THE STATE OF ARIZONA

CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona
February 23, 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

Coash & Coash, Inc.
602-258-1440  www.coashandcoash.com
The State of Arizona Citizens Clean Elections Commission

PUBLIC MEETING BEFORE THE CITIZENS CLEAN ELECTIONS COMMISSION convened at 9:31 a.m. on February 23, 2017, at the State of Arizona, Clean Elections Commission, 1616 West Adams, Conference Room, Phoenix, Arizona, in the presence of the following Board members:

Mr. Steve M. Titla, Chairperson
Mr. Mark S. Kimble
Mr. Damien Meyer
Ms. Amy B. Chan
Mr. Galen D. Paton

OTHERS PRESENT:

Thomas M. Collins, Executive Director
Paula Thomas, Executive Officer
Sara Larsen, Financial Affairs Officer
Gina Roberts, Voter Education Manager
Mike Becker, Policy Director
Alex Shaffer, Web Content Manager
Amy Jicha, Legal Admin and VE Intern
Rivko Knox, LWV/AZ
Chris Kleminich, GRRC
Mary O’Grady, Osborn Maledon

Chairman Titla: This meeting is called to order, the Citizens Clean Elections Commission, Thursday, February 23rd, 2017, 9:30 a.m.

Madame Chan: Thank you.

MR. COLLINS: Yes.

COMMISSIONER CHAN: Okay. Obviously, I'm the newest member. Mr. Chairman and Commissioners, thank you so much for the welcome. I'm so pleased to be here. I am an attorney. I have been an attorney since 1999. Most recently in my career I was the election director for Secretary of State Ken Bennett, and most of you probably are aware that that's been sometime ago now. It's been about three and a half years.

I left my work to spend some more time with my family. I have two boys who are three and four years old, and I'm really very pleased to have this opportunity to serve the people of Arizona and also get back involved with elections. I love election law. I think voter education and election transparency is so important, and I think the Commission is doing some great work. And I'm really proud and happy to be a part of it again.

So thank you for the welcome.

CHAIRMAN TITLA: Thank you and welcome to the Commission. You'll find that we have some good people on Staff. The executive director and all the staff here are good people, and they do good work and they respond real quick when you have a question on anything. We have some esteemed counsel that represents our Commission that we have good communication with. So I think that any one of them, you can contact and they will be able to help you out quickly.

And we have some good people on the Commission also that are experts in their various fields and so they really help -- help us along too.

So welcome.

COMMISSIONER CHAN: Thank you.

CHAIRMAN TITLA: Any comments by the Commission?

COMMISSIONER PATON: Just welcome -- COMMISSIONER MEYER: Mr. Chairman, I just want to welcome Commissioner -- is it Chan?

COMMISSIONER MEYER: Okay.

CHAIRPERSON TITLA: Okay. A motion has been made to approve the minutes for the meetings of January 19th, 2017 and February 7th, 2017. I would like to make a motion to approve the minutes for the meetings of January 19th, 2017 and February 7th, 2017. Do you want to second my motion?

COMMISSIONER KIMBLE: I move we approve the minutes for the meetings of January 19th, 2017 and February 7th, 2017.

CHAIRMAN TITLA: Okay. We'll go to the new business report from Chairperson Paton.

COMMISSIONER KIMBLE: Mr. Chairman?

CHAIRMAN TITLA: Any comments by the Commission?

COMMISSIONER PATON: No.
The rule of thumb used to be that it would
take a certain time to process your information.
Maledon put that together. It's attached, again, for
Joe Roth and Nate Arrowsmith, I think, at Osborn
to the petition for review on Friday. Mary O'Grady and
I guess sometime in the winter. We filed our response
limitations issue in -- I can't remember when exactly.

They filed a petition for review on their statute of

The Legacy Foundation Action Fund, as you may recall,
the committee.

essentially closed all but one of our matters, and that

which it serves to encourage youth participation in the
political process.

You see the -- we have the new 2017-18
participating candidate limits that the Secretary of
State published. They're Attachment 1. Those are just
there for your reference.

Turning to enforcement for 2016, we have

essentially closed all but one of our matters, and that
matter is -- is -- the closure is pending. I'm
finalizing some details with the -- with the -- with
the committee.

The second thing on enforcement, for 2014,
the Legacy Foundation Action Fund, as you may recall,
they filed a petition for review on their statute of
limitations issue in -- I can't remember when exactly.

I guess sometime in the winter. We filed our response

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<td>COMMISSIONER MEYER: Second.</td>
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<td>CHAIRMAN TITLA: Okay. A second.</td>
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<td>CHAIRMAN TITLA: Opposed?</td>
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<td>CHAIRMAN TITLA: Abstained?</td>
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<td>(No response.)</td>
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<td>CHAIRPERSON TITLA: Okay. The motion is</td>
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<td>MR. COLLINS: Yes. Thank you,</td>
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<td>the, I guess, middle of next year or something,</td>
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<td>a filing system that is more modern than the current</td>
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<td>filing system and will allow you to, you know, access</td>
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<td>doesn't exist yet. So this is the building of that,</td>
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<td>work is sort of one of the ways to look at it.</td>
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COMMISSIONER CHAN: Mr. Chairman?

CHAIRMAN TITLA: Yes, ma'am.

COMMISSIONER CHAN: Mr. Chairman and Tom, I just -- actually, it's coincidental that I was with Secretary Bennett when -- I don't know if you guys have done any other service agreements with the Secretary of State's office in the meantime, but I remember one of the last things that I helped with at the Secretary's office was obtaining an ISA with Clean Elections. I actually can't remember how much that was for, and I wondered -- I thought that was for a similar type of web-based system.

And so I wondered -- a question that I have is what's the status of that and how does this expand on it?

MR. COLLINS: Yeah. Mr. Chairman, Commissioner Chan, that's a good question. It's -- it's a little complicated to answer. There were some system improvements or at least a new skin put on some of the system in once -- I think that was launched once Secretary Reagan had taken over as secretary. At a certain point, the Secretary's office returned monies they said had not been used for that to us and then, you know, we got into this issue, which you're probably not aware of, last year where they pulled out Clean Elections reports that we specifically had paid for in that ISA.

COMMISSIONER CHAN: Okay. And this -- so a few things just running through my mind for the Commission to think about is this is a -- I don't know if it's a completely new program, but it's a $300,000 request which seems very, very high, especially if -- so the report -- there are some reports that the Commission is no longer able to obtain through the Secretary of State's system that were part of the original ISA in 2013.

COMMISSIONER KIMBLE: Mr. Chairman, Commissioner Chan, that's a good question. It's -- it's a little complicated to answer. There were some system improvements or at least a new skin put on some of the system in once -- I think that was launched once Secretary Reagan had taken over as secretary. At a certain point, the Secretary's office returned monies they said had not been used for that to us and then, you know, we got into this issue, which you're probably not aware of, last year where they pulled out Clean Elections reports that we specifically had paid for in that ISA.

You know, Mike was involved in the process. The Brewer administration had those Clean Elections reports in it, those reports -- so the Brewer system that we paid for which was something that the Secretary's office agreed to. And then -- and then that was -- and then both of those -- so the Brewer system that we paid for which had those Clean Elections reports in it, those reports were pulled out in the Bennett agreement and the reports we paid for were both pulled out last election cycle without any notice to us.

COMMISSIONER KIMBLE: Mr. Chairman?

CHAIRMAN TITLA: Commissioner Kimble.

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COMMISSIONER KIMBLE: Mr. Chairman?

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COMMISSIONER KIMBLE: Mr. Chairman, in our view, yes. I mean, I think that the system, and that was there from -- you know, so for years and years and years. And we were heavily involved in the process. The Brewer administration had us at the table throughout the processes. Mike was here at that time and he can attest to.

The agreement with Secretary Bennett's office specifically called for a noncommittee filing placed for folks who somehow don't fall under the committee category but did file under 941(D), and that was something that the Secretary's office agreed to. And then -- and then that was -- and then both of those -- so the Brewer system that we paid for which had those Clean Elections reports in it, those reports were pulled out in the Bennett agreement and the reports we paid for were both pulled out last election cycle without any notice to us.

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So if the Commission senses that we need to have some conversation things that I'll come and ask them about. you know, if I take -- I'm trying to take from this that's an open question, and so if the Commission is -- something that they're interested in providing. So to, you know -- as to assurance of access, as to the voter education value generally of the filing system that we might want to pay for as well.

Mr. Collins: Well, I don't have any doubt that this would be a useful tool to voters. I guess I'm just wondering why, if they are statutorily required to do it, they expect us to pay for it. It seems like that ought to be something that they should obtain funding for in their budget. And they say that -- I mean, we're basically paying for the whole thing. We're paying for someone to come in and develop it working $100 per hour for 18 months. And it just seems strange that they're asking us to pay for one function of their office. And I don't know what control are we going to have over the final product, what it looks like, or are we just handing them four $75,000 checks and saying -- hoping that we like what we see?

Mr. Collins: Well, I think as we go along, we'll find out the answers to those questions and whether or not this is a prudent thing to move forward with, but I will say that I do know that -- that their current view is that the actual interagency service agreement should be very simple and not very complicated.

And the one we wrote with Secretary Bennett was -- was not simple. It had certain guarantees as to, you know -- as to assurance of access, as to assurance of quality, and I'm not sure that that's something that they're interested in providing. So that's an open question, and so if the Commission is -- you know, if I take -- I'm trying to take from this conversation things that I'll come and ask them about.

So if the Commission senses that we need to have some reassurance of what kind of -- what kind of, you know, assurances we're going to have both with respect to the use of the dollars and the -- and the product, I think that those are fair questions that I can ask them if -- as we try to -- try to move forward if we can.

Commissioner Kimble: I guess my concern is we've had problems in some of our relationships with the Secretary of State's office. So I'm more than a little worried -- weary about giving them $300,000 to augment their budget without a little more detail of what's in here.

Mr. Collins: Sure. Mr. Chairman, Commissioner Kimble, I mean, this gets back to really what is -- what is an ISA under -- under state law. And under state law, an ISA is an interagency service agreement. It is a purchase of services by one agency from another agency. So in that sense, we are the customer in this situation. So in that -- because of that, you know, I think that, you know, we, you know, have to approach this both from a fiduciary perspective and from a customer perspective.

With, you know -- you know, with, you know, all due respect to the Secretary's office efforts to move ahead and move past some of the stuff that has happened in the past, which I appreciate, yes, we'll have to approach this both from a fiduciary perspective and from a customer perspective. And I think, you know, there's -- I think, you know, what's in here.

And that may -- and we'll find out, you know, in asking some of these questions directly to the -- to the Secretary's office, what -- you know, what their comfort level is with that because as it stands, as the presentation is put together, I can't disagree with you that it essentially just says -- it essentially serves as a supplemental appropriation rather than an interagency service agreement, you know, which is a -- those are different things. Under an interagency service agreement, we are the customer. That's what the law is. If they're asking for supplemental appropriation, that's not something that we have authority to do. That's something that comes from the legislature.

Commissioner Kimble: And I would also point out that in their -- the last page of their proposal, I think there's a typo. Milestone 4, final implementation, January 1st, '17. I think that's supposed to be '18.

Mr. Collins: Presumably, unless they really got a really fancy system.

Chairman Titla: Any more questions for the
COMMISSIONER CHAN: Mr. Chairman?

COMMISSIONER PATON: Yes, Mr. Chairman.

CHAIRMAN TITLA: Commissioner Paton.

COMMISSIONER PATON: So is -- Tom, is the system that we paid $200,000 for three and a half years ago --

MR. COLLINS: Yeah.

COMMISSIONER PATON: Is that antiquated?

What's wrong with it? Is it -- would it make it that much more efficient for 300,000? And it seems like there's not a lot of time between these two time periods.

MR. COLLINS: Chairman Titla, Commissioner Paton, that's -- that's also a fair question. I guess it was actually 175,000 and then they -- then they attempted to return 87.5, which we have not accepted yet because of the ISA, but the bottom line is that, you know, the Secretary's office is of the view that this will be a real showpiece for the state. They -- you know, the goal here was to sort of just give you a preliminary sense of things. If we move forward to a place where we have something substantial, we'll be able to -- I mean, I think it would be -- I would have the obligation to be able to show what the value is to the Commission if we were to fund it, we would probably want to have a business analyst on board that would have some sense of things.

COMMISSIONER PATON: Is that antiquated?

MR. COLLINS: Yeah.

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CHAIRMAN TITLA: Commissioner Paton.

COMMISSIONER PATON: Yes, Mr. Chairman.

COMMISSIONER MEYER: Thank you, Mr. Chairman.

Thank you, Mr. Chairman.

Chairman Titla?

COMMISSIONER MEYER: Thank you.

Chairman Titla?

COMMISSIONER MEYER: Thank you, Mr. Chairman. Just reviewing this for the first time, I think this is -- stepping back, I think this is a very good opportunity for the Commission to work with the Secretary of State as opposed to against the Secretary is legally required to provide the money that we gave them in the previous ISA. Maybe they could use that to at least kind of make us whole if we're -- if we're not getting something that we are required to get under the previous ISA.

And I like how Tom was trying to remind us, you know, an ISA means we are the customer. And if this system is going to cost $300,000, then we would -- if we were going to fund it, we would probably want to have a business analyst on board that would have some sense of things.
MR. COLLINS: So -- Mr. Chairman, Commissioner Meyer, two points on that. The first is that they told us, I think, that this is about -- they think this whole thing is $700,000 total. Nevertheless, you know, we are starting to have our own internal folks look at that overall cost and look at whether or not it's efficiently spent. In other words, I think the Secretary of State's office has a 15-person I.T. staff, for example, but they are bringing on a new coder for this.

So, you know, there's questions around -- I mean, I think everyone would agree that it's fine to -- you know, to do a new system is, in principal, not a problem, but the question really is the value -- the bang for the buck. Is the valuation that they're putting on this, you know -- you know, essentially, industry standard? And that's something that we're going to want to look at before we can really recommend something to you at all because we wouldn't have done our duty to fully inform you.

So I think that's the question. I don't know the answer. I just know that it is -- it is about, roughly, you know, close to half the cost of what they say is the total, but we don't know what the basis for that estimate is. It's a rough estimate, A, I.T. staff, for example, but they are bringing on a new coder for this.

and we know that, I will tell you. I mean, candidly, they didn't give us a -- they've given us a rough estimate. So it's not the final estimate. It's just a rough estimate, but that having been said, whatever the ultimate estimate is, you know, we need to vet through, you know, some kind of professional expert on this which we have available to us to look at it from a cost benefit perspective. So, for example, if you -- if you look at it, as I think Commissioner Chan was alluding to, from what does Clean Elections need? We need our reports back in the system. If that's what we need and that's the only thing we need, what's the cost of that?

If -- you know, if we believe that the voter education value is there, great, but is $300,000 the right price for that service or is it better to do it -- you know, are there other better ways to do it? Those are customer questions that are warranted under -- under any interagency service agreement. So we'll have to get the answers to those before we could present something to you.

COMMISSIONER MEYER: Mr. Chairman?

CHAIRMAN TITLA: Commissioner Meyer.

COMMISSIONER MEYER: I understand all those concerns. I think they're valid.

COMMISSIONER MEYER: I just want to be mindful that, you know, the Commission doesn't spend $50,000 to determine whether or not we should make an investment.

MR. COLLINS: No, no, no. We won't. No, no.

COMMISSIONER MEYER: I don't know how much that sum is, but I just want to --

MR. COLLINS: Right.

COMMISSIONER MEYER: Just let's be sensical about the way we approach this. I'm not saying we wouldn't be, but I want to be mindful and not have too many cooks in the kitchen and all those types of things. And I think we'll do that. I just want to make sure that that's out there.

MR. COLLINS: Understood. Commissioner -- Chairman Titla, Commissioner Meyer, the main point is that neither I nor Gina nor Sara nor Mike are -- we're not coders. We're not -- we're not we're a lot of things, but we're not. And -- and so that's -- it's not something that I think would cost very much money for us to get an evaluation on because we have access to that expertise. It's just a matter of actually --

you know, the valuation is not very expensive. I'm not going to -- we're not going to make that kind of investment. We're just going to -- we need somebody to give us a sense of, like, here's how much, you know, X vendor would charge versus Y vendor versus whatever. So we kind of get a sense of the industry. It's not just due diligence, basically, but I don't think it's going to be -- we will not let the due diligence cost overwhelm the cost of the thing itself.

CHAIRPERSON TITLA: Any more questions by the commissioners?

COMMISSIONER KIMBLE: Mr. Chairman, I have a question about another item on the executive director's report, the spending limits.

MR. COLLINS: -- to get that done. It's just due diligence, basically, but I don't think it's going to be -- we will not let the due diligence cost overwhelm the cost of the thing itself.

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MR. COLLINS: -- to get that done. It's just due diligence, basically, but I don't think it's going to be -- we will not let the due diligence cost overwhelm the cost of the thing itself.
10:00:27-10:01:23

1 just wherever they were times inflation. So I think
2 they're -- they're marginally different. I don't have
3 the old numbers in front of me.
4 COMMISSIONER KIMBLE: Okay.
5 MR. COLLINS: But it's not a -- I don't
6 think it's a dramatic increase at all. It's a
7 statutory formula. It's not a --
8 COMMISSIONER KIMBLE: Okay.
9 MR. COLLINS: It's not a -- it's not a
10 discretionary --
11 COMMISSIONER KIMBLE: It's just not a
12 figure just pulled out of thin air?
13 MR. COLLINS: Right. Exactly.
14 COMMISSIONER KIMBLE: Okay.
15 MS. LARSEN: Chairman, Commissioner Kimble,
16 everything has increased in some minor dollar amounts.
17 The only thing that did not increase were the maximum
18 early contribution limits. So the individual
19 contribution limit has remained the same for at least
20 the last two election cycles. So that increases when
21 they apply the inflation adjustment. It's just not
22 large enough to bump it up to the next dollar amount,
23 but everything else has -- has increased.
24 COMMISSIONER KIMBLE: Okay. Thank you.
25 CHAIRMAN TITLA: More comments by

10:01:26-10:02:49

1 commissioners?
2 (No response.)
3 CHAIRMAN TITLA: If not, thank you,
4 Commissioners, for your good comments. I think that
5 Tom and Staff will take a look at this and analyze it
6 and let us know later on in their report. So thank you
7 for your good comments.
8 Tom, on your report, I'd like to commend
9 you and the Staff for working in voter education. As
10 you know, that's one of the mandates that we have by
11 the citizens of the State of Arizona when they passed
12 the Clean Elections Act. And so I think that it's good
13 that, you know, you'll be working in the four corners
14 of the state to spread the word on the Clean Elections
15 Act, and I think that that's good.
16 And, also, we have 21 -- 21 tribes in
17 Arizona which we need to reach. They are citizens of
18 the state of Arizona also and a host of other minority
19 groups that we need to reach also that expand the
20 population and other populations that we have in the
21 state. So as chairman of the Commission, I am willing
22 to travel to the four corners of the state if you'll
23 let me know where we can appear in person or on the
24 radio or something because Amy, I think, earlier -- or
25 Gina -- excuse me -- Gina earlier stated that there was

10:02:52-10:04:20

1 an opportunity to -- or an invitation from the Navajo
2 Nation in Window Rock to appear on their radio to talk
3 about Clean Elections.
4 And I think it will be good if we go up
5 there at some point and then maybe to the other radio
6 stations in the state. That would be good so we can
7 spread this word. The more the citizens of the state
8 of Arizona participate in this process, I think the
9 better off that we'll be. And we as commissioners will
10 be fulfilling our mandate under the Clean Elections
11 Act. So thank you for doing that.
12 Okay. Under the next agenda item, we have
13 the Governor's Regulatory Review Council issues.
14 MR. COLLINS: So, Mr. Chairman,
15 Commissioners, what I thought I'd really do is briefly
16 set up the -- where we think we are. There are two
17 members of the council, John Sundt and Chris Ames, who
18 are here. The Item B of this agenda item is noticed
19 for discussion. So that means there can be give and
20 take between the Commission and the council members.
21 Just to get you up to date, there's a brief
22 cover memo. We filed our last 5-Year Report on
23 February 8th. That item is on the GRRC study session
24 and new agenda for March. So I think it's February
25 20th and March 7th, is that right? Yeah. As you know,
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1 themselves and make whatever comments they want to
make, and then I think the Commission can sort of get
into a conversation around these issues if Mr. Sundt
and Mr. Ames are comfortable with that and we'll go
from there.
2 I don't really think we -- we don't have a
specific agenda and we're not sure -- we don't -- you
know. So, I mean, at that point, that's what I would
recommend is simply invite the council members to come
up and make some introductory remarks, and then as the
Commission -- Mr. Chairman, as you -- as the
commissioners have questions, if they'd just ask you
for recognition to ask those questions, I think that
would be an effective way to handle the discussion.

15 CHAIRMAN TITLA: Which one are these
gentlemen?
16 MR. COLLINS: They're in the back -- back
corner there.
17 CHAIRMAN TITLA: Okay. Gentlemen, do you
want to come on up and --
21 MR. COLLINS: If you could introduce
yourselves for the record, too, it would be helpful.
23 CHAIRMAN TITLA: -- introduce yourselves
and any comments that you have, we appreciate it.
25 Welcome to the Commission.

10:09:29-10:10:49

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1 whatever our concerns have been, what have been voiced
to you in terms of our return of the report, what we
might look at going forward.
4 That would be -- that would be -- that's
our purpose to be here today is to see what we can do
constructively to move the ball down the field. We're
7 not an arbiter of turf. We don't -- we're not
interested in being an arbiter of turf between
different agencies. Our charge is to look at
rulemaking and say, are the rules within the statutory
authority? And that's as far as we go. So that's
16 guiding my outlook on these things. It's not a policy
issue about what's the best policy in terms of who
should be administering this or that. It's what do I
believe the statutory authority is for the rules that
are being placed -- put in place.
25 thank you.

10:08:25-10:09:25

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1 Staff briefly. I know -- I thought we were on
Submission 5, actually, but it may be 4. And so I
know -- you know, my understanding having not been here
and also knowing that the rules are voluminous and that
I have a lot of catching up to do, I wondered if you
could for my benefit and maybe for the record as well
just explain where are we? What is -- what is the
issue with the rules that GRRC sees specifically?
9 MR. SUNDT: Well, the issue with -- what
10 the issue with the rules will be in the next -- on this
next submission has got another little twist to it, but
12 if I were going to summarize it in the most simple
fashion, I'd say it boiled down to two things. One was
we weren't looking at a -- it's not a broad review,
broad -- or assault on the Clean Elections Commission's
rules. We became focused on the rules -- and without
16 naming all these different subsections, if you'll
allow, Director Collins -- R2-20-109(F) through (G).
And the history, as I recall it -- and
20 we've been doing this for, I think, over a year now.
21 MR. COLLINS: I think so. That's right.

10:09:29-10:10:49

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22 MR. SUNDT: Probably -- probably 15 months.
23 It was originally when we -- the first report was
submitted -- and Mr. Kleminich, our counsel may have --
25 may have a better memory than I. Most people do -- it
Mr. Chairman, Mr. Sundt? When you stated that the only reason I went into that was to discuss those rules being included or excluded, is that to say that the Commission deliberately didn't include them or if it was --

MR. SUNDT: Mr. Chairman, Commissioner Chan, no, I'm not saying there was a deliberate omission.

COMMISSIONER CHAN: Okay.

MR. SUNDT: I'm not -- I'm attributing malice toward none.

COMMISSIONER CHAN: And I don't mean to do that. I just wasn't clear if -- why those rules would be included if they were past the timeline that the rules were submitted in the 5-Year Report. And, again, I don't know a lot about rulemaking and so, you know, bear with me. And I'm just asking the questions as they come to my head.

MR. AMES: Take your time. Take your time.

MR. SUNDT: Thank you.

Mr. Chairman, Commissioner Chan, I'm trying to think of how to put this in the practical sense where to the extent possible today when we are discussing this we keep in dealing with the practical and the real and getting the bang out of the buck rather than perhaps the technicalities of rulemaking.

Governor's Regulatory Review Council for review before they're posted and sent to the Secretary of State.

That's another discussion. I think there's a historical context to it, but that's part of our charge. And how we see our charge is we're here to help. We respond to the regulated community, and we're here to help avoid litigation over matters. So it was brought to our attention. The report was submitted, and I should put with this, Mr. Chairman, Commissioner Chan, that during the rulemaking process, the Clean Elections Commission does not submit rules to the Governor's Regulatory Review Council for review before they're posted and sent to the Secretary of State.

It was originally to be submitted in May or something and then there was a postponement to October. So we received the report, and then we received feedback from the regulated community that there are rules in here that they are very concerned about as well as we received that feedback from the Secretary of State, R2-20-109(F) through (G).
1 dealing with what's current going forward rather than
2 say here's a cutoff point by a day or two and we're not
3 going to deal with that.
4 COMMISSIONER CHAN: Mr. Chairman and
5 Mr. Sundt, thank you very much for explaining that to
6 me. I appreciate it.
7 MR. SUNDT: Okay. Certainly. There's
8 never been, as far as I know, a suggestion on
9 anybody's -- on anyone's part that there was a timing
10 that was calculated to effect an improperly result.
11 COMMISSIONER CHAN: Thank you.
12 MR. COLLINS: Mr. Chairman, if I may, I can
13 certainly agree with that. I mean, the original due
14 date for the report was in May and we asked for an
15 extension. So it was a sheer coincidence that -- so
16 had we submitted in May, you wouldn't have had those
17 rules at all. It just was a sheer coincidence of
18 the -- of the dates from our perspective, but yeah. As
19 you said, we did, you know, put them in at your request
20 and they're in the report now.
21 COMMISSIONER CHAN: Okay. Thank you.
22 MR. SUNDT: So I think that was probably
23 the cause for the first iteration. Then if I were to
24 simplify it -- I'm sorry. Mr. Chairman, Commissioner
25 Chan, if I were to simplify it, I would say the issues

1 have -- I don't think have been new or highly
2 complicated. One has been until this last iteration of
3 the report, Clean Elections Commission's insistence
4 that the report which we are asked to formally approve
5 state that we do not have jurisdiction over the Clean
6 Elections Commission's -- review of the Clean Elections
7 Commission's 5-Year reports.
8 We believe that's wrong as a matter of law,
9 and we think it would be bad policy for us to approve a
10 report that said we did not have jurisdiction to review
11 the rules. So that's one issue. And the second issue
12 in the most simplified fashion is that having gone
13 through the statutes and looked at it -- and with all
14 respect to Director Collins, I don't know that we've
15 adopted another agency's position. I don't believe
16 we're in the business of necessarily adopting another
17 agency's position.
18 I think it's incumbent upon us to review
19 the statutes, to review the rules, review the arguments
20 that are submitted by the sides, and if we think that
21 there's a conflict -- and by "a conflict" I mean, too,
22 we believe or I sitting as a commissioner believe that
23 the rules go beyond the statutory authority that's
24 granted, then we have an obligation to say no, we're
25 not going to approve that.

1 Now, during the months that we've gone
2 through this, one of the -- setting aside for a moment
3 the argument about does the -- does GRRC have any
4 authority at all to review the Clean Elections
5 Commission rules. One of the arguments that was
6 surfaced during that time by Director Collins was a
7 question of, well, if you do, assuming for purposes of
8 argument that you do have an -- or do have authority to
9 review our rules, then the only statute that is going
10 to be controlling as to the scope of your review of the
11 Clean Elections Commission rules is going to be the
12 statute that was in effect in 1998 when Proposition 200
13 was passed.
14 So if you're going to exercise any
15 authority -- and I found implicit in that sort of a
16 parenthetical, which I think now clearly I was wrong --
17 if you're going to exercise any type of authority in
18 that, that's the statute you'd have to follow. Now, I
19 went to 41-1056 as it existed in 1998, and since
20 we're -- there has to be some interaction counsel to
21 counsel here.
22 So part of what I would say, if I might, is
23 that Mr. Collins' argument as I've understood it and
24 the Commission's argument -- and I've given a
25 deference -- is that -- and, Director Collins, you can
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<td>didn't -- I'm not handing them out here because I'd</td>
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<td>rather we were talking than reading -- excerpts from</td>
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<td>the minutes that I think we have tried to communicate</td>
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<td>our issue. They're -- the basic issues have been, one,</td>
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<td>do we have the authority to review? Yes, we believe we</td>
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<td>do. And, two, we believe the rulemaking that was</td>
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<td>undertaken in these rules steps outside of Article 2</td>
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<td>and into Article 1.</td>
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<td>MR. COLLINS: Mr. Chairman, with your</td>
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<td>permission?</td>
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<td>CHAIRMAN TITLA: Mr. Collins.</td>
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<td>MR. COLLINS: Just to give a little</td>
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<td>background context to what Mr. Sundt said, I think that</td>
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<td>is a fair shorthand, and the Nelson Machinery is -- is</td>
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<td>still good law. The Attorney General's Office put out</td>
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<td>a published opinion in 2015 that cited Nelson Machinery</td>
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<td>as the law of the state. There are two issues with the</td>
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<td>Article 5/Article 3 issue. We're exempt from</td>
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<td>Article 3, and so efforts to put Article 3 provisions</td>
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<td>into Article 5, therefore, are part of the problem as</td>
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<td>we see it under the VPA.</td>
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<td>And we see part of what happened with the</td>
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<td>amendments to Article 5 as backloading Article 3 issues</td>
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<td>into Article 5 which would, therefore, trigger the VPA.</td>
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<td>That having been said, the Commission has made a</td>
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<td>historical practice of submitting the 5-Year Report</td>
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<td>notwithstanding that the Commission is not -- has not</td>
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<td>ever -- how do I put it? Has done it out of -- out of</td>
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<td>avoiding conflict rather than necessarily out of the</td>
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<td>Commission's view that that is, in fact, a legal</td>
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<td>Just so -- just so everybody understands</td>
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<td>what the historical background of this is from our --</td>
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<td>from the sort of -- since I'm, I guess, the</td>
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<td>institutional knowledge such as it is.</td>
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<td>MR. SUNDT: Mr. Chairman and members of the</td>
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<td>Commission, I'm curious -- so how many 5-Year reports</td>
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<td>have been submitted? This would be the -- I don't mean</td>
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<td>in this situation as we speak. I mean historically by</td>
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<td>the Commission.</td>
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<td>MR. COLLINS: Correct.</td>
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<td>COMMISSIONER KIMBLE: Mr. Chairman?</td>
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<td>CHAIRMAN TITLA: Commissioner Kimble.</td>
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<td>COMMISSIONER KIMBLE: Mr. Sundt, I'm still</td>
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<td>not clear, and I think this was part of what my</td>
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<td>colleague, Commissioner Chan, was referring to.</td>
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<td>Which specific rules do you feel are</td>
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<td>unclear, illegal, not cost effective, meet one of those</td>
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<td>standards that you -- that you follow?</td>
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<td>MR. SUNDT: Mr. Chairman, members of the</td>
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<td>Commission, if I might, Commissioner Kimble -- may I</td>
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<td>ask -- may we -- when Director Collins suggested we do</td>
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<td>this on a more casual level, would it be possible for</td>
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<td>me to speak or us have a discussion without the</td>
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<td>formality of Mr. Chairman, members of the Commission,</td>
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<td>Commissioner Kimble with each iteration, or do you care</td>
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<td>because --</td>
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<td>COMMISSIONER KIMBLE: I don't care.</td>
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<td>MR. SUNDT: Because I'm going to lose track</td>
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<td>and I don't -- I'm going to offend somebody and I'm not</td>
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<td>going to mean to. That's, really, if that's</td>
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<td>permissible.</td>
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<td>So, frankly, I'd have to -- Commissioner</td>
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<td>Kimble, I have to go back and pull out R2-20-109(F) and</td>
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<td>(G) and look at the subsections again and put them in</td>
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<td>front of me. I can tell you -- and I've read multiple</td>
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<td>arguments over multiple months over different</td>
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<td>iterations of the rules. We now have a new iteration</td>
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<td>of the rule which is basically what Director Collins</td>
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<td>was speaking to.</td>
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<td>Part of what he advised us in his cover</td>
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<td>letter to us was, yes, those rules that you said were</td>
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<td>on hold and you said let's make -- well, you know,</td>
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1. there’s an exercise of overlapping jurisdiction, is it
2. being -- is that what the law provides for? Is that
3. what’s being done and there’s an understanding that
4. that’s how it’s to be done?
5. And from the Secretary of State’s response
6. and from my review of the statutes, my belief is
7. there’s not an overlapping jurisdiction here, and the
8. Secretary of State and the Clean Elections Commission
9. are not on the same page about it.
10. COMMISSIONER CHAN: Mr. Chair -- well, I’m
11. going to use the formal --
12. MR. SUNDT: Sure.
13. COMMISSIONER CHAN: But, Mr. Chairman,
14. Mr. Sundt, I do think -- it sounds to me -- and I’ll
15. just throw this out here. Again, I’m not real familiar
16. with GRRC’s rule. I understand what has been said
17. about the fact that the Clean Elections rules are not
18. normally subject to the Article 3, okay, but then we’ve
19. always submitted the 5-Year Report.
20. A couple of things are coming to mind.
21. One, I do believe that there was -- there’s been a
22. legal decision that says that we do have, as the
23. Commission, authority -- there is overlapping
24. jurisdiction with the Secretary of State. And I
25. remember even from my time as election director sharing

1. that jurisdiction with -- at the time it was Todd Lang.
2. We would talk about, well, are you going to do
3. something?
4. And even if I felt, for example, that there
5. was something, we would work in -- cooperatively to
6. avoid kind of maybe double dinging the person, but we
7. did work in tandem because of that understanding even
8. back then. And I believe there is legal precedence. I
9. don’t know -- frankly, maybe Tom can help me if it’s,
10. you know, case law or if it’s just at the trial court
11. level --
12. MR. COLLINS: Well, there’s two cases.
13. COMMISSIONER CHAN: Okay. All right.
14. MR. COLLINS: But I’m happy to cite them
15. for you if you want.
16. COMMISSIONER CHAN: I believe that legally
17. there is overlapping jurisdiction, but the other -- the
18. other issue that is making me -- I mean, of course I’m
19. sure we’re all frustrated at this point, and I’m new
20. and I feel the frustration maybe from you and from the
21. commission just because we are in so many iterations.
22. One kind of threshold question I have is at
23. what -- at what point does the five-year review has to
24. stop being amended? I mean, at this point it has gone
25. on for 15 months, and does that become almost like a de
26. facto requiring the Commission to, therefore, become
27. subject to GRRC’s rulemaking authority or overview?
28. And at what point does the Commission -- can we stop
29. giving you amendments to our rules? Because the
30. Commission has to continue with its business and if
31. we’re making rules because it’s a living document, we
32. have things that we need to conform to, new laws that
33. are being passed.
34. At what point can -- can we stop submitting
35. those changes to GRRC? If there’s a five-year review,
36. that seems a fixed point in time. And I understand, I
37. mean, and I think having it happen the day after a
38. submission, that’s more understandable than continually
39. over 15 months submitting amendments. I’m just -- from
40. a kind of workability point of view, I wonder if GRRC
41. is -- when will you let go of the continual amending, I
42. guess?
43. So there’s several issues that I see. One
44. is maybe GRRC doesn’t see the legal authority, but I
45. think that our attorney has probably provided it. And
46. if not, maybe we can talk about that, but I think I’ve
47. seen some letters to that effect, perhaps.
48. MR. SUNDT: Mr. Chairman, members of the
49. Commission, Commissioner Chan, I’d love to let go.
50. COMMISSIONER CHAN: Let’s do it.
MR. SUNDT: Well, the rules that we have adopted?

COMMISSIONER KIMBLE: So that's the
rules that we have adopted?

MR. SUNDT: Mr. Chairman, members of the
Commission, Commissioner Kimble, I'll let Chris speak
to the resubmission on it. I didn't -- I didn't have
the sense that we were -- that the council was twisting
the Commission's arm repeatedly on this which is what
sort of the census that I have. My sense was that we
were returning the 5-Year Report because of the
Article 2 concern on jurisdiction and because of the
repeated submission of the report when we had said
we're not going to approve a report that says we have
no authority to review.

Now, I think during the time period as
that's gone on, the Commission has gone on with
rulemaking and changes, and that's why I was speaking
to that point of there's the most recent iteration that
Mr. Collins put in his letter. My -- what I was trying
to express on a practical point of view and saying I
would love to let go is let's find a practical answer
to that.

I don't know what the legal answer to that
is procedurally on what GRRC does. I don't -- I have
plenty to read every month without going through the
resubmission, the re -- and a resubmission of the
report, and I don't want to have a continuing argument
over those rules. I'm happy to sit down outside of
this -- outside of this setting as well to go through
it.

COMMISSIONER KIMBLE: Can we separate the
two issues that you have brought up?

MR. SUNDT: Yes, sir.

COMMISSIONER KIMBLE: One is that we
continually say that we are submitting this with the
caveat that we have questions about GRRC's authority.

Set that aside because I don't think we're going to
agree on that.

MR. SUNDT: Yes, sir.

COMMISSIONER KIMBLE: That may have to be
litigated, but set that aside for a minute.

Can we only focus on the problems you see
with the report?

MR. SUNDT: Mr. Chairman, members of the
Commission, Commissioner Kimble, yes.

COMMISSIONER KIMBLE: So that's the
question I asked you is what specific problems do you
see that fall under your authority with which specific
rules that we have adopted?

MR. SUNDT: Well, the rules that have
been -- Mr. Chairman, members of the Commission,
was driving my view on the separation from Article 1
analysis that was published with it, and that's what
original proposition, the ballot, the legislative
Article 1 when Article 2 was adopted. I read the
MR. SUNDT: Mr. Chairman, members of the
commission, Director Collins, no, this is very helpful.
So the more -- I don't know the timing on 1516 --
MR. COLLINS: Sure.
MR. SUNDT: -- the scope, the effect.
Truly I do have a law practice.
MR. COLLINS: Sure. No, I understand.
MR. SUNDT: And I have these other things
that I deal with and I have my hands full too. So I'm
not -- I'm not -- I'm not begging off on the issue.
MR. COLLINS: No, no, no.
MR. SUNDT: I'm trying to explain there's
some things that I have ignorance about. So when
you're referring to the 1516 changes, et cetera, you
are talking about the changes last year that were made
outside in Article 1?
MR. COLLINS: Right. Correct.
MR. SUNDT: Okay.
MR. COLLINS: And -- and the only point is
not to get a gotcha on the law. It's only to say that
some of the conflicts between -- that have been
identified between Article 1 and Article 2 were
eliminated by virtue of 1516. That's why -- that's an
example of what I mean when I say the context of the
rules is now different from the context of the rules
that were submitted beginning in October of 2015.
That's my point, not to -- not to get you to test your
legal knowledge.
MR. SUNDT: Mr. Chairman, members of the
Commission, Director Collins, I didn't feel that way at
all. I will tell you that as I read through the
statute, I deferred to Director Collins' view where he
said the Nelson Machinery Rule. So just look at the
statutes as they were written, what existed in
Article 1 when Article 2 was adopted. I read the
original proposition, the ballot, the legislative
analysis that was published with it, and that's what
was driving my view on the separation from Article 1
and Article 2.
I have not kept up with and I have deferred
to, as I say, Director Collins' view on Nelson
Machinery. If we're going to be talking about it, if
we're going to be talking about statutory amendments
outside of Article 2 and what that does to the Clean
Elections Commission and to the act, frankly keeping up
with that would be exceptionally difficult looking at
all of the iterations, what were the votes, what's the
impact. And that's not how I've looked at it.
COMMISSIONER KIMBLE: So I know you can't
speak for the whole council, but speaking only for
yourself, does any resubmission that includes our
statement that we have concerns about GRRC's authority
over Clean Elections, is any submission that includes
any reference to that going to be rejected by you?
MR. SUNDT: And I believe -- Mr. Chairman,
members of the Commission --
COMMISSIONER KIMBLE: No, you don't have to
do that.
MR. SUNDT: All right. Thank you, sir.
No, it's not, and Director Collins has removed it. So
that's no longer in the report. This latest
submission -- it's in his cover letter.
COMMISSIONER KIMBLE: Okay. Okay.
1 And it's my understanding that one of the
2 things that we, the Commission, have not received from
3 GRRC is that technical argument, something in writing
4 from GRRC that says here's why we aren't approving your
5 rules and here's how we think that you're exceeding
6 your statutory authority.
7 Have we received that from them? I
8 don't -- I didn't think we had.
9 MR. COLLINS: Mr. Chairman, Commissioner
10 Meyer, no. My -- and councilors and/or Mary, correct
11 me if I'm wrong. I don't believe we've received that.
12 What I think we've heard from Chairwoman Ong is that
13 she doesn't believe that that's something that they are
14 required to do. In other words, she is of the belief
15 that the vote to order repeal and/or expiration stands
16 on its own for whatever reason the Commission -- the
17 council states and that such a finding is not
18 necessary.
19 That's our understanding of the council's
20 position, and we certainly haven't received a memo or
21 something that outlines that. And I think that's
22 correct. And if there's something I'm missing, Chris
23 or Counselor Sundt or Counselor Ames, please let me
24 know, but I think that's accurate.
25 MR. SUNDT: Mr. Chairman, members of the

1 Commission, speaking for this.
2 Director Collins, I don't think there has
3 been any technical submission, and I think that perhaps
4 in part that's been a sense -- and maybe it's not
5 appropriate, but a sense of what's the point?
6 COMMISSIONER MEYER: Well, the point is --
7 MR. SUNDT: And I'm --
8 COMMISSIONER MEYER: Go ahead.
9 MR. SUNDT: If I may, please. I don't want
10 to talk over you. I've gone through it, and I'm happy
11 to walk through it and however look at it and the
12 interaction of it. Chris may be able to speak in more
13 detail about what the discussions have been. I've not
14 been a party to those discussions Staff to Staff. Part
15 of what drove us to want to come here is we want to
16 bring this to a conclusion.
17 If I recall, generally -- and Mr. Klemich
18 gave us copies of the minutes and I've highlighted some
19 sections to give to you all because I really felt this
20 had been communicated in terms of what the primary
21 concern was. My understanding was that, as the Clean
22 Elections Commission has applied the penalty provision
23 that looked at it as granting jurisdiction, to exercise
24 authority under Article 1.
25 Now, I can pull the statute and walk

1 through it, if that's helpful. I can do a separate
2 submission, if you'd like, to see it how I read it
3 applying that Nelson Machinery Rule and only looking at
4 the statute as it existed before people starting
5 monkeying with Article 1 and other things around it.
6 To me it's quite clear between the proposition and the
7 article as it existed in Article 1 and Article 2 as
8 adopted. There was intended to be some sort of line
9 there.
10 I would be very interested in learning more
11 from you, Commissioner Chan, about how the joint
12 exercise of jurisdiction was apparently done
13 seamlessly. I don't know -- I'm curious -- what drove
14 the rule, if someone could help me with the
15 understanding, what drove R2-20-109(F) through (G) and
16 then the response -- heated response from the Secretary
17 of State other than -- other than seeing the argument.
18 And for the record -- and I think I've said
19 this before -- I do not believe that the Clean
20 Elections Commission is any more a PayPal service than
21 I think the Secretary of State is a post office, but I
22 mean, that's the level of heat in the argument that's
23 gotten here. And sometimes when there's that much
24 shouting, you don't hear what anyone is saying. So it
25 might help us as well to have some context of what
1. be returned.
2. I don't think there's any reason for any
3. ongoing act of futility now. If you wanted to resubmit
4. a report with a revised rule after some discussion,
5. that's fine. I'm not recommending that. I think that
6. what happens as a practical matter is the report gets
7. returned if there's no -- if we can't come to a meeting
8. of the minds. The report gets returned and it's
9. returned, and the same arguments stand that stand
10. today.
11. Were I arguing on behalf of Clean
12. Elections -- on the Clean Elections Commission in a
13. case and someone held up and said, well, GRRC returned
14. your report; your rule is not authorized, I would
15. say -- I would make the very argument that Director
16. Collins has made to us: Well, that's really irrelevant
17. because we don't believe GRRC has any authority over
18. us; we're exempt.
19. COMMISSIONER MEYER: So how do we get past
20. that?
21. MR. SUNDT: The only way --
22. COMMISSIONER MEYER: What's the practical
23. solution?
24. MR. SUNDT: The practical -- the only
25. practical solution I know is we look at this next

1. iteration and we come to an -- and agree. If we're not
2. going to be able to agree, we agree to disagree. And
3. that's going to be you return the report -- we'll
4. return the report, not ask for a resubmission date --
5. this would be my recommendation -- not ask for a
6. resubmission date and the Clean Elections Commission
7. says, all right, we're not resubmitting it.
8. I don't -- I don't see any -- any practical
9. value, utility in any way. I keep hearing it popped up
10. in the background that, you know, litigate this or
11. litigate that. That's useless, and it doesn't make any
12. sense for two state bodies to be doing that with
13. taxpayer funds.
14. COMMISSIONER MEYER: I agree with you on
15. that.
16. MR. SUNDT: You know, we're not -- we don't
17. have outside counsel. You know, we aren't spending
18. money engaging outside counsel on going through all
19. this. So I think we'd sit down and then talk about as
20. a practical matter, what does it mean. I have no
21. interest in this -- looking at this in the sense of, as
22. I've tried to express this earlier, a turf sense, you
23. know. If we can't get an agreement on the -- on the
24. report on the rules, then we won't have an agreement.
25. We can agree to disagree and that will be it.
1 COMMISSIONER KIMBLE: Okay.
2 MR. SUNDT: Without any great appellant
3 court caveats or anything. I'm just --
4 COMMISSIONER MEYER: And then we argue that
5 under the VPA, GRRC ever had any authority in the first
6 place and off we go. That's what -- that's what --
7 MR. SUNDT: It seems to me as a practical
8 matter that you're in the same spot that you are today.
9 I mean, what if it's -- if it's approved, if the report
10 is approved, I suppose there's another stick to add to
11 your argument of, well, GRRC didn't object.
12 CHAIRMAN TITLA: Is there any more comment?
13 Yes, sir.
14 MR. SUNDT: Mr. Kleminich, you want to
15 speak to the details?
16 MR. KLEMINICH: Yeah. Thank you,
17 Mr. Sundt.
18 Mr. Chair, members, Commissioner Kimble, to
19 speak to your question directly about the future of the
20 rule --
21 CHAIRMAN TITLA: Sir, can you identify
22 yourself for the record?
23 MR. AMES: Yeah. I'm sorry. Chris
24 Kleminich, lead Staff attorney for GRRC.
25 So the council did set an expiration date

10:55:01-10:56:17

1 initially of August 2nd of 2016. The council then
2 extended that expiration date given the passage of SB
3 1516 and related matters to January 4, 2017, and then
4 again the council extended the expiration date of --
5 and we're speaking specifically about what was formerly
6 R2-20-109(F)(2) through 12 and (G). What is left of
7 that, at least in our view, is 109(B)(2), (B)(4) and
8 111(A). So we're only speaking to those, not the
9 Commission's rules at large. The expiration date for
10 those provisions was then extended again to March 4,
11 2017; in other words, two weeks from now.
12 So not to be -- Member Sundt doesn't speak
13 for the entire council, as you know.
14 COMMISSIONER KIMBLE: I understand.
15 MR. KLEMINICH: I just wanted to make clear
16 that caveat. So there is an expiration date set for
17 those provisions of March 4, and it will be up to the
18 council at its upcoming meeting to decide what action
19 will be taken from there.
20 CHAIRMAN TITLA: Thank you, sir.
21 Any questions, Commissioners?
22 COMMISSIONER MEYER: Mr. Chairman?
23 CHAIRMAN TITLA: Commissioner Meyer.
24 COMMISSIONER MEYER: I just want to clarify
25 for the record, in my conversation, Mr. Sundt, I'm not

10:57:41-11:08:18

1 at all advocating that we litigate. I was just sort of
2 playing out where this goes. I just want to make that
3 clear that I'm not supporting any litigation with GRRC
4 or anyone else at this time. And, you know, I really
5 appreciate your time and being here, your effort in
6 looking at this, and I take your points and they're
7 under consideration. So I very much appreciate that.
8 MR. SUNDT: Mr. Chairman, members of the
9 Commission, Commissioner Meyer, thank you very much.
10 And I am also happy to sit down and talk through it and
11 show how I walk through the statute at any time.
12 Thank you.
13 CHAIRMAN TITLA: Thank you, gentlemen, for
14 coming here to our meeting. We appreciate all the
15 information you've given us today, and I hope that we
16 can resolve this issue as we go down the road. Like
17 you, I feel that I don't want to crawfish around in a
18 circle. I think -- I think we should move -- and I'm
19 from a ranching background. What we say is we need to
20 get this done while the branding iron is hot and we
21 need to dust off our chaps as we go forward is what we
22 say.
23 So -- but the crawfish line is a good -- is
24 good. We don't want to do that here as commissioners.
25 I don't think we can agree today on anything, but as we
1 CHAIRMAN TITLA: Okay. So why don't we go to Item VI, discussion and possible action on definition of campaign consultant and rule limit proposals for public comment on the following rules: A.A.C. R2-20-702, sub B. Tom? MR. COLLINS: Yeah. And just for the -- just for the record, Paula Bickett from the Attorney General's Office is here because this is a public financing issue, and Paula has done us a favor of giving a look at these from a -- from an editorial point of view. So we've made some -- in the packet -- so the versions are cleaned up a little bit from what we saw, but not in a substantial way. The biggest change was that we made sure the language in 702(B)(2) and 702 -- 703.01(C)(1) which talk about advertising purchases and similar services, those now match and they were supposed to. And that was something that I missed in the cutting and pasting. So that's -- that's the main substantive change from what you saw earlier, but it was really a clean-up. The rules are pretty self-explanatory, I think, and as you know from the memo, we are recommending that all options under 702(B) be put up as public comment as well as 703.01. Option A deals with a complete ban on using Clean Elections funding to make expenditures to parties. Option 2, bars any expenditure of Clean Elections funding to a political party, except for voter information and for attendance to political events that cost no greater than $200. And then option C bars advanced payments and requires more documentation around those issues than the current rule requires. 703.01, with consultants, as we discussed in our last meeting, whether it's a party or a consultant, it's kind of -- they're kind of the same thing. If you share a consultant, it's just like you're sharing parties. This issue of coordination or joint expenditures that Commissioner Laird brought up are the same whether it's a consultant or a party. 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1 and so that's part of the reason that I propose this.
2 Likewise, today Representative Coleman has a bill that we actually think this is stronger than --
3 that would create a presumption that expenditures to parties are illegal, but this is stronger than a presumption. So -- and as I testified -- and, again, when I testified against that bill, I said, look, you know, we're going to -- we're going to go farther than this bill is going to go anyway, so this isn't really necessary.
4 So -- so there are realities that I believe I need to deliver on my word to the legislature in terms of getting us to consider these and take them seriously and really look at this process and, you know, therefore, solicit public comment on all three options, you know, which go in order of severity. It's like cutoff, mailing lists, you know, and then you can do it, but you've got -- you've got to -- you're going to be -- you've got to do all the paperwork that we would require and if you don't, you're going to have problems in an audit.
5 So that's the range of options. The consultants' operates in a similar way, and I'm trying to move -- I know we spent a lot of time with the councilors so I'm trying to move this as fast as I can.

1 That's really the long and short of it. If anyone has any questions on that, I'm happy to answer them. If you don't, I would recommend that you -- that you move to publish all of the rule options under 702(B) for public comment and publish 703.01 for public comment.
2 COMMISSIONER CHAN: Okay.
3 MR. COLLINS: And this would -- this would end that practice because that practice is something that -- I'm not saying it's -- it is -- I'm not saying that it is always abused, but it is subject to the same kinds of abuses that people claim could occur with parties. And so we feel like if we're going to -- if we're going to do one, we need to do the other to balance out the equation.
4 COMMISSIONER CHAN: Thank you.
5 COMMISSIONER KIMBLE: Mr. Chairman?
6 CHAIRPERSON TITLA: Commissioner Kimble.
7 COMMISSIONER KIMBLE: Mr. Collins, I support putting all these three out for public comment, but let me ask one question that concerns me.
8 Could you talk about how each of these would make it less likely that someone would run as a Clean Elections candidate, something that I think we don't want to do?
9 MR. COLLINS: Right. That's a really good question, and I think -- I am hopeful that we will hear from candidates about that in the public comment process because -- because I think that -- and I've spoken to -- well, I've received comment from the president of the Arizona Advocacy Network, you know, along those lines, basically saying that, you know, if you're going to do something like this, she would recommend you do -- you know, the least harm to that would be -- if you're considering these options would be Option -- Option C.
10 Now, the question is, are these requirements that onerous or not? I mean, in my view, you know, we need to hear from candidates about that. And I've -- and I've talked to some of them. I think if they -- once they understand that a receipt -- an advanced payment of a retainer is different from an advanced payment for services that you get a receipt that we're going to perform the services that -- once they understand that difference, this is just good bookkeeping they should be doing to avoid audit problems down the road.
11 So in my view, it shouldn't. The consultant piece might be harder because if consultants don't want to work for candidates because they have to make these disclosures, then that could have an effect. And we'll hear from -- you know, I have -- to be honest with you, I've encouraged consultants who have those concerns to talk to candidates about it because I'm not certain that the most persuasive voice on political consulting markup and disclosure is political
CHAIRMAN TITLA: Commissioner Kimble.

COMMISSIONER KIMBLE: Mr. Chairman?

CHAIRMAN TITLA: Any further questions for the director?

(No response.)

CHAIRMAN TITLA: If not, is there a motion to approve any action?

MR. COLLINS: And it's only for public comment, just so everybody is clear.

CHAIRMAN TITLA: For public comment?

COMMISSIONER MEYER: Mr. Chairman? I move that --

CHAIRMAN TITLA: Commissioner Meyer.

COMMISSIONER MEYER: I move that we submit all the three options, A, B and C, for Rule R2-20-702(b) and new Rule R2-20-703.01 out for public comment.

CHAIRMAN TITLA: There's a motion by Commissioner Meyer for submission.

Is there a second?

COMMISSIONER MEYER: Second.

COMMISSIONER KIMBLE: Second.

Is there a second?

CHAIRMAN TITLA: Second by Commissioner Meyer.

MR. COLLINS: Correct. We still have some other issues with the court as we've talked about --

COMMISSIONER MEYER: Mr. Chairman? I move that we submit rule that -- that amended 16-956 of the Clean Elections Act that said -- that amended 16-956 of the Clean Elections Act.

CHAIRMAN TITLA: Commissioner Meyer.

COMMISSIONER MEYER: Mr. Chairman? I move that we submit rule that --

CHAIRMAN TITLA: For public comment?

MR. COLLINS: And it's only for public comment, just so everybody is clear.

CHAIRMAN TITLA: For public comment.

MR. COLLINS: To the printing and mailing.

CHAIRMAN TITLA: For the printing and mailing.

MR. COLLINS: He worked with us on that, and we had an amendment that -- we had two amendments, one that took language out of the section and put it in a new section that worked and the second one that just took us all the way out of the bill. Along the lines, one of the Democratic members of the House who's active on election issues, Representative Clark, got involved and rewrote the amendments.

MR. COLLINS: And, unfortunately, despite my consistent urging that it was a -- it was, in my view, a nonstarter to amend the Clean Elections Act and certainly not to rewrite it to the extent I showed you in the email you received yesterday, I didn't have authority to sign off on that. So long story short, you know, we opposed that, but, you know, I told Mr. Clark that I would try to work with him on that depending upon the feedback I got -- I get from you.

CHAIRMAN TITLA: Abstained?

(No response.)

CHAIRMAN TITLA: Opposed?

(No response.)

All in favor say aye.

(Chorus of ayes.)
1 issue is not resolved, and so we're not clear how we're
2 supposed to comply with the statute and still meet our
3 deadline to get the pamphlet to people before early
4 voting. Frankly, what it would result in us doing is
5 if we got an electronic request, we would send it
6 electronically and send in the book anyway because
7 there's no other way to guarantee that we actually
8 comply with the statutory requirement.
9 Second, the language is written in a way
10 where it says that the Commission shall do this in
11 cooperation with the Secretary of State's office and
12 MVD, and the problem we have with that language is, as
13 we've seen in the GRRC situation, wherever there is
14 language that calls for cooperation, the Secretary of
15 State's office uses that as veto language and that's
16 unacceptable to us. So if we can get those two
17 things -- we think -- overall, we think this is
18 unnecessary.
19 And I wrote a lengthy email to the
20 Democratic caucus yesterday saying that this is -- this
21 is an unnecessary mandate. This is a 21st Century --
22 this is a 20th Century solution to a 21st Century
23 problem. We're already far, far exceeding email of the
24 book with our app. We're meeting people with mobile,
25 social. We're out there everywhere. This is a -- this

1 is a retrograde solution in search of a problem.
2 However, if they insist on doing it, which we're going
3 to try to meet them halfway on, the cooperation
4 language has to be changed or altered in a way that
5 ensures that the Secretary of State cannot ever use it
6 as a veto on our voter education materials.
7 And that absolutely is a -- that's our
8 absolute recommendation. And we'd like them to make
9 the voter household language clarified so that we don't
10 end up with redundancy, but I will say for the record
11 this mandate is absolutely unnecessary. It is -- it is
12 regardless -- and, you know, we're going to work with
13 Mr. Clark on it, but -- but this was -- none of this
14 was necessary. We are already far beyond where this
15 bill is in terms of our voter outreach, well beyond.
16 And so the idea that we'd be left behind if
17 we didn't email the folks is just false because we are
18 the only, you know, multi-platform, multilingual,
19 multi-ability voter education program in the entire
20 state and -- at the state level. And no one does it
21 better than we do and putting new mandates on us is not
22 necessary, but as I said, I've given my commitment to
23 Mr. Clark to try to work on this. And he understands
24 my caveats about cooperation, that language, and the
25 voter -- and the voter issue. So we can work on him on

1 that, but I wanted to fill you in and kind of get your
2 sense of that.
3 If that's a fast enough summary and
4 assuming you guys read my email yesterday.
5 CHAIRMAN TITLA: Any questions by the
6 commissioners?
7 Tom, do we need to take any action on this?
8 MR. COLLINS: Not necessarily other than --
9 I mean, if you want me -- if you -- the real question
10 is do you authorize me to work with Mr. -- you know, if
11 you want me to tell Mr. Clark that you do not want this
12 mandate placed on us and you want me to tell him that,
13 you know, we're not going to work on the bill; we want
14 it -- we want it to go away, I would need to hear that
15 from you. Otherwise, my plan is to work with Mr. Clark
16 as best I can to get language we can live with even
17 though, you know, I'm uncomfortable with the fact that
18 this mandate is being placed on the Commission without
19 the Commission's request and over the Commission's
20 objections.
21 COMMISSIONER MEYER: Mr. Chairman?
22 CHAIRMAN TITLA: Commissioner Meyer.
23 COMMISSIONER MEYER: Tom, thanks for your
24 thoughts on that. I appreciate and understand where
25 you're coming from. Any cooperation should be

1 mutual --
2 MR. COLLINS: Right. Right.
3 COMMISSIONER MEYER: -- in my opinion in
4 that we should be able to achieve that result somehow
5 in the language.
6 MR. COLLINS: Yeah. Yeah.
7 COMMISSIONER MEYER: Either it comes out or
8 there should be a mutual cooperation. I agree with you
9 on the -- I guess I'd call it the de facto veto
10 power --
11 MR. COLLINS: Right.
12 COMMISSIONER MEYER: -- that would be given
13 to the Secretary of State. I don't think that's in the
14 Commission's interest. I don't think that's in the
15 interest of our mandate, and I recommend the Commission
16 authorize you to work toward that objective of getting
17 that mandate out of the -- out of the bill.
18 COMMISSIONER KIMBLE: I would second that.
19 COMMISSIONER MEYER: That's a motion, I
20 guess.
21 MR. COLLINS: So the cooperation mandate or
22 the entire mandate?
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Reporter’s Transcript of Proceedings
February 23, 2017

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| 1 | MR. COLLINS: Okay. Okay. I got you. So |
| 2 | a little flexibility. |
| 3 | CHAIRMAN TITLA: Motion by Commissioner |
| 4 | Meyer to authorize the director to work on HB 2304 on |
| 5 | the emails and to strike the language "in cooperation |
| 6 | with." Second by Commissioner Kimble. |
| 7 | Any more comments? |
| 8 | COMMISSIONER MEYER: Just to -- just to |
| 9 | clarify, I'm not opposed to cooperation as long as it's |
| 10 | mutual corporation. I just don't want there to be a |
| 11 | veto power by the Secretary of State over what we are |
| 12 | trying to accomplish. |
| 13 | MR. COLLINS: Right. Okay. |
| 14 | CHAIRMAN TITLA: Is that okay, Tom? |
| 15 | MR. COLLINS: Yeah. |
| 16 | CHAIRMAN TITLA: We got a second. |
| 17 | All in favor say aye. |
| 18 | (Chorus of ayes.) |
| 19 | CHAIRMAN TITLA: Opposed? |
| 20 | (No response.) |
| 21 | CHAIRMAN TITLA: Abstained? |
| 22 | (No response.) |
| 23 | CHAIRMAN TITLA: Motion passes unanimously. |
| 24 | Okay. Let's go to the next one, Item VIII, |
| 25 | discussion and possible action on the 2016 Commission's |

### Page 87

| 1 | Annual Report. I think everybody has a copy of the |
| 2 | report. |
| 3 | MR. SHAFFER: Bear with me one second. |
| 4 | MR. COLLINS: Would you introduce yourself |
| 5 | for the record? |
| 6 | MR. SHAFFER: If I can get somewhere. |
| 7 | MS. THOMAS: Name for the record, please. |
| 8 | MR. SHAFFER: All right. Chairman, |
| 9 | Commissioners, I'm Alec Shaffer. This is my first time |
| 10 | presenting in front of the Commission, although I've |
| 11 | worked here a little over two years. So bear with me. |
| 12 | And it's kind of poetic as well. I used to work at the |
| 13 | Secretary of State's office and Amy -- Commissioner |
| 14 | Chan was my boss over there. So it's been a full |
| 15 | circle now, but let's just jump into this. |
| 16 | This is the 2016 annual report, and that's |
| 17 | the cover page for you. That blurb there just pretty |
| 18 | much states that we're going to be giving this report |
| 19 | to the Governor's office, the Secretary -- or the |
| 20 | Senate and the House of Representatives. |
| 21 | Here is the table of contents. Going over |
| 22 | it really quickly, we have the letter from the |
| 23 | Chairman, then we have our section on voter and public |
| 24 | education, financial info, enforcement stuff. Then |
| 25 | we've got some candidates' synopsis stuff for you |

### Page 88

| 1 | there, rulemaking and legislation, and then a |
| 2 | looking-forward page for what's to come in this next |
| 3 | year. |
| 4 | All right. That is the letter from the |
| 5 | Chairman that I was mentioning. So it's pretty much |
| 6 | from Mr. Titla here, Chairman Titla, going to Governor |
| 7 | Ducey just explaining that we have this report and that |
| 8 | we're obligated under that statute to give it to them. |
| 9 | The act was passed in '98 so this is over 18 years |
| 10 | later. |
| 11 | This is the voter and public education |
| 12 | page. So this kind of goes over what our efforts were |
| 13 | for this last year in regards to voter education. We |
| 14 | had the continuation of our Vote Informed campaign. We |
| 15 | launched our Candidate Compass tool which I'll go over. |
| 16 | We have a smart device application that you can |
| 17 | download currently for iOS devices, candidate training |
| 18 | classes that we host. We also have debates that we put |
| 19 | on throughout the state, the candidate statement |
| 20 | pamphlet, grassroots outreach and then research in our |
| 21 | website. So that will be coming up. |
| 22 | This is the Vote Informed campaign. This |
| 23 | is a campaign that we've had running for a little bit |
| 24 | now. Mainly the main focus of the campaign is to |
| 25 | educate voters on the tools that we provide and how you |

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| 1 | can vote informed is kind of the idea behind it so that |
| 2 | you can find out details about candidates, how to vote, |
| 3 | the deadlines and stuff like that. There's a couple of |
| 4 | pictures there for you from some of the stuff that |
| 5 | we've had running throughout that campaign. |
| 6 | This is the Candidate Compass tool page. |
| 7 | So the Candidate Compass tool was something that we -- |
| 8 | it was brand new. It was debuted in 2016. It's |
| 9 | available on our website and you can also -- it's |
| 10 | mobile accessible as well. So you can get it from your |
| 11 | phone, but basically the idea behind it is that |
| 12 | candidates have different stances on issues and voters |
| 13 | have stances on issues as well. And it would be |
| 14 | cool -- it was a cool idea if we could match those up |
| 15 | and see what people agree with, what you don't agree |
| 16 | with, what you align and don't align with certain |
| 17 | candidates with. |
| 18 | And we had kind of a soft launch with this. |
| 19 | So this is something we're looking to have more |
| 20 | involvement in with -- in the future, but yeah, it was |
| 21 | a cool new tool and something that we saw from our |
| 22 | research that voters wanted. So it was something that |
| 23 | we thought was beneficial. |
| 24 | This is the page about our smart device |
| 25 | application that I mentioned. So we do have a -- it is |
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The picture there is the picture from the best debate for politicians. If we can improve, and some of the quotes are up there general election debates. We had some nice feedback there. We had 12 primary election debates and 24 host debates for statewide and legislative candidates. We also host debates in election years. We trainings. Clean Elections funding, you have to come to one of our participating candidates -- it's worth mentioning -- are required to attend. So everyone that receives Clean Elections funding, you have to come to one of our trainings. We also host debates in election years. We host debates for statewide and legislative candidates. So the stats on how many we had are at the bottom there. We had 12 primary election debates and 24 general election debates. We had some nice feedback this time too. We take surveys at those events to see if we can improve, and some of the quotes are up there for you. So we had someone say it was an excellent program, that they've learned a lot of information. Someone else said, please don't change it and that it's the best debate for politicians. The picture there is the picture from the

1 available for iOS devices right now, and we're working on the Android version. So that's forthcoming, but the app is kind of, like, a voter resource that has deadlines in it, guides. You can find information on candidates. We've linked up -- one of the cool features that we had on it was if you were interested in debates. So whatever legislative district you were in for the debate for that district, you could submit a question through the app and we would receive it and then proceed to ask it at the debate. So that was a cool piece of functionality that was -- well, the whole app was brand new, but that was something we were excited about.

And, also, it had -- it had a lot of different things in it, and we're looking to improve it going forward, but basically it was, like, a one-stop shop for the information you need on where to vote. We also had a polling place locator built into it so it would reach out to there and you could find out where to vote actually.

A little bit about training and guides. So we host training here for all our Clean Elections candidate and -- candidates and their treasurers and it's open to the public as well so anyone could attend, but in 2016 we had 14 candidate workshops. Some of them being online; some of them being in person. And we had 96 attendees total. So we have a guide as well. We make a book, and it's pretty much a candidate training guide. It goes through -- Sara does a really good job in creating it.

It goes through the entire process of how to get funding, how to apply, what you can do with your funding, when you need to return it and kind of the whole kind of area of the whole process for you. And participating candidates -- it's worth mentioning -- are required to attend. So everyone that receives

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The State of Arizona Citizens Clean Elections Commission

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11:31:04-11:32:00 Page 91

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The picture there is the picture from the Best Debate for Politicians.
Website and social media, so here's some 
and going forward, what we can improve. 
what worked in the 2016 election cycle and what didn't 
commissioners attended as well, but it was cool to see 
holbrook.  Me and tom went to that which 
was really cool.  We went to the Celebrate mesa event 
which is down in mesa.  It's in one of the parks there, 
and they had -- the attendance for that event was 
crazy.  There were thousands of people there, and we're 
going this year as well.  So we'll be back there to 
register and pass out information on clean elections. 
And then we also went to a registration drive on the 
Native American salt river pima-maricopa indian 
community tribe.  So that was really cool.  We actually 
got to go out to the tribe and partner with them and 
get some people registered. 
Research, so we do conduct research after 
our campaigns going forward to see how to best educate 
voters.  So key findings for you, we found that most 
voters -- I'm sorry.  We also conduct this research 
after the election.  So it was conducted after the 
general and then we compared that to our research from 
2015.  
Voter -- some of the key findings for you, 
we saw that voters agree that voting is important, but 
a lot of them are not recognizing their influence in 
local elections.  A lot of people don't see the 
importance of voting in local elections.  So that was 
something that we found and we're going to try to 
target specifically going forward so we can address 
that.  
We saw that the debates are the most used 
asset that we have for helping someone decide how 
they're going to vote in elections.  The Voter 
education guide is also considered -- was considered 
the number 1 unbiased resource for information.  And we 
also partnered with the ASU morrison institute to host 
the state of our state which was really cool.  And so 
we have a picture included there.  We got to listen to 
former U.S. senator John Kyle, rep ed pastor, and grady 
gammage was the moderator.  And it was a really 
enlightening discussion.  There were a lot of different 
people at that event, but -- and I think the holbrook 
commissioners attended as well, but it was cool to see 
what worked in the 2016 election cycle and what didn't 
going forward, what we can improve. 
Website and social media, so here's some 

16  stats for you.  We have gained a much larger presence 
2 on social media than we have in the past.  You can see 
3 our numbers comparatively there as well.  So in 2016, 
4 we had over a million followers on Twitter.  Our 
5 Facebook page has grown significantly as well.  You can 
6 see the percentage increase on the right there.  It 
7 looks like it went up 41 percent this last calendar 
8 year.  And then we have our traffic listed below as 
9 well.  So you can see that in 2016, we had 640,000 and 
10 more page views on our website. 
11 So that's something that we update 
12 constantly.  My title is actually the web content 
13 manager, so I look at the website a lot.  We're 
14 constantly making improvements, and it's really cool 
15 too.  We also have our elections inbox.  So if anyone 
16 notices something on our website, they can send it in, 
17 and we're constantly posting more and more information 
18 there. 
19 And if anyone has a question too, you can 
20 jump in and cut me off, by the way. 
21 COMMISSIONER KIMBLE: You know what? 
22 MR. SHAFFER: Yeah. 
23 COMMISSIONER KIMBLE: I do have one.  You 
24 said we have more than a million followers on Twitter? 
25 MR. SHAFFER: On Twitter we have -- in
I'll go to the next page which is on

You can receive $16,000 of funding in the primary and $24,000, about, in the general. And if you have a contested primary, if you live in one of these party-dominant districts, you can switch the amount.

So you can receive the 24,000 for the primary and then the 16 for the -- for the general.

That goes over the more specific language of how it works, and if you have any questions, you're welcome to ask, but the next page is, like, if you notice, I believe -- like, Representative Noel Campbell here in District 1, he received 24,000 for the primary, whereas other candidates received 60,000. So that's an example for you.

I'll kind of just go through these slides.

You're welcome to look through that stuff. These are all the candidates for the primary and then the next section we'll have is on the general, so pretty much the same thing but for the general.

All right. And then this is our rulemaking and legislation page. So this kind of gives a synopsis of the rules and any legislation that we've had throughout this last year. We did amend or renumber a few rules so they're listed at the bottom there for your reference, and then we have a little bit mentioning the 5-Year Review Report, too, how we've

The roundtable will be focusing on

improve on, and going forward what kind of improvements that election year, what didn't go well, what you can

together in one room and talk about what went well in community organizations that all deal with elections to get election officials together and stakeholders and event we held in 2015. This is kind of an opportunity what we have planned so far. So we will be holding a

education would be something that the Commission would also support improvements to the voter education be helpful to the current election law, and then we to oppose any efforts that propose to defund or eliminate the Clean Elections Act. So that's there.

We also support election law reforms if we deem them to be helpful to the current election law, and then we also support improvements to the voter education access. So any bills that would look to improve voter education would be something that the Commission would support.

This is our looking forward to 2017 page, what we have planned so far. So we will be holding a roundtable event which is similar to the roundtable event we held in 2015. This is kind of an opportunity to get election officials together and stakeholders and community organizations that all deal with elections together in one room and talk about what went well in that election year, what didn't go well, what you can improve on, and going forward what kind of improvements you can make in general.

The roundtable will be focusing on

background information for you on some of the stuff that's happened in the past as well. We used to have a tax credit that was available. That went away in 2012, but that's something we still get lingering -- a lingering amount. It's very rare, though, but that's some background for you if you want to go ahead and read that.

I hope to wrap those up.

We also conduct audits after each election cycle. They're random. And so we're getting back the results of those and going through those, but we had 29 candidate audits, it looks like, total and it included 26 legislative ones and three statewide audits.

All right. This is the 2016 candidate summary. So during the 2016 cycle, we had 178 candidates seeking statewide and legislative office and 41 of those were participating in the Clean Elections

system. During the general election, we had 144 and of which 37 were participating candidates, and it kind of goes on just to show you some statistics there. In 2016, we a total of more than 2.1 million distributed in funding to candidates from the Commission's -- Commission's fund.

And in the following pages we'll list all the candidates too. So you'll have the spreadsheet and breakdown district by district and whatever office they were seeking of all the candidates that were running.

All right. We included this year right before the candidate listing a little blurb about the reallocation notice. So some candidates, if you live in a district that has a dominant party and you're within the dominant party running, the idea behind that is that you're going to have a more contested primary. That's where the more competition is fierce for you kind of thing.

There are statistics that you have -- and, like, criteria you have to meet to do that, though.

You have to be within the dominant party. You have to have a contested primary. So you can't be running unopposed in your primary, but you're able, if you so choose and you meet the qualifications, to switch your funding amount. So normally as a legislative

submitted that. Rules don't take effect until January 1st of the next year unless they were a unanimous vote, so that's a good note for you.

This is our 2016 legislation page. It kind of just gives a summary of what our legislative goals and priorities were for that year. As always, we want to oppose any efforts that propose to defund or eliminate the Clean Elections Act. So that's there.

We also support election law reforms if we deem them to be helpful to the current election law, and then we also support improvements to the voter education access. So any bills that would look to improve voter education would be something that the Commission would support.

This is our looking forward to 2017 page, what we have planned so far. So we will be holding a roundtable event which is similar to the roundtable event we held in 2015. This is kind of an opportunity to get election officials together and stakeholders and community organizations that all deal with elections together in one room and talk about what went well in that election year, what didn't go well, what you can improve on, and going forward what kind of improvements you can make in general.

The roundtable will be focusing on
CHAIRMAN TITLA: Commissioner Meyer.

COMMISSIONER MEYER: Mr. Chairman, real appreciated and if someone -- and took a vote on that.

MR. COLLINS: Mr. Chairman -- Mr. Chairman, if you would move the approval of the annual report. I guess the only caveat would be if we find any typos and stuff like that, we'll clean those up, but -- but if you would move to approve the annual report for submission by the March deadline, that would be appreciated and if someone -- and took a vote on that.

COMMISSIONER MEYER: Mr. Chairman, real quick.

CHAIRMAN TITLA: Commissioner Meyer.
MR. SHAFFER: They're taking me out to lunch so we're good.


Yeah.

Okay. Let's see. We have IX, public comment.

Any public here to comment?

(No response.)

CHAIRMAN TITLA: No public comment?

MR. COLLINS: Rivko, do you want to -- do you have anything to add today? We're at public comment. I don't know if you want anything to --

MS. KNOX: Oh, well, never miss an opportunity. I'm here as always on behalf of the League of Women Voters of Arizona. Very, very excited about the annual report. As a matter of fact, I've been thinking of asking -- I don't know. I don't want to charge you more than you -- or make you pay more than you already do, but it would be great to distribute the report. We're going to be having a big annual convention of the league from all over the state, and we'd love to be able to maybe have copies.

And we'd love to sit in on your roundtable.

And more than anything else, I just want to say that it was a pleasure to be able to, very briefly, speak on behalf of the -- or speak to try to kill and succeed at least temporarily in killing the bill to repeal Clean Elections. It really felt good to say that all in one minute. That was okay. What was it? 10:00 o'clock and participated at 7:00 o'clock at night or something like that.

MR. COLLINS: Right.

MS. KNOX: I'm thrilled that the league was able to help create the Clean Elections Commission, and the Staff is really carrying out its mission. And it gives me great pleasure to be -- to participate in a small way.

Thank you.

CHAIRMAN TITLA: Thank you, ma'am, for your good comments and all of the good work that you do and your company. Thank you. We appreciate it.

Any more comments from the public?

(No response.)

CHAIRMAN TITLA: If not, do we have a motion to adjourn?

COMMISSIONER KIMBLE: I move we adjourn.

CHAIRMAN TITLA: Motion to adjourn by Commissioner Kimble.

Second?
The State of Arizona Citizens Clean Elections Commission

Public Meeting

Reporter's Transcript of Proceedings February 23, 2017