you know, in prior budget, for lack of better word,
21 crisis, the Commission has been -- has not been included in
22 some of the steps agencies otherwise had to take because of
23 the -- the nature of the Commission's funding and because of
24 the structure of the Act and the -- and the way in which the
25 Arizona Supreme Court has recognized the -- the independence

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

13

1 the legislature that is specific to the Clean Elections Fund
2 and checks a number of legal boxes, the Clean Elections Fund
3 is simply not available as a solution of the current budget
4 issues that the -- that the -- that the State is
5 encountering.
6 So, we will see how that goes.
7 We did, however, get approval for two sponsorships
8 that I mentioned last -- last month. Those meetings turned
9 out to be, I think, fairly productive. Paula, Gina and I
10 met with DOA folks on those and we were able to get approval
11 for the two sponsorships we were concerned about. And we
12 have additional sponsorships that we will be working with
13 them to get -- to approve.
14 We have had a -- we did have an oral argument last
15 week on the Prop 211 case, which we thought -- I mean, we
16 will see how -- how that -- you know, how the Court rules.
17 The main issues in that case, this is a case the Legislative
18 Leadership has brought that pertains to whether or not the
19 Voter Right to know Act is violative of sort of separation
20 of powers, principles, and some related theories.
21 You know, it's a -- you know, it's kind of a
22 complicated -- kind of a complicated case, but I think that
23 our -- you know, our -- our attorney Eric Frazier from
24 Osborn Maledon I think did a -- did a great job. And, you
25 know, the other issue that is in the case is -- is standing,

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

14

1 which is to say, without the legislative leadership itself,
2 has standing to assert an injury to them, to the
3 legislature, and -- and/or to the -- their ability to make
4 laws in this area.
5 And so that -- so, you know, we'll see how that
6 goes. But it was -- you know, it was an interesting and,
7 you know, I think it was a good argument, and I think we did
8 a good job.
9 Couple of other things that just in the general
10 world of election law, you know, I wanted to update the
11 portion of the -- the other legal portion of the report.
12 We -- the Attorney General's office and Secretary of State's
13 office were able to successfully defend the current
14 signature verification process and the current bases for
15 having drop boxes that voters use to return their early
16 ballots in Yavapai County. That's an update from the actual
17 report.
18 And there are, as I mentioned, three -- in the
19 report there are three challenges to the election procedures
20 manual. One of those challenges was dismissed on -- earlier
21 this week as I mentioned in the report. This is a -- this
22 was a challenge as to whether or not the EPM has to go
23 through the -- the Arizona Procedures Act, which is
24 basically the act that says, you know, if you are making
25 rules or what have you, here are the notice and comment

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

16

1 Mr. Chairman -- oh. I'm sorry. I apologize.
2 One other thing I need to mention that is very late
3 breaking. You know, we mention always on the agenda that
4 there's legislative issues. Today at 10:00 a.m. -- so I
5 haven't got a chance to tune in, but there was a hearing on
6 a HCR.
7 This HCR would rewrite portions of the election
8 code to essentially require on-site tabulation of ballots.
9 Instead of taking those ballots back to central count, it
10 would set up essentially a process that which voters who
11 vote on the day of election and voters who return their
12 early ballots would basically both have to go through the
13 same voter ID process and it also puts restrictions on when
14 early ballots can be taken in.
15 And -- and it also does a number of other -- has a
16 number of other provisions related to certifications of
17 whether or not any foreign-owned interest is involved in
18 election administration and a number of other -- a number of
19 other things.
20 Why does it matter to Clean Elections? Last night
21 after 5:00, we learned that there was an amendment that
22 would take \$11 million from the Clean Elections Fund to pay
23 for the on-site polling changes that the HCR purports to do.
24 So as an HCR, this is a measure that would have to
25 go to the ballot. I just -- the only thing I would

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

15

1 rules associated with that and rejected -- the Court
2 rejected that.
3 And then -- and then there are a number of -- a
4 couple of other cases out there on that that I will -- I can
5 provide you more details about that as they...
6 So, you know, and Kara obviously is part of that,
7 part of the arguing the RMC case about the EPA challenge.
8 And also that was in -- as well as the outlying cases.
9 So those were big successes, and I think
10 importantly from both an administrative perspective and from
11 a voter-education perspective, you know, getting the rules
12 set and challenges to the rules of election resolved as
13 quickly as possible is important, because at the end of the
14 day, you know, I think that we are attuned to the fact
15 that -- that, you know, a part of our job is to try to make
16 sure people can go and easily find the rules of the road.
17 And, you know, the longer litigation sort of waits and then
18 hangs around, the more likelihood there is that voters will
19 be confused and that voter confusion in turn exacerbates
20 issues with misinformation and disinformation.
21 And -- and so we're pleased to see those cases get
22 resolved in a way that supports the decisions that election
23 officials are making.
24 I believe that is -- those -- that sort of
25 concludes -- that concludes the report from my perspective.

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

17

1 mention -- I mean, we're monitoring the legislation as it
2 proceeds. You know, the thing about -- the thing about
3 appropriating monies from the Clean Elections Fund even by
4 referendum, you know, is via a case that Commissioner Chan
5 and former Commissioner Luis Hoffman brought in individual
6 capacities about six years ago, ref- -- legislative
7 referendums are subject to the single-subject provisions of
8 the Arizona Constitution. There is a specific provision of
9 the Constitution that talks about appropriations themselves
10 and it has one provision that deals with the general
11 appropriations bill and then another section that says --
12 another clause that these -- that all the bills have to have
13 separate appropriations and so -- as a separate -- as a
14 subject of their own. So there may be a legal issue there.
15 What the legislature is trying to deal with is the
16 fact that, you know, another constitutional provision
17 requires that those measures that are going to have a --
18 implicate a mandatory spending of state revenues need to
19 have that source identified and can be -- you know, it's a
20 fact-specific inquiry, can be unconstitutional if they
21 failed to provide that.
22 Presumably what the legislature's proposal is as
23 this moves forward is to try to find that revenue source
24 and -- and use maybe the Clean Elections Fund to do that.
25 The -- those two constitutional provisions are, you

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

18

1 know, are operated in such a way that it may be so that the
 2 legislature can identify a revenue source for paying for
 3 this if, in fact, their proposal -- this is Senator Rogers'
 4 proposal requires -- requires one. However, it's not at all
 5 clear that they can use -- use an -- can actually do an
 6 appropriation to do that.

7 In other words, they could -- might could create
 8 their own revenue stream, you know, and meet the
 9 requirements of the revenue source rule. But once you get
 10 into actually appropriating money out of an existing fund,
 11 there is a legal issue there and -- and whether or not --
 12 and the case law there, you know, you know, we -- we had
 13 a -- this Supreme Court, the current Supreme Court struck
 14 down numerous provisions of -- of an omnibus budget bill --
 15 excuse me -- two years ago because of this -- this
 16 appropriation single-subject clause.

17 So that is a live issue. Hard to predict how it
 18 will play out. But we do think it -- we obviously, you
 19 know, a hit on the fund that is not really associated with
 20 anything that Clean Elections does, you know, we do think
 21 has some -- some legal problems, and we do think that is
 22 something we will keep an eye on.

23 The last point I will make about the appropriation
 24 is, it is very odd. The other thing it does that makes
 25 little sense to me is it appropriates the money to the

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

20

1 Discussion and possible action on Advisory Opinion
 2 Request 24-02 and Draft Advisory Opinion 24-04 relating to
 3 whether activities performed by an employee of a political
 4 party qualify as campaign media spending as defined in the
 5 Voters' Right to Know Act requested by the Arizona
 6 Democratic Party's Arizona Democratic Legislative Campaign
 7 Committee.

8 Commissioners, we have an advisory opinion request
 9 filed by the Arizona Democratic Party's Arizona Democratic
 10 Legislative Campaign Committee. This question has to do
 11 with how the parties should address activities that are
 12 included in the definition of campaign media spending.

13 Last month we discussed the opinion, voted to
 14 accept additional comments. We received one additional
 15 comment.

16 I would like Tom to recap the opinion draft and
 17 highlight key changes since the last draft.

18 Tom.

19 MR. COLLINS: Yes, thank you, Commissioners.
 20 I am going to share my screen, I hope.

21 So I kind of want to give a -- I want to sort of --
 22 I guess I'll start -- if it makes any sense, I guess I kind
 23 of had this in reverse.

24 But we'll come back to this, but the first thing I
 25 wanted to talk about are the changes.

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

19

1 Secretary of State's office then to be distributed to the
 2 counties. So it adds a layer of bureaucracy for no reason
 3 at all.

4 I mean, and that's -- that's -- as a policy choice
 5 that just -- I don't -- I don't understand that. The
 6 legislature could have simply said, "The Citizens Clean
 7 Elections Commission shall" blah, blah, blah. Whether or
 8 not that's legal or not is a different question, but there's
 9 this sort of odd extra layer of bureaucracy that -- that
 10 doesn't make a lot of sense and seems to just create an
 11 additional transaction cost.

12 So, you know, we'll see how that progresses. I'm
 13 sure we'll get a little bit of an update here on that later
 14 today on that.

15 But it didn't make it into my written notes because
 16 of the timing of this amendment, so I almost -- that's why I
 17 almost forgot. But, you know, we'll be monitoring that as
 18 we go forward. And as I have more information to provide, I
 19 will -- I will provide it to you.

20 CHAIRMAN KIMBLE: Thank you, Tom.
 21 Are there any questions or discussion from members
 22 of the Commission?
 23 (No audible response.)
 24 CHAIRMAN KIMBLE: Hearing none, we will move on to
 25 Item V.

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

21

1 So there's a redline version in your packet and
 2 then there is a -- so the original, the redline, and then
 3 the draft that we're requesting that you approve today.

4 The main changes -- the bottom line from staff's
 5 perspective or from my perspective on -- on where this comes
 6 out didn't change. However, we did in view of the comment
 7 we received from the Elias Law Group, make a couple of
 8 things, we think, clearer.

9 First, you'll see when you review -- when you've
 10 reviewed the draft, that there's a longer background section
 11 that describes the definition of "expenditure" for purposes
 12 of PACs and political committees and -- or parties, and --
 13 and also the Voter Right to Know Act definitions.

14 You know, part of the reason to do that was to try
 15 to better explicate how those laws are similar and how
 16 they're different.

17 And so in so doing, we tried to add some additional
 18 examples that are specific of where an activity that might
 19 not be reported as an expenditure by a political party like
 20 the Arizona Democratic Party might nevertheless qualify as
 21 campaign media spending under the definition of "campaign
 22 media spending." I think the -- the examples that were that
 23 can arise -- and, obviously, this is fact specific and you
 24 have to look at the text of the Voter Right to Know Act
 25 itself and the text of the -- the definition and exceptions

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

22

1 for "expenditure" -- but some party-building activities are
2 expressly set aside as exempt from the definition of
3 expenditures by a party.
4 So what that means is on their schedule of
5 expenditures that they publish through the Secretary of
6 State's office, whether -- where those expenses may be
7 captured, they're not going to be captured as expenditures.
8 Some of the specific terminology in that exception
9 in the activity definition of -- of the Voters' Right to
10 Know Act for campaign media spending is included. So the
11 clearest example of that is sort of partisan
12 get-out-the-vote efforts are included as an activity of
13 campaign media spending, and they are excluded as a
14 party-building issue from the definition of expenditure.
15 So that results in a -- a situation where a party
16 may not be reporting a particular expenditure as an
17 expenditure or particular spending as an expenditure, but
18 the party nevertheless will have to assess whether or not
19 that activity is campaign media spending and, therefore, how
20 it fits both within the reaching the threshold for campaign
21 media spending, as well as determining what monies are
22 considered traceable and, therefore, what monies will --
23 what kinds of disclosure will have to be made of the
24 expense.
25 So -- so we tried to do that to make it clearer and
Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

24

1 specifically hired for the election, knowing that they're
2 going to do activities that are contemplated in the
3 definition. If an activity is contemplated in the
4 definition, the dollar spent on the activity naturally are
5 dollars you have to have some awareness of. You have to
6 track in some kind of way.
7 But -- and I think this is the next bullet point on
8 the screen here that's important -- we specifically say,
9 that does not require parties to keep, you know, detailed
10 time sheets of every minute of -- that a person spends on an
11 activity that might be contemplated.
12 We do not think that the Commission needs to at
13 this point try to dictate how precisely those records are
14 kept except that they -- that they be kept reasonably.
15 And -- and so there are variety of different ways
16 that I think a party can account for those -- those -- those
17 dollars. And -- and we want to, in order to be clear on the
18 one hand, which I think the opinion is, but also not dictate
19 through an advisory opinion how a party must do a particular
20 kind of accounting, we -- we say, look, this is -- you
21 just -- you need to make sure that it's a record that your
22 reports under the Act are essentially as our rules say, able
23 to be reconciled with your approach in a way that, you know,
24 make -- makes clear that your reports are accurate.
25 So those are the major changes. Again, it didn't
Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

23

1 more black and white.
2 We also, in view of the Elias Law Group comment,
3 took a look specifically at a Federal Election Commission
4 rule that talks about how parties attribute -- or how
5 parties and PACs attribute expenses for purposes of when
6 they are essentially reportable by a candidate.
7 We -- we conclude that basically the exception
8 that's there doesn't really fit within the -- the campaign
9 media spending and Voter Right to Know Act reporting
10 framework because the -- the -- the question isn't
11 necessarily whether or not it's attributable to a particular
12 candidate or anything like that. The question is whether or
13 not it -- it fits within the definition or not. If it fits
14 within the definition, then it's campaign media spending.
15 If it doesn't, it's not. So there's just not the same level
16 of flexibility there.
17 Now that said -- and the opinion draft states
18 this -- that this is a fact pattern where the facts that are
19 presented is that the staff is contemplating, what the ADLCC
20 is contemplating is specifically for the election and that
21 the party says that it knows with some specificity what
22 those activities are going to be.
23 That's important because our rule, you know, in
24 trying to make this process easier for compliance says,
25 "okay it has to be specific." So the fact pattern here is
Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

25

1 change our bottom line legal analysis, but we did think
2 that -- we did think that these changes are helpful for
3 trying to strike a balance where we have a clear rule, but
4 your compliance with that rule, you know, has some
5 flexibility to it provided that you meet the standard of
6 reasonableness and the ability to recreate or justify the
7 expense that -- that you're reporting.
8 So that is basically where -- where we are on that.
9 If there's -- if anybody -- if the Commission would like me
10 to go back through the main analysis, I'm happy to do that,
11 but I think those are the major changes. And unless --
12 unless you'd like additional discussion from me about
13 overall -- the overall opinion, I'm happy, Mr. Chairman, to
14 take questions now or however you want to proceed.
15 CHAIRMAN KIMBLE: Well, Tom, I just want to clarify
16 something on the timeline here.
17 MR. COLLINS: Sure.
18 CHAIRMAN KIMBLE: So -- so we get the request for
19 the advisory opinion.
20 MR. COLLINS: Yeah.
21 CHAIRMAN KIMBLE: We have a draft advisory opinion.
22 MR. COLLINS: Yes.
23 CHAIRMAN KIMBLE: We take comments; we extend the
24 comment period.
25 MR. COLLINS: Yeah.
Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

26

1 CHAIRMAN KIMBLE: And then you -- you issue a
 2 second or a modified advisory opinion.
 3 MR. COLLINS: Right.
 4 CHAIRMAN KIMBLE: And somewhere in this timeline,
 5 Elias weighs in.
 6 MR. COLLINS: Right.
 7 CHAIRMAN KIMBLE: Are their comments addressing the
 8 most recent draft of the advisory opinion or the previous
 9 one?
 10 MR. COLLINS: Well, they addressed the previous
 11 one. And then as -- and then as the -- when the draft was
 12 completed, we circulated it to them and every other
 13 stakeholder.
 14 There is a point at which if we continue to get
 15 comments on every draft, that we take comments and then ask
 16 them to comment on the comments of the comments. You know,
 17 my feeling would be that obviously the Commission has that
 18 discretion, but I would -- you know, I would -- I would
 19 hesitate given that we got very few comments about this
 20 draft to say we go back out again.
 21 Although I think we have the time under the --
 22 under the -- under the -- under the counter, I have to
 23 double-check the dates, but we have some time.
 24 Our only time limit, Mr. Chairman, is we have to
 25 either decide we are in favor of -- or you have to decide we

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

28

1 suggesting that we ask for more comments, but have you heard
 2 from Elias regarding your second advisory opinion draft?
 3 MR. COLLINS: No.
 4 CHAIRMAN KIMBLE: Okay.
 5 MR. COLLINS: I would say though relevant to your
 6 comments, when I say -- you know, one of the things the last
 7 comment talked about is, well, in terms of the
 8 cumbersomeness is we don't want to have to drill down on
 9 this, you know. So, you know, we don't take the position in
 10 the opinion that you can't classify someone. We do take the
 11 position that you have to make sure that you are doing it in
 12 a way that accurately reflects what you're doing.
 13 So an example, you know, that the opinion does not
 14 rule out would be -- you know, and -- and someone can ask a
 15 more specific question about this if they want to or down
 16 the road, we might do additional regulation -- someone might
 17 say: 25 percent of Person X's costs are whatever they are.
 18 You know, the opinion does not rule that out.
 19 The classification point is, you know, we -- nor
 20 did we specific- -- so we didn't really take a position per
 21 se on whether or not on how you deal with tracking the
 22 information.
 23 And -- and so I don't think, therefore, that we --
 24 I think that the modifications that we made that reflect our
 25 review of the comment are designed to say, look, if you can

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

27

1 approve an advisory opinion or vote to state that we are not
 2 going to come to this conclusion on this in 60 days after
 3 the request. The request here was made on April 3rd, and we
 4 did try to expedite that recognizing that the ADP had told
 5 us that they had an interest in us expediting the answering
 6 question.
 7 CHAIRMAN KIMBLE: So at the risk of oversimplifying
 8 this, our draft opinions -- the initial draft opinion said
 9 that, that it would be determined by of the amount of time
 10 specific employees spend on specific tasks whether they are
 11 covered or not --
 12 MR. COLLINS: Right.
 13 CHAIRMAN KIMBLE: -- and Elias said that is too
 14 cumbersome --
 15 MR. COLLINS: Right.
 16 CHAIRMAN KIMBLE: -- people when they are hired
 17 ought to be classified as covered or not, and then
 18 everything associated with them should either be covered or
 19 not --
 20 MR. COLLINS: Right.
 21 CHAIRMAN KIMBLE: -- depending on the
 22 classification when they were hired. Do I have that
 23 basically right?
 24 MR. COLLINS: Yes.
 25 CHAIRMAN KIMBLE: And do we know if -- and I'm not

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

29

1 show that the report that issues, right, the report that the
 2 public is looking at, you know, is accurate, you know, we --
 3 we don't think that we need to go beyond that in terms of
 4 dictating to you how you go about administrating your
 5 business.
 6 We do, however, believe that that accuracy requires
 7 you to have an awareness. So, for example, a concern that
 8 is a real concern is: I classify person at the time of
 9 hiring and then I switch that person. That obviously it
 10 should go without saying that that's not going to work if
 11 you have an obligation to track activities that are
 12 encompassed in the campaign media spending. You can't --
 13 you can't -- what we didn't want to do and we said in the
 14 opinion and what we still don't want to do is get into
 15 parties unnecessarily engaging in sort of semantic games to
 16 try to obscure campaign media spending as defined in the
 17 Act -- whether that's a good definition or a bad definition
 18 is a different question, right, but it is whatever it is
 19 defined as -- by saying, "We hired Such-and-Such to do this
 20 thing," and then it turns out, "Well, we actually have them
 21 doing another thing," right.
 22 We want -- we want them to simply be in a position
 23 to reconcile their approach to -- of compliance with the Act
 24 with the definitions that the Act includes.
 25 So -- so, you know -- so it may -- it's possible

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

30

1 that -- that someone could structure this in a manner that
2 that classification they make could work. It could. But
3 it's just -- but it's got to be reflective of the actual --
4 the actual facts of what their actual activities are.
5 You can't -- what we don't want people to -- what
6 we don't want to have happen is have a decision made on
7 Monday that says that, you know, Fred's "all of Fred's
8 activities are not campaign -- campaign media spending," but
9 on -- but by Wednesday we've got Fred full-time organizing
10 partisan get-out-the-vote efforts which are defined
11 activities that are campaign media spending under the Act.
12 CHAIRMAN KIMBLE: Okay. Do any other Commissioners
13 have questions or comments for Tom?
14 COMMISSIONER CHAN: Mr. Chairman.
15 CHAIRMAN KIMBLE: Commissioner Chan.
16 COMMISSIONER CHAN: It's interesting that you
17 brought up this issue because I -- one of my first questions
18 was, is there's anyone here from, you know, the Arizona
19 Democratic Party's project that requested this advisory
20 opinion or Elias -- I'm sorry, I don't know how, if I'm
21 pronouncing it correctly, Elias Law Group because I -- I was
22 assuming what Tom said is true, is that we would --
23 actually, I think I'm on his distribution list. So I've
24 seen these come out, and I know he's including the
25 stakeholders.

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

32

1 can, and to the extent we're not seeing it, it may be that
2 it's so new that the stakeholders don't have experience with
3 it and maybe we'll get more feedback as the election year
4 rolls on.
5 But, anyway, I -- I feel -- it's always
6 uncomfortable being -- you know, charting new territory I
7 think, but I feel comfortable from the perspective of I
8 think what Tom has put together is grounded in the law that
9 the voters approved and is -- he -- he seems to take very
10 reasonable approaches trying to implement that with the
11 consideration of the feedback with the stakeholders.
12 So I -- I really appreciate everything that Tom has
13 done and I also appreciate the questions that the other
14 Commissioners are bringing up as well, so.
15 Okay, that's all.
16 CHAIRMAN KIMBLE: Thank you, Commissioner Chan.
17 I was going to go through and see if any
18 Commissioners had comments, then I'll see if there's any
19 stakeholders or anyone else who -- who wants to make
20 comments.
21 Any other members of the Commission have any
22 comments or questions?
23 COMMISSIONER ESTES-WERTHER: Mr. Chairman.
24 CHAIRMAN KIMBLE: Yes.
25 COMMISSIONER ESTES-WERTHER: I just wanted to just

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

31

1 I do feel like it's been very quiet on many of
2 these, quieter than I would have expected, but if nobody is
3 here today, I have to assume that they're willing to let
4 sleeping dogs lie. You know, they feel they've had their
5 say, and they're willing to let the chips fall where they
6 may as far as how the Commission approaches it.
7 I also want to just add, you know, the questions
8 that I think other Commissioners have raised -- yourself
9 today, Mr. Chairman, and others, I think maybe Commissioner
10 Paton at the last meeting -- regarding the recordkeeping
11 involved, I have no personal experiences with, you know,
12 businesses, for example, nonprofits, even political
13 committees really running them.
14 But I have to assume all of those entities adhere
15 to some basic, you know, accounting principles that would
16 enable them to be able to, you know, kind of adhere to the
17 requirements of the Act, given especially as responsive as I
18 feel like staff has been in, you know, getting stakeholder
19 feedback and considering it. And to the extent staff feels
20 it complies with the Act, you know, adding it in,
21 incorporating it into these advisory opinions.
22 So I guess I just wanted to kind of put all that
23 out there for other Commissioners and staff and the public
24 that I think we all want stakeholder feedback. I feel like
25 a wonderful job has been done of trying to get as much as we

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

33

1 make a comment.
2 CHAIRMAN KIMBLE: Okay. Commissioner Werther.
3 COMMISSIONER ESTES-WERTHER: So I also -- I think
4 just when we first initially looked at this at the last
5 meeting had, just, you know, general questions about how
6 that recordkeeping would work and obviously saw the, you
7 know, other additional kind of comment and those concerns as
8 well, but I do think this revised actually is very helpful
9 because it kind of shows why this is so new and may be
10 uncomfortable, right, for -- for, you know, to try to figure
11 out how they're going to do this recordkeeping because,
12 really, they haven't had to do it before, right, under
13 current law, maybe under FEC.
14 But this is the language of the Act and so these
15 types of activities will now be covered.
16 And I also agree in that I don't think we want to
17 get it in to so much detail telling them how, right, because
18 maybe they do decide they want to just classify and keep it
19 really easy for them and that person is always going to do
20 those activities. You know, I wouldn't want to start
21 telling them how to do that, as long as they're, again, as
22 Tom mentioned, accountable under the Act.
23 So I'm comfortable -- much more comfortable I think
24 after reading this revised draft than I probably was at the
25 last meeting that this is sort of where we land with the

Miller Certified Reporting, LLC
www.MillerCertifiedReporting.com

1 Act.
 2 CHAIRMAN KIMBLE: Thank you, Commissioner Werther.
 3 Any other Commissioners have any comments on this
 4 or questions for Tom?
 5 (No audible response.)
 6 CHAIRMAN KIMBLE: Hearing none, is there any member
 7 of the public or any person who is involved in this who has
 8 a comment?
 9 (No audible response.)
 10 CHAIRMAN KIMBLE: And I don't -- I don't see anyone
 11 raising their hand or making any gestures indicating they
 12 want to talk.
 13 Okay. Is there any Commissioner who wishes to make
 14 a motion on this advisory opinion, the latest draft advisory
 15 opinion?
 16 COMMISSIONER CHAN: Mr. Chairman, I move --
 17 CHAIRMAN KIMBLE: Commissioner Chan.
 18 COMMISSIONER CHAN: I move that the revised
 19 Advisory Opinion -- or Draft Advisory Opinion 24-04 be
 20 adopted.
 21 CHAIRMAN KIMBLE: Is there a second?
 22 COMMISSIONER ESTES-WERTHER: Second.
 23 CHAIRMAN KIMBLE: It's been moved by Commissioner
 24 Chan, seconded by Commissioner Werther that we approve Draft
 25 Advisory Opinion 24-04. I will call the roll.

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

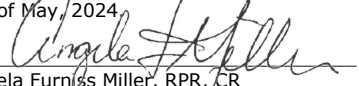
1 by e-mail at ccec@arizonacleanelections.gov.
 2 At this time, I would entertain a motion to
 3 adjourn.
 4 COMMISSIONER CHAN: Mr. Chairman, I move we
 5 adjourn.
 6 CHAIRMAN KIMBLE: Thank you, Commissioner Chan.
 7 Is there a second?
 8 COMMISSIONER ESTES-WERTHER: Second.
 9 CHAIRMAN KIMBLE: Seconded by Commissioner Werther.
 10 I will call the roll.
 11 Commissioner Chan.
 12 COMMISSIONER CHAN: Aye.
 13 CHAIRMAN KIMBLE: Commissioner Werther.
 14 COMMISSIONER ESTES-WERTHER: Aye.
 15 CHAIRMAN KIMBLE: Commissioner Paton.
 16 COMMISSIONER PATON: Aye.
 17 CHAIRMAN KIMBLE: Commissioner Titla.
 18 COMMISSIONER TITLA: Aye.
 19 CHAIRMAN KIMBLE: Chair votes aye. We are
 20 adjourned.
 21 Thank you very much, members of the Commission.
 22 (Meeting concludes at 11:49 a.m.)
 23
 24
 25

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

1 Commissioner Chan.
 2 COMMISSIONER CHAN: Aye.
 3 CHAIRMAN KIMBLE: Commissioner Werther.
 4 COMMISSIONER ESTES-WERTHER: Aye.
 5 CHAIRMAN KIMBLE: Commissioner Paton.
 6 COMMISSIONER PATON: Aye.
 7 CHAIRMAN KIMBLE: Commissioner Titla.
 8 COMMISSIONER TITLA: Aye.
 9 CHAIRMAN KIMBLE: Chair votes aye.
 10 The Draft Advisory Opinion 24-04 is approved
 11 5-to-nothing.
 12 Thank you, Tom.
 13 MR. COLLINS: Thank you.
 14 CHAIRMAN KIMBLE: This is Item VI. This is the
 15 time for consideration of comments and suggestions from the
 16 public. Action taken as a result of public comment will be
 17 limited to directing staff to study the matter or
 18 rescheduling the matter for further consideration and
 19 decision at a later date or responding to criticism.
 20 Please limit your comment to no more than two
 21 minutes.
 22 Does anyone on Zoom wish to make a comment?
 23 (No audible response.)
 24 CHAIRMAN KIMBLE: Not seeing anyone.
 25 The public may also send comments to the Commission

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

1 CERTIFICATE
 2
 3 STATE OF ARIZONA)
 4) ss.
 5 COUNTY OF MARICOPA)
 6
 7 BE IT KNOWN that the foregoing proceedings were
 8 taken before me, Angela Furniss Miller, Certified Reporter
 9 No. 50127, all done to the best of my skill and ability;
 10 that the proceedings were taken down by me in shorthand and
 11 thereafter reduced to print under my direction.
 12 I CERTIFY that I am in no way related to any of the
 13 parties hereto nor am I in any way interested in the outcome
 14 thereof.
 15 I FURTHER CERTIFY that I have complied with the
 16 requirements set forth in ACJA 7-206. Dated at Litchfield
 17 Park, Arizona, this 21st of May, 2024.


 Angela Furniss Miller, RPR, CR
 CERTIFIED REPORTER (AZ50127)

* * *

18 I CERTIFY that Miller Certified Reporting, LLC, has
 19 complied with the requirements set forth in ACJA 7-201 and
 20 7-206. Dated at LITCHFIELD PARK, Arizona, this 21st of
 21 May, 2024.


 Miller Certified Reporting, LLC
 Arizona RRF No. R1058

Miller Certified Reporting, LLC
 www.MillerCertifiedReporting.com

\$	accounting [2] - 24:20, 31:15	28:2, 30:19, 31:21, 34:14	arise [1] - 21:23	big [2] - 11:3, 15:9
\$11 [1] - 16:22	accuracy [1] - 29:6	Advisory [6] - 20:1, 20:2, 34:19, 34:25, 35:10	Arizona [11] - 5:11, 8:1, 11:25, 14:23, 17:8, 20:5, 20:6, 20:9, 21:20, 30:18	bigger [1] - 11:3
1	accurate [2] - 24:24, 29:2	affect [2] - 10:10	assert [1] - 22:2	bill [2] - 17:11, 18:14
1 [1] - 5:8	accurately [1] - 28:12	agencies [3] - 10:2, 10:6, 11:22	assess [1] - 22:18	bills [1] - 17:12
10 [2] - 5:5, 9:16	Act [18] - 11:24, 13:19, 14:23, 20:5, 21:13, 21:24, 22:10, 23:9, 24:22, 29:17, 29:23, 29:24, 30:11, 31:17, 31:20, 33:14, 33:22, 34:1	agency [1] - 9:24	associated [3] - 15:1, 18:19, 27:18	bit [3] - 10:24, 11:9, 19:13
10:00 [1] - 16:4	act [1] - 14:24	agenda [2] - 3:4, 16:3	Association [1] - 8:1	black [1] - 23:1
11:00 [1] - 3:5	action [6] - 3:18, 4:20, 5:3, 12:25, 20:1, 35:16	ago [4] - 5:5, 9:16, 17:6, 18:15	association [1] - 5:12	blah [3] - 19:7
11:49 [1] - 36:22	action-packed [1] - 5:3	agree [1] - 33:16	assume [3] - 10:13, 31:3, 31:14	booklet [1] - 6:20
15 [1] - 9:16	actions [1] - 9:25	aired [1] - 7:17	assuming [1] - 30:22	bottom [2] - 21:4, 25:1
16th [1] - 3:5	activities [11] - 20:3, 20:11, 22:1, 23:22, 24:2, 29:11, 30:4, 30:8, 30:11, 33:15, 33:20	airing [1] - 7:18	attendance [1] - 3:7	boxes [2] - 13:2, 14:15
18th [1] - 3:19	activity [7] - 21:18, 22:9, 22:12, 22:19, 24:3, 24:4, 24:11	Alec [3] - 5:23, 5:24, 6:14	attention [1] - 6:13	breaking [1] - 16:3
196 [1] - 6:19	actual [4] - 14:16, 30:3, 30:4	almost [3] - 8:9, 19:16, 19:17	attorney [1] - 13:23	bring [1] - 11:1
2	adding [1] - 31:20	amendment [2] - 16:21, 19:16	Attorney [1] - 14:12	bringing [1] - 32:14
2.4 [1] - 8:10	additional [10] - 5:15, 11:1, 13:12, 19:11, 20:14, 21:17, 25:12, 28:16, 33:7	amount [1] - 27:9	attributable [1] - 23:11	broadcast [2] - 5:10, 5:12
2024 [2] - 3:5, 3:19	address [1] - 20:11	Amy [1] - 3:9	attribute [2] - 23:4, 23:5	broadcasts [1] - 5:15
211 [1] - 13:15	addressed [1] - 26:10	analysis [3] - 7:23, 25:1, 25:10	attuned [1] - 15:14	brought [3] - 13:18, 17:5, 30:17
24-02 [1] - 20:2	addressing [1] - 26:7	announcements [1] - 5:17	audible [5] - 9:2, 19:23, 34:5, 34:9, 35:23	budget [7] - 9:19, 9:22, 9:25, 11:20, 12:21, 13:3, 18:14
24-04 [4] - 20:2, 34:19, 34:25, 35:10	adds [1] - 19:2	answer [1] - 8:24	authority [2] - 11:12, 11:14	budgets [1] - 12:13
25 [1] - 28:17	adhere [2] - 31:14, 31:16	answering [1] - 27:5	available [5] - 5:10, 5:11, 7:16, 9:9, 13:3	building [2] - 22:1, 22:14
3	adjourn [2] - 36:3, 36:5	anticipate [1] - 5:14	Avery's [1] - 9:8	bullet [1] - 24:7
3rd [1] - 27:3	adjourned [1] - 36:20	anyway [1] - 32:5	avoid [1] - 11:4	bureaucracy [2] - 19:2, 19:9
5	ADLCC [1] - 23:19	apologize [1] - 16:1	aware [1] - 11:19	business [2] - 10:22, 29:5
5 [1] - 9:12	administrating [1] - 29:4	approach [2] - 32:12, 32:13	awareness [2] - 24:5, 29:7	businesses [1] - 31:12
5-to-nothing [2] - 4:19, 35:11	administration [2] - 12:21, 16:18	approaches [2] - 24:23, 29:23	aye [14] - 4:11, 4:13, 4:15, 4:17, 35:2, 35:4, 35:6, 35:8, 35:9, 36:12, 36:14, 36:16, 36:18, 36:19	C
5:00 [1] - 16:21	Administration [4] - 9:23, 11:10, 12:4, 12:6	appropriate [2] - 17:3, 18:10	background [1] - 21:10	campaign [15] - 20:4, 20:12, 21:21, 22:10, 22:13, 22:19, 22:20, 23:8, 23:14, 29:12, 29:16, 30:8, 30:11
6	administrative [1] - 15:10	approprating [2] - 17:3, 18:10	bad [2] - 12:3, 29:17	Campaign [2] - 20:6, 20:10
60 [1] - 27:2	adopted [1] - 34:20	appropriation [4] - 10:9, 18:6, 18:16, 18:23	balance [1] - 25:3	candidate [6] - 5:7, 8:15, 8:17, 9:11, 23:6, 23:12
6:00 [1] - 7:20	ADP [1] - 27:4	appropriations [3] - 17:9, 17:11, 17:13	ballot [1] - 16:25	candidates [13] - 5:8, 6:19, 7:17, 8:3, 8:18, 8:19, 8:20, 8:21, 8:22, 9:11, 9:12, 9:14, 9:15
A	advisory [12] - 20:8, 24:19, 25:19, 25:21, 26:2, 26:8, 27:1,	approval [2] - 13:7, 13:10	ballots [5] - 14:16, 16:8, 16:9, 16:12, 16:14	cap [2] - 10:4, 10:16
a.m [3] - 3:5, 16:4, 36:22		approve [6] - 3:25, 4:8, 13:13, 21:3, 27:1, 34:24	bases [1] - 14:14	capacities [1] - 17:6
ability [3] - 10:12, 14:3, 25:6		approved [4] - 4:19, 12:13, 32:9, 35:10	basic [1] - 31:15	captured [2] - 22:7
able [5] - 12:11, 13:10, 14:13, 24:22, 31:16		April [2] - 3:19, 27:3	beauty [1] - 5:9	carriage [1] - 7:13
absent [1] - 12:25		area [1] - 14:4	better [2] - 11:20, 21:15	case [9] - 11:7, 13:15, 13:17, 13:22, 13:25, 15:7, 17:4, 18:12
absolutely [2] - 6:16		arguing [1] - 15:7	between [3] - 5:7, 5:25, 9:20	cases [3] - 15:4, 15:8, 15:21
accept [1] - 20:14		argument [2] - 13:14, 14:7	beyond [1] - 29:3	ccec@
access [1] - 6:6		arguments [1] - 12:4		
accomplishing [1] - 5:25				
according [1] - 9:19				
account [1] - 24:16				
accountable [1] - 33:22				

<p>arizonacleanelections.gov [1] - 36:1</p> <p>CD-1 [2] - 7:10, 7:16</p> <p>center [1] - 7:6</p> <p>central [1] - 16:9</p> <p>certifications [1] - 16:16</p> <p>Chair [2] - 35:9, 36:19</p> <p>CHAIRMAN [52] - 3:3, 3:11, 3:15, 3:24, 4:2, 4:6, 4:12, 4:14, 4:16, 4:18, 6:10, 7:2, 8:25, 9:3, 19:20, 19:24, 25:15, 25:18, 25:21, 25:23, 26:1, 26:4, 26:7, 27:7, 27:13, 27:16, 27:21, 27:25, 28:4, 30:12, 30:15, 32:16, 32:24, 33:2, 34:2, 34:6, 34:10, 34:17, 34:21, 34:23, 35:3, 35:5, 35:7, 35:9, 35:14, 35:24, 36:6, 36:9, 36:13, 36:15, 36:17, 36:19</p> <p>Chairman [15] - 3:23, 4:23, 5:17, 6:23, 7:1, 7:3, 9:5, 16:1, 25:13, 26:24, 30:14, 31:9, 32:23, 34:16, 36:4</p> <p>challenge [2] - 14:22, 15:7</p> <p>challenges [3] - 14:19, 14:20, 15:12</p> <p>CHAN [11] - 3:9, 3:23, 3:25, 4:11, 30:14, 30:16, 34:16, 34:18, 35:2, 36:4, 36:12</p> <p>Chan [14] - 3:9, 3:11, 3:24, 4:3, 4:7, 4:10, 17:4, 30:15, 32:16, 34:17, 34:24, 35:1, 36:6, 36:11</p> <p>chance [1] - 16:5</p> <p>change [2] - 21:6, 25:1</p> <p>changes [7] - 16:23, 20:17, 20:25, 21:4, 24:25, 25:2, 25:11</p> <p>charting [1] - 32:6</p> <p>check [1] - 26:23</p> <p>checks [1] - 13:2</p> <p>chips [1] - 31:5</p> <p>choice [1] - 19:4</p> <p>Christina [1] - 3:10</p> <p>circulated [1] - 26:12</p> <p>Citizens [2] - 3:6, 19:6</p> <p>city [1] - 8:19</p> <p>civic [1] - 9:9</p> <p>clarify [1] - 25:15</p>	<p>classification [3] - 27:22, 28:19, 30:2</p> <p>classified [1] - 27:17</p> <p>classify [3] - 28:10, 29:8, 33:18</p> <p>clause [2] - 17:12, 18:16</p> <p>Clean [10] - 3:6, 8:23, 13:1, 13:2, 16:20, 16:22, 17:3, 17:24, 18:20, 19:6</p> <p>clear [6] - 11:12, 11:13, 18:5, 24:17, 24:24, 25:3</p> <p>clearer [2] - 21:8, 22:25</p> <p>clearest [1] - 22:11</p> <p>code [1] - 16:8</p> <p>coincidental [1] - 12:19</p> <p>COLLINS [18] - 4:23, 6:16, 9:5, 20:19, 25:17, 25:20, 25:22, 25:25, 26:3, 26:6, 26:10, 27:12, 27:15, 27:20, 27:24, 28:3, 28:5, 35:13</p> <p>comfortable [3] - 32:7, 33:23</p> <p>coming [1] - 8:20</p> <p>commenced [1] - 5:4</p> <p>comment [14] - 14:25, 20:15, 21:6, 23:2, 25:24, 26:16, 28:7, 28:25, 33:1, 33:7, 34:8, 35:16, 35:20, 35:22</p> <p>comments [17] - 20:14, 25:23, 26:7, 26:15, 26:16, 26:19, 28:1, 28:6, 30:13, 32:18, 32:20, 32:22, 34:3, 35:15, 35:25</p> <p>COMMISSION [1] - 32:25</p> <p>Commission [17] - 3:6, 9:1, 10:21, 11:6, 11:7, 11:21, 12:1, 19:7, 19:22, 23:3, 24:12, 25:9, 26:17, 31:6, 32:21, 35:25, 36:21</p> <p>Commission's [1] - 11:23</p> <p>COMMISSIONER [28] - 3:9, 3:10, 3:13, 3:14, 3:23, 3:25, 4:5, 4:11, 4:13, 4:15, 4:17, 30:14, 30:16, 32:23, 33:3, 34:16,</p>	<p>34:18, 34:22, 35:2, 35:4, 35:6, 35:8, 36:4, 36:8, 36:12, 36:14, 36:16, 36:18</p> <p>Commissioner [31] - 3:11, 3:12, 3:24, 4:2, 4:7, 4:10, 4:12, 4:14, 4:16, 17:4, 17:5, 30:15, 31:9, 32:16, 33:2, 34:2, 34:13, 34:17, 34:23, 34:24, 35:1, 35:3, 35:5, 35:7, 36:6, 36:9, 36:11, 36:13, 36:15, 36:17</p> <p>Commissioners [14] - 3:7, 3:15, 3:20, 3:22, 4:24, 7:4, 20:8, 20:19, 30:12, 31:8, 31:23, 32:14, 32:18, 34:3</p> <p>Committee [2] - 20:7, 20:10</p> <p>committees [2] - 21:12, 31:13</p> <p>completed [1] - 26:12</p> <p>compliance [3] - 23:24, 25:4, 29:23</p> <p>complicated [2] - 13:22</p> <p>complies [1] - 31:20</p> <p>concern [2] - 29:7, 29:8</p> <p>concerned [1] - 13:11</p> <p>concerns [1] - 33:7</p> <p>conclude [1] - 23:7</p> <p>concludes [3] - 15:25, 36:22</p> <p>conclusion [1] - 27:2</p> <p>conflict [2] - 11:4, 11:18</p> <p>confused [1] - 15:19</p> <p>confusion [1] - 15:19</p> <p>Congressional [1] - 5:8</p> <p>consideration [3] - 32:11, 35:15, 35:18</p> <p>considered [1] - 22:22</p> <p>considering [1] - 31:19</p> <p>consortium [1] - 5:12</p> <p>Constitution [2] - 17:8, 17:9</p> <p>constitutional [2] - 17:16, 17:25</p> <p>contemplated [3] - 24:2, 24:3, 24:11</p> <p>contemplating [2] - 23:19, 23:20</p> <p>continue [2] - 9:10,</p>	<p>26:14</p> <p>continued [2] - 9:7, 9:8</p> <p>continues [1] - 9:15</p> <p>continuing [1] - 9:10</p> <p>contractor [1] - 11:1</p> <p>contractors [1] - 10:17</p> <p>correctly [1] - 30:21</p> <p>cost [1] - 19:11</p> <p>costs [1] - 28:17</p> <p>council [1] - 8:19</p> <p>count [3] - 10:4, 10:16, 16:9</p> <p>counter [1] - 26:22</p> <p>counties [3] - 10:5, 10:6, 19:2</p> <p>County [1] - 14:16</p> <p>county [1] - 10:6</p> <p>couple [5] - 4:25, 6:11, 14:9, 15:4, 21:7</p> <p>course [2] - 8:13, 12:12</p> <p>Court [5] - 11:25, 13:16, 15:1, 18:13</p> <p>coverage [1] - 7:24</p> <p>covered [4] - 27:11, 27:17, 27:18, 33:15</p> <p>create [2] - 18:7, 19:10</p> <p>crisis [1] - 11:21</p> <p>criticism [1] - 35:19</p> <p>cumbersome [1] - 27:14</p> <p>cumbersomeness [1] - 28:8</p> <p>current [7] - 10:8, 10:12, 13:3, 14:13, 14:14, 18:13, 33:13</p> <p>cut [1] - 7:21</p> <p>cuts [3] - 9:25, 10:8, 10:12</p>	<p>35:19</p> <p>decisions [3] - 11:11, 12:14, 15:22</p> <p>defend [1] - 14:13</p> <p>defined [4] - 20:4, 29:16, 29:19, 30:10</p> <p>definition [13] - 20:12, 21:11, 21:21, 21:25, 22:2, 22:9, 22:14, 23:13, 23:14, 24:3, 24:4, 29:17</p> <p>definitions [2] - 21:13, 29:24</p> <p>Democratic [8] - 5:7, 7:16, 20:6, 20:9, 21:20, 30:19</p> <p>demonstrate [1] - 10:11</p> <p>Department [4] - 9:23, 11:10, 12:4, 12:5</p> <p>describes [1] - 21:11</p> <p>describing [2] - 10:3, 10:17</p> <p>designed [1] - 28:25</p> <p>detail [1] - 33:17</p> <p>detailed [1] - 24:9</p> <p>details [1] - 15:5</p> <p>determined [1] - 27:9</p> <p>determining [1] - 22:21</p> <p>dictate [3] - 11:10, 24:13, 24:18</p> <p>dictating [1] - 29:4</p> <p>different [5] - 11:14, 19:8, 21:16, 24:15, 29:18</p> <p>direct [2] - 11:4, 11:18</p> <p>directing [1] - 35:17</p> <p>Director's [2] - 4:21, 5:3</p> <p>disclosure [1] - 22:23</p> <p>discretion [1] - 26:18</p> <p>discussed [1] - 20:13</p> <p>discussion [6] - 3:18, 3:21, 4:20, 19:21, 20:1, 25:12</p> <p>disinformation [1] - 15:20</p> <p>dismissed [1] - 14:20</p> <p>distributed [1] - 19:1</p> <p>distribution [1] - 30:23</p> <p>District [1] - 5:8</p> <p>districts [1] - 8:21</p> <p>DOA [2] - 10:22, 13:10</p> <p>DOA's [2] - 11:12, 11:14</p> <p>dogs [1] - 31:4</p> <p>dollar [1] - 24:4</p> <p>dollars [2] - 24:5,</p>
D				
			<p>date [1] - 35:19</p> <p>dates [1] - 26:23</p> <p>days [3] - 5:5, 6:12, 27:2</p> <p>deal [2] - 17:15, 28:21</p> <p>dealing [1] - 11:15</p> <p>deals [1] - 17:10</p> <p>debate [10] - 5:4, 5:7, 5:13, 7:10, 7:11, 7:16, 7:21, 7:23, 7:25, 8:6</p> <p>debates [2] - 5:5, 5:6</p> <p>decide [3] - 26:25, 33:18</p> <p>decision [2] - 30:6,</p>	

<p>24:17 done [3] - 6:12, 31:25, 32:13 double [1] - 26:23 double-check [1] - 26:23 down [4] - 12:24, 18:14, 28:8, 28:15 Draft [4] - 20:2, 34:19, 34:24, 35:10 draft [15] - 20:16, 20:17, 21:3, 21:10, 23:17, 25:21, 26:8, 26:11, 26:15, 26:20, 27:8, 28:2, 33:24, 34:14 draws [1] - 6:13 drill [1] - 28:8 drop [1] - 14:15 due [1] - 7:25 during [1] - 7:20 dynamic [1] - 6:3</p>	<p>end [2] - 12:22, 15:13 engagement [1] - 9:9 engaging [1] - 29:15 English [2] - 7:7, 7:17 entertain [1] - 36:2 entire [1] - 5:11 entities [1] - 31:14 EPA [1] - 15:7 EPM [1] - 14:22 Eric [1] - 13:23 especially [4] - 9:8, 11:1, 12:25, 31:17 essentially [4] - 16:8, 16:10, 23:6, 24:22 ESTES [9] - 3:10, 4:17, 32:23, 32:25, 33:3, 34:22, 35:4, 36:8, 36:14 ESTES-WERTHER [9] - 3:10, 4:17, 32:23, 32:25, 33:3, 34:22, 35:4, 36:8, 36:14 event [1] - 5:9 exacerbates [1] - 15:19 example [5] - 11:11, 22:11, 28:13, 29:7, 31:12 examples [2] - 21:18, 21:22 except [1] - 24:14 exception [3] - 11:17, 22:8, 23:7 exceptions [1] - 21:25 excess [1] - 12:16 excited [2] - 5:22, 7:9 exciting [1] - 6:3 excluded [1] - 22:13 excuse [1] - 18:15 Executive [2] - 4:21, 5:3 exempt [1] - 22:2 existing [1] - 18:10 expand [1] - 12:24 expected [1] - 31:2 expedite [1] - 27:4 expediting [1] - 27:5 expenditure [7] - 21:11, 21:19, 22:1, 22:14, 22:16, 22:17 expenditures [3] - 22:3, 22:5, 22:7 expense [2] - 22:24, 25:7 expenses [2] - 22:6, 23:5 experience [1] - 32:2 experiences [1] - 31:11 explicate [1] - 21:15</p>	<p>expressly [1] - 22:2 extend [1] - 25:23 extension [1] - 12:8 extent [2] - 31:19, 32:1 extra [1] - 19:9 eye [3] - 9:12, 12:9, 18:22</p>	<p>Friday [2] - 6:17, 8:9 full [1] - 30:9 full-time [1] - 30:9 function [2] - 12:6, 12:7 Fund [8] - 10:8, 10:14, 11:6, 13:1, 13:2, 16:22, 17:3, 17:24 fund [2] - 18:10, 18:19 funded [1] - 10:14 funding [2] - 9:13, 11:23</p>	<p>heard [2] - 3:11, 28:1 hearing [3] - 16:5, 19:24, 34:6 helpful [2] - 25:2, 33:8 hesitate [1] - 26:19 highlight [2] - 10:21, 20:17 highlighted [3] - 5:19, 5:22, 6:25 hire [3] - 10:25, 12:5 hired [4] - 24:1, 27:16, 27:22, 29:19 hiring [1] - 29:9 hit [1] - 18:19 Hoffman [1] - 17:5 hope [1] - 20:20 hopefully [1] - 11:3 hour [1] - 7:20 households [1] - 8:10 huge [1] - 5:3</p>	
E		F		G	
<p>e-mail [1] - 36:1 early [3] - 14:15, 16:12, 16:14 easier [1] - 23:24 easily [1] - 15:16 easy [2] - 6:12, 33:19 education [3] - 5:16, 6:1, 15:11 Education [3] - 6:18, 7:7, 8:9 effort [1] - 9:8 efforts [3] - 12:23, 22:12, 30:10 either [2] - 26:25, 27:18 Election [1] - 23:3 election [10] - 14:10, 14:19, 15:12, 15:22, 16:7, 16:11, 16:18, 23:20, 24:1, 32:3 Elections [10] - 3:6, 8:23, 13:1, 13:2, 16:20, 16:22, 17:3, 17:24, 18:20, 19:7 Elias [7] - 21:7, 23:2, 26:5, 27:13, 28:2, 30:20, 30:21 employee [1] - 20:3 employees [1] - 27:10 enable [1] - 31:16 encompassed [1] - 29:12 encountering [1] - 13:5 encourage [1] - 5:21</p>	<p>event [1] - 5:9 exacerbates [1] - 15:19 example [5] - 11:11, 22:11, 28:13, 29:7, 31:12 examples [2] - 21:18, 21:22 except [1] - 24:14 exception [3] - 11:17, 22:8, 23:7 exceptions [1] - 21:25 excess [1] - 12:16 excited [2] - 5:22, 7:9 exciting [1] - 6:3 excluded [1] - 22:13 excuse [1] - 18:15 Executive [2] - 4:21, 5:3 exempt [1] - 22:2 existing [1] - 18:10 expand [1] - 12:24 expected [1] - 31:2 expedite [1] - 27:4 expediting [1] - 27:5 expenditure [7] - 21:11, 21:19, 22:1, 22:14, 22:16, 22:17 expenditures [3] - 22:3, 22:5, 22:7 expense [2] - 22:24, 25:7 expenses [2] - 22:6, 23:5 experience [1] - 32:2 experiences [1] - 31:11 explicate [1] - 21:15</p>	<p>fabulous [1] - 6:15 fact [9] - 12:14, 12:17, 15:14, 17:16, 17:20, 18:3, 21:23, 23:18, 23:25 fact-specific [1] - 17:20 facts [2] - 23:18, 30:4 failed [1] - 17:21 fairly [1] - 13:9 fall [1] - 31:5 fantastic [1] - 8:21 far [2] - 12:11, 31:6 favor [1] - 26:25 FEC [1] - 33:13 federal [2] - 5:6, 8:18 Federal [1] - 23:3 feedback [4] - 31:19, 31:24, 32:3, 32:11 felt [1] - 8:4 few [1] - 26:19 figure [1] - 33:10 filed [1] - 20:9 files [1] - 6:17 finish [1] - 9:6 first [5] - 7:11, 20:24, 21:9, 30:17, 33:4 fiscal [1] - 10:8 fit [1] - 23:8 fits [3] - 22:20, 23:13 five [1] - 3:16 flexibility [2] - 23:16, 25:5 flexible [1] - 4:25 flip [1] - 7:7 folks [2] - 6:2, 13:10 foreign [1] - 16:17 foreign-owned [1] - 16:17 forgot [1] - 19:17 former [1] - 17:5 forward [3] - 5:15, 17:23, 19:18 framework [1] - 23:10 Frazier [1] - 13:23 Fred [1] - 30:9 Fred's [2] - 30:7 fresh [1] - 6:3</p>	<p>Galen [1] - 3:13 games [1] - 29:15 General [3] - 10:8, 10:14, 11:6 general [3] - 14:9, 17:10, 33:5 General's [1] - 14:12 gestures [1] - 34:11 get-out-the-vote [2] - 22:12, 30:10 Gina [7] - 5:18, 6:14, 6:24, 7:2, 8:25, 9:3, 13:9 given [5] - 11:5, 11:6, 11:7, 26:19, 31:17 goal [1] - 11:16 Goldstein [1] - 8:5 Governor's [3] - 9:21, 10:2, 11:8 great [4] - 5:9, 8:6, 8:12, 13:24 ground [1] - 9:8 grounded [1] - 32:8 Group [3] - 21:7, 23:2, 30:21 guess [3] - 20:22, 31:22 guide [2] - 8:12, 8:15 Guide [3] - 6:18, 7:7, 8:9</p>	<p style="text-align: center;">I</p> <p>ID [1] - 16:13 identified [1] - 17:19 identify [2] - 3:8, 18:2 Ill [2] - 3:18, 4:20 implement [1] - 32:10 implementations [1] - 9:24 implicate [1] - 17:18 important [8] - 5:16, 6:6, 6:9, 6:13, 10:21, 15:13, 23:23, 24:8 importantly [1] - 15:10 incentive [1] - 10:19 included [4] - 11:21, 20:12, 22:10, 22:12 includes [2] - 10:16, 29:24 including [1] - 30:24 incorporating [1] - 31:21 increases [1] - 10:18 independence [1] - 11:25 indicated [2] - 10:2, 10:22 indicating [1] - 34:11 individual [1] - 17:5 information [5] - 6:7, 8:12, 10:24, 19:18, 28:22 initial [1] - 27:8 injury [1] - 14:2 inquiry [1] - 17:20 inserted [1] - 7:6 instead [1] - 16:9 interest [2] - 16:17, 27:5</p>	
E		F		H	
<p>e-mail [1] - 36:1 early [3] - 14:15, 16:12, 16:14 easier [1] - 23:24 easily [1] - 15:16 easy [2] - 6:12, 33:19 education [3] - 5:16, 6:1, 15:11 Education [3] - 6:18, 7:7, 8:9 effort [1] - 9:8 efforts [3] - 12:23, 22:12, 30:10 either [2] - 26:25, 27:18 Election [1] - 23:3 election [10] - 14:10, 14:19, 15:12, 15:22, 16:7, 16:11, 16:18, 23:20, 24:1, 32:3 Elections [10] - 3:6, 8:23, 13:1, 13:2, 16:20, 16:22, 17:3, 17:24, 18:20, 19:7 Elias [7] - 21:7, 23:2, 26:5, 27:13, 28:2, 30:20, 30:21 employee [1] - 20:3 employees [1] - 27:10 enable [1] - 31:16 encompassed [1] - 29:12 encountering [1] - 13:5 encourage [1] - 5:21</p>	<p>event [1] - 5:9 exacerbates [1] - 15:19 example [5] - 11:11, 22:11, 28:13, 29:7, 31:12 examples [2] - 21:18, 21:22 except [1] - 24:14 exception [3] - 11:17, 22:8, 23:7 exceptions [1] - 21:25 excess [1] - 12:16 excited [2] - 5:22, 7:9 exciting [1] - 6:3 excluded [1] - 22:13 excuse [1] - 18:15 Executive [2] - 4:21, 5:3 exempt [1] - 22:2 existing [1] - 18:10 expand [1] - 12:24 expected [1] - 31:2 expedite [1] - 27:4 expediting [1] - 27:5 expenditure [7] - 21:11, 21:19, 22:1, 22:14, 22:16, 22:17 expenditures [3] - 22:3, 22:5, 22:7 expense [2] - 22:24, 25:7 expenses [2] - 22:6, 23:5 experience [1] - 32:2 experiences [1] - 31:11 explicate [1] - 21:15</p>	<p>fabulous [1] - 6:15 fact [9] - 12:14, 12:17, 15:14, 17:16, 17:20, 18:3, 21:23, 23:18, 23:25 fact-specific [1] - 17:20 facts [2] - 23:18, 30:4 failed [1] - 17:21 fairly [1] - 13:9 fall [1] - 31:5 fantastic [1] - 8:21 far [2] - 12:11, 31:6 favor [1] - 26:25 FEC [1] - 33:13 federal [2] - 5:6, 8:18 Federal [1] - 23:3 feedback [4] - 31:19, 31:24, 32:3, 32:11 felt [1] - 8:4 few [1] - 26:19 figure [1] - 33:10 filed [1] - 20:9 files [1] - 6:17 finish [1] - 9:6 first [5] - 7:11, 20:24, 21:9, 30:17, 33:4 fiscal [1] - 10:8 fit [1] - 23:8 fits [3] - 22:20, 23:13 five [1] - 3:16 flexibility [2] - 23:16, 25:5 flexible [1] - 4:25 flip [1] - 7:7 folks [2] - 6:2, 13:10 foreign [1] - 16:17 foreign-owned [1] - 16:17 forgot [1] - 19:17 former [1] - 17:5 forward [3] - 5:15, 17:23, 19:18 framework [1] - 23:10 Frazier [1] - 13:23 Fred [1] - 30:9 Fred's [2] - 30:7 fresh [1] - 6:3</p>	<p>hand [2] - 24:18, 34:11 hangs [1] - 15:18 happy [7] - 7:13, 7:24, 8:2, 8:4, 8:24, 25:10, 25:13 hard [2] - 5:24, 18:17 HCR [4] - 16:6, 16:7, 16:23, 16:24 head [2] - 10:4, 10:16 head-count [2] - 10:4, 10:16</p>	<p>heard [2] - 3:11, 28:1 hearing [3] - 16:5, 19:24, 34:6 helpful [2] - 25:2, 33:8 hesitate [1] - 26:19 highlight [2] - 10:21, 20:17 highlighted [3] - 5:19, 5:22, 6:25 hire [3] - 10:25, 12:5 hired [4] - 24:1, 27:16, 27:22, 29:19 hiring [1] - 29:9 hit [1] - 18:19 Hoffman [1] - 17:5 hope [1] - 20:20 hopefully [1] - 11:3 hour [1] - 7:20 households [1] - 8:10 huge [1] - 5:3</p>	

<p>interesting [2] - 14:6, 30:16</p> <p>introduction [1] - 8:11</p> <p>involved [3] - 16:17, 31:11, 34:7</p> <p>issue [8] - 11:19, 13:25, 17:14, 18:11, 18:17, 22:14, 26:1, 30:17</p> <p>issues [5] - 13:4, 13:17, 15:20, 16:4, 29:1</p> <p>IT [1] - 6:2</p> <p>Item [5] - 3:4, 3:18, 4:20, 19:25, 35:14</p> <p>items [2] - 5:3, 6:25</p> <p>itself [2] - 14:1, 21:25</p>	L	<p>lower [1] - 9:15</p> <p>Luis [1] - 17:5</p>	<p>misinformation [1] - 15:20</p> <p>moderators [1] - 8:5</p> <p>modifications [1] - 28:24</p> <p>modified [1] - 26:2</p> <p>Monday [1] - 30:7</p> <p>money [2] - 18:10, 18:25</p> <p>monies [3] - 17:3, 22:21, 22:22</p> <p>monitoring [2] - 17:1, 19:17</p> <p>month [3] - 10:1, 13:8, 20:13</p> <p>most [2] - 5:23, 26:8</p> <p>motion [2] - 34:14, 36:2</p> <p>move [7] - 3:25, 4:25, 5:14, 19:24, 34:16, 34:18, 36:4</p> <p>moved [2] - 4:6, 34:23</p> <p>moves [1] - 17:23</p> <p>MR [18] - 4:23, 6:16, 9:5, 20:19, 25:17, 25:20, 25:22, 25:25, 26:3, 26:6, 26:10, 27:12, 27:15, 27:20, 27:24, 28:3, 28:5, 35:13</p> <p>MS [2] - 7:1, 7:3</p> <p>must [1] - 24:19</p>	<p>notes [1] - 19:15</p> <p>notice [1] - 14:25</p> <p>number [9] - 9:14, 9:15, 11:14, 13:2, 15:3, 16:15, 16:16, 16:18</p> <p>numerous [1] - 18:14</p>
J	<p>lack [1] - 11:20</p> <p>land [1] - 33:25</p> <p>language [1] - 33:14</p> <p>large [1] - 8:3</p> <p>last [14] - 3:20, 5:7, 10:1, 13:8, 13:14, 16:20, 18:23, 20:13, 20:17, 28:6, 31:10, 33:4, 33:25</p> <p>late [1] - 16:2</p> <p>latest [1] - 34:14</p> <p>law [5] - 11:7, 14:10, 18:12, 32:8, 33:13</p> <p>Law [3] - 21:7, 23:2, 30:21</p> <p>laws [2] - 14:4, 21:15</p> <p>layer [2] - 19:2, 19:9</p> <p>Leadership [1] - 13:18</p> <p>leadership [1] - 14:1</p> <p>learned [1] - 16:21</p> <p>least [1] - 10:13</p> <p>legal [7] - 13:2, 14:11, 17:14, 18:11, 18:21, 19:8, 25:1</p> <p>legislation [1] - 17:1</p> <p>legislative [6] - 5:5, 8:16, 9:20, 14:1, 16:4, 17:6</p> <p>Legislative [3] - 13:17, 20:6, 20:10</p> <p>legislature [5] - 13:1, 14:3, 17:15, 18:2, 19:6</p> <p>legislature's [1] - 17:22</p> <p>letter [1] - 10:1</p> <p>level [1] - 23:15</p> <p>lie [1] - 31:4</p> <p>likelihood [1] - 15:18</p> <p>limit [2] - 26:24, 35:20</p> <p>limited [1] - 35:17</p> <p>line [2] - 21:4, 25:1</p> <p>lines [1] - 10:5</p> <p>list [1] - 30:23</p> <p>litigation [1] - 15:17</p> <p>live [4] - 5:10, 7:17, 7:18, 18:17</p> <p>local [1] - 8:19</p> <p>logical [1] - 12:8</p> <p>logistics [1] - 8:12</p> <p>look [6] - 5:21, 8:2, 21:24, 23:3, 24:20, 28:25</p> <p>looked [1] - 33:4</p> <p>looking [3] - 6:8, 6:11, 29:2</p> <p>looks [2] - 7:5, 7:12</p>	M	<p style="text-align: center;">N</p> <p>name [1] - 3:3</p> <p>naturally [1] - 24:4</p> <p>nature [1] - 11:23</p> <p>navigate [1] - 6:12</p> <p>necessarily [1] - 23:11</p> <p>need [7] - 9:18, 11:19, 12:9, 16:2, 17:18, 24:21, 29:3</p> <p>needed [2] - 10:25</p> <p>needs [2] - 8:13, 24:12</p> <p>negotiated [1] - 9:19</p> <p>nevertheless [4] - 9:17, 12:19, 21:20, 22:18</p> <p>new [6] - 6:11, 6:21, 7:11, 32:2, 32:6, 33:9</p> <p>news [1] - 7:20</p> <p>next [1] - 24:7</p> <p>night [2] - 5:7, 16:20</p> <p>nobody [1] - 31:2</p> <p>nomination [1] - 5:8</p> <p>none [2] - 19:24, 34:6</p> <p>nonprofits [1] - 31:12</p> <p>note [2] - 5:18, 7:19</p>	O
<p>job [5] - 6:15, 13:24, 14:8, 15:15, 31:25</p> <p>justify [1] - 25:6</p>			<p>obligation [1] - 29:11</p> <p>obscure [1] - 29:16</p> <p>obviously [7] - 9:15, 15:6, 18:18, 21:23, 26:17, 29:9, 33:6</p> <p>odd [3] - 11:9, 18:24, 19:9</p> <p>office [7] - 8:16, 10:2, 11:8, 14:12, 14:13, 19:1, 22:6</p> <p>offices [1] - 5:6</p> <p>officials [1] - 15:23</p> <p>omnibus [1] - 18:14</p> <p>on-site [2] - 16:8, 16:23</p> <p>once [1] - 18:9</p> <p>one [11] - 10:20, 14:20, 16:2, 17:10, 18:4, 20:14, 24:18, 26:9, 26:11, 28:6, 30:17</p> <p>operated [1] - 18:1</p> <p>opinion [21] - 20:8, 20:13, 20:16, 23:17, 24:18, 24:19, 25:13, 25:19, 25:21, 26:2, 26:8, 27:1, 27:8, 28:2, 28:10, 28:13, 28:18, 29:14, 30:20, 34:14, 34:15</p> <p>Opinion [6] - 20:1, 20:2, 34:19, 34:25, 35:10</p> <p>opinions [2] - 27:8, 31:21</p> <p>oral [1] - 13:14</p> <p>order [3] - 3:4, 3:6, 24:17</p> <p>organized [1] - 6:4</p> <p>organizing [1] - 30:9</p> <p>original [1] - 21:2</p> <p>Osborn [1] - 13:24</p> <p>otherwise [1] - 11:22</p> <p>ought [1] - 27:17</p> <p>outlying [1] - 15:8</p> <p>outreach [1] - 9:7</p> <p>overall [2] - 25:13</p> <p>oversimplifying [1] - 27:7</p> <p>own [2] - 17:14, 18:8</p>	
<p style="text-align: center;">K</p> <p>Kara [1] - 15:6</p> <p>keep [4] - 12:9, 18:22, 24:9, 33:18</p> <p>kept [2] - 24:14</p> <p>key [1] - 20:17</p> <p>kicked [1] - 5:5</p> <p>KIMBLE [52] - 3:3, 3:11, 3:15, 3:24, 4:2, 4:6, 4:12, 4:14, 4:16, 4:18, 6:10, 7:2, 8:25, 9:3, 19:20, 19:24, 25:15, 25:18, 25:21, 25:23, 26:1, 26:4, 26:7, 27:7, 27:13, 27:16, 27:21, 27:25, 28:4, 30:12, 30:15, 32:16, 32:24, 33:2, 34:2, 34:6, 34:10, 34:17, 34:21, 34:23, 35:3, 35:5, 35:7, 35:9, 35:14, 35:24, 36:6, 36:9, 36:13, 36:15, 36:17, 36:19</p> <p>Kimble [1] - 3:4</p> <p>kind [12] - 10:23, 12:2, 13:21, 13:22, 20:21, 20:22, 24:6, 24:20, 31:16, 31:22, 33:7, 33:9</p> <p>kinds [3] - 11:11, 12:24, 22:23</p> <p>knowing [1] - 24:1</p> <p>knows [1] - 23:21</p>				

owned [1] - 16:17	29:8, 29:9, 33:19, 34:7	project [1] - 30:19	25:6	18:9, 31:17
P	personal [1] - 31:11	pronouncing [1] - 30:21	reasonably [1] - 24:14	requires [4] - 17:17, 18:4, 29:6
p.m [1] - 7:20	perspective [6] - 15:10, 15:11, 15:25, 21:5, 32:7	Prop [1] - 13:15	reasons [3] - 10:20, 12:18, 12:19	rescheduling [1] - 35:18
packed [1] - 5:3	pertains [1] - 13:18	proposal [3] - 17:22, 18:3, 18:4	rebroadcast [1] - 5:13	resolved [2] - 15:12, 15:22
packet [4] - 3:21, 7:11, 7:14, 21:1	photos [1] - 7:12	proud [1] - 5:23	recap [2] - 7:15, 20:16	resources [1] - 8:23
PACs [2] - 21:12, 23:5	pick [1] - 7:19	provide [4] - 15:5, 17:21, 19:18, 19:19	received [2] - 20:14, 21:7	respect [1] - 12:20
part [5] - 9:22, 15:6, 15:7, 15:15, 21:14	picture [1] - 11:3	provided [1] - 25:5	record [2] - 3:8, 24:21	responding [1] - 35:19
particular [5] - 5:13, 22:16, 22:17, 23:11, 24:19	pieces [1] - 8:10	providing [1] - 8:23	recordkeeping [3] - 31:10, 33:6, 33:11	response [5] - 9:2, 19:23, 34:5, 34:9, 35:23
particularly [2] - 11:12, 11:13	plan [1] - 7:13	provision [3] - 17:8, 17:10, 17:16	records [1] - 24:13	responsible [1] - 12:20
parties [6] - 20:11, 21:12, 23:4, 23:5, 24:9, 29:15	played [1] - 15:21	provisions [4] - 16:16, 17:7, 17:25, 18:14	recreate [1] - 25:6	responsive [1] - 31:17
partisan [2] - 22:11, 30:10	point [5] - 18:23, 24:7, 24:13, 26:14, 28:19	public [6] - 29:2, 31:23, 34:7, 35:16, 35:25	redesign [1] - 5:21	rest [1] - 6:1
partners [5] - 6:2, 7:19, 7:21, 7:23, 9:9	policy [1] - 19:4	publish [1] - 22:5	redline [2] - 21:1, 21:2	restrictions [1] - 16:13
partnership [1] - 7:25	political [4] - 20:3, 21:12, 21:19, 31:12	purports [1] - 16:23	ref [1] - 17:6	result [1] - 35:16
parts [1] - 6:14	polling [1] - 16:23	purposes [2] - 21:11, 23:5	referendum [1] - 17:4	results [1] - 22:15
party [10] - 20:4, 21:19, 22:1, 22:3, 22:14, 22:15, 22:18, 23:21, 24:16, 24:19	portion [2] - 14:11	put [3] - 9:10, 31:22, 32:8	referendums [1] - 17:7	return [2] - 14:15, 16:11
Party [1] - 21:20	portions [1] - 16:7	puts [1] - 16:13	referring [1] - 7:22	revenue [4] - 17:23, 18:2, 18:8, 18:9
Party's [3] - 20:6, 20:9, 30:19	position [4] - 28:9, 28:11, 28:20, 29:22	Q	reflect [1] - 28:24	revenues [1] - 17:18
party-building [2] - 22:1, 22:14	possible [5] - 3:18, 4:20, 15:13, 20:1, 29:25	qualify [2] - 20:4, 21:20	reflective [1] - 30:3	reverse [1] - 20:23
past [1] - 6:11	post [1] - 7:23	questions [11] - 8:24, 8:25, 19:21, 25:14, 30:13, 30:17, 31:7, 32:13, 32:22, 33:5, 34:4	reflects [1] - 28:12	review [2] - 21:9, 28:25
PATON [4] - 3:13, 4:15, 35:6, 36:16	post-debate [1] - 7:23	quickly [1] - 15:13	regarding [3] - 7:10, 28:2, 31:10	reviewed [1] - 21:10
Paton [6] - 3:13, 3:16, 4:14, 31:10, 35:5, 36:15	potential [1] - 9:24	quiet [1] - 31:1	registered [1] - 8:11	revised [3] - 33:8, 33:24, 34:18
pattern [2] - 23:18, 23:25	powers [1] - 13:20	quieter [1] - 31:2	regulation [1] - 28:16	rewrite [1] - 16:7
Paula [1] - 13:9	precise [1] - 9:13	R	rejected [2] - 15:1, 15:2	Richard [1] - 8:5
pause [1] - 10:18	precisely [1] - 24:13	raised [1] - 31:8	related [4] - 9:25, 10:18, 13:20, 16:16	Riester [2] - 6:2, 8:1
pay [2] - 10:18, 16:22	predict [1] - 18:17	raising [1] - 34:11	relating [1] - 20:2	risk [1] - 27:7
paying [1] - 18:2	presentations [1] - 6:21	ranging [1] - 8:18	relaunch [1] - 5:25	RMC [1] - 12:24, 15:16, 28:16
payments [1] - 10:19	presented [1] - 23:19	rather [1] - 11:17	relaunched [1] - 5:20	ROBERTS [2] - 7:1, 7:3
people [6] - 6:15, 7:22, 12:3, 15:16, 27:16, 30:5	presumably [1] - 17:22	reach [1] - 7:24	relevant [1] - 28:5	Rogers' [1] - 18:3
per [1] - 28:20	pretty [2] - 5:2, 8:3	reaching [1] - 22:20	report [11] - 4:21, 5:3, 9:6, 11:8, 14:11, 14:17, 14:19, 14:21, 15:25, 29:1	roll [3] - 4:9, 34:25, 36:10
percent [1] - 28:17	previous [2] - 26:8, 26:10	readily [1] - 6:7	reportable [1] - 23:6	rolls [1] - 32:4
performance [1] - 10:18	principles [2] - 13:20, 31:15	reading [1] - 33:24	reported [1] - 21:19	Ruelas [1] - 8:6
performance-related [1] - 10:18	print [4] - 6:18, 6:19, 8:8, 8:15	real [1] - 29:8	reporting [3] - 22:16, 23:9, 25:7	rule [7] - 18:9, 23:4, 23:23, 25:3, 25:4, 28:14, 28:18
performed [1] - 20:3	problems [1] - 18:21	reality [1] - 11:5	reports [3] - 9:20, 24:22, 24:24	rules [7] - 13:16, 14:25, 15:1, 15:11, 15:12, 15:16, 24:22
period [1] - 25:24	procedures [1] - 14:19	really [14] - 5:9, 6:3, 6:8, 6:13, 8:22, 12:17, 18:19, 23:8, 28:20, 31:13, 32:12, 33:12, 33:19	Request [1] - 20:2	running [4] - 12:14, 12:15, 12:17, 31:13
Person [1] - 28:17	Procedures [1] - 14:23	reason [3] - 12:10, 19:2, 21:14	request [4] - 20:8, 25:18, 27:3	
person [5] - 24:10,	proceed [1] - 25:14	reasonable [1] - 32:10	requested [2] - 20:5, 30:19	S
	proceeding [1] - 9:17	reasonableness [1] -	requesting [1] - 21:3	saw [2] - 7:22, 33:6
	proceeds [1] - 17:2		require [2] - 16:8, 24:9	schedule [1] - 22:4
	process [7] - 9:22, 10:23, 11:17, 14:14, 16:10, 16:13, 23:24		required [1] - 10:7	school [1] - 8:21
	productive [1] - 13:9		requirements [2] -	
	profiles [1] - 8:18			
	progresses [1] - 19:12			

<p>screen [3] - 7:21, 20:20, 24:8</p> <p>se [1] - 28:21</p> <p>season [2] - 5:4, 8:6</p> <p>second [8] - 4:4, 4:5, 26:2, 28:2, 34:21, 34:22, 36:7, 36:8</p> <p>seconded [3] - 4:7, 34:24, 36:9</p> <p>Secretary [3] - 14:12, 19:1, 22:5</p> <p>section [2] - 17:11, 21:10</p> <p>see [14] - 5:13, 8:17, 9:6, 9:11, 12:2, 13:6, 13:16, 14:5, 15:21, 19:12, 21:9, 32:17, 32:18, 34:10</p> <p>seeing [5] - 6:5, 8:19, 8:22, 32:1, 35:24</p> <p>semantic [1] - 29:15</p> <p>Senator [1] - 18:3</p> <p>send [1] - 35:25</p> <p>sense [3] - 18:25, 19:10, 20:22</p> <p>separate [2] - 17:13</p> <p>separation [1] - 13:19</p> <p>set [5] - 7:12, 9:23, 15:12, 16:10, 22:2</p> <p>shall [1] - 19:7</p> <p>share [1] - 20:20</p> <p>sheets [1] - 24:10</p> <p>ship [1] - 12:15</p> <p>show [2] - 10:7, 29:1</p> <p>showed [1] - 7:21</p> <p>shows [1] - 33:9</p> <p>signature [1] - 14:14</p> <p>significantly [1] - 8:17</p> <p>similar [1] - 21:15</p> <p>simply [3] - 13:3, 19:6, 29:22</p> <p>single [2] - 17:7, 18:16</p> <p>single-subject [2] - 17:7, 18:16</p> <p>site [3] - 8:20, 16:8, 16:23</p> <p>situation [2] - 11:9, 22:15</p> <p>six [2] - 8:3, 17:6</p> <p>sleeping [1] - 31:4</p> <p>slippery [1] - 12:3</p> <p>slippery-slope [1] - 12:3</p> <p>slips [1] - 9:12</p> <p>slope [1] - 12:3</p> <p>solution [1] - 13:3</p> <p>someone [4] - 28:10, 28:14, 28:16, 30:1</p> <p>somewhere [1] - 26:4</p>	<p>sorry [2] - 16:1, 30:20</p> <p>sort [16] - 9:23, 11:4, 11:10, 11:18, 12:2, 12:7, 12:23, 13:19, 15:17, 15:24, 19:9, 20:21, 22:11, 29:15, 33:25</p> <p>source [4] - 17:19, 17:23, 18:2, 18:9</p> <p>Spanish [2] - 7:8, 7:18</p> <p>specific [11] - 13:1, 17:8, 17:20, 21:18, 21:23, 22:8, 23:25, 27:10, 28:15, 28:20</p> <p>specifically [4] - 23:3, 23:20, 24:1, 24:8</p> <p>specificity [1] - 23:21</p> <p>spend [1] - 27:10</p> <p>spending [17] - 10:12, 17:18, 20:4, 20:12, 21:21, 21:22, 22:10, 22:13, 22:17, 22:19, 22:21, 23:9, 23:14, 29:12, 29:16, 30:8, 30:11</p> <p>spends [1] - 24:10</p> <p>spent [2] - 6:11, 24:4</p> <p>sponsorships [3] - 13:7, 13:11, 13:12</p> <p>staff [10] - 6:1, 9:21, 10:16, 12:16, 12:24, 23:19, 31:18, 31:19, 31:23, 35:17</p> <p>staff's [1] - 21:4</p> <p>staffing [1] - 12:16</p> <p>stakeholder [3] - 26:13, 31:18, 31:24</p> <p>stakeholders [4] - 30:25, 32:2, 32:11, 32:19</p> <p>standard [1] - 25:5</p> <p>standing [2] - 13:25, 14:2</p> <p>standpoint [1] - 7:17</p> <p>start [3] - 8:6, 20:22, 33:20</p> <p>started [1] - 5:6</p> <p>starting [1] - 9:11</p> <p>state [6] - 5:12, 8:11, 9:9, 10:2, 17:18, 27:1</p> <p>State [2] - 9:19, 13:4</p> <p>State's [3] - 14:12, 19:1, 22:6</p> <p>statements [2] - 8:14, 8:16</p> <p>states [1] - 23:17</p> <p>statewide [2] - 5:6, 8:16</p> <p>steps [1] - 11:22</p>	<p>Steve [3] - 3:14, 8:5</p> <p>sticker [5] - 6:21, 6:22, 7:4, 7:7, 7:8</p> <p>still [1] - 29:14</p> <p>stream [1] - 18:8</p> <p>streaming [1] - 7:19</p> <p>strike [1] - 25:3</p> <p>struck [1] - 18:13</p> <p>structure [3] - 11:7, 11:24, 30:1</p> <p>studio [1] - 7:11</p> <p>study [1] - 35:17</p> <p>subject [5] - 10:15, 17:7, 17:14, 18:16</p> <p>successes [1] - 15:9</p> <p>successfully [1] - 14:13</p> <p>Such-and-Such [1] - 29:19</p> <p>suggesting [1] - 28:1</p> <p>suggestions [1] - 35:15</p> <p>supports [1] - 15:22</p> <p>Supreme [3] - 11:25, 18:13</p> <p>switch [1] - 29:9</p>	<p>Tom [14] - 4:22, 8:8, 9:4, 19:20, 20:16, 20:18, 25:15, 30:13, 30:22, 32:8, 32:12, 33:22, 34:4, 35:12</p> <p>tom [1] - 6:10</p> <p>took [1] - 23:3</p> <p>towards [1] - 9:12</p> <p>traceable [1] - 22:22</p> <p>track [2] - 24:6, 29:11</p> <p>tracking [1] - 28:21</p> <p>transaction [1] - 19:11</p> <p>tried [2] - 21:17, 22:25</p> <p>true [1] - 30:22</p> <p>try [8] - 11:17, 15:15, 17:23, 21:14, 24:13, 27:4, 29:16, 33:10</p> <p>trying [5] - 17:15, 23:24, 25:3, 31:25, 32:10</p> <p>tune [1] - 16:5</p> <p>turn [2] - 9:12, 15:19</p> <p>turned [1] - 13:8</p> <p>turns [1] - 29:20</p> <p>TV [1] - 7:17</p> <p>two [6] - 5:16, 13:7, 13:11, 17:25, 18:15, 35:20</p> <p>types [1] - 33:15</p>	<p>21:1</p> <p>VI [1] - 35:14</p> <p>via [1] - 17:4</p> <p>victims [1] - 12:23</p> <p>view [2] - 21:6, 23:2</p> <p>violative [1] - 13:19</p> <p>vote [4] - 16:11, 22:12, 27:1, 30:10</p> <p>voted [2] - 6:22, 20:13</p> <p>voter [7] - 5:16, 6:1, 8:13, 8:15, 15:11, 15:19, 16:13</p> <p>Voter [7] - 6:18, 7:6, 8:9, 13:19, 21:13, 21:24, 23:9</p> <p>voter-education [1] - 15:11</p> <p>voters [8] - 6:5, 7:16, 8:11, 14:15, 15:18, 16:10, 16:11, 32:9</p> <p>Voters' [2] - 20:5, 22:9</p> <p>votes [2] - 35:9, 36:19</p> <p>voting [1] - 8:12</p>
T				
<p>tabulation [1] - 16:8</p> <p>talks [2] - 17:9, 23:4</p> <p>tasks [1] - 27:10</p> <p>televised [1] - 5:6</p> <p>terminology [1] - 22:8</p> <p>terms [4] - 6:5, 12:15, 28:7, 29:3</p> <p>territory [1] - 32:6</p> <p>text [2] - 21:24, 21:25</p> <p>themselves [1] - 17:9</p> <p>theories [1] - 13:20</p> <p>therefore [3] - 22:19, 22:22, 28:23</p> <p>they've [1] - 31:4</p> <p>they.. [1] - 15:5</p> <p>three [4] - 5:3, 6:25, 14:18, 14:19</p> <p>threshold [1] - 22:20</p> <p>throughout [1] - 5:13</p> <p>tight [1] - 12:15</p> <p>timeline [2] - 25:16, 26:4</p> <p>timing [1] - 19:16</p> <p>TITLA [4] - 3:14, 4:13, 35:8, 36:18</p> <p>Titla [5] - 3:14, 3:16, 4:12, 35:7, 36:17</p> <p>today [7] - 3:16, 4:24, 16:4, 19:14, 21:3, 31:3, 31:9</p> <p>together [1] - 32:8</p>				
U				
<p>uncomfortable [2] - 32:6, 33:10</p> <p>unconstitutional [1] - 17:20</p> <p>under [12] - 11:6, 11:7, 21:21, 24:22, 26:21, 26:22, 30:11, 33:12, 33:13, 33:22</p> <p>understaffed [1] - 12:18</p> <p>unless [2] - 25:11, 25:12</p> <p>unnecessarily [2] - 12:23, 29:15</p> <p>up [8] - 4:25, 7:19, 9:23, 11:16, 12:22, 16:10, 30:17, 32:14</p> <p>update [3] - 14:10, 14:16, 19:13</p> <p>uploaded [1] - 6:18</p> <p>utilize [1] - 8:23</p>				
V				
<p>variety [1] - 24:15</p> <p>verbatim [1] - 3:18</p> <p>verification [1] - 14:14</p> <p>version [2] - 6:18,</p>				
W				
<p>waits [1] - 15:17</p> <p>wants [1] - 32:19</p> <p>ways [1] - 24:15</p> <p>website [4] - 5:20, 6:11, 6:14, 8:17</p> <p>Wednesday [1] - 30:9</p> <p>week [3] - 5:14, 13:15, 14:21</p> <p>weekend [1] - 5:14</p> <p>weeks [1] - 5:1</p> <p>weighs [1] - 26:5</p> <p>welcoming [1] - 6:4</p> <p>WERTHER [10] - 3:10, 4:5, 4:17, 32:23, 32:25, 33:3, 34:22, 35:4, 36:8, 36:14</p> <p>Werther [10] - 3:10, 3:12, 4:7, 4:16, 33:2, 34:2, 34:24, 35:3, 36:9, 36:13</p> <p>white [1] - 23:1</p> <p>willing [2] - 31:3, 31:5</p> <p>wish [1] - 35:22</p> <p>wishes [1] - 34:13</p> <p>wonderful [1] - 31:25</p> <p>word [1] - 11:20</p> <p>words [1] - 18:7</p> <p>workshops [1] - 9:11</p> <p>world [1] - 14:10</p> <p>written [2] - 4:1, 19:15</p>				
X				
<p>X's [1] - 28:17</p>				

Y
Yavapai [1] - 14:16 year [3] - 8:7, 10:8, 32:3 years [4] - 9:16, 12:13, 17:6, 18:15 you-all [1] - 12:13 yourself [1] - 31:8 yourselves [1] - 3:8
Z
Zoom [1] - 35:22

**CITIZENS CLEAN ELECTIONS COMMISSION
EXECUTIVE DIRECTOR REPORT
June 27, 2024**

Announcements:

The Primary Election is July 30, 2024.

- Voter Registration Deadline: July 1, 2024
- Early Voting Begins: July 3, 2024

The Legislature adjourned sine die June 15, 2024. The general effective date for legislation is September 14, 2024.

Voter Education and Outreach:

- Broadcast debates have concluded for the primary. Legislative debates are still occurring. Voters can access all debate on the Clean Elections website.
- The Voter Education Guide is being delivered across the state. Voters can access federal and local candidate statements on the Clean Elections website.
- Gina participated in a tele-town hall for independent voters with the Maricopa County Recorder. Over 4,000 voters dialed in to hear information on the upcoming primary, how to select a ballot, and how to learn about the candidates.
- Tom and Avery attended the Navajo Voters' Coalition Conference and presented on Clean Elections. See attachment 1.
- Tom, Avery and Gina attended Phoenix Fan Fusion (Comic Con) to officially launch Captain Activate! Over 80,000 people attend the event and Captain Activate was well received.
- Avery participated in a mock election at Ability360 with Spark the Spectrum: Accessible Voting Workshop.
- Clean Elections is a sponsor and has a table at the African American Conference on Disabilities on Friday, June 28th. Tom is a keynote speaker.
- Avery attended the 2024 Civic Learning & Democratic Engagement Meeting and was selected to present on Captain Activate and the Commission's youth voter education and outreach.
- Gina was a guest speaker on the Civic Leads podcast and spoke about the mission of Clean Elections.
- Gina presented at Education Forward's June Power Hour and presented on how to participate in the primary election.
- Avery is collaborating with AARP on voter education efforts for their members.
- Avery co-hosted an event: Election Ready: Your Basic Guide to Getting Involved in Democracy with the Pima County Library and Recorder's Office.
- Tom joined the Yavapai County Recorder to present information on elections to the Democratic Women of the Prescott Area

Administration and Correspondence from Other Agencies:

- Update on Primary Participating Candidates:
Total Participating Candidates - 43
Legislative Participating Candidates - 38
Statewide Participating Candidates - 5
Funded Candidates - 26
- Filing for the Voter's Right to Know Act is available via the Secretary of State's Beacon system.
- Forward Majority Action filed an Advisory Opinion request on June 24, 2024. It is attached. The request seeks clarification on the proper disclaimer requirements for public communications by covered persons under the Voters' Right to Know Act. See attachment 2.
- HCR 2056, which would have appropriated monies from the Clean Elections Fund to the Secretary of State's office to pay for a number of changes to election procedures, failed in the Senate on the last day of session after the appropriation and procedural changes in the measure were removed.
- The Center for an Independent and Sustainable Democracy at Arizona State University released a study on Generation Z voters. The study should inform voters, policy makers and election administrators on the views and attitudes of these voters as well as the ways to reach them. See attachment 3. We plan to have the researchers appear at a future meeting.
- The Arizona Republic reported on Maricopa County and the State's approach to political committees for failing to file timely campaign finance reports. Staff will monitor policy developments that may arise. See attachment 4.

Legal:

Commission

- Center for Arizona Policy v. Arizona Secretary of State, 1CA-CV24-0272, Arizona Court of Appeals.
 - Appeal from the Superior Court. Briefing ongoing.
- Americans for Prosperity v. Meyer, No. 24-2933 (9th Cir.).
 - Plaintiff filed its notice of appeal.
- Toma v. Fontes, 1CA-CV24-0002, Arizona Court of Appeals.
 - Oral argument in Plaintiffs' appeal from the denial of a motion for preliminary injunction was held May 7. We expect a decision at any time.
- The Power of Fives, LLC v. Clean Elections, CV2021-015826, Superior Court for Maricopa County & Clean Elections v. The Power of Fives, LLC et al. CV2022-053917, Superior Court for Arizona. No new developments.

Others

Lawsuits have been filed challenging several legislative referendums.

Appointments:

- No additional information.

Enforcement:

- MUR 21-01, TPOF, pending.

2024 Regulatory Agenda:

The Commission may conduct a rulemaking even if the rulemaking is not included on the annual regulatory agenda. The following information is provided under A.R.S. § 41-1021.02:

- Notice of Docket Opening: **None.**
- Notice of Proposed Rulemaking: **None.**
- Federal funds for proposed rulemaking: **None**
- Review of existing rules: **None pending**
- Notice of Final Rulemaking: **None.**
- Rulemakings terminated: **None.**
- Privatization option or nontraditional regulatory approach considered: **None Applicable.**

NAVAJO VOTERS COALITION CONFERENCE

"VOTER EDUCATION: YOU CAN MAKE A DIFFERENCE"

I'ii'níłjį Bóhoo'aah, Nihaa Hodzódli



**Twin Arrows, Flagstaff, AZ
Tuesday, June 18, 2024
8:00 am - 4:00 pm (AZ Time)**

**Co-Sponsors:
Arizona Citizens Clean Elections Commission
& Navajo Voters Coalition**

Coalition Message

Greetings—Ya'at'eeh! On behalf of the Navajo Voters Coalition and Arizona Citizens Clean Elections, I am pleased to announce that we are co-sponsoring this year's Navajo Voters Coalition Conference at Twin Arrows, Flagstaff, Arizona. We have an array of knowledgeable speakers addressing elections, voter registration, impact of the native vote, youth involvement, along with a history of native voting. Information booths will also be available for you to visit. We appreciate our donors for their financial contributions as well as those who have volunteered to make this conference a success. Please share what you have learned with your communities, family and friends. We welcome you to join our quest to ensure that all votes count and carry our message that your vote makes a difference. Ahe'hee!

-LeNora Y. Fulton, Conference Coordinator-

Special Recognition Award

We recognize Honorable Dr. Andy Nez, Council Delegate and a member of the 25th Navajo Nation Council. He represents Crystal, Fort Defiance, Red Lake and Sawmill chapters. He also serves on the Health, Education & Human Services Committee. Clans: He is Tł'ógi, born for Tódich'ii'nii, his Cheii are Tł'ááschí'í, and his Nali' are Táchii'nii.

Dr. Andy Nez sponsored Legislation #0047-24 before the 25th Navajo Nation Council with a goal to consolidate the Navajo primary election date with the Arizona primary election date. The Legislation was passed by the Council and signed into law by Navajo Nation President Buu Nygren. It is no doubt that this legislation was one of the most significant laws passed by the Council, that by exercising its sovereignty, secured the protection of the Dine people's voting power, thus impacting the lives of the people and future generations to come.

The State of Arizona and the Navajo Nation had conducted their primary elections on the same day, the first Tuesday of August. However, due to changes in Arizona's election recount provisions, state legislators voted to change Arizona primary election date to allow more time for recounts. On February 9, 2024, Arizona Governor Katie Hobbs signed into law House Bill 2785, authorizing Arizona to conduct its primary election on July 30, 2024 (a week earlier than the Navajo primary election date). Now, two major elections would be held within the Navajo Nation one week apart.

Arizona is a swing state, and the number of Navajo voters in the state is significant. The new Arizona primary election date will impact Navajo voter turnout, causing confusion and will dilute the Navajo vote. As Arizona and Navajo Nation primary elections were fast approaching and that in order to protect Navajo voter turnout, the Navajo Board of Election Supervisors (NBOES) finds it an emergency matter, and by Resolution NBOESf-11-24, recommended that the Navajo Nation Council to take immediate action.

After attending the February 22, 2024 NBOES meeting, Dr. Andy Nez sponsored Legislation#0047-24 under the emergency provisions. The Navajo Nation Council, thereby, waived the applicability of 11 N.N.C §3(C) under the Navajo Election Code, and authorized that the 2024 Navajo Nation Primary Election shall be held on July 30, 2024 for 2024 only. The Council also directed the Navajo Election Administration and NBOES to ensure that proper notices are provided to the voters on this change. The provisions of the Navajo Nation Council Legislation #0047-24 became effective in accordance with 2 N.N.C. v§221. **Hence, the Navajo Nation and the Arizona Primary election will be held on July 30, 2024.**

We honor Dr. Andy Nez for his dedication to address a most difficult task within a very limited time frame. The protection of the people's right to vote is at the core of the Legislation. We present a plaque to Dr. Andy Nez, in recognition of his heroic efforts in the passage of Legislation #0047-24.



Dr. Andy Nez

NAVAJO VOTERS COALITION CONFERENCE

Tuesday, June 18, 2024 8:00 AM – 4:00 PM (AZ Time)

Twin Arrows, Flagstaff, AZ

“VOTER EDUCATION: YOU CAN MAKE A DIFFERENCE”

I’ii’nííłjí Bóhoo’aah, Nihaa Hodzódłí

Emcee: Lena Fowler, Coconino County Supervisor

7:30 am	Registration & Fee (\$5.00)	KTNN Live Remote 9:00 am - 1:00 pm
8:00 am	Posting of Colors Pledge of Allegiance Invocation	Tsíidii To’ii Veterans Organization Amy Begay, Miss Navajo Nation Katherine Arviso, Blue Star Mother
8:15 am	Welcome Address	LeNora Y. Fulton, Conference Coordinator
8:20 am	Veterans - “Paved the Road on the Right to Vote”	Tom M. White, Jr., Commander, Fort Defiance Veterans
8:45 am	Video: Ride to the Polls	Protect the Sacred - Kayenta, AZ
8:50 am	Keynote Speaker	Adrian Fontes, Arizona Secretary of State
9:20 am	Voter Registration: You Can Make a Difference	Hon. Richelle Montoya, Navajo Nation Vice President
9:35 am	Rural Addressing on Navajo Nation	M.C. Baldwin, GIS/Rural Addressing Coordinator Navajo Addressing Authority Department
10:15 am	Break (10 minutes)	
10:25 am	Arizona Citizens Clean Elections	Tom Collins, Executive Director Avery Xola, Voter Education Manager Arizona Citizens Clean Elections Commission
10:50 am	Special Recognition Award	Honorable Dr. Andy Nez, Council Delegate 25th Navajo Nation Council
11:00 am	Elections in Arizona Counties “Mock Election Demonstration”	Elsir Musta, Coconino County Elections Director Ray Daw, Native American Outreach Coordinator Coconino County Elections
12:00 pm	LUNCHEON SPEAKER	Honorable Crystalyne Curley, Speaker 25th Navajo Nation Council
1:00 pm	Protecting Voters Rights to Fair Elections	Leonard Gorman, Executive Director Navajo Nation Human Rights Commission
2:00 pm	Youth Involvement in Elections & Updates “Youth Panel”	Melvin Harrison, Chairman Navajo Board of Election Supervisor Jayne Parrish, Executive Director & Founder Arizona Native Vote
2:45 pm	Break (15 minutes)	
3:00 pm	Native Language Impacting Elections	Steven C. Begay, Navajo Voters Coalition, Inc. Lorene B. Legah, Navajo Language Educator
3:45 pm	Strength of Native American Vote	Lena Fowler, Coconino County Supervisor
4:00 pm	Benediction & Adjournment	Julia Benally, Vice President, Greasewood Chapter

NAVAJO NATION VOTER REGISTRATION DEADLINE: JUNE 27, 2024 5:00 P.M.

ARIZONA VOTER REGISTRATION DEADLINE: JULY 01, 2024 MIDNIGHT

NAVAJO NATION & ARIZONA PRIMARY ELECTION: JULY 30, 2024

Brief Synopsis of Arizona Native Voting

Native Americans have a long history of struggles and victories in the last century. In 1924, Congress granted citizenship to all Native American born in the U.S., yet, despite the passage of the Indian Citizenship Act, some Native Americans were still not allowed to vote because the right to vote was governed by each state. As a result, some states barred Native American from voting by setting up requirements that a person had to read a page from the U.S. Constitution and also be a land owner. Tribal members did not have formal education opportunities, and only lived on trust land, and couldn't own the property. Throughout history, Native Americans were recognized as “ward of the government,” under federal guardianship within the War Department, therefore; were prohibited to vote.

In 1944, the Arizona Attorney General ruled that Indians who lived off the reservation and subject to state laws and taxation, were not eligible to vote. In 1948, two tribal members, Frank Harrison and Harvey Austin from the Fort McDowell Yavapai Nation, then referred to as the Fort McDowell Indian Reservation, attempted to register to vote in Maricopa County and were denied. They took their case, Harrison v Lawveen, to the Arizona Supreme Court and the court agreed with the plaintiffs, that their rights had been violated. As a result, on June 26, 1948, the court's ruling granted the right to vote to all Native Americans in Arizona. Yet, it still took many more years before Native Americans could actual register and vote.

A few Navajos were able to register and vote in Arizona in the late 1960's. Recently, Navajo candidates have been elected to positions of: School Superintendent, Sheriff, Treasurer, Supervisor, Assessor, Recorder and Judges in Coconino, Navajo and Apache Counties. Several have served in the Arizona State Legislature. In 2024, several Native American candidates are running for county, state and congressional seats. This is a display of voter participation by its population. This solid voting block is the greatest strength of the 19 Native American tribes in Arizona. Arizona is recognized as a “swing state,” and look to the Native American tribes for its strong voting block.

“We believe in the principle that the Dine people's right to vote is at the highest level of political authority and they have an inherent governmental power that reigns supreme in choosing their leaders.”

“T’áadoo nídf éí i’ii’níłgi nihí déét’i’. Díf binahjí’ naat’áanii baa hodzódłíhígíí bá ada’diyii’nił.”

- 2014 NBOES -

A Special Appreciation to Donors:

The Arizona Citizens Clean Elections Commission, the Navajo Voters Coalition Committee, Coconino County, Arizona Native Vote, Navajo Nation Office of the President and Vice President, and Office of the Speaker, 25th Navajo Nation Council





June 24, 2024

BY EMAIL

Arizona Citizens Clean Elections Commission
1110 W. Washington St., Suite 250
Phoenix, AZ 85007
Email: ccec@azcleaselections.gov

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to Ariz. Admin. Code R2-20-808 adopted by the Arizona Citizens Clean Elections Commission (“*Commission*”), we seek an advisory opinion on behalf of Forward Majority Action (“*FMA*”). FMA seeks clarification on the proper disclaimer requirements for public communications by covered persons under the Voters’ Right to Know Act (“*VRKA*”).

I. Background

FMA is an independent expenditure-only committee that is registered with the Federal Election Commission¹ and Internal Revenue Service.² FMA does not make contributions to any candidates or political party committees.

FMA anticipates that it will either sponsor paid communications that qualify as “campaign media spending” or that it will contribute to covered persons that finance “campaign media spending.” Regardless of which option it chooses, FMA must be able to tell its donors whether they will appear on the disclaimer for these paid communications.

Because we are within 60 days of the Arizona statewide primary election, which occurs on July 30, 2024, and because FMA may sponsor or fund communications that qualify as “campaign media spending” in advance of that election, it is seeking an answer within 20 calendar days.³

¹ FEC, Statement of Organization, Forward Majority Action (Jan. 9, 2024), <https://docquery.fec.gov/pdf/588/202401099599996588/202401099599996588.pdf>.

² IRS, Form 8872 – Forward Majority Action 527 (Apr. 10, 2024), <https://forms.irs.gov/app/pod/basicSearch/downloadFile?formId=146364&formType=e8872>.

³ Ariz. Admin. Code R2-20-808(C)(2).

II. Relevant Legal Provisions

The VRKA directs that the Commission “establish disclaimer requirements for public communications by covered persons” and that “[p]ublic communications by covered persons shall state, at a minimum, the names of the top three donors who directly or indirectly made the three largest contributions of original monies during the election cycle to the covered person.”⁴

Via rulemaking, the Commission prescribed that “[p]ublic communications by covered persons shall state the names of the top three donors who directly or indirectly made the three largest contributions of original monies in excess of \$5,000 for the election cycle and who have not opted out....”⁵

III. Discussion

FMA provides several examples below and asks what the resulting disclaimer should be. At bottom, however, FMA is posing these legal questions:

- May the three names on the disclaimer include donors that “acted as an intermediary and that transferred ... traceable monies ... from original sources,”⁶ or must those three names only be the “original sources” of the “original monies”?
- If the three names *may* include intermediaries:
 - Are contributions from an intermediary to a covered person attributed solely to the intermediary (for aggregation purposes) or to both the intermediary and the original source?
 - Are secondary intermediaries (e.g. donors to covered persons who receive transfers from other intermediaries) treated differently than primary intermediaries (e.g. those who receive funds from original sources and transfer those funds to other intermediaries) for these purposes?
- For these purposes, are political action committees established by business entities or labor unions treated differently than political action committees established by other persons?

FMA posits the following scenario to better understand how it can properly comply with the VRKA’s disclaimer requirements. The relevant persons:

⁴ Ariz. Rev. Stat. Ann. § 16-974(C).

⁵ Ariz. Admin. Code R2-20-805(B).

⁶ Ariz. Rev. Stat. Ann. § 16-973(A)(7).

- A **Covered Person** that sponsors independent expenditures in connection with legislative races.
- Four individual donors who contribute their own “personal monies” – **Individual 1, Individual 2, Individual 3, and Individual 4.**
- Three PACs *not* established by a union or business entity – **PAC 1, PAC 2, and PAC 3.** None of these PACs are a covered person.
- One PAC established by a union – **Labor PAC.** Labor PAC is not a covered person and receives voluntary political contributions from the personal monies of individual union members. None of these contributions exceeds \$5,000 per election cycle per member.

FMA posits the following scenarios and asks which three names should be included on the Covered Person’s disclaimer under Ariz. Admin. Code R2-20-805(B). For these purposes, the Commission should assume that all contributions are “traceable monies,” and no donor has opted-out of having their funds used for campaign media spending.

Scenario #1

- Individual 1 contributes \$125,000 to Covered Person.
- Individual 2 contributes \$100,000 to Covered Person.
- Individual 3 contributes \$50,000 to PAC 1, \$25,000 to PAC 2, and \$75,000 to PAC 3
- Individual 4 contributes \$500,000 to PAC 1.
- PAC 1 transfers \$550,000 to Covered Person, and attributes \$50,000 to Individual 3 and \$500,000 to Individual 4 in response to the notice prescribed by Ariz. Rev. Stat. § 16-972.
- PAC 2 transfers \$25,000 to Covered Person, and attributes all \$25,000 to Individual 3 in response to the notice prescribed by Ariz. Rev. Stat. § 16-972.
- PAC 3 transfers \$75,000 to Covered Person, and attributes all \$75,000 to Individual 3 in response to the notice prescribed by Ariz. Rev. Stat. § 16-972.

Under Scenario #1, which three names should appear on the disclaimer prescribed by R2-20-805(B)?

Scenario #2

- Individual 1 contributes \$125,000 to Covered Person.
- Individual 2 contributes \$100,000 to Covered Person.
- Individual 3 contributes \$50,000 to PAC 1, \$25,000 to PAC 2, and \$75,000 to PAC 3
- Individual 4 contributes \$500,000 to PAC 1.
- PAC 1 transfers \$50,000 to Covered Person – and attributes it to Individual 3 in response to the notice prescribed by Ariz. Rev. Stat. § 16-972; *and*
- PAC 1 transfers \$500,000 to PAC 2, which PAC 2 then transfers to Covered Person. PAC 2 attributes the \$500,000 to Individual 4 in response to the notice prescribed by Ariz. Rev. Stat. § 16-972, and identifies PAC 1 as the intermediary that previously transferred the \$500,000.
- PAC 2 transfers \$25,000 to Covered Person, and attributes all \$25,000 to Individual 3 in response to the notice prescribed by Ariz. Rev. Stat. § 16-972.
- PAC 3 transfers \$75,000 to Covered Person, and attributes all \$75,000 to Individual 3 in response to the notice prescribed by Ariz. Rev. Stat. § 16-972.

Under Scenario #2, which three names should appear on the disclaimer prescribed by R2-20-805(B)?

Scenario #3

- Individual 1 contributes \$125,000 to Covered Person.
- Individual 2 contributes \$100,000 to Covered Person.
- Individual 3 contributes \$50,000 to PAC 1, \$25,000 to PAC 2, and \$75,000 to PAC 3
- Individual 4 contributes \$500,000 to PAC 1.
- PAC 1 transfers \$550,000 to Covered Person, and attributes \$50,000 to Individual 3 and \$500,000 to Individual 4 in response to the notice prescribed by Ariz. Rev. Stat. § 16-972.
- PAC 2 transfers \$25,000 to Covered Person, and attributes all \$25,000 to Individual 3 in response to the notice prescribed by Ariz. Rev. Stat. § 16-972.

June 24, 2024
Page 5

- PAC 3 transfers \$75,000 to Covered Person, and attributes all \$75,000 to Individual 3 in response to the notice prescribed by Ariz. Rev. Stat. § 16-972.
- Labor PAC contributes \$750,000 to Covered Person.

Under Scenario #3, which three names should appear on the disclaimer prescribed by R2-20-805(B)?

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon S. Berkon".

Jonathan S. Berkon
Elizabeth Poston
Emma R. Anspach
Counsel to Forward Majority Action

FRUSTRATED BUT ENGAGED

GEN Z ATTITUDES ON VOTING, PARTIES AND ISSUES IN 2024



FRUSTRATED BUT ENGAGED

GEN Z ATTITUDES ON VOTING, PARTIES AND ISSUES IN 2024

JUNE 24, 2024

DAN HUNTING
THOM REILLY
JACQUELINE SALIT
CATHY STEWART

Executive Summary

In the November 2024 election, almost 41 million members of Generation Z (under age 30) will be eligible to vote nationally.¹ The Gen Z population voted at a higher rate in the 2022 midterm election than previous generations did at that age and the participation rate of young people in the 2020 presidential election was one of the highest since the voting age was lowered to 18 in 1972.^{2 3}

However, some sources indicate troubling signs that this trend may not be continuing. According to Harvard Kennedy School's annual youth poll, the percent of 18- to 29-year-olds who are "definitely" going to vote dropped from 57 percent in 2020 to 49 percent in 2024.⁴ Young adults are more skeptical of government and pessimistic about the future than any living generation before them.⁵

Gen Z registered voters ages 20-30 comprise 19 percent of the Arizona voting age population and 18 percent of all registered voters. However, only 10 percent of the total ballots cast in the 2022 general election came from this age group. According to the Arizona Secretary of State's office, their political affiliation breaks down as Republicans (21%), Democrats (30%), and Non-Affiliated or Party Not Declared (49%). Latinos make up 31 percent of this group. In the 2022 general election, 33 percent of the registered voters ages 20-30 turned out to vote and 68 percent sat out the election, even though they were registered.

So, what are the current Gen Z attitudes on voting? What key issues might impact their voting participation? What are the information sources they use to make decisions on elections? And how likely are they to participate in the 2024 election?

These are some of the questions we asked 1,315 Arizona registered voters between the ages of 20 and 30. The results indicate frustration with the current political system, especially with the two major parties, coupled with a feeling that there are opportunities to improve the situation.

- A large number of registered Gen Z voters plan to vote in the 2024 general election: Two-thirds (66 percent) saying they will definitely vote, 29 percent possibly voting and only 5 percent saying they do not intend to vote. 78 percent of both Democrats and Republicans, and 53 percent of independents said they will definitely vote, while 57 percent of Latinos and 70 percent of non-Latinos indicate they will definitely vote.
- The top reasons for those Gen Z voters not voting in 2022 were: 'too busy' (29%), 'process too complicated or confusing' (25%), 'candidates not reflecting their ideas' (17%) and 'feeling their vote did not matter' (15 %).
- When asked, "*What would make it more likely that you'll vote in the 2024 general election?*", 43 percent of those who chose not to vote in 2022 checked the box for 'candidates that better align with my values', and 40 percent chose 'candidates addressing issues that are important to me'.
- Top issues for Gen Z voters in 2024 include: Cost of Living (90%), Affordable Housing (86%), Protecting the Water Supply (81%) Health Care (79%), Fair and Secure Elections (78%), Jobs (76%) and Reproductive Rights (74%). independents aligned with Democrats on several issues, such as affordable housing, health care, reproductive rights, and climate change. Other issues, including fair and secure elections, taxes, gas prices, and gun rights, show independent choices similar to Republicans.
- Gen Z voters showed a high level of support for democratic principles, but also a great deal of skepticism about how well the current political environment works. There was overwhelming support shown for equal access to voting regardless of party affiliation (95%), more third-party ballot choices (80%), and the idea that their vote can change things for the better (69%). However, a majority of respondents (80%) felt that

¹ <https://circle.tufts.edu/latest-research/41-million-members-gen-z-will-be-eligible-vote-2024>

² <https://circle.tufts.edu/latest-research/gen-z-voted-higher-rate-2022-previous-generations-their-first-midterm-election>

³ <https://circle.tufts.edu/latest-research/half-youth-voted-2020-11-point-increase-2016>

⁴ https://iop.harvard.edu/youth-poll/46th-edition-fall-2023?utm_source=substack&utm_medium=email

⁵ <https://www.wsj.com/politics/elections/gen-z-voters-election-tiktok-5bc524>

the major parties are out of touch with people of their age and that all politicians are corrupt. Strong majorities (80%) disagreed with the statements ‘the current political system works for my generation and both Republican and Democratic politicians want what’s best for the country.’

- Arizona Gen Z voters get their news sources on important issues from social media (56%), followed by online news sites at 48 percent. Only 10 percent used print media – newspapers and magazines.
- Respondents were asked if the presence of ballot measures on various policy choices would make it more likely that they would vote in November 2024. The measure ‘Establishing a fundamental right to abortion before fetal viability by enshrining the right to abortion in Arizona's constitution’ would make 93 percent of Democrats and 70 percent of independents more likely to vote. Likewise, significant portions of Democrats and independents expressed support for educational funding, increasing the minimum wage and open primaries.
- The potential for an uptick in voter turnout in 2024 as compared with 2022 seems most pronounced among Gen Z independents.

Arizona Gen Z voters are now distinctly independent, with independent registrations comprising 49 percent of the total. Among registered voters older than 30, just 32 percent are independent. Almost a third of all voters in this age group are Latino. They overwhelmingly feel the two major parties are not working in the best interest of the country and are out of touch with people of their age. They tend to feel that politicians are corrupt. A sizeable number feel the voting system is confusing, that candidates do not reflect their ideas and their vote does not matter. However, despite this, a large majority indicate they will be voting in 2024.

With regard to their support for democratic principles, there was overwhelming backing for equal access to voting regardless of party affiliation, more third-party ballot choices, and the idea that their vote can change things for the better.

Issues most important for this group of voters are primarily economic, with cost of living, affordable housing, health care, and jobs ranking as issues of most concern. Issues such as fair and secure elections and reproductive rights also are top of mind. Likely signaling a regional concern, protecting the water supply was also a major issue for this generation.

Not surprisingly, Gen Z voters get their information on important issues from social media. Print media such as newspapers and magazines are used by only 10 percent of this group of voters. Finally, citizen led ballot initiatives dealing with reproductive rights, open primaries, and an increase in the minimum wage and education funding are top motivators for this group, especially, Democrats and independents.

This statewide study and report were funded by Arizona Clean Election Commission, a voter-centered state agency that fosters greater citizen participation via the election process and voter education. With thanks to IndependentVoting.org for providing assistance in the preparation of this report. Cover design by Julia Hemsworth.

Introduction

The Center for an Independent and Sustainable Democracy at Arizona State University surveyed 1,315 registered voters in Arizona in May of 2024. Respondents were in the 20–30-year-old age range, and a representative sample by party identification, Latino origin, and educational attainment was obtained.

Special care was taken to ensure representative samples of those who had voted in the 2022 general election and those who had not voted. Most surveys focus on those who have previously voted for two reasons. First, those who have voted previously are also those who are most likely to vote in the future, so they are of greatest value to political polls. Second, prior voters have already shown some tendency to be engaged in voting, so they are more likely to respond to requests to participate in surveys about voting and elections.

Considerable effort went in to ensuring that this survey captured a representative sample of those who were eligible to vote in 2022 but chose not to. Turnout from this latent group of eligible, but not yet active voters may well be key in deciding the closely fought races and initiatives that will be on the ballot in November 2024, so responses from this important group of seldom-surveyed group was deemed important.

2024 Likely and Possible Voters

When asked about their likelihood of voting in the 2024 general election, two-thirds of respondents (66 percent) replied, *“I will definitely be voting.”* An additional 29 percent answered, *“Possibly, I’m not sure yet,”* leaving five percent saying they did not intend to vote. It remains to be seen if this high level of voter participation actually materializes in the November election, but these percentages indicate intense interest in the upcoming election from the age 20-30 electorate.

Party-affiliated respondents were similar in their stated intentions to vote. Seventy-eight percent of both Democrats and Republicans said they will definitely vote, with 19 percent of Democrats and 17 percent of Republicans saying they are possible voters.

Independents showed a much different profile. Although a majority (53 percent) said they would definitely vote, this rate is 25 points lower than party-affiliated voters. However, the large number of independents among registered voters ages 20-30 means that there were more independent respondents who said they will certainly vote (341) than either Democrats (308) or Republicans (216). Furthermore, 263 independents, or 41 percent of the independent respondents, said that they may possibly vote in the 2024 election (Figure 1).

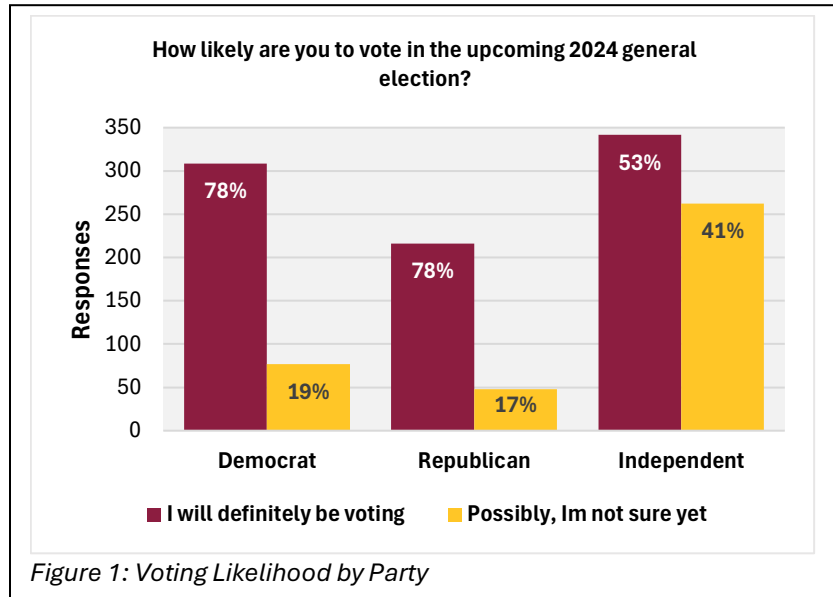


Figure 1: Voting Likelihood by Party

The survey was conducted with the number of Latino respondents proportional to their estimated representation among registered voters in the targeted age group (31 percent). Thirty-one percent of the total responses were from Latinos, with 57 percent of those saying they definitely intend to vote in November 2024 (Figure 2). This is significantly less than the 70 percent of non-Latinos who said they will definitely vote.

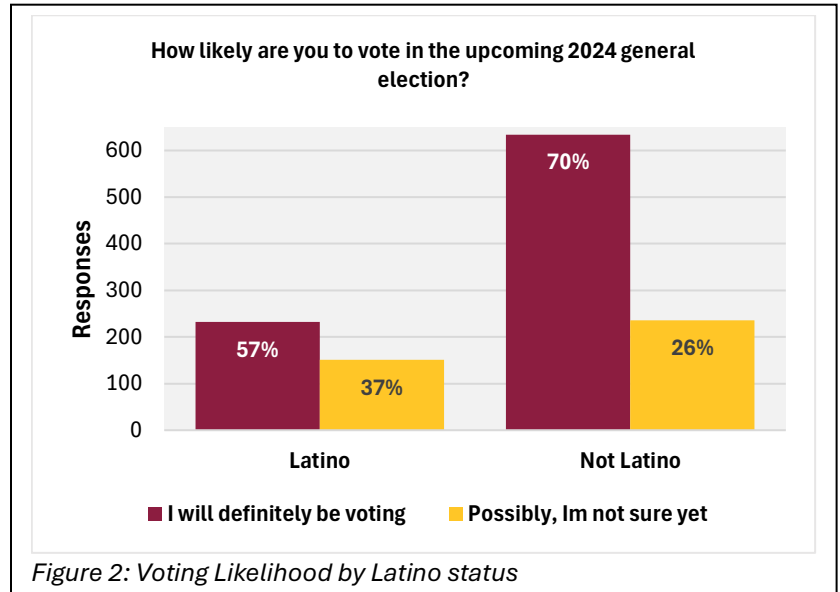
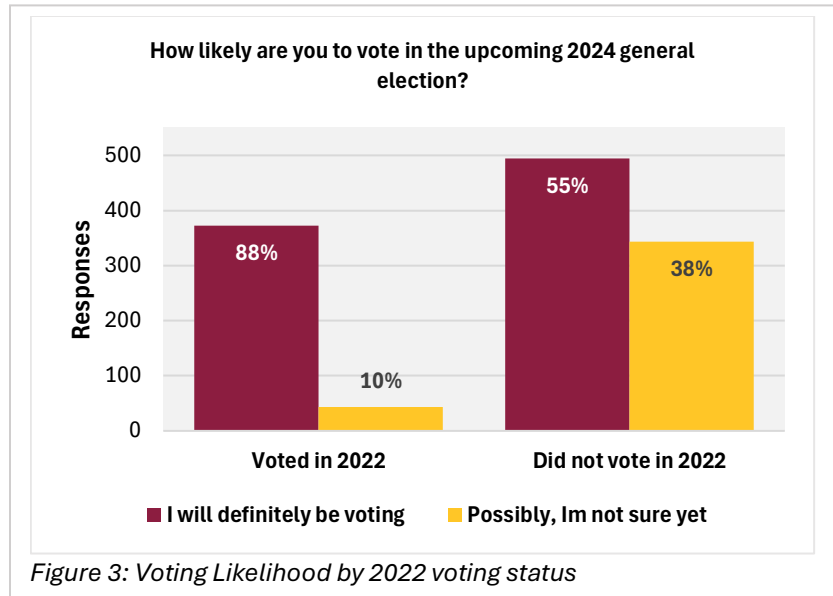


Figure 2: Voting Likelihood by Latino status

However, there is a significantly larger percentage of Latinos (37 percent) that say they are considering voting compared to non-Latinos (26 percent). Seven percent of Latinos said that they do not intend to vote, compared with four percent of the non-Latino respondents.

The sample for the survey was also chosen to reflect the percentage of registered voters in the targeted age group who voted in the 2022 general election. Respondents who said they voted in the 2022 general election indicated they very likely to return to the polls in 2024, with 88 percent saying they will definitely vote and 10 percent saying they are considering voting. Just one percent of those who voted in 2022 said they will not vote in 2024.

Those who did not vote in the 2022 general election are not as enthusiastic about voting in 2024, but the majority (55 percent) still say they will definitely vote, with 38 percent saying they are considering voting (Figure 3).

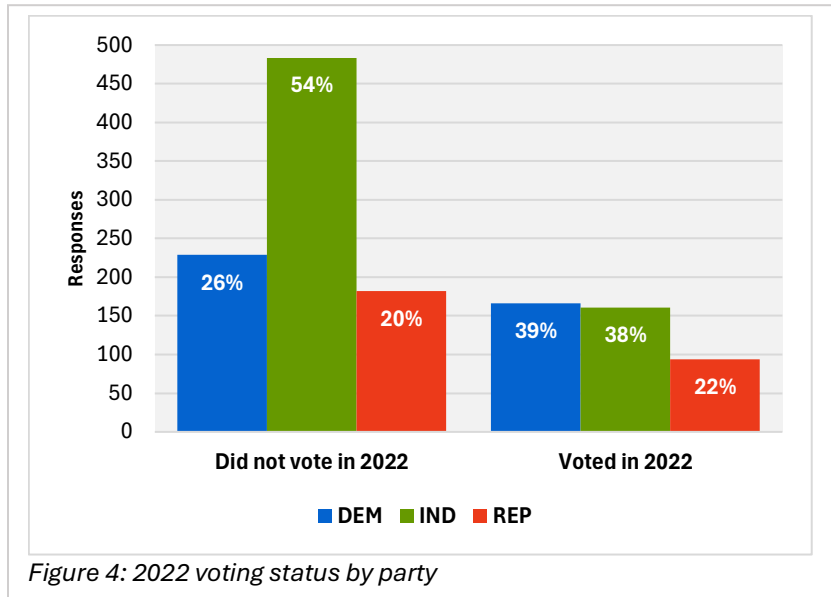


2022 Non-voters

Non-voting people were about 68 percent of the 20-30 age group in the 2022 general election, and the survey sought out a representative sample from this group. There are several significant differences in the makeup of those who did and did not vote in 2022.

As would be expected, those who did not vote in the 2022 general election are less likely to say they will definitely vote in 2024 (55 percent) than those who did vote in 2022 (88 percent). Note that this is still a majority of non-voting respondents. There is also a large percentage of these voters who are still undecided about whether to vote or not: 38 percent of those who did not vote in 2022 replied “possibly, I’m not sure yet” when asked about their intentions to vote in the 2024 general election. This compares to just 20 percent of the 2022 voters who answered as such.

When broken out by party identification as in Figure 4, it becomes clear that a large percentage of those who were registered but chose not to vote in 2022 identify as independents. Note that the percentage of Republican voters (22 percent) is similar to Republican non-voters (20 percent) and that Democratic voters (39 percent) are a significantly larger percentage than Democratic non-voters. This indicates that any increase in voter participation from the 20-30 age group is likely to come from those who consider themselves independents, regardless of which candidate(s) they ultimately vote for in November 2024.



Reasons for not voting in 2022

When registered voters who chose not to vote in 2022 were given a list of possible reasons for not participating, *I was too busy to vote* was selected by 29 percent of respondents (Figure 5). Among the relatively small group of respondents who did not vote in 2022 and also say they will not vote in 2024, *my vote wouldn't make a difference* (42%) and *I didn't think the candidates reflected my ideas* (33%) were the top choices. When looking at all responses from the 2022 non-voters, independents (23%) were significantly more likely than either Democrats or Republicans (11% each) to check *I didn't think the candidates reflected my ideas*. Independents were also more likely to list not voting as a form of protest, to say that their vote won't make a difference, and to be turned off by negative politics.

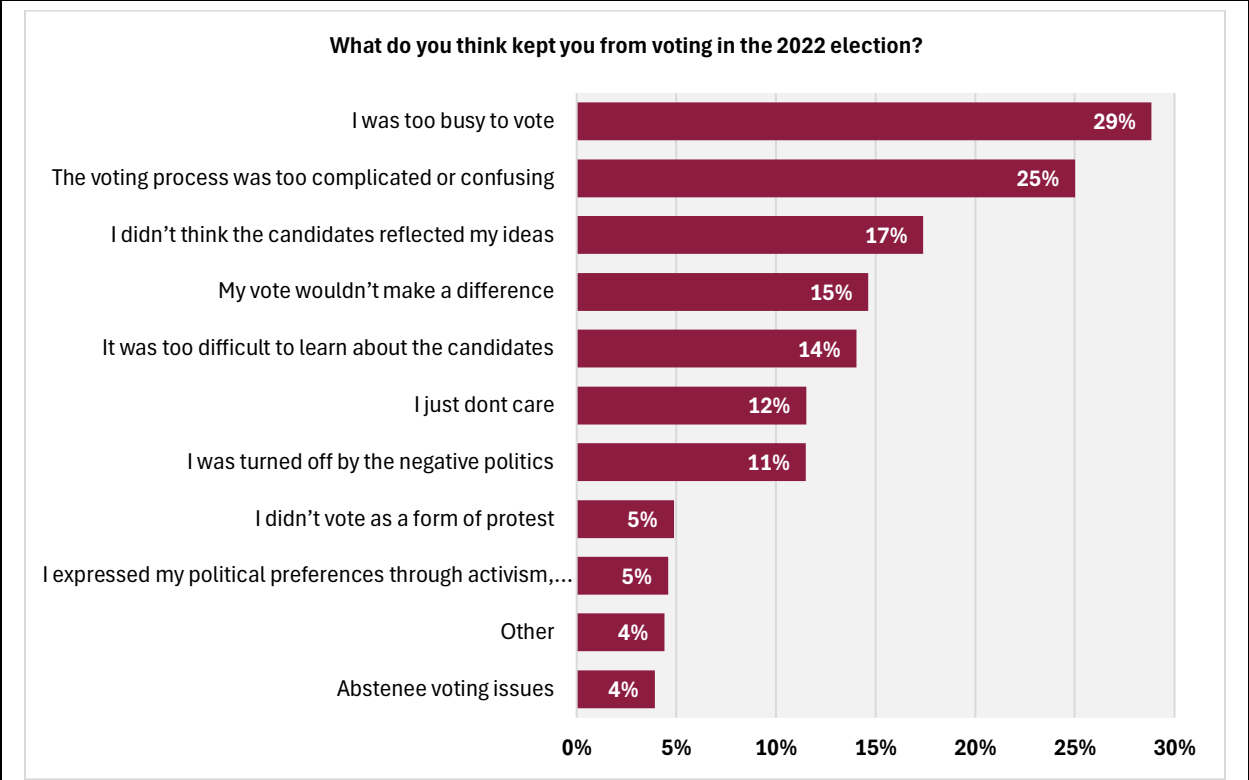


Figure 5: Reasons for not voting in 2022

Motivators for 2024 voting

When asked, “*What would make it more likely that you’ll vote in the 2024 general election?*,” 43 percent of those who chose not to vote in 2022 checked the box for *candidates that better align with my values*, and 40 percent chose *candidates addressing issues that are important to me* (Figure 6). A few significant differences were apparent when the results were analyzed by party. Democrats (38%) were more likely to turn out because a *dangerous candidate might win if I don’t vote* than Republicans (29%) or independents (26%). Independents were much more likely to check *there are ballot issues that I care about* (28%) than either Democrats (19%) or Republicans (15%). Finally, independents are more likely to check *online voting* (26%) as a potential motivator for voting than either Democrats (18%) or Republicans (16%).

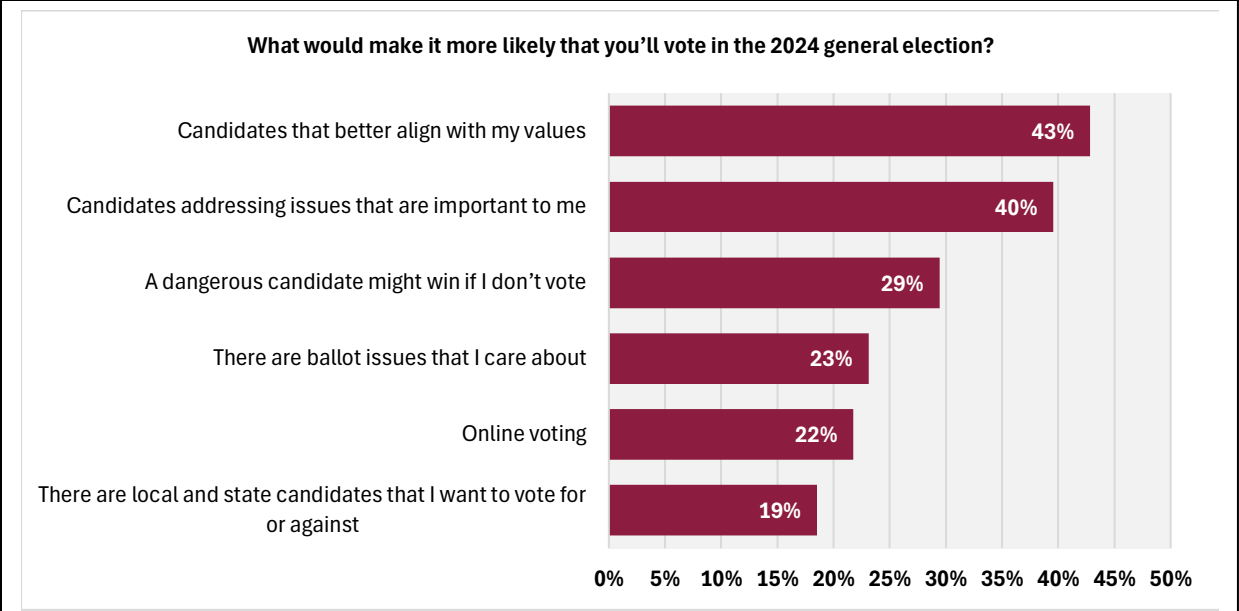


Figure 6 Motivators to vote in 2024

Top Issues

Respondents were asked to rate the importance of 20 issues in regard to the upcoming 2024 general election on a four-point scale: *Not Important*, *Somewhat Important*, *Very Important*, or *Extremely Important*. Very and Extremely Important responses are combined and shown in Figure 7.

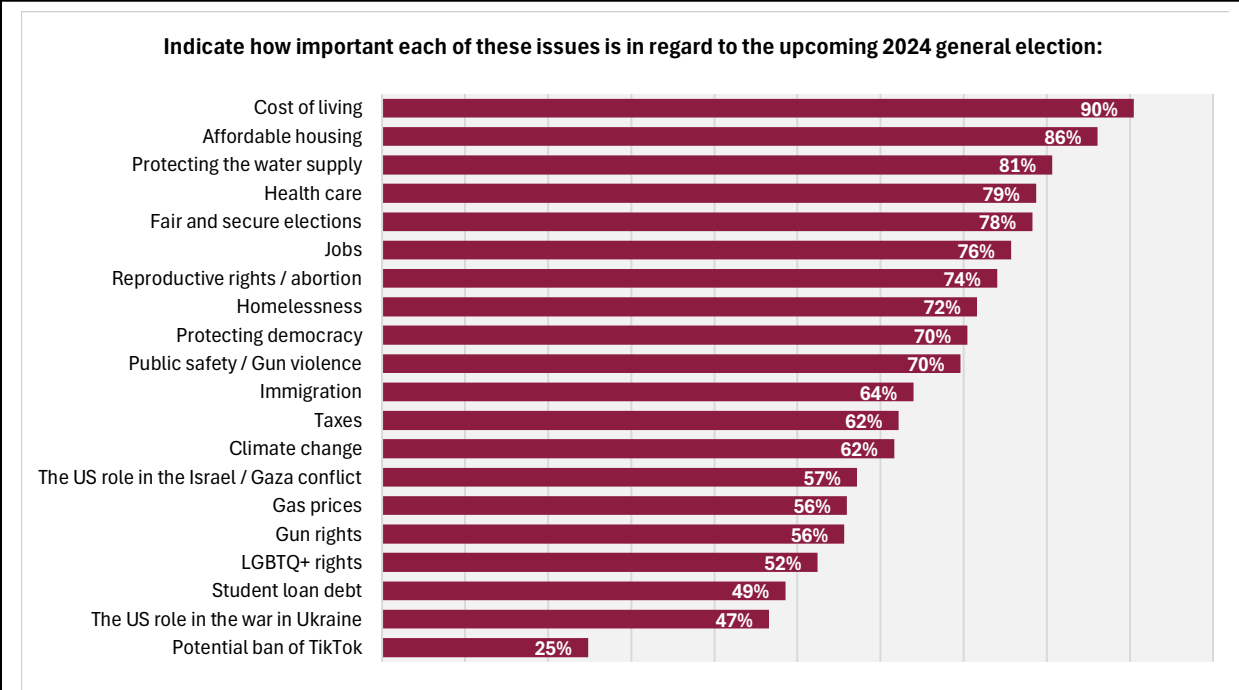


Figure 7: Issues rated Very or Extremely Important

There was near unanimity across sub-groups on the concern with cost of living, with 90 percent of Democrats, independents, Republicans, Latinos, Non-Latinos, men and women all agreeing that this is a very or extremely important issue. Protecting the water supply also received broad support across parties, with no significant difference seen between Democrats, Republicans, and independents. A significantly higher percentage of women (85%) felt this was a very or extremely important issue compared to men (77%).

Of the 20 issues tested, 17 were rated as either ‘very important’ or ‘extremely important’ by a majority of respondents, but there were some significant differences seen across sub-groups. Support for ‘Protecting democracy’ increased as respondents’ likelihood of participating in the 2024 election increased, with 46 percent of those who said they won’t be voting indicating that this is very or extremely important. This percentage increases to 64 percent among those who said they might possibly vote and 75 percent among those who say they will definitely vote.

Latino respondents rated several issues as significantly more important than non-Latinos, including affordable housing with 89 percent of Latinos saying this is very or extremely important. Other significant differences between Latino and non-Latino respondents are shown in Figure 8.

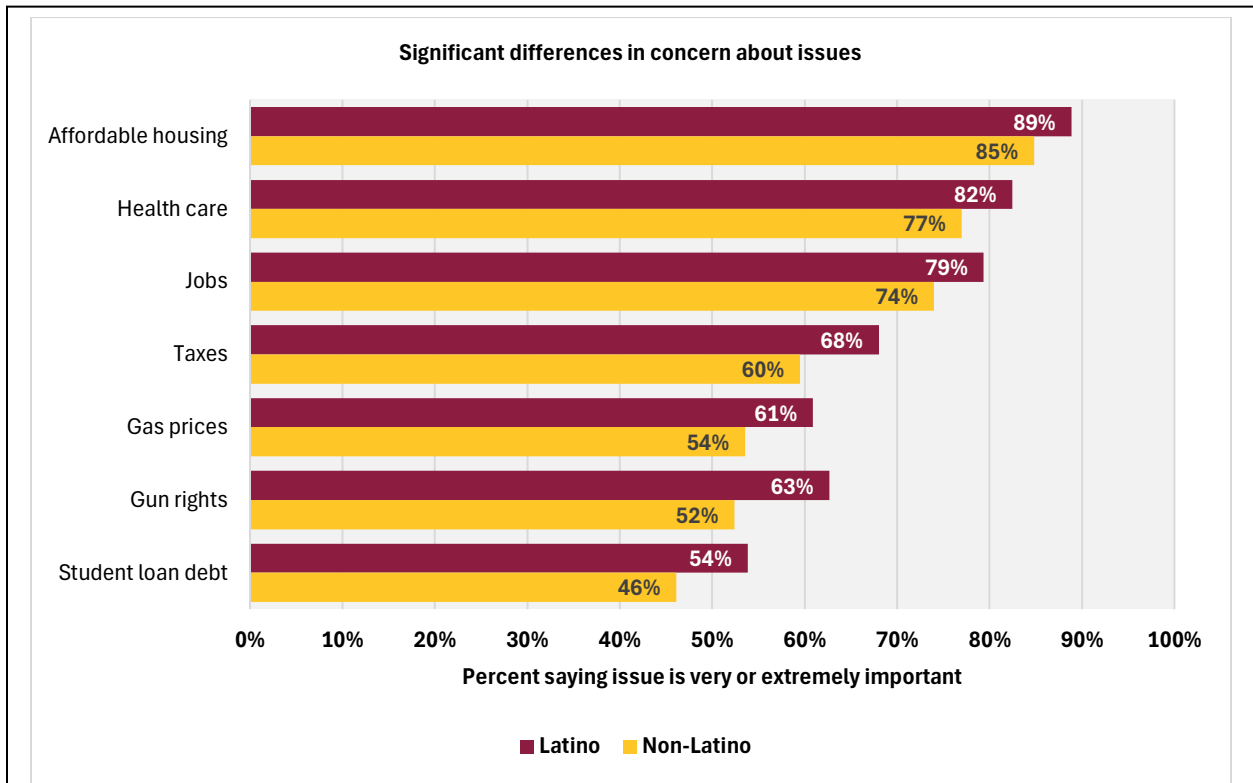


Figure 8: Issues rated Very or Extremely Important by Latino status

Figure 9 shows issues where there are significant differences across party affiliations. On several of these, such as affordable housing, health care, reproductive rights, and climate change, independent and Democratic support are aligned. Other issues, including fair and secure elections, taxes, gas prices, and gun rights, show independents and Republicans aligning more

closely. Note that the survey did not consider the positions, pro or con, that respondents might take on these issues, only asking if the issue was important to them.

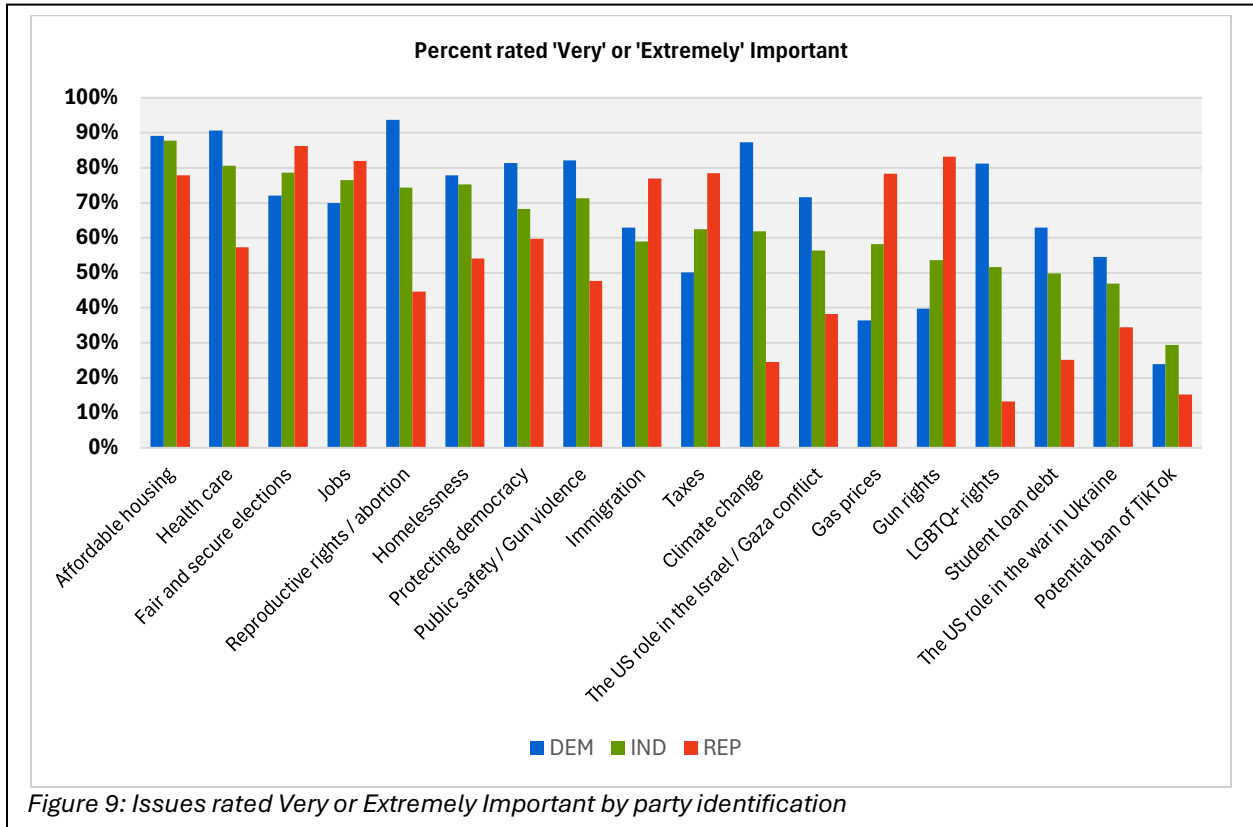


Figure 9: Issues rated Very or Extremely Important by party identification

Information Sources

The survey contained a prompt, “How frequently do you get your information about important issues from each of these sources” and a list of seven choices as shown in Figure 10. Social media was cited by 56 percent of respondents as a frequent source of information, followed by online news sites at 48 percent.

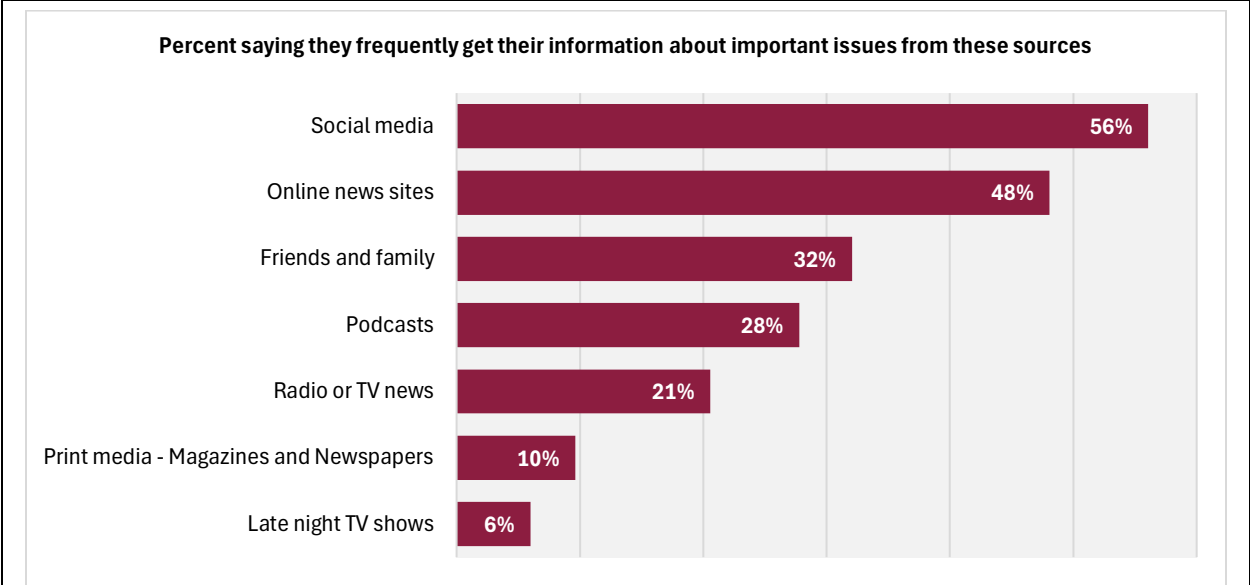


Figure 10: Information Sources

Although social media was the most popular choice for information across all party affiliations, Democrats favored this by a significantly higher percentage than either independents or Republicans (Figure 11). Both Democrats and independents frequently said they get their information about important issues from online news sites at a higher rate than Republicans, although 40 percent of Republicans still rely on this source. Republicans are more likely than Democrats or independents to cite family and friends, podcasts, or radio and TV news as frequent sources of information.

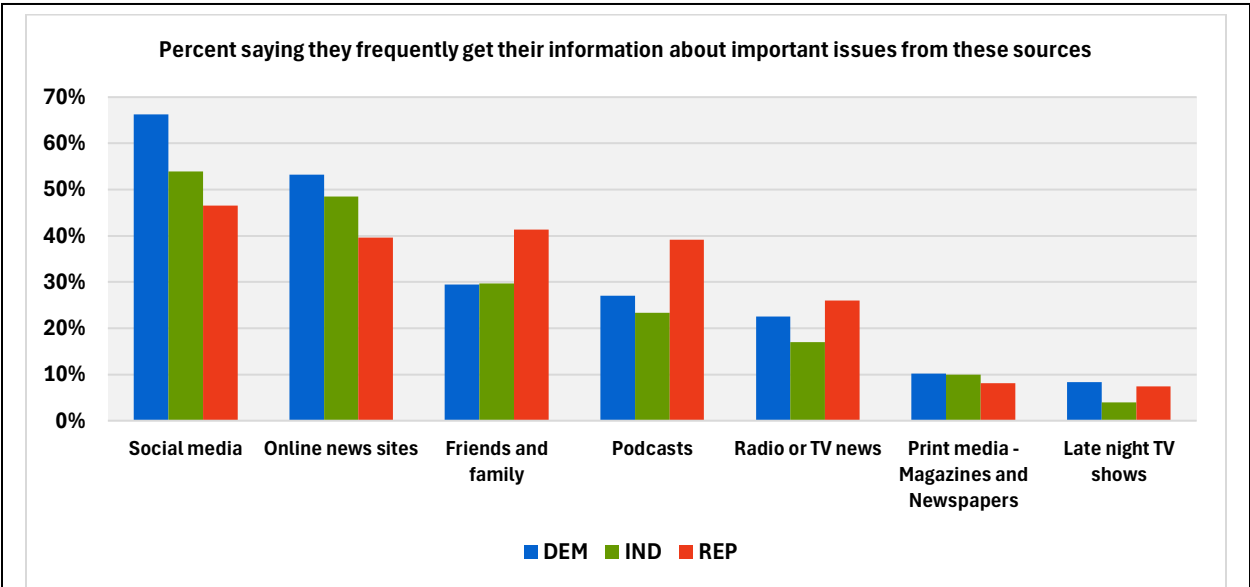


Figure 11: Information Sources by party

Attitudes about Voting and Elections

When asked about their level of agreement with a series of statements about elections and voting, these young respondents seemed to show a high level of support for democratic principles, but also a great deal of skepticism about how well the current political environment works (Figure 12). Overwhelming support was shown for equal access to voting regardless of party affiliation (95%), for people under age 30 voting (88%), for more third-party ballot choices (80%), and the idea that their vote can change things for the better (69%).

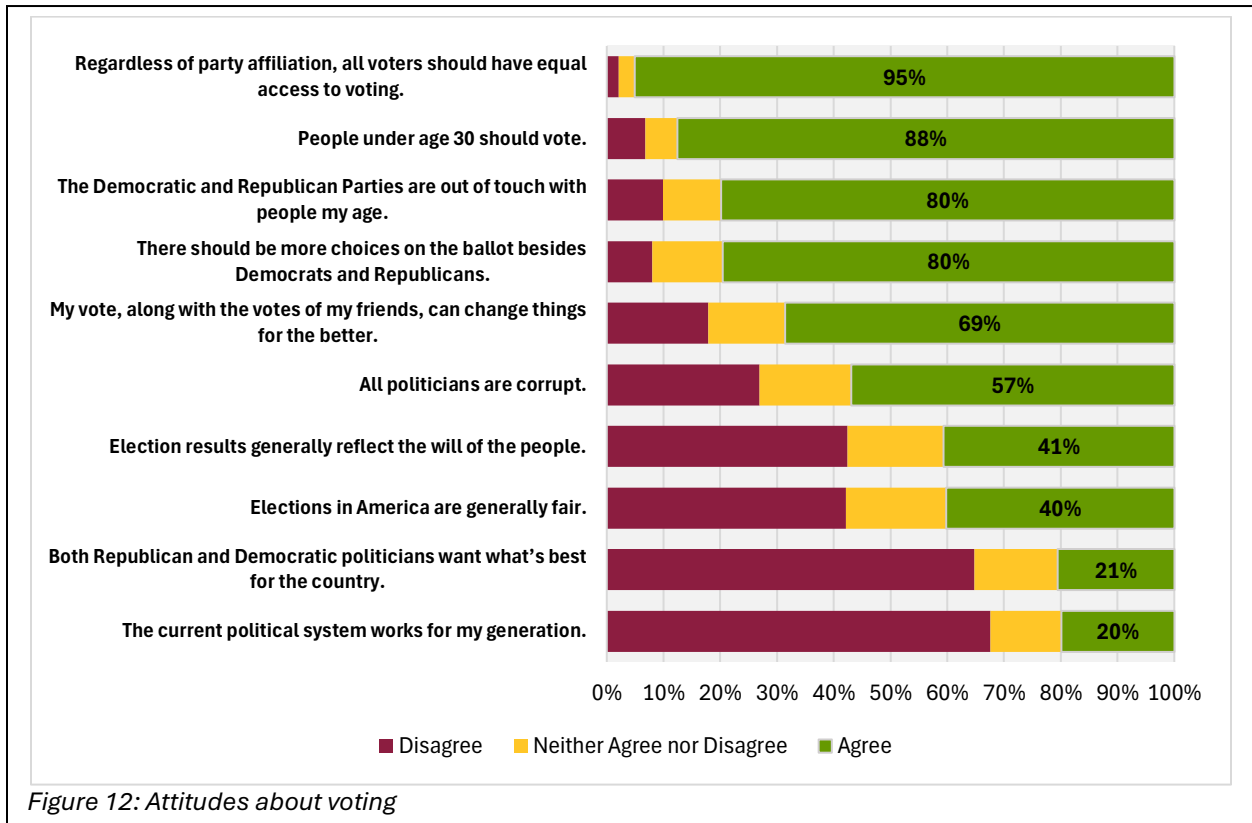


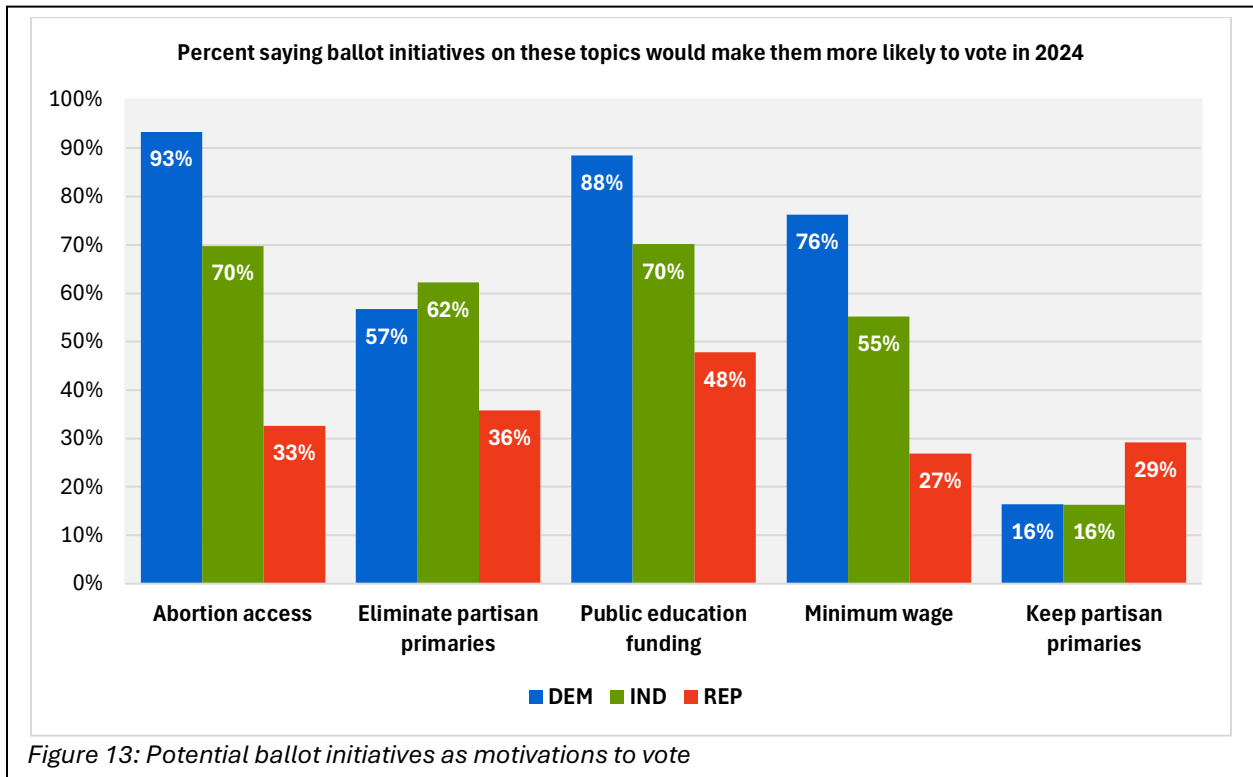
Figure 12: Attitudes about voting

A majority of respondents felt that the major parties are out of touch with people of their age and that all politicians are corrupt. Strong majorities disagreed with the statements *the current political system works for my generation* and *both Republican and Democratic politicians want what's best for the country*.

Respondents were asked if the presence of ballot measures on various policy choices would make it more likely that they would vote in November 2024 (Figure 13). Democrats and independents appear to be highly motivated to vote by four of the five options presented. When asked how a ballot initiative on abortion access that “Establishes a fundamental right to abortion before fetal viability by enshrining the right to abortion in Arizona's constitution” would impact their decision to vote in the 2024 election, 93 percent of Democrats and 70 percent of independents answered *More Likely*.

When asked about a public education finance measure that would set a statewide salary schedule for K-12 teachers and require that public money for education go to school districts or educational

institutions, 88 percent of Democrats and 70 percent of independents said they would be more likely to turn out for such a measure.



When responses on ballot initiatives are broken out by the respondent’s voting status in 2022, three of the measures were seen to be significantly more motivating to non-voters than prior voters (Figure 14). On the measure to eliminate partisan primaries, 57 percent of those who were registered but did not vote in 2022 said it would make them more likely to vote in 2024, compared with 51 percent of those who voted in 2022. A potential public education funding measure had an even greater impact, with 74 percent of non-voters saying it would motivate them to turn out, compared with 65 percent of the prior voters. A minimum wage measure also elicited stronger response from the non-voters, 85 percent to 52 percent. Note that each of these measures motivates more than half of the prior voters to turn out as well. Also note that the question does not presume that respondents will vote in favor of these measures. An unknown percentage of the respondents will certainly turn out to vote against these policies.

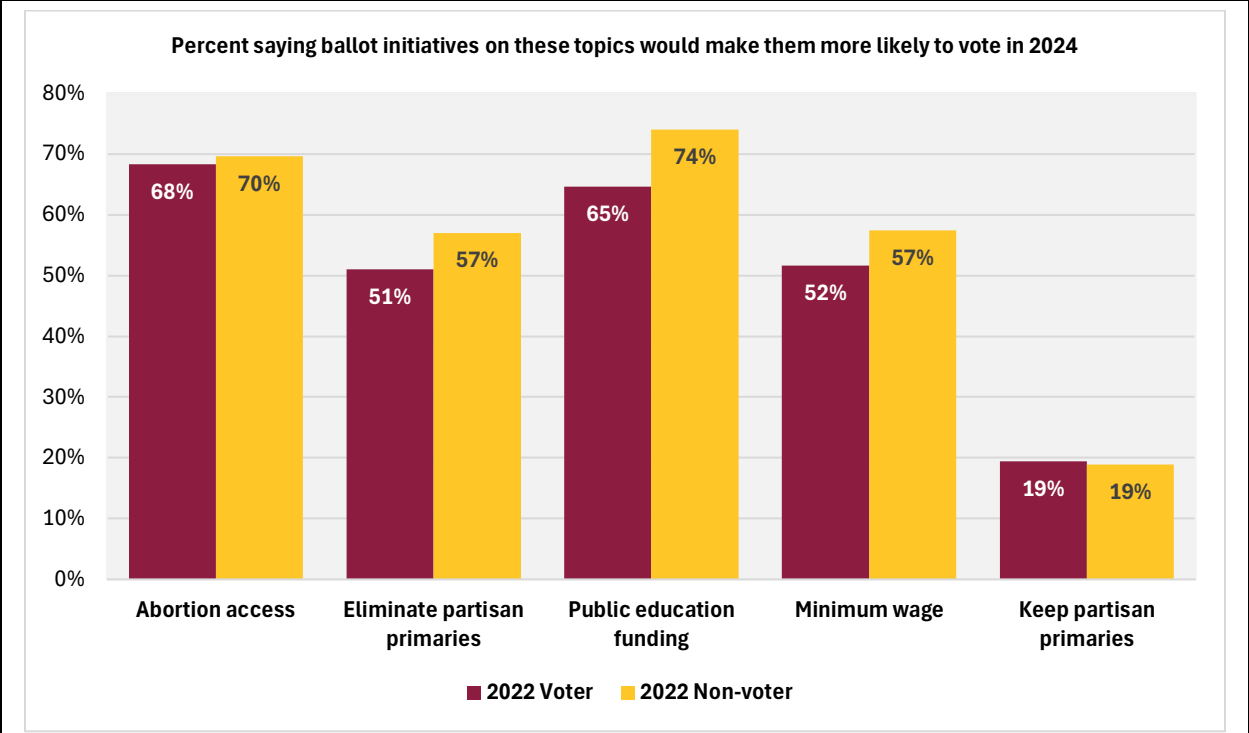
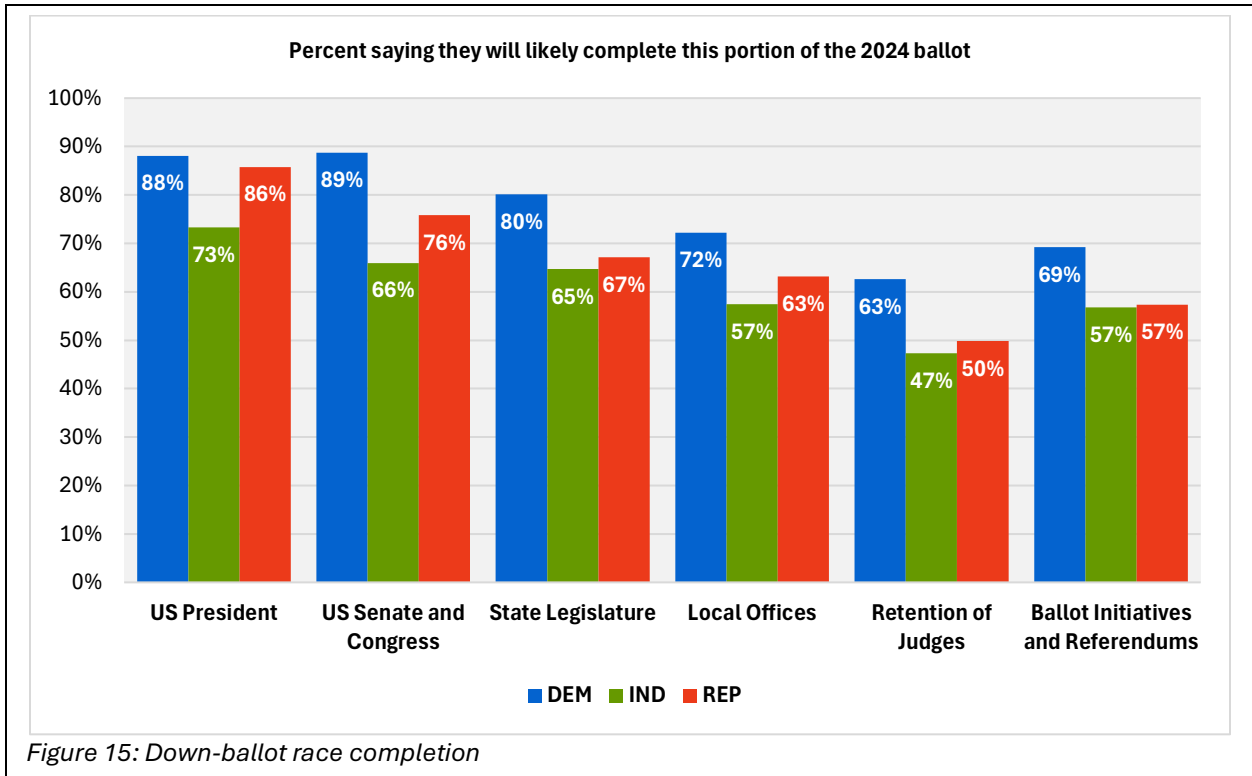


Figure 14: Potential ballot initiatives as motivations to vote by prior voting status

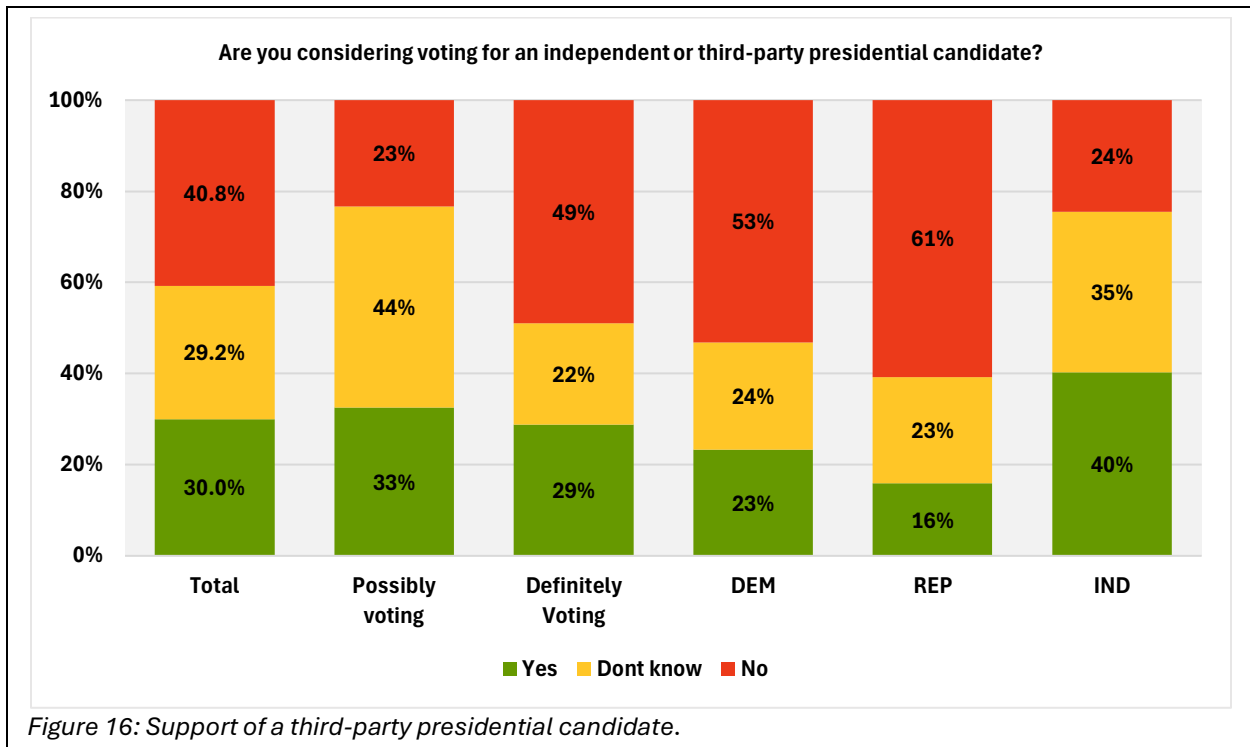
A significant percentage of independents (40%) are considering voting for an independent or third-party presidential candidate, which is more than either Democrats (23%) or Republicans (16%).

Most voters are primarily interested in ‘top of the ballot’ races for President, Senate, and Congress, but interest picks up among all party identifications in voting for ballot initiatives and referendums (Figure 15).



When asked about the possibility of voting for an independent or third-party candidate, 30 percent of all respondents said they were considering the idea. Not surprisingly, support for a third-party candidacy is significantly higher among those who identify as independents, with clear majorities of both Democrats and Republicans saying they would not support such a candidate.

Opposition to a third-party presidential candidate is considerably higher among those who indicate that they will definitely vote in the November election. Although support for a third party candidate is somewhat lower among definite voters (29%) than possible voters (33%), the percent of definite voters who would not consider voting for such a candidate (49%) is more than double that of the possible voters (23%).



Conclusion

The age 20-30 cohort of the electorate is ready to step in to take over as the boomer generation fades away, but they are profoundly frustrated with the political world that has been handed down to them. Only 20 percent of this group feels that the current political system works for their generation and 80 percent feel that both the Democratic and Republican parties are out of touch with people their age. Well over half feel that all politicians are corrupt. Yet despite this dissatisfaction with the current political atmosphere, 69 percent agree with the statement *my vote, along with the votes of my friends, can change things for the better*, and 88 percent feel that people under age 30 should vote. They are not ready to give up on democracy, but they want to participate on their own terms. These young people are predominantly registered independent (49%), especially those who are currently registered but haven't yet voted. Two-thirds of the 20-30-year-olds surveyed said they will definitely vote in 2024, and 30 percent are at least considering the possibility. Can the two major parties, independent/third party candidates and ballot proponents reach out to energize this population? Time will tell.

Methodology

The survey was conducted from May 8-24, 2024, via text-to-online SMS message and live-caller. Names and phone numbers of registered voters ages 20 to 30 were drawn from the Voter Registration Database obtained from the Arizona Secretary of State office. The sample was chosen to include representative proportions of those who voted in the 2022 general election and those who were registered but did not vote. Targets were also set to ensure proportional representation by party identification, Latino status, and urban / rural location. Those registered in Maricopa, Pima, and Pinal counties were considered urban, while all others were rural.

Results from the survey were then weighted to more accurately reflect the true nature of the electorate. The results were weighted by party affiliation, urban/rural status, Latino/non-Latino status, voter history, and educational attainment. The Margin of Error (MOE) for the survey is +/- 2.7 percent.

Throughout the text, the term *significant* is used to describe proportions that are different with $p < 0.05$.

Survey Instrument and Toplines

	Unweighted Count	Weighted Count	Column N %
Total	1,315	1,315	100.0%
Demographics			
D02 What is your gender?			
Male	735	718	54.6%
Female	508	522	39.7%
Non-Binary / Non-Conforming	58	59	4.5%
Prefer not to disclose	14	17	1.3%
D03 Are you of Hispanic, Latino, or Spanish origin?			
Yes	394	411	31.2%
No	919	902	68.6%
Refused	2	2	0.1%
D04 Which of the following best describes your race?			
White	712	680	75.2%
Black or African American	38	39	4.3%
American Indian or Alaska Native	30	37	4.1%
Asian	46	45	5.0%
Hawaiian or Pacific Islander	2	3	0.3%
Mixed Race	73	78	8.6%
Other race not listed	20	23	2.5%
D05 Which county in Arizona do you live in?			
Maricopa County	781	754	57.3%
Pima County	243	252	19.2%

	Unweighted Count	Weighted Count	Column N %
Pinal County	75	79	6.0%
Subtotal: Urban	1,099	1,085	82.5%
Apache County	9	13	1.0%
Cochise County	22	22	1.7%
Coconino County	44	39	3.0%
Gila County	6	11	0.8%
Graham County	14	12	0.9%
Greenlee County	1	1	0.1%
La Paz County	2	2	0.1%
Mohave County	30	36	2.7%
Navajo County	16	18	1.4%
Santa Cruz County	10	11	0.9%
Yavapai County	33	29	2.2%
Yuma County	25	32	2.4%
Refused	4	4	0.3%
Subtotal: Rural	216	230	17.5%
D07 What is your highest level of education?			
No Bachelors, Not in College	626	784	59.6%
Bachelors or Better	380	298	22.6%
Currently in college, university, or trade school	309	233	17.7%
D08 How would you describe your political affiliation?			
Democrat	356	394	30.0%
Republican	246	276	21.0%
Independent or Unaffiliated	587	536	40.8%
Something else	114	96	7.3%
Refused	12	12	0.9%
LV01 Did you vote in the 2022 election where Arizona's governor and senator were selected?			
Yes	584	421	32.0%
No	673	827	62.9%
Don't know	58	67	5.1%
LV02 How likely are you to vote in the upcoming 2024 general election?			
I wont be voting	53	59	4.5%
Possibly, I'm not sure yet	337	387	29.4%
I will definitely be voting	923	866	65.9%
Refused	2	3	0.2%
Important Issues			
Q01 Indicate how important each of these issues is in regard to the upcoming 2024 general election.			
Jobs			

	Unweighted Count	Weighted Count	Column N %
Not important	53	48	3.7%
Somewhat important	277	270	20.6%
Very important	558	581	44.2%
Extremely important	424	411	31.3%
Refused	3	4	0.3%
Affordable housing			
Not important	37	30	2.3%
Somewhat important	148	153	11.6%
Very important	495	501	38.1%
Extremely important	634	631	48.0%
Refused	1	1	0.1%
Homelessness			
Not important	67	71	5.4%
Somewhat important	323	301	22.9%
Very important	538	541	41.1%
Extremely important	383	396	30.1%
Refused	4	6	0.5%
Climate change			
Not important	253	243	18.5%
Somewhat important	247	256	19.5%
Very important	387	393	29.9%
Extremely important	422	409	31.1%
Refused	6	14	1.0%
Protecting the water supply			
Not important	53	45	3.4%
Somewhat important	209	209	15.9%
Very important	555	555	42.2%
Extremely important	493	500	38.0%
Refused	5	7	0.5%
Reproductive rights / abortion			
Not important	148	158	12.0%
Somewhat important	186	180	13.7%
Very important	396	416	31.7%
Extremely important	577	548	41.7%
Refused	8	12	0.9%
Public safety / Gun violence			
Not important	121	112	8.5%
Somewhat important	291	285	21.7%
Very important	475	481	36.6%

	Unweighted Count	Weighted Count	Column N %
Extremely important	421	428	32.5%
Refused	7	10	0.7%
Q01_8 2024 Issues -- Gun rights			
Not important	246	244	18.5%
Somewhat important	365	335	25.5%
Very important	365	388	29.5%
Extremely important	331	337	25.6%
Refused	8	11	0.9%
LGBTQ+ rights			
Not important	332	328	25.0%
Somewhat important	287	285	21.7%
Very important	331	333	25.3%
Extremely important	349	343	26.1%
Refused	16	26	2.0%
The US role in the Israel / Gaza conflict			
Not important	234	246	18.7%
Somewhat important	304	310	23.6%
Very important	352	358	27.2%
Extremely important	412	383	29.1%
Refused	13	18	1.4%
The US role in the war in Ukraine			
Not important	239	254	19.3%
Somewhat important	438	439	33.4%
Very important	361	355	27.0%
Extremely important	262	248	18.8%
Refused	15	19	1.5%
Fair and secure elections			
Not important	82	69	5.2%
Somewhat important	223	217	16.5%
Very important	501	499	38.0%
Extremely important	508	529	40.2%
Refused	1	1	0.1%
Immigration			
Not important	139	128	9.7%
Somewhat important	353	341	25.9%
Very important	450	470	35.8%
Extremely important	362	362	27.5%
Refused	11	14	1.0%
Gas prices			

	Unweighted Count	Weighted Count	Column N %
Not important	172	161	12.3%
Somewhat important	431	415	31.6%
Very important	395	417	31.7%
Extremely important	313	315	23.9%
Refused	4	6	0.5%
Potential ban of TikTok			
Not important	619	615	46.7%
Somewhat important	358	359	27.3%
Very important	185	183	13.9%
Extremely important	140	138	10.5%
Refused	13	20	1.5%
Student loan debt			
Not important	289	286	21.7%
Somewhat important	383	386	29.3%
Very important	364	362	27.5%
Extremely important	272	272	20.7%
Refused	7	10	0.8%
Taxes			
Not important	93	94	7.2%
Somewhat important	416	400	30.4%
Very important	486	510	38.8%
Extremely important	313	303	23.0%
Refused	7	8	0.6%
Cost of living			
Not important	15	12	0.9%
Somewhat important	109	112	8.5%
Very important	494	504	38.3%
Extremely important	689	675	51.4%
Refused	8	12	0.9%
Protecting democracy			
Not important	119	118	9.0%
Somewhat important	268	266	20.3%
Very important	442	473	36.0%
Extremely important	475	443	33.7%
Refused	11	15	1.1%
Health care			
Not important	68	62	4.7%
Somewhat important	227	217	16.5%
Very important	507	523	39.7%

	Unweighted Count	Weighted Count	Column N %
Extremely important	511	510	38.8%
Refused	2	3	0.2%
Information Sources			
Q02 How frequently do you get your information about important issues from each of these sources?			
Social media			
Never	143	139	10.5%
Sometimes	434	438	33.3%
Frequently	737	737	56.0%
Refused	1	1	0.1%
Late night TV shows			
Never	966	981	74.6%
Sometimes	269	252	19.1%
Frequently	77	79	6.0%
Refused	3	4	0.3%
Radio or TV news			
Never	510	493	37.5%
Sometimes	548	551	41.9%
Frequently	256	270	20.6%
Refused	1	1	0.1%
Print media - Magazines and Newspapers			
Never	849	850	64.6%
Sometimes	348	336	25.5%
Frequently	116	127	9.6%
Refused	2	3	0.2%
Online news sites			
Never	151	168	12.8%
Sometimes	489	513	39.0%
Frequently	672	631	48.0%
Refused	3	3	0.3%
Podcasts			
Never	483	478	36.3%
Sometimes	469	468	35.6%
Frequently	360	364	27.7%
Refused	3	5	0.4%
Friends and family			
Never	195	195	14.8%
Sometimes	712	697	53.0%
Frequently	406	420	32.0%
Refused	2	3	0.3%

	Unweighted Count	Weighted Count	Column N %
Q03 How often do you discuss politics with your friends and family?			
Never	76	96	7.3%
Rarely	268	275	20.9%
Sometimes	499	487	37.1%
Often	471	455	34.6%
Refused	1	1	0.1%

Voting Attitudes

Q04 How much do you agree with the following statements?			
Q04_1 The Democratic and Republican Parties are out of touch with people my age.			
Strongly disagree	45	48	3.7%
Somewhat disagree	83	82	6.3%
Neither agree nor disagree	116	128	9.7%
Somewhat agree	360	347	26.4%
Strongly agree	707	704	53.5%
Refused	4	6	0.5%
Q04_2 Both Republican and Democratic politicians want what's best for the country.			
Strongly disagree	570	533	40.5%
Somewhat disagree	333	319	24.3%
Neither agree nor disagree	155	181	13.7%
Somewhat agree	197	213	16.2%
Strongly agree	54	57	4.3%
Refused	6	12	0.9%
Q04_3 Regardless of party affiliation, all voters should have equal access to voting.			
Strongly disagree	19	14	1.1%
Somewhat disagree	18	14	1.1%
Neither agree nor disagree	35	35	2.7%
Somewhat agree	149	155	11.8%
Strongly agree	1093	1095	83.3%
Refused	1	1	0.1%
Q04_4 All politicians are corrupt.			
Strongly disagree	112	114	8.6%
Somewhat disagree	244	240	18.2%
Neither agree nor disagree	206	208	15.8%
Somewhat agree	485	484	36.8%
Strongly agree	263	265	20.1%
Refused	5	5	0.4%

	Unweighted Count	Weighted Count	Column N %
Q04_5 My vote, along with the votes of my friends, can change things for the better.			
Strongly disagree	89	88	6.7%
Somewhat disagree	169	148	11.3%
Neither agree nor disagree	168	176	13.4%
Somewhat agree	475	482	36.6%
Strongly agree	413	420	31.9%
Refused	1	1	0.1%
Q04_6 Elections in America are generally fair.			
Strongly disagree	223	230	17.5%
Somewhat disagree	330	325	24.7%
Neither agree nor disagree	216	227	17.3%
Somewhat agree	381	363	27.6%
Strongly agree	161	165	12.6%
Refused	4	5	0.4%
Q04_7 Election results generally reflect the will of the people.			
Strongly disagree	222	212	16.1%
Somewhat disagree	356	346	26.3%
Neither agree nor disagree	215	218	16.6%
Somewhat agree	393	394	30.0%
Strongly agree	126	140	10.7%
Refused	3	4	0.3%
Q04_8 There should be more choices on the ballot besides Democrats and Republicans.			
Strongly disagree	41	43	3.3%
Somewhat disagree	57	63	4.8%
Neither agree nor disagree	153	161	12.2%
Somewhat agree	298	297	22.6%
Strongly agree	764	749	57.0%
Refused	2	3	0.2%
Q04_9 The current political system works for my generation.			
Strongly disagree	577	560	42.6%
Somewhat disagree	355	328	25.0%
Neither agree nor disagree	151	161	12.3%
Somewhat agree	173	188	14.3%
Strongly agree	57	73	5.6%
Refused	2	4	0.3%
Strongly disagree	36	42	3.2%
Somewhat disagree	48	47	3.6%
Neither agree nor disagree	69	73	5.5%

	Unweighted Count	Weighted Count	Column N %
Somewhat agree	218	217	16.5%
Strongly agree	943	935	71.1%
Refused	1	1	0.1%
Asked of 2022 Voters			
Q05 What might prevent you from voting in the upcoming 2024 general election?			
I'm too busy to vote			
Unchecked	546	397	94.2%
Checked	38	24	5.8%
The voting process is too complicated or confusing			
Unchecked	576	416	98.9%
Checked	8	4	1.1%
My vote does not count			
Unchecked	515	370	87.9%
Checked	69	51	12.1%
I will definitely vote in the 2024 general election			
Unchecked	154	121	28.8%
Checked	430	300	71.2%
There is no one I want to vote for			
Unchecked	404	292	69.4%
Checked	180	129	30.6%
I am turned off by all the negative advertising			
Unchecked	527	386	91.7%
Checked	57	35	8.3%
It doesn't matter who wins, nothing changes			
Unchecked	437	325	77.3%
Checked	147	95	22.7%
Not voting is a form of protest			
Unchecked	522	382	90.7%
Checked	62	39	9.3%
I express my political preferences through activism, protests, or social media, rather than voting			
Unchecked	539	385	91.4%
Checked	45	36	8.6%
It is too difficult to learn about the candidates			
Unchecked	559	406	96.6%
Checked	25	14	3.4%
Refused			
Unchecked	89	70	96.0%
Checked	5	3	4.0%

	Unweighted Count	Weighted Count	Column N %
Q06 Do you think the votes of you and your friends made a difference in the 2022 election?			
Yes	316	223	52.9%
No	144	112	26.7%
Don't know	124	86	20.4%
Refused	0	0	0.0%
What are your reasons for voting?			
My vote can make a difference in the outcome of elections			
Unchecked	275	209	49.6%
Checked	309	212	50.4%
People's rights and freedoms are at stake			
Unchecked	171	123	29.3%
Checked	413	297	70.7%
Democracy is at stake			
Unchecked	330	251	59.6%
Checked	254	170	40.4%
It is my civic duty to vote			
Unchecked	153	120	28.5%
Checked	431	301	71.5%
Friends or family encouraged me to vote			
Unchecked	486	349	83.0%
Checked	98	72	17.0%
Refused			
Unchecked	93	72	99.4%
Checked	1	0	0.6%
Q08 Will you be encouraging friends, family, and coworkers to vote in the upcoming presidential election?			
Yes	450	328	78.0%
No	66	49	11.7%
Don't know	68	43	10.3%
Refused	0	0	0.0%
Asked of 2022 Non-Voters			
What do you think kept you from voting in the 2022 election?			
I was too busy to vote			
Unchecked	518	636	71.1%
Checked	213	258	28.9%
The voting process was too complicated or confusing			
Unchecked	553	671	75.0%
Checked	178	224	25.0%
I didn't think the candidates reflected my ideas			

	Unweighted Count	Weighted Count	Column N %
Unchecked	591	739	82.6%
Checked	140	156	17.4%
I was turned off by the negative politics			
Unchecked	645	791	88.5%
Checked	86	103	11.5%
My vote wouldn't make a difference			
Unchecked	629	763	85.4%
Checked	102	131	14.6%
I didn't vote as a form of protest			
Unchecked	700	851	95.1%
Checked	31	44	4.9%
I expressed my political preferences through activism, protests, or social media, rather than voting			
Unchecked	700	853	95.4%
Checked	31	41	4.6%
It was too difficult to learn about the candidates			
Unchecked	628	769	86.0%
Checked	103	126	14.0%
I just don't care			
Unchecked	647	791	88.5%
Checked	84	103	11.5%
Other			
Unchecked	701	855	95.6%
Checked	30	39	4.4%
Absentee issues			
Unchecked	1286	1280	97.3%
Checked	29	35	2.7%
Q10 What would make it more likely that you'll vote in the 2024 general election?			
Candidates that better align with my values			
Unchecked	415	511	57.2%
Checked	316	383	42.8%
Online voting			
Unchecked	559	700	78.2%
Checked	172	195	21.8%
A dangerous candidate might win if I don't vote			
Unchecked	524	631	70.6%
Checked	207	263	29.4%
Candidates addressing issues that are important to me			
Unchecked	435	540	60.4%

	Unweighted Count	Weighted Count	Column N %
Checked	296	354	39.6%
There are local and state candidates that I want to vote for or against			
Unchecked	584	729	81.5%
Checked	147	166	18.5%
There are ballot issues that I care about			
Unchecked	551	688	76.9%
Checked	180	207	23.1%
Refused			
Unchecked	474	574	95.8%
Checked	17	25	4.2%
Q11 Will you be encouraging friends, family, and coworkers to vote in the upcoming presidential election?			
Yes	395	490	54.8%
Maybe	151	188	21.0%
No	132	159	17.8%
Don't know	52	56	6.3%
Refused	1	1	0.2%
2024 Election Issues			
Q12 Would any of these ballot initiatives make it more likely, less likely, or have no impact on whether you vote in the 2024 general election?			
Abortion access: Establishes a fundamental right to abortion before fetal viability by enshrining the right to abortion in Arizona's constitution.			
Less likely	152	162	12.3%
No impact	247	237	18.1%
More likely	899	896	68.1%
Refused	17	20	1.5%
Eliminate partisan primaries: Replace primary system where voters can only vote within one party, to a system where all eligible candidates are listed on the same primary regardless of political affiliation, and all voters are allowed to participate.			
Less likely	148	149	11.3%
No impact	441	434	33.0%
More likely	710	714	54.3%
Refused	16	19	1.4%
Public education funding: 1) Statewide salary schedule for K-12 educators with annual increases; 2) Require public money for education go to school districts or educational institutions.			
Less likely	77	81	6.1%
No impact	312	297	22.6%
More likely	914	925	70.4%
Refused	12	12	0.9%

	Unweighted Count	Weighted Count	Column N %
Minimum wage: Increases minimum wage to \$18/hr.			
Less likely	227	239	18.2%
No impact	353	342	26.0%
More likely	728	726	55.2%
Refused	7	8	0.6%
Keep partisan primaries: Supports the status quo by requiring primary elections to remain partisan affairs, accessible only to party members.			
Less likely	420	431	32.8%
No impact	632	614	46.7%
More likely	241	246	18.7%
Refused	22	24	1.8%
Q13 Are you considering voting for an independent or third-party presidential candidate?			
Yes	409	393	29.9%
No	526	534	40.6%
Don't know	374	383	29.1%
Refused	6	6	0.4%
Q14 How likely are you to complete the following sections of the 2024 general election ballot?			
US President			
Likely	1075	1052	80.0%
Unsure	146	163	12.4%
Not likely	89	93	7.1%
Refused	5	6	0.5%
US Senate and Congress			
Likely	1019	980	74.5%
Unsure	191	218	16.6%
Not likely	99	110	8.4%
Refused	6	7	0.5%
State Legislature			
Likely	951	913	69.4%
Unsure	224	246	18.7%
Not likely	132	148	11.2%
Refused	8	9	0.7%
Local Offices			
Likely	889	824	62.7%
Unsure	269	298	22.6%
Not likely	150	186	14.1%
Refused	7	8	0.6%
Retention of Judges			
Likely	751	685	52.1%

	Unweighted Count	Weighted Count	Column N %
Unsure	351	374	28.4%
Not likely	206	248	18.9%
Refused	7	8	0.6%
Ballot Initiatives and Referendums			
Likely	871	791	60.1%
Unsure	292	335	25.5%
Not likely	142	178	13.6%
Refused	10	11	0.8%

Maricopa County didn't enforce campaign finance laws. Now, political groups owe millions



Sasha Hupka

Arizona Republic

Published 6:00 a.m. MT June 24, 2024 | Updated 6:00 a.m. MT June 24, 2024

Maricopa County election officials for years opted not to enforce campaign finance violations and allowed more than two dozen political organizations to rack up millions of dollars in uncollected fines, according to records obtained by The Arizona Republic.

For at least four election cycles, the Maricopa County Recorder's Office chose not to refer groups that had long failed to file reports or pay late fees to the Maricopa County Attorney's Office for prosecution.

That policy complies with provisions of state law. But some groups with large fines haven't turned in the required paperwork in years, robbing county residents of vital and legally required information.

Recorder's Office spokesperson Sierra Ciaramella said the decision stretched across numerous administrations. County Attorney's Office spokesperson Jeanine L'Ecuyer couldn't confirm when the agency last received a campaign finance complaint, but said it certainly hasn't received a case for at least 4 1/2 years.

At that time, former Recorder Adrian Fontes was in office. He is now secretary of state, and confirmed he did not refer campaign finance cases for enforcement during his tenure. He said that policy was in place before he took office in 2016.

Fontes and Richer both had staffers send filing reminders and notify committees of late or missing reports, which are due from committees a few times per year. Those messages, which came before and after each report was due, included a schedule of how fines would accrue, but no tally of the penalties already levied. The messages mentioned that the county recorder may take steps toward enforcement, but neither recorder ultimately forced political groups to follow campaign finance law.

Ciaramella said Richer believes the state's campaign finance regulations need reform. Richer has pushed legislation to cap penalties at the monetary amount raised by committees. Ciaramella noted that under state law, Richer has "discretionary authority" over whether to refer campaign finance cases to enforcement officials.

"Recorder Richer was committed to making sure the civically engaged committees — especially smaller committees with fewer resources — felt empowered to engaged in the process, rather than face penalties or intimidation," Ciaramella said, adding that Richer "continued the policy of the preceding recorders by simply notifying the committees of their errors and maintaining an open line of communication."

Fontes echoed similar sentiments. He said he chose to continue the policy because the state's campaign finance laws "are not written in a way that can be easily enforced."

"It's no surprise that the system is set up the way it is," he said, noting that campaign finance regulations and enforcement of them is entirely controlled by people directly engaged in politics. "It's unfortunate, though, because I think the citizenry has different expectations. I think the people out there are hoping that there's a mechanism to enforce the rules that exist. And right now, there isn't."

Campaign finance responsibilities were moved last year to the Maricopa County Elections Department, which operates under the Board of Supervisors. Its staff discovered the county's campaign finance system had not been automatically calculating mounting fines and began reviewing thousands of pages of documents to create a database of outstanding penalties. But what happens next is uncertain.

Even if enforcement happens, some say the damage is already done. Campaign finance reports are the only reliable way the public can track who is donating money to county-level candidates and political organizations, and track how they are spending their cash.

Former Arizona Attorney General Terry Goddard, who spearheaded a 2022 voter-approved initiative that requires disclosure of "dark money" in politics, said county election officials' decision not to enforce campaign finance requirement was "a dereliction."

"I don't see how you can justify that," he said. "Frankly, this is a spit in the eye for all the hundreds of committees that do report and go through what I know personally is quite a time-consuming effort."

Groups with large outstanding fines span the political spectrum. They range from small organizations advocating for school bonds to national political action committees.

So far, the cumulative damages total more than \$4.4 million — but the final amount could be higher. A county spokesperson said election staffers have tallied fines for political groups but

are still working to determine which committees created to support individual candidates owe cash.

County leaders now find themselves in a sticky situation. It's an election year — a tricky time to implement campaign finance enforcement. Some political groups also owe more money in fines to Maricopa County than they have raised during the lifespan of their organization.

That includes We The People Arizona Alliance, an organization that has long spread voting conspiracies and misinformation about election processes. The group owes the county about \$1.2 million for five committees created to recall county supervisors after the 2020 presidential contest. Campaign finance records filed with the Arizona Secretary of State's Office show the group has raised just under \$1 million since it started.

It also includes Citizens for Better Education, an organization created to advocate for the passage of a 2018 bond benefitting the Gila Bend Unified School District. The group raised just under \$2,000. Supervisor Steve Gallardo, whose name is on the organization's paperwork, said it was just enough to put up some lawn signs in favor of the bond proposal. It's not nearly enough make a dent in the \$309,000 fine that the group has accrued in the years since.

County officials are "seeking legal advice" and aim to develop new policies to be implemented in 2025, according to spokesperson Fields Moseley.

"Staff members are also researching tools that will calculate fines electronically," he said. "In advance of the 2024 campaign cycle, an updated candidate and campaign handbook and in-person and virtual training were developed and made available to candidates and campaigns."

How do others handle campaign finance? Enforcement runs the gamut

State law requires all filing officers — city clerks, county election officials and the Arizona Secretary of State's Office — to notify committees with late or missing reports. It also dictates that committees "shall" file that paperwork according to prescribed schedules.

But it doesn't technically require those filing officers to enforce the penalties.

"If a committee fails to file a complete report within thirty days after the filing deadline and after providing notice... the filing officer may notify the appropriate enforcement officer

prescribed in this article," state law reads.

That leads to wildly different policies among agencies statewide. Pinal County Recorder Dana Lewis said she and her staff aggressively enforce campaign finance requirements, educating committees from the get-go on their obligations.

No committee currently owes fines in Pinal County, which is the third-most populous in the state but home to only about one-tenth of the population of Maricopa County. Lewis, who has been in office since 2022, said she couldn't recall a time when she had to refer a case to the Pinal County Attorney's Office. Regular phone calls on late reports tend to do the trick, she said.

"We hound them," Lewis said. "And when it comes to the fines, we collect them."

Pima County officials said they refer campaign finance penalties to county prosecutors for enforcement. Elections Director Constance Hargrove said 18 committees currently owe the county a combined total of \$15,000.

That still isn't an "apples-to-apples" comparison with Maricopa County, Hargrove said. Her county, the second largest in the state, has about one-quarter of the population of metro Phoenix and far fewer political groups and candidate committees to keep tabs on.

Plus, the penalties she and her staff can track only date to 2022. Before that, the office kept few records of fines paid and owed by its political organizations.

"There is nothing complete right now," Hargrove said, adding that she and Maricopa County election officials are "kind of in the same place."

Meanwhile, the Secretary of State's Office has long struggled to hold committees accountable for campaign finance missteps. Officials said it's a persistent challenge that has compounded over numerous administrations, much like Maricopa County's campaign finance woes.

State staffers are continuously trying to catch up on a backlog of campaign finance penalties. The Secretary of State's Office most recently sent a batch of referrals from early 2023 to Attorney General Kris Mayes — meaning it is more than a year behind on enforcing late and missing reports.

Hargrove and Fontes said the state law that gives filing officers discretion in regard to referring cases for enforcement makes it difficult for them to create and defend effective

enforcement policies. Fontes said he believes the law should include a stronger legal standard for when filing officers should refer campaign finance cases for enforcement.

"It kind of leaves it open," Hargrove said. "There aren't really any teeth here. It's not saying you have to refer them and they have to pay."

At the state level, the problem also comes down to money and bodies. To properly hold committees to account, Fontes said he'd need another attorney. He said the Attorney General's Office probably would need an extra lawyer and paralegal, too.

"When it comes to enforcement and stuff, sometimes I feel like my hands are tied by the system that says it wants to support this but doesn't actually fund the support necessary or give us the statutory infrastructure within which we can move a process," he said.

Goddard said the intent of the law is clear, regardless of the provision that gives filing officers discretion in their referrals. Election officials just can't let committees get away with violations, he said.

"Essentially, they've vetoed a law," Goddard said. "They've said, 'Oh yeah, it got passed, but we don't really like it.' I don't think that's something you can do."

Election officials said penalties go into the state or county general funds if collected. That mechanism is designed to ensure filing officers do not have a direct financial incentive to harshly penalize committees, according to Secretary of State's Office spokesperson JP Martin.

Still, Maricopa County likely wouldn't have seen its millions even if it had been regularly referring campaign finance violations for enforcement. When cases are referred for enforcement, state or county attorneys usually negotiate fines with political groups and candidates. They often drop penalties entirely if the group or candidate hand over the missing documents.

"That's kind of a case-by-case basis," Goddard said. "But usually, the public officer will take the position that it's more important to get the disclosure than it is to get a pound of flesh."

Who takes the blame?

Leaders of several organizations that owe large fines told The Republic they weren't aware of them.

"This comes as news to me," said Green Party of Maricopa County Chair Cody Hannah when The Republic reached out for comment on the \$60,000 his registered political party owes in penalties.

Many said they believed their political committees had been terminated years ago. That process requires special paperwork to be turned in to county election officials. Once a committee is terminated, it doesn't have to turn in future reports. But if old, required reports haven't been filed, fines will continue mounting, and any previously outstanding penalties must still be paid.

"Why they didn't terminate, I don't know," said Gallardo, the county supervisor listed as a contact with Citizens for Better Education. "I was never aware this was not filed."

But county election officials said they sent out notifications to political organizations when they missed deadlines. The messages were sent to email addresses listed on each group's statement of organization, a document that is filed when a political committee is founded. That document is supposed to be updated whenever contact information changes for an organization.

The emails didn't include a tally of outstanding fines but did advise the groups that they had missed a mandatory deadline and that penalties would accrue.

Some leaders received those notifications, and others didn't. Gallardo and Hannah both said they never received a notice. Busch said she remembered receiving at least one email but disregarded it because she believed her group's county-level committees were long terminated.

"I filled out the termination paperwork and sent it to the former treasurer, who said he submitted them," Busch said. "That's just ridiculous — those are inactive accounts."

The groups implicated in the records obtained by The Republic also include national organizations spending dollars at the county level, such as the Working Families Party National PAC, which owes about \$309,000 in fines.

Even those well-funded, larger organizations seem to struggle with keeping their contact information up to date. An email sent to the address listed on the progressive political party's statement of organization bounced back as belonging to an attorney who was no longer employed by his firm.

The Republic also sent an email to another address pulled from the group's state level campaign finance documents. Party spokesperson Rob Duffey said the organization had "very limited activity in Maricopa County, if any, in recent years."

"This appears to be an administrative error, although it's obviously a serious one that we are working to correct as soon as possible," he said.

Goddard said political organizations have a responsibility to file reports on time and keep their contact information current. State law mandates that committees must file until termination paperwork is properly submitted, even if those committees aren't taking in or spending cash.

"I think it should be enough to say, 'Hey, you got an obligation to disclose,'" said Goddard, who ran for secretary of state in 2014 but lost to Republican Michele Reagan. "'You're the one who has the records, not me. And get with it. Get it done.'"

But he said the county erred in not enforcing the fines those groups incurred.

"That's sort of saying ... 'We're going to be tough on this,'" Goddard said. "'But oh, by the way, the enforcement is never going to happen.' That threatens the entire system."

New policies in the works

Maricopa County officials are working to find a way out of their current campaign finance conundrum, and said they hope to develop new policies for campaign finance enforcement moving forward.

They didn't share specifics of what options they might be considering, but publicly available documents show county supervisors met in executive session June 10 to receive legal advice pertaining to campaign finance responsibilities.

Executive sessions are common in local government. They are allowed under the state's Open Meetings Law in limited circumstances so policymakers can safely discuss sensitive topics in private, such as real estate transactions and legal matters.

Goddard said filing officers typically give "some leniency" to groups with outstanding fines if they "'fess up." County supervisors could opt to wipe the slate clean, but he said the unique situation makes it hard to justify waiving the penalties.

"Part of the leniency usually depends upon getting the filing in," Goddard said. "And if you're talking years late, you've pretty much lost the opportunity to have that be significant."

Gallardo said he intended to immediately work to get his organization into compliance. Hannah said he and his party value being "fully transparent" and it was "a shock" to hear his organization hadn't filed mandatory reports.

But he also noted the Green Party of Maricopa County has never had more than a few thousand dollars in its treasury. He doesn't know what his group would do if forced to pay its fine.

"I find a \$60K fine to be more than a bit unreasonable, particularly if nobody was made aware of the issue for several years," Hannah said.

Gallardo said the state's campaign finance regulations need to be revamped because they make it difficult for "the average citizen" to be politically engaged.

"They're more complicated than our tax laws," he said.

He isn't alone. Fontes plans to lobby state lawmakers for changes to campaign finance laws, including a stronger legal standard to describe when filing officers should refer cases to enforcement agencies, and more guidance around how those agencies should handle the violations from there.

He said he's already spoken with Republican leaders in the Arizona Legislature about "genuinely getting engaged in the conversation and doing something real" in 2025. Fontes said he refrained from bringing up the issue this year because he feared it would become a political football amid the current election cycle.

"We have heard time and time again from voters ... that they want more transparency," Fontes said. "And I do, too."

But not everyone agrees reform will solve the problem. Goddard said committees are required to file whether they like the laws or not, and they take an oath pledging to do what they are supposed to.

"There are glitches. I'm not going to say there aren't," he said. "But I don't think any of those are an excuse for not filing. That's a sacred obligation on the candidates that they undertake willingly. And they sign the necessary documents."

If county officials ultimately opt to offer amnesty to groups with big penalties, Goddard said they will have to "admit a fair amount of guilt" in doing so.

"I don't like that, because they never should have been in this hole to begin with," he said. "But I could see where you could get out of it and send a strong message that this wasn't intentional and that we're going to do the enforcement."

How can I find out if my group owes fines to Maricopa County?

The county publishes a campaign finance handbook with information about the campaign finance reporting schedule for political groups. If you visit the county's publicly-available campaign finance database and search for your organization, you can compare the list of required reports to the documents your group has previously submitted to identify whether any are missing or were turned in late.

If reports are missing or late, you can calculate your fine. Tack on \$10 per day late for the first 10 days following the report's due date. After that, add \$25 per day late to your total.

More information is available on the Elections Department website.

You can contact county election officials via email at CampFin@risc.maricopa.gov.

Sasha Hupka covers county government and election administration for The Arizona Republic. Reach her at sasha.hupka@arizonarepublic.com. Follow her on X, formerly Twitter: @SashaHupka. Follow her on Instagram or Threads: @sashahupkasnaps.

2024 Legislative Bills

HB2065 - Early ballots; Friday deadline

Sponsor

Rep. Selina Bliss (R)

Summary

Repeals the expectation of having ballots tabulated at a designated polling place as criteria affecting the decision to consolidate polling places and precinct boards for the election. Repeals considering the number of early voting ballots that were tabulated at a prior election when considering ways to reduce voter wait time at the polls in primary and general elections. Defines the verbiage to be included in early voting instructions to include exceptions and a instructions on who to deliver early ballots to and the deadline for filing them. Requires early ballots sent by mail to be received by 7 p.m. on election day at the County Recorder's office or other officer in charge of elections in the political subdivision the elector is registered. Repeals the 7 p.m. the Friday before election day deadline for ballots received on site or at an early voting location. Establishes the new deadline for ballots received on site or at an early voting location to be 5 p.m. the Friday before election day. Establishes the signature comparison criteria for early ballots. Mandates that the County Recorder or other officer in charge of elections be present and open to receive mailed early ballots on election day until 7 p.m. and prohibits said officials from accepting hand delivered ballots. Mandates that ballots received in the mail be entered into the County's ballot tracking system, starting the day after the election. Repeals any notices necessary for compliance with early ballot on-site tabulation procedures and Sections 16-579.01 and .02 ARS.

HB2080 - Elections; municipal vacancies; primary

Sponsor

Rep. Laurin Hendrix (R)

Summary

Provides that if the person holding an office is appointed at the time of the primary, their term of office ends when an elected candidate takes the oath of office and that the candidate that receives a majority of votes at the primary election shall be declared elected to that office upon canvass and certification of results and on taking the oath of office.

Action Taken

Passed House Municipal Oversight & Elections 8-1

Passed the House 34-24 and was sent to the Senate

Passed Senate Elections 5-3

Passed the Senate 16-14

Signed by the Governor

HB2145 - Candidate challenges; primary residence

Sponsor

Rep. David L. Cook (R)

Summary

Requires the assumption that the county and location of a candidate's listed residence and record of taxation is the candidate's primary residence if their nomination petition is challenged on the basis of residency.

HB2153 - Mail ballot elections; technical correction

Sponsor

Rep. Alexander Kolodin (R)

Summary

Minor change in Title 16 (Elections and Electors) related to streamlining and standardizing the bill's language. Apparent striker bus.

HB2154 - Certificate of election; technical correction

Sponsor

Rep. Alexander Kolodin (R)

Summary

Minor change in Title 16 (Elections and Electors) related to streamlining the bill's language. Apparent striker bus.

HB2336 - Early ballot collection; limitations; repeal

Sponsor

Rep. Stephanie Stahl Hamilton (D)

Summary

Removes the requirement that notification of ballot handling requirements be included in Board of Supervisors' voter and election guidance materials, specifically, verbiage that states that a person may only handle their own ballot or the ballot of "family member" (defined) or "household member" (defined) or persons they are a "caregiver" (defined.) Removes the designation of a Class 6 felony for and individual that collects voted or unvoted early ballots and the exclusion covering an election official or US mail carrier and the exclusion of elections held by special taxing districts, family or household members or caregivers.

HB2338 - Early voting; weekend hours

Sponsor

Rep. Stephanie Stahl Hamilton (D)

Summary

Requires early voting locations, including Recorder Office locations, to be open until 7:00 PM on the Saturday, Sunday, and Monday immediately preceding Election Day.

HB2339 - Campaign finance; corporate recipients; registration

Sponsor

Rep. Stephanie Stahl Hamilton (D)

Summary

Requires a corporation, limited liability company or labor union that contributes an aggregate of in excess of \$5,000 in one or more statewide races, or \$2,500 in legislative races, or \$1,000 in a "local election" (defined) in any county, city, town or other local jurisdiction, to register with the Secretary of State (SoS) and notify the appropriate filing officer within one day of making the contribution, excluding Saturdays, Sundays and holidays. Designates the SoS as the filing officer for registration and notifications for all registration and notification pertaining to the above campaign contribution thresholds. Stipulates that once registered for exceeding the limits set forth, the entity that registered does not have to do it again in a campaign cycle. Requires the SoS to develop the mechanisms for compliant filing and notifications and make that information available on its public website. Requires registrations to include the name and address of the entity filing, and the name, title, email address and telephone number of the person authorizing the contribution, and that each notification include the name and address of the entity, the amount of the contribution, the name of the candidate and race that will receive the contribution and the date of the contribution. Requires a covered contributor to file with the SoS or appropriate filing officer within five days after an initial threshold contribution a notarized, sworn statement that the person, agent or officer filing the registration and notice is authorized to make the contribution in question and until that is done, the notification is considered unverified and if it is not done in the prescribed timeframe, the notification will be deemed unverified and delinquent and the filing entity will be liable in a civil action brought by the Attorney General, county attorney or city or town attorney for up to three times the amount of the contribution. Designates that a person that makes knowingly false filings pursuant to the contributions covered in this bill is guilty of a Class 1 misdemeanor. Stipulates that no civil or criminal enforcement action may be filed until after the filing officer issues a reasonable cause determination.

HB2340 - Campaign finance; caregiving expenditures

Sponsor

Rep. Stephanie Stahl Hamilton (D)

Summary

Permits a candidate's committee to pay for direct care, protection and supervision of a child or another individual the candidate has direct caregiving responsibilities for, and for the cost of that care to be counted as a lawful expenditure of candidate committee monies.

HB2341 - Independent expenditures; corporations; funding disclosure

Sponsor

Rep. Stephanie Stahl Hamilton (D)

Summary

Requires an individual, corporation, limited liability company, or labor organization not required to register per state law that makes an expenditure for advertising or a fundraising solicitation to use the words “paid for by” followed by the name of the person making expenditures for the advertisement for solicitation and to state whether the expenditure was authorized by any candidate, followed by the identity of the authorizing candidate, if any. Requires a person making an expenditure for an advertisement to include the names of the top four funding sources making the largest aggregate contribution to the person making the expenditure. Designates an out-of-state contributor or group of out-of-state contributors that are a “major funding source” (defined) and a corporation, limited liability company, or labor organization as an out of state contributor. Requires a corporation, limited liability company, or labor organization making an independent expenditure, that also accepts donations or contributions to file a campaign Finance Report pursuant the state law.

HB2350 - Voting centers; board of supervisors

Sponsor

Rep. Stephanie Stahl Hamilton (D)

Summary

Permits a County Recorder or other officer in charge of elections to use additional types of voting and determine alternative voting locations under a specific resolution of the Board of Supervisors (BOS,) including “voting centers” (defined) constituting, on election day, polling places, early voting locations, and ballot replacement locations, and early voting drop-off locations provided each is managed per state law. Requires the BOS to appoint a Voting Center Election Board for each voting center and outlines the criteria to be a member of those Boards, to serve as a reappointment to the board, and for removal from the board. Permits the BOS to appoint a person ineligible to vote to a Voting Center Election Board and provides the criteria for that person to serve. Prohibits requiring a school district or charter school to reduce its average daily membership for an absent pupil who is serving on a Voting Center Election Board, or the school district or charter school to count that pupil’s absence against any mandatory attendance policies. Allows the County Recorder or other officer in charge of elections to operate an on-site early voting location during the three-day period immediately preceding an election day provided either is able to update precinct registers and other election materials for use during that period.

HB2351 - Election procedures; registrations; campaign finance

Sponsor

Rep. Stephanie Stahl Hamilton (D)

Summary

Numerous changes to statutes relating to elections. For every person who provides proof of U.S. citizenship when applying for, renewing or replacing a driver license or nonoperating identification license, or updating the person's existing residence address or name on file with the Arizona Department of Transportation (ADOT), ADOT is required to electronically collect and transmit voter

registration information to the Secretary of State for the purpose of registering the person to vote or updating an existing voter registration record. The Secretary of State and ADOT Director, after consulting with all county recorders, are required to adopt rules to implement a secure automatic electronic voter registration system that collects and transmits voter registration information. The Secretary of State is required to evaluate implementation of a secure automatic electronic voter registration system at other agencies, including the Arizona Health Care Cost Containment System (AHCCCS). By December 31, 2022, any agency that allows a person to affirmatively register to vote or to update the person's registration through the internet must allow the person to complete the registration without a driver license or nonoperating identification license and with any proof of citizenship that is valid under Arizona law. Eliminates the requirement for a voter to live in the boundaries of an election district for 29 days prior to an election to be eligible to vote in that election. By the 2024 primary election and for each election thereafter, each county recorder is required to designate at least one election official at each polling place, voting center or early voting location in the county to serve as a registration clerk to facilitate and enable eligible persons to register to vote on-site on election day or during early voting. A registration clerk must be present for all hours during which a polling place, voting center or early voting location is open. Every qualified voter in Arizona has the right, after registering to vote, to vote a secret ballot in all elections for which that voter is eligible to vote. By December 31, 2026, the Secretary of State, county recorders and other officers in charge of elections are required to evaluate incorporating "risk-limiting audit" (defined) protocols into ballot hand count procedures. Reduces individual and political action committee contributions limits to \$1,000 to candidates for legislative, county, municipal or district office, from \$6,250, and to \$2,500 for candidates for statewide office, from \$6,250. Much more. Due to voter protection, several sections of this legislation require the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

HB2352 - Ballot measure amendments

Sponsor

Rep. Stephanie Stahl Hamilton (D)

Summary

Allows a political committee that intends to file an application for initiative petition or referendum petition to request the Attorney General determine whether the description is lawful and sufficient. Requires the Attorney General to approve or reject the description within 10 days after submittal, and, if rejected define the reasons for the rejection. If approved, requires that any challenge to the description be filed in the Superior Court within 10 days after the Attorney General's approval. Allows a court to enforce a subpoena against a registered circulator as provided by law and if evidence is provided that shows that circulator is ineligible to circulate petitions or engaged in fraud with respect to some or all signatures obtained, and if so, the court may order those signatures collected by that circulator as invalid. Requires the Secretary of State and the Attorney General to prominently post the approved the impartial summary of any ballot measure on their respective websites, at least thirty days before the earliest date that the official ballots and publicity pamphlet are sent to be printed, and the Secretary of State shall provide a copy of the impartial summary to the committee that filed the ballot measure.

HB2353 - Ballot measures; descriptive title; summary

Sponsor

Rep. Stephanie Stahl Hamilton (D)

Summary

Requires the Secretary of State and the Attorney General to prominently post the approved impartial summary of the official ballot on their respective websites at least 30 days before the earliest date that the official ballots and publicity pamphlet are sent to be printed. Requires the Secretary of State to provide an impartial summary of the ballot measure to the committee that filed the ballot measure.

HB2354 - Election laws; revisions; appropriation

Sponsor

Rep. Stephanie Stahl Hamilton (D)

Summary

Numerous changes to statutes relating to election law. A conviction for a felony no longer suspends the person's right to vote. The hours for on-site early voting are extended through 5:00PM on the Monday preceding the election, instead of 5:00PM on the Friday preceding the election, and emergency voting during that time period is eliminated. If a county recorder determines that a provisional ballot voter is not properly registered to vote, the county recorder is required to use the information from the provisional ballot to register the person to vote for subsequent elections. An electronic pollbook used in Arizona is required to comply with the requirements in the election instructions and procedures manual adopted by the Secretary of State. Appropriates \$100,000 from the general fund in FY2024-25 and 2025-26 to the Secretary of State to provide risk-limiting audit grants to officers in charge of elections to conduct risk-limiting audits for the 2024 general election instead of a hand count audit. The Secretary of State is required to report any findings and recommendations related to the use of risk-limiting audits to the Legislature by March 31, 2026.

HB2394 - Candidates; digital impersonation; injunctive relief

Sponsor

Rep. Alexander Kolodin (R)

Summary

A candidate or citizen of Arizona is entitled to bring an action for digital impersonation within two years after the date the person knows, or should know, that a digital impersonation of that person was published. The plaintiff must prove that a digital impersonation was published without the person's consent, and that on publication, the publisher did not take reasonable steps to inform the person whom the publication was made that the recording or image was a digital impersonation, or that reality was not obvious to anyone viewing the recording or image. The person bringing the action is entitled to obtain a preliminary judicial declaration that a recording or image is a digital impersonation within two judicial days after seeking relief, provided that person can prove by a preponderance of evidence that the person is a candidate for public office and an election is scheduled to be held for that office within 180 days of the date relief was requested, the impersonation depicts the person engaging in a sexual act or depicts unclothed breasts, buttocks or genitals of the person, or a criminal act and the person can be reasonably expected to suffer significant personal, financial or employment hardship, and their reputation be irreparably harmed, in the absence of expedited relief.

Action Taken

Passed House Municipal Oversight & Elections 9-0

Passed the House 55-0 and was sent to the Senate

Passed Senate Elections 5-2

Passed the Senate 29-0 and was sent back to the House

Passed the House 57-0

Signed by the Governor

HB2404 - Voter registration cards; mailing limitation**Sponsor**

Rep. John Gillette (R)

Summary

Prohibits the county recorders from providing an initial or updated voter registration card to a person whose mailing address is outside the state, except for persons on active duty military services outside the state and their family members, and persons who are residents of this state and who are not served by a United States Post Office in this state.

Action Taken

Passed House Municipal Oversight & Elections 5-3

Passed the House 31-28 and was sent to the Senate

Passed Senate Elections 5-2

Passed the Senate 17-11 and sent back to the House

Passed the House 31-28

Vetoed by the Governor

HB2405 - Voter registrations; recorder; inactive status**Sponsor**

Rep. John Gillette (R)

Summary

Permits the county recorders to place a person's voter registration information in inactive status and provide the person with notice of the action, if the County Recorder believes the person provided fraudulent or incorrect voter registration information.

Action Taken

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-28 and was sent to the Senate

Passed Senate Elections 4-3

HB2421 - Election worker communications platform; pilot

Sponsor

Rep. Laura Terech (D)

Summary

Appropriates the sum of \$200,000 from the state general fund in FY 2024 - 2025 to the secretary of state to establish a communications platform for election officials and workers. Requires the Secretary of State to collaborate with County Recorders and election officers to develop an election worker communications platform suitable for mobile application and use by election administrators and workers, including poll workers, drivers, warehouse and supply workers, voter registration workers and central count center workers. Mandates that the communications system be deployed in a pilot program involving one or more counties, jurisdictions or portions of both. Permits the Secretary of State to offer the communications platform to counties at reduced or no cost. Self repeals on Jan 1, 2026.

HB2422 - Voter registration; same day

Sponsor

Rep. Laura Terech (D)

Summary

A person who is otherwise qualified to register to vote may register during the 28 days immediately preceding an election and is eligible to vote in that election if the person has been a resident of the county and the precinct in which the person resides for at least 29 days immediately preceding the election. A person who is otherwise qualified to register to vote may register on election day by appearing at the polling place, completing a registration form, and providing proof of residence. A person registering in this manner may vote using a provisional ballot per state law. Registration under these circumstances does not qualify a person to vote in a partisan primary election.

HB2423 - Automatic voter registration.

Sponsor

Rep. Laura Terech (D)

Summary

Every person who is applying for a driver license or renewal, including a nonoperating identification license or renewal, or who is making changes to drive license information and who is otherwise qualified to register to vote must be registered to vote automatically on completion of the license application unless the applicant declines to register. A person who is not qualified to register to vote and who unknowingly registers under this provision is not guilty of false registration or false swearing. Effective January 1, 2025.

HB2441 - Electoral college; support

Sponsor

Rep. Steve Montenegro (R)

Summary

Affirms that the legislature recognizes the importance of the electoral college and provides the reasoning behind that support.

HB2464 - Presidential preference election; independent voters

Sponsor

Rep. Jennifer Pawlik (D)

Summary

Voters registered without a political party designation may vote in the presidential preference election and may select the ballot of any political party at that election.

HB2469 - Elections; signatures; public record

Sponsor

Rep. Cory McGarr (R)

Summary

Requires voting officials to compare the signature on the envelope of an early voting ballot with the signature on record and to classify both as a public record, subject to requests for disclosure. Requires that the County Recorder or Officer in Charge of elections provide access to or copies of signatures of voter registrants and early envelope ballots within 48 hours after a request and if the request is for a noncommercial purpose.

HB2472 - Election contests; procedures

Sponsor

Rep. Cory McGarr (R)

Summary

Permits challenging an election based on counting votes where the chain of custody is broken and early votes present inconsistent signatures or personal information. Requires an appeal of a final judgment from a court to be filed and heard by the Arizona Supreme Court within 10 days of the issuance of the final judgment, a response filed within 5 days of the appeal filing and a reply filed within 3 days after the date on which the response is filed. Requires the state supreme court to schedule a hearing to be held within five days after the filing date of the reply and to render a decision

within five days after the hearing. Considers an organization a person for the purposes of inspecting a ballot and may rotate staff to inspect ballots on behalf of the organization or entity. Permits involved parties to inspect physical ballots, ballot images, early ballot envelopes and registration records. Permits discovery on any matter that could pertain to an election and directs the court to liberally consider discovery requests and not limit discovery where possible. Permits each participating party to depose up to 10 persons.

Action Taken

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-28 and was sent to the Senate

HB2474 - New party recognition; signatures; circulators

Sponsor

Rep. Alexander Kolodin (R)

Summary

Disqualifies new party petitions collected more than 24 months before the primary election the party is seeking to be involved in and prohibits the filing officer from accepting the petition. Requires persons circulating a petition to be registered as circulators with the Secretary of State (SOS) before circulating petitions. Requires the SOS to develop a process for receiving service of process for petition circulators and procedures for registering circulators and receiving service of process and include those procedures in the general instructions and procedures manual issued by that office. Requires petitions to be strictly construed and those petitioning for a new party inclusion to completely apply to all pertinent statutes.

Action Taken

Passed House Municipal Oversight & Elections 8-0

Passed the House 57-2 and was sent to the Senate

Passed Senate Elections 7-0

Passed the Senate 28-1 and was sent back to the House

Passed the House 55-3

Signed by the Governor

HB2482 - Voter registration changes; text notice

Sponsor

Rep. Barbara Parker (R)

Summary

Requires the County Recorder to notify an elector of any changes made to their registration record via a text message or email alert within 24 hours of making the change and if the elector has not subscribed to the Voter Registration Alert System, the Recorder shall notify the elector in writing within 10 days of the record change. Requires the notice to include how an elector may check their registration status, revise their registration information and notify the Recorder if no change was requested by the elector.

Action Taken

Passed House Municipality Oversight & Elections 9-0

Passed the House 57-0 and was sent to the Senate

Passed Senate Elections 5-2

Passed the Senate 20-7

Signed by the Governor

HB2544 - Legislative intent; secrecy; mail voting**Sponsor**

Rep. Rachel Jones (R)

Summary

Bans voting by mail in Arizona. Persons who are unable to go to the polls will be provided alternate means of voting that ensure secrecy in voting to the greatest extent possible. Does not apply to persons covered by the Uniformed and Overseas Citizens Absentee Voting Act and Arizona citizens who are temporarily residing out of state. The Legislature is required to put in place additional measures to ensure as much secrecy as possible for these voters, including confirming that the person is an Arizona resident and registered voter, ensuring that the mailed ballot is sent to the correct address, and having a certified witness attest that the voter voted in the absence of others and that the voter did not show any other person the voted ballot before placing it in the envelope. Contains a legislative intent section.

HB2547 - Voting centers ban; precinct size**Sponsor**

Rep. Rachel Jones (R)

Summary

Requires election precincts not contain more than 1,000 registered voters at the time precincts are designated. Prohibits the Board of Supervisors from using voting centers in place of designated polling places. Removes the requirement that early voting sites allow electioneering and other political activity. Prohibits the County Recorder from establishing on-site early voting locations at the recorder's office. Removes designating interfering with a voter within 72 feet of a main entrance to an on-site, early voting location a misdemeanor.

Action Taken

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-24 and was sent to the Senate

Passed Senate Elections 4-3

Failed in the Senate 15-15

HB2580 - Election officer certification training; yearly

Sponsor

Rep. Alexander Kolodin (R)

Summary

Requires that an election officer's certificate expires on December 31 in the year after the general election.

Action Taken

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-28 and was sent to the Senate

Passed Senate Judiciary 4-3

HB2581 - Physical presence; resident

Sponsor

Rep. John Gillette (R)

Summary

Determines a resident to be an individual with a physical presence in the state for at least 181 days with the intent to remain in the state for tax purposes, vehicle registration and voter registration. Permits the County Assessor, Director of the Arizona Department of Transportation (ADT) to determine a person is a resident if they demonstrate an intent to remain in the state and provide evidence of in-state employment, purchase of real property, rental of residential property, purchase of real property for residential purposes, the enrollment of the individual or their children in a school district or charter school, or upon showing an active duty military service member identification for the service member or their dependents. Requires the Legislative Council to prepare proposed legislation to conform the ARS with the provisions established by this bill to be considered in the fifty-seventh legislature, first regular session.

Action Taken

Passed House Government 7-0

Passed the House 31-28 and was sent to the Senate

Passed Senate Government 4-2

Passed the Senate 16-10 and was sent to the Governor

Vetoed by the Governor

HB2585 - Military poll workers; party representatives

Sponsor

Rep. John Gillette (R)

Summary

Permits a county board of supervisors to appoint an active duty military member with assignment orders to a post of duty in this state and a family member of an active duty military member with

assignment orders to a post of duty in this state and who has identification as a military dependent to an election board, or as ballot challengers or a party representative, regardless of their residency or voter status.

HB2590 - Voter registration database; updates; counties

Sponsor

Rep. Timothy M. Dunn (R)

Summary

Minor changes in Title 16 (Elections and Electors) related to the qualification and registration of electors. Apparent striker bus.

Action Taken

Passed House Municipality Oversight & Elections 6-2

Passed the House 39-18 and was sent to the Senate

Passed Senate Elections 5-2

HB2620 - Voting equipment; requirements; origin

Sponsor

Rep. Steve Montenegro (R)

Summary

Beginning January 1, 2028, the Secretary of State is prohibited from certifying a vote recording and vote tabulating machine or device used for elections for federal, state or county offices unless 100% of all the machine's or device's parts and components were sourced from the United States, and 100% of all the machine's or device's manufacturing and assembly was performed in the United States. Vote recording and vote tabulating machines and devices that were acquired before January 1, 2028 would have been exempt.

HCR2001 - Voting; qualifications; methods

Sponsor

Rep. Alexander Kolodin (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the state constitution to require that anyone voting in an Arizona election be a citizen of the United States, 18 years or older and a qualified, registered voter, prohibit a person from voting for more candidates for an office than number of offices to be filled, and requires that a person's vote be the sole means of determining the outcome of an election for public office that is required by federal or state law.

HCR2027 - House of representatives; designated seats

Sponsor

Rep. Cory McGarr (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the Arizona Constitution to require the seats for the House of Representatives be designated "A" and "B" in the alphabetic order of the surnames, then first names of elected members of each district and thereafter candidates shall run for and be elected from either seat "A" or "B" in a legislative district, beginning with the Inauguration of the Members of the fifty-seventh legislature in 2025.

Action Taken

Passed House Municipal Oversight & Elections 5-3

Failed in the House 29-31, was put up for reconsideration, but no vote has been taken

HCR2028 - Elections; signature verification process

Sponsor

Rep. Alexander Kolodin (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend ARS Title 16, Chapter 4, Article 8 pertaining to voter "signature verification" (defined). Defines the physical and electronic signature verification process an election official must follow when processing early ballots, procedures if the election official discovers inconsistencies with the signatures. Exempts certain ballot affidavits from signature verification provided certain features are present and requires that election officials use the 2020 Secretary of State Signature Verification Guide for reference when performing signature verification.

HCR2032 - Voting centers; precinct voting

Sponsor

Rep. Rachel Jones (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend ARS 16 to specify that at the time election precincts are designated, an election precinct may not contain more than 1,000 registered voters, the Board of Supervisors may not authorize the use of voting centers in place of or in addition to specifically designated polling places, the County Recorder may not establish early voting locations at the Recorder's office, and an elector that appears no later than 9 p.m. on the Friday prior to an election at an early voting location established by the County Recorder may not receive a ballot or update their registration information.

Action Taken

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-28 and was sent to the Senate

Passed Senate Elections 4-3

SB1003 - Prohibition; photo radar

Sponsor

Sen. Wendy Rogers (R)

Summary

Prohibits the use of "photo enforcement systems" (defined) by law enforcement and local authorities to enforce traffic laws. Contains a legislative intent clause.

Action Taken

Passed Senate Transportation, Technology, and Missing Children 4-3

Passed Senate 16-13 and was sent to the House

Failed in House Transportation and Infrastructure 5-5

SB1008 - Voter registration events; posting

Sponsor

Sen. Jake Hoffman (R)

Summary

The Secretary of State and each County Recorder are required to post on their public websites a list of events that either office attends and provides voter registration services within 24 hours of attendance, including listing the location, event title and associated organizations in attendance

Action Taken

Passed Senate Elections 5-3

SB1060 - Federal candidates; observers; elections

Sponsor

Sen. J.D. Mesnard (R)

Summary

Limits ballot challenges to one per party if an agreed upon number cannot be reached between the Chairs of each political party represented on the ballot. Requires that representatives for each party represented may not approach an election official's table or equipment any closer than is necessary to perform their stated function. Allows each representative to observe election officials and requires each representative to provide their own materials and necessities. Prohibits any representatives from obstructing the administration of an election, election board procedures, or ballot processing. Requires representatives to present any questions regarding procedures to the Supervisor of the Early Election Board of Resolution. Requires that representatives for each party be registered voters in Arizona. Prohibits anyone on the ballot from serving in the role of ballot challenger.

Action Taken

Passed Senate Elections 5-2

Passed the Senate 16-14 and was sent to the House

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-28 and was sent back to the Senate

Passed the Senate 16-14 and was sent to the Governor

Vetoed by the Governor

SB1063 - Political signs; removal; elections**Sponsor**

Sen. John Kavanagh (R)

Summary

Removes reference to a specific primary election and adds a reference to a first election and extends the period it is a misdemeanor to remove, alter, deface or cover a political sign of a winner of a primary or first election until 15 days after the general or runoff election. Adds signs that support or oppose a "question or issue" to the prohibition of cities, towns and counties removing, altering, defacing or covering a political sign and stipulates that the prohibition only applies to 45 days before any election and 15 days after an election, except for candidates that advance to a general or runoff election, provided there are no more than 45 days between those elections and a general election. Adds that the prohibition of removing, altering, defacing or covering a political sign applies to any election held by a city, state, county, school district, special taxing district or other governing entity including the state of Arizona.

Action Taken

Passed Senate Elections 8-0

Passed the Senate 23-5 and was sent to the House

Passed House Municipal Oversight & Elections 8-1

Passed the House 58-1 and was sent back to the Senate

Passed the Senate 20-8 and was sent to the Governor

Signed by the Governor

SB1094 - Automatic voter registration**Sponsor**

Sen. Christine Marsh (D)

Summary

Every person who is applying for a driver license or renewal, including a nonoperating identification license or renewal, or who is making changes to drive license information and who is otherwise qualified to register to vote must be registered to vote automatically on completion of the license application unless the applicant declines to register. A person who is not qualified to register to vote

and who unknowingly registers under this provision is not guilty of false registration or false swearing.
Effective January 1, 2025.

SB1097 - School districts; partisan elections

Sponsor

Sen. Justine Wadsack (R)

Summary

Requires all elections for a School District Governing Board member to use a partisan primary election followed by a general election and in a form that is like a countywide or statewide election. Defines how ballots should be presented by the County School Superintendent. Effective date is January 1, 2025.

Action Taken

Passed Senate Education 4-3

Passed the Senate 16-10 and was sent to the House

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-28 and was sent to the Governor

Vetoed by the Governor

SB1114 - Write-in candidates; deadlines; ballots

Sponsor

Sen. Ken Bennett (R)

Summary

Changes the deadline for a write-in candidate to file nomination paperwork to the seventeenth day before an election. Modifies the ballot format to accommodate as many blank lines as there are qualified write-in candidates, plus one additional blank line for each office, up to the total number of offices to be filled. Requires that there be one blank line for write-in candidates if no write-in candidates have qualified for an office and that each blank line will have a space for an elector to put a mark.

SB1115 - Election mailings; third-party disclosures

Sponsor

Sen. Ken Bennett (R)

Summary

Requires a nongovernmental person or entity that mails or delivers by hand an official election-related document or a document that resembles an official election-related document from the county recorder, county officer in charge of elections, or the Secretary of State, including a voter registration application or an early ballot request to include the words "not from a government agency" in boldfaced, clearly legible print on the outside of the envelope.

SB1116 - Voter registrations; payment prohibited

Sponsor

Sen. Ken Bennett (R)

Summary

Prohibits a person from paying or receiving money or any other thing of value based on the number of voter registrations or voter registration forms collected, completed or submitted.

Action Taken

Passed Senate Elections 4-3

Passed the Senate 16-13 and was sent to the House

SB1126 - Election; contest; technical correction

Sponsor

Sen. Wendy Rogers (R)

Summary

Minor changes to Title 16 (Elections and Electors) related to the conduct of elections. Apparent striker bus.

SB1128 - State agencies; payments; cryptocurrency

Sponsor

Sen. Wendy Rogers (R)

Summary

State agencies are authorized to accept "cryptocurrency" (defined) as a payment method for taxes, fees, fines, civil penalties, financial obligations, and special assessments by entering into an agreement with a "cryptocurrency service provider" (defined) to provide a method to accept cryptocurrency as a payment for any amount due to that agency or the state. Requirements for the agreement are listed. Effective January 1, 2025

Action Taken

Passed Senate Finance and Commerce 4-2

Passed the Senate 16-10 and was sent to the House

SB1131 - Low voter turnout elections; repeat

Sponsor

Sen. John Kavanagh (R)

Summary

Requires that for any non-statewide or federal election, any election that receives less than 25% of the eligible registered voters casting a ballot, the results are declared void and the election is required to be repeated on an election date with a statewide or federal office on the ballot.

Action Taken

Passed Senate Elections 5-3

SB1158 - Presidential candidates; qualification; no exclusion

Sponsor

Sen. Janae Shamp (R)

Summary

Prohibits a candidate for President from being excluded or removed from the general election ballot on the basis of a claimed violation of the 14th Amendment of the United States Constitution if the candidate is the official nominee of the National Convention of delegates of a political party that is entitled to continued representation on the ballot, a qualified independent candidate for president, or a qualified writing candidate for president.

Action Taken

Passed Senate Elections 5-2

Passed the Senate 16-13 and was sent to the House

SCR1001 - Photo radar prohibition

Sponsor

Sen. Wendy Rogers (R)

Summary

Bans local authorities and state agencies from using automated photo enforcement systems to identify excessive speed violations or failures to obey traffic control devices. More.

Action Taken

Failed in Senate Transportation, Technology, and Missing Children 3-3

SCR1011 - Voting; qualifications; methods.

Sponsor

Sen. Wendy Rogers (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the state constitution to require that anyone voting in an Arizona election be a citizen of the United States, 18 years or older and a qualified, registered voter, prohibit a person from voting for more candidates for an office than number of offices to be filled, and requires that a person's vote be the sole means of determining the outcome of an election for public office that is required by federal or state law.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the House

SB1153 - Regulatory costs; rulemaking; legislative ratification

Sponsor

Sen. Anthony Kern (R)

Summary

Requires any proposed rule that will increase regulatory costs by more than \$500,000 within five years of implementation to be ratified through legislation. Requires the proposed rule be submitted to the Administrative Rules Oversight Committee no later than 30 days before the next regular legislative session and the Committee to submit the proposed rule to the legislature as soon as is practicable. Permits any member of the legislature to introduce the rule and exempts the rule from provisions covered under time and manner of rulemaking laws. Prohibits an agency from filing a final rule with the Secretary of State before obtaining legislative approval and if the legislature does not ratify the proposed rule in that legislative session, the agency is required to terminate the proposed rule by publishing a Notice of Termination in the register. Exempts emergency rules and the Corporation Commission. All rules that fall into this classification of rules are determined upon the effective date of this bill to be void and unenforceable without legislative ratification.

Action Taken

Passed Senate Government 5-2

Passed the Senate 16-10 and was sent to the House

Passed House Regulatory Affairs 4-3

Passed the House 31-28 and was sent to the Governor

Vetoed by the Governor

HB2166 - Statewide voter registration database; costs

Sponsor

Rep. Timothy M. Dunn (R)

Summary

Replaces “county contribution” with “state contribution” to voter registration system fund and specifies that the Arizona Secretary of State manages the allocations, rather than the counties. Eliminates the requirement for an agreement between the county and Secretary for developing and administering a statewide voter database.

Action Taken

Passed House Municipality Oversight & Elections 8-0

Passed the House 58-0 and was sent to the Senate

Passed Senate Elections 7-0

SCR1023 - General election day; all offices

Sponsor

Sen. J.D. Mesnard (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the Arizona Constitution Article VII, Section 11, to include city, town and school district elections in general elections.

Action Taken

Passed Senate Elections 4-3

Passed the Senate 16-13 and was sent to the House

Passed House Municipal Oversight & Elections 5-4

Failed in the Senate 14-12

SB1375 - Ballots; categories; count; identification number

Sponsor

Sen. Shawna Bolick (R)

Summary

Requires each ballot to bear a unique identification number that allows ballots to be linked to specific voting locations. Specifies methods for numbering. Requires the officer in charge of the election to choose the method to use. Requires that a count of the physical ballots that are printed as early ballots, regular ballots, provisional ballots, federal-only ballots, and electronic ballots, including any overlap, be posted on the county’s website in real time.

Action Taken

Passed Senate Elections 4-3

Passed the Senate 16-13 and was sent to the House

SCR1014 - Presidential electors; constitutional appointments

Sponsor

Sen. Anthony Kern (R)

Summary

The Legislature resolves that no voting system or component of a voting system may be used or purchased as the primary method for casting, recording, and tabulating ballots used in any election held in Arizona for federal office unless all components have been designed, manufactured, integrated, and assembled in the U.S. from trusted suppliers, the source code is made available to the public, and the ballot images and system log files from each tabulator are recorded on a secure write-once, read-many media with clear chain of custody and posted on the Secretary of State's website free of charge to the public within 24 hours after the close of the polls.

SB1429 - Candidates; electronic signatures; limit

Sponsor

Sen. Ken Bennett (R)

Summary

Permits a statewide and legislative candidate to choose up to 25% more than the full number of required nomination petition signatures or up to an amount equal to 25% more than the full number of required contribution qualification forms, or both, by use of the online signature collection system prescribed by this legislation. Permits a town or city candidate to choose to collect up to 25% more than the minimum number of required nomination petition signatures by use of the online signature collection system. Permits a candidate for United States Senator or Representative to collect up to 25% more than the full number of required nomination petition signatures by use of the online signature system. This legislation is effective upon an affirmative vote of at least three-fourths of the legislature.

Action Taken

Passed Senate Elections 6-0

Passed 27-2 and was sent to the House

SB1009 - Voting registrations; ballot requests; source

Sponsor

Sen. Jake Hoffman (R)

Summary

Prohibits the use of a signature a voter submitted on a non-official form being used as the sole evidence for signature comparisons by the County Recorder when processing a request for an early ballot or to amend a voter's registration information. Mandates that only a political party, county recorder or election official can distribute early ballot request forms to voters, removing candidates from the list of allowable distributors. Exempts elections for special taxing districts formed for the purpose of protecting or providing services to agricultural lands and crops from these changes.

SB1288 - Electronic ballot adjudication; prohibition

Sponsor

Sen. Jake Hoffman (R)

Summary

The county board of supervisors and officer in charge of elections are prohibited from using an electronic vote adjudication. A duplicate copy of a damaged or defective ballot must be made by hand in the presence of witnesses and substituted for the damaged or defective ballot.

Action Taken

Passed Senate Elections 4-3

Passed the Senate 16-13 and was sent to the House

Passed House Municipal Oversight & Elections 5-4

HB2481 - Open meetings; public body; legislature

Sponsor

Rep. Barbara Parker (R)

Summary

Requires all "public bodies" (defined as no longer including the legislature) provide an opportunity for public comment in person before any final decision is made, subject to reasonable time, place and manner restrictions. Requires at least 48 hours' notice and the official agenda to be available to the public (with a hyperlink to all relevant documents, contracts, agreements or proposals under consideration in the meeting) for any public meetings and allows a meeting to be recessed with less than 48 hours' notice if the initial session of the meeting adheres to all state laws. Stipulates that any 48-hour requirements includes Saturdays if the public has access to the physically posted notice. Removes the ability of the legislature to provide exemptions from requirements or to be met by technological means.

Action Taken

Passed House Government 6-3

Passed the House 31-28 and was sent to the Senate

Passed Senate Government 4-3

Failed in the Senate 13-14

HB2787 - Voting equipment; inspection; elected officials

Sponsor

Rep. Rachel Jones (R)

Summary

Allows any elected official to inspect voting equipment while accompanied by an expert of the elected official's choice. Requires the inspection to include access to all source code and other proprietary material related to the voting equipment if requested. Allows the elected official to conduct the inspection at any time but prohibits disruption of the voting process on election day. Requires the elected official and accompanying expert to keep all information received confidential unless the elected official or the accompanying expert has a good faith belief that the voting equipment is malfunctioning or being exploited in any manner that violates any election law.

Action Taken

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-29 and was sent to the Senate

HB2876 - Elections; mailing; curing; canvassing; precincts

Sponsor

Rep. Michael Carbone (R)

Summary

Eliminates the use of voting centers, early voting locations or similar methods of voting. Requires that all voting occur through individual precinct voting locations with preprinted ballots. Limits those who may vote an early ballot to qualified electors who are students temporarily absent from the state for the purpose of attending school; required to temporarily reside outside of the state; required to travel on election day; elderly or disabled persons; and eligible electors under the Uniformed and Overseas Citizens Absentee Voting Act. Extends the beginning of the early ballot distribution period from no more than 27 days to no more than 34 days prior to the election and if an early ballot is requested 38 days or more prior to an election, the early ballot must not be distributed earlier than 34 days prior to the election. Reduces the signature curing period from no later than the fifth business days after a primary, general or special election with a federal office or the third business days after any other election to the second business day following any election. Revises the period elections must be canvassed from between 6 and 20 days to between 6 and 12 days following an election. Instructs the Secretary of State to canvass all state offices 14 calendar days following a general election as opposed to the fourth Monday following a general election. Requires the legislative council staff to prepare proposed legislation conforming to the provisions of this Act for consideration in the 57th legislature, first regular session.

Action Taken

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-28 and was sent to the Senate

HB2852 - Voter registrations; organizations; prohibition

Sponsor

Rep. Justin Heap (R)

Summary

Prohibits this state and any of its political subdivisions from being a member of any multistate voter registration or voter registration list maintenance organization that requires Arizona to provide certain confidential voter registration information, such as social security numbers and driver license numbers; and from joining or entering into an agreement with any organization that imposes a duty on this state, such as mailing voter registration forms to voters that are not registered to vote. Prohibits a political subdivision of Arizona from joining an organization or entering an agreement with any organization that imposes a duty on the political subdivision, unless otherwise expressly required by Arizona law.

Action Taken

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-28 and was sent to the Senate

Passed Senate Elections 4-2

Passed the Senate 16-13 and was sent to a conference committee

HB2851 - Elections; ballot chain of custody

Sponsor

Rep. Justin Heap (R)

Summary

Requires the Board of Supervisors to provide a chain of custody record for ballot printing location; ballot transportation; storage and delivery of ballots to the county recorder or other officer in charge of elections; and any voting location. Asserts that the chain of custody record must include the time and signature for each point of contact and other specified information. Specifies that unvoted ballots delivered to a voting location where there is no election board worker requires the person delivering the ballots to note that the ballots were delivered and secured without a designated recipient. Adds that a ballot box, before receiving ballots, must be locked with a tamper evident seal. Specifies that the tamper evident seal must be checked by two board members in case of an emergency transfer. Details that at the close of the polls and if a ballot box has been transferred or opened, a report must be made including the date, time and name of any election officer witnessing the transfer or opening of a ballot box. Requires the county recorder or other officer in charge of elections to prepare a chain of custody record, with specified information, for the transportation and delivery of voted ballots. States that all damaged and defective ballots replaced with a duplicate ballot must be included in a chain of custody record that includes specified information. Requires the county recorder or election officer in charge to provide a live video, with full visibility of the ballots, at various stages of the ballot's cycle. Instructs the county recorder or election officer in charge to maintain a specified record of all voting irregularities that occur during specified elections. Specifies that the voting irregularities record must be sent to the President of the Senate, Speaker of the House and the Secretary of State.

Action Taken

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-28 and was sent to the Senate

Passed Senate Elections 4-2

HCR2058 - Legislative districts; population; census; citizenship

Sponsor

Rep. Justin Heap (R)

Summary

Directs the Independent Redistricting Commission (IRC) or other officer or body designated by the Legislature, to take a census that must be completed by December 31 of years ending in zero. Requires the census to include a tabulation of the number of United States citizens residing in Arizona and their residences. Specifies the census may be conducted consistent with the procedures and methods adopted by the United States Census Bureau or its successor agency. Prohibits the IRC, or other designated body, from employing federal practices inconsistent with this Act. Instructs the IRC to use the data collected from the census to determine the citizen population of each Legislative district. Specifies, if no census is timely completed, the IRC must use the most current data from the United States Census Bureau or its successor agency to determine the citizen population of each Legislative district. Requires the IRC, during the commencement of the mapping process for legislative districts, to create districts of equal citizen population in a grid-like pattern across Arizona. Specifies any member of the Legislature has standing to initiate any action or proceedings to enforce the provisions of this Act.

Action Taken

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-28 and was sent to the Senate

Passed Senate Appropriations 6-4 – was amended to include a section that takes \$5 million from the Clean Elections Fund and gives it to the State Census Fund

Was held in the Senate

HCR2049 - Ballot measures; challenges.

Sponsor

Rep. Neal Carter (R)

Summary

The 2024 general election ballot is to carry the question of whether to amend the state statutes to stipulate that beginning in 2025 - 2026, if the amount of monies available to the Permanent State School Fund exceeds the amount required, pursuant to state law and there are no outstanding state school facilities revenue bonds, qualified zone academy bonds, state school trust revenue bonds issued to correct existing deficiencies, the Arizona State Land Department shall transfer those monies to the School Facilities Revenue Bond Debt Service Fund. Prohibits the State Treasurer from transferring monies pursuant to state law before meeting all obligations mentioned above.

Action Taken

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-28 and was sent to the Senate

SB1571 - Campaign finance report; statewide office (Strike Everything Amendment)

Sponsor

Sen. Thomas "T.J." Shope (R)

Summary

A candidate committee for a statewide candidate shall file a campaign finance report only during the eight calendar quarters comprising the twenty-four-month period preceding the general election for the office for which the candidate is seeking election.

Action Taken

Passed Senate Elections 7-0

Passed the Senate 28-0 and was sent to the House

Passed House Municipal Oversight & Elections 9-0

Passed the House 54-0 and was sent back to the Senate

Passed the Senate 30-0

Signed by the Governor

HB2393 - Presidential preference; parties; voting methods

Sponsor

Rep. Alexander Kolodin (R)

Summary

For any party that chooses not to participate in a publicly administered presidential preference election and chooses to select a nominee for President by way of a vote open to the entire membership of the party, the party must provide a voting method for uniformed services or uniformed overseas citizens and persons with disabilities. The political party can choose its means of voting and is not obligated to hold a presidential preference election or select a nominee for President by popular vote.

Action Taken

Passed House Municipal Oversight & Elections 5-4

Passed the House 31-24 and was sent to the Senate

Passed Senate Elections 5-2

Passed the Senate 16-12 and was sent back to the House

Passed the House 31-28

Vetoed by the Governor

SB1357 - Early ballots; affidavits; privacy

Sponsor

Sen. J.D. Mesnard (R)

Summary

Requires an early ballot affidavit to be concealable when delivered or mailed to the county recorder or other officer in charge of elections. Strike Everything Amendment passed and the bill now refers to records maintained by the County Recorders, their confidentiality, and who is allowed to have their records kept confidential.

Action Taken

Passed Senate Elections 5-3

Passed the Senate 16-13 and was sent to the House

Failed House Municipal Oversight & Elections 4-5

A Strike Everything Amendment passed House Municipal Oversight & Elections 6-3

HCR2056 - Preferential treatment; discrimination; prohibition

Sponsor

Rep. Steve Montenegro (R)

Summary

A Strike Everything amendment was introduced by Senator Wendy Rogers. The amendment prohibits government entities from using money donated from a foreign government or a foreign non-government entity for elections administration. If a person provides money or in-kind contributions to a government for elections administration, the person must provide certification that the funds did not come from a foreign government or foreign non-government entity. It changes the deadline for when a person can drop off an early ballot from 7pm on election day to 7pm the Friday before election day. Voters that appear with their early ballot at an early voting location during early voting must provide identification and the ballot must be tabulated on site. Requires all ballots cast on election day to be tabulated onsite prior to being transported to the central location. **Takes \$11 million dollars from the Clean Elections Fund and gives it to the Secretary of State's office for the Secretary to distribute to the counties on a proportional basis to pay for early and day of voting tabulation.**

Action Taken

Passed the House Government 5-3

Passed the House 31-28 and was sent to the Senate

Passed Senate Government 4-3

Strike Everything amendment was proposed and adopted in Senate Elections 4-3

Floor amendment adopted that removed the \$11 million funding requirement

Failed 15-14



June 13, 2024

Submitted electronically to ccec@azcleaselections.gov.

Arizona Citizens Clean Elections Commission
c/o Thomas Collins, Executive Director
1110 West Washington Street
Phoenix, Arizona 85007

Re: Comments regarding AOR 24-05 (Star Spangled Media)

Dear Commissioners,

Campaign Legal Center (“CLC”) respectfully submits these written comments in response to AOR 24-05, the request for an Advisory Opinion submitted by Star Spangled Media regarding the Voters’ Right to Know Act (“the Act”).¹

CLC is a nonpartisan, nonprofit organization dedicated to protecting and strengthening democracy through law at all levels of government. Since its founding in 2002, CLC has participated in every major campaign finance case before the U.S. Supreme Court and in numerous other federal and state court proceedings. Our work promotes every American’s right to an accountable and transparent democratic system.²

CLC commends the Commission for its ongoing commitment to developing thorough, clear, and functional guidance to implement the Voters’ Right to Know Act.

Our comments do not take a position regarding whether the requester generally qualifies as a covered person engaging in campaign media spending. Instead, the following comments discuss the principles behind media exemptions at the federal level and the highly fact-specific nature of such exemptions. AOR 24-05 is extraordinarily broad; in the absence of additional details regarding how Star Spangled Media (“SSM”) engages in spending and how its business operates, we believe it is unclear whether a press exemption is appropriate

¹ AOR 24-05, Request for Advisory Opinion from Star Spangled Media (May 28, 2024), <https://storageccec.blob.core.usgovcloudapi.net/public/docs/1172-Star-Spangled-Media-AOR-Request-5-28-2024-487154108354-v-1.pdf> (hereinafter “AOR 24-05”).

² CLC’s affiliated 501(c)(4) organization, CLC Action, represents Voters’ Right to Know, the political committee established to support Proposition 211, in ongoing litigation relating to the Act.

for Star Spangled Media. However, our comments discuss the standards that should apply in making fact-specific determinations about some of the conduct that SSM's request might encompass — including examples of behavior that would *not* qualify for a news media exemption.

I. Media exemptions are highly fact-specific, but the AOR lacks the necessary detail to determine whether an exemption is appropriate.

The Act exempts from the definition of “campaign media spending” money spent on news stories, commentaries, and editorials published by organizations without direct connections to candidates, their spouses, candidate committees, political parties, or political action committees.³ This provision is modeled on the Federal Election Campaign Act’s (“FECA”) media exemption (also commonly called the “press exemption”), through which Congress sought to protect “the First Amendment freedoms of the press and of association” from limits or burdens in covering and commenting on political campaigns.⁴

While media exemptions “assure[] the unfettered right of the newspapers, TV networks, and other media to cover and comment on political campaigns,”⁵ they do not guarantee that *any* expenditure undertaken by a media organization qualifies for the media exemption. The media exemption is not without limits, and while it has rarely been litigated, a handful of decisions present fact-specific examples demonstrating the boundaries of the media exemption.⁶

As SSM identified,⁷ the FEC has historically applied a two-part test to determine whether the media exemption applies, looking first at whether an organization constitutes a press or media entity,⁸ and then turning to the two-step analysis presented in *Reader’s Digest Ass’n v. FEC*, 509 F. Supp. 1210, 1215 (S.D.N.Y. 1981). Under *Reader’s Digest*, the FEC must establish “(A) [t]hat the entity is not owned or controlled by a political party, political committee, or candidate; and (B) [t]hat the entity is acting as a press entity in conducting the activity at issue (i.e., whether the press entity is acting in its ‘legitimate press function’).”⁹

Without additional information about SSM and its activities, however, the test above cannot be conclusively applied to respond to SSM’s request for an advisory opinion.

³ See A.R.S. § 16-971(2)(b)(i).

⁴ FEC Adv. Op. 2010-08 (Citizens United) at 4, quoting H.R. REP. NO. 93-1239 at 4 (1974).

⁵ *Id.*

⁶ *Reader’s Digest Ass’n v. FEC*, 509 F. Supp. 1210, 1215 (S.D.N.Y. 1981); *FEC v. Phillips Publishing*, 517 F. Supp. 1308, 1309 (D.D.C. 1981); *FEC v. Massachusetts Citizens for Life, Inc.*, 279 U.S. 238 (1986).

⁷ AOR 24-05 at 3.

⁸ FEC Adv. Op. 2010-08, *supra* note 4, at 4.

⁹ *Id.* at 4-5.

A. More information is required to determine whether Star Spangled Media’s proposed activity falls within a “legitimate press function”

AOR 24-05 covers an extraordinarily broad range of potential activity. While many activities SSM indicates it may engage in would seemingly be done in its capacity as a media entity, that does not mean that *every* activity the organization might engage in or expend funds on qualifies as a “legitimate press function” under the media exemption.

The Act exempts from the definition of campaign media spending funds spent for a “news story, commentary or editorial by any broadcasting station, cable television operator, video service provider, programmer or producer, newspaper, magazine, website or other periodical publication that is not owned or operated by a candidate, a candidate's spouse or a candidate committee, political party or political action committee.”¹⁰ Significantly, while the Act excludes spending monies for the story, commentary, or editorial itself, it does not provide a blanket exemption for the *paid promotion* of the story, commentary, or editorial through another entity, such as Facebook, Google, and the websites of other news entities.

While promotion of a story *may* constitute a “legitimate press function” in certain limited circumstances, such a determination is highly fact-specific and has been the subject of federal litigation.

The decision in *Federal Election Commission v. Phillips Publishing*, 517 F. Supp. 1308, 1309 (D.D.C. 1981), for example, discusses the need for a clear connection between the campaign-related communication and the organization’s “normal, legitimate press function.” *Phillips Publishing* applied the *Reader’s Digest* test to a special mailing sent to regular and potential subscribers of “The Pink Sheet on the Left,” an anti-communist publication.¹¹ The mailing included an opinion poll regarding Sen. Edward Kennedy, then a candidate for the Democratic Presidential nomination, and included the publication’s opposition to his campaign.¹²

The court in *Phillips* took judicial notice that “newsletters and other publications solicit subscriptions, and in their advertising doing so, they publicize content and editorial positions,” holding that the purpose of the solicitation was to publicize the Pink Sheet and obtain new subscribers.¹³ As a result, Phillips Publishing’s direct mail distribution of the “Teddy Kennedy Opinion Poll” accompanying its subscription solicitation was a “normal, legitimate press function” qualifying for the press exemption.¹⁴

In contrast, the Supreme Court declined to extend the media exemption to the “Special Edition” of the Massachusetts Citizens for Life’s (“MCFL”) newsletter published shortly

¹⁰ A.R.S. § 16-971(2)(b)(i).

¹¹ *Phillips Publishing*, 517 F. Supp. at 1309.

¹² *Id.*

¹³ *Id.* at 1313.

¹⁴ *Id.*

before the 1978 primary elections, which expressly advocated for pro-life candidates.¹⁵ The Court discussed the many differences between the “Special Edition” and the organization’s regular newsletter, including completely different staff assigned to the Special Edition and clear differences in form compared to the usual newsletter: the lack of the usual MCFL masthead, the absence of the usual volume and issue number, and an audience twenty times the usual distribution list.¹⁶ The Court stated, “it is precisely such factors that in combination permit the distinction of campaign fliers from regular publications.”¹⁷ While the organization’s regular newsletter might have qualified for an exemption, such a publication did not automatically entitle the organization to the press exemption for all publications it might distribute.¹⁸

In *FEC v. Multimedia Cablevision, Inc.*, an unpublished decision by the U.S. District Court for the District of Kansas, the defendant cable company had distributed fliers opposing a political candidate as inserts in billing statements mailed to customers, claiming a media exemption.¹⁹ After examining four of the company’s other billing inserts, the court found that the fliers at issue did not qualify as an extension of Multimedia’s “core press function,” which was through “cablecasting,” not “printing or distributing periodical publications.”²⁰ Moreover, Multimedia had failed to demonstrate that the fliers were a part of a continuing series of publications or a regular course of conduct constituting a “core press function.”

While SSM points to a number of FEC Advisory Opinions in support of its request, those decisions are unpersuasive in this context.²¹ The FEC’s *Colbert Report* advisory opinion, which SSM does not discuss, squarely addresses how campaign advertising should be distinguished from legitimate media activity.²² In 2011, *The Colbert Report* television show sought to create a super PAC as part of its satirical examination of the effects of the *Citizens United* and *Speech Now* decisions. In that process, the show requested an FEC

¹⁵ *Massachusetts Citizens for Life, Inc.*, 279 U.S. 238 at 250.

¹⁶ *Id.* at 250-51.

¹⁷ *Id.*

¹⁸ *Id.* at 251.

¹⁹ *Multimedia Cablevision, Inc.*, No. 94-1520-MLB at 14 (D. Kan. 1995) (unpublished), *vacated as moot*, *FEC v. Multimedia Cablevision, Inc.*, Nos. 95-3280 and 95-3315 (10th Cir. 1997) (unpublished). The *Multimedia* case involved a subpoena enforcement action by the FEC. While an appeal was pending before the Tenth Circuit, the underlying investigation that had led to the subpoena at issue in the case was concluded; thus, the subpoena no longer had any reason to be enforced and the Tenth Circuit ordered the lower court to vacate its decision. But the Tenth Circuit did not rule on or question the merits of the lower court's analysis.

²⁰ *Id.* at 15.

²¹ While the FEC determined that Melothé, Inc.’s internet-based campaign TV platform fell within the press exemption, the advisory opinion did not contemplate paid promotion of political content by Melothé on other unrelated platforms, as in SSM’s request. See FEC Adv. Op. 2008-14 (Melothé). Similarly, the FEC’s advisory opinion in *Fired Up* addressed only the costs incurred by *Fired Up* in covering or carrying news, commentary, and editorials on its websites; it did not address paid promotion or advertising of *Fired Up*’s political content on other platforms. See FEC Adv. Op. 2005-16 (*Fired Up*).

²² FEC Adv. Op. 2011-11 (*Colbert Report*) at 1-3, 9.

advisory opinion outlining whether and how the press exemption would cover costs incurred by Viacom, Inc. and its subsidiaries, which produced and distributed the show — including for independent expenditure advertisements aired on the show, the super PAC’s website, and paid advertisements on other shows and networks.²³

Using *MCFL*’s “consideration of form” analysis, the FEC concluded that costs incurred by Viacom to produce independent expenditure advertisements that aired *only* on the show (as well as airtime and related costs incurred by Viacom for its coverage of the super PAC on *The Colbert Report*) would qualify for the press exemption, as the planned production and distribution was the same as for other segments of the show.²⁴ However, if Viacom produced the independent expenditure advertisements for distribution outside the show — including as paid ads on other shows and networks or as content for the super PAC’s website — such advertisements would instead be in-kind contributions to the super PAC and would not receive a press exemption.²⁵

The Commission wrote, “[w]hile the press exemption covers press activity, it does not cover campaign activity, even if the campaign activity is conducted by a press entity.”²⁶ Providing advertisements to the super PAC outside the show itself would constitute “active participation [by Viacom] in core campaign or electioneering functions,” outside the press exemption.²⁷

Thus, applying this kind of analysis to the facts presented in SSM’s AOR, it is unclear whether the activities would constitute campaign media spending or would fall within the media exemption. Advertising through a social media site, in and of itself, is not a “core press function”; many other political actors use online advertising extensively to spread their ideology and reach new audiences. As the cases above demonstrate, it is the surrounding facts that dictate whether a behavior falls within the media exemption.

For example, if a media company were to promote a wide variety of editorial content regularly through paid social media advertising for the core function of attracting subscribers or driving advertising revenue, similar to the *Phillips Publishing* solicitation, it may make sense to extend the media exemption to political editorial content that might otherwise qualify as “campaign media spending.” However, if paid promotion of an organization’s partisan electioneering material is clearly distinct in form, approach, or style from how it treats non-political material — e.g., paid promotion is largely reserved for political editorial material that would otherwise constitute “campaign media spending” and non-political content is rarely subject to paid promotion — it likely would not qualify for the exemption, as in *Massachusetts Citizens for Life*.

In sum, we agree that the test outlined in federal case law would be an appropriate test for the Commission to adopt in its analysis of whether an organization like Star Spangled

²³ *Id.*

²⁴ *Id.* at 5-9 (applying *Massachusetts Citizens for Life*, 279 U.S. 238 at 250-1).

²⁵ *Id.*

²⁶ *Id.* at 8 (discussing *Massachusetts Citizens for Life*, 279 U.S. 238 at 251).

²⁷ *Id.* at 9.

Media qualifies for the media exemption. However, we cannot support SSM's request based on the information provided in the AOR; it simply lacks the kind of specific detail necessary for a complete and proper analysis.

B. “Business income” and “for-profit” claims warrant further investigation.

Star Spangled Media asserts that it is a “for-profit media company that is in the business of publishing and distributing original news stories, commentaries, and editorials,” but only briefly discusses a single source of revenue: grants from nonprofit organizations.²⁸ SSM attempts to categorize these grants as “ordinary business income” rather than “contributions,” and therefore, it argues, it is not a “covered person” subject to the Act.²⁹ However, SSM provides almost no information regarding these grants or other income; if SSM is engaging in campaign media spending (see discussion above), the Commission should seek additional information to assess whether such “grants” are truly ordinary business income or contributions under the Act.³⁰

Under the Act, an organization that “spend[s] only their own business income for campaign media spending” is not a “covered person.”³¹ “Business income” is defined (in the relevant portion) as “[m]onies received by a person in commercial transactions in the ordinary course of the person’s regular trade, business or investments.”³² However, an organization may not escape scrutiny for potential campaign media spending by simply identifying as a “for-profit” entity and designating all funds received as “business income” and not “contributions”; such a rule would encourage the very dark money shell games the Act was created to stop.³³

Only funds provided as payment for a good or service, or as a business investment, are business income under the Act,³⁴ and all other types of non-commercial receipts of funds constitute contributions. Indeed, the Act broadly defines “contribution” to mean “money,

²⁸ While it may indeed derive revenue from other sources, Star Spangled Media does not describe any of those sources, including the kind of traditional subscription or advertising revenues relied upon by news media. See AOR 24-05 at 4.

²⁹ AOR 24-05 at 4.

³⁰ *Id.*

³¹ A.R.S. § 16-971(7)(b)(ii).

³² A.R.S. § 16-971(1).

³³ See Ariz. Sec. of State, *Arizona 2022 General Election Publicity Pamphlet 227* (2022), https://apps.azsos.gov/election/BallotMeasures/2022/azsos_2022_publicity_pamphlet_standard_english_web_version.pdf (Section 2, Purpose and Intent outlines the goals and intent behind enacting the Act, including to “stop ‘dark money,’ the practice of laundering political contributions, often through multiple intermediaries, to hide the original source”).

³⁴ The Act also includes membership or union dues in its definition of “business income,” so long as the dues do not exceed \$5,000 from any single person in a calendar year. A.R.S. § 16-971(1)(b).

donation, gift, advance, or other thing of value, including goods or services.”³⁵ Absent other details, the alleged for-profit nature of a spender does not supersede this definition.

In *FEC v. Malenick*, an alleged for-profit marketing company named Triad was primarily funded by a single donor, Robert Cone.³⁶ Although the organization “promoted itself in various materials as a for-profit business . . . during the 1996 election cycle ‘client billing was basically nonexistent.’”³⁷ Triad spent heavily on publications promoting its favored candidates, including through written publications and fax blasts.³⁸ The contributor bankrolling much of Triad’s activities, Mr. Cone, “listed the transfers [to Triad] as gifts” and explicitly stated in his records and in testimony that the funds he provided were neither taxable deductions nor a business investment.³⁹ The court found that despite Malenick’s assertion that this was ordinary business income, “the vast majority, if not the entirety, of Cone’s financial transfers during this time were ‘contributions’ within the meaning of [FECA].”⁴⁰

Star Spangled Media has not explained how a grant from a nonprofit organization — i.e., a transfer of funds that is neither an investment nor a payment for services — constitutes a “commercial transaction[]” in the “ordinary course of [the organization’s] regular trade, business, or investments.”⁴¹ Instead, SSM’s argument hinges on its unsupported assertion that such grants are “treated like any other revenue derived from a commercial transaction” for tax purposes, concluding that since it regularly accepts such grants, it must then be “the ordinary course of [its] business” and therefore “business income” under the Act.⁴² However, as *Malenick* correctly reasons, grants or gifts to a for-profit entity may still constitute “contributions” subject to regulation if an organization engages in regulated political activity;⁴³ an entity seeking an exemption may not merely state that such funds are “business income” to avoid regulation under campaign finance laws.

Nonprofit organizations, including section 501(c)(4), (6), and (7) organizations, which do not normally reveal their donors, are a common and prolific source of “dark money” spending in

³⁵ A.R.S. § 16-971(6). In page 2 of the AOR, Star Spangled Media analogizes the Act to FECA, noting that FECA “exclude[s] the costs incurred in covering or carrying ‘any news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate’” from its definition of “contribution” and “expenditure,” but the Act defines “contribution” more broadly.

³⁶ *FEC v. Malenick*, 310 F. Supp. 2d 230, 236 (D.D.C. 2004), *reversed in part on reconsideration*, 2005 WL 58822 (reversing the Court’s initial finding that a showing of subjective intent would be necessary to brand donated funds as “contributions”).

³⁷ *Id.*

³⁸ *Id.* at 235.

³⁹ *Id.* at 236.

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² AOR 24-05 at 4

⁴³ *Malenick*, 310 F. Supp. 2d at 236.

elections by wealthy special interests.⁴⁴ The Act is designed to pierce the veil around such spending, requiring major election spenders to trace back and reveal the original sources of the funds they expend to influence Arizona elections. If an organization engaging in campaign media spending can avoid disclosing the original sources of the contributions it receives merely by recategorizing such contributions as “ordinary business income” without reliable evidence of the commercial nature of such activity, it would encourage spenders to find a “for profit” pretext to launder funds and escape regulation under the Act.

Of course, whether an entity’s income is “business income” or “contributions” only matters if that entity is engaged in campaign media spending. An entity that is not engaged in campaign media spending [or spends less than the Act’s disclosure thresholds] will have no reason to determine the particular categorization under the Act of its income.

We encourage the Commission to seek further information regarding Star Spangled Media’s sources of “business income” to the extent the Commission determines Star Spangled Media will be engaged in campaign media spending.

CONCLUSION

We thank the Commission for the opportunity to share comments regarding AOR 24-05. We would be happy to answer questions or provide additional information to assist the Commission’s development of its Advisory Opinion.

Respectfully submitted,

/s Elizabeth D. Shimek

Elizabeth D. Shimek

Senior Legal Counsel, Campaign Finance

Campaign Legal Center

1101 14th St. NW, Suite 400

Washington, DC 20005

elizabeth.shimek@campaignlegalcenter.org

⁴⁴ Roger Wieand, *Dark Money Groups Operate with Impunity While the Government Does Nothing*, CAMPAIGN LEGAL CTR. (May 6, 2022), <https://campaignlegal.org/update/dark-money-groups-operate-impunity-while-government-does-nothing>. See also, *What is Dark Money?*, OPENSECRETS (last visited Jun. 10, 2024), <https://www.opensecrets.org/dark-money/basics>.

May 28, 2024

BY EMAIL

Arizona Citizens Clean Elections Commission
1110 W. Washington St., Suite 250
Phoenix, AZ 85007
Email: ccec@azcleelections.gov

Re: Advisory Opinion Request

Dear Commissioners:

Pursuant to Rule R2-20-808 adopted by the Arizona Citizens Clean Elections Commission (“*Commission*”), we seek an advisory opinion on behalf of Star Spangled Media. Star Spangled Media seeks confirmation that (1) its intended activities do not constitute “campaign media spending” under the Voters’ Right to Know Act (“*VRKA*”); and (2) it is not a “covered person” under VRKA.

I. Background

Star Spangled Media is a for-profit limited liability company that publishes original news stories, commentaries, and editorials on its website, known as The Morning Mirror.¹ Star Spangled Media is not a registered political action committee in any state, including Arizona, nor is Star Spangled Media owned, controlled, or operated by any candidate, their spouse, or a candidate’s committee, political party, or political action committee. Star Spangled Media does not make nor accept any “contributions,” as defined by Arizona law.² Like many other news entities, Star Spangled Media’s revenue derives from grants from nonprofit organizations.³

Star Spangled Media frequently publishes content on issues of public concern, elected officials, and candidates. It retains content writers on a freelance and/or permanent basis to write articles, commentaries, and editorials. It also publishes content on sports, pop culture, and weather. Like many other media outlets, Star Spangled Media has an ideological point of view – it is left-of-center. But Star Spangled Media does not endorse or oppose any candidate for public

¹ The Morning Mirror, available at <https://www.themorningmirror.com/>.

² See A.R.S. § 16-901(11).

³ See NPR, Public Radio Finances, <https://www.npr.org/about-npr/178660742/public-radio-finances> (“NPR’s two largest revenue sources are corporate sponsorships and fees paid by NPR Member organizations to support a suite of programs, tools, and services. Other sources of revenue include institutional grants, individual contributions and fees paid by users of the Public Radio Satellite System.”); see also ProPublica, Supporters, <https://www.propublica.org/supporters> (“As a nonprofit, ProPublica relies on donor support. We are grateful to the individuals and organizations that make our work possible. Following is a list of just some of our larger donors [...].”).

office or any political party, or solicit funds for any candidate, political party, or other political organization. And Star Spangled Media puts a premium on its content being educational in nature, providing sufficient information to allow readers to develop their own perspectives notwithstanding Star Spangled Media’s left-of-center viewpoint.

To drive traffic to its website, Star Spangled Media spends funds to boost its own content on third party websites like Facebook, Google, and the websites of other news entities (“*news boosting*”). News boosting can include headlines, pull quotes, or graphics from Star Spangled Media’s news stories and commentaries, and will often feature elected officials and/or candidates. To pay for its news boosting, Star Spangled Media utilizes the same sources of revenue that it does to retain content writers to publish the underlying content.

Star Spangled Media wishes to write and publish content that refers to issues, elected officials, and candidates in Arizona in 2024, and pay for news boosting ads that likewise refer to issues, elected officials, and candidates.

II. Questions Presented

- a. Is Star Spangled Media engaged in “campaign media spending”?
- b. Is Star Spangled Media a “covered person”?

III. Legal Analysis

The Commission should answer both questions in the negative.

- a. Star Spangled Media is not engaged in “campaign media spending.”

The VRKA defines “campaign media spending” to exclude “[a] news story, commentary or editorial by any [...] website or other periodical publication that is not owned or operated by a candidate, a candidate’s spouse or a candidate committee, political party or political action committee.”⁴ The VRKA’s exemption for news stories, commentaries, and editorials mirrors the exemption found in §§ 16-911 and 16-921 of the pre-VRKA statute.⁵

The VRKA exemption is also modeled on the Federal Election Campaign Act (“*FECA*”), which directs that the terms “contribution” and “expenditure” exclude the costs incurred in covering or carrying “any news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate.”⁶ As the Federal Election Commission (“*FEC*”) observed in reviewing the legislative history of the so-called “media exemption,” Congress did not intend to “limit or burden in any way the First Amendment freedoms of the press and of association. [The exemption] assures the unfettered

⁴ A.R.S. § 16-971(2)(b)(i).

⁵ *Id.* §§ 16-911(B)(2), 16-921(B)(2).

⁶ 52 U.S.C. § 30101(9)(B)(i); 11 C.F.R. §§ 100.73, 100.132.

right of the newspapers, TV networks, and other media to cover and comment on political campaigns.”⁷

The FEC “has historically conducted a two-step analysis to determine whether the media exemption applies.”⁸ First, “the [FEC] asks whether the entity engaging in the activity is a press or media entity.”⁹ Second, “the [FEC] applies the two-part analysis presented in *Reader’s Digest Ass’n v. FEC*, 509 F. Supp. 1210, 1215 (S.D.N.Y. 1981), which requires it to establish: (A) [t]hat the entity is not owned or controlled by a political party, political committee, or candidate; and (B) [t]hat the entity is acting as a press entity in conducting the activity at issue (i.e., whether the press entity is acting in its ‘legitimate press function’).”¹⁰ We have not identified any cases in Arizona applying the media exemption. In the absence of a specific Arizona test, the Commission ought to apply the FEC’s judicially-influenced test.

Star Spangled Media’s planned activities meet the FEC’s two-part test and, as a result, should not be considered “campaign media spending.”

On the first prong – whether the entity engaging in the activity is a press or media entity – the FEC has looked at whether the “entity in question produces on a regular basis a program that disseminates news stories, commentaries, and/or editorials.”¹¹ Star Spangled Media regularly disseminates political *and* non-political news stories, commentaries, and editorials; in fact, that is its sole business function. Like other media entities, Star Spangled Media “retains editorial and formatting control over the content” of its news stories, commentaries, and editorials.¹² The fact that Star Spangled Media has an ideological viewpoint is immaterial; the FEC “does not investigate an entity’s viewpoints in determining whether it qualifies as a ‘press entity’ under the press exemption” and doing so would be plainly unconstitutional under the First Amendment.¹³ Nor are the media entity’s revenue streams material to the analysis; different media entities have different revenue streams, and the FEC has granted press exemption status to other media entities that derive funding from nonprofit organizations.¹⁴

On the second prong, Star Spangled Media is not owned, operated, or controlled by a candidate, a candidate’s spouse or a candidate committee, political party or political action committee, and accepts no funding from any such entity. Moreover, the proposed activities are part of Star Spangled Media’s legitimate press function. Disseminating news stories, commentaries, and editorials are, of course, the core function of any press entity. And purchasing advertisements to boost that content is also part of Star Spangled Media’s legitimate press function. “[W]here the underlying product is covered by the [media] exemption, so are advertisements to promote that

⁷ FEC Adv. Op. 2010-08 (*Citizens United*) at 4, quoting H.R. REP. NO. 93-1239 at 4 (1974) (emphasis added).

⁸ *Id.* at 4.

⁹ *Id.*

¹⁰ *Id.* at 4-5.

¹¹ *Id.* at 5. Likewise, the FEC “has not imposed a requirement that an entity seeking to avail itself of the press exemption first demonstrate that it has a track record of engaging in media activities.” *Id.* at n. 9.

¹² FEC Adv. Op. 2005-16 (*Fired Up*).

¹³ FEC Adv. Op. 2008-14 (*Melothé*) at 4.

¹⁴ *See, e.g.* FEC Matter Under Review 7789 (*Courier Newsroom*), First General Counsel’s Report at 7, n. 24.

underlying product.”¹⁵ And in a recent matter, the FEC determined that a progressive media outlet that boosted news stories featuring candidates was acting within its legitimate press function.¹⁶

b. Star Spangled Media is not a “covered person.”

Star Spangled Media is not a “covered person” for two reasons.

First, for the reasons set forth above, Star Spangled Media does not engage in “campaign media spending.” Therefore, it does not meet the spending threshold to qualify as a “covered person.”

Second, a “covered person” does not include “[o]rganizations that spend only their own business income for campaign media spending.”¹⁷ The term “business income” includes “[m]onies received by a person in commercial transactions in the ordinary course of the person’s regular trade, business or investments.”¹⁸ Star Spangled Media is a for-profit media company that is in the business of publishing and distributing original news stories, commentaries, and editorials. Star Spangled Media accepts funds in the ordinary course of its business from grants from nonprofit organizations that are interested in funding the type of news coverage that Star Spangled Media undertakes and building an audience for the news coverage via targeted advertising. For tax purposes, this revenue is treated like any other revenue derived from a commercial transaction. Because any funds that Star Spangled Media spends on content and news boosting are the monies it receives via these ordinary course commercial transactions, the monies would be considered “business income.” Accordingly, Star Spangled Media is not a “covered person” under the VRKA.

Sincerely,

Jonathan S. Berkon
Emma R. Anspach
Counsel to Star Spangled Media

¹⁵ FEC Adv. Op. 2010-08 at 7 (citing *Fed. Elections Comm’n. v. Phillips Publ’g*, 517 F.Supp. 1308, 1313 (D.D.C. 1981)).

¹⁶ See FEC Matter Under Review 7789, First General Counsel’s Report at 17-20.

¹⁷ *Id.* § 16-971(7)(b)(ii).

¹⁸ *Id.* § 16-971(1).

Katie Hobbs
Governor

Thomas M. Collins
Executive Director



Mark S. Kimble
Chair

Steve M. Titla
Amy B. Chan
Galen D. Paton
Christina Werther
Commissioners

State of Arizona
Citizens Clean Elections Commission

1110 W. Washington St. - Suite 250 - Phoenix, Arizona 85007 - Tel (602) 364-3477
Fax (602) 364-3487 - www.azcleelections.gov

June 27, 2024
Advisory Opinion 2024-05

Jonathan S. Berkon
Emma R. Anspach
Elias Law Group
250 Massachusetts Ave. NW, Suite 400
Washington, D.C. 20001

Dear Mr. Berkon:

We are responding to your advisory opinion request (“AOR”) on behalf of Star Spangled Media concerning whether activities by the company are “campaign media spending” and whether the company is a “covered person” under the Voter’s Right Know Act (the “Act” or the “VRKA”), A.R.S. §§ 16-971 to 16-979.

Question Presented¹

1. Is a news website that provides political and non-political coverage to the general public with a particular ideological point of view subject to the VRKA news story, commentary, and editorial exception from campaign media spending for its content and distribution plans?
2. Are grants provided to a for-profit company by nonprofits for the general underwriting of the company’s operations business income under the VRKA?

Summary answer

1. An entity that is not owned or controlled by a candidate, party, or political action committee that regularly provides news stories, commentary and editorial content is a press entity under the Federal Election Commission’s analysis, which

¹ The questions presented have been rewritten for clarity. The original questions were: 1. Is Star Spangled Media engaged in campaign media spending? and Is Star Spangled Media a covered person? AOR at 1.

the Clean Elections Commission applies here. However, considerations of form, including the limited content provided, could result in the entity becoming a covered person if it engages in campaign media spending.

2. Grants that generally underwrite a for-profit company's operations without any indicia of commercial exchange are not business income under the VRKA.

Background

The facts presented in this advisory opinion are based on your AOR received May 28, 2024 and publicly available information, including Clean Elections staff's review of the company's website themorningmirror.com.

Star Spangled Media is a for-profit limited liability company. AOR at 1. The Company operates a website called The Morning Mirror that includes "original news stories, commentaries, and editorials." *Id.* The company is not registered as a political action committee in any state. *Id.* The company is not owned, controlled or operated by any candidate, candidate's spouse, or committee and is not owned controlled or operated by a political party or political action committee. *Id.* It does not accept contributions as defined in Arizona's general regulations of campaign finances, A.R.S. § 16-901(11), but does receive "revenue derive[d] from grants from nonprofit organizations, which, the company says, is true of other "news entities."

The company states that its website maintains a "left-of-center" point of view and "frequently" publishes "content" about matters of public concern, elected officials and candidates. *Id.* It also "publishes content" on sports, pop culture, and weather. *Id.* It hires freelance and permanent writers to write articles, commentaries and editorials.

The company does not endorse candidates or parties. *Id.* at 1-2. And it does not solicit funds for candidates, parties, or other political organizations. *Id.* at 2. The company states that "puts a premium on its content being educational" and providing "sufficient information to allow readers to develop their own perspectives" regardless of the lean of the website itself. *Id.*

According to ICANN's lookup tool, the url themorningmirror.com was created on March 22, 2024. The website includes about nine stories on topics under the headings of business, health and wellness, lifestyle, and education. These include a story summarizing a Bank of America report on business attitudes, a report about left-handed baseball pitchers, and a report on how AI can help teachers

In its local section, The Morning Mirror has published a little more than 40 content items that include profile of elected officials and candidates for office, principally in Michigan and Pennsylvania. These articles appear to be written by culling quotes from the candidates from the candidates' own websites and other aggregators such as Ballotpedia and largely present those candidates biographical information along with statements about the candidate's campaign issues. It also includes links to source material, such as campaign and government websites.

Unlike many news sites, including left and right of center websites, The Morning Mirror includes no masthead, no bylines, no staff information, no contact information, no information about purchasing advertising or making donations, and no mailing or physical address. It's "[a]bout [u]s" page states "Welcome to the Morning Mirror—where reliability meets fresh insight. Stay informed with us as we deliver on the matters that impact your life." <https://www.themorningmirror.com/about-us> (last checked 6/23/2024). The website lacks a search function or any other indexing Clean Elections Commission staff could identify. Staff observed little to no indication of original reporting in the content provided.

In order to reach its audience, the company spends money to "boost" its content on social media sites like Facebook, search sites like Google, and other news websites. AOR at 2. This boosting "can include headlines, pull quotes, or graphics from Star Spangled Media's news stories or commentaries." *Id.* These boosts are paid for by the "same sources of revenue that it [uses] to retain content writers to publish the underlying content." *Id.* The only revenue the company mentions is nonprofit grants. *Id.* at 1-2.²

Legal analysis

Voters passed the VRKA as Proposition 211 at the 2022 General Election, and it was certified by Governor Doug Ducey in December 2022. The Act provides for reports by covered persons, that is, "any person whose total campaign media spending or acceptance of in-kind contributions to enable campaign media spending, or a combination of both, in an election cycle is more than \$50,000 in statewide campaigns or more than \$25,000 in any other type of campaigns." A.R.S. § 16-971(7)(a). "For the purposes of [the VRKA], the amount of a person's campaign media spending includes campaign media spending made by entities established, financed, maintained or controlled by that person." *Id.*

² A previous website that Commission staff believes to have been operated by Star Spangled Media, and reported on by the news site Axios, appears to be shuttered. Lachlan Markey, "Scoop: Progressives build massive, cloaked online powerhouse," Axios.com (March 27, 2022), <https://www.axios.com/2022/03/27/progressives-online-powerhouse-elections>.

Covered person does not include those who spend their own “business income,” a defined term that means “(a) Monies received by a person in commercial transactions in the ordinary course of the person's regular trade, business or investments [and] (b) [m]embership or union dues that do not exceed \$5,000 from any one person in a calendar year.” A.R.S. § 16-971(1)(a)-(b). And “[c]ampaign media spending” excludes “spending monies or accepting in-kind contributions to pay for . . . [a] news story, commentary or editorial by any broadcasting station, cable television operator, video service provider, programmer or producer, newspaper, magazine, website or other periodical publication that is not owned or operated by a candidate, a candidate’s spouse or a candidate committee, political party or political action committee.” A.R.S. § 16-971(2)(a), A.R.S. § 16-971(2)(b)(i).

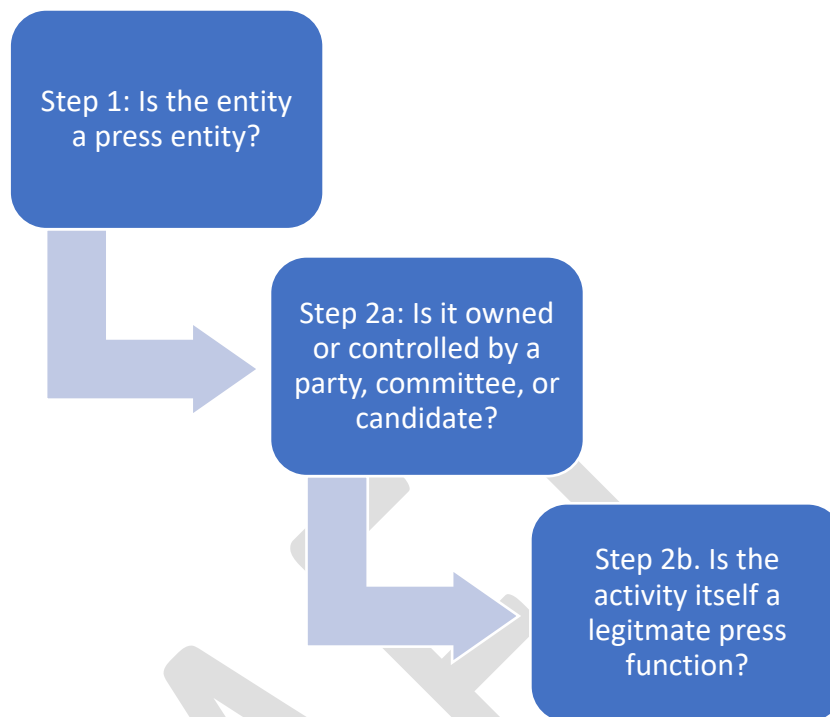
The AOR thus asks the Commission to determine whether Star Spangled Media is engaged in campaign media spending in its content and promotion and whether it is a covered person. But answering those questions turns on whether or the media exception applies.

The VRKA’s exemption for the publication of a “news story, commentary or editorial” is indistinguishable from the expenditure exception under the Federal Election Campaign Act. That exception provides that “any news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate” is not an expenditure. 52 U.S.C. § 30101(9)(B)(i). Federal regulators have provided additional guidance on this definition in regulation. See 11 C.F.R. §§ 100.73, 100.132.

The company and the public comment the Commission received agree that, in the absence of another test or regulation, Clean Elections should follow the FEC’s test for determining whether or not activity is exempt. AOR at 3, Comments of the Campaign Legal Center at 4-5. The Commission concurs based that the FEC test should apply based on the VRKA’s statutory language.

The FEC test is complicated. It is a two-part test but the second part of the test itself has two parts. *See* Figure 1. Under that the test, “[f]irst, the Commission asks whether the entity engaging in the activity is a press entity.” FEC Advisory Op. 2011-11 at *5 (Colbert) (citations omitted). “Second, the Commission applies [a] two-part analysis . . . which requires it to determine: (A) Whether the entity is owned or controlled by a political party, political committee, or candidate; and (B) Whether the entity is acting as a press entity in conducting the activity at issue (i.e., whether the press entity is acting in its “legitimate press function”).” *Id.* (citations omitted).

Fig. 1.



The first inquiry, whether the entity is a press entity is met here based on the facts presented in the AOR and Staff’s review of The Morning Mirror. The company represents that it “regularly disseminates political *and* non-political news stories, commentaries, and editorials.” AOR at 3. While its offerings are limited, staff’s review of the website confirms that there are, in fact, news stories on non-political topics on the site as well as positive profiles about candidates and elected officials. Based on its current activities the Commission concludes The Morning Mirror is a press entity.³

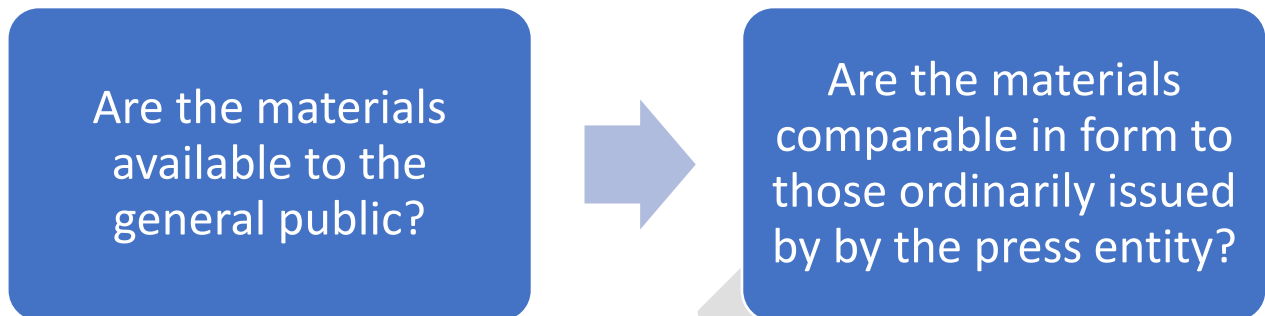
The second part of the test first requires the Commission to consider whether the entity is owned or controlled by a party, committee, or candidate. Here, based on the representations of the company, the Commission concludes that it does.

The second prong of the second test asks whether the activity in question is a legitimate press function. This, in turn, involves an additional two-part inquiry. *See* Figure 2. “The Commission considers two factors in determining whether a press entity is acting in its legitimate press function. They are (1) whether the press entity’s materials are available to the general public, and (2) whether the materials are

³ Ideology is not a factor for consideration under the FEC test. FEC Advisory Opinion 2008-14 at *4 (Melothe)

comparable in form to those ordinarily issued by the press entity.” FEC Advisory Op. 2011-11 at *6.

Fig. 2.



The Morning Mirror is available to the general public. It is a public website freely available online. The first part of the inquiry is satisfied. The second part of this inquiry is more complicated.

In evaluating the second part of this inquiry, the FEC looks at “considerations of form” and recognizes that “[w]hile the press exemption covers press activity, it does not cover campaign activity, even if the campaign activity is conducted by a press entity.” *Id.* (citing *Fed. Elections Comm’n v. Mass. Citizens for Life (MCFL)*, 479 U.S. 238, 251 (1986)). For example, the Supreme Court has held that an organization’s newsletter was not subject to the press exception where it was not published in the organization’s ordinary course of business. Relevant factors included that different printing facilities and staff were used for the publication, and it was distributed to a far larger group than the newsletter ordinarily had been. *Id.* at 7.

To support the argument that the Company falls within the media exception, the AOR comments that “in a recent matter, the FEC determined that a progressive media outlet that boosted news stories featuring candidates acted with its legitimate press function.” AOR at 4. This oversimplifies the analysis of the FEC’s General Counsel. The General Counsel in that matter focused on the fact that the subject news site “in its day-to-day operations . . . appears to have conducted itself like a typical press entity, particularly by hiring experienced reporters and providing content focusing on both electoral and non-electoral issues.” FEC MUR 7789, First Gen. Counsel’s Rep. at 14-15, available at https://www.fec.gov/files/legal/murs/7789/7789_11.pdf.

The available facts do not indicate whether The Morning Mirror does any of these things. While the fact that a publication is new does disqualify it from the media exception, the very limited non-political content compared to the larger body

of political content makes it difficult to apply the FEC's test. The profiles offer positive coverage of favored candidates and rely directly on candidate campaign websites and other candidate and official approved information. To put this in perspective, campaigns (both candidate and independent) devote significant resources to earned media. To secure a headline such as "Elizabeth Moro Pledges Lower Costs for Families, Economic Opportunities for Chester, Delaware Counties" would be a coup. <https://www.themorningmirror.com/local/elizabeth-moro-pledges-lower-costs-for-families-economic-opportunities-for-chester-delaware-counties>. A campaign that paid to "boost" that headline if it appeared in such a publication would be engaging in campaign media spending.

Because The Morning Mirror has extremely limited output, and there is no information available about its editorial process, it is impossible for the Commission to determine whether its political articles—many of which appear to be generated by using campaign created media—go through the same process as its non-political articles. In other words, under the "considerations of form" analysis, the Commission cannot conclude "there is no indication that those articles were not produced in the same manner, using the same people, and subject to the same review and distribution as its other articles." FEC MUR 7789 at 19. Thus, the Morning Mirror may be engaged in campaign media spending, rather than acting within the press exception.

Because the Commission cannot conclude the press exception applies, the Commission cannot conclude that Star Spangled Media is not a covered person and does not intend to engage in campaign media spending. Equally importantly, however, the Commission is not concluding the opposite—simply put more facts about Star Spangled Media's internal operations and news presence in Arizona would be necessary for the Commission to reach a reasoned conclusion about whether the press exception applies.

2. Business Income

An organization that spends only its own business income is not a covered person. A.R.S. 16-971(7)(b)(2). The relevant definition of business income for purposes of this request is "[m]onies received by a person in commercial transactions in the ordinary course of the person's regular trade, business or investments." A.R.S. § 16-971(1)(a).

The company describes its revenue as "grants from nonprofit organizations that are interested in funding the type of news coverage that Star Spangled Media undertakes and building an audience for the news coverage via targeted advertising" AOR at 4. This kind of general grant is akin to a gift and not a commercial

transaction as contemplated by the VRKA. For example, the AOR provides no evidence, nor does the website provide any, that a grantor receives anything in exchange for their gift. This distinguishes the grants here from underwriting for nonprofit news stations, such as public radio and television affiliates. The mere fact that a grant is revenue for tax purposes is not enough to establish that the grant is a commercial transaction.

Conclusion

A Commission advisory opinion “may be relied upon by any person involved in the specific transaction or activity with respect to which such advisory opinion is rendered, and any person involved in any specific transaction or activity which is indistinguishable in all its material aspects from the transaction or activity with respect to which such advisory opinion is rendered.” Ariz. Admin. Code R2-20-808(C)(3). A “person who relies upon an advisory opinion and who acts in good faith in accordance with that advisory opinion shall not, as a result of any such act, be subject to any sanction provided in Chapter 6.1 of Title 16.” *Id.* at (C)(4). Advisory opinions may be affected by later events, including changes in law.

Sincerely,

Mark S. Kimble
Chair

Draft Advisory Opinion 24-05

Page 5, Paragraph 2:

The second part of the test first requires the Commission to consider whether the entity is owned or controlled by a party, committee, or candidate. Here, based on the representations of the company, the Commission concludes that it does.

Change to

The second part of the test first requires the Commission to consider whether the entity is owned or controlled by a party, committee, or candidate. Here, based on the representations of the company, the Commission concludes that ~~it does none~~ of those categories of persons owns or controls the company, meeting this part of the test.

ITEM V - AO - Non Substantive Change to Proposed AO 24-05 Language