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THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona
March 26, 2026
10:00 a.m.

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



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1 PUBLIC MEETING BEFORE THE CITIZENS CLEAN
2 ELECTIONS COMMISSION convened at 10:00 a.m. on March
3 26, 2026, at the State of Arizona, Clean Elections
4 Commission, 1110 West Washington, Conference Room,
5 Phoenix, Arizona, in the presence of the following
6 Board Members:
7
8 Mr. Mark Kimble, Chairman
9 Mr. Galen Paton
10 Ms. Christina Werther
11 Mr. Sam Crump
12
13 OTHERS PRESENT:
14
15 Thomas M. Collins, Executive Director
16 Paula Thomas, Executive Officer
17 Mike Becker, Policy Director
18 Gina Roberts, Voter Education Director
19 Alec Shaffer, Web Content Manager
20 Bill Richards, Richards & Moskowitz
21 Samantha Fox, Richards & Moskowitz
22 Craig Morgan, Taft Law
23 Cathy Herring, KCA
24 Rivko Knox, Member of the Public
25

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1 P R O C E E D I N G
2 CHAIRMAN KIMBLE: Good morning. I'm
3 Mark Kimble. And Agenda Item I this morning is the
4 call to order. It's 10:00 a.m. on March 26th, 2026. I
5 call this meeting of the Citizens Clean Elections
6 Commission to order.
7 With that, we will take attendance.
8 Commissioners, please identify yourselves for the
9 record.
10 COMMISSIONER WERTHER: Christina Werther.
11 COMMISSIONER PATON: Galen Paton.
12 COMMISSIONER CRUMP: Sam Crump.
13 CHAIRMAN KIMBLE: And I'm Mark Kimble.
14 And I'm just checking to see if we have
15 Commissioner Titla. We don't have him at this time,
16 but we've got four Commissioners, so we have a quorum.
17 Item II, discussion and possible action on
18 meeting minutes for February 19th, 2026 and March 19th,
19 2026. Commissioners, you have the minutes from the
20 February 19th and March 19th meetings in your packet.
21 Is there any discussion?
22 (No response.)
23 CHAIRMAN KIMBLE: Hearing none, is there a
24 motion to approve the minutes for both of these
25 meetings?

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1 COMMISSIONER WERTHER: Mr. Chairman, I move
2 to approve the meeting minutes for February 19th and
3 March 19th, 2026.
4 CHAIRMAN KIMBLE: Thank you,
5 Commissioner Werther.
6 Is there a second?
7 COMMISSIONER PATON: I'll second.
8 CHAIRMAN KIMBLE: I'll call the roll.
9 Commissioner Werther.
10 COMMISSIONER WERTHER: Aye.
11 CHAIRMAN KIMBLE: Commissioner Paton.
12 COMMISSIONER PATON: Aye.
13 CHAIRMAN KIMBLE: Commissioner Crump.
14 COMMISSIONER CRUMP: Aye.
15 CHAIRMAN KIMBLE: Chair votes aye.
16 The minutes are approved.
17 Item III, the Executive Director's Report,
18 including enforcement, regulatory, and legislative
19 updates.
20 Tom.
21 MR. COLLINS: Yes, thank you, Mr. Chairman.
22 Commissioners, a couple of things I wanted
23 to highlight. First, our -- our debate schedule is
24 live on our website and will be -- we've announced now
25 two -- our two debate series, our broadcast debate and

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1 our legislative and other debate series, one with
2 Riester and the Arizona Media Association and one with
3 the Arizona -- Arizona Agenda and KCA, and we will look
4 forward --
5 Bless you.
6 CHAIRMAN KIMBLE: Excuse me.
7 MR. COLLINS: -- look forward to those
8 starting soon. We're very excited about that. We're
9 already here getting questions from candidates about
10 scheduling and that kind of thing.
11 And similarly, with respect to the folks'
12 candidate profiles and getting ready for the Voter
13 Education Guide, you know, we're getting lots of
14 questions from candidates and lots of feedback. And
15 I'm happy to, you know, report that our -- you know,
16 among all of our staff members, particularly Alec, we
17 have -- very responsive to solving problems and
18 getting -- getting folks set up. Because there's
19 nothing a candidate cares more about than making sure
20 their picture is on the website when they want it on
21 the website, and so we -- so we're -- we're doing that
22 while getting ready for the local elections coming up
23 in May on the website, so that's a lot of work.
24 I also wanted to mention in April -- on
25 April 18, so I think before our next meeting, we'll

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<p>1 have our water town hall. So this will be our third 2 town hall event. We had education in the fall and then 3 we had a healthcare-related one in winter and then this 4 will be water. And this will be in coordination with 5 ABC15, their studios, I believe, and then it will be 6 broadcast or available to our media partners. So I 7 wanted to mention all of that.</p> <p>8 On the legislative front, I think the one 9 thing I wanted to highlight is we are working with 10 legislators and staff members and other election 11 officials on trying to get us some adjustments made to 12 this measure that would change the primary date from 13 July, or summertime, to May. The reason why that 14 matters for Clean Elections' purposes is twofold.</p> <p>15 First, the way that the statute is set up, 16 the schedule is built around a summertime primary. 17 Excuse me. And so if you were to move the primary to 18 May, you would essentially supersede the schedule for 19 clean candidates qualifying. In other words, clean 20 candidates, instead of having the period of time 21 between the beginning of the qualifying period and the 22 period when they can file their candidacy to collect \$5 23 qualifying contributions, that would be reversed, and 24 so they wouldn't -- they would not even be able to file 25 their -- excuse me -- their candidate paperwork --</p>	<p>1 that the -- the program is -- it really is not 2 superseded.</p> <p>3 And I keep using that word because that's a 4 Voter Protection Act term. So even if you wouldn't 5 necessarily be amending the Clean Elections Act, you 6 still can't supersede it.</p> <p>7 We will talk about, obviously, the Fontes -- 8 Clean Elections v. Fontes matter in a minute.</p> <p>9 On the Proposition 211 cases, after -- you 10 know, after you all voted last -- was it last week -- 11 last week we filed our cross appeal there.</p> <p>12 So I think those are the main things that I 13 wanted to highlight. Yeah, I think those are the main 14 things.</p> <p>15 Obviously there is a -- you know, we have a 16 rule that allows the Executive Director to close a 17 complaint in the event that, you know -- that, you 18 know, we get a response and we evaluate that. And 19 those reports, those -- that -- under that rule I give 20 notice to you all, and that's in the Executive 21 Director's Report. I'm highlighting that because 22 that's started up now for this election cycle, so we 23 have one of those in the packet.</p> <p>24 So I think that's all I have, Mr. Chairman. 25 Thank you.</p>
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<p>1 their clean candidate paperwork until after they had 2 filed their petition. So it really short circuits the 3 funding process.</p> <p>4 And then for our overall budget, it creates a 5 situation where some spending, especially on -- 6 potentially on voter education, will get pushed into 7 the odd year. And the way our budget works, for, you 8 know, those of you as we -- when you think about we do 9 this in December, we're set up to set these caps that 10 run calendar year to calendar year. So if all of a 11 sudden you have something that comes in at the end of 12 the year, you know, that would compress things again. 13 So we're trying to see if we can get that -- you know, 14 keep everything at the same level, but just extend the 15 window for a two- -- for a two-year window rather than 16 a one-year window, right, so --</p> <p>17 So there is an amendment out there that was 18 discussed at committee. It did not get adopted at 19 committee, but the sponsor of the bill seemed 20 interested in working with -- with us on that, so -- 21 and my goal at this point and Mike's goal has been to 22 work on language that doesn't actually change anything, 23 right. So we're not trying to get any increase in 24 funding for candidates or anything like that. We're 25 just trying to essentially move the dates around so</p>	<p>1 CHAIRMAN KIMBLE: Are there any comments or 2 questions from Members of the Commission? 3 (No response.) 4 CHAIRMAN KIMBLE: Hearing none, thank you, 5 Tom.</p> <p>6 Item IV, discussion and possible action, 7 Arizona Citizens Clean Elections Commission versus 8 Fontes. This item concerns the Commission's ongoing 9 litigation with the Secretary of State.</p> <p>10 First of all, the bottom line, we prevailed 11 in court. And I want to personally thank our legal 12 team of Bill Richards, Samantha Fox, and Isabela Von 13 Dehl. Very excellent job in the court proceeding last 14 week.</p> <p>15 I wanted to first update Commissioners that 16 in public statements the Secretary of State indicates 17 they will not participate in an appeal, while the 18 party's chairman told the Arizona Republic that the 19 party would appeal. Secondly, I wanted to recognize 20 this decision will avoid a tremendous amount of 21 confusion and cost to the State and to voters.</p> <p>22 Bill, did you want to briefly explain what 23 the court ruled? And we may discuss this more in 24 executive session, but maybe you can give us an 25 overview of where we are now.</p>

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<p>1 MR. RICHARDS: Sure. Thank you. 2 Members of the Commission, the court has 3 granted a final judgment in favor of all three of the 4 plaintiff parties, so it was the Democratic Party, 5 Republican Party, and the Citizens Clean Elections 6 Commission. We had the first lawsuit filed. Each of 7 the parties filed their own. We consolidated all those 8 into one. 9 And the court has ruled in our favor across 10 the board, determining that the decision of the 11 Secretary of State to approve and recognize a name 12 change for the No Labels Party to the Arizona 13 Independent Party was legally unauthorized, exceeded 14 the authority granted under law to the Secretary of 15 State, and therefore that not only can the name change 16 not be recognized at this time, but the guidance that 17 the Secretary of State had provided to all the County 18 election officials, to include things like change the 19 party registrations for all No Labels Party voters to 20 Arizona Independent Party, none of that can be 21 implemented and none of it needs to be honored by the 22 County election officials. 23 So that fully resolves that issue. The court 24 has determined that the only way for a Secretary of 25 State to recognize a new party name would be to follow</p>	<p>1 COMMISSIONER CRUMP: I have a question. 2 CHAIRMAN KIMBLE: Yes, Commissioner Crump. 3 COMMISSIONER CRUMP: Yeah. I'm just curious, 4 for the candidates who went out and gathered signatures 5 under the Arizona Independent Party, what will happen 6 with those signatures now? 7 CHAIRMAN KIMBLE: Bill, is that something you 8 feel comfortable answering? 9 MR. RICHARDS: Well, it's something I don't 10 have a final answer to, but I have a very, very brief 11 answer to it, which is the -- initially I believe what 12 will happen is the Secretary of State will have to make 13 a formal decision on how to recognize -- or, whether to 14 recognize those candidates' petitions as petitions for 15 a No Labels Party candidate. And at that point in 16 time, other -- other interested parties could challenge 17 that decision and take it right back to court if 18 they -- if they elected to. And I can't predict the 19 outcome of that. I think that's a pretty novel issue. 20 CHAIRMAN KIMBLE: Thank you, Bill. 21 Tom, did you want to add anything to this? 22 MR. COLLINS: Yeah, just -- Mr. Chairman, 23 Commissioner Crump, just, as you know, all -- the 24 candidate challenge period for nominating petitions 25 will, you know, be happening, I think -- well, I think</p>
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<p>1 the existing procedures under 16-801, 16-803 and go 2 through the petitioning process that a new party that's 3 never been recognized before would have to go through. 4 Obviously none of that was attempted here. So, for the 5 party involved, if they elected to continue with a name 6 change, if you want to call it that, they would have to 7 go back through that process, according to the court's 8 ruling. 9 They have an opportunity to appeal, as I 10 think the Chairman indicated. They've indicated, at 11 least in the press, that the party intends to file an 12 appeal. To do that, they would have to, I believe, 13 move on a very expedited basis given all of the other 14 collateral concerns with the election process and where 15 we are in it right now. 16 CHAIRMAN KIMBLE: So just to summarize, they 17 are back to being the No Labels Party as of -- as of 18 now? 19 MR. RICHARDS: Yes. As recognized by the 20 Secretary of State formerly, they are recognized as the 21 No Labels Party. 22 CHAIRMAN KIMBLE: Okay. Thank you. 23 We're going to discuss possible next steps in 24 executive session, but are there any questions of 25 Mr. Richards -- of Bill in open session?</p>	<p>1 it's -- does it start on Friday, is that right? 2 MS. ROBERTS: We're in it right now. 3 MR. COLLINS: We're in it now. Okay. 4 So -- so any candidate can be challenged, you 5 know, for any number of things, as you know. I think 6 that -- so we don't know if that challenge is going to 7 manifest itself yet. 8 And, you know, I think that the thing that 9 makes this a little novel, as Bill put it, is that, you 10 know, someone will say, you know, well, this name -- 11 they used this name on a petition rather than that 12 name. The candidate, I think, inevitably will turn 13 around and say, well, I was relying on this, you know, 14 good faith on what was going on with this. And so, you 15 know, I think that -- you know, I think that -- 16 Which, I would just be candid with you all, I 17 mean, I have sympathy for the candidates on that front. 18 I mean, I do. I mean, I think that if you were in a 19 position where you had -- you know, if you were to go 20 on the E-Equal portal in the last few months and -- to 21 try to pick a candidate, your options were to pick -- 22 the options that were presented to you were AIP or, if 23 it was an independent candidate, no party, you know. 24 It is not at all clear to me that that was a decision 25 made by those candidates to select that, for example,</p>

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1 on the online portal. And in our case, you know, one
2 of the -- one of the, I think, 11 or so candidates
3 actually tried to intervene on that basis, and the
4 court didn't want to expand the proceeding.
5 So I guess, you know, one thing I -- I was
6 asked about this yesterday by a reporter and I said,
7 you know, the first threshold thing is that, you know,
8 any candidate who signs up to be a candidate faces the
9 potential of having the petition challenged. I mean,
10 that's sort of life.
11 But we haven't seen that yet. You know, I
12 don't know how that gets resolved either, but I do
13 think that in many cases in this type of situation, you
14 know, I think my experience -- and I will say,
15 Christina -- or, Commissioner Werther and Gina and Mike
16 have their own -- the courts tend -- I mean,
17 substantial compliance is the standard. You comply
18 with the thing that was there. You know, I don't know.
19 I think that there's a pretty decent argument on
20 those -- on those behalf, just to speculate a little
21 bit about it.
22 CHAIRMAN KIMBLE: Thank you, Tom.
23 Any other questions in open session before we
24 vote to go into executive session?
25 (No response.)

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1 CHAIRMAN KIMBLE: Okay. I would entertain a
2 motion to go into executive session to discuss this
3 item.
4 COMMISSIONER WERTHER: Mr. Chairman, I move
5 to go into executive session for Item No. IV.
6 CHAIRMAN KIMBLE: Thank you,
7 Commissioner Werther.
8 Is there a second?
9 COMMISSIONER PATON: I'll second.
10 CHAIRMAN KIMBLE: Thank you,
11 Commissioner Paton.
12 I will call the roll and move to go into
13 executive session.
14 Commissioner Werther.
15 COMMISSIONER WERTHER: Aye.
16 CHAIRMAN KIMBLE: Commissioner Paton.
17 COMMISSIONER PATON: Aye.
18 CHAIRMAN KIMBLE: Commissioner Crump.
19 COMMISSIONER CRUMP: Aye.
20 CHAIRMAN KIMBLE: Chair votes aye.
21 We'll be in executive session. Thank you.
22 (The following section of the meeting is in
23 executive session and bound under separate cover.)
24 * * * * *
25 (End of executive session. Public meeting

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1 resumes at 10:35 a.m.)
2 CHAIRMAN KIMBLE: We are back in regular
3 session.
4 Is there a motion by any Member of the
5 Commission?
6 COMMISSIONER WERTHER: Mr. Chairman, I'd like
7 to move to authorize our outside counsel to make an
8 application for attorneys' fees and costs in the action
9 Clean Elections Commission v. Fontes and also to
10 authorize outside counsel for the engagement in defense
11 of the Commission in any appeal.
12 CHAIRMAN KIMBLE: Thank you,
13 Commissioner Werther.
14 Let me just ask a clarifying question of
15 Mr. Richards. Do we need to make this in two motions,
16 or are you okay with it in one motion?
17 MR. RICHARDS: I think it might be best in
18 two motions. It's involving two separate proceedings,
19 so it's probably best in two.
20 CHAIRMAN KIMBLE: Okay. Thank you.
21 Commissioner Werther, could you --
22 COMMISSIONER WERTHER: Yeah, I'll withdraw my
23 motion.
24 And then the first motion is to authorize
25 outside counsel in the matter of the Clean Elections

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1 Commission v. Fontes to submit the application for
2 attorneys' fees and costs.
3 CHAIRMAN KIMBLE: Thank you,
4 Commissioner Werther.
5 Is there a second?
6 COMMISSIONER PATON: I'll second.
7 CHAIRMAN KIMBLE: It's been moved and
8 seconded that we authorize our attorneys to file a
9 motion for reimbursement of attorneys' fees. I'll call
10 the roll.
11 Commissioner Werther.
12 COMMISSIONER WERTHER: Aye.
13 CHAIRMAN KIMBLE: Commissioner Paton.
14 COMMISSIONER PATON: Aye.
15 CHAIRMAN KIMBLE: Commissioner Crump.
16 COMMISSIONER CRUMP: Aye.
17 CHAIRMAN KIMBLE: Chair votes aye.
18 The motion is approved 4-to-nothing.
19 Did you have another motion,
20 Commissioner Werther?
21 COMMISSIONER WERTHER: Yes. Mr. Chairman, I
22 would like to move to authorize our outside counsel,
23 again, for the Clean Elections Commission v. Fontes
24 case, for their engagement in defense of the Commission
25 in any appeal.

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1 CHAIRMAN KIMBLE: Thank you,
2 Commissioner Werther.
3 Is there a second?
4 COMMISSIONER PATON: I'll second.
5 CHAIRMAN KIMBLE: Thank you,
6 Commissioner Paton.
7 It's been moved and seconded that we appeal
8 the remaining issues in this case. I'll call the roll.
9 Commissioner Werther.
10 COMMISSIONER WERTHER: Aye.
11 CHAIRMAN KIMBLE: Commissioner Paton.
12 COMMISSIONER PATON: Aye.
13 CHAIRMAN KIMBLE: Commissioner Crump.
14 COMMISSIONER CRUMP: Aye.
15 CHAIRMAN KIMBLE: Chair votes aye.
16 The motion is approved 4-to-nothing.
17 Thank you very much, Bill and Sam, for your
18 time and your expertise.
19 MR. RICHARDS: Thank you.
20 CHAIRMAN KIMBLE: Item V, discussion and
21 possible action on proposed amendments to A.A.C.
22 R2-20-702, use of clean funds. This is a discussion
23 and possible action on a proposed amendment to Rule
24 R2-20-702 regarding the use of Clean Election funds.
25 Tom, do you want to walk us through this

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1 proposed amendment?
2 MR. COLLINS: Yes. Commissioners, you may
3 recall that we talked about this last year. This was a
4 rule that we -- we initially discussed this as -- in
5 two steps. First step was to restore into the text of
6 the Administrative Code the specific items that are
7 prohibited for clean candidates to use clean funds for,
8 you know, and that -- that aspect of the rule, you
9 know, we -- and we were able to -- only to research so
10 far that -- we don't know exactly why they were
11 removed, we don't have anything on our end that says
12 why, and Secretary's Office doesn't have anything on
13 its end, but we are where we are, so that does that.
14 We -- you know, as a practical matter, those
15 items are essentially personal use items, or not direct
16 campaign expenses, so, you know, we have -- we have
17 been functioning fine providing those as examples and
18 guidance that -- but restoring them into the rules also
19 provides some clarity, right. So, in other words, we
20 haven't had a case yet where a particular item like
21 that was an issue and we haven't had, you know,
22 anything fall through the cracks, right. So this is
23 kind of a belt-and-suspenders thing at this point, but
24 it's an important belt.
25 With respect to the second point of

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1 discussion at the meeting when we discussed this, we
2 had talked about how to -- how to -- how to deal with
3 the sort of household expenses, household member issue.
4 And we had some questions from Commissioner Crump along
5 the lines of how we might compare that to what other
6 states do and the impact on candidates. And, you know,
7 our reflection on that, you know, in the ensuing period
8 of time is that probably the better way to deal with
9 that, rather than try to find a codification that goes
10 beyond what we've already said about family members,
11 would be to treat that as an auditable issue.
12 You know, we've -- I think we have a line, or
13 we have in the past sometimes had a line in the audit
14 about disclosing family member issues, so we can -- we
15 can adjust that. And that would have -- give us a
16 better understanding of whether or not this is going to
17 be a regular thing, and if it is a regular thing,
18 whether it's a -- you know, we need to actually codify
19 something.
20 You know, the statute itself, the Clean
21 Elections Act itself recognizes that family members can
22 work for candidates. The rules have always recognized
23 that. So, you know -- so, you know, it does get a
24 little -- and then -- and then -- you know, it also
25 gets into an issue of, you know, how do you -- I mean,

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1 I'll just be honest with you. When I was even drafting
2 the proposal that we originally had that we did not
3 advance for public comment, you know, we got into an
4 issue of how do you define that, what relationships do
5 you want in, what relationships do you want out. So we
6 think better to leave that alone. And as I say, I
7 think with the specifics here restored we'll be in a
8 stronger place than we were beforehand.
9 The only other thing I'll note is, you know,
10 again, I don't know that this is necessary, but our
11 statute provides for the Commission, if you're
12 unanimous, to allow for an independent -- an immediate
13 effective date. The Governor's Regulatory Review
14 Council is not bound by that, but they do give it
15 consideration. If you're not unanimous, that's --
16 that's not an option.
17 So if -- so it's up to you if you want to
18 indicate that. The notice, I believe, specified that
19 that was a possibility. And in any event, it would
20 help us, in our interactions with GRRC, to have that
21 included in a motion. We don't always ask for that, I
22 don't think, but just to have that in the record. If
23 you all are unanimous, to be clear in the record that
24 we would like to have this have an immediate effective
25 date.

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1 And that's -- that's what I have. Thank you,
2 Mr. Chairman.
3 CHAIRMAN KIMBLE: Okay. Tom, I just want to
4 clarify. So you are asking us to do what with this
5 amendment, approve it --
6 MR. COLLINS: Yes.
7 CHAIRMAN KIMBLE: -- put it out --
8 MR. COLLINS: No. This is approve, yes. I'm
9 sorry. Yeah.
10 CHAIRMAN KIMBLE: Okay. Approve it and ask
11 that that approval take effect immediately --
12 MR. COLLINS: Correct.
13 CHAIRMAN KIMBLE: -- if we are unanimous?
14 MR. COLLINS: Correct.
15 CHAIRMAN KIMBLE: Okay. Thank you.
16 Any questions for Tom from Members of the
17 Commission?
18 COMMISSIONER WERTHER: Mr. Chairman, I just
19 have a clarifying question.
20 So, Tom, you were saying that if this is
21 approved, so any issues would come up through the
22 audit?
23 MR. COLLINS: No. The rule itself would --
24 you know, which is what we've been telling people the
25 entire time this wasn't on the books, right. The rule

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1 itself would go into effect upon GRRC's approval, if
2 they gave it immediate approval.
3 The specific issue that we had talked about
4 in the drafting process and public comment process was
5 whether we want to go farther and get underneath more
6 the interaction where you have a household member who
7 is working for a candidate and how do you deal with
8 this question of whether or not they are -- for
9 example, you know, if I work for -- if I work for the
10 candidate and the candidate is paying me, is that money
11 going into the household budget, right. How do you --
12 how do you delineate that. And that's a hard question
13 and we --
14 You know, we know that the -- that the
15 statute and rules have always allowed family members to
16 work for candidates, so we're not in a position where
17 we can prohibit that. So how you measure whether or
18 not money is going into the household budget, right --
19 if I hire my boyfriend as a campaign consultant and we
20 live together and I pay him, you know, \$6,000, let's
21 say, and then our mortgage is, you know, \$2,500, I
22 mean, how do you -- how do you -- how do you know,
23 right, because everything becomes sort of fungible. So
24 it's a real challenge from a regulatory perspective.
25 Our -- we don't think that -- we don't know

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1 how often that happens. We don't -- we do think that
2 having the specific articulation, right, in the rules
3 restored around household gives us a little more oomph
4 than just the direct campaign expenditure piece that we
5 have in place, right.
6 It doesn't necessarily -- it shouldn't, as I
7 say, change any outcomes of any enforcements, but it
8 will reemphasize, hey, you know, household -- you can't
9 do it. So that, I think, flags for a candidate, you
10 know, I've got to be aware of how this money is being
11 spent. And maybe that means you -- you know, you -- I
12 mean, whatever that means.
13 And then we have our field audits that we do
14 on the clean candidates, and we can work with our
15 auditors to develop a better question that is going to
16 be more tailored than any rule could be to try to sort
17 of dipstick whether or not there's a reason to believe
18 somebody is using clean money for household expenses
19 when it appears they're not.
20 COMMISSIONER WERTHER: Thank you.
21 CHAIRMAN KIMBLE: Any other questions or
22 comments from Members of the Commission?
23 (No response.)
24 CHAIRMAN KIMBLE: So, Tom, you are -- you are
25 asking us to approve an amendment to Rule R2-20-702?

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1 MR. COLLINS: Correct.
2 CHAIRMAN KIMBLE: Okay. Thank you.
3 Do we have a motion reflecting that?
4 COMMISSIONER WERTHER: Mr. Chairman, I'd like
5 to move the approval of the proposed amendment to the
6 Arizona Administrative Code R2-20-702 and also, if
7 unanimous, that it take immediate effect.
8 CHAIRMAN KIMBLE: Thank you,
9 Commissioner Werther.
10 Is there a second?
11 COMMISSIONER PATON: I'll second.
12 CHAIRMAN KIMBLE: It's been moved and
13 seconded that we approve the proposed amendment to
14 Rule R2-20-702. I'll call the roll.
15 Commissioner Werther.
16 COMMISSIONER WERTHER: Aye.
17 CHAIRMAN KIMBLE: Commissioner Paton.
18 COMMISSIONER PATON: Aye.
19 CHAIRMAN KIMBLE: Commissioner Crump.
20 COMMISSIONER CRUMP: Aye.
21 CHAIRMAN KIMBLE: Chair votes aye.
22 Motion is approved unanimously.
23 Thank you, Tom.
24 MR. COLLINS: Thank you.
25 CHAIRMAN KIMBLE: Item VI, discussion and

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1 possible action on MUR 25-03, Monica Timberlake.
2 Item VI is a discussion and possible action on whether
3 probable cause exists to believe violations of the
4 Clean Elections Act and Rules occurred in MUR 25-03
5 involving Monica Timberlake, a 2024 legislative
6 candidate.
7 Commissioners, you have the Executive
8 Director's brief. First, we will hear from the
9 Executive Director, Tom, and then we will hear from
10 Ms. Timberlake or her representative if they are
11 present.
12 Tom.
13 MR. COLLINS: Yes. Thank you, Commissioners.
14 And just so you know, your independent adviser,
15 Craig Morgan, is here if you have questions that are
16 legal that are not mine to answer because they're not.
17 The first thing I wanted to say is that I got
18 an e-mail from Ms. Timberlake this morning or maybe
19 late last night that stated that she has an appointment
20 on Thursdays that makes her unavailable for meetings.
21 She also said in that that she would or had or was
22 going to put in the mail a cashier's check for some
23 remaining Clean Elections funds that she admits that
24 she has. So, I don't expect her to be here.
25 The second thing I want to say is, you know,

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1 these proceedings that we have around the repayment and
2 failure to file have obviously taken a considerable
3 amount of time. We're almost -- we are getting closer
4 to the end of these for this past year, and it took us
5 basically -- it took us a year to get this done -- get
6 this far. And I am -- wanted sort of -- I wanted to,
7 you know, thank the Commission for your patience as
8 we -- as staff members have tried to work through these
9 issues.
10 You know, one of the things that we tried to
11 do at the outset of this matter was tried to get
12 something on record early to -- you know, with respect
13 to repayment in order to, you know, get our -- get --
14 you know, demonstrate that we were moving and taking it
15 seriously, and we have done that. Now, there was a
16 period of time where we were optimistic we might get to
17 a different place, and that's gone on, so we've
18 provided I don't know how many different types of
19 notice.
20 But all that said, it does take a long time.
21 And even in an ideal situation where we have -- it
22 would take -- you know, a Commission getting to a final
23 penalty order, which would be not this step, but the
24 next step, takes at least three votes of the
25 Commission. So there's no -- there's really no way to

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1 get these done in fewer than three months if everything
2 lines up to do it in successive meetings, right.
3 So the year is a pain, it's -- and I really
4 appreciate your patience with that, but, you know,
5 looking at it, it's not necessarily clear we could have
6 cut it back too, too many. We probably maybe could
7 have shaved a month here and a month there, but -- you
8 know, part of this is, if this goes this way, that's
9 the way it goes. So I appreciate your patience with me
10 and us working through this.
11 So the third thing is obviously we believe
12 that there is probable cause to believe that
13 Ms. Timberlake violated the Clean Elections Act and
14 Rules in the manner set forth in the -- in the brief.
15 You know, next we will -- if we were -- if you were to
16 find so, we would return next month with a final order
17 imposing a penalty recommendation if we weren't able to
18 resolve this short of that.
19 The late filing matter is a serious matter
20 and the non-filing matter is a serious matter and we --
21 we take it seriously. The maintenance of books and
22 records, I mean, these are all things that candidates
23 are given notice of, they agree to through their
24 decision to apply for participation under 16-947, and
25 they -- and they -- they agree to that.

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1 We also -- on the repayment issue, there is
2 one repayment order, as you know, that we issued that
3 was not appealed. There was additional penalties
4 provided for failure to repay in this case. We will
5 look at that next month, but we do say that the
6 payment -- the failure to repay is itself a violation.
7 And so that is, again, one of the things that we are
8 saying there is probable cause to believe. And then
9 finally, excuse me, the failure to provide records is
10 itself a violation, right, so --
11 So we think that -- in each of those matters
12 we think the facts are pretty unequivocal, that they're
13 -- and that there has -- those are violations.
14 To the extent we've had communication with
15 Ms. Timberlake, you know, that communication has
16 typically been around -- and this is in the exhibits --
17 her inability or -- to complete some of these
18 processes. And, you know, I would simply say, I mean,
19 to the extent that's an effort at a -- at a defense, I
20 don't think that that's -- I don't think that that is a
21 -- I don't think -- the standard here is excusable
22 neglect, and I don't think that the neglect is
23 excusable.
24 So, you know, I would urge the Commission to
25 vote to find probable cause to believe here, and I'll

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1 answer any questions if you have any.
2 CHAIRMAN KIMBLE: I just want to point out
3 that this is -- and this is not a poor reflection on
4 Tom, it's on the respondent here -- that it has been in
5 August of 2024 when we provided Ms. Timberlake with
6 \$31,000 plus for her campaign, and since then we've
7 received no reports, we've been chasing her around the
8 state, she's responded only to say she has personal
9 issues and can't be there. We were supposed to take
10 this up last month, and she said she couldn't be
11 present, so we delayed it a month just in the interest
12 of fairness.
13 I mean, now it's been more than a year and a
14 half that we've been trying to get some resolution to
15 this for providing more than \$31,000 in public money to
16 this candidate and not knowing what happened to it. So
17 I think we've got to move ahead and find probable cause
18 exists that she has violated the Act.
19 Any comments or questions from Members of the
20 Commission?
21 (No response.)
22 CHAIRMAN KIMBLE: Hearing none, do I have a
23 motion regarding probable cause in MUR 25-03?
24 COMMISSIONER WERTHER: Mr. Chairman, I'd like
25 to move that the Commission finds probable cause to

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1 believe that respondent Monica Timberlake violated the
2 Act and Rules as outlined in the Executive Director's
3 brief dated February 11, 2026.
4 CHAIRMAN KIMBLE: Thank you,
5 Commissioner Werther.
6 Is there a second?
7 COMMISSIONER PATON: I'll second.
8 CHAIRMAN KIMBLE: Thank you,
9 Commissioner Paton.
10 It's been moved and seconded that we find
11 probable cause in MUR 25-03. I will call the roll.
12 Commissioner Werther.
13 COMMISSIONER WERTHER: Aye.
14 CHAIRMAN KIMBLE: Commissioner Paton.
15 COMMISSIONER PATON: Aye.
16 CHAIRMAN KIMBLE: Commissioner Crump.
17 COMMISSIONER CRUMP: Aye.
18 CHAIRMAN KIMBLE: Chair votes aye.
19 The vote is 4-to-nothing.
20 Just for the record, Ms. Timberlake I don't
21 believe is here. I don't see her on Zoom. I don't see
22 any indication that a representative for her is here.
23 If either Ms. Timberlake or her representative is here,
24 please identify yourself and we will be happy to hear
25 from you.

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1 (No response.)
2 CHAIRMAN KIMBLE: Hearing none -- nothing, we
3 will move on.
4 Item VII, public comment. This is the time
5 for consideration of comments and suggestions from the
6 public. Action taken as a result of public comment
7 will be limited to directing staff to study the matter,
8 rescheduling the matter for further consideration, or
9 responding to criticism. Please limit your comments to
10 no more than two minutes.
11 Does any member of the public wish to
12 comment?
13 (No response.)
14 CHAIRMAN KIMBLE: Anyone on Zoom wish to
15 comment?
16 (No response.)
17 CHAIRMAN KIMBLE: Hearing -- hearing from no
18 one, the public may also submit comments by e-mail at
19 ccec@azcleaselections.gov.
20 Item VIII, adjournment. At this time, I
21 would entertain a motion to adjourn.
22 COMMISSIONER WERTHER: Mr. Chairman, I move
23 to adjourn.
24 CHAIRMAN KIMBLE: Is there a second?
25 COMMISSIONER PATON: I'll second.

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1 CHAIRMAN KIMBLE: It's been moved and
2 seconded that we adjourn. I will call the roll.
3 Commissioner Werther.
4 COMMISSIONER WERTHER: Aye.
5 CHAIRMAN KIMBLE: Commissioner Paton.
6 COMMISSIONER PATON: Aye.
7 CHAIRMAN KIMBLE: Commissioner Crump.
8 COMMISSIONER CRUMP: Aye.
9 CHAIRMAN KIMBLE: Chair votes aye.
10 We are adjourned. Thank you.
11 (The meeting concluded at 10:56 a.m.)
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1 STATE OF ARIZONA)
) ss.
2 COUNTY OF MARICOPA)
3

4 BE IT KNOWN that the foregoing proceedings
5 were taken by me; that I was then and there a Certified
6 Reporter of the State of Arizona; that the proceedings
7 were taken down by me in shorthand and thereafter
8 transcribed into typewriting under my direction; that
9 the foregoing pages are a full, true, and accurate
10 transcript of all proceedings had and adduced upon the
11 taking of said proceedings, all to the best of my skill
12 and ability.

13
14 I FURTHER CERTIFY that I am in no way related
15 to nor employed by any of the parties hereto nor am I
16 in any way interested in the outcome hereof.

17
18 DATED at Tempe, Arizona, this 30th day of
19 March, 2026.

20
21 
22 _____
23 Kathryn A. Blackwelder, RPR
Certified Reporter #50666

<hr/> <p style="text-align: center;">\$</p> <p>\$2,500 23:21</p> <p>\$5 6:22</p> <p>\$6,000 23:20</p> <hr/>	<p>Administrative 19:6 25:6</p> <p>admits 26:23</p> <p>adopted 7:18</p> <p>advance 21:3</p> <p>adviser 26:14</p> <hr/>	<p>attendance 3:7</p> <p>attorneys 17:8</p> <p>attorneys' 16:8 17:2,9</p> <p>audit 20:13 22:22</p> <p>auditable 20:11</p> <p>auditors 24:15</p> <p>audits 24:13</p> <p>authority 10:14</p> <p>authorize 16:7,10,24 17:8,22</p> <p>avoid 9:20</p> <p>aware 24:10</p> <hr/>	<p>built 6:16</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 7:10</p> <p>call 3:4,5 4:8 11:6 15:12 17:9 18:8 25:14</p> <p>campaign 19:16 23:19 24:4</p> <p>candid 13:16</p> <p>candidacy 6:22</p> <p>candidate 5:12,19 6:25 7:1 12:15,24 13:4,12,21, 23 14:8 23:7,10 24:9 26:6</p> <p>candidates 5:9,14 6:19, 20 7:24 12:4 13:17,25 14:2 19:7 20:6,22 23:16 24:14 28:22</p> <p>candidates' 12:14</p> <p>caps 7:9</p> <p>cares 5:19</p> <p>case 14:1 17:24 18:8 19:20 29:4</p> <p>cases 8:9 14:13</p> <p>cashier's 26:22</p> <p>Chair 4:15 15:20 17:17 18:15 25:21</p> <p>chairman 3:2,13,23 4:1, 4,8,11,13,15,21 5:6 8:24 9:1,4,18 11:10,16,22 12:2, 7,20,22 14:22 15:1,4,6,10, 16,18,20 16:2,6,12,20 17:3,7,13,15,17,21 18:1,5, 11,13,15,20 22:2,3,7,10, 13,15,18 24:21,24 25:2,4, 8,12,17,19,21,25</p> <p>challenge 12:16,24 13:6 23:24</p> <p>challenged 13:4 14:9</p> <p>change 6:12 7:22 10:12, 15,18 11:6 24:7</p> <p>check 26:22</p> <p>checking 3:14</p> <p>Christina 3:10 14:15</p>
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