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THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona
May 22, 2025
10:00 a.m.

By: Kathryn A. Blackwelder, RPR
Certified Reporter
Certificate No. 50666

**CERTIFIED
TRANSCRIPT**

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<p>1 PUBLIC MEETING BEFORE THE CITIZENS CLEAN 2 ELECTIONS COMMISSION convened at 10:00 a.m. on May 22, 3 2025, at the State of Arizona, Clean Elections 4 Commission, 1110 West Washington, Conference Room, 5 Phoenix, Arizona, in the presence of the following 6 Board Members: 7 8 Mr. Mark Kimble, Chairman 9 Mr. Galen Paton 10 Ms. Amy Chan 11 Ms. Christina Werther 12 Mr. Steve Titla 13 14 OTHERS PRESENT: 15 Thomas M. Collins, Executive Director 16 Mike Becker, Policy Director 17 Avery Xola, Voter Education Manager 18 Alec Shaffer, Web Content Manager 19 Mary O'Grady, Osborn Maledon 20 Shayna Stuart, Taft Law 21 Cathy Herring, Meeting Planner, KCA 22 Yasmin Alvarado, Member of the Public 23 Commissioner Galen Paton's Brother, Member 24 of the Public 25</p>	<p>1 Is there a second? 2 COMMISSIONER PATON: I'll second. 3 CHAIRMAN KIMBLE: It's been moved and 4 seconded that we approve the minutes. I'll call the 5 roll. 6 Commissioner Chan. 7 COMMISSIONER CHAN: Aye. 8 CHAIRMAN KIMBLE: Commissioner Werther. 9 COMMISSIONER WERTHER: Aye. 10 CHAIRMAN KIMBLE: Commissioner Paton. 11 COMMISSIONER PATON: Aye. 12 CHAIRMAN KIMBLE: Chair votes aye. 13 The minutes are approved 4-to-nothing. 14 Item III, discussion and possible action on 15 the Executive Director's Report. 16 Tom. 17 MR. COLLINS: Yes. Thank you, Commissioners. 18 I just wanted to hit some of the highlights here. Our 19 primary -- special primary election for Congressional 20 District 7, that process is under way and we will be 21 holding debates for the Republican and Democratic 22 primaries in Tucson at the Arizona Public Media 23 studios. And we have all -- confirmation from all the 24 candidates for that, and we'll have a -- and we are -- 25 also will have a digital Voter Education Guide</p>
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<p>1 P R O C E E D I N G 2 CHAIRMAN KIMBLE: Good morning. Agenda 3 Item I is the call to order. It's 10:00 a.m. on 4 May 22nd, 2025. I call this meeting of the Citizens 5 Clean Elections Commission to order. 6 With that, we will take attendance. 7 Commissioners, please identify yourselves for the 8 record. 9 COMMISSIONER WERTHER: Christina Werther. 10 COMMISSIONER PATON: Galen Paton. 11 COMMISSIONER CHAN: Amy Chan. 12 CHAIRMAN KIMBLE: And I'm Mark Kimble. We 13 have a quorum. Four of the five of us are here. 14 Item II, discussion and possible action on 15 the minutes from the April 24th, 2025 meeting. 16 Commissioners, you have the minutes from our 17 April meeting in your packets. Is there any 18 discussion? 19 (No response.) 20 CHAIRMAN KIMBLE: Hearing none, is there a 21 motion to approve the minutes? 22 COMMISSIONER WERTHER: I motion to approve 23 the minutes for April 24th, 2025. 24 CHAIRMAN KIMBLE: Thank you, 25 Commissioner Werther.</p>	<p>1 available for that. So we are pretty excited about the 2 opportunity there. And that will, as in our debates in 3 the regular election years, that will be available to 4 be distributed widely to newspapers, radio stations, 5 television stations, and the like. 6 The -- 7 COMMISSIONER PATON: I have a couple 8 questions. 9 MR. COLLINS: Sure, please. 10 CHAIRMAN KIMBLE: Commissioner Paton. 11 COMMISSIONER PATON: So that's where PBS 12 is -- 13 MR. COLLINS: Correct. 14 COMMISSIONER PATON: -- in Tucson? 15 MR. COLLINS: Yes. Yes. 16 COMMISSIONER PATON: And are the primary 17 ones, is it on the same night, Republican and Democrat? 18 MR. COLLINS: They're on the -- I believe 19 they're on the 8th and 9th, so -- and I think it's 20 Republicans 8th, Democrats 9th. 21 COMMISSIONER PATON: Okay. 22 MR. COLLINS: And if you're interested, I 23 mean, Gina will be able to -- she's -- we'll be able to 24 follow up with you about attending -- 25 COMMISSIONER PATON: Okay.</p>


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<p>1 MR. COLLINS: -- if you're interested.</p> <p>2 CHAIRMAN KIMBLE: Thank you,</p> <p>3 Commissioner Paton.</p> <p>4 Tom.</p> <p>5 MR. COLLINS: Okay. Related to the voter</p> <p>6 education, I want to highlight this -- that the</p> <p>7 Governor signed HB2376, which will expand the Voter</p> <p>8 Education Guide that's mailed to registered voters to</p> <p>9 include county-wide and county supervisors candidates.</p> <p>10 I think this is a really good bill. It will fill in a</p> <p>11 gap that exists, and in -- especially in those</p> <p>12 non-statewide years, the voters routinely call us or</p> <p>13 call the counties and say, you know, where do I find</p> <p>14 that information. So that will -- I think that's a</p> <p>15 good addition to fill out the materials that folks are</p> <p>16 looking for there. And it passed unanimously and --</p> <p>17 and we didn't have to testify.</p> <p>18 I wanted to highlight one other bill. The</p> <p>19 Governor is going through, I don't know how many bills</p> <p>20 she has, and there are a number that are being vetoed,</p> <p>21 but this one was interesting, and it doesn't deal with</p> <p>22 us directly, but it's a bill that would -- creates a</p> <p>23 180-day deadline for filing officers to act on campaign</p> <p>24 finance complaints. So acting on them, you know, I'm</p> <p>25 not sure I know precisely what that means under the</p>	<p>1 got selected as a Flinn-Brown Fellow, so I'm going to</p> <p>2 highlight that. Deference to Gina writing this for me</p> <p>3 and -- but I'm excited about it, you know, I --</p> <p>4 COMMISSIONER CHAN: Mr. -- Mr. Chairman and</p> <p>5 Tom.</p> <p>6 If I could just congratulate you on that,</p> <p>7 Tom. That is such an accomplishment and an honor and</p> <p>8 well deserved. And I know that Gina has been a</p> <p>9 proponent of this, and it's a wonderful opportunity,</p> <p>10 and so wanted to recognize that as well. It's just</p> <p>11 exciting for -- that she has been a part of it for so</p> <p>12 long, and that now you'll be able to -- to be a part of</p> <p>13 it as well. So congrats.</p> <p>14 CHAIRMAN KIMBLE: Yeah. And I join that,</p> <p>15 Amy. And it's worth pointing out that -- that the</p> <p>16 office has had several previous recipients, including</p> <p>17 Gina and Avery.</p> <p>18 MR. COLLINS: Yeah. And I --</p> <p>19 COMMISSIONER CHAN: Oh, my gosh. Did not</p> <p>20 mean to leave out Avery. My apologies. Thank you,</p> <p>21 Mr. Chairman.</p> <p>22 MR. COLLINS: Yeah. No, that's right. And I</p> <p>23 assume we'll have more in the future too.</p> <p>24 It looks like Commissioner Titla has his hand</p> <p>25 up.</p>
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<p>1 statute, but the effect of it is that if the -- if a</p> <p>2 filing officer just doesn't do anything with the</p> <p>3 complaint within a certain period of time, then it</p> <p>4 essentially -- it gets dismissed by operation of law.</p> <p>5 It also allows the filing officer to keep that clock</p> <p>6 going, extend that clock if they need to. So it</p> <p>7 doesn't affect us directly, but it is kind of</p> <p>8 interesting.</p> <p>9 For purposes of what we do under the Clean</p> <p>10 Elections Act, we have -- our deadlines operate</p> <p>11 differently. We have a -- if we don't take action on a</p> <p>12 Clean Elections Act complaint or we don't take action</p> <p>13 on a -- at all on a -- and when I say "action," we</p> <p>14 don't -- we -- staff action on a voter protection -- a</p> <p>15 voter --</p> <p>16 MR. BECK: Right to Know.</p> <p>17 MR. COLLINS: -- Voters' Right to Know Act</p> <p>18 complaint, then some people -- or, in the case of a</p> <p>19 voter -- Voters' Right to Know Act, any -- any voter</p> <p>20 can file an action against the Commission for not</p> <p>21 acting. So it was a little different incentive</p> <p>22 structure there. But it also -- it also applies to all</p> <p>23 filing officers, not just the Secretary of State's</p> <p>24 Office.</p> <p>25 Gina was nice enough to write up this -- I</p>	<p>1 COMMISSIONER TITLA: Yeah. Chairman, this is</p> <p>2 Steve Titla. I just joined. Tried to get on earlier,</p> <p>3 but -- thanks.</p> <p>4 CHAIRMAN KIMBLE: Thank you, Commissioner</p> <p>5 Titla. The record will show that you've joined us now</p> <p>6 and we have all five Commissioners present.</p> <p>7 Tom, do you want to continue?</p> <p>8 MR. COLLINS: Yeah. Yeah. I wanted to also</p> <p>9 highlight the other voter education work that is</p> <p>10 happening. And we just got through the last local</p> <p>11 election, so we'll be transitioning to the CD7, so</p> <p>12 that one -- that one had some interesting results, if</p> <p>13 anybody is paying attention to the Glendale Resort</p> <p>14 vote, if anyone has that -- that's undecided, I think,</p> <p>15 as of now. But Alec has been managing to -- that and</p> <p>16 keeping that up.</p> <p>17 And then Gina and Avery have been working</p> <p>18 with a variety of civics partners to work on how</p> <p>19 everyone can kind of coordinate the various events that</p> <p>20 are coming on the calendar.</p> <p>21 And the second episode of Beyond the Ballot</p> <p>22 AZ is up, and it's really kind of an interesting one,</p> <p>23 if you get a chance to listen to it. I -- I recommend</p> <p>24 all of you -- I mandate, if I can, and urge those who I</p> <p>25 can't to -- to listen to it and subscribe. This one is</p>

<p style="text-align: right;">Page 10</p> <p>1 great because it's a -- and I didn't know this. But 2 prior to 1988 in Arizona, the Arizona Constitution 3 specified that a statewide officeholder had to be a 4 man. And the Legislature put on, with the backing of 5 the Arizona Chamber, a measure to take that language 6 out, even though it was already essentially obviated by 7 other aspects of the Constitution, to recognize that 8 Governor Mofford had become Governor.</p> <p>9 And it -- and it's really kind of a thing I 10 didn't know. And we did an interview with an ASU law 11 professor named Erin Scharff, who is very good at 12 talking about this content and -- I -- I don't know. 13 It's very nerdy, but -- but -- you didn't know that, 14 did you?</p> <p>15 CHAIRMAN KIMBLE: I don't believe I did. 16 I --</p> <p>17 MR. COLLINS: See.</p> <p>18 CHAIRMAN KIMBLE: It sounds vaguely familiar, 19 but I --</p> <p>20 MR. COLLINS: I didn't believe it. When 21 the -- when the -- when the production team brought it 22 to us, I -- I didn't believe them.</p> <p>23 CHAIRMAN KIMBLE: Astounding.</p> <p>24 MR. COLLINS: Anyway, the biennial 25 adjustments are out from the Secretary's Office,</p>	<p style="text-align: right;">Page 12</p> <p>1 confidentiality, essentially, happening, that the -- 2 and so a lot of the argument spent -- one of the -- the 3 sort of most engaged sort of interlocutor on the -- on 4 the panel spent a lot of time sort of talking about, 5 well, what if somebody puts money -- X-dollars into 6 a -- into some organization, and that money later ends 7 up in -- with an organization they don't like and that 8 becomes revealed.</p> <p>9 And sort of the issue is, well, on the one 10 hand -- their argument that the AFP makes is that 11 that's somehow forced association. But the association 12 has happened. You know, that's the -- it's the 13 question of whether or not they have a right to have 14 that association remain private, right. The fact it 15 gets revealed is a fact that exists. So, anyways, it's 16 kind of an interesting argument. I thought it was -- I 17 thought -- I think if you want to understand the 18 statute and the issues, the First Amendment issues, 19 it's worth watching.</p> <p>20 And that's -- I believe that completes the 21 report.</p> <p>22 COMMISSIONER PATON: I have a question about 23 the biennial --</p> <p>24 MR. COLLINS: Oh, sure.</p> <p>25 COMMISSIONER PATON: -- adjustments.</p>
<p style="text-align: right;">Page 11</p> <p>1 that's -- and that's important.</p> <p>2 And then -- and then the only -- I think the 3 other thing that I wanted to mention directly is that 4 we had the oral argument in the 9th Circuit on the Prop 5 211 case. That -- that's a much more straightforward 6 First Amendment claim by the -- a group called 7 Americans for Prosperity. You know, essentially 8 they -- it's a wide-ranging legal complaint and, you 9 know, the argument in the, you know --</p> <p>10 You know, it's hard -- it's hard to predict 11 and we couldn't -- you know, and we won't know for some 12 time what the -- what the 9th Circuit will do, but, you 13 know, I -- I watched it, and Commissioner Kimble 14 attended as well, and, I mean, I felt very comfortable 15 with -- with how our attorney, Eric Fraser, presented 16 our arguments. And so we'll see -- we'll see -- we'll 17 see what happens there.</p> <p>18 Just to spend a second more on this, there's 19 a -- this is really a case about whether or not you 20 have a First Amendment right to just basically have 21 your donors be essentially confidential and whether or 22 not the donors have a right to have their relationship 23 with the upstream users of their money confidential, 24 right.</p> <p>25 So there's two -- there's two types of</p>	<p style="text-align: right;">Page 13</p> <p>1 CHAIRMAN KIMBLE: Commissioner Paton.</p> <p>2 COMMISSIONER PATON: When -- when is the 3 Lieutenant Governor going to happen?</p> <p>4 MR. COLLINS: So -- so this is interesting. 5 So, Mr. Chairman, Commissioner Paton, the Lieutenant 6 Governor doesn't have a -- an office identified in the 7 Commission -- in the -- in the statute. And the 8 assumption -- and I've got to be honest with you. 9 That's a really good question, because we may have to 10 look -- may have to find the answer. I don't know how 11 the regular campaign finance system is going to assume 12 that.</p> <p>13 In the federal system, the President and Vice 14 President are part of the same account. It's a 15 presidential campaign account, and when the Vice 16 President becomes -- is identified as the Vice 17 President, they're essentially just wrapped up in the 18 President's account. And I assume that that's -- that 19 that's the case.</p> <p>20 Although, you know, now that you mention it, 21 I suspect that, if there's an opportunity for people to 22 raise additional funds and get an extra limit, they 23 might try to do that. So -- so I will follow up on 24 that. I don't know the answer. But for Clean 25 Elections purposes, there's not additional money</p>

<p style="text-align: right;">Page 14</p> <p>1 because of the --</p> <p>2 COMMISSIONER PATON: Well, when is -- when</p> <p>3 are we voting for them, the next time or --</p> <p>4 MR. COLLINS: Oh, 2026, yeah. Yeah, there</p> <p>5 will be --</p> <p>6 COMMISSIONER PATON: So you would think that</p> <p>7 would be in there.</p> <p>8 MR. COLLINS: Well, we'd have -- they'd have</p> <p>9 to amend the Clean Elections Act, which they are</p> <p>10 unlikely to do for that purpose. But I think it's an</p> <p>11 interesting question in general that I hadn't thought</p> <p>12 about, so we can -- we can look at that, because it'll</p> <p>13 be interesting to find out.</p> <p>14 CHAIRMAN KIMBLE: Interesting point.</p> <p>15 Any other questions or discussions from the</p> <p>16 Commission?</p> <p>17 (No response.)</p> <p>18 CHAIRMAN KIMBLE: Thank you, Tom.</p> <p>19 Item IV is discussion and possible action on</p> <p>20 MUR 25-03 and proposed repayment order from Monica</p> <p>21 Timberlake, 2024 participating candidate for State</p> <p>22 Legislature.</p> <p>23 The next item is the Executive Director's</p> <p>24 request that the Commission issue an order requiring a</p> <p>25 candidate to repay Clean Elections funds and make a</p>	<p style="text-align: right;">Page 16</p> <p>1 view on why we are where we are. I'm going to share</p> <p>2 this with you and then -- for you to review. It's two</p> <p>3 pages.</p> <p>4 CHAIRMAN KIMBLE: Tom, can you briefly</p> <p>5 summarize --</p> <p>6 MR. COLLINS: Yeah, I will.</p> <p>7 CHAIRMAN KIMBLE: -- this for people who</p> <p>8 don't have a copy of it?</p> <p>9 MR. COLLINS: Sure. Sure. So, you know,</p> <p>10 the -- the e-mail we got basically outlines that the</p> <p>11 candidate, respondent has had some health issues of a</p> <p>12 variety of kinds and -- and is -- therefore, was not</p> <p>13 able to, in their view, communicate with us over the</p> <p>14 past, I want to say, six months maybe.</p> <p>15 MR. BECK: At least six months.</p> <p>16 MR. COLLINS: Yeah, six months. So we -- and</p> <p>17 she also, you know, says that she will be able to start</p> <p>18 working on getting everything filed and turned in as</p> <p>19 soon -- starting at the beginning of June. So that's</p> <p>20 -- that's the upshot.</p> <p>21 From a staff perspective, the way we think</p> <p>22 about this is we've had -- you know, we've had</p> <p>23 situations that have come up where folks have ignored</p> <p>24 us, not sent us an e-mail ahead of the meeting, we have</p> <p>25 had a situation where people filed something before the</p>
<p style="text-align: right;">Page 15</p> <p>1 reason to believe determination related to a</p> <p>2 participating candidate's financial reports and</p> <p>3 records. We'll hear first from the Executive Director,</p> <p>4 followed by Monica Timberlake or her representative, if</p> <p>5 either are present.</p> <p>6 Tom.</p> <p>7 Oh, let me just mention one other thing.</p> <p>8 Shayna Stuart is here and will serve as the</p> <p>9 Commission's independent advisor for this matter. So</p> <p>10 if any of you have any legal questions, please direct</p> <p>11 them to Shayna.</p> <p>12 Okay, Tom.</p> <p>13 MR. COLLINS: Commissioners, thank you. I --</p> <p>14 just as a -- as a -- you probably had a chance to read</p> <p>15 over the memo and the proposed repayment order. The --</p> <p>16 excuse me. The factual template here is essentially --</p> <p>17 it's similar to what we've had with some of the -- with</p> <p>18 some other matters. The candidate didn't -- received</p> <p>19 funding, stopped filing campaign finance reports, and</p> <p>20 then declined to communicate effectively with either</p> <p>21 the auditors or the staff.</p> <p>22 I will say, just to -- just for your</p> <p>23 purposes, and I have it for you if you would like, we</p> <p>24 have an e-mail we received this morning from</p> <p>25 Ms. Timberlake where she sort of outlines her point of</p>	<p style="text-align: right;">Page 17</p> <p>1 meeting. And this is sort of in a -- we've got a --</p> <p>2 where we've got an e-mail saying, here is what's going</p> <p>3 on, but no -- and no filing of any kind associated with</p> <p>4 this. So the staff inclination is that the framework</p> <p>5 we have facilitates us moving ahead, regardless, and</p> <p>6 gives us, I think, the mechanism to ensure that we're</p> <p>7 able to hold the candidate to a schedule.</p> <p>8 So our inclination is -- I mean, based on</p> <p>9 where we are at, is that we don't have any filing, any</p> <p>10 representation around the -- at all around the use of</p> <p>11 the funds. We don't have a firm -- you know, we have a</p> <p>12 -- we have a statement along the lines of, I'm going to</p> <p>13 work on this starting this day for as long as it takes,</p> <p>14 but that's not like a I will have this done by X date.</p> <p>15 And then I think that, as sympathetic as we want to be</p> <p>16 to candidates who have issues of various kinds, you</p> <p>17 know, it just doesn't amount to, for us, a sufficient</p> <p>18 basis for us to sort of ask you to pause on this.</p> <p>19 What we instead would like to do is to have</p> <p>20 -- we would -- we would ask that you make -- determine</p> <p>21 that there is reason to believe, as outlined in the</p> <p>22 memo, on the failure to file and the -- and the various</p> <p>23 accounting issues and that you approve the repayment</p> <p>24 order. You know, I mean, those are -- the repayment</p> <p>25 order is a real thing. I mean, it's -- I mean, I don't</p>

<p style="text-align: right;">Page 18</p> <p>1 want to -- I don't want to leave you with the 2 impression that it's not a real action. It is, and 3 it's an appealable agency action. That's a serious 4 thing. But I don't -- I just don't feel that we're in 5 a position as staff members to just kind of hope that 6 we hear something in a month at this point. 7 CHAIRMAN KIMBLE: And just -- just to be 8 clear -- just to be clear, according to the time stamp 9 on this, this e-mail was received 8:00 this morning, 10 two hours before the start of the -- of the meeting -- 11 MR. COLLINS: Yeah. 12 CHAIRMAN KIMBLE: -- after not hearing from 13 her for months? 14 MR. COLLINS: Correct. 15 CHAIRMAN KIMBLE: Okay. Any questions or 16 comments from Members of the Commission? 17 COMMISSIONER PATON: I would just say that 18 this is -- I'm -- I'm beyond frustrated with these 19 different instances. And the time of no getting back 20 to us, dealing with the auditors, anything, is quite 21 frustrating to me and I think we should proceed with 22 this. 23 CHAIRMAN KIMBLE: Let me -- 24 COMMISSIONER CHAN: Mr. Chairman. 25 CHAIRMAN KIMBLE: Let me just say,</p>	<p style="text-align: right;">Page 20</p> <p>1 issue. And when they just ghost us or send incomplete 2 material or just vanish, it's totally unacceptable. 3 Any other comments or -- 4 COMMISSIONER PATON: Yes. 5 CHAIRMAN KIMBLE: Commissioner Paton. 6 COMMISSIONER PATON: I mean, the election was 7 November 5th, and this is the middle of May, and -- 8 and, you know, I guess I've said what I needed to say. 9 CHAIRMAN KIMBLE: Any other Members of the 10 Commission wish to make any comments? 11 (No response.) 12 CHAIRMAN KIMBLE: Any Member of the 13 Commission wish to make a motion? 14 Commissioner Werther. 15 COMMISSIONER WERTHER: I move to approve the 16 Executive Director's recommendation that a reason to 17 believe violation of the Clean Elections Act and rules 18 has occurred in the action MUR 25-03 and also approve 19 the proposed repayment order. 20 CHAIRMAN KIMBLE: Thank you very much, 21 Commissioner Werther. 22 Is there a second? 23 COMMISSIONER PATON: I'll second it. 24 CHAIRMAN KIMBLE: Thank you, 25 Commissioner Paton.</p>
<p style="text-align: right;">Page 19</p> <p>1 Commissioner Paton, I completely agree with you. It's 2 very frustrating. 3 Commissioner Chan. 4 COMMISSIONER CHAN: Thanks, Mr. Chairman. I 5 echo Commissioner Paton's comments and yours. I have 6 been dismayed to see that people ignore staff's 7 attempts to help them come into compliance and only 8 respond when it becomes more of a legal liability for 9 them. I don't recall this being so common years ago. 10 Maybe -- maybe I've got rainbow colored glasses on with 11 my memories, but -- and while I sympathize with the, 12 you know, reasons presented by this particular 13 participating candidate, I -- I support going forward 14 with the vote today and support approving the repayment 15 order. 16 CHAIRMAN KIMBLE: Thank you, 17 Commissioner Chan. And I -- I agree with you. It 18 seems like this is something that's -- I don't know if 19 it's gotten worse, but it's certainly gotten more 20 frequent in this past election. 21 We have contracts, essentially, with 22 candidates that we will provide them public funds, and 23 in return they will use those funds in an appropriate 24 manner in their campaign and -- and account to us on 25 how they spent it, and it's kind of a black and white</p>	<p style="text-align: right;">Page 21</p> <p>1 It's been moved and seconded that we approve 2 the Commissioner -- the Executive Director's 3 recommendation in MUR 25-03 and the proposed repayment 4 order. I will call the roll. 5 Commissioner Werther. 6 COMMISSIONER WERTHER: Aye. 7 CHAIRMAN KIMBLE: Commissioner Paton. 8 COMMISSIONER PATON: Aye. 9 CHAIRMAN KIMBLE: Commissioner Chan. 10 COMMISSIONER CHAN: Aye. 11 CHAIRMAN KIMBLE: Commissioner Titla. 12 COMMISSIONER TITLA: Aye. 13 CHAIRMAN KIMBLE: Chair votes aye. 14 The motion is approved unanimously, 15 5-to-nothing. 16 Thank you, Tom. 17 Item V, discussion and possible action on 18 rulemaking related to participating candidate campaign 19 finance reporting, repayment, and release of Clean 20 Elections funds to participating candidates. 21 Commissioners, before you is a rulemaking 22 proposal developed by staff. It is designed to 23 emphasize participating candidates' obligations to file 24 timely and accurate campaign finance reports by, 25 number one, requiring candidates to submit an</p>

<p style="text-align: right;">Page 22</p> <p>1 additional attestation regarding the completeness and 2 accuracy of their reports before receiving funds, and 3 number two, placing candidates on notice that failure 4 to file timely reports after receiving funding may 5 result in a presumption that the funds have not been 6 used in accordance with the Act and rules. 7 Tom, is there anything you want to add to 8 this? 9 MR. COLLINS: Mr. Chairman, Commissioners, I 10 just want to add, you know, so this is designed -- one 11 of -- one of other -- and there may be others, but this 12 is our initial stab at trying to address the concerns 13 that you all have expressed, and correctly expressed. 14 From our perspective as staff members, the 15 issues with reporting, and particularly the audit, are 16 new. You know, if someone was late, usually the audit 17 will get them, you know -- you know, get them -- get 18 their attention. And for whatever reason, and we don't 19 know the reason, that has not been the case. You know, 20 I'm really not in a position where I can talk too much 21 about the merits of the cases we have, obviously, but 22 I -- but I -- but nevertheless, I think that, broadly 23 speaking, there are different reasons in every case, 24 and that's interesting in itself. I mean, so there's 25 not like a -- we're not aware of like a -- I can't</p>	<p style="text-align: right;">Page 24</p> <p>1 affirm that their reporting to that point is correct 2 and they understand everything, I think -- you know, 3 they do sign the contract at the beginning of the 4 process. You know, I'm just -- I'm hopeful that, you 5 know, an additional, essentially, certification, you 6 know, which amounts to -- it really amounts to -- when 7 you -- it would amount to, when you get the check 8 itself, you're signing off -- I mean, before you get 9 the check, you're just signing off, just so you know, 10 this is what you agreed to. If you've forgotten what 11 you agreed to back in -- 12 And also, the way we've written the rule, it 13 has specific points of emphasis that we are concerned 14 about, particularly, you know, the -- an issue we have 15 worked on on and off for decades is how to address, you 16 know, the -- how to address the role that consultants 17 play as sort of umbrella, you know, spenders. And 18 we've done several iterations of that over the years, 19 but this one at least wants to bring that up again and 20 say, hey, you know, if you're going to use a 21 consultant, you need to make sure that -- a complete 22 report will be a report that will make sure that all of 23 the related expenses that should be reported under that 24 consultant's expenditures are there, so... 25 CHAIRMAN KIMBLE: Thank you.</p>
<p style="text-align: right;">Page 23</p> <p>1 divine, from the information we have, some -- some 2 specific theme. 3 But systemically, you know, one of the -- one 4 of the issues is that the Clean Elections funding is 5 not distributed on a timeline that accords with the 6 campaign finance reports. So if you qualify on Monday, 7 and the report was -- or, I should say this another 8 way. If the period -- if the -- if the reporting 9 period closes on Monday and you are funded on Tuesday, 10 we're not going to hear from you until -- until, you 11 know, some weeks later. And it -- and it's -- and so 12 by the time -- you know, so essentially time will have 13 lapsed. 14 Anyways, and so the presumption we're putting 15 in place here would do two -- would serve to, A, 16 provide a clear notice to the candidates that, you 17 know, these -- these failure to files are -- are going 18 to have meaning in the context of Clean Elections, and 19 we think that itself may remedy the situation. In 20 other words, because the last thing I would think a 21 candidate would want to do in the middle of a -- in the 22 middle of a campaign is have to deal with a repayment 23 order. I mean, that would be a serious -- it's not a 24 meaningless thing. 25 And then I think that asking them to sort of</p>	<p style="text-align: right;">Page 25</p> <p>1 Are there any comments or questions from 2 Members of the Commission? 3 (No response.) 4 CHAIRMAN KIMBLE: Hearing none, do we have a 5 motion to publish this proposed rulemaking for public 6 comment? 7 COMMISSIONER WERTHER: I move to publish this 8 proposed rulemaking for comment. 9 CHAIRMAN KIMBLE: Thank you, 10 Commissioner Werther. 11 Is there a second? 12 COMMISSIONER PATON: Second it. 13 CHAIRMAN KIMBLE: It's been moved and 14 seconded that we propose this proposed -- publish this 15 proposed rulemaking for public comment. I will call 16 the roll. 17 Commissioner Werther. 18 COMMISSIONER WERTHER: Aye. 19 CHAIRMAN KIMBLE: Commissioner Paton. 20 COMMISSIONER PATON: Aye. 21 CHAIRMAN KIMBLE: Commissioner Chan. 22 COMMISSIONER CHAN: Aye. 23 CHAIRMAN KIMBLE: Commissioner Titla. 24 COMMISSIONER TITLA: Aye. 25 CHAIRMAN KIMBLE: Chair votes aye.</p>

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<p>1 The motion is approved 5-to-nothing.</p> <p>2 Item VI, public comment. This is the time</p> <p>3 for consideration of comments and suggestions from the</p> <p>4 public. Action taken as a result of public comment</p> <p>5 will be limited to directing staff to study the matter</p> <p>6 or rescheduling the matter for further consideration</p> <p>7 and decision at a later date or responding to</p> <p>8 criticism. Please limit your comment to no more than</p> <p>9 two minutes.</p> <p>10 Does any member of the public wish to make</p> <p>11 comments at this time? Anyone on Zoom?</p> <p>12 (No response.)</p> <p>13 CHAIRMAN KIMBLE: Hearing none, the public</p> <p>14 may also send comments to the Commission by e-mail at</p> <p>15 ccec@azccleanelections.gov.</p> <p>16 Before we move to adjourn, Tom has an</p> <p>17 addition that we need to make to the motion on the</p> <p>18 rulemaking.</p> <p>19 MR. COLLINS: No. No. No. I'm sorry. It's</p> <p>20 just the dates that -- the proposed dates.</p> <p>21 COMMISSIONER WERTHER: We just skipped them.</p> <p>22 MR. COLLINS: Yeah.</p> <p>23 CHAIRMAN KIMBLE: Oh, we skipped them. Okay.</p> <p>24 Proposed meeting dates for the Commission</p> <p>25 from July through December. First of all, we are</p>	<p>1 Commissioner Werther.</p> <p>2 COMMISSIONER WERTHER: Aye.</p> <p>3 CHAIRMAN KIMBLE: Commissioner Paton.</p> <p>4 COMMISSIONER PATON: Aye.</p> <p>5 CHAIRMAN KIMBLE: Commissioner Chan.</p> <p>6 COMMISSIONER CHAN: Aye.</p> <p>7 CHAIRMAN KIMBLE: Commissioner Titla.</p> <p>8 COMMISSIONER TITLA: Aye.</p> <p>9 CHAIRMAN KIMBLE: Chair votes aye.</p> <p>10 We are adjourned. Thank you.</p> <p>11 (The meeting concluded at 10:32 a.m.)</p>
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<p>1 meeting in June on -- what day are we meeting in June?</p> <p>2 COMMISSIONER WERTHER: That's a good</p> <p>3 question. The 26th.</p> <p>4 CHAIRMAN KIMBLE: We're meeting June 26th,</p> <p>5 and then after that we will be meeting on July 17th,</p> <p>6 August 28th, September 25th, October 23rd,</p> <p>7 November 20th, and December 11th, so mark your</p> <p>8 calendars. The Commission meetings will be held always</p> <p>9 on Thursday and scheduled to begin at 10:00 a.m. The</p> <p>10 schedule is subject to change, but this is the dates we</p> <p>11 now have.</p> <p>12 Okay. Is there a motion to adjourn?</p> <p>13 COMMISSIONER WERTHER: Do we need to take a</p> <p>14 motion on those or no?</p> <p>15 MR. COLLINS: We -- we have, but, you know,</p> <p>16 there's not actually a -- there's not actually a strict</p> <p>17 requirement.</p> <p>18 COMMISSIONER WERTHER: Okay. I motion to</p> <p>19 adjourn.</p> <p>20 CHAIRMAN KIMBLE: Thank you,</p> <p>21 Commissioner Werther.</p> <p>22 Is there a second?</p> <p>23 COMMISSIONER PATON: I'll second.</p> <p>24 CHAIRMAN KIMBLE: There's been a motion to</p> <p>25 adjourn that's been seconded. I will call the roll.</p>	<p>1 STATE OF ARIZONA)</p> <p>2) ss.</p> <p>3 COUNTY OF MARICOPA)</p> <p>4</p> <p>5 BE IT KNOWN that the foregoing proceedings</p> <p>6 were taken by me; that I was then and there a Certified</p> <p>7 Reporter of the State of Arizona; that the proceedings</p> <p>8 were taken down by me in shorthand and thereafter</p> <p>9 transcribed into typewriting under my direction; that</p> <p>10 the foregoing pages are a full, true, and accurate</p> <p>11 transcript of all proceedings had and adduced upon the</p> <p>12 taking of said proceedings, all to the best of my skill</p> <p>13 and ability.</p> <p>14</p> <p>15 I FURTHER CERTIFY that I am in no way related</p> <p>16 to nor employed by any of the parties hereto nor am I</p> <p>17 in any way interested in the outcome hereof.</p> <p>18</p> <p>19 DATED at Tempe, Arizona, this 23rd day of</p> <p>20 May, 2025.</p> <p>21</p> <p>22 </p> <p>23 Kathryn A. Blackwelder, RPR</p> <p>24 Certified Reporter #50666</p> <p>25</p>

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