



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

Location: Citizens Clean Elections Commission

1616 West Adams, Suite 110

Phoenix, Arizona 85007

Date: Thursday, April 20, 2017

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 April 20, 2017. This meeting will be held at 9:30 a.m., at the Citizens Clean Elections Commission, 1616 West Adams, Suite 110, Phoenix, Arizona 85007. The meeting may be available for live streaming online at www.livestream.com/cleanelections. Members of the Citizens Clean Elections Commission will attend either in person or by telephone, video, or internet conferencing.

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.

The agenda for the meeting is as follows:

- I. Call to Order.
- II. Discussion and Possible Action on Commission Minutes for March 23, 2017 meeting.
- III. Discussion and Possible Action on Executive Director's Report.
- IV. Discussion and Possible Action on Interagency Service Agreements with the Arizona Secretary of State's office.

The Commission may choose to go into executive session on Item IV for discussion or consultation with its attorneys to consider its position and instruct its attorneys regarding the public body's position regarding contracts, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. A.R.S. § 38-431.03(A)(4).

- V. Discussion of Rule Amendment Proposals approved for Public Comment on February 23:
 - A. A.A.C. R2-20-702(B)

1. Option A – Ban on expenditures to political parties with clean elections funding.
 2. Option B – Limit on expenditures to political parties of clean elections funding to voter information and political event fees.
 3. Option C – Restriction of expenditures to political parties for campaign expenditures and additional documentation requirements.
- B. A.A.C. R2-20-703.01 – Regulation of payments to Campaign Consultants by Participating candidates.

The Commission may vote to go into executive session for the purpose of obtaining legal advice on Item V of the agenda, pursuant to A.R.S. § 38-431.03 (A)(3).

- VI. Discussion and Possible Action on the 5 Year Review Report submitted to Governor’s Regulatory Review Council and Related Matters.

The Commission may choose to go into executive session on Item VI for consultation with its attorneys regarding pending or contemplated litigation in order to consider its positions and instruct its attorneys. A.R.S. § 38-431.03(A)(4).

- VII. Discussion and Possible Action on Final Audit Approval for the following Participating Candidates for the 2016 election cycle:

- A. Becky Nutt
- B. John Wilson
- C. Larry Herrera
- D. Noel Campbell
- E. Sharon Stinard
- F. Steven Weichert
- G. Tom Chabin
- H. Tonya MacBeth

- VIII. Discussion and Possible Action on 2017 Legislative Agenda and items including update on bills affecting clean elections, elections general, and administrative law.

- IX. 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.

X. 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, 1616 West Adams, Suite 110, Phoenix, Arizona 85007.

Dated this 18th day of April, 2017.

Citizens Clean Elections Commission
Thomas M. Collins, Executive Director

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 STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona

March 23, 2017

9:32 a.m.

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<p style="text-align: right;">Page 2</p> <p>1 PUBLIC MEETING BEFORE THE CITIZENS CLEAN 2 ELECTIONS COMMISSION convened at 9:32 a.m. on March 23, 3 2017, at the State of Arizona, Clean Elections 4 Commission, 1616 West Adams, Conference Room, Phoenix, 5 Arizona, in the presence of the following Board members: 6 7 Mr. Steve M. Titla, Chairperson 8 Mr. Mark S. Kimble 9 Mr. Damien Meyer 10 Ms. Amy B. Chan 11 Mr. Galen D. Paton 12 13 OTHERS PRESENT: 14 Thomas M. Collins, Executive Director 15 Paula Thomas, Executive Officer 16 Sara Larsen, Financial Affairs Officer 17 Gina Roberts, Voter Education Manager 18 Mike Becker, Policy Director 19 Alec Shaffer, Web Content Manager 20 Amy Jicha, Legal Admin and VE Intern 21 Michele Reagan, Secretary of State 22 Bill Maaske, SOS CIO 23 Garrett Archer, SOS Senior Analyst 24 Joe Larue, AZ Attorney General's Office 25 Kara Karlson, AZ Attorney General's Office Rivko Knox, LWV/AZ Christina Caviglea, Riester Christina Borrego, Riester Mary Jo Pitzel, Arizona Republic Mary O'Grady, Osborn Maledon</p>	<p style="text-align: right;">Page 4</p> <p>09:33:48-09:34:51</p> <p>1 Meyer. 2 All in favor say aye. 3 (Chorus of ayes.) 4 CHAIRMAN TITLA: Opposed? 5 (No response.) 6 CHAIRMAN TITLA: Abstain? 7 (No response.) 8 CHAIRMAN TITLA: Motion passes unanimously. 9 We'll go to Number III, discussion and 10 possible action on Executive Director's Report. 11 MR. COLLINS: Thank you, Mr. Chairman, 12 Members. I apologize for being a little late. Traffic 13 was little trickier than I expected. 14 One thing I wanted to really quickly 15 mention is that we congratulate Gina Roberts who has 16 been promoted to the Director of Voter Education and 17 Alec Shaffer has been promoted to Web Content Manager. 18 Those were both effective on January 28th. I think 19 that that's a recognition that they've been doing the 20 hard work to build out the voter education functions 21 that we have, and Gina's leadership in building 22 partnerships around the state has been important and 23 crucial. And I think -- and she's increasingly 24 recognized as an expert even in the legislative process 25 on how, you know, the processes of voter education</p>
<p>09:32:23-09:33:45</p> <p style="text-align: right;">Page 3</p> <p>1 PROCEEDING 2 3 CHAIRPERSON TITLA: The Citizens Clean 4 Election Commission meeting is called to order, 5 Thursday, March 23rd, 9:32 a.m. 6 On the agenda we have, Number I, call to 7 order. 8 II is discussion and possible action on 9 Commission minutes for February 23rd, 2017. 10 Is there any discussion on this, 11 Commissioners? 12 (No response.) 13 CHAIRMAN TITLA: Okay. Is there any action 14 on the minutes? 15 COMMISSIONER KIMBLE: Mr. Chairman? 16 CHAIRMAN TITLA: Yeah, Commissioner Kimble? 17 COMMISSIONER KIMBLE: I move that we 18 approve the minutes for the February 23rd, 2017 19 meeting. 20 CHAIRMAN TITLA: Okay. There's a motion by 21 Commissioner Kimble to approve the minutes of 22 February 23rd, 2017. 23 COMMISSIONER MEYER: Second. 24 COMMISSIONER PATON: Second. 25 CHAIRMAN TITLA: Second by Commissioner</p>	<p>09:34:56-09:36:20</p> <p style="text-align: right;">Page 5</p> <p>1 work. 2 And Alec, in the meantime, has -- you know, 3 has been the backbone of that process in making sure 4 that we get things where they need to -- get when they 5 need to get there, keep our -- our site timely, up to 6 date. And I think that that's something we've gotten 7 recognized for having very good information that's 8 readily accessible and up to date. So we're very, very 9 happy to make that announcement. 10 Gina was at a -- and I think you already -- 11 may have already known about this. Gina was at the 12 Inspire Arizona Day at the Capitol to encourage 13 participation in the political process. We have some 14 research coming up on voter education needs for the 15 2017-2018 cycle, and Sara and Gina will be presenting 16 at the Election Officials of Arizona workshop early 17 next month. 18 The last thing I wanted to mention is we 19 have -- all of our pending complaints for 2016's 20 election cycle are now closed, and so I think that's -- 21 that is good. 22 And I guess that's all I have to highlight 23 unless commissioners have any questions for me. 24 CHAIRMAN TITLA: Commissioners, any 25 questions for the director?</p>

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<p>1 (No response.)</p> <p>2 CHAIRMAN TITLA: Thank you, Mr. Collins.</p> <p>3 What I want to say and make a comment on is</p> <p>4 I'd like to congratulate Gina Roberts and Alec Shaffer</p> <p>5 for their promotion in the department. Since I have</p> <p>6 been on the Commission, Gina Roberts has always done an</p> <p>7 excellent job in all areas that she has been working</p> <p>8 on. So I congratulate her.</p> <p>9 And continue the good work, Gina.</p> <p>10 Alex -- Alec Shaffer has also been a very</p> <p>11 good employee. He's always done work, I think, above,</p> <p>12 beyond the call of duty. And so I'd like to</p> <p>13 congratulate him for the promotion also.</p> <p>14 And, Alec, continue the good work, also.</p> <p>15 Thank you.</p> <p>16 So why don't we go to the next agenda item,</p> <p>17 and that is discussion and possible action on the</p> <p>18 Interagency Service Agreement with the Arizona</p> <p>19 Secretary of State's Office.</p> <p>20 MR. COLLINS: Yes. Mr. Chairman, there are</p> <p>21 two sort of sub items here, one we'd like to finish.</p> <p>22 And then Secretary Reagan is here in the audience,</p> <p>23 along with her IT -- director of IT services and other</p> <p>24 staff to talk about the second part.</p> <p>25 So the first part has to do with the -- an</p>		<p>1 Unless you have questions for me and Mary that would</p> <p>2 require an executive session, I don't really have</p> <p>3 anything else to say about it. I think it accomplishes</p> <p>4 what the Secretary's office seeks which is to get this</p> <p>5 closed out, move on to the next thing. And I think</p> <p>6 it -- it is what it is. So unless anyone has questions</p> <p>7 about that, that's -- that's Item IV-A, and that's</p> <p>8 about all I have to say about it.</p> <p>9 CHAIRMAN TITLA: Any questions,</p> <p>10 Commissioners?</p> <p>11 COMMISSIONER KIMBLE: Mr. Chairman?</p> <p>12 CHAIRMAN TITLA: Yeah, Commissioner Kimble.</p> <p>13 COMMISSIONER KIMBLE: Mr. Collins, so am I</p> <p>14 right in understanding that we are out \$87,500?</p> <p>15 MR. COLLINS: Right now -- I'm sorry.</p> <p>16 Mr. Chairman, Commissioner Kimble, right now there's</p> <p>17 \$87,500 at the -- that the Secretary of State's Office</p> <p>18 has essentially -- has authorized to transfer to us.</p> <p>19 We are -- we're waiting to get your authorization to</p> <p>20 accept that transfer in the state financial system. So</p> <p>21 we are not out. We will be receiving \$87,500. It's</p> <p>22 a -- it's a -- it's a refund, if you will.</p> <p>23 COMMISSIONER KIMBLE: Okay. So just to be</p> <p>24 clear, we signed this agreement and agreed to pay some</p> <p>25 money up front. We paid that money up front. We're</p>	
09:37:49-09:39:36	Page 7	09:41:06-09:42:49	Page 9
<p>1 agreement that the Commission reached with the Bennett</p> <p>2 administration. Long story short, if -- you know, my</p> <p>3 recommendation is that we -- in effect, that -- you</p> <p>4 know, it's our view that there's a breach. It's the</p> <p>5 Secretary's view that they're terminating. My view is</p> <p>6 that regardless of how you term it, although I think we</p> <p>7 should term it what we think, we should resolve this.</p> <p>8 And -- and I'm looking for authorization to accept the</p> <p>9 remaining \$87,500 that the Secretary is returning.</p> <p>10 That represents, essentially, the second</p> <p>11 installment that we made to the Secretary of State's</p> <p>12 Office in -- I don't know -- a while back. I don't</p> <p>13 think there's very much purpose in belaboring it. I</p> <p>14 have a -- I have a -- I took the liberty of writing up</p> <p>15 a little bit of a draft motion which I didn't get a</p> <p>16 chance to circulate to everybody, but basically the</p> <p>17 draft motion I recommend would be that -- that we do</p> <p>18 conclude the Secretary's office was in material breach</p> <p>19 of the ISA signed in 2013 and amended in 2014; that</p> <p>20 the -- the terms to remedy a material breach haven't</p> <p>21 been satisfied, but instead of seeking repayment in</p> <p>22 full from the Secretary we should authorize the</p> <p>23 Commission Staff to accept the transfer of -- it's</p> <p>24 actually 87.5, not 86.5 -- and terminate the ISA.</p> <p>25 So that's -- that's what I recommend.</p>		<p>1 getting everything back. So we haven't received any</p> <p>2 services and we haven't spent any money once we get</p> <p>3 this money back?</p> <p>4 MR. COLLINS: Mr. Chairman, Commissioner</p> <p>5 Kimble, I would put it a little bit differently. We</p> <p>6 put some money up front. Our understanding from the</p> <p>7 Secretary's staff is that that -- that that first</p> <p>8 installment was spent. There are some changes to the</p> <p>9 campaign finance reporting system front end that</p> <p>10 reflect what we had paid for. There were other changes</p> <p>11 that were required that were taken off-line.</p> <p>12 The bottom line is that the money that was</p> <p>13 essentially used, if you -- you know, which was the</p> <p>14 first installment of, I think, 175, we've reached a</p> <p>15 conclusion that's just a matter of -- of internal</p> <p>16 judgment that it's not worth the effort to go try to</p> <p>17 track that \$175,000 back. We are of the view that if,</p> <p>18 you know, you read the contract literally, we could;</p> <p>19 however, given, you know, the information we have, we</p> <p>20 think that it's better to take what is left -- that</p> <p>21 second installment, which apparently wasn't touched,</p> <p>22 essentially -- the second -- the 87.5 is the second</p> <p>23 installment -- take it back and -- and call it -- and</p> <p>24 call it a day.</p> <p>25 So the Commission is theoretically out</p>	

09:42:55-09:44:17	Page 10	09:46:03-09:47:07	Page 12
<p>1 \$175,000, but in a -- in a sense, you know -- you know, 2 the amount of time and effort and energy it would take 3 to go through an account for how that was spent and 4 deal with the breach issues which get into issues 5 related to, you know, our reporting requirements 6 which were -- and reports that we require and were paid 7 and those kinds of things, all become complicated. 8 It's good enough -- and expensive. I mean, 9 it's just more -- it's just more money -- you know, man 10 hours and money to track all that stuff down. So our 11 view is it is a reasonable thing to -- you know, I 12 think it's reasonable for the Commission to conclude 13 that there was a material breach. I also think it's 14 reasonable for the Commission to accept the 87.5 15 remainder as sufficient to terminate the agreement and 16 allow Staff to accept that money. 17 Does that answer your question? That's a 18 lot of words, but basically what I'm saying is yes, 19 we're out some money, but the cost of trying to recover 20 all of that money is essentially greater than it's 21 worth any of our time and, I think, the Secretary's 22 time. 23 COMMISSIONER KIMBLE: Well, I guess my 24 question is basically have we received \$175,000 worth 25 of services for the \$175,000 we paid?</p>		<p>1 So the answer to your question is there 2 were some services. I don't know whether we got full 3 value because part of the service was the building of 4 the 941(D) reporting system. That was taken off-line. 5 So it was done and then it was taken off-line. You 6 know, that was not part of the agreement. The 7 agreement wasn't to build it and then take it down, but 8 that having been said, I think this is a reasonable 9 resolution. 10 You know, I think the Commission should 11 recognize that under the terms of the ISA that there 12 was a material breach but we should take the money 13 that's there back and -- and call it good because 14 there's just nothing to be gained by, in our view, 15 pursuing this any further. 16 COMMISSIONER KIMBLE: Thank you. 17 CHAIRMAN TITLA: Further comments? 18 COMMISSIONER CHAN: Mr. Chairman, thank 19 you. 20 CHAIRMAN TITLA: Commissioner Chan? 21 COMMISSIONER CHAN: I'm actually grateful. 22 Thank you for being here, Secretary Reagan. I know we 23 all have a lot of questions, probably, about the See 24 the Money program that you're proposing, but I do 25 actually -- I don't know, Mr. Chairman, if it would be</p>	
09:44:21-09:46:01	Page 11	09:47:08-09:48:11	Page 13
<p>1 MR. COLLINS: Mr. Chairman, Commissioner 2 Kimble, I think the answer to that question is -- is -- 3 let me put it this way. There is clearly some services 4 provided. The system interface is different than the 5 system interface that was there before we spent the 6 money. And that -- that happened, but one of the 7 things, for example, that constituted a material breach 8 of the contract was when our reports for Clean 9 Elections independent expenditure reports were taken 10 off-line. That is a material breach that had 11 consequences in the contract. 12 So to identify precisely what the value of 13 the services were versus what we paid for, that would 14 be a difficult undertaking. And it's a separate 15 question from whether or not the -- you know, the -- 16 there was a material breach. The material breach -- 17 the way the ISA was drafted, a material breach -- one 18 of the consequences was a full refund regardless of the 19 services. And we do think that that -- that that -- 20 that that happened here. 21 However, it's just simply not worth, in our 22 view, the effort to go and try to, you know -- you 23 know, drag that out of -- out because it's just going 24 to cost us and the Secretary of State's Office more 25 time and energy and potentially money.</p>		<p>1 acceptable to ask her if she would be able to answer a 2 question because to me that is very troublesome. I 3 know the item on our agenda is intended to, you know, 4 kind of put to bed this ISA, but I am very troubled by 5 the fact that your office took these reports off-line. 6 And I don't know what the reason was for that and why 7 they haven't been put back. 8 CHAIRMAN TITLA: I'd like to welcome the 9 honorable Secretary of State Reagan here. Thank you 10 for coming to our meeting. 11 SECRETARY REAGAN: And thank you for having 12 me. 13 CHAIRMAN TITLA: And so thank you for 14 answering some questions. 15 SECRETARY REAGAN: Thank you, Mr. Chairman. 16 CHAIRMAN TITLA: Thank you. 17 SECRETARY REAGAN: Mr. Chairman, 18 Commissioner Chan -- first of all, welcome. 19 Congratulations. 20 First of all, I'm kind of going to back up 21 a second, if I may, to your point, Commissioner Kimble. 22 By the time I was sworn in, that \$175,000 that you are 23 talking about was already spent. We -- when we looked 24 at the program, we figured that if we were to continue 25 spending additional dollars on it, it would be a waste</p>	

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<p>1 just because it's outdated for what we want to do. So</p> <p>2 by the time we started working on it, we thought</p> <p>3 there's a lot newer technology out there than</p> <p>4 continuing to spend money on that program.</p> <p>5 And that's kind of what that -- giving that</p> <p>6 money back is meant to do because in looking at things</p> <p>7 that all the other states are doing and what we would</p> <p>8 like to do going forward, we would prefer to --</p> <p>9 basically, that's where the See the Money program came</p> <p>10 from to kind of start over from the original ISA that</p> <p>11 was done prior to my administration.</p> <p>12 To answer your question, I am of the</p> <p>13 agreement with you, Commissioner Chan, that those</p> <p>14 reports -- any reports that are public information</p> <p>15 should all be in one place, especially if we build a</p> <p>16 program like See the Money which is going to start to</p> <p>17 aggregate everything. So it doesn't do the public any</p> <p>18 good to have something aggregated and be adding up what</p> <p>19 campaign spending is in Arizona and then leave out</p> <p>20 other public information that perhaps you are</p> <p>21 receiving.</p> <p>22 That should all being added together, and</p> <p>23 that is what going forward I'm hoping See the Money</p> <p>24 does is -- and I -- and you have my commitment on what</p> <p>25 we're building now. Regardless of whether you decide</p>		<p>1 our relationship as well to -- to get those back</p> <p>2 because in my understanding -- and, obviously, I wasn't</p> <p>3 here -- they were shut off without telling us.</p> <p>4 And I don't know what all has been done as</p> <p>5 far as our staff communication, but I know our Staff --</p> <p>6 it's important to our mission to have those and they</p> <p>7 were not turned back on and, therefore, we had to go</p> <p>8 forward with something else that we cobbled together.</p> <p>9 SECRETARY REAGAN: Correct.</p> <p>10 COMMISSIONER CHAN: And to me that is a</p> <p>11 waste of government resources to -- to turn something</p> <p>12 off that was available and force our Commission to put</p> <p>13 something together in the meantime. That is -- it just</p> <p>14 doesn't make sense to me.</p> <p>15 So we may be going a little bit afield of</p> <p>16 what the item is that we're discussing on the agenda,</p> <p>17 and I'm not opposed to making a motion to try to close</p> <p>18 this out. I would be interested in what the other</p> <p>19 commissioners -- if they have anything else to add, but</p> <p>20 that's kind of where I stand.</p> <p>21 SECRETARY REAGAN: Mr. Chairman,</p> <p>22 Commissioner Chan, thank you for your comments. And</p> <p>23 just to address probably the big elephant in the room,</p> <p>24 yes, there has been friction and staff -- my staff has</p> <p>25 not worked as well with your staff as could be and</p>	
09:49:38-09:50:55	Page 15	09:52:13-09:53:31	Page 17
<p>1 to help pay for the product or not, we're still going</p> <p>2 to be putting those reports into the new system</p> <p>3 because, again, regardless of what decisions were made</p> <p>4 before or why, because of attorneys or friction or who</p> <p>5 knows, that's not the direction I want to go.</p> <p>6 And so we're building everything in mind</p> <p>7 with having everything in one place, and that's simply</p> <p>8 a matter of public policy and, quite frankly, it's</p> <p>9 something exciting that our agency and the Commission</p> <p>10 can work on together.</p> <p>11 COMMISSIONER CHAN: Thank you, Madam</p> <p>12 Secretary and Mr. Chairman. May I follow up?</p> <p>13 I am very happy to hear you say, you know,</p> <p>14 about the friction and moving forward together. I</p> <p>15 think from my perspective as a Commissioner, I --</p> <p>16 those -- those reports are very important to us, and I</p> <p>17 understand, I think, what you've stated.</p> <p>18 SECRETARY REAGAN: Uh-huh.</p> <p>19 COMMISSIONER CHAN: But that's something</p> <p>20 that I think is -- we are required by our Act to</p> <p>21 collect that data, to provide the reports. And I think</p> <p>22 we've had to cobble something together to try to</p> <p>23 address it because you shut off our reports, and I</p> <p>24 think we would very much appreciate having those back.</p> <p>25 I think that is something that would go a long way in</p>		<p>1 perhaps even vice versa, but that's no reason for me to</p> <p>2 continue that trend. So I am taking control of this</p> <p>3 project and I want to do it in what is, again, the best</p> <p>4 way for the public.</p> <p>5 And we have a dynamite plan and we also</p> <p>6 think that there's a lot of value that your Commission</p> <p>7 can add to this program if we collaborate with you.</p> <p>8 We've already taken some of the suggestions that</p> <p>9 your -- that your staff has made on ways to make it</p> <p>10 easier.</p> <p>11 So going backwards at this point and</p> <p>12 figuring out why, when, how, where -- I'm more</p> <p>13 interested in going forward and doing a dynamo project</p> <p>14 which we're just about there. So I appreciate your</p> <p>15 consideration of closing out the last ISA. It's hard</p> <p>16 to come in the middle of something.</p> <p>17 COMMISSIONER CHAN: Mr. Chairman, Secretary</p> <p>18 Reagan, would you be willing to turn on the reports</p> <p>19 again for us in the meantime?</p> <p>20 SECRETARY REAGAN: We're -- Mr. Chairman,</p> <p>21 Commissioner Chan, we're certainly willing to do a</p> <p>22 number of things and to look at a number of things.</p> <p>23 The biggest problem that we have right now with our</p> <p>24 current system is that when things are being sent out</p> <p>25 from the Commission Staff, we want it to look like it's</p>	

09:53:35-09:54:42	Page 18	09:55:53-09:57:00	Page 20
<p>1 coming from the Commission Staff, and let me just give</p> <p>2 you an example.</p> <p>3 So if you are requiring a report that</p> <p>4 perhaps we don't require or -- rather than get into the</p> <p>5 jurisdictional issue, we would just prefer that that</p> <p>6 request is coming from the Clean Elections Commission.</p> <p>7 Right now in our system if -- if those reports and</p> <p>8 everything are going on our system, it looks like it's</p> <p>9 coming from the Secretary of State's Office.</p> <p>10 What we're trying to do going forward is</p> <p>11 build a program where we're both able to utilize it and</p> <p>12 send information out to our respective candidates. So</p> <p>13 if you're requesting something, it's coming from you.</p> <p>14 That it's going all on the same site is -- you know, is</p> <p>15 the end goal, but it's not something that we're</p> <p>16 requesting. And the same in reserve if we're</p> <p>17 requesting something that has nothing to do with the</p> <p>18 Commission. Right now that's very unclear and it's</p> <p>19 very hard to do the way that our system is built. Your</p> <p>20 staff has to communicate through our system almost as</p> <p>21 us.</p> <p>22 COMMISSIONER CHAN: So, Mr. Chairman,</p> <p>23 Secretary Reagan, you will not turn the reports back</p> <p>24 on?</p> <p>25 SECRETARY REAGAN: Mr. Chairman,</p>	<p>1 forward. I don't think it benefits us -- it's not</p> <p>2 worth the time and energy to chase after this \$86,500</p> <p>3 that we may be out. I think it makes sense to resolve</p> <p>4 this, terminate it with the funds that are going to be</p> <p>5 paid back to us and focus our energies moving forward.</p> <p>6 CHAIRMAN TITLA: Thank you, Commissioner</p> <p>7 Meyer.</p> <p>8 Any other comments by the Commission?</p> <p>9 COMMISSIONER PATON: Mr. Chairman?</p> <p>10 CHAIRMAN TITLA: Commissioner Paton.</p> <p>11 COMMISSIONER PATON: I would just say that</p> <p>12 I appreciate your -- your conciliatory attitude and I,</p> <p>13 too, agree with Commissioner Meyer that maybe we can</p> <p>14 start on a good foot and get moving. Everybody -- all</p> <p>15 team work and all that kind of stuff, and that's kind</p> <p>16 of my -- where I'm -- where I'm coming from.</p> <p>17 CHAIRMAN TITLA: Any other comments?</p> <p>18 COMMISSIONER CHAN: Mr. Chairman, if --</p> <p>19 CHAIRMAN TITLA: Commissioner Chan?</p> <p>20 COMMISSIONER CHAN: If everybody has said</p> <p>21 what they want to say, I'll go ahead and make a motion.</p> <p>22 CHAIRMAN TITLA: Okay.</p> <p>23 SECRETARY REAGAN: Would you like me to sit</p> <p>24 down? I'll do whatever you want.</p> <p>25 COMMISSIONER CHAN: Thank you, Secretary</p>		
09:54:43-09:55:51	Page 19	09:57:00-09:57:41	Page 21
<p>1 Commissioner Chan, I'm not saying I'm not going to do</p> <p>2 anything. Absolutely, we're willing to look at a</p> <p>3 number of things, but it's almost -- I won't say a moot</p> <p>4 point, but it's not as pressing, you know, right now</p> <p>5 considering that there's not -- you've just closed out</p> <p>6 all of your 2016 complaints. If you were getting new</p> <p>7 information and new data from people, we certainly</p> <p>8 would want that in our system, but I'm more focused on</p> <p>9 putting it in the new system.</p> <p>10 I mean, if it's -- you have something out</p> <p>11 there that we need to add to our website, I'm more than</p> <p>12 happy to have my IT and your IT talk together to see if</p> <p>13 it can be done without causing some big legal</p> <p>14 mumbo-jumbo. So I'm very open to getting past this and</p> <p>15 moving forward.</p> <p>16 COMMISSIONER CHAN: Thank you,</p> <p>17 Mr. Chairman.</p> <p>18 CHAIRMAN TITLA: Any other comments,</p> <p>19 Commissioners?</p> <p>20 COMMISSIONER MEYER: Mr. Chairman?</p> <p>21 CHAIRMAN TITLA: Commissioner Meyer.</p> <p>22 COMMISSIONER MEYER: I just want to put on</p> <p>23 record I agree with Director Collins' position. I</p> <p>24 think it makes sense to -- and really with what</p> <p>25 Secretary Reagan was saying as well. Let's move</p>	<p>1 Reagan.</p> <p>2 SECRETARY REAGAN: Okay. I can come back.</p> <p>3 COMMISSIONER CHAN: I'm sorry we left you</p> <p>4 hanging out there.</p> <p>5 SECRETARY REAGAN: No, no problem.</p> <p>6 COMMISSIONER CHAN: Thank you for answering</p> <p>7 questions for us.</p> <p>8 SECRETARY REAGAN: Thank you.</p> <p>9 COMMISSIONER CHAN: Mr. Chairman, I move</p> <p>10 that we conclude that the Secretary of State's Office</p> <p>11 is in material breach of the ISA signed in 2013 and</p> <p>12 amended in 2014 and that the terms of the ISA to remedy</p> <p>13 a material breach have not been satisfied, but instead</p> <p>14 of seeking repayment in full from the Secretary of</p> <p>15 State, the Commission authorizes Staff to accept the</p> <p>16 transfer of \$87,500 and terminate the ISA.</p> <p>17 CHAIRMAN TITLA: Okay. Motion made by</p> <p>18 Commissioner Chan. Everybody has heard it. I don't</p> <p>19 think I can repeat it.</p> <p>20 COMMISSIONER MEYER: I will second the</p> <p>21 motion.</p> <p>22 CHAIRMAN TITLA: Second by Commissioner</p> <p>23 Meyer.</p> <p>24 Any discussion? Questions?</p> <p>25 (No response.)</p>		

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<p>1 CHAIRMAN TITLA: All in favor say aye. 2 (Chorus of ayes.) 3 CHAIRMAN TITLA: Any opposed? 4 (No response.) 5 CHAIRMAN TITLA: Abstain? 6 (No response.) 7 CHAIRPERSON TITLA: Motion passes 8 unanimously. 9 Okay. Where are we at now? 10 MR. COLLINS: Well, Mr. Chairman, 11 Commissioners, we're on IV-B. And so there's -- you 12 know, I don't really have -- well, there's a couple of 13 things. This is the principal thing that Secretary 14 Reagan is here to talk about and her time is valuable. 15 She's got her IT folks here, and so I think what they 16 would like to do is give an overview of what their 17 intent is to look like. I've made some recommendations 18 to you-all as to how we proceed, but I believe that we 19 can talk about that after we get the -- the 20 presentation. I think that will be the most effective 21 way to go. 22 SECRETARY REAGAN: I believe so. 23 MR. COLLINS: And just to -- therefore, you 24 guys can get your -- get that so we know what we're 25 talking about, if that works for everybody.</p>		<p>1 be very great for Arizona to actually be a leader in 2 something like this. And there's a lot of national 3 groups that are watching to see when this is done 4 because they're thrilled about it too. 5 It's -- if we're going to talk about 6 transparency, we need to be talking about all of the 7 spending in the state, not just portions of it here or 8 there. So hopefully you'll like what you see and we'll 9 hear from you after your presentation. 10 Thank you. 11 MR. MAASKE: Thank you, Secretary. 12 Mr. Chairman and Commissioners, I'm Bill 13 Maaske. I'm the chief information officer for the 14 Arizona Secretary of State. I was told I had an hour 15 and a half for this presentation. 16 Is that -- is that correct? 17 COMMISSIONER MEYER: You might be the only 18 one here at the end. 19 MR. MAASKE: Right. Thank you so much for 20 your time and your consideration and for taking the 21 time to do this. I'm just going to give you a very, 22 very quick background on kind of how we came to some of 23 the decisions before I actually show you this. 24 The first thing that we really did was we 25 tried to identify the audience for what this product is</p>	
09:58:47-09:59:57	Page 23	10:01:06-10:02:10	Page 25
<p>1 CHAIRMAN TITLA: Okay. 2 MR. COLLINS: So you-all are on, and I 3 don't know what you need to -- IT-wise to set up. I 4 think -- Gina, you have that all set up? Okay. 5 SECRETARY REAGAN: And so just very 6 briefly, Mr. Chairman, Commissioners, we are so excited 7 about this project because we believe -- for a number 8 of reasons, but the reason why I'm here today is that 9 there's a wonderful opportunity, again, for our two 10 agencies to work together to increase transparency in 11 campaign spending which I know is your goal and that is 12 our goal as well. So I appreciate you being willing to 13 consider this. 14 I have with me my chief information 15 officer, Bill Maaske, who is going to give a 16 presentation, a slight overview of what it looks like, 17 what the program looks like, what it can do. And then, 18 of course, any questions you have technical, go to him. 19 Anything you have policy related or any other questions 20 that you have, I'm certainly -- I'll stick around to 21 make sure that you have that opportunity to ask. 22 And I just want to say we have looked at 23 nearly every state and what they have and what they 24 use, and there's nothing like this on the market. So 25 it would be really, really great, I believe, or it will</p>		<p>1 going to be used for and by, and we identified three 2 key players, the first one being those people that are 3 just kind of casual users. These are, you know, my mom 4 who's semi-interested in campaign finance, but she 5 doesn't really know what she's looking for. She 6 doesn't know specifically who's running. She doesn't 7 know who's playing in this game and all that kind of 8 stuff. 9 The second audience member would be your 10 candidates or your political people. These are people 11 that play in the political areas. Typically when they 12 go to the website and they look for campaign finance 13 stuff, they know specifically what they're looking for. 14 I want to look up this particular candidate, my 15 opponent, you know, somebody that I'm interested in. 16 And then the third -- the third audience 17 member would be your media researcher. These people 18 want to do deep dives in the data. They want to be 19 able to extract all of the data out so that they can, 20 you know, peruse through it kind of at their leisure. 21 Even though the website may not give them all of that 22 data in that format, they can take it all and go and 23 play with it kind of on their own. 24 So we identified the casual user as kind of 25 being the lowest common denominator, and we really</p>	

10:02:13-10:03:23	Page 26	10:04:27-10:05:14	Page 28
<p>1 wanted to come up with something that would meet the</p> <p>2 needs of them because as the Secretary stated, when we</p> <p>3 did a survey of all of the other states, I can tell you</p> <p>4 that -- and we did a lot of city surveys too. I can</p> <p>5 tell you that where most of them fell down was for the</p> <p>6 casual user.</p> <p>7 So myself going to another state and trying</p> <p>8 to figure out what I'm looking for, since most of them</p> <p>9 were open-ended searches where I would land on a page</p> <p>10 that would say what do you want to search for? And I</p> <p>11 would have to type something in. Like, literally there</p> <p>12 was nothing to choose from, and I had no idea who was</p> <p>13 running, what their cycles looked like, what their</p> <p>14 offices looked like in that state.</p> <p>15 So we wanted something very different than</p> <p>16 that experience. So what we -- what we tried to do was</p> <p>17 to come up with something that would give users data</p> <p>18 from the get-go. So we wanted you to land on this</p> <p>19 thing and say I want to look at candidates, for</p> <p>20 example, and then have something substantial to view</p> <p>21 without having to make a lot of suggestions. At the</p> <p>22 same time, we need to meet those other audiences, also,</p> <p>23 right? So we need to be able to drill down. We need</p> <p>24 to be able to do deep dives in the data and -- and</p> <p>25 allow, like, the media people to be able to extract</p>		<p>1 MR. MAASKE: Move me?</p> <p>2 MS. ROBERTS: Yeah. We need to get --</p> <p>3 MR. COLLINS: The problem is --</p> <p>4 MR. MAASKE: Is it a distance problem?</p> <p>5 MS. ROBERTS: It is. It's usually where we</p> <p>6 run up -- so here we go. So it seems to be working</p> <p>7 now. It's just -- and you can move the podium over a</p> <p>8 little bit more if we need to. See, it worked for me.</p> <p>9 MR. MAASKE: My hands are thicker, I'm</p> <p>10 blocking the signals, I think.</p> <p>11 MR. COLLINS: This is our security</p> <p>12 system --</p> <p>13 MR. MAASKE: Yeah, apparently it keeps</p> <p>14 intruders from being able to use your system.</p> <p>15 MS. ROBERTS: That's right. So is this</p> <p>16 working for you, or do you think you can --</p> <p>17 MR. MAASKE: I will -- I will try and --</p> <p>18 MS. ROBERTS: Perhaps if we want to --</p> <p>19 MR. MAASKE: I will try and muddle through.</p> <p>20 This is a test now with the microphone, right?</p> <p>21 MS. ROBERTS: Yeah. We can just move it</p> <p>22 over and then -- there you go.</p> <p>23 MR. MAASKE: Thank you for indulging my --</p> <p>24 my mouse issues. I really do know what I'm doing,</p> <p>25 though.</p>	
10:03:26-10:04:27	Page 27	10:05:16-10:06:22	Page 29
<p>1 data at will.</p> <p>2 So I'm just going to tell you that what</p> <p>3 you're going to see today is done in a wireframe tool,</p> <p>4 and this is a tool that we use in our design process.</p> <p>5 So this is not a finished-looking website. This is</p> <p>6 really a concept, and -- and we use wireframe just so</p> <p>7 that we don't get too caught up in the look, right? So</p> <p>8 this is really a functional design, not an artistic</p> <p>9 design of what this website is going to look like.</p> <p>10 Guaranteed it's going to look fantastic once it's done.</p> <p>11 If I can get my mouse to move. I cannot.</p> <p>12 COMMISSIONER CHAN: And Mr. --</p> <p>13 Mr. Chairman -- if I may, Bill -- just having worked</p> <p>14 with Bill at the Secretary of State's Office, I would</p> <p>15 say I have no doubt that in Bill's hands it will look</p> <p>16 fantastic.</p> <p>17 MR. MAASKE: Thank you.</p> <p>18 I cannot get this mouse to work.</p> <p>19 MR. COLLINS: It's magic.</p> <p>20 MR. MAASKE: Do I have --</p> <p>21 MR. COLLINS: I think someone will have</p> <p>22 to --</p> <p>23 MR. MAASKE: Do I have another option?</p> <p>24 MS. ROBERTS: We might just have to move</p> <p>25 you.</p>		<p>1 So the first thing to point out is that</p> <p>2 this will be a multijurisdictional system, and so any</p> <p>3 jurisdiction in our state that chooses to participate</p> <p>4 in our campaign finance system will be able to use it</p> <p>5 for all of their reporting and, thus, we can provide a</p> <p>6 view that goes across multiple jurisdictions.</p> <p>7 The reason that we just have kind of a --</p> <p>8 kind of a blank banner up there is because, depending</p> <p>9 on what jurisdiction you are using this from, it</p> <p>10 will -- it will represent the jurisdictions banner.</p> <p>11 So, for example, if one of our cities decides that they</p> <p>12 want to use this system, when you go to that system,</p> <p>13 they can represent it as being their campaign finance</p> <p>14 system, in a way, and then still have the use into</p> <p>15 state data.</p> <p>16 So this is -- this is kind of a landing</p> <p>17 page that kind of shows all the capabilities of the</p> <p>18 system. So I'm just going to walk through these real</p> <p>19 quick and then I'm going to kind of drill into all of</p> <p>20 them. So there's an elections overview which kind</p> <p>21 of -- kind of sums up everything all on one page. I</p> <p>22 can look for candidates, political action committees,</p> <p>23 political parties, organizations such as corporations,</p> <p>24 LLCs, partnerships. I can search by contributors, by</p> <p>25 name or type. I can look up expenses which is</p>	

<p>10:06:26-10:07:27</p> <p>Page 30</p> <p>1 something that we've never really done specifically in 2 our system before. 3 Sorry. Technical issues. I can -- I can 4 look at ballot propositions, ballot measures, and then 5 I can do some advanced search stuff which will allow me 6 to drill down and kind of do that more mediacentric 7 search where if I know I want to look for people in 8 this ZIP Code or I want to look for people with this 9 occupation and this employer, kind of all those kind of 10 crazy things. 11 And then something that we're really, 12 really excited about -- and I haven't seen anybody do 13 this -- is the ability to compare. So I can pick one 14 to four candidates, committees, propositions, 15 contributors or expenses, and I can see them kind of 16 side by side and see how they -- how they stack up 17 against each other. 18 COMMISSIONER CHAN: Mr. Chairman, I have a 19 question for Bill, if I may. I am so sorry to 20 interrupt, but I have -- I do have question on the 21 advanced search. I know -- you know, how do you 22 account for people entering things in differently? I 23 know that's an issue, you know, like -- or maybe not 24 entering in their ZIP Code. How -- is that able to be 25 accounted for so that there's more that's searchable or</p>	<p>10:08:31-10:09:41</p> <p>Page 32</p> <p>1 gotten -- kind of gotten off of that landing page, that 2 there are -- there's kind of a menu bar up at the top. 3 That will get me to all of those things that are 4 available on that menu page. 5 So this is the overview page. We decided 6 to get kind of graphical here. We've defined three 7 different types of graph. We wanted -- we wanted the 8 system to -- as you went from area to area, to feel 9 very similar. So once you've done something in one 10 place, that it's very apparent when you go to another 11 place you're going to see very, very similar things. 12 So we've only identified three types of 13 graphs that we're going to use. This one is kind of 14 this box graph that's at the top. It's actually called 15 a tree map, and that is a really good representation of 16 who's the largest, right? So this is kind of a largest 17 to smallest. 18 So in this particular instance, it's 19 showing me contributions by amount. And so the 20 contributors that are the largest contributors for the 21 selected stuff that's on the side here, the filters 22 that are on the side, will be in the upper left 23 quadrant and then the smaller ones will be on the lower 24 right quadrant. The ones that are large enough to put 25 text on, there will be text on that says what they are</p>
<p>10:07:33-10:08:26</p> <p>Page 31</p> <p>1 is that -- 2 MR. MAASKE: Thank you, Commissioner Chan. 3 Yes, absolutely. So we actually have a strategy, kind 4 of a technical strategy -- and I'm going to try not to 5 get into all the details -- where we can normalize name 6 and address data. So, for example, address data can be 7 normalized by passing it through like a USP address 8 system and then hashing that value so that -- so that 9 we're searching on what the normalized address is 10 rather than what it is they put it in. 11 So, for example, if you put the wrong ZIP 12 code for the address, it would still get normalized 13 correctly because -- because we can kind of correct 14 those errors. We can do the same thing for names. So 15 we can -- we can get the Jim, Jimmy, James, you know, 16 whatever -- whatever connotation of that is because it 17 all normalizes to James. So I think we have a pretty 18 good solution for taking care of that. 19 COMMISSIONER CHAN: Okay. 20 MR. MAASKE: Thank you. That was an 21 excellent question. And I do want this to be 22 interactive, so please feel free to interrupt me at any 23 time. 24 Okay. I'm just going to dive into our 25 elections overview. So you'll see now since I've</p>	<p>10:09:43-10:10:56</p> <p>Page 33</p> <p>1 and what the amount is. As they get smaller and 2 smaller, the text will drop off. And then if you hover 3 your mouse over them, it will pop up and it will tell 4 you exactly what they represent. 5 The key design goal for this thing was that 6 you could drill down into anything forever, and it took 7 us a while to figure out how to pull that off. Our 8 existing system, when you try to follow the money, for 9 example, if I click on income, I am now going down a 10 single direction path only dealing with contributors. 11 We did not want to do that in this system. I wanted to 12 be able to click on a PAC and then go to expenses and 13 then go to IEs that they had done and then -- so you 14 can really follow this thing forever and there truly is 15 no limit to how far you can go down this rabbit hole. 16 On the left of all of these screens there 17 are filters which by default will select the current 18 election year. Since this is multijurisdictional, 19 we're careful not to really talk in the cycles anymore 20 because people's cycles are very different than our 21 cycles in the state. So we're going to -- the default 22 value is going to be year. Going to have more date 23 choices that are available so that you can select 24 different date ranges, and we haven't quite identified 25 what those all will look like yet. And then I can</p>

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<p>1 select different jurisdictions if there are different</p> <p>2 jurisdictions in the system.</p> <p>3 So I'm going to flip over quickly to</p> <p>4 candidates because that's probably the area that most</p> <p>5 people are comfortable with or want to see the most.</p> <p>6 So you can see when I flip to a different -- a</p> <p>7 different tab, such as candidates, that there's</p> <p>8 different choices and filters. So I can filter these</p> <p>9 now by also office type, specific office, party and</p> <p>10 funding type. I can also filter out candidates that</p> <p>11 are -- that are not very active in the election cycle</p> <p>12 and then I can also look at constituents services</p> <p>13 accounts.</p> <p>14 So in this candidates by amount, this first</p> <p>15 graph is going to show me basically the candidate that</p> <p>16 has received the most income. If I want to I can click</p> <p>17 on that candidate and see that specific candidate's</p> <p>18 data. In all of these screens -- I'm going to go back</p> <p>19 to the candidate overview. In all of these screens</p> <p>20 there's a graph view and a data view. If I'm more</p> <p>21 interested in seeing this in its data format, I get a</p> <p>22 data grid that shows me these are all the candidates</p> <p>23 for all the filters that are selected over here, their</p> <p>24 office, their party, their income, their expense,</p> <p>25 independent expenditures supporting and opposing that</p>	<p>1 see all of the detail of the transaction. In this grid</p> <p>2 we're only going to show you kind of the high-level</p> <p>3 detail, but if I actually want to see what they typed</p> <p>4 in the memo field or something like that, I can do that</p> <p>5 here.</p> <p>6 I can also look at kind of the committee</p> <p>7 overall information. This is -- this -- I just took a</p> <p>8 screen shot from our -- from our current website, but</p> <p>9 basically this will give you all of the detail about</p> <p>10 the committee, who their treasurer is, right, who</p> <p>11 the -- who the candidate is, what their address is, all</p> <p>12 that kind of good stuff. And then this would also be</p> <p>13 where you would actually be able to still view the pdf</p> <p>14 reports.</p> <p>15 We kind of bury in pdf reports which we</p> <p>16 kind of do on the -- on our current website. And</p> <p>17 that's because we feel like you should be able to get</p> <p>18 most of this data and most people can get this data by</p> <p>19 extracting it from the website itself without actually</p> <p>20 drilling into the pdf's, but the pdf system will still</p> <p>21 be very similar to what it is today.</p> <p>22 Questions so far?</p> <p>23 Okay. We want all of this information to</p> <p>24 be shareable, so I can share basically any page here.</p> <p>25 And so if I click on "Share," I'm going to get</p>		
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<p>1 candidate.</p> <p>2 Again, from all of these locations I can</p> <p>3 drill down into any of these. So if I want to -- I</p> <p>4 want to examine a specific candidate, I can click on</p> <p>5 that candidate. I'm now going to see the graph view,</p> <p>6 and this data -- this data represents that specific</p> <p>7 candidate.</p> <p>8 Right up here in this bar is a breadcrumb,</p> <p>9 and that is going to build a trail of every place that</p> <p>10 you've gone. So as I go from Point A to Point B to</p> <p>11 Point C, you're going to see those all on the</p> <p>12 breadcrumb and I will be able to back up to any one of</p> <p>13 those points.</p> <p>14 Now that I'm looking at a specific</p> <p>15 candidate I can also look at their data view. This</p> <p>16 gives me basically a complete transaction list for that</p> <p>17 candidate that I can filter in a lot more extensive</p> <p>18 ways. So now I can start filtering some of their</p> <p>19 transactions by occupation, employer, city, state, ZIP</p> <p>20 Code. As I add criteria over here, the criteria will</p> <p>21 show up here. If I want to get rid of a criteria, I</p> <p>22 just click the little X and it's no longer applied.</p> <p>23 This grid would represent all the</p> <p>24 transactions that meet the currently selected criteria.</p> <p>25 I can also select more on any transaction to kind of</p>	<p>1 something that gives me the option to share it on</p> <p>2 typical social media things or just to grab a link that</p> <p>3 I can email to somebody or do whatever I want to do</p> <p>4 with it.</p> <p>5 Additionally, we're talking about giving</p> <p>6 the ability to embed specific charts or grids, and what</p> <p>7 that would allow you to do is, for example, if you were</p> <p>8 a newspaper, you could click this particular chart that</p> <p>9 you thought was interesting. You could say I want to</p> <p>10 embed this. You would get a little URL that you can</p> <p>11 embed -- you can put that on your website and then that</p> <p>12 chart, which would be kept up to date as things change</p> <p>13 over time, would appear on their website. So anybody</p> <p>14 can do that with -- pretty much any of our data should</p> <p>15 be embedded.</p> <p>16 PACs, parties and organizations are very</p> <p>17 similar to candidates. Actually, let me talk about</p> <p>18 some of these other charts really quick.</p> <p>19 So each -- whether you are looking at a</p> <p>20 candidate, PAC, party or whatever, the types of charts</p> <p>21 that you get are going to be slightly different. A lot</p> <p>22 of them are going to have contributions, except for</p> <p>23 maybe organizations. So we really wanted to represent</p> <p>24 this data in multiple ways. So this shows me all of</p> <p>25 the top contributors. This shows me contributors by</p>		

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<p>1 type. So you would see types like individuals in</p> <p>2 there. You would see PACs, parties or organizations in</p> <p>3 there kind of in a pie breakout that would show you</p> <p>4 what percentage of their contributions came from those</p> <p>5 different -- different sources.</p> <p>6 This graph shows me contributions and</p> <p>7 expenditures over time. So this would show me over the</p> <p>8 course of this election cycle -- like it would have</p> <p>9 months at the bottom, it would show you kind of where</p> <p>10 contributions -- there would be two lines in there, one</p> <p>11 for contributions and one for expenditures -- where</p> <p>12 they got their money and what months they got their</p> <p>13 money in.</p> <p>14 Expenditures by category would break out</p> <p>15 their expenditures by -- by the expense categories that</p> <p>16 we have in our system. Some of those would be, like,</p> <p>17 advertising dollars versus some other types of dollars.</p> <p>18 And then this shows independent expenditures for and</p> <p>19 against that candidate. Again, biggest on the top --</p> <p>20 the upper left quadrant.</p> <p>21 Again, I can drill down into one of these</p> <p>22 things. So if I want to see who the biggest</p> <p>23 independent expenditure is for somebody, I can click on</p> <p>24 that.</p> <p>25 SECRETARY REAGAN: Bill, I'd hate to be the</p>		<p>1 information get put into this system and how is it kept</p> <p>2 accurate and updated?</p> <p>3 MR. MAASKE: Thank you, Commissioner Meyer.</p> <p>4 So the -- kind of the back end to the system is our</p> <p>5 campaign finance reporting system, right? So this is</p> <p>6 the public phasing site that allows us to report on the</p> <p>7 campaign finance system that we currently have. We</p> <p>8 have upgrades that we are anticipating making to that</p> <p>9 existing system. One is to make that</p> <p>10 multijurisdictional which today it is not</p> <p>11 multijurisdictional. So that's one of our big focuses</p> <p>12 this year.</p> <p>13 We have a huge punch list of other items</p> <p>14 that we would like to make. Fixing how names are put</p> <p>15 into the system is very high on that list and trying to</p> <p>16 keep those as accurate as possible. So that is a</p> <p>17 system that candidates, committees, PACs, organizations</p> <p>18 and people doing ballot measure expenditures will be</p> <p>19 using to report into the system.</p> <p>20 COMMISSIONER MEYER: But does it have to be</p> <p>21 manually entered by someone, or is it somehow gleaned</p> <p>22 from the -- whatever format the reports are uploaded</p> <p>23 in?</p> <p>24 MR. MAASKE: So -- so the system is mostly</p> <p>25 a manual entry system.</p>	
10:16:55-10:17:56	Page 39	10:19:09-10:20:11	Page 41
<p>1 voice from behind.</p> <p>2 MR. MAASKE: Yes, ma'am.</p> <p>3 SECRETARY REAGAN: But could you also</p> <p>4 mention how each one of those graphs isn't static even</p> <p>5 if it's the doughnut or the -- any of those can be</p> <p>6 clicked on and take you to --</p> <p>7 MR. MAASKE: Absolutely.</p> <p>8 SECRETARY REAGAN: -- any place?</p> <p>9 MR. MAASKE: Yeah, absolutely. Absolutely.</p> <p>10 So, yeah, you can click on anything pretty much</p> <p>11 anywhere in this system. So if I wanted to see the</p> <p>12 individual contributors that were represented in this</p> <p>13 pie chart, I could -- I could click on that, and then</p> <p>14 it would show me who the individual contributors were.</p> <p>15 And basically what that would do is it would take me to</p> <p>16 the contributor's tab and then it would set the filter</p> <p>17 to the -- to the contributor type, receiver type here</p> <p>18 that I had clicked on in the previous thing. So I can</p> <p>19 keep doing that forever and ever throughout this system</p> <p>20 and keep drilling down and drilling down.</p> <p>21 Sorry. Back on candidates real quick.</p> <p>22 COMMISSIONER MEYER: Mr. Chairman, a basic</p> <p>23 question.</p> <p>24 MR. MAASKE: Yes, sir.</p> <p>25 COMMISSIONER MEYER: How does all this</p>		<p>1 COMMISSIONER MEYER: It is?</p> <p>2 MR. MAASKE: Yeah. Well, I'm sorry. We</p> <p>3 don't manually enter it. So your committees, your</p> <p>4 candidate, committees or PACs or parties or</p> <p>5 organizations have a web interface that they go into.</p> <p>6 They sign in. They enter all their data into the</p> <p>7 system that way, and that physically generates the</p> <p>8 report. So nobody -- nobody turns paper into our</p> <p>9 office and they haven't since -- well, for, like, 17</p> <p>10 years that we've had electronic reporting.</p> <p>11 COMMISSIONER KIMBLE: Mr. Chairman?</p> <p>12 CHAIRMAN TITLA: Commissioner Kimble?</p> <p>13 COMMISSIONER KIMBLE: Following up on</p> <p>14 Commissioner Meyer's question, will this require any</p> <p>15 dramatic change in training for political candidates or</p> <p>16 their treasurers or any of the inputters?</p> <p>17 MR. MAASKE: Thank you, Mr. Chairman and</p> <p>18 Commissioner Kimble. I don't believe that it's going</p> <p>19 to require -- we haven't finished figuring out what</p> <p>20 features are going to be in what we're calling Campaign</p> <p>21 Finance 4, which is just a version number for our</p> <p>22 campaign finance system which would come out at the</p> <p>23 same time that See the Money would come out which would</p> <p>24 be January 1st of 2018. So we haven't completed that</p> <p>25 list, so it's kind of hard for me to specifically</p>	

10:20:14-10:21:20	Page 42	10:22:31-10:23:41	Page 44
<p>1 answer that question.</p> <p>2 There's one particular thing that we'd like</p> <p>3 to do in the system which we think will improve</p> <p>4 their -- their experience that would be a substantial</p> <p>5 change in the way that it works, but I don't think that</p> <p>6 it would -- it would require substantial training from</p> <p>7 their -- from their perspective.</p> <p>8 COMMISSIONER KIMBLE: So would someone who</p> <p>9 has a volunteer treasurer who, you know, is not that</p> <p>10 sophisticated in many of these races would be able to</p> <p>11 figure this out on their own without -- without a</p> <p>12 huge -- I don't know -- training session or something?</p> <p>13 MR. MAASKE: Yeah. I think -- I think</p> <p>14 specifically -- the short answer is if they've used our</p> <p>15 existing system I don't think they're going to have any</p> <p>16 problem using the new system. We definitely want to</p> <p>17 put a new face on it, and everything that we intend to</p> <p>18 do for it is to make it easier for them, not to make it</p> <p>19 harder for them. So I don't anticipate any substantial</p> <p>20 training issues from a -- from a committee data entry</p> <p>21 perspective.</p> <p>22 COMMISSIONER KIMBLE: Thank you.</p> <p>23 MR. MAASKE: And then to go back to</p> <p>24 Commissioner Meyer's question, we do have a bulk data</p> <p>25 import. We tend to save that for those big, like,</p>	<p>1 opposing this proposition. I can drill down on pretty</p> <p>2 much anything.</p> <p>3 Contributors, again, more or less of the</p> <p>4 same style except that I can -- I can now filter these</p> <p>5 things by things that are contributor specific.</p> <p>6 There's also a data view on contributors that's going</p> <p>7 to show me all of the contributors, the number of</p> <p>8 entities that they contributed to and the total amount.</p> <p>9 These would be aggregate amounts by contributor and</p> <p>10 then I can drill down further into that to find out</p> <p>11 specifically who they've contributed to.</p> <p>12 COMMISSIONER MEYER: What's the -- what are</p> <p>13 the choices of the drop-down menu for contributor</p> <p>14 type -- we're not that far along yet -- on the left</p> <p>15 there? I'm just curious.</p> <p>16 MR. MAASKE: Yeah. So contributor types</p> <p>17 would be your individuals, your personal money, your</p> <p>18 PACs, parties, organizations. That would be the type</p> <p>19 of contributor.</p> <p>20 COMMISSIONER MEYER: It's got all of those</p> <p>21 different categories?</p> <p>22 MR. MAASKE: Correct. And those are</p> <p>23 existing categories in our system today. So most of</p> <p>24 what you're seeing here is based on existing data</p> <p>25 that -- you know, we don't have to do large</p>		
10:21:25-10:22:29	Page 43	10:23:43-10:25:01	Page 45
<p>1 super PAC or mega PAC committees that file in multiple</p> <p>2 states and so they file with different jurisdictions.</p> <p>3 And they use their own software to enter the data and</p> <p>4 then they provide a bulk feed into our system. So they</p> <p>5 don't -- they don't manually enter it into our system.</p> <p>6 They give us a bulk feed.</p> <p>7 CHAIRMAN TITLA: Any further comments?</p> <p>8 COMMISSIONER MEYER: Thank you.</p> <p>9 MR. MAASKE: You bet.</p> <p>10 Am I doing okay on time?</p> <p>11 CHAIRMAN TITLA: Yeah. Yeah, I think we're</p> <p>12 doing okay.</p> <p>13 MR. MAASKE: Thank you.</p> <p>14 I'm going to gloss over PACs, parties and</p> <p>15 organizations. I'm just going to click on them just to</p> <p>16 show you that they basically look the same as</p> <p>17 candidates, except that some of the charts and stuff</p> <p>18 change what it is that they show, but substantially all</p> <p>19 of this works the same. There's a data view on every</p> <p>20 single one of them. This is going to show me PACs</p> <p>21 versus showing me candidates, right?</p> <p>22 Organizations, pretty much the same thing.</p> <p>23 Propositions, pretty much the same thing. You get a</p> <p>24 data view that's going to show you these were all the</p> <p>25 propositions. This was the money spent in support or</p>	<p>1 architectural changes in order to make most of this</p> <p>2 stuff happen. We have -- we have all of this data.</p> <p>3 Expenses, again, pretty much the same</p> <p>4 thing. And then I'll show you really quick the</p> <p>5 advanced search which looked a lot like the detailed</p> <p>6 candidate search that we saw earlier. This allows me</p> <p>7 to look and add various criteria, so if I want to look</p> <p>8 specifically by -- by name or I want to look by who the</p> <p>9 filer was or I want to look by specific amounts or any</p> <p>10 combination thereof.</p> <p>11 The way that we architected this is such</p> <p>12 that you can add -- you basically add a filter at a</p> <p>13 time and then you see the results and that's to avoid</p> <p>14 people being able to put in three or four criteria only</p> <p>15 to exclude all of the results, right? So that's</p> <p>16 another problem that we found in a lot of other state</p> <p>17 systems was it was a very open-ended search. There's</p> <p>18 20 input fields and I could put data in all of those if</p> <p>19 I wanted to and then click search, and the odds of</p> <p>20 actually getting all that criteria right is zero,</p> <p>21 right?</p> <p>22 So it's very frustrating from a user</p> <p>23 perspective, and so we really tried to come up with a</p> <p>24 way to make that more interactive. So if they add one</p> <p>25 criteria, they get the result immediately and they know</p>		

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<p>1 if they went wrong, right? So now I combine the second</p> <p>2 criteria in there. If that criteria gives me zero</p> <p>3 results, I can just remove that criteria and then try</p> <p>4 something different. So it's a much more interactive</p> <p>5 way of doing searches.</p> <p>6 And then compare committees. So there's</p> <p>7 two ways that I can choose to compare. And I'm saying</p> <p>8 "compare committees," but I can actually compare</p> <p>9 committees, ballot measures, contributors or expend</p> <p>10 vendors kind of in the expense category.</p> <p>11 There's two ways that I can choose this.</p> <p>12 One is as I'm looking anywhere in the system at a</p> <p>13 candidate, there will be a little thing, a little check</p> <p>14 box, let's say, on that grid that would allow me to add</p> <p>15 that to a search. So if I see a candidate that I think</p> <p>16 is interesting, so I add it to compare. I could check</p> <p>17 that box and then it would be added to the screen. So</p> <p>18 when I go to the screen, that would be there.</p> <p>19 The other thing I can do is I can come to</p> <p>20 the screen without doing any work up front and I can</p> <p>21 just start typing in a candidate name, committee name,</p> <p>22 whatever, and find them in a quick drop-down list and</p> <p>23 then add them to the compare. So the top half of this</p> <p>24 compare actually compares committees on the same</p> <p>25 charts. So this particular chart would have as many</p>	<p>1 I'm amazed by it, all the different categories that you</p> <p>2 can do. And I think that under the Clean Elections</p> <p>3 Act -- I just want to read from what we work under --</p> <p>4 the people of Arizona declare in the Act that our</p> <p>5 intent is to create a Clean Elections system that will</p> <p>6 improve the integrity of the Arizona state government</p> <p>7 by diminishing the influence of special interest money,</p> <p>8 will encourage citizen participation in the political</p> <p>9 process and will promote freedom of speech under the</p> <p>10 U.S. and Arizona Constitution.</p> <p>11 So that is what our mandate is here as</p> <p>12 commissioners and we try to operate under the law, and</p> <p>13 I think that what the Secretary Reagan said is very</p> <p>14 important. She said that this project will promote</p> <p>15 transparency in campaign finance funding. And we also</p> <p>16 are interested here in transparency and that category,</p> <p>17 and she also indicated that we can follow the money</p> <p>18 here. And I think that under the Clean Elections Act,</p> <p>19 a lot of citizens of the State of Arizona want to know</p> <p>20 where the money comes from and they want to follow the</p> <p>21 money.</p> <p>22 So if this project that you're working on</p> <p>23 can promote transparency and the citizens of the state</p> <p>24 of Arizona can follow the money and then they can find</p> <p>25 out who the money is coming from and you are saying</p>		
10:26:22-10:27:28	Page 47	10:29:02-10:30:26	Page 49
<p>1 lines on it as there are people that I've selected, and</p> <p>2 this would show their income and expenses over time</p> <p>3 with multiple people on -- sorry about that -- multiple</p> <p>4 people on the same chart. I talk with my hands. It's</p> <p>5 not good when there's microphones in the room.</p> <p>6 Contributions, same thing. This is going</p> <p>7 to be a bar chart that shows kind of all of them</p> <p>8 stacked up, same thing with the expenditures.</p> <p>9 Then we get into charts that don't do very</p> <p>10 well when you try to put -- layer them on top of each</p> <p>11 other. So what we've done is we've carved out a</p> <p>12 section for each committee in this case that you're</p> <p>13 comparing. So you can compare their contributions and</p> <p>14 their contributions by contributor type and then you</p> <p>15 can just kind of scroll down to see what Committee 2 is</p> <p>16 doing here versus Committee 1 when it's put together.</p> <p>17 I think I've exhausted everything aside</p> <p>18 from showing you more of the same. So if there's no</p> <p>19 more questions --</p> <p>20 CHAIRMAN TITLA: Any questions,</p> <p>21 Commissioners? Comments?</p> <p>22 COMMISSIONER MEYER: Nothing from me.</p> <p>23 Thank you.</p> <p>24 CHAIRMAN TITLA: Okay. If not, I think</p> <p>25 that this is a good project that you're working on and</p>	<p>1 that this project will make it easier for the citizens</p> <p>2 of Arizona to find out more about this, then I think</p> <p>3 that that goes in line with the -- our work here under</p> <p>4 the Clean Elections Act and I think that it goes under</p> <p>5 your work also so that the citizens of Arizona can be</p> <p>6 more involved in the political process and they can</p> <p>7 vote with all the information and knowledge close at</p> <p>8 hand.</p> <p>9 And I think that most of the people in</p> <p>10 Arizona probably have access to computers now, although</p> <p>11 I'm sure there's some rural areas that don't, but I</p> <p>12 think that so many people can reach the computerized</p> <p>13 information. And that's one of the work that we are</p> <p>14 doing here is trying to reach out to the four corners</p> <p>15 of the state to inform all the people in the state</p> <p>16 because we have a diversity of people in Arizona, as</p> <p>17 you know. We have a lot of Anglo people, but we have a</p> <p>18 substantial Hispanic group in Arizona. And then we</p> <p>19 have 21 or 22 tribes in Arizona in the four corners of</p> <p>20 the state and we try to reach them also.</p> <p>21 And our staff here, the executive</p> <p>22 director -- and that includes Sara and Gina and Mike</p> <p>23 and Amy are working toward that goal trying to reach in</p> <p>24 the state of Arizona so that we can have as much</p> <p>25 participation in the election process as we can.</p>		

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<p>1 So I wish to thank you and the Honorable</p> <p>2 Secretary Reagan for bringing this project to us and</p> <p>3 I'm sure the commissioners will look at it and ask</p> <p>4 questions as we go forward here.</p> <p>5 So I appreciate it. Thank you.</p> <p>6 MR. MAASKE: Thank you, Mr. Chairman.</p> <p>7 COMMISSIONER MEYER: Mr. Chairman, one more</p> <p>8 question, if I could.</p> <p>9 CHAIRPERSON TITLA: Chairman -- I mean,</p> <p>10 Commissioner Meyer.</p> <p>11 COMMISSIONER MEYER: And this could be a</p> <p>12 question for you, sir, or perhaps for Secretary Reagan.</p> <p>13 You know, this all looks great and is very exciting,</p> <p>14 and I guess we already had a project like this that we</p> <p>15 had to abandon in the middle.</p> <p>16 What assurances can you provide the</p> <p>17 Commission that we're not going to have a repeat of</p> <p>18 what happened with the 2014 campaign finance software?</p> <p>19 MR. MAASKE: Thank you, Mr. Chairman and</p> <p>20 Commissioner Meyer. I think that's a fair question. I</p> <p>21 can tell you that the Secretary has made it very clear</p> <p>22 to me that we will succeed on this project. I will</p> <p>23 also tell you that I intend to retire with the</p> <p>24 Secretary of State's Office and I don't feel that that</p> <p>25 may happen if we don't succeed with this project.</p>		<p>1 MR. MAASKE: Yeah. Well, there was just an</p> <p>2 article that came out and, I think, yesterday that</p> <p>3 deals specifically about -- about -- about what</p> <p>4 happened. And I think that it pretty much told us the</p> <p>5 story, and that was that we went with a third-party</p> <p>6 provider that, you know, put some pretty good resources</p> <p>7 in front of us and -- and wowed us. And when it --</p> <p>8 when it came time to actually -- to actually do</p> <p>9 something with that, we just -- we just didn't feel</p> <p>10 that it was the right solution, that their company had</p> <p>11 some issues with the staff and, you know, things</p> <p>12 dissolving.</p> <p>13 The people that were originally on that</p> <p>14 project were no longer available on that project, and</p> <p>15 so we just really felt like in order to do what we</p> <p>16 wanted to do, taking us back inside and doing this as</p> <p>17 an internal project. And I think the Secretary was</p> <p>18 actually trying to do me a favor in her first year in</p> <p>19 her administration which was to let's get somebody else</p> <p>20 to do this because I've got a million things for the</p> <p>21 internal staff to work on.</p> <p>22 COMMISSIONER KIMBLE: So are we basically</p> <p>23 starting from ground zero again?</p> <p>24 MR. MAASKE: I wouldn't say we're starting</p> <p>25 from ground zero. I mean, like I said, we have -- we</p>	
10:31:37-10:32:47	Page 51	10:34:01-10:35:17	Page 53
<p>1 So we have a fantastic team assembled. We</p> <p>2 have three people that have been working at the</p> <p>3 Secretary of State's Office for -- you know, myself,</p> <p>4 for 14 years I've been working with campaign finance.</p> <p>5 The business analyst that's on this has been 15 years</p> <p>6 with campaign finance. My lead developer on this</p> <p>7 project has been doing it for 11 years working on this</p> <p>8 project. So I think we -- I think we know what we're</p> <p>9 doing. I think we have -- we've sized this thing</p> <p>10 properly and -- and I'm assured that we can deliver on</p> <p>11 this.</p> <p>12 Does that answer your question?</p> <p>13 COMMISSIONER MEYER: It does. Thank you.</p> <p>14 COMMISSIONER KIMBLE: Mr. Chairman?</p> <p>15 CHAIRMAN TITLA: Commissioner?</p> <p>16 COMMISSIONER KIMBLE: If I could follow up</p> <p>17 on that, so what happened with the last effort? I</p> <p>18 mean, everything you've described here looks</p> <p>19 spectacular, but it sounds exactly like what was</p> <p>20 proposed in November of 2015 with descriptions about</p> <p>21 this is going to be the best website in the country and</p> <p>22 it will blow everything away and half a million dollars</p> <p>23 was spent and here we are with nothing.</p> <p>24 How is this any different or what happened</p> <p>25 then?</p>		<p>1 have tremendous people on this project. I think that</p> <p>2 our design is somewhat different than what had been</p> <p>3 designed in '15-'16, but I think it's also far superior</p> <p>4 to what had been designed then because of the input</p> <p>5 that we got.</p> <p>6 COMMISSIONER KIMBLE: So part of the</p> <p>7 proposal is asking the Commission for \$200,000 to help</p> <p>8 develop this and there's -- there's a time line about</p> <p>9 it will go beta on this date; it will go live on</p> <p>10 January 2nd, 2018.</p> <p>11 What happens if these deadlines are not met</p> <p>12 as far as the Commission is concerned? Would we get</p> <p>13 some of our money back? What assurance do we have that</p> <p>14 this is going to be a wise use of taxpayer money?</p> <p>15 MR. MAASKE: So the -- thank you for that</p> <p>16 question. The payment schedule is based on</p> <p>17 deliverables, right? So the first payment is based on</p> <p>18 basically the signoff on the design of the system. The</p> <p>19 second payment is based on basically a working</p> <p>20 prototype of the system. The third deliverable is</p> <p>21 based on going beta and then the fourth deliverable is</p> <p>22 go live of the system. So you would not be paying us</p> <p>23 until we had demonstrated that we had something to</p> <p>24 deliver.</p> <p>25 Now, some of those things are early</p>	

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<p>1 products, but that's -- that's how we laid it out, how</p> <p>2 we proposed to lay it out.</p> <p>3 COMMISSIONER KIMBLE: And there's also an</p> <p>4 amount of \$50,000 a year for maintenance or access</p> <p>5 or -- I don't know exactly what to call it.</p> <p>6 What is that based on? Is that based on a</p> <p>7 specific share of a cost or how was this \$50,000</p> <p>8 arrived at?</p> <p>9 MR. MAASKE: So we anticipate -- and</p> <p>10 especially in a multijurisdictional world -- that we're</p> <p>11 going to have to add additional staff in order to</p> <p>12 support this product. I can tell you that I have</p> <p>13 probably two and a half staff in the IT department that</p> <p>14 are dedicated to this project today. Those are fairly</p> <p>15 high-cost staff. The elections department has probably</p> <p>16 one and a half or two people that are dedicated just to</p> <p>17 campaign finance stuff, and I think from a support</p> <p>18 perspective, we're going to have to up that also and</p> <p>19 have some additional support stuff and potentially some</p> <p>20 additional IT staff.</p> <p>21 COMMISSIONER KIMBLE: So is the \$50,000 a</p> <p>22 percent of the total maintenance cost or what?</p> <p>23 MR. MAASKE: It's kind of based on a</p> <p>24 standard IT formula that we do which is -- which is to</p> <p>25 take a percentage of the up front cost and charge that</p>		<p>1 charged with doing.</p> <p>2 What if we decide we don't want to pay a</p> <p>3 share of this? What would happen?</p> <p>4 SECRETARY REAGAN: Thank you, Mr. Chairman,</p> <p>5 Commissioner Kimble. I am going to do the See the</p> <p>6 Money project and we have budgeted for the See the</p> <p>7 Money ourselves regardless of whether you choose to</p> <p>8 financially participate or not. And you have my word</p> <p>9 right now that your -- what we are putting into the</p> <p>10 system that will benefit Clean Elections candidates is</p> <p>11 not going to go away. We're not going to say, oh,</p> <p>12 we're not going to do it if we don't get their money</p> <p>13 because that's not in the best interest of the public</p> <p>14 good.</p> <p>15 What your financial help will do will help</p> <p>16 accelerate the project. Right now we hired a coder</p> <p>17 employee whose only, you know, job description is to</p> <p>18 finish coding this project. And if we get another one,</p> <p>19 if you financially help us, we'll be able to hire</p> <p>20 another coder that will just accelerate the timeline</p> <p>21 that we set forth before you. So regardless, this is</p> <p>22 going to go out in the market, as I've mentioned to</p> <p>23 Bill, and I mentioned to your Staff as well so I'll</p> <p>24 just go ahead and say it publicly.</p> <p>25 My first month in office we decided that we</p>	
10:36:35-10:37:34	Page 55	10:39:08-10:40:14	Page 57
<p>1 in maintenance, but it's not based on a specific person</p> <p>2 or skill set or anything like that.</p> <p>3 COMMISSIONER KIMBLE: Okay -- okay. Thank</p> <p>4 you.</p> <p>5 CHAIRMAN TITLA: Any further discussion,</p> <p>6 Commissioners?</p> <p>7 COMMISSIONER CHAN: Mr. Chairman, I wonder</p> <p>8 if it would be possible to discuss some of the -- if</p> <p>9 we're going to go into negotiations, to discuss with</p> <p>10 our attorneys about some of these issues?</p> <p>11 CHAIRPERSON TITLA: Yeah. The Commission</p> <p>12 can choose to go into executive session for discussion</p> <p>13 or consultation with attorneys to consider its position</p> <p>14 and instruct the attorneys regarding, you know, our</p> <p>15 position here. So if that's the wish of the</p> <p>16 Commission, we could do that.</p> <p>17 COMMISSIONER CHAN: So, Mr. Chairman, I</p> <p>18 guess I would move that the Commission go into</p> <p>19 executive session to discuss this with our attorney.</p> <p>20 CHAIRMAN TITLA: Okay. Is that a motion?</p> <p>21 COMMISSIONER KIMBLE: Before we've -- can I</p> <p>22 ask one more question before we do that?</p> <p>23 MR. MAASKE: Sure.</p> <p>24 COMMISSIONER KIMBLE: So, Secretary Reagan,</p> <p>25 I think you've said that this is what your office is</p>		<p>1 were going to do this, and if this doesn't happen I</p> <p>2 don't want to be Secretary of State for another term.</p> <p>3 So that's how important this project is to us. That's</p> <p>4 how important it is to different groups that have</p> <p>5 looked at it from around the country. Your financial</p> <p>6 help is only going to help accelerate the project, but</p> <p>7 we're going to include you going forward whether you</p> <p>8 financially participate or not because that is just the</p> <p>9 right thing to do.</p> <p>10 COMMISSIONER KIMBLE: So if we don't</p> <p>11 participate when would it be ready?</p> <p>12 SECRETARY REAGAN: If you don't participate</p> <p>13 it will be ready according to the timeframe that was</p> <p>14 set forth -- and I don't know. Did Bill give you a</p> <p>15 packet of the timeline where we want to be --</p> <p>16 COMMISSIONER KIMBLE: Yes.</p> <p>17 SECRETARY REAGAN: Bill, stop me if I'm</p> <p>18 wrong, please.</p> <p>19 We want to have a beta product in the fall</p> <p>20 that people are using and playing with and giving us</p> <p>21 feedback. We anticipate having users come in where</p> <p>22 maybe they're -- we're even mapping their keystrokes to</p> <p>23 see what do they find hard, what do they find</p> <p>24 difficult, what do they find exciting, and then going</p> <p>25 live in January.</p>	

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<p>1 So the other thing -- so it would help</p> <p>2 speed that up to the beta phase, your help. The other</p> <p>3 thing your help would help with is something that Bill</p> <p>4 didn't touch on and that is -- well, let me first of</p> <p>5 all say that this -- that See the Money is going to be</p> <p>6 multi-language. It's also very important that it's</p> <p>7 mobile friendly. If you're creating anything now that</p> <p>8 is not mobile friendly, then it's kind of silly, but we</p> <p>9 also have a lot of things on our wish list, things that</p> <p>10 we know are going to happen Version 2.</p> <p>11 And I want to say that if done properly,</p> <p>12 this should be a program that is never completed and</p> <p>13 it's constantly being added to. And the way that Bill</p> <p>14 is building this and the way that the source codes that</p> <p>15 we have for this project is with the specific intent</p> <p>16 that we are always adding on to this. For instance,</p> <p>17 lobbying -- lobbyists' filings right now, that's -- if</p> <p>18 there's any lobbyists in the room they know that that</p> <p>19 is not an easy system. It's not electronic. It's not</p> <p>20 searchable.</p> <p>21 The ability to add that on in future years</p> <p>22 is a big goal of mine. The ability to connect with the</p> <p>23 Corporation Commission -- let's say you run into one of</p> <p>24 those organizations on the tab that is one that doesn't</p> <p>25 report their contributors. Well, there's still a lot</p>		<p>1 relationship and are able to talk and able to</p> <p>2 communicate. We don't always agree, but I believe that</p> <p>3 there may be more friction between our two -- more</p> <p>4 friction reported than there actually is when we all</p> <p>5 sit down and speak with each other.</p> <p>6 So I don't want you to feel like you're</p> <p>7 being held hostage, like if you don't contribute to</p> <p>8 this project there's going to be friction. You know,</p> <p>9 I'm here today because I don't want the next two years</p> <p>10 to be like that.</p> <p>11 COMMISSIONER KIMBLE: I understand that. I</p> <p>12 appreciate it. I agree with that. On the other hand,</p> <p>13 next week the Governor's Regulatory Review Commission</p> <p>14 has another meeting in this a year-long thing that's</p> <p>15 been going on and it's been triggered by your office</p> <p>16 which opposes some of our rules and some of the things</p> <p>17 we've done. So, you know, I kind of think this has to</p> <p>18 go both ways. I can see some real benefits in working</p> <p>19 with you on this -- on this. I would hope it would go</p> <p>20 beyond this, though, if we become financial partners in</p> <p>21 this.</p> <p>22 I am very frustrated by this year-long</p> <p>23 pointless fight we've gotten into with the Governor's</p> <p>24 Regulatory Review Council that is only because of your</p> <p>25 office's objections to what we have done. And I don't</p>	
10:41:44-10:42:59	Page 59	10:44:30-10:45:46	Page 61
<p>1 of information you can get from those -- about those</p> <p>2 groups. You can get their Corporation Commission</p> <p>3 filings. You can get federal filings. The ability to</p> <p>4 link in with all of those so that the user gets it all</p> <p>5 at, you know, with, well, as few clicks as possible</p> <p>6 without having to leave the site and go log into a</p> <p>7 federal site.</p> <p>8 The possibilities for all this project is</p> <p>9 endless and we want to continually be adding things.</p> <p>10 Now, because I've added so much stuff to it already,</p> <p>11 which is part of the reason why it's been held up, Bill</p> <p>12 has kind of put a hold on me and said that's going to</p> <p>13 be Version 2, Michele. So that will be Version 2.</p> <p>14 Your contribution would help further get some of that</p> <p>15 stuff done quicker if we had an additional coder.</p> <p>16 COMMISSIONER KIMBLE: And, Mr. Chairman,</p> <p>17 Secretary Reagan, I assume also this would also go a</p> <p>18 long way to something that Commissioner Paton and</p> <p>19 Commissioner Meyer have referred to and that's</p> <p>20 improving the working relationship of our two</p> <p>21 organizations.</p> <p>22 SECRETARY REAGAN: Yes. Mr. Chairman,</p> <p>23 Commissioner, it would go a long way, but I am here</p> <p>24 today -- and, you know, believe it or not, your</p> <p>25 executive director and I have a very good working</p>		<p>1 think there's a quid pro quo here, but that's another</p> <p>2 thing that enters into my mind about do we want to do</p> <p>3 business with you.</p> <p>4 SECRETARY REAGAN: Mr. Chairman,</p> <p>5 Commissioner, that's a fair question to ask. I would</p> <p>6 be asking that. Do you want to do business with</p> <p>7 somebody who has had you in and out of court, quite</p> <p>8 frankly, and -- and I can't promise that all those</p> <p>9 things are going to go away. What I can promise is</p> <p>10 that this project is a good project for the public</p> <p>11 good. I'm committed to this project, and it is an area</p> <p>12 that we can work together on. I want to work with you</p> <p>13 on this.</p> <p>14 I want to know if there's certain things</p> <p>15 that your candidates need or certain types of</p> <p>16 information that is going to be public information, can</p> <p>17 it be aggregated into our system. The more data that</p> <p>18 we get and the more groups that we work with is only</p> <p>19 going to make this program more powerful.</p> <p>20 So I don't feel like I can even comment on</p> <p>21 the GRRC situation, you know, what they're going to do,</p> <p>22 not do. I can tell you that if you look at our</p> <p>23 behavior since session has started, we have not been</p> <p>24 down at the legislature seriously advocating for your</p> <p>25 demise, which is a bit of a turnabout from the last</p>	

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<p>1 couple of years.</p> <p>2 I personally do not philosophically believe</p> <p>3 in public financing of campaigns. That's not going to</p> <p>4 change, but that doesn't mean that I'm going to not</p> <p>5 work with you because the law says that those types of</p> <p>6 campaigns exist. And I'm going to make sure that if</p> <p>7 there's information on those campaigns, it needs to --</p> <p>8 it should be all in one place and available to the</p> <p>9 public.</p> <p>10 So that I don't think I'm serving the</p> <p>11 public as well if I'm not accepting the right that</p> <p>12 Clean Elections has, your Commission has to do the work</p> <p>13 that the people have charged it to do. I might not</p> <p>14 like some of that work, but, you know, it's my duty to</p> <p>15 understand that it's the law.</p> <p>16 COMMISSIONER KIMBLE: I would hope that we</p> <p>17 can have a higher bar than you're not advocating for</p> <p>18 our demise.</p> <p>19 SECRETARY REAGAN: Well, I meant that in</p> <p>20 a -- in a kinder way, but there are -- Mr. Chairman,</p> <p>21 Commissioner Kimble, we do have -- you know, there</p> <p>22 obviously are a lot of bills at the legislature were</p> <p>23 your commission or your mission is going to be</p> <p>24 different than mine if you don't or if you do agree</p> <p>25 with the public financing system.</p>	<p>1 this Commission, I think, is truly one of the only</p> <p>2 independent agencies in Arizona. And I think our</p> <p>3 mission is way more than just public financing of</p> <p>4 candidates which is important, but it's also about</p> <p>5 trying to promote and grow integrity in elections</p> <p>6 through transparency and it's also about voter</p> <p>7 education.</p> <p>8 And, you know, I asked Staff to provide me</p> <p>9 some information about your office's position on some</p> <p>10 of our -- the Commission's actions and, you know, I see</p> <p>11 a headline: Michele Reagan to election's panel: Tread</p> <p>12 lightly on dark money rules. So I personally feel like</p> <p>13 issues like that where the Commission is getting</p> <p>14 burned, it makes it -- it does make it hard to have</p> <p>15 some trust moving forward.</p> <p>16 And, frankly, I know our Staff has met with</p> <p>17 your Staff about even legislative things that staff has</p> <p>18 agreed to and then when your staff goes back to your</p> <p>19 office, suddenly things change with the agreement. And</p> <p>20 so that -- those things concern me because I feel like</p> <p>21 we need to be able to trust your office's word when</p> <p>22 we're having meetings. And I know an ISA is a written</p> <p>23 agreement, but, for example, the ISA we just agreed to</p> <p>24 end, that was a written agreement. And we had to</p> <p>25 basically say, okay, the Secretary of State's Office is</p>		
10:47:15-10:48:33	Page 63	10:50:06-10:51:14	Page 65
<p>1 So, you know, I'm trying to be very honest</p> <p>2 by saying -- and it's no secret. I was in the</p> <p>3 legislature for 12 years. I'm not a fan of public</p> <p>4 finance systems for campaigns, but that doesn't mean</p> <p>5 that I can't be a fan of the Commission. I see the</p> <p>6 difference in that because I do believe you do have a</p> <p>7 mission that was given to you by the public and I have</p> <p>8 to recognize that. So I'm trying to separate the two</p> <p>9 in my mind, and I'm trying to have that be reflected in</p> <p>10 the types of bills we're at the legislature either</p> <p>11 opposing or supporting. We're in our own lane.</p> <p>12 COMMISSIONER KIMBLE: Thank you.</p> <p>13 COMMISSIONER CHAN: Mr. Chairman?</p> <p>14 CHAIRPERSON TITLA: Commissioner Chan.</p> <p>15 COMMISSIONER CHAN: If I may with Secretary</p> <p>16 Reagan, you know, I appreciate your comments to</p> <p>17 Commissioner Kimble. I appreciate Mr. Kimble's</p> <p>18 questions to you about, you know, our past, anyway,</p> <p>19 before I came here. I always feel like I have to</p> <p>20 acknowledge, you know, because I haven't lived through</p> <p>21 it like all the other commissioners have, but I think</p> <p>22 from my perspective it's difficult to think about our</p> <p>23 agency mission.</p> <p>24 I mean, you mentioned public funding and a</p> <p>25 philosophical difference about it. And I get that, but</p>	<p>1 in breach, but we're going to move forward now.</p> <p>2 So those are my concerns moving forward</p> <p>3 with something as huge as this. And I do not disagree</p> <p>4 with the fact that this is going to be a complete</p> <p>5 dynamite, this system. And I do think it's good for</p> <p>6 Arizona, but I just want to say for the record that</p> <p>7 those are -- those are my concerns.</p> <p>8 And I think they're very serious concerns,</p> <p>9 especially after, you know, your office has already</p> <p>10 spent almost half a million dollars on a product that</p> <p>11 right now I don't know that there's anything to show</p> <p>12 for it. So it is important. I know Bill basically</p> <p>13 gave his personal assurance, which I feel bad that a</p> <p>14 staffer has to do that, but -- and obviously you've</p> <p>15 given us your personal assurance, too, but as I</p> <p>16 mentioned, I just -- it is very difficult seeing what's</p> <p>17 happened in the past and moving forward with something</p> <p>18 this huge to not worry that we're going to get burned.</p> <p>19 So I just -- I guess that's not really a</p> <p>20 question.</p> <p>21 SECRETARY REAGAN: It's okay.</p> <p>22 Mr. Chairman, Commissioner Chan, thank you for your</p> <p>23 comments. And you mentioned a couple of things. The</p> <p>24 first thing that you mentioned was that your mission is</p> <p>25 a lot larger than public financing. I completely 100</p>		

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<p>1 percent agree with you. It is a lot bigger than that.</p> <p>2 It is voter education. It is the integrity of the</p> <p>3 election system, and on those -- those points, I</p> <p>4 completely stand in agreement with you on that.</p> <p>5 That's one of the reasons why I'm</p> <p>6 passionate about wanting to work together on this</p> <p>7 project. It's not all about money. It's because --</p> <p>8 again, it's the right thing to do for the voters.</p> <p>9 And -- so we don't disagree on that.</p> <p>10 And regarding the breach of contract, all I</p> <p>11 can say is that was not something that -- I came into</p> <p>12 that in the middle. That was not something that I</p> <p>13 wrote or got a chance to write. You and I didn't write</p> <p>14 that, basically. And when we looked at it, it wasn't</p> <p>15 going to be a product that was going to be worth --</p> <p>16 like I said, it was already outdated. And so, yes, you</p> <p>17 know, we halted that project and so let's give them the</p> <p>18 remaining money back. So thank you for voting to</p> <p>19 accept that money.</p> <p>20 I do realize you're being asked to have a</p> <p>21 little bit of trust here and -- and you might say is it</p> <p>22 warranted? I'm trusting you by showing you this</p> <p>23 project and by working with your staff trying to get</p> <p>24 input into areas that we perhaps have missed.</p> <p>25 And regarding money that was spent prior to</p>	<p>1 that never happened.</p> <p>2 And so that -- I just want you to</p> <p>3 understand where I'm coming from with, you know, my</p> <p>4 understanding of how things have gone. And I would</p> <p>5 expect, I guess, if we're going to -- and that's also</p> <p>6 something we can discuss in our executive session, I</p> <p>7 guess, terms of the contract, potentially, at some</p> <p>8 point, but I think, you know, if there's going to be a</p> <p>9 sign of good faith it would be and would have been,</p> <p>10 frankly, allowing our staff to participate as was</p> <p>11 offered in the, you know, initial -- and maybe that's</p> <p>12 water under the bridge, but I think there is a lot of</p> <p>13 baggage here that -- that is weighing heavily on my</p> <p>14 conscience, I think, as we move forward.</p> <p>15 SECRETARY REAGAN: Mr. Chairman,</p> <p>16 Commissioner Chan, understood, and thank you for -- for</p> <p>17 airing that. And, again, your staff is going to be</p> <p>18 included in this project whether you choose to</p> <p>19 financially contribute or not. I'm saying it right</p> <p>20 here right now because you do things a little</p> <p>21 differently than we do and in order for this system to</p> <p>22 work for all candidates regardless of how they're</p> <p>23 running, they need to be included in that.</p> <p>24 So you have some very talented staff. I</p> <p>25 have some very talented staff. We are not doing the</p>		
10:52:44-10:54:04	Page 67	10:55:26-10:56:34	Page 69
<p>1 this project -- because we've been working on this for</p> <p>2 well over a year and we did have an outside group</p> <p>3 working on it. There were a lot of reasons why that's</p> <p>4 not the product that we're using, but I don't consider</p> <p>5 that wasted, that it was completely wasted. We got</p> <p>6 the -- a lot of the design, a lot of the development of</p> <p>7 the system, a lot of the coding for the different</p> <p>8 graphs that you are seeing right now came from that</p> <p>9 original group.</p> <p>10 And we have the source code of what they</p> <p>11 wrote. So just because it's not done yet and just</p> <p>12 because we think we can do it better doesn't, in my</p> <p>13 mind, mean that that was a complete waste. I wish I</p> <p>14 had had more internal IT staff at that time because I</p> <p>15 would have had them do it versus sub it out, but, you</p> <p>16 know, just -- again, we have to start at some place to</p> <p>17 move forward and work together and I think that this is</p> <p>18 a good starting place.</p> <p>19 COMMISSIONER CHAN: Mr. Chairman, Secretary</p> <p>20 Reagan, you did mention working together and I think</p> <p>21 having our Staff maybe participate because it is</p> <p>22 important for our offices to work together. And I just</p> <p>23 want to bring up, you know, I think at the beginning of</p> <p>24 the Minesse project, I believe the deputy secretary had</p> <p>25 told Tom that one of our staffers could participate and</p>	<p>1 public any favors by not allowing them to work together</p> <p>2 going forward, and so that is part of the plan and will</p> <p>3 be part of the plan regardless, again, of what you</p> <p>4 decide to do today.</p> <p>5 COMMISSIONER CHAN: Thank you,</p> <p>6 Mr. Chairman.</p> <p>7 Thank you, Secretary Reagan.</p> <p>8 SECRETARY REAGAN: Thank you, Commissioner.</p> <p>9 CHAIRMAN TITLA: Any more comments by</p> <p>10 commissioners?</p> <p>11 COMMISSIONER PATON: Yes, if I may. I'm</p> <p>12 just hardened by your appearance and, you know, I've</p> <p>13 had a stressful last year dealing with all this stuff,</p> <p>14 and I appreciate you coming to us instead of just</p> <p>15 some -- some person that you don't see and son on.</p> <p>16 This is -- you know, I can visually see what you -- I</p> <p>17 get your excitement about it. And when I hear</p> <p>18 transparency, that makes me feel really good about it.</p> <p>19 And I'm kind of getting your excitement, actually. So,</p> <p>20 you know, I just appreciate having you here and telling</p> <p>21 us about this.</p> <p>22 SECRETARY REAGAN: Thank you.</p> <p>23 Mr. Chairman, Commissioner Paton, let me just assure</p> <p>24 you that your last year was hard, but it was not nearly</p> <p>25 as crazy as mine. So I think I have you beat there,</p>		


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<p>1 but let me give you something to really think about</p> <p>2 what's exciting about this project because this is</p> <p>3 something that, again, we don't see in any other state.</p> <p>4 And so I'm going to leave you with this as you go into</p> <p>5 executive session.</p> <p>6 Right now if you want to look up, let's</p> <p>7 say, a lobbyist -- so I'm going to pretend you're --</p> <p>8 you're a lobbyist. So Commissioner Meyer is a lobbyist</p> <p>9 and he gives money and he gives to all different --</p> <p>10 contributes to all different people around the state,</p> <p>11 but if you go pull him up you're only going to see if</p> <p>12 he contributed to statewide officers or legislative</p> <p>13 candidates. Under this system you're going to see who</p> <p>14 Commission Meyer is really influencing.</p> <p>15 Is he trying to influence through</p> <p>16 contributions a justice of the peace candidate, like my</p> <p>17 dad in Maricopa County? Is he trying to influence a</p> <p>18 mayor in a city? Right now if you really want to get</p> <p>19 an idea of the kind of money he's spending, you need to</p> <p>20 go to 91 different jurisdictions, cities and towns and</p> <p>21 15 different counties and the state system. A lot of</p> <p>22 those cities are not online. They are all on paper</p> <p>23 because they're -- some of them are small.</p> <p>24 So go to those 91 places and then the 15,</p> <p>25 in many cases, stand in line, pay for copies, tape them</p>	<p>1 contributions from private interests over which they</p> <p>2 have governmental jurisdiction and it gives incumbents</p> <p>3 an unhealthy advantage over challengers and it hinders</p> <p>4 communication to voters by many qualified candidates.</p> <p>5 It effectively suppresses the voices and influence of</p> <p>6 the vast majority of Arizona citizens in favor of a</p> <p>7 small number of wealthy special interest. It</p> <p>8 undermines public confidence and the integrity of</p> <p>9 public officials. It costs the average taxpayers</p> <p>10 millions of dollars in the form of subsidies and</p> <p>11 special privilege for campaign contributors and it</p> <p>12 drives up the costs of running for state office,</p> <p>13 discouraging otherwise qualified candidates who lack</p> <p>14 personal wealth or access to special interest funding</p> <p>15 and requires that elected officials spend too much of</p> <p>16 their time raising funds rather than representing the</p> <p>17 public.</p> <p>18 So that is our mandate as commissioners</p> <p>19 here and that's what we are supposed to work on among</p> <p>20 the laws that have been passed by the State of Arizona,</p> <p>21 but I thank you for coming here with your talented</p> <p>22 staff and hopefully we can work in cooperation and</p> <p>23 partnership in the future for the betterment of the</p> <p>24 voters of the state of Arizona. So thank you.</p> <p>25 Is there a motion to go into executive</p>		
10:57:54-10:59:17	Page 71	11:00:56-11:02:10	Page 73
<p>1 up on the wall and get out your calculator and add it</p> <p>2 to see what he's really doing around the state. We can</p> <p>3 obviously fix all of this by putting it in through one</p> <p>4 portal. The benefits to the public is huge, but the</p> <p>5 benefits to the cities and towns right now that have it</p> <p>6 on paper that would love to be able to be in an online</p> <p>7 system like this is huge too.</p> <p>8 So this is something that has a lot of</p> <p>9 people excited around the state, as I mentioned. My</p> <p>10 fellow secretaries of state are excited to see this</p> <p>11 because many of them are thinking of, you know, what</p> <p>12 can they do better and what can they use from this?</p> <p>13 And so I guess I will just say I am very happy to see</p> <p>14 you getting excited about it too.</p> <p>15 CHAIRPERSON TITLA: Okay. I think we've</p> <p>16 spent enough time on this, but regarding, you know, the</p> <p>17 Clean -- Citizens Clean Elections Act, I think as</p> <p>18 commissioners and the people out in the public and the</p> <p>19 honorable Secretary Reagan, sometimes we forget what</p> <p>20 the people voted us in for. And for the commissioners,</p> <p>21 the citizens of the state of Arizona spoke.</p> <p>22 And in the Clean Elections law, this is</p> <p>23 what they said: The people of Arizona find that our</p> <p>24 current election financing system allows Arizona</p> <p>25 elected officials to accept large campaign</p>	<p>1 session?</p> <p>2 MR. COLLINS: Mr. Chairman, if I -- if I</p> <p>3 may, before the motion, I just want to say that, you</p> <p>4 know, obviously, I think that we -- Staff wouldn't be</p> <p>5 recommending that we seek -- we wouldn't be seeking</p> <p>6 your authorization to negotiate the brass tacks of this</p> <p>7 if we didn't think it was a good idea, you know. You</p> <p>8 all have my recommendation memos. There are some --</p> <p>9 there are some brass tacks issues that we'll have to</p> <p>10 deal with. I don't -- it's my job to be the downer.</p> <p>11 It just is.</p> <p>12 And so I just -- you know, I just want to</p> <p>13 make, you know, clear, you know, that -- that we think</p> <p>14 we can work through those issues, but there are -- you</p> <p>15 know, as we've been following up on researching costs</p> <p>16 and -- and how this is going to be structured, there's</p> <p>17 going to be some negotiating we're going to have to do</p> <p>18 in order to ensure that -- the additional duty that the</p> <p>19 Commission has is to ensure that monies are spent from</p> <p>20 the fund in a -- in a way that's consistent with our</p> <p>21 fiduciary responsibility.</p> <p>22 So we'll have to, you know, work through</p> <p>23 that, and I just want make sure that everybody</p> <p>24 understood, you know, that the recommendation that the</p> <p>25 Staff is making is not to authorize the program but to</p>		

11:02:16-11:03:30	Page 74	11:48:11-11:48:49	Page 76
<p>1 give me authorization to go forward and work with the</p> <p>2 Secretary's office to get those, you know, more</p> <p>3 nettlesome issues resolved and then bring the</p> <p>4 finalized, say, back to you when it's something that we</p> <p>5 think is a good product that deals with some of the</p> <p>6 cost issues and the -- and the guarantees and those</p> <p>7 kinds of things in a way that addresses the financial</p> <p>8 obligations of the Commission as well as the policy</p> <p>9 interests of the Commission.</p> <p>10 So I just wanted to make sure all of the</p> <p>11 Commission understood -- understands what the Staff</p> <p>12 recommendation is, and that's all. So if you want to</p> <p>13 move -- if you want to go into executive session --</p> <p>14 CHAIRMAN TITLA: On the agenda it says</p> <p>15 discussion and possible action related to the Secretary</p> <p>16 of State's proposal for a See the Money authorization</p> <p>17 of Commission Staff.</p> <p>18 So, Commissioners, do you wish to go into</p> <p>19 executive session to discuss this further, or do you</p> <p>20 wish to just defer to the executive director so he can</p> <p>21 come back to us maybe next month or in a couple of</p> <p>22 months with further information?</p> <p>23 Commissioner Chan?</p> <p>24 MR. COLLINS: If you want to, that's fine.</p> <p>25 It's your.</p>		<p>1 (The following section of the meeting is in</p> <p>2 executive session and bound under separate cover.)</p> <p>3 * * * * *</p> <p>4 (End of executive session. Public meeting</p> <p>5 resumes at 11:48 a.m.)</p> <p>6 CHAIRMAN TITLA: We are back in session.</p> <p>7 Commissioners, is there any -- any more</p> <p>8 discussion on possible action related to the</p> <p>9 Commission's Interagency Service Agreement?</p> <p>10 MR. COLLINS: Mr. Chairman, if you don't</p> <p>11 mind, it would be helpful for me to have a motion to</p> <p>12 authorize Staff to negotiate the issues related to the</p> <p>13 Interagency Service Agreement or agreements outlined in</p> <p>14 the two Staff recommendation memos.</p> <p>15 CHAIRPERSON TITLA: Okay. Is there a</p> <p>16 motion, Commissioner?</p> <p>17 COMMISSIONER MEYER: Mr. Chairman, so</p> <p>18 moved.</p> <p>19 CHAIRPERSON TITLA: Commissioner Meyer,</p> <p>20 motions.</p> <p>21 Second?</p> <p>22 COMMISSIONER KIMBLE: Second.</p> <p>23 CHAIRMAN TITLA: Commissioner Kimble</p> <p>24 seconds.</p> <p>25 Discussion?</p>	
11:03:30-11:05:58	Page 75	11:48:49-11:49:41	Page 77
<p>1 COMMISSIONER CHAN: Okay.</p> <p>2 MR. COLLINS: It's your right.</p> <p>3 COMMISSIONER CHAN: Chairman, I'd still</p> <p>4 like to move to go into executive session, if we could.</p> <p>5 CHAIRMAN TITLA: Okay.</p> <p>6 COMMISSIONER CHAN: I'm sorry. I know</p> <p>7 we've been spending a lot of time on this.</p> <p>8 CHAIRMAN TITLA: There's a motion to go</p> <p>9 into executive session by Commissioner Chan.</p> <p>10 Is there a second?</p> <p>11 COMMISSIONER KIMBLE: Second.</p> <p>12 CHAIRMAN TITLA: Second by Commissioner</p> <p>13 Kimble.</p> <p>14 All in favor say aye.</p> <p>15 (Chorus of ayes.)</p> <p>16 CHAIRMAN TITLA: Opposed?</p> <p>17 (No response.)</p> <p>18 CHAIRMAN TITLA: Abstain?</p> <p>19 (No response.)</p> <p>20 CHAIRMAN TITLA: Okay. The motion passes</p> <p>21 unanimously. We will go into executive session.</p> <p>22 Why don't we take a five-minute break also</p> <p>23 before we do that. Is that okay?</p> <p>24 (Whereupon, a recess was taken in the</p> <p>25 proceedings.)</p>		<p>1 (No response.)</p> <p>2 CHAIRMAN TITLA: All in favor say aye.</p> <p>3 (Chorus of ayes.)</p> <p>4 CHAIRMAN TITLA: Opposed?</p> <p>5 (No response.)</p> <p>6 CHAIRMAN TITLA: Abstain?</p> <p>7 (No response.)</p> <p>8 CHAIRPERSON TITLA: Motion is carried</p> <p>9 unanimously.</p> <p>10 Director, you have your direction?</p> <p>11 MR. COLLINS: Yes.</p> <p>12 CHAIRMAN TITLA: Okay. Why don't we go to</p> <p>13 the next item on the agenda, Item V, discussion of rule</p> <p>14 amendment proposals approved by public comment on</p> <p>15 February 23rd, A: A.A.C. R2-20-702, Sub B.</p> <p>16 SECRETARY REAGAN: I guess I'll say hey.</p> <p>17 Thank you. I'm not sure exactly what you voted on, but</p> <p>18 I appreciate it.</p> <p>19 MR. COLLINS: We voted to move forward.</p> <p>20 SECRETARY REAGAN: Thank you so much.</p> <p>21 Okay. I'll be back if you need me.</p> <p>22 CHAIRMAN TITLA: Okay.</p> <p>23 MR. COLLINS: Yes.</p> <p>24 CHAIRMAN TITLA: A is A.A.C. R2-20-702, Sub</p> <p>25 B-1, Option A, ban on expenditures to political parties</p>	

11:49:46-11:51:11	Page 78	11:52:13-11:53:41	Page 80
<p>1 with clean elections funding; 2, Option B, limit on</p> <p>2 expenditures to political parties of clean elections</p> <p>3 funding to voter information and political event fees;</p> <p>4 3, Option C, restriction of expenditures to political</p> <p>5 parties for campaign expenditures an additional</p> <p>6 documentation requirements.</p> <p>7 Executive Director?</p> <p>8 MR. COLLINS: Mr. Chairman, we noticed this</p> <p>9 for discussion for two purposes. One, just to update</p> <p>10 you, we have not received a heck of a lot of public</p> <p>11 comment yet. I'll probably be putting out some more</p> <p>12 emails respecting getting folks aware of the rules. We</p> <p>13 also noticed this for an opportunity to ask questions</p> <p>14 of the Attorney General's Office, and there are -- and</p> <p>15 Joe Larue and Kara Karlson are here.</p> <p>16 As I had noted you, this isn't your only</p> <p>17 chance to talk with them. We just thought it would</p> <p>18 be -- long story short, we weren't able to get them the</p> <p>19 rule drafts originally early which we would typically</p> <p>20 like to do and -- I guess there's some technical</p> <p>21 difficulties with live streaming, but I think we're</p> <p>22 recording this regardless.</p> <p>23 Bottom line, if you would like, you have</p> <p>24 those -- you have an opportunity to ask some questions</p> <p>25 in executive session. It's not your only opportunity</p>		<p>1 CHAIRMAN TITLA: The motion is carried. So</p> <p>2 we go to the next item.</p> <p>3 Is that VI then?</p> <p>4 MR. COLLINS: That's -- I believe that's</p> <p>5 correct. VI is the GRRC item.</p> <p>6 CHAIRMAN TITLA: Okay.</p> <p>7 MR. COLLINS: Mr. Chairman, Commissioners,</p> <p>8 a quick update again. This is really for any further</p> <p>9 questions you may have. We have three items. We have</p> <p>10 the 5-Year Report which has been scheduled for the</p> <p>11 Commission to be at and to be examined, potentially to</p> <p>12 be voted on at the study session. I think it's March</p> <p>13 28th, I want to say, and then the following Tuesday</p> <p>14 would be the action agenda.</p> <p>15 Additionally, at its last meeting, the</p> <p>16 Commission -- or the council, rather, voted to,</p> <p>17 quote/unquote, postpone its purported, quote/unquote,</p> <p>18 expiration order of our no longer extant rules to</p> <p>19 June 7th. That's the status quo. We've also received</p> <p>20 some communication. You've all received the</p> <p>21 communication from Counselor Sundt. If you have</p> <p>22 questions about that now would be the time. If not, we</p> <p>23 can move onto the next item.</p> <p>24 Again, it's -- it's really if anyone has</p> <p>25 any questions about where this leaves us in terms of</p>	
11:51:13-11:52:11	Page 79	11:53:44-11:54:58	Page 81
<p>1 to do it. So if you do not feel like talking about</p> <p>2 that today, you know, review the materials you have.</p> <p>3 We have two more meetings inclusive of the next -- the</p> <p>4 meeting that the rules will be eligible for action. So</p> <p>5 we just wanted -- and the AG's office was nice to</p> <p>6 enough to accommodate getting us something early for</p> <p>7 you to think about, but you don't need to -- if you</p> <p>8 don't have questions today, we can move onto the next</p> <p>9 item.</p> <p>10 CHAIRMAN TITLA: What are the wishes of the</p> <p>11 Commission?</p> <p>12 COMMISSIONER MEYER: Mr. Chairperson, I</p> <p>13 move that we forego discussing those today; that we</p> <p>14 take all the comments at once at our next meeting.</p> <p>15 CHAIRMAN TITLA: Okay. Motion by</p> <p>16 Commissioner Meyer to table this item until next time.</p> <p>17 Second?</p> <p>18 COMMISSIONER CHAN: Second.</p> <p>19 CHAIRMAN TITLA: Second by Commission Chan.</p> <p>20 All in favor say aye.</p> <p>21 (Chorus of ayes.)</p> <p>22 CHAIRMAN TITLA: Opposed?</p> <p>23 (No response.)</p> <p>24 CHAIRPERSON TITLA: Abstain?</p> <p>25 (No response.)</p>		<p>1 timelines and et cetera. That's just -- that's fair</p> <p>2 game. And any other -- any other questions you may</p> <p>3 have, if you have questions for Mary that are legal per</p> <p>4 se, you know, we might -- you have the option to go</p> <p>5 into executive session. If you don't, then, again,</p> <p>6 that would be something we can move on from.</p> <p>7 CHAIRMAN TITLA: Any questions by the</p> <p>8 commissioners on this issue?</p> <p>9 COMMISSIONER KIMBLE: Mr. Chairman?</p> <p>10 CHAIRPERSON TITLA: Commissioner?</p> <p>11 COMMISSIONER KIMBLE: Mr. Collins, I just</p> <p>12 want to clarify. So at the upcoming executive session</p> <p>13 of GRRC on Tuesday and at the subsequent meeting which</p> <p>14 is -- what? The next following week?</p> <p>15 MR. COLLINS: Correct.</p> <p>16 COMMISSIONER KIMBLE: -- they're going to</p> <p>17 decide whether to accept version -- I don't know what</p> <p>18 this is -- 35 of our rules. So is that going to happen</p> <p>19 at these upcoming meetings?</p> <p>20 MR. COLLINS: Mr. Chairman, Commissioner</p> <p>21 Kimble, the item that was on the agenda for the study</p> <p>22 session and the session -- the action session is the</p> <p>23 5-Year Rulemaking Report. The council's options remain</p> <p>24 to accept the report or return the report. It is</p> <p>25 unclear to me, based on Mr. Sundt's comments at our</p>	

11:55:03-11:56:31	Page 82	11:57:22-11:58:41	Page 84
<p>1 last meeting, what precisely the council intends to do.</p> <p>2 Mr. Sundt, I think made clear and I think his -- GRRC's</p> <p>3 staff attorney made clear for him, if he wasn't clear,</p> <p>4 that he was speaking for himself and not the council.</p> <p>5 So those are their options. Those have</p> <p>6 been their options throughout this process and those</p> <p>7 continue to be their options. I can't -- I can't make</p> <p>8 a prediction. I do believe that we have --</p> <p>9 notwithstanding the fact that the council itself has</p> <p>10 failed to vote on specific difficulties with the</p> <p>11 Commission's analysis or that the Commission's analysis</p> <p>12 and the report identify -- which is their mandate.</p> <p>13 Their mandate does not define extraneous things. Their</p> <p>14 mandate is not to look at the Secretary of State's</p> <p>15 critique.</p> <p>16 Their mandate is to look at what this</p> <p>17 agency's analysis of its rules are. We have,</p> <p>18 nevertheless, continued to amend that report in view of</p> <p>19 their informal nonbinding, if you will, suggestions,</p> <p>20 some of which we received on background -- or not</p> <p>21 through background -- through an off-the-record</p> <p>22 meeting -- or not off-the-record meeting but informal</p> <p>23 meetings with counsel, some of which we've received</p> <p>24 through, you know, statements by counselors at</p> <p>25 meetings, but we've tried to accommodate all those</p>		<p>1 audit approval for the following participating</p> <p>2 candidates for the 2016 election cycle.</p> <p>3 Yes, ma'am.</p> <p>4 MS. LARSEN: Good morning, Chairman,</p> <p>5 Commissioners. Sara Larsen.</p> <p>6 Before you you should have a summary memo</p> <p>7 regarding the audits, the general election audits.</p> <p>8 They are underway. We have -- let's see. We have</p> <p>9 about seven -- six of them before you today. The</p> <p>10 others I anticipate will be on our April agenda.</p> <p>11 They're fairly clean audits. There are some minor</p> <p>12 findings, but they were really documentation issues.</p> <p>13 So the bank accounts and the campaign finance reports</p> <p>14 did match up.</p> <p>15 We did have one candidate, Barbara McGuire,</p> <p>16 who just had a reporting error. A general election</p> <p>17 expenditure was reported on a report that was late, but</p> <p>18 it was reported. She had the documentation for it. So</p> <p>19 it was just a minor error of reporting.</p> <p>20 One candidate, Cara Prior, mistakenly</p> <p>21 utilized funds for personal expenditures and this was</p> <p>22 well after the election, but once it was brought to her</p> <p>23 attention that those were campaign funds that she had</p> <p>24 utilized, she did return that money to the Commission.</p> <p>25 So that was alleviated.</p>	
11:56:34-11:57:19	Page 83	11:58:44-11:59:36	Page 85
<p>1 things notwithstanding their failure to actually vote</p> <p>2 on a specific problem with the report.</p> <p>3 Based on the Commission's analysis, all we</p> <p>4 can do is keep trying to hit this target that they have</p> <p>5 not actually established.</p> <p>6 COMMISSIONER KIMBLE: Thank you.</p> <p>7 CHAIRMAN TITLA: Any more comments,</p> <p>8 Commissioners?</p> <p>9 (No response.)</p> <p>10 CHAIRMAN TITLA: What are the wishes of the</p> <p>11 Commission? To go into executive session? Discuss</p> <p>12 more? Go to the next item?</p> <p>13 COMMISSIONER KIMBLE: I move we move on to</p> <p>14 the next item.</p> <p>15 CHAIRMAN TITLA: Okay. There's a motion to</p> <p>16 month to the next item by Commissioner Kimble.</p> <p>17 Second?</p> <p>18 COMMISSIONER MEYER: Do we need a motion</p> <p>19 for that?</p> <p>20 MR. COLLINS: You really don't. I mean,</p> <p>21 it's your discretion Mr. Chairman.</p> <p>22 CHAIRPERSON TITLA: By consensus of the</p> <p>23 board, the chairman of the Commission will move to the</p> <p>24 next item.</p> <p>25 Discussion and possible action and final</p>		<p>1 We had two candidates who had absolutely no</p> <p>2 findings. So all their documentation, campaign finance</p> <p>3 reports and bank accounts were completely clear.</p> <p>4 If you have any questions about any of the</p> <p>5 candidate audits, I'm happy to address those.</p> <p>6 CHAIRMAN TITLA: Any questions on the</p> <p>7 audit, Commissioners?</p> <p>8 COMMISSIONER MEYER: Do we send a fruit</p> <p>9 basket to the candidates that have perfect --</p> <p>10 COMMISSIONER PATON: Perfect attendance?</p> <p>11 COMMISSIONER MEYER: Perfect attendance.</p> <p>12 MS. LARSEN: We should. We really should.</p> <p>13 COMMISSIONER PATON: A gold star.</p> <p>14 MR. COLLINS: And, Commissioners --</p> <p>15 Mr. Chairman, Commissioners, it's my view that you can</p> <p>16 make a group motion to approve all of the audits. You</p> <p>17 don't -- you don't need to move them one by one as long</p> <p>18 as the record is clear that you're moving to approve</p> <p>19 all the audits.</p> <p>20 CHAIRMAN TITLA: Is there a group motion?</p> <p>21 COMMISSIONER CHAN: Mr. Chairman, I would</p> <p>22 move that we approve all of the --</p> <p>23 CHAIRPERSON TITLA: Motion by Commissioner</p> <p>24 Chan -- group motion.</p> <p>25 Second?</p>	

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<p>1 COMMISSIONER MEYER: Second.</p> <p>2 CHAIRMAN TITLA: Second by Commissioner</p> <p>3 Meyer.</p> <p>4 All in favor say aye.</p> <p>5 (Chorus of ayes.)</p> <p>6 CHAIRMAN TITLA: Opposed?</p> <p>7 (No response.)</p> <p>8 CHAIRMAN TITLA: Abstain?</p> <p>9 (No response.)</p> <p>10 CHAIRMAN TITLA: Motion carries</p> <p>11 unanimously.</p> <p>12 We go to Item VIII, discussion and possible</p> <p>13 action of the 2017 legislative agenda and items</p> <p>14 including update on bills affecting Clean Elections,</p> <p>15 elections general and administrative law.</p> <p>16 MR. COLLINS: Mr. -- Mr. Chairman,</p> <p>17 Commissioners, you have Mike's summary of where most of</p> <p>18 the bills we're tracking and are in the process. You</p> <p>19 also have a supplemental memo from me on HB 2304 which</p> <p>20 we spent some time on last -- last month. There's a</p> <p>21 proposed committee amendment that's being heard today</p> <p>22 sometime probably -- well, it's not been heard yet, but</p> <p>23 it's supposed to be heard simultaneous with this</p> <p>24 meeting.</p> <p>25 Our recommendation is we maintain our</p>		<p>1 Now, I have not drilled down on what "all</p> <p>2 records" mean; however, the bill sets this up as</p> <p>3 something that voters will fill in through</p> <p>4 ServiceArizona which is exclusively a voter</p> <p>5 registration system. And so it is very, very difficult</p> <p>6 for me to understand how the "notwithstanding any other</p> <p>7 law a voter's email shall not be released" can run</p> <p>8 concurrently in a voter registration system in view of</p> <p>9 the National Voter Registration Act mandate.</p> <p>10 There may be an answer to that question.</p> <p>11 We don't have it yet, and I'm uncomfortable going to a</p> <p>12 standard of neutral based on a law that seems to be at</p> <p>13 least intentioned with the express terms of the</p> <p>14 National Voter Registration Act given that the National</p> <p>15 Voter Registration Act is designed to allow the public</p> <p>16 to ensure that voter registration material -- records</p> <p>17 are handled in such a way that the right to vote is</p> <p>18 secured.</p> <p>19 So for those reasons -- there's no action</p> <p>20 required by the Commission to continue the policy --</p> <p>21 the decision you made last month. I just wanted to</p> <p>22 brief you that that's why, notwithstanding some changes</p> <p>23 to the bill, I believe it's appropriate to maintain a</p> <p>24 negative stance.</p> <p>25 I also will tell you that there is many,</p>	
12:00:31-12:01:54	Page 87	12:03:17-12:04:27	Page 89
<p>1 position as against that bill because even with the</p> <p>2 committee amendment which purports to take Clean</p> <p>3 Elections out of this particular measure, there remain</p> <p>4 questions about specifically a clause in Title 19 that</p> <p>5 says, "Notwithstanding other law, a voter's email may</p> <p>6 not be released for any purpose." It's not clear to me</p> <p>7 what that impact will have on Clean Elections, and Gina</p> <p>8 and I have spent some time trying to figure out what</p> <p>9 it's going to mean.</p> <p>10 Additionally, that is -- essentially runs</p> <p>11 contradictory to the State's public records policy as</p> <p>12 identified in the -- in the memo, and generally our</p> <p>13 Commission has been -- in the interest of transparency</p> <p>14 been fairly -- I would say we take a point of pride of</p> <p>15 being very responsive to public records requests. And</p> <p>16 so it's a little -- that's a little awkward.</p> <p>17 And then finally, there's a provision of</p> <p>18 the National Voter Registration Act that provides, at</p> <p>19 least according to the U.S. Department of Justice</p> <p>20 summary -- and this is pretty much verbatim from the</p> <p>21 statute -- that states must keep and make available for</p> <p>22 public inspection for a period of at least two years</p> <p>23 all records concerning the implementation of programs</p> <p>24 and activities for the purpose of ensuring accuracy and</p> <p>25 currency official as to eligible voters.</p>		<p>1 many more twists and turns left in the process,</p> <p>2 including whether or not this purported amendment makes</p> <p>3 it on the floor, whether or not a substitute amendment</p> <p>4 is brought and whether or not there's a conference</p> <p>5 committee, all of which is easier and clearer to the</p> <p>6 legislature to stay negative rather than try to go</p> <p>7 neutral and then be positive and then negative and then</p> <p>8 neutral.</p> <p>9 It's just -- it's just quite simple to</p> <p>10 communicate there are problems and unanswered questions</p> <p>11 with this bill and we ought to -- we ought to -- we</p> <p>12 ought to stand pat with our position. And I think</p> <p>13 that's the right thing to do, and there's no action</p> <p>14 required by you to do that because we've already voted</p> <p>15 to take a negative position on the bill.</p> <p>16 Lastly, I would just add that we're</p> <p>17 reaching the part of the session where things will move</p> <p>18 fairly quickly. Our understanding is that budget talks</p> <p>19 are moving. Once the budget is done, then there will</p> <p>20 be a mad dash to complete the session. At that point,</p> <p>21 we will be in a position where we will probably be</p> <p>22 communicating with you-all more via email about things</p> <p>23 that we cannot foresee happening but that might have an</p> <p>24 impact on the Commission.</p> <p>25 So just sort of a heads-up that that's --</p>	

12:04:31-12:05:37	Page 90	12:07:13-12:10:52	Page 92
<p>1 that's happened at the end of every session, pretty</p> <p>2 much. And that may require, for example, some, you</p> <p>3 know, emergency telephonic meetings if it gets serious,</p> <p>4 but we don't have anything on the horizon. But it's</p> <p>5 just to make you aware that that's -- we're reaching</p> <p>6 that time of year.</p> <p>7 So with that, I don't have anything else to</p> <p>8 report and I don't require any action to continue</p> <p>9 with -- with the direction I received at the last</p> <p>10 meeting.</p> <p>11 CHAIRMAN TITLA: Thank you, Mr. Collins.</p> <p>12 Any questions by the commissioners on this</p> <p>13 item?</p> <p>14 COMMISSIONER KIMBLE: Mr. Chairman?</p> <p>15 CHAIRPERSON TITLA: Commissioner Kimble.</p> <p>16 COMMISSIONER KIMBLE: Tom, a question about</p> <p>17 SB 1158, the issue dealing with the judges.</p> <p>18 MR. COLLINS: Sure.</p> <p>19 COMMISSIONER KIMBLE: Are we making any</p> <p>20 ground in trying to get lined -- I see at one point</p> <p>21 some language was agreed to, and is that in it now?</p> <p>22 MR. COLLINS: That is a good question.</p> <p>23 Mr. Chairman, Commissioner Kimble, the language that</p> <p>24 made 1158 livable for us as a bill was added in a floor</p> <p>25 amendment in the Senate. 1158 has not yet been</p>		<p>1 next item, Item IV, public comment.</p> <p>2 Is there any public comment from anyone</p> <p>3 from the public?</p> <p>4 (No response.)</p> <p>5 CHAIRMAN TITLA: If not, let's go to</p> <p>6 adjournment.</p> <p>7 Is there a motion to adjourn?</p> <p>8 COMMISSIONER KIMBLE: I move we adjourn.</p> <p>9 CHAIRMAN TITLA: Motion by Commissioner</p> <p>10 Kimble to adjourn.</p> <p>11 Second?</p> <p>12 COMMISSIONER CHAN: I second that motion.</p> <p>13 CHAIRMAN TITLA: Commissioner Chan.</p> <p>14 All in favor a ye.</p> <p>15 (Chorus of ayes.)</p> <p>16 CHAIRMAN TITLA: Opposed?</p> <p>17 (No response.)</p> <p>18 CHAIRMAN TITLA: Abstain?</p> <p>19 (No response.)</p> <p>20 CHAIRMAN TITLA: Motion carries</p> <p>21 unanimously.</p> <p>22 Thank you, Commissioners. We are</p> <p>23 adjourned.</p> <p>24 (Whereupon, the proceedings concluded at</p> <p>25 12:10 p.m.)</p>	
12:05:41-12:07:11	Page 91		Page 93
<p>1 scheduled for a hearing in the house judiciary and</p> <p>2 public safety committee. This week is the last week</p> <p>3 for committees, other than appropriations, to issue</p> <p>4 bills. I haven't checked -- I think they meet</p> <p>5 tomorrow. No, that can't be right. They must meet</p> <p>6 today.</p> <p>7 MR. BAKER: They meet today.</p> <p>8 MR. COLLINS: I hadn't seen that amended</p> <p>9 onto their agenda. So as far as I know, it's not</p> <p>10 gotten to hearing. Separately, obviously, there are</p> <p>11 other issues we have with AOC that we're working on,</p> <p>12 but it's unclear what the fate of that bill is. And as</p> <p>13 part of our legal issues with AOC, we are -- we will be</p> <p>14 asking AOC what's up with the bill in a -- in a -- in</p> <p>15 some correspondence that we're working on.</p> <p>16 So the bottom line is that right now if --</p> <p>17 I think I'm right that if it doesn't get heard in the</p> <p>18 committee this week, it's effectively dead unless they</p> <p>19 get it reassigned to the appropriations committee or</p> <p>20 get a special meeting of the judiciary committee.</p> <p>21 COMMISSIONER KIMBLE: Thank you.</p> <p>22 CHAIRMAN TITLA: Any further questions?</p> <p>23 Comments?</p> <p>24 (No response.)</p> <p>25 CHAIRMAN TITLA: If not, let's go to the</p>		<p>1 STATE OF ARIZONA)</p> <p>2 COUNTY OF MARICOPA)</p> <p>3 BE IT KNOWN the foregoing proceedings were</p> <p>4 taken by me; that I was then and there a Certified</p> <p>5 Reporter of the State of Arizona; that the proceedings</p> <p>6 were taken down by me in shorthand and thereafter</p> <p>7 transcribed into typewriting under my direction; that</p> <p>8 the foregoing pages are a full, true, and accurate</p> <p>9 transcript of all proceedings and testimony had and</p> <p>10 adduced upon the taking of said proceedings, all done to</p> <p>11 the best of my skill and ability.</p> <p>12 I FURTHER CERTIFY that I am in no way</p> <p>13 related to nor employed by any of the parties thereto</p> <p>14 nor am I in any way interested in the outcome hereof.</p> <p>15 DATED at Phoenix, Arizona, this 24th day of</p> <p>16 March, 2017.</p> <p>17 </p> <p>18 LILIA MONARREZ, RPR, CR #50699</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	

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CITIZENS CLEAN ELECTIONS COMMISSION

EXECUTIVE DIRECTOR REPORT

April 20, 2017

Announcements:

- The public can view Commission meetings live via the internet at www.livestream.com/cleanelections. A link is available on our website.
- Amy graduates from Arizona State University, Barrett Honors College, in May. She is a candidate for the degrees of Bachelor of Science in Psychology and Bachelor of Arts in Political Science with Religious Studies and Social Justice and Human Rights minors, Summa Cum Laude with highest honors. Amy will attend Emory Law School in the fall of 2017 with scholarship.

Voter Education:

- Sara and Gina attended the Election Officials of Arizona Spring Workshop on April 12th and 13th, presenting on Clean Elections and hosting a Social Media 101 training session. Sara and Gina also attending several training sessions, including campaign finance and Native American voter outreach efforts.
- Tom and Gina will attend the City of Mesa's Celebrate Mesa event on Saturday, April 22nd at Hohokam Stadium.
- The next consolidated election date is May 16, 2017. The voter registration deadline was April 17th and mail ballots went out on April 19th. The following jurisdictions are conducting elections:
 - Whetstone Water District (Cochise County) – all mail
 - City of Douglas – all mail
 - City of Goodyear – all mail
 - City of Holbrook
 - City of Tucson – all mail
 - Town of Wellton

Enforcement – 2016 Election Cycle:

- All 2016 pending complaints have been closed.

Enforcement – 2014 Election Cycle:

- Complaints Pending: 3
 - MUR 14-006, -015 (consolidated/conciliated): Horne - pending completion of items in conciliation agreement.
 - MUR 14-007: Legacy Foundation Action Fund (LFAF)
 - The Arizona Supreme Court Granted Petition for Review 4/18/17
https://www.azcourts.gov/Portals/21/MinutesCurrent/PRMin_041817.pdf
 - MUR 14-027: Veterans for a Strong America (VSA)

Budget:

We remain in correspondence with the Arizona Administrative Office of the Courts.

Miscellaneous:

Please see the attached request for Attorney General Opinion from Secretary Reagan and recent coverage of the request in The Arizona Republic. (Exhibits 1, 2)



MICHELE REAGAN
Secretary of State
State of Arizona

March 20, 2017

The Honorable Mark Brnovich
Arizona Attorney General
1275 West Washington
Phoenix, Arizona 85007

Re: Request for Attorney General Opinion Pursuant to A.R.S. § 41-193(A)(7)

Dear General Brnovich:

The Secretary of State's office, in collaboration with our county partners, is undergoing a procurement process to explore the possibility of replacing the statewide voter registration database with a modern platform for the 21st century. As you may know, the statewide voter registration database must contain the name and registration information for every registered voter in the State of Arizona. Maricopa and Pima Counties operate their own voter registration databases, but feed varying degrees of voter registration information into the statewide voter registration database.

In the course of planning for future technological capabilities to better receive, review and produce voter registration information, it has become clear that a wide divergence of opinion exists about the extent of the Secretary of State's role in administering the statewide voter registration database and responding to third-party requests for voter registration information (whether through public records requests or through litigation).

There are a number of laws at issue. For example, federal and state law require the Secretary of State to maintain a centralized database with all voter registration information, while federal law requires states to produce information related to "maintaining the accuracy and currency of voter rolls" upon request. In light of federal and state law, I request your formal opinion on the following questions:

1. Does federal and state law allow Arizona counties to maintain a separate, county-based voter registration database?
2. Assuming it is lawful for counties to maintain separate voter registration databases, how much "registration information" must be transmitted to the statewide voter registration database?
 - a. If partial transmission is lawful, what is the minimum amount of information that must be transmitted to the statewide voter registration database in order to comply with federal and state law?

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MICHELE REAGAN
Secretary of State
State of Arizona

- b. For example, 13 Arizona counties keep electronic records in the statewide voter registration database of voter registrations that have been held in suspense or have been rejected, whereas Maricopa County does not transmit information about rejected registrations and Pima County does not transmit information about rejected registrations or registrations held in suspense. Are Maricopa and Pima Counties required to transmit this information to the statewide voter registration database?
 - c. As another example, 13 Arizona counties keep electronic records in the statewide voter registration database of registrants who voted a provisional or early ballot and specify whether that ballot was counted or rejected, whereas Maricopa and Pima Counties only transmit provisional and early ballot information in cases where the ballot was counted. Are Maricopa and Pima Counties required to transmit all provisional and early ballot information, regardless of whether the ballot was counted or rejected?
3. Under federal and state law governing public records and voter registration information, is the Secretary of State permitted to decline to fulfill a proper request for voter registration information and instead direct the requester to seek that information from each individual county?
- a. Does the answer to Question 3 depend upon whether the public records request specifically cites the federal National Voter Registration Act versus Arizona's public records laws?
4. Under federal and state law (including court rules), is the Secretary of State permitted to decline to respond to a subpoena or request for production in litigation for voter registration information and instead direct the requester to seek the voter registration information from each individual county?

Thank you for your prompt attention to this matter. If you have any questions, please contact Eric Spencer, State Election Director, at (602) 542-8683.

Sincerely,

A handwritten signature in blue ink that reads "Michele Reagan".

Michele Reagan
Secretary of State

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Secretary of State Reagan to attorney general: Is what I did legal?

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Mary Jo Pitzl (<http://www.azcentral.com/staff/17221/mary-jo-pitzl/>), The Republic | azcentral.com Published 1:46 p.m. MT April 7, 2017 | Updated 3:52 p.m. MT April 7, 2017

school voucher expansion	Michele Reagan show us the money?	and ballot initiatives	the Legislature	benefits	from Gosar and a non-jc
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The rocky relations between Secretary of State Michele Reagan and Arizona's county recorders continue.

The flash point: Voter registration.

Last fall, and again in early February, her office tapped into the voter-registration databases run by Maricopa and Pima counties. The two large counties were perplexed — and more than a little peeved.

They said this had not happened since a test on the system in 2010. Plus, Reagan should have forwarded whatever request for information her office was researching to them, instead of just logging in, Maricopa County Recorder Adrian Fontes and Pima County Recorder F. Ann Rodriguez said.

And to add insult to injury, they complained they couldn't get answers on why Reagan's office was, in their view, snooping in their data.

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When asked about this by *The Arizona Republic*, Reagan was livid. She said her office was responding to a request for information from Project Vote, which has sued the state and county elections officials over access to voter-registration lists ([/story/news/local/phoenix/2017/03/22/recorders-office-settlement-project-vote-could-show-voters-kicked-off-rolls/99462142/](http://story/news/local/phoenix/2017/03/22/recorders-office-settlement-project-vote-could-show-voters-kicked-off-rolls/99462142/)). And, she added, as secretary of state, she has the right to deal with voter-registration information.

But it seems Reagan wanted someone to check her work. In March, she asked the Attorney General's office for a legal opinion about who can access different types of data, noting conflicting standards in federal and state laws. Read it here:

GO GREEN
([HTTPS://FULLACCESGPS-SOURCE=BENB{MONEXCHANGE&UTM_C/](https://fullaccesgps-source=benb{monexchange&utm_c/))



MICHELE REAGAN
Secretary of State
State of Arizona

March 20, 2017

The Honorable Mark Brnovich
Arizona Attorney General
1275 West Washington
Phoenix, Arizona 85007

Re: Request for Attorney General Opinion Pursuant to A.R.S. § 41-193(A)(7)

Dear General Brnovich:

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In the course of planning for future technological capabilities to better receive, review and produce voter registration information, it has become clear that a wide divergence of opinion exists about the extent of the Secretary of State's role in administering the statewide voter registration database and responding to third-party requests for voter registration information (whether through public records requests or through litigation).

There are a number of laws at issue. For example, federal and state law require the Secretary of State to maintain a centralized database with all voter registration information, while federal law requires states to produce information related to "maintaining the accuracy and currency of voter rolls" upon request. In light of federal and state law, I request your formal opinion on the following questions:

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She posed a number of questions, among them whether counties can maintain separate databases and whether her office is allowed to decline to respond to public-records requests and subpoenas.

From her request: "Does federal and state law allow Arizona counties to maintain a separate, county-based voter registration system?"

Rodriguez, in a response to Reagan dated Thursday, said that request amounted to a legal challenge to the counties' right to operate registration systems that they have run for years. She wrote she was "shocked and concerned" that Reagan would request a legal opinion without first notifying the two large counties and "without remotely understanding the history of why Pima County has its own voter registration database."

The AG opinion might clarify some things, but the March 20 request essentially asks the AG to let her know if — under state and federal law — what her office did last fall is legal.

There is no timeframe for an AG response.

Reagan notified the recorders of her request for the legal opinion, writing she was doing so "in an ongoing commitment to improve communication and build a better working relationship between our offices."

But it took a little time to work toward that better relationship. Her letter to the recorders was dated April 4, two weeks after she sent her AG request.

"Great communication," sniffed Rodriguez.

Reach the reporter at maryjo.pitzl@arizonarepublic.com (<mailto:maryjo.pitzl@arizonarepublic.com>) and follow her on Twitter [@maryjpitzl](https://twitter.com/maryjpitzl) (<https://twitter.com/maryjpitzl>).

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Governor

Thomas M. Collins
Executive Director



Steve M. Titla
Chair

Damien R. Meyer
Mark S. Kimble
Galen D. Paton
Amy B. Chan
Commissioners

State of Arizona
Citizens Clean Elections Commission

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MEMORANDUM

To: Commissioners

From: Tom Collins 

Date: 4/18/17

Subject: Interagency Service Agreement (ISA) Discussions with Secretary of State

As you will recall from my email of April 6, 2017 (Exhibit 1) we had a number of outstanding issues with the Secretary of State's office respecting the ISA discussions.

Some issues have been resolved:

1. We received and deposited the funds from the former ISA.
2. We received copies of requested documents specifically related to the Mindnest/Knowledge Services project that the Secretary previously worked on. Exhibit 2 is the executed former agreement. I would point out that on page 3 of that document is a price breakdown indicating that the public website portion of that project cost was \$175,000.
3. We are still seeking information on how the \$50,000 "maintenance" fee was calculated.

In an effort to expedite the process in view of the Secretary's desire to move quickly, I shared a draft ISA with the Secretary's Office yesterday. (Exhibit 3). This will give the SOS and you an opportunity to look at some specific terms. I believe that if we are successful in reaching a point where I can recommend a final agreement to the Commission we can convene a brief conference call meeting for approval.

In my view an agreement must capture both "See the Money" website and our reporting requirements and provide assurances that the reporting requirements will remain in the Campaign Finance Reporting System. If we receive feedback from the SOS, I will share that with you. The draft *does not* include payment terms for the Commission at this point. Staff believes that "See the Money" remains a worthwhile voter education investment, but it is *an investment* and so the Commission's critical needs must also be met in the form of this initial agreement, not in a secondary ISA.

With respect to the Mindnest/Knowledge services project, our internal analysis indicates that it had high maintenance costs, in part because of the fact the program was written in a computer language the Secretary's office did not have personnel to handle.

Exhibit 1

Thomas Collins

From: Thomas Collins
Sent: Thursday, April 06, 2017 5:35 PM
To: 'stitle@mac.com'; drm@eblawyers.com; 'Mark Kimble'; galenpaton@msn.com; amybellchan@gmail.com
Cc: O'Grady, Mary (mograd@omlaw.com)
Subject: Status of ISA issues with SOS

Commissioners:

I wanted to update you on the status of both the 2014 Interagency Service Agreement (ISA) and the potential new ISA.

With respect to the former ISAs, as you'll recall, the Commission voted to find the Secretary's office in material breach, but nevertheless accept the \$87,500 balance as a remedy.

On 3/24, the interagency transfer was returned to us for insufficient funds.

We notified the SOS Chief Financial Officer the same day. She eventually tracked the funds to the Department of Revenue unclaimed property fund.

We were told to anticipate Revenue processing payment to us this week.

However, according to SOS, Revenue failed to process the payment. We are now expecting payment, we hope, in the next week.

Additionally, yesterday at a meeting related to the design of the see the money site, the Secretary's office informed our staff that if an agreement was not in hand by April 20, the SOS office was not interested in proceeding receiving funds from the Commission.

In view to the Secretary's office failure to meet their obligations under the ISA settlement in the first place, this new deadline came as a surprise.

This follows the Secretary's statement at your 3/23 meeting that the project would move forward regardless of our participation. Similarly, her spokesman has made public statements indicating SOS has no need for Clean Elections Fund funds.

Finally, we have information requests related to costs pending with the SOS office. As you recall, our IT consultant pegged many of their proposed costs as high and we planned to seek more information.

Given this status quo it is not clear we will be in a position to move forward by April 20.

But I will keep you posted as things develop. I have an email into the CFO regarding some specific aspects of the ISA and will continue to make efforts to obtain the refund the Commission is owed, the information the Commission needs, and develop an agreement I can recommend.

Please do not reply all to this email.

Thanks,
Tom

Exhibit 2



Managed Service Provider Request for Project Services Work Order Template

Project Name: One Stop Solicitation	
State Agency: AZSOS	Vendor: Mindnest
Project Start Date: 9/8/2015	Project End Date: 6/30/2016
Milestone/Deliverable or Services Description	Cost
Milestone/Deliverable 1: Initial Project Development for Prototype, Initial Release, Full Release of Mindnest Portal License, Public Website, Finance Portal, and Infrastructure services/products	\$170,000.00
Milestone/Deliverable 2: Monthly Services Completed on the Mindnest Portal License, Public Website, Finance Portal, and Infrastructure services/products for October 2015	\$35,980.00
*Virtual Private Cloud hosting and Trouble Ticketing monthly cost: \$980.00	
Milestone/Deliverable 3: Monthly Services Completed on the Mindnest Portal License, Public Website, Finance Portal, and Infrastructure services/products for November 2015	\$35,980.00
*Virtual Private Cloud hosting and Trouble Ticketing monthly cost: \$980.00	
Milestone/Deliverable 4: Monthly Services Completed on the Mindnest Portal License, Public Website, Finance Portal, and Infrastructure services/products for December 2015	\$35,980.00
*Virtual Private Cloud hosting and Trouble Ticketing monthly cost: \$980.00	
Milestone/Deliverable 5: Monthly Services Completed on the Mindnest Portal License, Public Website, Finance Portal, and Infrastructure services/products for January 2016	\$35,980.00
*Virtual Private Cloud hosting and Trouble Ticketing monthly cost: \$980.00	
Milestone/Deliverable 6: Monthly Services Completed on the Mindnest Portal License, Public Website, Finance Portal, and Infrastructure services/products for February 2016	\$35,980.00
*Virtual Private Cloud hosting and Trouble Ticketing monthly cost: \$980.00	
Milestone/Deliverable 7: Monthly Services Completed on the Mindnest Portal License, Public Website, Finance Portal, and Infrastructure services/products for March 2016	\$35,980.00
*Virtual Private Cloud hosting and Trouble Ticketing monthly cost: \$980.00	
Milestone/Deliverable 8: Monthly Services Completed on the Mindnest Portal License, Public Website, Finance Portal, and Infrastructure services/products for April 2016	\$35,980.00
*Virtual Private Cloud hosting and Trouble Ticketing monthly cost: \$980.00	
Milestone/Deliverable 9: Monthly Services Completed on the Mindnest Portal License, Public Website, Finance Portal, and Infrastructure services/products for May 2016	\$35,980.00



Managed Service Provider

Request for Project Services Work Order Template

*Virtual Private Cloud hosting and Trouble Ticketing monthly cost: \$980.00	
Milestone/Deliverable 10: Monthly Services Completed on the Mindnest Portal License, Public Website, Finance Portal, and Infrastructure services/products for June 2016	\$35,980.00
*Virtual Private Cloud hosting and Trouble Ticketing monthly cost: \$980.00	
Milestone/Deliverable 11: Monthly Hosting and Trouble Ticketing cost for July 2016.	\$980.00
*Virtual Private Cloud hosting and Trouble Ticketing monthly cost: \$980.00	
Milestone/Deliverable 12: Monthly Hosting and Trouble Ticketing cost for August 2016.	\$980.00
*Virtual Private Cloud hosting and Trouble Ticketing monthly cost: \$980.00	
Milestone/Deliverable 13: Monthly Hosting and Trouble Ticketing cost for September 2016.	\$980.00
*Virtual Private Cloud hosting and Trouble Ticketing monthly cost: \$980.00	
Total Project Cost	\$ 496,760.00
Total Project Cost NOT to Exceed \$496,760.00	
<p>Project Deliverables/Scope:</p> <ol style="list-style-type: none"> 1. Phase 1 – Prototype – On or before 10/26/2015 2. Phase 2 – Initial Release – On or before 12/31/2015 3. Phase 3 – Full Release – On or before 6/1/2016 <p>Note: The initial release will be a production release contacting the following features:</p> <ul style="list-style-type: none"> • User and role management • Setup of election cycle with candidates (define an election, map candidates) • Manual entry of a contribution or groups of contributions • Manual Adjustment of existing transactions, within rules provided by jurisdictions • Manual bulk add or transactions (CSV, Excel, or comparable structured format) • Basic reporting by candidate • Basic reporting by donor • Election Cycle Report (how much has each candidate in the election received, drill down to basic report by candidate above) <p>Pricing for Project:</p> <ol style="list-style-type: none"> 1. Mindnest Portal License (Perpetual with Source Code) - Total Cost \$150,000.00 <ul style="list-style-type: none"> - Client will receive an unencumbered copy of Mindnest Portal, including complete source code, configuration files as well as any and all required modules to operate the solution once the work has been completed for CLIENTS perpetual use, modification or integration. This perpetual license is included in the pricing outlined in this agreement. 	



Managed Service Provider Request for Project Services Work Order Template

2. Public Website - Total Cost \$175,000.00

- In addition to the Finance Portal, a public-facing website will be designed to allow anyone to explore the data provided by the system. The Public Website will consist of 4-6 static content pages describing the site purpose, how to use it, any partners involved in its development, and contact information. The Core of the site will be an interactive reporting tool combining the visual presentation style of Infographics with a navigation tool that lets users browse the data in an object-graph based format. The mission of the Public Website is to convey a considerable amount of data to users as easily as possible.

3. Finance Portal - \$135,000.00

- Mindneet will extend its Portal platform to support the requirements specified by CLIENT to "Follow the Money". This portal will provide the data entry/import/reporting tools available to the various election entities involved in the project.

4. Infrastructure - \$25,000.00

- Infrastructure costs for this proposal cover the configuration of virtual machines in a data center selected by the CLIENT, installation of all appropriate software and libraries, and the deployment of the application server. The application server acts as a gatekeeper for all data access and provides information through a standard API to any valid requestors. This includes the public website, the finance portal, and any 3rd party systems that are authorized by the client.

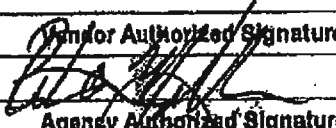


Total Pricing for Mindneet Portal License, Public Website, Finance Portal, and Infrastructure:
\$485,000.00

*Optional Hosting & Maintenance Pricing

1. If requested by CLIENT, Mindneet will bill \$30,980 a month for six (6) months for on-going monthly Maintenance and hosting costs starting on 7/1/2016. (not included in monthly milestones above)

Please Note: Scope of work is billed monthly as work is completed by Mindneet as well as an initial payment of \$170,000.00 to begin development. Starting 10/1/2016 Mindneet will bill a monthly cost of \$35,000.00 a month until 6/1/2018 for a total of \$485,000.00. A monthly status report must be submitted and approved by Arizona Secretary of State Office and attached to monthly milestones to describe the completed monthly services/products.

Any Additional milestones/milestone modifications will only be authorized by Change Order issued through Arizona Secretary of State Office.

Authorization		
Vendor Authorized Signature	Vendor Printed Name	Date
	PETER MUELLER CEO	9/17/15
Agency Authorized Signature	Agency Printed Name	Date
	LIZ ATKINSON, CFO	9-17-15
MSP Authorized Signature	MSP Printed Name	Date
	Katie Padayee	9/18/2015



Managed Service Provider

Request for Project Services Work Order Template

2. Public Website – Total Cost \$175,000.00

- In addition to the Finance Portal, a public-facing website will be designed to allow anyone to explore the data provided by the system. The Public Website will consist of 4-6 static content pages describing the site purpose, how to use it, any partners involved in its development, and contact information. The Core of the site will be an interactive reporting tool combining the visual presentation style of Infographics with a navigation tool that lets users browse the data in an object-graph based format. The mission of the Public Website is to convey a considerable amount of data to users as easily as possible.

3. Finance Portal - \$135,000.00

- Mindnest will extend its Portal platform to support the requirements specified by CLIENT to "Follow the Money". This portal will provide the data entry/import/reporting tools available to the various election entities involved in the project.

4. Infrastructure - \$25,000.00

- Infrastructure costs for this proposal cover the configuration of virtual machines in a data center selected by the CLIENT, installation of all appropriate software and libraries, and the deployment of the application server. The application server acts as a gatekeeper for all data access and provides information through a standard API to any valid requestors. This includes the public website, the finance portal, and any 3rd party systems that are authorized by the client.

**Total Pricing for Mindnest Portal License, Public Website, Finance Portal, and Infrastructure:
\$485,000.00**

***Optional Hosting & Maintenance Pricing**

1. If requested by CLIENT, Mindnest will bill \$30,980 a month for six (6) months for on-going monthly Maintenance and hosting costs starting on 7/1/2016. (not included in monthly milestones above)

Please Note: Scope of work is billed monthly as work is completed by Mindnest as well as an initial payment of \$170,000.00 to begin development. Starting 10/1/2015 Mindnest will bill a monthly cost of \$35,000.00 a month until 6/1/2016 for a total of \$485,000.00. A monthly status report must be submitted and approved by Arizona Secretary of State Office and attached to monthly milestones to describe the completed monthly services/products.

Any Additional milestones/milestone modifications will only be authorized by Change Order issued through Arizona Secretary of State Office.

Authorization

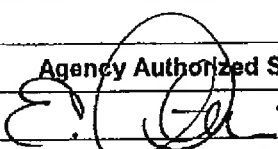
Vendor Authorized Signature	Vendor Printed Name	Date
Agency Authorized Signature	Agency Printed Name	Date
	L12 Atkinson, CEO	9-17-15
MSP Authorized Signature	MSP Printed Name	Date

Exhibit 3

Thomas Collins

From: Thomas Collins
Sent: Monday, April 17, 2017 5:45 PM
To: 'Miller, Lee'; Atkinson, Liz
Cc: Sara Larsen
Subject: RE: ISA
Attachments: Draft For SOS 4_17.docx

Subject to that understanding here is a draft, thanks, Tom

From: Miller, Lee [<mailto:lmiller@azsos.gov>]
Sent: Monday, April 17, 2017 4:30 PM
To: Thomas Collins; Atkinson, Liz
Subject: RE: ISA

Please send over your last draft and we'll both operate on the mutual understanding that this is all subject to further review and approval by the Secretary herself as well as the Commission.

From: Thomas Collins [<mailto:Thomas.Collins@azcleelections.gov>]
Sent: Monday, April 17, 2017 4:17 PM
To: Miller, Lee; Atkinson, Liz
Subject: ISA

Lee and Liz,

Taking a cue from Liz's Friday email we've made significant progress in actually drafting language that we are hopeful can work.

The issue we're running into is time. We can proceed in a couple of ways. I can try to put together a kind of term sheet from the work I've done so far and send it over, or I can send over what we have with the understanding it may still need some tweaks on our end before I'd recommend it to the commission.

The advantage of the latter seems to be it gives you a clearer sense of where I am currently, while at the same time allowing us to discuss this with the commission in more specific terms and allows you to look at actual language now, rather than later.

That way we could be much closer to a final agreement even if it required a brief additional meeting by conference call with the Commission before I have authority to sign. Either way we could get this done well in advance of the may meeting.

With respect to Commissioner Chan's request, it is complete from her perspective, thank you.

Let me know what your thoughts are.

Thanks,
Tom

Interagency Service Agreement Between
Citizens Clean Elections Commission and
The Office of the Secretary of State

THIS INTERAGENCY SERVICE AGREEMENT (Agreement) IS MADE AS OF THE ____ day of ____ 2017 between the CITIZENS CLEAN ELECTIONS COMMISSION (hereinafter referred to as the Commission) and the OFFICE OF THE SECRETARY OF STATE (hereinafter referred to as the Secretary), pursuant to A.R.S. § 35-148.

WHEREAS,

- A. The Commission has a duty to enforce the provisions of Title 16, Chapter 6, Article 2, Arizona Revised Statutes and to exercise the powers granted to it under that Article.
- B. The Commission has the authority under A.R.S. §§ 16-940 to -941 to pay reasonable and necessary expenses of administration and enforcement, to make expenditures for public education and voter education and to make expenditures to implement the Citizens Clean Elections Act.
- C. The Commission has the duty to prescribe forms for reports, statements, and notices to be filed through a reporting system jointly approved for use by candidates by the Commission and the Secretary of State pursuant to A.R.S. § 16-956(A)(3). The Commission also has authority to adopt rules to implement the reporting requirements of A.R.S. § 16-958(D)-(E) and to adopt rules to carry out the purposes of Title 16, Chapter 6, Article 2. A.R.S. §§ 16-956(A)(6); -956(B). The Commission enforces provisions of Title 16, Chapter 6, Article 2. A.R.S. §§ 16-956(A)(7), 16-957.
- D. The Secretary of State has the duty to accommodate electronic collection, filing, and dissemination of statements of campaign contributions and expenditures pursuant to A.R.S. §§ 16-916, -916.01, -941, 956, and -958, and the Rules of the Citizens Clean Elections Commission, including additional reports required of participating candidates by those rules.
- E. The Commission and the Secretary of State desire to increase voter education and transparency and improve the electronic, web-based, filing system prescribed by A.R.S. § 16-958(E).

THEREFORE, the Secretary of State and the Commission agree as follows:

1. Agreement Term

The term of this agreement shall begin on __, __ 2017 and shall remain in effect until the agreement is modified by both parties, in writing, or until terminated as provided in this Agreement.

2. Definitions

A. "See The Money" means the modified computer programs, displays, and interfaces, funded by this ISA, as a World Wide Web-based system and for the display of campaign-related information to the public. The system shall:

1) have the capability of displaying publicly all state and local campaign financereLATED information.

2) permit users to follow the flow of money from any link on the site.

3) allow users s to identify contributors or vendors and their multi-directional relationships to the different types of committees and entities. For example, users should be able to see: all the committees that have made expenditures to a specific vendor; all the contributors that have made contributions to a specific committee and; all the committees that have received contributions from a specific donor.

4) permit users to download their results in a tabular or csv format, run summaries of committee and other entity activity, and have access to a regularly updated copy of the entire database via the web.

5) permit users to see trending reports on spending and searches.

6) is mobile device compatible for mobile web browsers.

B. "Authorized" or "authorization" means a request, requirement, or other authorization by the Commission pursuant to Title 16, Chapter 6, Arizona Revised Statutes, or Arizona Administrative Code, Title 2, Chapter 20, made of any reporting party or the Secretary.

C. "Filing(s)" means any report, statement, notice, or other document authorized by the Commission.

D. "Campaign Finance Reporting System" is the computer based system in which committees, including candidate committees, and

other entities file campaign finance reports, notices, and other materials.

E. "Administrate" or Administrated" means the act of technically operating See The Money and the Campaign Finance Reporting System, including the provisions of access to reporting parties and the provisions of public access to filings. Administrated does not include the authority, power, or jurisdiction to supersede, alter or amend the Commission's jurisdiction, authority, and powers or the authority, power, or jurisdiction to decline, reject, or alter a Commission authorization.

F. "Reporting Party" means a person authorized to file reports related to campaigns and includes a corporation, company, partnership, firm, association, or society, as well as a natural person.

3. Responsibilities

The Secretary shall:

- a. Develop See the Money. This responsibility shall be completed by January 2, 2018.
- b. Ensure that the Campaign Finance Reporting System provides the means for any authorized filing by a reporting party. This responsibility begins immediately.
- c. Ensure that a universal log-in for reporting parties other than committees that permits them to make authorized or voluntary filings on demand. This responsibility shall be completed no later than July 1, 2017.
- d. Provide the Commission and its staff access to any data, filing, or other information the Commission or its staff deem necessary to the execution of any duty. Provide electronic means to the Commission staff to deliver notifications and other communications to committees and other entities of filing obligations in the Campaign Finance Reporting System that the Commission or its staff deem necessary. This responsibility begins immediately
- e. Provide quality assurance access to the Commission and its staff for training and research purposes. Such access shall include the

ability to mimic filings by reporting parties in real time. This responsibility begins immediately.

- f. Ensure that See the Money shall include an introductory page that includes representation of both the Commission and the Secretary of State's logos in equal proportion and placement and that shall be accessible from the Commission's designated Web sites and shall state "Paid For With Voter Approved Funding From the Clean Elections Fund". This responsibility shall be completed by January 2, 2018
- g. Administrate See the Money and the Campaign Finance Reporting System for the Commission. This responsibility begins immediately.

In addition, the Secretary:

- h. Agrees that an authorization does not require or represent the endorsement of the Secretary of any Commission action, but further consents and agrees that the Commission's determination of its own jurisdiction, authority, and powers shall supersede any view of the Secretary regarding the Commission's jurisdiction, authority, and powers. This responsibility begins immediately.

The Commission shall:

- a. Payment terms [Go here.](#)

4. Other Provisions

A. The Secretary warrants that, in undertaking and completing the responsibilities prescribed by Section 3(a)-(g) of this agreement, that any work product does not and will not infringe upon, violate, or misappropriate any patent, copyright, trade secret, trademark, contract, or proprietary right of any third party.

B. The Secretary may use the Campaign Finance Reporting System to provide filings by reporting parties as it deems appropriate provided the Secretary is in compliance with this Agreement, but may not prevent, obstruct, or alter any authorization.

C. Every payment of obligation of the Commission under this Agreement is conditioned upon the availability of funds allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this agreement, this Agreement may be terminated by the Commission or any other agency of State of Arizona at the end of the

period for which funds are available. No liability shall accrue to the Commission nor any other agency of the State of Arizona in the event this provision is exercised, and neither the Commission nor any other agency of the State of Arizona shall be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

D. Pursuant to A.R.S. § 35-148(A), the Secretary of State shall make an accounting of expenditures and return any advance not used to the Commission. The Secretary shall provide updates to the Commission staff at regular intervals, not to exceed 90 days, of progress respecting the responsibilities prescribed in Section 3(a)-(g). Upon the demand of the Commission, the Secretary shall provide reports on progress as requested by the Commission, but the Commission shall grant the Secretary 14 days to respond to such requests.

E. Pursuant to A.R.S. § 35-148, this interagency service agreement is for the advancement and/or payment from the Commission's resources to the Secretary of State for the provision of goods and services.

F. Breach of any of the provisions of Section 3(a)-(h), 4(G) or by termination of the agreement by the Secretary shall be deemed a material breach. Declining, refusing, or altering a Commission authorization shall be deemed a breach of Section 3. Failure to respond to a Commission authorization provided in writing to the Secretary, the Assistant Secretary of State or the Director of Computer Services within 14 days shall be deemed a material breach of this agreement. Failure to accommodate a Commission authorization within 30 days after written notice shall be deemed a material breach, but such time may be extended by the Commission's Executive Director in writing.

In the event of the Secretary's material breach, any and all payments shall be returned to the Commission in full, and the Secretary shall provide to the Commission any revenue from state, county or other users of the Campaign Finance Reporting System or See the Money to the Commission within two weeks and cease any further collection of such revenue until it returns to compliance.

G. The Commission has an interest in any modifications to the display of campaign finance data, and the Secretary of State shall not modify the display produced by the system except after consultation with and approval of the Commission. Nor shall the Secretary of State bar the

Commission or any reporting party from accessing any function necessary to make reports requested or required by the Commission or its Executive Director. Violation of this term is a material breach.

J. Pursuant to A.R.S. §§ 35-214 and 35-215, both parties shall retain all data, books, and other records ("records") relating to this Agreement for a period of five years after completion of the Agreement. All records shall be subject to the inspection and audit by the State of Arizona at reasonable times. Upon request, either party shall produce the original of any or all such records to the other.

K. The parties shall comply with Executive Order 2009-9 which mandates that all persons, regardless of race, color religion, sex, age, national original, or political affiliation, shall have equal access to employment opportunities, and all other applicable state and Federal employment laws, rules, and regulations, including the Americans with Disabilities Act. The parties shall take affirmative action to ensure that applicants for employment and employees are not discriminated against due to race, creed, color, religion, sex, national origin, or disability.

L. This Agreement may be amended or modified at any time by mutual agreement. No agent, employee, or other representative of either party is empowered to alter any of the terms of the Agreement, unless done in writing and signed by the authorized representative of the respective parties.

M. This Agreement contains all of the agreements of the parties with respect to the subject matter of the Agreement and no other agreements or oral representations from any party are binding.

N. The parties to this Agreement agree to resolve all disputes arising out of or relating to this Agreement through arbitration, after exhausting applicable administrative review, to the extent required by A.R.S. § 12-1518 except as may be required by other applicable statutes.

O. This Agreement shall be construed in accordance with the laws of the State of Arizona.

P. This Agreement is subject to cancellation pursuant to A.R.S. § 38-511. In such event, Section 4(A) shall apply

Q. In the event of any legal action related to or arising from this agreement, each party shall bear its own attorneys' fees and costs. In no event shall the Commission indemnify, reimburse, pay, or be liable to the

Secretary for any kind of loss, nor indemnify, provide, pay, or be liable for any attorneys' fees or costs incurred in relation to this Agreement. The Secretary affirmatively waives any such recoveries against the Commission.

R. This Agreement shall take effect on ____

IN WITNESS WHEREOF, the parties have executed this Interagency Service Agreement under the Authority of A.R.S. § 35-148(A) as of the date first above written.

CITIZENS CLEAN
ELECTIONS COMMISSION
STATE

ARIZONA OFFICE OF
THE SECRETARY OF

By: _____

Date _____

Michele Reagan

Secretary of State

By: _____

Date _____

Thomas Collins

Executive Director

From: Brandon Dwyer
To: [CCEC Mailbox](#)
Subject: Comment on proposed rules changes R2-20-702(B)
Date: Tuesday, April 04, 2017 5:45:50 AM

Good day.

My name is Brandon Dwyer. I was a clean elections candidate for the 2016 election cycle and am currently thinking about running as a clean candidate again in 2018.

R2-20-702(B) Option A.

I would not run as a clean elections candidate again. Chances are I wouldn't run in 2018 if this option passed.

R2-20-702(B) Option B.

I used my normal campaign funds to purchase access to the voter file. I would have trouble running as a clean elections candidate again. More likely I wouldn't run in 2018 if this option passed.

R2-20-702(B) Option C. Sets out some great starting ground rules. If these rules were in place before the 2016 campaign it would have made life easier. I only have objections with one section.

R2-20-702(B) Option C Section F. *The Commission shall also be provided with documentation from the mail house, printer or other original source showing the number of mailers printed and the number of households to which a mailer was sent. Failure to provide this information within seven days after a mailer has been mailed may be considered as evidence the mailer was not for direct campaign purposes.*

This sets an undo burden on the printing house. It has also been my experience that print shops typically do not respond in a timely manner if at all. Many times I had to physically show up to their place of business to get a response or solve a problem. The candidate should submit the final invoices to the clean elections commission within seven business days. This extra burden will cause some print shops to turn away candidates.

Getting a print shop to do anything in a timely manner let alone extra uncompensated paperwork will lead to multiple violations from multiple campaigns.

Thanks for listening

Brandon Dwyer

--

Educate your children to self-control, to the habit of holding passion and prejudice and evil tendencies subject to an upright and reasoning will, and you have done much to abolish misery from their future and crimes from society.

Benjamin Franklin

Doug Ducey
Governor

Thomas M. Collins
Executive Director



Steve M. Titla
Chair

Damien R. Meyer
Mark S. Kimble
Galen D. Paton
Amy B. Chan
Commissioners

State of Arizona
Citizens Clean Elections Commission

1616 W. Adams - Suite 110 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcanelections.gov

MEMORANDUM

To: Commissioners
From: Tom Collins
Date: 4/18/17
Subject: Update on circulating rule proposals

The current comment period for the proposed rules ends May 12. Currently, we have received very little public comment. However, as staff members, we have been reviewing and following up on reaction to certain aspects of the proposal. Based on that feedback, at the May meeting when the rules are eligible for adoption, we are likely to recommend the Commission forgo adopting to provisions of proposed R2-20-703.01. Specifically, we are likely to recommend *not adopting* the second sentence of proposed subsection 703.01(C)(2):

Only provide payment for such services as described in subsection (C)(1) of this rule upon receipt of an itemized, timely, invoice identifying the value of the services provided directly to that particular candidate. The invoice shall also identify the consultant's mark up, percentage or other additional charge above the actual cost of the service provided.

And refraining from adopting proposed subsection 703.01(E).

Any consultant engaged by a participating candidate shall provide the participating candidate and the Commission with a sworn affidavit identifying all other clients who are: candidates for any office in the state of Arizona, political committees, a person with tax exempt status under section 501(a) of the internal revenue code, or an unincorporated association, or corporations engaged independent expenditures in the state of Arizona. This affidavit shall be updated monthly beginning the first of the month of every month of the remaining election cycle. In the event the relationship is terminated a sworn affidavit so stating shall be provided to the participating candidate and the commission within 5 days.

While we think that these rule proposals are sound and comport with the anti-corruption principles animating the Act, we believe that the record keeping requirements already suggested are a better first step. We will continue to review our rules against legislation that has passed, consistent with past practice, and may consider additional audit-related rule changes in the future.

Thomas Collins

From: Christopher Kleminich <Christopher.Kleminich@azdoa.gov>
Sent: Monday, April 17, 2017 4:41 PM
To: Thomas Collins
Subject: RE: Date and text of council member Sundt comments

Tom,

Below is GRRC's transcription of roughly 31:00 to 34:00 of the April 4 Council meeting. Let me know if you have any questions. Thanks.

Member Sundt's concern remains the same. He believes that in looking at the Clean Elections Commission (CEC) enforcing Article 1, making interpretations and findings under Article 1, in taking that approach, it asks the Council to ignore the first Proposition 200 that was passed in 1986 which gave jurisdiction over violations of Article 1 to the Secretary of State or a filing officer or on referral the Arizona Attorney General or County Attorney. He doesn't believe the Council should ignore the provisions of 1986's Proposition 200 any more than they should ignore the Provisions of 1998's Proposition 200. He knows that Director Collins and he have exchanged comments and views on it. He doesn't believe that 16-942(B) grants overall jurisdiction for the CEC to act throughout the Chapter or in Article 1. He believes that it is a surcharge clause, a penalty clause in the statute. He believes that is reflected in the ballot itself, the legislative analysis submitted with a ballot proposition. He believes that the ballot proposition itself clarifies that two systems were being entertained, a separate clean elections system and the existing campaign finance system. While Proposition 200 (1998's version) touched upon 16-901 and amended it, it didn't take any other amendments relating to jurisdiction under Article 1 with regard to making findings. He thinks that sometimes, he felt that they (CEC and GRRC) have talked passed each other at times. He doesn't question that the CEC has jurisdiction under Article 2 or to lay a surcharge penalty where a violation of Article 1 has been found by a filing officer or upon referral, Attorney General, County Attorney, etc. He believes making those findings remains the province of the filing officer, or on referral, the appropriate attorney.

Chris Kleminich

Attorney
ADOA – Governor's Regulatory Review Council | State of Arizona
100 North 15th Avenue, Suite 305, Phoenix, AZ 85007
p: 602.542.2024 | christopher.kleminich@azdoa.gov
<http://grrc.az.gov>

How am I doing? Please take a moment to answer a few questions.
<https://www.surveymonkey.com/r/VOCDGRRRC>

From: Thomas Collins [<mailto:Thomas.Collins@azcanelections.gov>]
Sent: Monday, April 17, 2017 9:22 AM
To: Christopher Kleminich <Christopher.Kleminich@azdoa.gov>
Subject: Re: Date and text of council member Sundt comments

I mainly want to make sure i have Mr Sundt's comments right and I probably don't have time to tranacribe. I can call him too if it helps

Thanks again!

On Apr 17, 2017, at 8:55 AM, Christopher Kleminich <Christopher.Kleminich@azdoa.gov> wrote:

I've reached out to John to see if he has anything written. Are you free at all this afternoon for a short phone call to discuss the report?

Thanks,

Chris Kleminich
Attorney, Governor's Regulatory Review Council
602-542-2024

Sent from my iPhone

From: Thomas Collins <Thomas.Collins@azcleelections.gov>

Sent: Monday, April 17, 2017 7:51:39 AM

To: Christopher Kleminich

Subject: Date and text of council member Sundt comments

Chris,

I have a commission meeting this week, so I thought it would be helpful to get your thoughts on when the new report should be submitted.

Also, do you have a written copy of councilor Sundt's comments. He made the same ones at each meeting. I'd like to share them directly with the commission, unless he would prefer to share them with particular members himself.

Thanks !

Tom

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Becky Nutt
Participating Candidate for
State Representative – District No. 14
General Election 2016**

**Independent Accountants' Report on
Applying Agreed-Upon Procedures**

Chairman and Members of the Commission
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Vote Becky (the Candidate) Campaign Finance Reports for both the Pre-General (September 20, 2016 to October 27, 2016) and the Post-General (October 28, 2016 to November 28, 2016) reporting periods were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Pre-General and Post-General Campaign Finance Reports. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained both the Pre-General (September 20, 2016 to October 27, 2016) and Post-General (October 28, 2016 to November 28, 2016) Campaign Finance Reports from the Arizona Secretary of State's website.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:

- (i) Determine whether the candidate accepted contributions only from individuals.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iii) Check compliance with the maximum early contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- c) Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d) Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for an agreed-upon procedures attest engagement. Candidates chosen for a General Election Audit shall provide records from the Pre-General Election Report and the Post-General Election Report.

Finding

Commission staff sent an initial notice of general random audit selection to the Candidate and informed the Candidate that we would be contacting her. We then communicated to the Candidate in a written request, the purpose of the engagement, agreed-upon procedures to be performed, documentation needed and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The Contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the campaign committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, spouse, children, siblings and a parent or spouse of any of those persons.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
 - Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected ten withdrawals (there were no deposits noted) from the bank statements for the periods reviewed and determined that they appeared to be properly recorded in the Candidate's campaign finance reports with no exceptions noted.

- Perform a proof of cash procedures were performed

Finding

After performing proof of cash procedures, we calculated an ending campaign bank balance of \$2,700.39, however the Post-General campaign finance report reflected an ending balance of \$0. The variance of \$2,700.39 was determined to have been subsequently remitted to the Commission.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (i) For other types of cash receipts reported in the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:
 - (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation and to the Candidate's finance report, with no exceptions noted.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address and nature of goods or services provided to the information reported in the Candidate's campaign finance report without exception.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes, with the following exceptions. The Post-General Campaign finance report included a reimbursement to the Candidate totaling \$518.36 on 11/08/2016 for fuel, meals and supplies. It was determined that all of the reimbursed expenditures were incurred during the Pre-Primary and Post-Primary election periods. However, per the Citizens Clean Elections Act & Rules Manual rule R2-20-109(B)(2), if a participating candidate makes an expenditure on behalf of the campaign using personal funds, the candidate's campaign shall reimburse the candidate within seven calendar days of the expenditure. After the 7 day period has passed, the expenditure shall be deemed an in-kind contribution subject to all applicable limits.

In addition, \$495.40 of the reimbursed expenditures was for fuel, and while the Candidate did retain receipts for each expenditure, no trip itinerary documentation was maintained. Per the Citizens Clean Elections Act & Rules Manual rule R2-20-109(D)(b), use campaign funds to pay for direct fuel purchases for the candidate's automobile only and shall be reported. If a candidate chooses to use campaign funds for direct fuel purchases, the candidate shall keep an itinerary of the trip, including name and type of events(s) attended, miles traveled and the rate at which the reimbursement could have been made.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,420.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- (i) If applicable, judgmentally select a sample of expenditures made from the Candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$160 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- g) Determine whether a legal defense fund has been established.

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- (i) If a legal defense fund was established, how were these funds accounted for?

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- h) Contact the Candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the Candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the Pre-General and Post-General Campaign Finance Reports of Vote Becky. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Citizens Clean Elections Commission, and is not intended to be and should not be used by anyone other than this specified party.

Foster & Chapman P.C.

March 29, 2017

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**John Wilson
Participating Candidate for
State Representative – District No. 29
General Election 2016**

**Independent Accountants' Report on
Applying Agreed-Upon Procedures**

Chairman and Members of the Commission
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Arizonan's for Moral Unity support Honest John (the Candidate) Campaign Finance Reports for both the Pre-General (September 20, 2016 to October 27, 2016) and the Post-General (October 28, 2016 to November 28, 2016) reporting periods were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Pre-General and Post-General Campaign Finance Reports. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained both the Pre-General (September 20, 2016 to October 27, 2016) and Post-General (October 28, 2016 to November 28, 2016) Campaign Finance Reports from the Arizona Secretary of State's website.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:

- (i) Determine whether the candidate accepted contributions only from individuals.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iii) Check compliance with the maximum early contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- c) Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d) Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for an agreed-upon procedures attest engagement. Candidates chosen for a General Election Audit shall provide records from the Pre-General Election Report and the Post-General Election Report.

Finding

Commission staff sent an initial notice of general random audit selection to the Candidate and informed the Candidate that we would be contacting him. We then communicated to the Candidate in a written request, the purpose of the engagement, agreed-upon procedures to be performed, documentation needed and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The Contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the campaign committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, spouse, children, siblings and a parent or spouse of any of those persons.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
 - Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected ten withdrawals (no deposits noted) from the bank statements for the periods reviewed and determined that they appeared to be properly recorded in the Candidate's campaign finance reports.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

After performing proof of cash procedures, we calculated a Post-General ending cash balance of \$0, however the Post-General campaign finance report reflected an ending balance of \$11.04. It was further noted that the Campaign Finance Report indicated that \$159.60 of unspent funds were remitted to the Commission. The bank balance at the end of the Post-General period totaled \$139.60, indicating that the Campaign overspent by the difference of \$31.04. All unspent funds were determined to have been subsequently remitted to the Commission.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (i) For other types of cash receipts reported in the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation and to the Candidate's finance report, with no exceptions noted.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address and nature of goods or services provided to the information reported in the Candidate's campaign finance report without exception.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,420.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- (i) If applicable, judgmentally select a sample of expenditures made from the Candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$160 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- g) Determine whether a legal defense fund has been established.

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- (i) If a legal defense fund was established, how were these funds accounted for?

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- h) Contact the Candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the Candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the Pre-General and Post-General Campaign Finance Reports of Arizonan's for Moral Unity support Honest John. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Citizens Clean Elections Commission, and is not intended to be and should not be used by anyone other than this specified party.

Foster & Chapman P.C.

April 14, 2017

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Larry Herrera
Participating Candidate for
State Senator – District No. 20
General Election 2016**

**Independent Accountants' Report on
Applying Agreed-Upon Procedures**

Chairman and Members of the Commission
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Friends of Larry Herrera (the Candidate) Campaign Finance Reports for both the Pre-General (September 20, 2016 to October 27, 2016) and the Post-General (October 28, 2016 to November 28, 2016) reporting periods were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Pre-General and Post-General Campaign Finance Reports. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained both the Pre-General (September 20, 2016 to October 27, 2016) and Post-General (October 28, 2016 to November 28, 2016) Campaign Finance Reports from the Arizona Secretary of State's website.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:

- (i) Determine whether the candidate accepted contributions only from individuals.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iii) Check compliance with the maximum early contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- c) Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d) Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for an agreed-upon procedures attest engagement. Candidates chosen for a General Election Audit shall provide records from the Pre-General Election Report and the Post-General Election Report.

Finding

Commission staff sent an initial notice of general random audit selection to the Candidate and informed the Candidate that we would be contacting him. We then communicated to the Candidate in a written request, the purpose of the engagement, agreed-upon procedures to be performed, documentation needed and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The Contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the campaign committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, spouse, children, siblings and a parent or spouse of any of those persons.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
- Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected nine withdrawals and one deposit (entire population) from the bank statements for the periods reviewed and determined that they appeared to be properly recorded in the Candidate's campaign finance reports with no exceptions noted.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period. During this testwork it was noted that the Campaign had a Post-General Report balance of \$192.04, which was remitted to the Commission. However, it was necessary for the Candidate to deposit \$200.65 into the Campaign bank account to bring the balance up to zero, indicating that the Candidate overspent by that amount.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (i) For other types of cash receipts reported in the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:
 - (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation and to the Candidate's Campaign finance report, with one reporting error noted. The Campaign finance report included a \$1,040.00 expenditure on October 20, 2016 for design consultant services, however after reviewing the corresponding supporting documentation we determined that the expenditure was incurred on August 26, 2016 and therefore was reported in the incorrect reporting period.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address and nature of goods or services provided to the information reported in the Candidate's Campaign finance report, with one reporting error noted. The Campaign finance report included a \$1,040.00 expenditure on October 20, 2016 for design consultant services, however after reviewing the corresponding supporting documentation we determined that the expenditure was incurred on August 26, 2016 and therefore was reported in the incorrect reporting period.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes, with one reporting error noted. The Campaign finance report included a \$1,040.00 expenditure on October 20, 2016 for design consultant services, however after reviewing the corresponding supporting documentation we determined that the expenditure was incurred on August 26, 2016 and therefore was reported in the incorrect reporting period.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,420.

Finding

Based on inquiry of the Candidate, the Candidate did establish a petty cash fund during the periods reviewed. The Candidate maintained a subsidiary ledger for the

petty cash fund and the expenditures were recorded in the Campaign finance reports in the same manner as non-cash expenditures. The aggregate petty cash funds did not exceed the \$1,420 limit.

- (i) If applicable, judgmentally select a sample of expenditures made from the Candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$160 limit on petty cash expenditures.

Finding

We reviewed five petty cash expenditures and determined that all appeared to have been made for direct campaign purposes. Two petty cash expenditures were in excess of the \$160 limit and both were omitted from the subsidiary ledger. One petty cash expenditure for sign installation and repair totaled \$200.00, and one petty cash expenditure for printing services totaled \$260.00.

- g) Determine whether a legal defense fund has been established.

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- (i) If a legal defense fund was established, how were these funds accounted for?

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- h) Contact the Candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the Candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the Pre-General and Post-General Campaign Finance Reports of Friends of Larry Herrera. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Citizens Clean Elections Commission, and is not intended to be and should not be used by anyone other than this specified party.

Foster & Chapman P.C.

March 21, 2017

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Noel Campbell
Participating Candidate for
State Representative – District No. 1
General Election 2016**

**Independent Accountants' Report on
Applying Agreed-Upon Procedures**

Chairman and Members of the Commission
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Elect Noel Campbell (the Candidate) Campaign Finance Reports for both the Pre-General (September 20, 2016 to October 27, 2016) and the Post-General (October 28, 2016 to November 28, 2016) reporting periods were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Pre-General and Post-General Campaign Finance Reports. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained both the Pre-General (September 20, 2016 to October 27, 2016) and Post-General (October 28, 2016 to November 28, 2016) Campaign Finance Reports from the Arizona Secretary of State's website.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:

- (i) Determine whether the candidate accepted contributions only from individuals.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iii) Check compliance with the maximum early contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- c) Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d) Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for an agreed-upon procedures attest engagement. Candidates chosen for a General Election Audit shall provide records from the Pre-General Election Report and the Post-General Election Report.

Finding

Commission staff sent an initial notice of general random audit selection to the Candidate and informed the Candidate that we would be contacting him. We then communicated to the Candidate in a written request, the purpose of the engagement, agreed-upon procedures to be performed, documentation needed and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The Contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the campaign committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, spouse, children, siblings and a parent or spouse of any of those persons.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
- Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected ten withdrawals (there were no deposits noted) from the bank statements for the periods reviewed and determined that they appeared to be properly recorded in the Candidate's campaign finance reports except for the following exception. The amount remitted to the Commission was the ending balance of the Campaign bank account, however this amount was not reported in the Campaign finance report.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period and no exceptions were noted.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (i) For other types of cash receipts reported in the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:
 - (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation and to the Candidate's finance report, with one exception noted. The Campaign finance report included a \$120.00 expenditure to National Bank of Arizona for monthly bank fees of \$5.00 per month, for the months of January 2015 through December 2016. The fees from January 2015 through August 2016 were reported in the incorrect reporting period and no fees appear to have been withdrawn by the bank for the months of September 2016 and October 2016. However, the Candidate remitted the balance of the bank account upon its closure to the Commission.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address and nature of goods or services provided to the information reported in the Candidate's campaign finance report without exception.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to Campaign account bank statements, with one exception noted. The Campaign finance report included a \$120.00 expenditure to National Bank of Arizona for monthly bank fees of \$5.00 per month, for the months of January 2015 through December 2016. The fees from January 2015 through August 2016 were not included in the bank statements for the period reviewed and no fees appear to have been withdrawn by the bank for the months of September 2016 and October 2016. However, the Candidate, remitted the balance of the bank account upon closure to the Commission.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,420.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- (i) If applicable, judgmentally select a sample of expenditures made from the Candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$160 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- g) Determine whether a legal defense fund has been established.

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- (i) If a legal defense fund was established, how were these funds accounted for?

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- h) Contact the Candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the Candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the Pre-General and Post-General Campaign Finance Reports of Elect Noel Campbell. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Citizens Clean Elections Commission, and is not intended to be and should not be used by anyone other than this specified party.

Foster & Chapman P.C.

March 21, 2017

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Sharon Stinard
Participating Candidate for
State Representative – District No. 16
General Election 2016**

**Independent Accountants' Report on
Applying Agreed-Upon Procedures**

Chairman and Members of the Commission
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Stinard for House (the Candidate) Campaign Finance Reports for both the Pre-General (September 20, 2016 to October 27, 2016) and the Post-General (October 28, 2016 to November 28, 2016) reporting periods were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Pre-General and Post-General Campaign Finance Reports. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained both the Pre-General (September 20, 2016 to October 27, 2016) and Post-General (October 28, 2016 to November 28, 2016) Campaign Finance Reports from the Arizona Secretary of State's website.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:

- (i) Determine whether the candidate accepted contributions only from individuals.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iii) Check compliance with the maximum early contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- c) Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d) Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for an agreed-upon procedures attest engagement. Candidates chosen for a General Election Audit shall provide records from the Pre-General Election Report and the Post-General Election Report.

Finding

Commission staff sent an initial notice of general random audit selection to the Candidate and informed the Candidate that we would be contacting her. We then communicated to the Candidate in a written request, the purpose of the engagement, agreed-upon procedures to be performed, documentation needed and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The Contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the campaign committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, spouse, children, siblings and a parent or spouse of any of those persons.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
- Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected eight withdrawals and two deposits (entire population) from the bank statements for the periods reviewed and determined that they appeared to be properly recorded in the Candidate's campaign finance reports with one exception noted. One deposit totaling \$5.00 did not appear to be recorded in the Candidate's campaign finance report. Per discussion with the campaign treasurer, the personal deposit was made to reconcile the bank account with the finance report.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period and no exceptions were noted.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (i) For other types of cash receipts reported in the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

One cash receipt totaling \$128.00, received from another campaign committee for joint expenditures, was reported as a transfer in the Candidate's campaign finance report. We agreed the receipt to the campaign account bank statement without exception.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation and to the Candidate's finance report, with no exceptions noted.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address and nature of goods or services provided to the information reported in the Candidate's campaign finance report without exception.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

One of the five expenditures we tested was for a joint expenditure made in conjunction with another campaign. The amounts paid appear to represent the Candidate's proportionate share of the total cost.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,420.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- (i) If applicable, judgmentally select a sample of expenditures made from the Candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$160 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- g) Determine whether a legal defense fund has been established.

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- (i) If a legal defense fund was established, how were these funds accounted for?

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- h) Contact the Candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the Candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the Pre-General and Post-General Campaign Finance Reports of Stinard for House. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Citizens Clean Elections Commission, and is not intended to be and should not be used by anyone other than this specified party.

Foster & Chapman P.C.

March 21, 2017

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Steven Weichert
Participating Candidate for
State Senator – District No. 17
General Election 2016**

**Independent Accountants' Report on
Applying Agreed-Upon Procedures**

Chairman and Members of the Commission
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Weichert for AZ Senate (the Candidate) Campaign Finance Reports for both the Pre-General (September 20, 2016 to October 27, 2016) and the Post-General (October 28, 2016 to November 28, 2016) reporting periods were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Pre-General and Post-General Campaign Finance Reports. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained both the Pre-General (September 20, 2016 to October 27, 2016) and Post-General (October 28, 2016 to November 28, 2016) Campaign Finance Reports from the Arizona Secretary of State's website.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:

- (i) Determine whether the candidate accepted contributions only from individuals.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iii) Check compliance with the maximum early contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- c) Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d) Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for an agreed-upon procedures attest engagement. Candidates chosen for a General Election Audit shall provide records from the Pre-General Election Report and the Post-General Election Report.

Finding

Commission staff sent an initial notice of general random audit selection to the Candidate and informed the Candidate that we would be contacting him. We then communicated to the Candidate in a written request, the purpose of the engagement, agreed-upon procedures to be performed, documentation needed and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The Contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the campaign committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, spouse, children, siblings and a parent or spouse of any of those persons.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
 - Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected eight withdrawals and two deposits (entire population) from the bank statements for the periods reviewed and determined that they appeared to be properly recorded in the Candidate's campaign finance reports with the following reporting error noted. One deposit totaling \$33.44 was determined to be an expenditure refund and it was not included in the Campaign finance report. However, the Candidate did timely remit all funds due to the Commission.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

After performing proof of cash procedures, we calculated a Post-General ending cash balance of \$16.18, however the Post-General campaign finance report reflected an ending balance of (\$17.26), which did not include a \$33.44 expenditure refund. The remaining bank balance of \$16.18 was determined to have been timely remitted to the Commission.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (i) For other types of cash receipts reported in the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and two transfers to other committees and agreed amounts to supporting invoices or other documentation and to the Candidate's finance report, with no exceptions noted.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and two transfers to other committees and agreed the name, address and nature of goods or services provided to the information reported in the Candidate's campaign finance report without exception.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and two transfers to other committees and agreed amounts to the campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and two transfers to other committees and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

Two expenditures and two transfers to other committees we tested were for joint expenditures made in conjunction with another campaign. The amounts paid appear to represent the Candidate's proportionate share of the total cost.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,420.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- (i) If applicable, judgmentally select a sample of expenditures made from the Candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$160 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- g) Determine whether a legal defense fund has been established.

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- (i) If a legal defense fund was established, how were these funds accounted for?

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- h) Contact the Candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the Candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the Pre-General and Post-General Campaign Finance Reports of Weichert for AZ Senate. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Citizens Clean Elections Commission, and is not intended to be and should not be used by anyone other than this specified party.

A handwritten signature in black ink that reads "Foster & Chapman P.C.". The signature is written in a cursive, flowing style.

March 31, 2017

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Tom Chabin
Participating Candidate for
Corporation Commissioner
General Election 2016**

**Independent Accountants' Report on
Applying Agreed-Upon Procedures**

Chairman and Members of the Commission
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Tom Chabin Campaign for Corporation Commission (the Candidate) Campaign Finance Reports for both the Pre-General (September 20, 2016 to October 27, 2016) and the Post-General (October 28, 2016 to November 28, 2016) reporting periods were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Pre-General and Post-General Campaign Finance Reports. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained both the Pre-General (September 20, 2016 to October 27, 2016) and Post-General (October 28, 2016 to November 28, 2016) Campaign Finance Reports from the Arizona Secretary of State's website.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:

- (i) Determine whether the candidate accepted contributions only from individuals.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iii) Check compliance with the maximum early contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- c) Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d) Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for an agreed-upon procedures attest engagement. Candidates chosen for a General Election Audit shall provide records from the Pre-General Election Report and the Post-General Election Report.

Finding

Commission staff sent an initial notice of general random audit selection to the Candidate and informed the Candidate that we would be contacting him. We then communicated to the Candidate in a written request, the purpose of the engagement, agreed-upon procedures to be performed, documentation needed and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The Contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the campaign committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, spouse, children, siblings and a parent or spouse of any of those persons.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
- Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected ten withdrawals (no deposits noted) from the bank statements for the periods reviewed and determined that they appeared to be properly recorded in the Candidate's campaign finance reports with no exceptions noted.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

After performing proof of cash procedures, we calculated a Post-General ending cash balance of \$1,406.29, however the Post-General campaign finance report reflected an ending balance of \$1,024.33. The variance of \$381.96 was determined to be comprised of additional unspent monies due to the Commission. Per the Citizens Clean Elections Act & Rules Manual rule R2-20-109(E)(1)(b)(ii), if the campaign finance report shows any amount unspent monies, the participating candidate, within five days after filing the campaign finance report, shall remit all unspent contributions to the Fund, pursuant to A.R.S. 16-945(B), which refers to limits on early contributions. Per discussion with the campaign treasurer, the Campaign subsequently remitted \$1,406.29 to the Commission.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (i) For other types of cash receipts reported in the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's campaign finance report during the periods reviewed.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:
 - (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and five transfers to other committees and agreed amounts to supporting invoices or other documentation and to the Candidate's finance report, with one exception noted. The Campaign finance report included a \$1,836.22 transfer to another committee on 10/17/16, which included a \$1,072.59 expenditure for newspaper ads. The supporting documentation retained by the Committee was for \$834.31, indicating an overpayment of \$238.28. Per discussion with the campaign treasurer, the vendor had initially overcharged the Committee and subsequently refunded the difference. The transfer to the other committee was based on the overcharged amount.

In addition, the initial documentation maintained by the Campaign for one expenditure for consulting services and one transfer to another committee for consulting services was inadequate. The Campaign subsequently provided additional documentation obtained from the vendor that cleared the exceptions.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and five transfers to other committees and agreed the name, address and nature of goods or services provided to the information reported in the Candidate's campaign finance report, with no exceptions noted however, the initial documentation maintained by the Campaign for one expenditure for consulting services and one transfer to another committee for consulting services was inadequate. The Campaign subsequently provided additional documentation obtained from the vendor that cleared the exceptions.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and five transfers to other committees and agreed amounts to the campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and five transfers to other committees and determined that all appeared to have been made for direct campaign purposes, with no exceptions noted however, the initial documentation maintained by the Campaign for one expenditure for consulting services and one transfer to another committee for consulting services was inadequate. The Campaign subsequently provided additional documentation obtained from the vendor that cleared the exceptions.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

The five transfers to other committees we tested was for a joint expenditures made in conjunction with another campaign. The amounts paid appear to represent the Candidate's proportionate share of the total cost, with one exception. The Campaign finance report included a \$1,836.22 transfer to another committee on 10/17/16, which included a \$1,072.59 expenditure for newspaper ads. The supporting documentation retained by the Committee was for \$834.31, indicating an overpayment of \$238.28. Per discussion with the campaign treasurer, the vendor had initially overcharged the Committee and subsequently refunded the difference. The transfer to the other committee was based on the overcharged amount.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,420.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- (i) If applicable, judgmentally select a sample of expenditures made from the Candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$160 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- g) Determine whether a legal defense fund has been established.

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- (i) If a legal defense fund was established, how were these funds accounted for?

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- h) Contact the Candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the Candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the Pre-General and Post-General Campaign Finance Reports of Tom Chabin Campaign for Corporation Commission. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Citizens Clean Elections Commission, and is not intended to be and should not be used by anyone other than this specified party.

Foster & Chapman P.C.

March 21, 2017

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Tonya MacBeth
Participating Candidate for
State Senator – District No. 15
General Election 2016**

**Independent Accountants' Report on
Applying Agreed-Upon Procedures**

Chairman and Members of the Commission
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Elect Tonya MacBeth (the Candidate) Campaign Finance Reports for both the Pre-General (September 20, 2016 to October 27, 2016) and the Post-General (October 28, 2016 to November 28, 2016) reporting periods were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Pre-General and Post-General Campaign Finance Reports. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and the associated findings are as follows:

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained both the Pre-General (September 20, 2016 to October 27, 2016) and Post-General (October 28, 2016 to November 28, 2016) Campaign Finance Reports from the Arizona Secretary of State's website.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:

- (i) Determine whether the candidate accepted contributions only from individuals.

Finding

One in-kind contribution was received during the periods reviewed and appeared to be received from an individual.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

One in-kind contribution was received during the periods reviewed and did not exceed the \$160 contribution limit.

- (iii) Check compliance with the maximum early contribution limits.

Finding

One in-kind contribution was received during the periods reviewed and did not exceed the \$4,011 limit for a legislative candidate.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

No personal contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- c) Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d) Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for an agreed-upon procedures attest engagement. Candidates chosen for a General Election Audit shall provide records from the Pre-General Election Report and the Post-General Election Report.

Finding

Commission staff sent an initial notice of general random audit selection to the Candidate and informed the Candidate that we would be contacting her. We then communicated to the Candidate in a written request, the purpose of the engagement, agreed-upon procedures to be performed, documentation needed and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The Contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the campaign committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, spouse, children, siblings and a parent or spouse of any of those persons.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
- Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected five withdrawals and one deposit (entire population) from the bank statements for the periods reviewed and determined that they appeared to be properly recorded in the Candidate's campaign finance reports with no exceptions noted.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period and no exceptions were noted.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

No contributions were reported in the Candidate's campaign finance reports during the periods reviewed.

- (i) For other types of cash receipts reported in the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's campaign finance reports during the periods reviewed.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

The in-kind contribution received during the periods reviewed appeared to be reasonable and had a value assessed at fair market value.

e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation and to the Candidate's finance report, with no exceptions noted.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address and nature of goods or services provided to the information reported in the Candidate's campaign finance report without exception.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

One expenditure we tested appeared to be for joint expenditure made in conjunction with another campaign. The amount paid appears to represent the Candidate's proportionate share of the total cost.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,420.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- (i) If applicable, judgmentally select a sample of expenditures made from the Candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$160 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the periods reviewed.

- g) Determine whether a legal defense fund has been established.

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- (i) If a legal defense fund was established, how were these funds accounted for?

Finding

Based on inquiry of the Candidate, the campaign did not establish a legal defense fund.

- h) Contact the Candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the Candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on the Pre-General and Post-General Campaign Finance Reports of Elect Tonya MacBeth Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Citizens Clean Elections Commission, and is not intended to be and should not be used by anyone other than this specified party.

Aster & Chapman P.C.

March 13, 2017

Bill	Title	Prime Sponsor	Summary	Effect on CCEC	Committee Assignment	Support/Oppose/Neutral	Date for Vote	Vote Outcome	COW Date	COW Outcome	1st Read Date	2nd Read Date	3rd Read Date	Vote Committee Assigned	Date for Vote2	Vote Outcome2	COW Date2	COW Outcome2	Third Read	Third Read Vote2
HCR 2004	Clean Elections; Education Funding	Rep. Leach	Would place a repeal of the Clean Elections Act on the November 2018 ballot and divert the funds to the Dept. of Education to be given to school districts and charter schools	Would eliminate the Commission and Act.	House Approps	Oppose	15-Feb	Failed 6-7												
HCR 2002	Repeal 1998 Prop. 105	Rep. Ugenti-Rita	Would place on the November 2018 ballot the question of whether to repeal or keep Prop 105. Passed in 1998 Prop 105 requires the legislature to pass any laws effecting items passed by the voters to receive a 3/4 vote and to further the purpose of the item	Would allow the Legislature to make changes to the Act	House Gov	Oppose	9-Feb	Passed 5-3	23-Feb	Received a Do Pass as Amended recommendation	23-Feb	Passed 35-25	Senate Jud							
HB 2026	Secretary of State; Omnibus	Rep. Coleman	Changes how the SOS handles certain aspects of public notices being displayed on their website. Removes them from having to be a source for information regarding other agencies and commissions. Gives the SOS full discretion over rules regarding form and style for filing the rule.	Minimal. Concerning that the SOS would want to have full discretion over rules	House Gov	Neutral	19-Jan	Passed 8-0	2-Feb	Received a Do Pass as Amended recommendation	6-Feb	Passed 57-3 as amended and was transmitted to the Senate.	Senate Gov	1-Mar	7-0-0	4/4/2017	Received a Do Pass as Amended recommendation	4/5/2017	Passed as amended 24-3. Sent back to the House for a conference committee.	
HB 2304	Voter Guide; Publicity Pamphlet; E-mail	Rep. Kern	Would allow voters to opt out of receiving the CSP by mail and receive it by email.	Would add additional cost and time to the process. The CSP is mail to households and not voters. The Commission would not be able to stop a mailing to a household as we would have no way to know how many voters are in the household and if all of them were opting out.	House Gov	Neutral	2-Feb	Passed 7-1	22-Feb	Received a Do Pass as Amended recommendation	22-Feb	Passed 45-14 and was transmitted to the Senate. Received the 3/4 vote needed.	Senate Jud	23-Mar	Passed as amended 4-3	4/11/2017	Received a Do Pass as Amended recommendation	4/11/2017	Passed the Senate 18-12. Sent back to the House for a conference committee.	
HCR 2007	Proposition 105; Exempt Referenda	Rep. Ugenti-Rita	Would place on the November ballot the question to remove referendum from under the Prop 105 clause. This would give the Legislature the ability to change referendum with a simple majority vote.	Would open the door for more attempts to change the Clean Elections Act.	House Gov	Oppose	9-Feb	Passed 5-3 Held in Rules	23-Feb	Received a Do Pass Recommendation	23-Feb	Passed 35-25	Senate Jud							

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Interagency Service Agreement ~~by and b~~Between
the Citizens Clean Elections Commission and
~~t~~The Office of the Secretary of State

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~~This~~[^]~~HIS~~ INTERAGENCY SERVICE AGREEMENT ~~-(the "Agreement") IS MADE AS~~
~~OF THE~~[^]~~is made as of the~~ ____ day of ____ 2017 between the CITIZENS CLEAN
ELECTIONS COMMISSION (hereinafter referred to as the "Commission") and the OFFICE OF
THE SECRETARY OF STATE (hereinafter referred to as the "Secretary"), pursuant to A.R.S. §
35-148.

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WHEREAS,

~~A.~~[^]~~The~~ Commission has a duty to enforce the provisions of Title 16, Chapter 6,
Article 2, Arizona Revised Statutes and to exercise the powers granted to it under that Article;
~~and.~~

~~B.~~[^]~~WHEREAS,~~ ~~t~~The Commission has the authority under A.R.S. §§ 16-940 to -941
to pay reasonable and necessary expenses of administration and enforcement, to make
expenditures for public education and voter education and to make expenditures to implement
the Citizens Clean Elections Act; ~~and.~~

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~~C.~~[^] ~~WHEREAS,~~ ~~t~~The Commission has the duty to prescribe forms for reports,
statements, and notices to be filed through a reporting system jointly approved for use by
candidates by the Commission and the Secretary of State pursuant to A.R.S. § 16-956(A)(3).
The Commission also has authority to adopt rules to implement the reporting requirements of
A.R.S. § 16-958(D)-(E) and to adopt rules to carry out the purposes of Title 16, Chapter 6,
Article 2. A.R.S. §§ 16-956(A)(6); -956(B). The Commission enforces provisions of Title 16,
Chapter 6, Article 2. A.R.S. §§ 16-956(A)(7), 16-957; ~~and.~~

~~WHEREAS,~~ ~~t~~The Secretary of State has the duty to accommodate electronic
collection, filing, and dissemination of statements of campaign contributions and expenditures
pursuant to A.R.S. §§ 16-916, -916.01, -941, 956, and -958, ~~and the Rules of the Citizens Clean
Elections Commission,~~ including additional reports required of participating candidates by those
rules; ~~and.~~

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~~D.~~[^]~~WHEREAS,~~

~~E.~~ ~~t~~The Commission and the Secretary ~~of State~~ desire to increase voter education
and transparency and improve the electronic, web-based, filing system prescribed by A.R.S. §
16-958(E).

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~~NOW~~[^] THEREFORE, the Secretary of State and the Commission agree as follows:

1. ~~1.~~ ~~Agreement Term~~

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The term of this Agreement shall begin on _____, _____ 2017 and shall remain in effect until the Agreement ~~is modified by both parties, in writing, or~~ until terminated as provided in this Agreement.

2. Definitions.

A. "See The Money" means the modified computer programs, displays, and interfaces, funded by this ISA, as a World Wide Web-based system and for the display of campaign-related financial information to the public. The system shall:

1.) have the capability of displaying ~~to users publicly all~~ state and local campaign finance related information ~~reported to the system from any jurisdiction using the system.~~ See the Money.

2.) ~~permit users to follow the flow of money from any identified links on the site.~~

3.) allow users ~~s-~~ to identify contributors or vendors and their multi-directional relationships to the different types of committees and entities. For example, users should be able to see: all the committees that have made expenditures to a specific vendor; all the contributors that have made contributions to a specific committee and; all the committees that have received contributions from a specific donor.

3.4.) permit users to download their results in a tabular or csv format, run summaries of committee and other entity activity, and have access to a regularly updated copy of the entire database via the web.

4.5.) permit users to see ~~trending reports on spending and~~ searches ~~often previously requested by prior users.~~

5. 6) ~~be~~ reasonably mobile device compatible for mobile web browsers.

B. "Authorized" or "authorization" means a request, requirement, or other authorization by the Commission pursuant to Title 16, Chapter 6, Arizona Revised Statutes, or Arizona Administrative Code, Title 2, Chapter 20, made of any reporting party or the Secretary.

C. "Filing(s)" means any report, statement, notice, or other document ~~required~~ authorized by the Commission law.

D. "Campaign Finance Reporting System" is the computer based system in which committees, including candidate committees, and other entities file campaign finance reports, notices, and other materials.

E. "Administ~~er~~ate" ~~or Administrated~~ means the act of technically operating See The Money and the Campaign Finance Reporting System, including the provisions of access to reporting parties and the provisions of public access to filings. Administ~~rate~~rd does not include the authority, power, or jurisdiction to supersede, alter or amend the Commission's jurisdiction, authority, and powers or the authority, power, or jurisdiction to decline, reject, or alter a Commission authorization.

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Comment [LA1]: No termination date. The termination process in this agreement (if initiated by the SOS) is considered breach and any funds received by the CCEC or received as Revenue would have to be turned over within 14 days.

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Comment [MB2]: We can only display local information for those jurisdictions that choose to participate, not ALL. - Bill

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Comment [MB3]: I would prefer this get re-worded. ANY Link is very broad. While we intent for the user to be able to follow the money from practically anywhere, there may be cases where this doesn't apply, and I would hate to get caught in a technicality. - Bill

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Comment [MB4]: Trending may not include by "spending". So far it has only been discussed by popular searches - Bill

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Comment [LA5]: 04-19: What does this mean exactly?

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F. "Reporting Party" means a person authorized to file reports related to campaigns and includes a corporation, company, partnership, firm, association, or society, as well as a natural person.

3. Responsibilities

The Secretary shall:

A. Develop See the Money. ~~This responsibility shall be completed e Project Plan provided to the Commission by the Secretary currently projects See the Money being able to receive data from Reporting Parties on January 2, 2018. The Secretary shall provide the Commission with such reports regarding the development of See the Money as the Commission may reasonably request. The Secretary will revise and update the See the Money Project Plan as material changes to the Plan may occur. by All the execution of all duties and responsibilities of either the Secretary or the Commission shall follow the See the Money Project Plan, as it may be revised and modified from time to time. January 2, 201~~

A. ~~8 April 1, 2018~~

B. Ensure that the Campaign Finance Reporting System will provide a complete means for any Reporting Party to fully comply with the Parties reporting obligations as they exist pursuant to Arizona law in effect at the time of the Agreement's initiation. provides the means for any authorized filing by a reporting party. This responsibility begins immediately.

B. ~~—~~

C. Ensure that a universal log-in for reporting parties other than committees that permits them to make authorized or voluntary filings on demand. ~~This responsibility shall be completed no later than July 1, 2017.~~

D. Provide the Commission and its staff "read only access" to any data, filing, or other information the Commission or its staff deem reasonably necessary to the execution of any of its duties. Provide electronic means to the Commission staff to deliver notifications and other communications to committees and other entities of filing obligations of standard, defined reports with defined reporting dates in the Campaign Finance Reporting System that the Commission or its staff deem reasonably necessary. ~~This responsibility begins immediately~~

E. Provide quality assurance access to the Commission and its staff for training and research purposes. Such access shall include the ability to mimic filings by reporting parties in real time. ~~This responsibility begins immediately.~~

F. Ensure that See the Money shall include an introductory page that includes representation of both the Commission's and the Secretary's ~~of State's seals/logos~~ in equal proportion and placement. ~~The See the Money website shall and that shall be accessible from the Commission's designated Web sites. The See the Money website shall include a disclosure as follows; and shall state "Paid For by the Arizona Secretary of State's Office and With Voter Approved Funding From the Clean Elections Fund". This responsibility shall be completed by January 2, 2018~~

Comment [LA6]: Is this all included in the Project Plan?

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Comment [LA7]: Go live is January 1 but finalization will be April 30

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Comment [LA8]: Does the current system provide for this?

Comment [MB9]: We are good on this - Bill

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Comment [MB10]: As long as they intend for this to only include notifications for standard, defined reports, with a defined reporting date, we are good with this. - Bill

Comment [LA11]: 04-19: Can this be done from them or will the communications look like coming from SOS?

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Comment [LA12]: Does the current system provide for this?

Comment [MB13]: We are good on this - Bill

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Comment [LA14]: Is the SOS okay with this? How is this to be handled for jurisdictions outside of the state?

Comment [MB15]: This will be a simple landing page, that may to show depending how you access the site. It's basically the page you click on to get to SeeTheMoney. We can add a tag line at the bottom of all pages.

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~~G. Administer the rate~~ See the Money ~~website~~ and the Campaign Finance Reporting System ~~throughout the term of this Agreement, for the Commission.~~
~~This responsibility begins immediately.~~

In addition, the Secretary:

~~H.~~ Agrees that an authorization does not require or represent the endorsement of the Secretary of any Commission action, but further consents and agrees that the Commission's determination of its own jurisdiction, authority, and powers shall supersede any view of the Secretary regarding the Commission's jurisdiction, authority, and powers.

~~G.~~ ~~This responsibility begins immediately.~~
The Commission shall:

~~a. A.~~

~~Payment terms Go here.~~
~~transfer to the Secretary the amounts set forth in Exhibit One in accordance with the schedule set forth therein. Payment shall be made to STA from CCEC at the completion TBD. The total amount of the project shall not exceed TBD, processed through the agency to agency transfer process (ITI/ITA transfer). To facilitate the scheduled transfer the CCEC Commission will create an ITI document in the Arizona Financial Information System ("AFIS"), copy it forward and attach an electronic copy of the signed agreement and invoice (provided by Secretary OS) with verification of completion to the ITA document. The Commission CCEC will notify the Secretary STA when the ITA document is ready to be processed. The Secretary STA will enter the funding information in the 2nd Party Accounting tab, and submit it through workflow (more detailed instructions are found in the AFIS General Accounting Training Guide Section 7). The Secretary's STA's accounting contact is:~~

Evelia McGee, Fiscal Services Specialist
Phone: 602-926-3816
emcgee@azsos.gov

~~b.~~

~~4. Other Provisions.~~

~~A.~~

~~A.~~ The Secretary warrants that, in undertaking and completing the responsibilities prescribed by Section 3(a)-(g) of this agreement, that any work product does not and will not infringe upon, violate, or misappropriate any patent, copyright, trade secret, trademark, contract, or proprietary right of any third party.

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Comment [LA16]: Concerning that there isn't at least a number here. No discussion of how payment will be transferred.

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~~B. B.~~ The Secretary and the Commission agree and acknowledge that one of their mutual objectives is to facilitate adoption and utilization of See the Money and the Campaign Finance Reporting System by as many county, municipal and other jurisdictions as possible. The Commission and the Secretary will work together to achieve this objective, including agreeing to modify either See the Money or the Campaign Finance Reporting System as both parties may, by mutual agreement, deem necessary to maximize adoption and utilization by local jurisdictions.

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~~C.~~ may use the Campaign Finance Reporting System to provide filings by reporting parties as it deems appropriate provided the Secretary is in compliance with this Agreement, but may not prevent, obstruct, or alter any authorization.

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~~The Secretary may permit other jurisdictions to use the System under the administration of the Secretary and retain any benefits or revenues from such uses of the System without consent or accounting to the Commission.~~

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The Commission and the Secretary may determine it is in their mutual best interests to charge fees to other jurisdictions for their use of See the Money or the Campaign Finance Reporting System. In the event the Commission and the Secretary determine such fees are appropriate the Secretary and the Commission agree to negotiate with one another in good faith as to how such fees shall be allocated among the parties, the uses of such fees and the reporting from one party to the other regarding sources and uses of fee revenue.

~~D. C.~~ Every payment of obligation of the Commission under this Agreement is conditioned upon the availability of funds allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this agreement, this Agreement may be terminated by the Commission or any other agency of State of Arizona at the end of the period for which funds are available. No liability shall accrue to the Commission nor any other agency of the State of Arizona in the event this provision is exercised, and neither the Commission nor any other agency of the State of Arizona shall be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

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~~E.~~ If the Secretary fails to receive an appropriation necessary for the performance of its obligations hereunder, this Agreement may be terminated at the end of the period for which such funds are available. No liability for failure to perform shall accrue in the event this provision is exercised, and the Secretary shall not be obligated or liable for any damages as a result of termination under this paragraph. Notwithstanding the foregoing, this provision does not release the Secretary for any prior or outstanding liability at the time of termination under this paragraph.

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Comment [LA17]: Why not the project milestones outlined in the project plan?

Comment [MB18]: We have a communication plan outlined already that is more frequent that this - Bill

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~~F. D.~~ Pursuant to A.R.S. § 35-148(A), the Secretary of State shall make an accounting of expenditures prior to invoicing and return any advance not used to the Commission. The Secretary shall provide updates to the Commission staff at regular intervals, not to exceed 90 days, of progress respecting the responsibilities prescribed in Section 3(a) (e). Upon the demand

~~request of the Commission, the Secretary shall provide reports on progress as requested by the Commission within, but the Commission shall grant the Secretary 14 days to respond to such requests.~~

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~~G. E.~~ Pursuant to A.R.S. § 35-148, this interagency service agreement is for the advancement and/or payment from the Commission's resources to the Secretary of State for the provision of goods and services.

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~~H. F. Breach of any of the provisions of Section 3(a) (h), 4(G) or by termination of the agreement by the Secretary shall be deemed a material breach. Declining, refusing, or altering a Commission authorization shall be deemed a breach of Section 3. Failure to respond to a Commission authorization provided in writing to the Secretary, the Assistant Secretary of State or the Director of Computer Services within 14 days shall be deemed a material breach of this agreement. Failure to accommodate a Commission authorization within 30 days after written notice shall be deemed a material breach, but such time may be extended by the Commission's Executive Director in writing.~~

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~~In the event of the Secretary's material breach, any and all payments shall be returned to the Commission in full, and the Secretary shall provide to the Commission any revenue from state, county or other users of the Campaign Finance Reporting System or See the Money to the Commission within two weeks and cease any further collection of such revenue until it returns to compliance.~~ ~~we need to talk about this. The nature of software development and running computer systems is that that things don't go as planned. We need a mutually agreeable way of communicating with one another about unplanned problems and what we're doing to fix them and for the Commission to accept or reject a proposed fix.~~

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Comment [LA19]: Termination Language – Very one sided and puts the SOS now and in the future in a liability position if the agreement is to ever terminate.

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~~I.~~ Notices, correspondence, and reports from the Commission to the Secretary shall be sent to:

Arizona Department of State
Attention: Deputy Secretary of State
1700 W. Washington St., 7th Floor
Phoenix, Arizona 85007

~~Notices, correspondence, and reports from the Secretary to the Commission shall~~ be sent to:

Arizona Citizens Clean Elections Commission
Attention: Executive Director
1616 W. Adams St., Suite 110
Phoenix, Arizona 85007

The Secretary and the Commission agree that generally they shall communicate with one another via electronic mail and that each party shall provide the other with a current list of key contacts and their email addresses.

~~J. G.~~ The Commission has an interest in any modifications to the display of campaign finance data, and the Secretary of State shall notify the Commission in writing 14 days prior to any not modificationsfy of the display produced by the system with a itemized list of changes except after consultation with and approval of the Commission. Nor shall Tthe Secretary shall permit the of State bar the Commission or any reporting party as defined by law from to accessing any function necessary to make reports requested or required by the Commission or its Executive Director, unless a required outage is mandated for the functionality of the system which all Parties will be made aware prior to the event whenever possible. Violation of this term is a material breach.

~~K. J.~~ Pursuant to A.R.S. §§ 35-214 and 35-215, both parties shall retain all data, books, and other records ("records") relating to this Agreement for a period of five years after completion of the Agreement. All records shall be subject to the inspection and audit by the State of Arizona at reasonable times. Upon request, either party shall produce the original of any or all such records to the other.

~~L. K.~~ The parties shall comply with Executive Order 2009-9 which mandates that all persons, regardless of race, color religion, sex, age, national original, or political affiliation, shall have equal access to employment opportunities, and all other applicable state and Federal employment laws, rules, and regulations, including the Americans with Disabilities Act. The parties shall take affirmative action to ensure that applicants for employment and employees are not discriminated against due to race, creed, color, religion, sex, national origin, or disability.

~~M. I.~~ This Agreement may be amended or modified at any time by mutual agreement. No agent, employee, or other representative of either party is empowered to alter any of the terms of the Agreement, unless done in writing and signed by the authorized representative of the respective parties.

~~N. M.~~ This Agreement contains all of the agreements of the parties with respect to the subject matter of the Agreement and no other agreements or oral representations from any party are binding.

~~O. N.~~ The parties to this Agreement agree to resolve all disputes arising out of or relating to this Agreement through arbitration, after exhausting applicable administrative review, to the extent required by A.R.S. § 12-1518 except as may be required by other applicable statutes.

~~P. O.~~ This Agreement shall be construed in accordance with the laws of the State of Arizona.

~~Q. P.~~ This Agreement is subject to cancellation pursuant to A.R.S. § 38-511. In such event, Section 4(A) shall apply.

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~~R. Q.~~ In the event of any legal action related to or arising from this agreement, each party shall bear its own attorneys' fees and costs. In no event shall the ~~Commission~~ either Party indemnify, reimburse, pay, or be liable ~~to the Secretary~~ for any kind of loss, nor indemnify, provide, pay, or be liable for any attorneys' fees or costs incurred in relation to this Agreement. ~~The Secretary affirmatively waives any such recoveries against the Commission.~~

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~~R. This Agreement shall take effect on __~~

IN WITNESS WHEREOF, the parties have executed this Interagency Service Agreement under the Authority of A.R.S. § 35-148(A) as of the date first above written.

Citizens Clean Elections Commission

By:

Its:

Date:

Secretary of State of Arizona

By:

Its:

Date:

~~CITIZENS CLEAN ARIZONA OFFICE OF
ELECTIONS COMMISSION THE SECRETARY OF STATE~~

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~~By: _____ Date _____~~

~~Michele Reagan~~

~~Secretary of State~~

By: _____ Date: _____
Thomas Collins _____
Executive Director _____

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Interagency Service Agreement ~~Between~~
~~by and between~~
~~the~~ Citizens Clean Elections Commission and
~~The~~ Office of the Secretary of State

~~THIS~~ ~~This~~ INTERAGENCY SERVICE AGREEMENT ~~-(the "Agreement") IS MADE~~
~~AS OF THE —")~~ is made as of the ~~—~~ day of ~~—~~ 2017 ~~between~~ 2017
~~between~~ the CITIZENS CLEAN ELECTIONS COMMISSION (hereinafter referred to as the
~~"Commission")~~ and the OFFICE OF THE SECRETARY OF STATE (hereinafter referred to as
the ~~"Secretary")~~, pursuant to A.R.S. § 35-148.

WHEREAS,

~~A. The~~ Commission has a duty to enforce the provisions of Title 16, Chapter 6,
Article 2, Arizona Revised Statutes and to exercise the powers granted to it under that Article;
~~and,~~

~~B. The~~ WHEREAS, the Commission has the authority under A.R.S. §§ 16-940 to -
941 to pay reasonable and necessary expenses of administration and enforcement, to make
expenditures for public education and voter education and to make expenditures to implement
the Citizens Clean Elections Act; ~~and,~~

~~C. The~~ WHEREAS, the Commission has the duty to prescribe forms for reports,
statements, and notices to be filed through a reporting system jointly approved for use by
candidates by the Commission and the Secretary of State pursuant to A.R.S. § 16-956(A)(3).
The Commission also has authority to adopt rules to implement the reporting requirements of
A.R.S. § 16-958(D)-(E) and to adopt rules to carry out the purposes of Title 16, Chapter 6,
Article 2. A.R.S. §§ 16-956(A)(6); -956(B). The Commission enforces provisions of Title 16,
Chapter 6, Article 2. A.R.S. §§ 16-956(A)(7), 16-957; ~~and,~~

~~D. The~~ WHEREAS, the Secretary of State has the duty to accommodate electronic
collection, filing, and dissemination of statements of campaign contributions and expenditures
pursuant to A.R.S. §§ 16-916, -916.01, -941, 956, and -958, ~~and the Rules of the Citizens
Clean Elections Commission,~~ including additional reports required of participating
candidates by those rules; ~~and,~~

~~E. The~~ WHEREAS, the Commission and the Secretary ~~of State~~ desire to increase
voter education and transparency and improve the electronic, web-based, filing system
prescribed by A.R.S. § 16-958(E).

NOW THEREFORE, the Secretary of State and the Commission agree as follows:

1.

~~1. Agreement Term.~~

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The term of this ~~a~~Agreement shall begin on , 2017 and shall remain in effect until the ~~agreement is modified by both parties, in writing,~~ ~~of Agreement~~ until terminated as provided in this Agreement.

2. ~~Definitions~~:

A. "See The Money" means the modified computer programs, displays, and interfaces, funded by this ISA, as a World Wide Web-based system and for the display of campaign-related ~~financial~~ information to the public. The system shall:

1) ~~have the capability of displaying publicly all to users~~ state and local campaign ~~finance related~~ ~~finance related~~ information.

2) ~~permit users reported to follow the flow of money system from any link~~ ~~on jurisdiction using the system.~~

3) ~~2~~ allow users ~~s~~ to identify contributors or vendors and their multi-directional relationships to the different types of committees and entities. For example, users should be able to see: all the committees that have made expenditures to a specific vendor; all the contributors that have made contributions to a specific committee and; all the committees that have received contributions from a specific donor.

4) ~~3~~ permit users to download their results in a tabular or csv format, run summaries of committee and other entity activity, and have access to a regularly updated copy of the entire database via the web.

5) ~~4~~ permit users to see ~~trending reports on spending and~~ searches ~~often~~ previously requested by prior users.

6) ~~is~~ ~~5~~ be reasonably mobile device compatible for mobile web browsers.

B. "Authorized" or "authorization" means a request, requirement, or other authorization by the Commission pursuant to Title 16, Chapter 6, Arizona Revised Statutes, or Arizona Administrative Code, Title 2, Chapter 20, made of any reporting party or the Secretary.

C. ~~"Filing(s)"~~ means any report, statement, notice, or other document ~~authorized required by the Commission law.~~

D. "Campaign Finance Reporting System" is the computer based system in which committees, including candidate committees, and other entities file campaign finance reports, notices, and other materials.

E. ~~"Administrate" or Administrated~~ "Administer" means the act of technically operating See The Money and the Campaign Finance Reporting System, including the provisions of access to reporting parties and the provisions of public access to filings. ~~Administrated~~ does not include the authority, power, or jurisdiction to supersede, alter or amend the Commission's

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Comment [LA1]: No termination date. The termination process in this agreement (if initiated by the SOS) is considered breach and any funds received by the CCEC or received as Revenue would have to be turned over within 14 days.

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Comment [LA3]: 04-19: What does this mean

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jurisdiction, authority, and powers or the authority, power, or jurisdiction to decline, reject, or alter a Commission authorization.

F. "Reporting Party" means a person authorized to file reports related to campaigns and includes a corporation, company, partnership, firm, association, or society, as well as a natural person.

3. Responsibilities.

The Secretary shall:

~~a.A.~~ Develop See the Money. ~~This responsibility shall be completed~~The Project Plan provided to the Commission by the Secretary currently projects See the Money being able to receive data from Reporting Parties on January 2, 2018. The Secretary shall provide the Commission with such reports regarding the development of See the Money as the Commission may reasonably request. The Secretary will revise and update the See the Money Project Plan as material changes to the Plan may occur. All the execution of all duties and responsibilities of either the Secretary or the Commission shall follow the See the Money Project Plan, as it may be revised and modified from time to time.

~~b.B.~~ Ensure that the Campaign Finance Reporting System ~~provides the means for any authorized filing by a reporting party. This responsibility begins immediately~~will provide a complete means for any Reporting Party to fully comply with the Parties reporting obligations as they exist pursuant to Arizona law in effect at the time of the Agreement's initiation.

~~c.C.~~ Ensure that a universal log-in for reporting parties other than committees that permits them to make authorized or voluntary filings on demand. ~~This responsibility shall be completed no later than July 1, 2017.~~

~~d.D.~~ Provide the Commission and its staff "read only access" to any data, filing, or other information the Commission or its staff deem reasonably necessary to the execution of any ~~duty of its duties~~. Provide electronic means to the Commission staff to deliver notifications and other communications to committees and other entities of filing obligations ~~of standard, defined reports with defined reporting dates~~ in the Campaign Finance Reporting System that the Commission or its staff deem reasonably necessary. ~~This responsibility begins immediately.~~

~~e.E.~~ Provide quality assurance access to the Commission and its staff for training and research purposes. Such access shall include the ability to mimic filings by reporting parties in real time. ~~This responsibility begins immediately.~~

~~f.F.~~ Ensure that See the Money shall include an introductory page that includes representation of both the Commission's and the ~~Secretary of State's logos~~Secretary's seals in equal proportion and placement ~~and that~~. The See the Money website shall be accessible

Comment [LA4]: Is this all included in the Project Plan?

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Comment [MB5]: As long as they intend for this to only include notifications for standard, defined reports, with a defined reporting date, we are good with this. - Bill

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Comment [LA6]: 04-19: Can this be done from them or will the communications look like coming from SOS?

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Comment [MB7]: We are good on this - Bill

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from the Commission's designated Web sites ~~and~~. The See the Money website shall ~~state~~ include a disclosure as follows: "Paid For ~~by the Arizona Secretary of State's Office and~~ With Voter Approved Funding From the Clean Elections Fund". ~~This responsibility shall be completed by January 2, 2018.~~

~~g.G. Administrate Administer the~~ See the Money website and the Campaign Finance Reporting System ~~for the Commission. This responsibility begins immediately throughout the term of this Agreement.~~

In addition, the Secretary:

~~h.H.~~ Agrees that an authorization does not require or represent the endorsement of the Secretary of any Commission action, but further consents and agrees that the Commission's determination of its own jurisdiction, authority, and powers shall supersede any view of the Secretary regarding the Commission's jurisdiction, authority, and powers. ~~This responsibility begins immediately.~~

The Commission shall:

a. ~~Payment terms Go here.~~

4.

A. Transfer to the Secretary the amounts set forth in Exhibit One in accordance with the schedule set forth therein. To facilitate the scheduled transfer the Commission will create an ITI document in the Arizona Financial Information System ("AFIS"), copy it forward and attach an electronic copy of the signed agreement and invoice (provided by Secretary) with verification of completion to the ITA document. The Commission will notify the Secretary when the ITA document is ready to be processed. The Secretary will enter the funding information in the 2nd Party Accounting tab, and submit it through workflow (more detailed instructions are found in the AFIS General Accounting Training Guide Section 7). The Secretary's accounting contact is:

Evelia McGee, Fiscal Services Specialist

Phone: 602-926-3816

emcgee@azsos.gov

4. Other Provisions.

A. The Secretary warrants that, in undertaking and completing the responsibilities prescribed by Section 3(a)-(g) of this agreement, that any work product does not and will not infringe upon, violate, or misappropriate any patent, copyright, trade secret, trademark, contract, or proprietary right of any third party.

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Comment [MB8]: This will be a simple landing page, that may to show depending how you access the site. It's basically the page you click on to get to SeeTheMoney. We can add a tag line at the bottom of all pages.

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B. The Secretary ~~may use~~ and the Commission agree and acknowledge that one of their mutual objectives is to facilitate adoption and utilization of See the Money and the Campaign Finance Reporting System ~~to provide filings by reporting parties as it deems appropriate provided~~ many county, municipal and other jurisdictions as possible. The Commission and the Secretary ~~is in compliance with~~ will work together to achieve this Agreement, but may not prevent, obstruct, objective, including agreeing to modify either See the Money or alter any authorization the Campaign Finance Reporting System as both parties may, by mutual agreement, deem necessary to maximize adoption and utilization by local jurisdictions.

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C. The Commission and the Secretary may determine it is in their mutual best interests to charge fees to other jurisdictions for their use of See the Money or the Campaign Finance Reporting System. In the event the Commission and the Secretary determine such fees are appropriate the Secretary and the Commission agree to negotiate with one another in good faith as to how such fees shall be allocated among the parties, the uses of such fees and the reporting from one party to the other regarding sources and uses of fee revenue.

D. Every payment of obligation of the Commission under this Agreement is conditioned upon the availability of funds allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this agreement, this Agreement may be terminated by the Commission or any other agency of State of Arizona at the end of the period for which funds are available. No liability shall accrue to the Commission nor any other agency of the State of Arizona in the event this provision is exercised, and neither the Commission nor any other agency of the State of Arizona shall be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

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E. If the Secretary fails to receive an appropriation necessary for the performance of its obligations hereunder, this Agreement may be terminated at the end of the period for which such funds are available. No liability for failure to perform shall accrue in the event this provision is exercised, and the Secretary shall not be obligated or liable for any damages as a result of termination under this paragraph. Notwithstanding the foregoing, this provision does not release the Secretary for any prior or outstanding liability at the time of termination under this paragraph.

F. Pursuant to A.R.S. § 35-148(A), the Secretary of State shall make an accounting of expenditures and return any advance not used to prior to invoicing the Commission. The Secretary shall provide updates to the Commission staff at regular intervals, not to exceed 90 days, of progress respecting the responsibilities prescribed in Section 3(a) (g). Upon the demand of the Commission, the Secretary shall provide reports on progress as requested by the Commission, but the Commission shall grant the Secretary 14 days to respond to such requests.

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EG. Pursuant to A.R.S. § 35-148, this interagency service agreement is for the advancement and/or payment from the Commission's resources to the Secretary of State for the provision of goods and services.

~~F. Breach of any of the provisions of Section 3(a) (h), 4(G) or by termination of the agreement by the Secretary shall be deemed a material breach. Declining, refusing, or altering a Commission authorization shall be deemed a breach of Section 3. Failure to respond to a Commission authorization provided in writing to the Secretary, the Assistant Secretary of State or the Director of Computer Services within 14 days shall be deemed a material breach of this agreement. Failure to accommodate a Commission authorization within 30 days after written notice shall be deemed a material breach, but such time may be extended by the Commission's Executive Director in writing.~~

~~In the event of the Secretary's material breach, any and all payments shall be returned to the Commission in full, and the Secretary shall provide to the Commission any revenue from state, county or other users of the Campaign Finance Reporting System or See the Money to the Commission within two weeks and cease any further collection of such revenue until it returns to compliance.~~

~~G. The Commission has an interest in any modifications to the display of campaign finance data, and the Secretary of State shall not modify the display produced by the system except after consultation with and approval of the Commission. Nor shall the Secretary of State bar the Commission or any reporting party from accessing~~
H. Breach – we need to talk about this. The nature of software development and running computer systems is that that things don't go as planned. We need a mutually agreeable way of communicating with one another about unplanned problems and what we're doing to fix them and for the Commission to accept or reject a proposed fix.

I. Notices, correspondence, and reports from the Commission to the Secretary shall be sent to:

Arizona Department of State
Attention: Deputy Secretary of State
1700 W. Washington St., 7th Floor
Phoenix, Arizona 85007

Notices, correspondence, and reports from the Secretary to the Commission shall be sent to:

Arizona Citizens Clean Elections Commission
Attention: Executive Director
1616 W. Adams St., Suite 110
Phoenix, Arizona 85007

The Secretary and the Commission agree that generally they shall communicate with one another via electronic mail and that each party shall provide the other with a current list of key contacts and their email addresses.

J. The Secretary shall permit the Commission or any reporting party to access any function necessary to make reports requested or required by the Commission or its Executive Director, unless a required outage is mandated for the functionality of the system which all Parties will be made aware prior to the event whenever possible. Violation of this term is a material breach.

JK. Pursuant to A.R.S. §§ 35-214 and 35-215, both parties shall retain all data, books, and other records ("records") relating to this Agreement for a period of five years after completion of the Agreement. All records shall be subject to the inspection and audit by the State of Arizona at reasonable times. Upon request, either party shall produce the original of any or all such records to the other.

KL. The parties shall comply with Executive Order 2009-9 which mandates that all persons, regardless of race, color religion, sex, age, national original, or political affiliation, shall have equal access to employment opportunities, and all other applicable state and Federal employment laws, rules, and regulations, including the Americans with Disabilities Act. The parties shall take affirmative action to ensure that applicants for employment and employees are not discriminated against due to race, creed, color, religion, sex, national origin, or disability.

LM. This Agreement may be amended or modified at any time by mutual agreement. No agent, employee, or other representative of either party is empowered to alter any of the terms of the Agreement, unless done in writing and signed by the authorized representative of the respective parties.

MN. This Agreement contains all of the agreements of the parties with respect to the subject matter of the Agreement and no other agreements or oral representations from any party are binding.

NO. The parties to this Agreement agree to resolve all disputes arising out of or relating to this Agreement through arbitration, after exhausting applicable administrative review, to the extent required by A.R.S. § 12-1518 except as may be required by other applicable statutes.

OP. This Agreement shall be construed in accordance with the laws of the State of Arizona.

PQ. This Agreement is subject to cancellation pursuant to A.R.S. § 38-511. In such event, Section 4(A) shall apply

QR. In the event of any legal action related to or arising from this agreement, each party shall bear its own attorneys' fees and costs. In no event shall the ~~Commission~~ either Party indemnify, reimburse, pay, or be liable ~~to the Secretary~~ for any kind of loss, nor indemnify, provide, pay, or be liable for any attorneys' fees or costs incurred in relation to this Agreement.

~~The Secretary affirmatively waives any such recoveries against the Commission.~~

R. This Agreement shall take effect on __,

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IN WITNESS WHEREOF, the parties have executed this Interagency Service Agreement under the Authority of A.R.S. § 35-148(A) as of the date first above written.

~~CITIZENS CLEAN ELECTIONS COMMISSION~~ ~~ARIZONA OFFICE OF THE SECRETARY OF STATE~~

By: _____ Date: _____

Michele Reagan

Citizens Clean Elections Commission

By: _____

Its: _____

Date: _____

Secretary of State of Arizona

By: _____ :

Its: _____

Date: _____;

Thomas Collins

Executive Director _____

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Doug Ducey
Governor

Thomas M. Collins
Executive Director



Steve M. Titla
Chair

Damien R. Meyer
Mark S. Kimble
Galen D. Paton
Amy B. Chan
Commissioners

State of Arizona
Citizens Clean Elections Commission

1616 W. Adams - Suite 110 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcanelections.gov

MEMORANDUM

From: Sara A. Larsen, Financial Affairs & Compliance Officer and Amy Jicha, Legal Intern

Date: April 20, 2017

Subject: General Findings Summary

On October 27, 2016, the following candidates were selected for random audits for the general election period. The auditors reviewed candidates' bank statements, receipts and records, and campaign finance reports for the reporting period. The results yield the following:

A. Becky Nutt

- a. A reimbursement totaling \$518.36 was documented on the Post-General report, but comprised expenditures incurred in the Pre-Primary and Post-Primary election periods. Per R2-20-103(B)(2), candidates must document reimbursements within 7 days after the expenditure or the expenditure shall be deemed an in-kind contribution. The candidate did return all remaining primary and general election funds to the Clean Election Fund.
- b. Reimbursements for fuel totaled \$495.40 but no trip itinerary documentation was maintained but candidate was able to provide receipt documentation for all of the fuel expenditures.

B. John Wilson

- a. The campaign had a discrepancy regarding the campaign account's ending balance of \$139.60 and the amount of money that was returned to the Commission \$159.60, reported on the Post-General campaign finance report; all unspent funds were remitted to the Commission.
- b. All of the tested expenditures were properly reported on the candidate's campaign finance reports.

C. Larry Herrera

- a. All of the tested withdrawals and deposits were properly reported on the campaign finance reports.
- b. It was noted that the candidate overspent funds and had to deposit \$200.65 into the campaign's account to bring the balance up to zero.
- c. An expenditure for \$1,040.00 was documented in the wrong reporting period as it was incurred in August but documented in October.

- d. Two petty cash expenditures were in excess of the \$160 limit but were utilized for campaign purposes (i.e. sign installation and printing).

D. Noel Campbell

- a. The candidate remitted the remaining balance of the account (\$6,893.27) to the Commission but the remittance was not reported on the candidate's Post-General Campaign finance report. The candidate filed a Post-General campaign finance report with a \$0 account balance and terminated his committee.
- b. The campaign finance report showed a total of \$120.00 for banking fees however the bank did not withdraw banking fees for September 2016 and October 2016. Nevertheless, the candidate remitted the balance upon closure.

E. Sharon Stinard

- a. One deposit equating to \$5.00 was not documented in the campaign finance report. After discussion with the treasurer, the personal deposit was made in reconciliation.

F. Steven Weichert

- a. A deposit totaling \$33.44 was determined an expenditure refund but was not documented on the campaign finance report. The candidate did remit all funds with timeliness.
- b. There was a discrepancy of \$16.18 in regards to the campaign's Post-General ending cash balance; the amount was remitted to the Commission.

G. Tom Chabin

- a. After testing proof of cash procedures, the campaign had a variance of \$381.96 comprised of additional unspent monies which were remitted to the fund.
- b. A committee transfer indicated an overpayment of \$238.28, but was refunded from the vendor's overcharge. Additional documentation was provided to clear the exception.

H. Tonya MacBeth – No findings

The audit did not yield significant findings of unusual disbursements, deposits, contributions or reporting errors.