

THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona

February 7, 2017

9:31 a.m.

COASH & COASH, INC.
Court Reporting, Video & Videoconferencing
1802 North 7th Street, Phoenix, AZ 85006
602-258-1440
staff@coashandcoash.com

Prepared by:
LILIA MONARREZ, CSR, RPR
Certificate No. 50699

<p style="text-align: right;">Page 2</p> <p>1 PUBLIC MEETING BEFORE THE CITIZENS CLEAN 2 ELECTIONS COMMISSION convened at 9:31 a.m. on 3 February 7, 2017, at the State of Arizona, Clean 4 Elections Commission, 1616 West Adams, Conference Room, 5 Phoenix, Arizona, in the presence of the following Board 6 members: 7 Mr. Steve Titla, Chairperson 8 Mr. Mark S. Kimble 9 Mr. Damien Meyer (Telephonic) 10 Mr. Galen D. Paton (Telephonic) 11 OTHERS PRESENT: 12 Thomas M. Collins, Executive Director 13 Paula Thomas, Executive Officer 14 Sara Larsen, Financial Affairs Officer 15 Gina Roberts, Voter Education Manager 16 Mike Becker, Policy Director 17 Alec Shaffer, Executive Support Specialist 18 Amy Jicha, Legal Admin and VE Intern 19 Joseph Kanefield, Ballard Spahr 20 Chase Bales, Ballard Spahr 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>09:32:58-09:34:27</p> <p>1 MR. COLLINS: Mr. Chairman, thank you, 2 members. 3 Just -- the executive director's report is 4 very brief, but because we had you here, we thought 5 we'd update you. There are two pieces of legislation 6 that we're currently opposed to based on your vote on 7 the legislative package -- legislative position back in 8 December. Those are HCR 2004, which is the Clean 9 Elections repeal and diversion -- or, I should say, 10 reappropriation of the Clean Elections Fund, and 2403 11 which prohibits contributions to -- or payments to 12 political parties. 13 I want to make clear that I have spoken to 14 Representative Leach and I have sent an email to 15 Representative Coleman. Staff will be developing a 16 rule review on this issue with the hopes of opening a 17 docket to review this rule at our February 24th 18 meeting. We have reached out to Constantin Querard who 19 appeared here last time. We'll also be reaching out, 20 likewise, to Democratic consultants or lawyers to get 21 some ideas ahead of time, and then we will have some 22 revision. 23 What form that will take we'll be working 24 up over the next week, but I made clear to both 25 Representative Leach and Representative Coleman that we</p>
<p>09:31:53-09:32:53</p> <p style="text-align: right;">Page 3</p> <p>1 P R O C E E D I N G 2 3 CHAIRMAN TITLA: I call this meeting to 4 order, a special meeting of the Citizens Clean 5 Elections Committee; Tuesday, February 7, 2017, 9:30 6 a.m. 7 Do we have a quorum? 8 MS. THOMAS: Yes, sir. You have -- 9 MR. COLLINS: Shall we call roll just 10 for -- 11 CHAIRMAN TITLA: Yeah. 12 MS. THOMAS: Also joining on the phone is 13 Commissioner Meyer and we also have Commissioner Paton 14 on the phone. 15 COMMISSIONER MEYER: Good morning. 16 CHAIRMAN TITLA: Commissioner Meyer and 17 Commissioner Paton -- 18 COMMISSIONER PATON: Good morning. 19 CHAIRMAN TITLA: -- thank you for appearing 20 by telephone. I'd like to remind you that if you make 21 a comment, to announce your name for the record, the 22 court reporter, and also to -- you know, please 23 remember that. 24 So we'll go to Number II, discussion and 25 possible action on executive director's report.</p>	<p>09:34:29-09:35:41</p> <p style="text-align: right;">Page 5</p> <p>1 are looking at that rule and we'll be examining it 2 and -- and trying to take account of the concerns that 3 were raised at the last meeting that I think many 4 commissioners shared. I know Commissioner Paton and 5 Commissioner Kimble and Commissioner Laird who is 6 unfortunately out of the country today, all raised some 7 concerns about -- about that issue. 8 So we'll be looking at that rule beginning 9 next -- next month, but that -- unless you have any 10 questions, that concludes my report. 11 CHAIRMAN TITLA: Any questions for the 12 executive director, Commissioners? 13 (No response.) 14 CHAIRMAN TITLA: Okay. So why don't we go 15 to the next item. There's obviously no questions. 16 Item III, discussion and possible legal 17 action arising from the Clean Elections Act surcharges 18 and related criminal and civil penalties, A.R.S. 19 Section 12-116.01 and SB 1158. 20 Mr. Collins? 21 MR. COLLINS: Yes. Thank you, 22 Mr. Chairman. Mr. Chairman, Commissioners, I just have 23 a few brief public comments. We will be needing to go 24 into executive session on this. 25 Just so you understand this issue, from --</p>

<p>09:35:49-09:37:17 Page 6</p> <p>1 from what we can say publicly, there is a bill that's 2 been introduced. It passed out of the senate judiciary 3 committee earlier -- or late last week, and we 4 expressed concerns about its impact under the Voter 5 Protection Act and on the Clean Elections Fund. We 6 have been working with the courts on a resolution of 7 that. We're hopeful that we can -- can do that. 8 However, that bill is quite complicated, 9 and although the court may not agree with this, we see 10 these issues as really intertwined. And so the legal 11 details on that I will defer to executive session, 12 but -- but in a sense, we have had some good 13 communication with the court. We hope to continue 14 that, but I think it's -- the legal issues are 15 significant enough that we felt it was appropriate to 16 bring you in for the special meeting in order to have 17 you fully briefed on the legal aspects of our -- our 18 work related to this issue. 19 And I guess if that -- if people think that 20 suffices as much of a public statement as I can make, 21 I'd recommend that the Commission move to go into 22 executive session. 23 COMMISSIONER KIMBLE: Mr. Chairman? 24 CHAIRMAN TITLA: Yes, sir, Commissioner. 25 COMMISSIONER KIMBLE: I recommend -- I move</p>	<p>09:38:02-10:13:42 Page 8</p> <p>1 (End of executive session. Public meeting 2 resumes at 10:12 a.m.) 3 CHAIRMAN TITLA: Okay. We're back in 4 regular session at 10:12 a.m. 5 Commissioners, is there any motion or any 6 statement you'd like to make? 7 COMMISSIONER KIMBLE: Mr. Chairman? 8 CHAIRMAN TITLA: Commissioner Kimble. 9 COMMISSIONER KIMBLE: I move that we direct 10 our executive director, in consultation with our 11 lawyers, to take all necessary legal actions to protect 12 the integrity of the Clean Elections Fund as discussed 13 in our executive session. 14 CHAIRMAN TITLA: Okay. Motion by 15 Commissioner Kimble. 16 Is there a second? 17 COMMISSIONER MEYER: This is Commissioner 18 Meyer. I second. 19 CHAIRMAN TITLA: Second by Commissioner 20 Meyer. 21 All in favor say aye. 22 (Chorus of ayes.) 23 CHAIRMAN TITLA: Any opposed? 24 (No response.) 25 CHAIRMAN TITLA: Abstain?</p>
<p>09:37:19-09:38:02 Page 7</p> <p>1 that we go into executive session to consult with our 2 attorneys. 3 CHAIRMAN TITLA: Okay. There's a motion by 4 Commissioner Kimble to go into executive session. 5 Is there a second? 6 COMMISSIONER MEYER: Commissioner Meyer. 7 Second. 8 CHAIRMAN TITLA: Okay. Motion -- second by 9 Commissioner Meyer. 10 All in favor say aye. 11 (Chorus of ayes.) 12 CHAIRMAN TITLA: Any opposed? 13 (No response.) 14 CHAIRMAN TITLA: Abstain? 15 (No response.) 16 CHAIRMAN TITLA: Motion passes unanimously. 17 We'll be going into executive session at 9:36 a.m. 18 Who can remain or stay? 19 MR. COLLINS: We'll have our attorneys and 20 then our policy director will be here because he's 21 necessary to -- for background information. 22 CHAIRMAN TITLA: Okay. Can you excuse us? 23 (The following section of the meeting is in 24 executive session and bound under separate cover.) 25 * * * * *</p>	<p>10:13:42-10:14:23 Page 9</p> <p>1 (No response.) 2 CHAIRMAN TITLA: Motion passes unanimously. 3 And then we go to public comment. 4 MR. COLLINS: There appears to be no public 5 present. 6 CHAIRMAN TITLA: Okay. With there being no 7 public comment, the meeting is adjourned. 8 MR. COLLINS: We need a motion. 9 CHAIRMAN TITLA: Motion to adjourn? 10 MR. COLLINS: Yeah. 11 CHAIRMAN TITLA: Is there a motion? 12 COMMISSIONER KIMBLE: I move we adjourn. 13 COMMISSIONER MEYER: Commissioner Meyer. 14 So moved. 15 CHAIRMAN TITLA: Okay. Commissioner Kimble 16 motioned. Second by Commissioner Meyer. 17 All in favor say aye. 18 (Chorus of ayes.) 19 CHAIRMAN TITLA: Any opposed? 20 (No response.) 21 CHAIRMAN TITLA: Abstain? 22 (No response.) 23 CHAIRMAN TITLA: Motion passes unanimously. 24 We are now adjourned at 10:13 a.m. 25 Thank you, gentlemen, ladies, counselor,</p>

10:14:25

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1 for your good report. Thank you.
2 (Whereupon, the proceedings concluded at
3 10:14 a.m.)
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1 STATE OF ARIZONA)
2 COUNTY OF MARICOPA)
3 BE IT KNOWN the foregoing proceedings were
4 taken by me; that I was then and there a Certified
5 Reporter of the State of Arizona; that the proceedings
6 were taken down by me in shorthand and thereafter
7 transcribed into typewriting under my direction; that
8 the foregoing pages are a full, true, and accurate
9 transcript of all proceedings and testimony had and
10 adduced upon the taking of said proceedings, all done to
11 the best of my skill and ability.
12 I FURTHER CERTIFY that I am in no way
13 related to nor employed by any of the parties thereto
14 nor am I in any way interested in the outcome hereof.
15 DATED at Phoenix, Arizona, this 8th day of
16 February, 2017.

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18 _____
19 LILIA MONARREZ, RPR, CR #50699
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