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THE STATE OF ARIZONA  
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF VIRTUAL PUBLIC MEETING

Phoenix, Arizona  
September 2, 2026  
2:00 p.m.

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

**CERTIFIED  
TRANSCRIPT**

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| <p>1 VIRTUAL PUBLIC MEETING BEFORE THE CITIZENS<br/>2 CLEAN ELECTIONS COMMISSION convened at 2:00 p.m. on<br/>3 September 2, 2026, at the State of Arizona, Clean<br/>4 Elections Commission, 1110 West Washington, Conference<br/>5 Room, Phoenix, Arizona, in the presence of the<br/>6 following Board Members:<br/>7<br/>8 Mr. Mark Kimble, Chairman<br/>9 Mr. Galen Paton<br/>10 Ms. Christina Werther<br/>11 Mr. Sam Crump<br/>12 Mr. Steve Titla<br/>13<br/>14 OTHERS PRESENT:<br/>15<br/>16 Thomas M. Collins, Executive Director<br/>17 Paula Thomas, Executive Officer<br/>18 Mike Becker, Policy Director<br/>19 Gina Roberts, Voter Education Director<br/>20 Avery Xola, Voter Education Manager<br/>21 Alec Shaffer, Web Content Manager<br/>22 Craig Morgan, Taft Law<br/>23 Cathy Herring, KCA<br/>24 Tim La Sota, Tim La Sota, PLC<br/>25 Carole Wilson, Member of the Public<br/>Jeremy Duda, Member of the Public<br/>Kimberly Daley, Member of the Public<br/>Lisa Everett, Member of the Public<br/>Maria Grainger, Member of the Public<br/>Maria Ramirez, Member of the Public<br/>Mary Maybeno, Member of the Public<br/>Megan Rubino, Member of the Public<br/>Merissa Caldwell, Member of the Public<br/>Patty Porter, Member of the Public</p> | <p>1 Clean Elections funding program. Our rules provide a<br/>2 tight timeline for considering this question.<br/>3 For those of you joining us in the meeting in<br/>4 the livestream, the order of this item will be as<br/>5 follows. First, we will hear from Mr. La Sota on<br/>6 behalf of Dr. Heap. Second, we will hear from the<br/>7 Clean Elections staff. Then, we will hear from<br/>8 Mr. La Sota again if he has anything to add. Next, we<br/>9 will take public comment on this item.<br/>10 Before we start, I just want to recap how we<br/>11 got here. In June Dr. Heap, running as a Clean<br/>12 Elections candidate, allegedly spent money he didn't<br/>13 have on campaign signs. In July Dr. Heap asked to<br/>14 withdraw as a Clean Elections candidate. We denied<br/>15 that request.<br/>16 A few weeks later, Dr. -- Dr. Heap changed<br/>17 his mind and decided he did want to run as a Clean<br/>18 Elections candidate. He finalized his Clean Elections<br/>19 paperwork and asked for funding. On August 14th we<br/>20 approved that request, and he received \$369,590.<br/>21 On August 27th, less than two weeks later,<br/>22 Mr. La Sota said Dr. Heap "wants nothing to do with<br/>23 this program anymore." He asked to withdraw as a Clean<br/>24 Elections candidate and said he would return all funds<br/>25 to Clean Elections unspent. He returned 40 percent of</p>                  |
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| <p>1 P R O C E E D I N G<br/>2 CHAIRMAN KIMBLE: Good afternoon. I'm<br/>3 Mark Kimble, Chair of the Citizens Clean Elections<br/>4 Commission. It's 2:00 p.m. on Wednesday,<br/>5 September 2nd, 2026. I call this meeting of the<br/>6 Citizens Clean Elections Commission to order.<br/>7 With that, we will take attendance.<br/>8 Commissioners, please identify yourselves for the<br/>9 record.<br/>10 COMMISSIONER PATON: Galen Paton.<br/>11 COMMISSIONER TITLA: Steve Titla present.<br/>12 COMMISSIONER CRUMP: Sam Crump.<br/>13 COMMISSIONER WERTHER: Christina Werther.<br/>14 CHAIRMAN KIMBLE: Thank you, Commissioners.<br/>15 We have all five Members here. We have a quorum.<br/>16 Also present are Thomas Collins, the<br/>17 Executive Director of the Arizona Citizens Clean<br/>18 Elections Commission, and Craig Morgan from Taft Law<br/>19 acting solely as the Commission's independent legal<br/>20 advisor for MUR 26-06.<br/>21 Item II, discussion and possible action on<br/>22 request to withdraw from Clean Elections funding<br/>23 program. The purpose of this special meeting is to<br/>24 consider the most recent request we received from<br/>25 Dr. Ralph Heap regarding withdrawing from the Citizens</p>                     | <p>1 the money he received. He still has more than \$221,000<br/>2 of Clean Elections money, but wants to withdraw as a<br/>3 Clean Elections candidate. I don't know about the rest<br/>4 of you, but I'm getting kind of dizzy.<br/>5 Mr. La Sota, we'll start with you. What is<br/>6 your latest request on behalf of Dr. Heap?<br/>7 MR. LA SOTA: Well, Mr. Chairman, it's not my<br/>8 latest request. I requested this before and you said<br/>9 no. If you're getting dizzy, you should have just<br/>10 granted it the first time.<br/>11 And Dr. Heap did not change his mind. You<br/>12 said no to the first request, while -- and then -- and<br/>13 so you wouldn't let him out of the program. And then<br/>14 what happened was, Dr. Heap didn't change his mind, I<br/>15 came on again and said either let him withdraw or give<br/>16 him the money. You decided to give him the money,<br/>17 despite the protests of your Executive Director who, A,<br/>18 wanted to keep him in the program, and B, not give him<br/>19 any money, and C, remind us that while he's in the<br/>20 program he's not allowed to take any private money or<br/>21 money from -- he can't give himself any money. So that<br/>22 -- that's the real history here.<br/>23 The other thing that's happened in the<br/>24 interim is, we've tried to come up with a settlement.<br/>25 I've tried to engage Mr. Collins. I've really --</p> |

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| <p style="text-align: right;">Page 6</p> <p>1 that's really gotten nowhere. Instead, we've been<br/>2 treated to essentially a request for information,<br/>3 vendors are being subpoenaed. It's clear that this<br/>4 thing -- the Commission, or at least the Executive --<br/>5 Executive Director or both want to keep this thing<br/>6 going through the election.<br/>7 I -- I would never recommend another<br/>8 candidate use Clean Elections. This experience has<br/>9 solid -- well, has -- I think is the final reason,<br/>10 but --<br/>11 One of the things I did want to remind the<br/>12 Commission is that under 16-947(A) it says a candidate<br/>13 who wishes to be a participating candidate shall file<br/>14 the documents. So I think the obvious corollary is, if<br/>15 they don't wish to be a candidate and they've not spent<br/>16 any of your money and they asked to withdraw<br/>17 previously, they don't have to be a candidate.<br/>18 Arizona Supreme Court, Arizona Free<br/>19 Enterprise Club Freedom Club PAC v. Bennett, Arizona<br/>20 Citizens Clean Elections Act created a voluntary public<br/>21 financing system, voluntary. When you -- when someone<br/>22 hasn't taken any money, and you still say they -- they<br/>23 have to participate, that's not voluntary. It has to<br/>24 be voluntary. There's no way it would pass<br/>25 constitutional muster if it weren't, so --</p>                                  | <p style="text-align: right;">Page 8</p> <p>1 like to have the Commission in our rearview mirror,<br/>2 frankly, at every level, and that just has not been --<br/>3 hasn't -- hasn't gone anywhere.<br/>4 Early ballots drop in about a month. You've<br/>5 already had this for -- for close to two and, you know,<br/>6 we're going nowhere quickly on it. You're certainly<br/>7 not moving at the speed one would expect of something<br/>8 that should be resolved in a single campaign cycle.<br/>9 Obviously, you know, we've rebutted the --<br/>10 the allegations, no wrong -- you know, Dr. Heap has<br/>11 committed no wrongdoing. The voters deserve a<br/>12 candidate who can actually communicate with them<br/>13 without the Clean Elections baggage that -- that's one<br/>14 thing he didn't sign up for. The people who are<br/>15 relying on Dr. Heap for relief from these excessive<br/>16 rates and rate hikes, they deserve a choice.<br/>17 Now, you know, the other -- the last thing<br/>18 is, now the Commission is going around, or the<br/>19 Executive Director is, and telling candidates who have<br/>20 had all their \$5 contributions certified by -- by the<br/>21 County Recorders that, oh, you know, I'm going to<br/>22 recommend you have to pay the money back and you should<br/>23 stop spending. And the Commission's response is, oh,<br/>24 well, yeah, we need to do an investigation. And make<br/>25 sure you have it done by October 29th, five days before</p> |
| <p style="text-align: right;">Page 7</p> <p>1 And I -- I also went through sort of some of<br/>2 the old ballot arguments. I remember when Clean<br/>3 Elections passed, and that was a big reason. This is<br/>4 voluntary. Nobody has to do it. So I think the<br/>5 Commission has already strayed from -- from what the<br/>6 law is, from what the spirit and intent of the Clean<br/>7 Elections Act is by the original denial of withdrawal,<br/>8 so --<br/>9 But in terms of -- the other reason is, you<br/>10 know, I mentioned earlier, this complaint's been<br/>11 pending. I think that a person's just better off not<br/>12 participating when they've been targeted this way.<br/>13 Dr. Heap was able to advance without Clean Elections<br/>14 money the first time. And I know you'd say, well, he<br/>15 had those -- those signs. He would have advanced<br/>16 regardless. Didn't need your money then, doesn't<br/>17 really need it now, and can -- if you'll let him<br/>18 withdraw -- or, not let him withdraw. If you just get<br/>19 out of the way, then he can just run his campaign.<br/>20 As it is, I think we're seeing a clear<br/>21 example of -- of the Commission really trying to put<br/>22 its thumb on the scale in an election here. And I<br/>23 think that, unfortunately, is the fact -- are the<br/>24 facts. And settlement, as I said, has gone nowhere.<br/>25 We'd like to have this in our rearview mirror. We'd</p> | <p style="text-align: right;">Page 9</p> <p>1 the general election, at a time when a lot of people,<br/>2 maybe more than half, have already cast their -- their<br/>3 mail-in ballot. It's just -- it's not really an<br/>4 acceptable situation to be in. It's untenable.<br/>5 And, oh, by the way, in the case of<br/>6 Mr. Neely, he spent all of his money. So I -- and he<br/>7 still gets this repayment or this thing that I'm going<br/>8 to -- I'm going to ask that you repay the money.<br/>9 So, you know, I know you're tired of seeing<br/>10 me and tired of hearing what I say, but I think that,<br/>11 you know, that the way to -- I think it's just time for<br/>12 -- frankly, for both of us to go our separate ways. I<br/>13 know you'll still have your -- your enforcement action<br/>14 and you're going to stick to this notion that<br/>15 everything in a campaign has to be -- has to be a check<br/>16 written or cash given at the very moment a service is<br/>17 delivered. That's not the way the world works for<br/>18 anyone who's been involved in a campaign, but I know<br/>19 you're going to stick to that, and we'll just have to<br/>20 litigate that.<br/>21 But we'd like to get out. I'd ask you,<br/>22 please do not stand in the way again of Dr. Heap<br/>23 withdrawing. Thank you.<br/>24 CHAIRMAN KIMBLE: Thank you, Mr. La Sota.<br/>25 Next, we'll hear from Tom Collins, Executive</p>                                                                      |

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| <p>1 Director of the Citizens Clean Elections Commission.<br/>2 Tom.<br/>3 MR. COLLINS: Hi, Mr. Chair, Commissioners.<br/>4 I don't really want to belabor anything here. I -- I<br/>5 do want to -- you have in your packet a chronology of<br/>6 the exchanges with Mr. La Sota since the August 14th<br/>7 meeting. With respect to the requests for information<br/>8 from Dr. Heap, which are pretty routine, we have<br/>9 granted extensions. With respect to the vendor who<br/>10 Dr. Heap produced the affidavit -- or, declaration,<br/>11 rather, from, we have extended that person's time to<br/>12 respond so they can seek counsel and have, in fact,<br/>13 urged them to seek counsel.<br/>14 With respect to settlement, that -- that's<br/>15 also in the materials. There was a -- I asked for<br/>16 something in writing from Mr. La Sota. I received<br/>17 something in writing from Mr. La Sota today, in fact, I<br/>18 guess around noon-ish probably.<br/>19 Was that -- is that wrong, Tim? I'm sorry.<br/>20 Was I off by an hour or 45 minutes or something? I<br/>21 don't know. But I got -- I got a -- I got a thing from<br/>22 Mr. La Sota today. So, yeah, that exists. That's a<br/>23 thing that happened today.<br/>24 And so with respect to whether or not<br/>25 Dr. Heap is -- can withdraw from the program at this</p>                                                                                              | <p>1 keep your mic or phone on mute until we ask for your<br/>2 comment.<br/>3 If you're a member of the public and wish to<br/>4 make a comment, please use the raise hand feature in<br/>5 Zoom and I will call on individuals one at a time.<br/>6 When your name is called, please unmute yourself and<br/>7 state your full name for the record before beginning<br/>8 your comments. To raise your hand in Zoom, click the<br/>9 react icon in the bottom toolbar and select raise hand.<br/>10 Please note that Commissioners may have questions for<br/>11 you.<br/>12 At any point Members of the Commission may<br/>13 vote to go into executive session to seek legal advice<br/>14 from our independent legal advisor, Craig Morgan.<br/>15 Any members of the public who wish to make<br/>16 comments? I see one raised hand, Lisa Everett.<br/>17 Ms. Everett, proceed.<br/>18 MS. EVERETT: Yes, sir. My name is Lisa<br/>19 Everett. You know, Dr. Ralph Heap turned in his \$5<br/>20 donations, he filled out all the paperwork, he was<br/>21 given the instructions, and when he got caught<br/>22 violating them, now he wants to back out. And to me,<br/>23 that is disrespectful to the whole process. It's wrong<br/>24 for him to be able to just walk away after violating<br/>25 the rules. It's simply not acceptable.</p> |
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| <p>1 point or not, you know, my general sense is that the<br/>2 Act doesn't really work if you can make a bet about<br/>3 certain things and then, you know, see what happens and<br/>4 then pull out, but ultimately that's -- beyond that, I<br/>5 don't have much to add other than I think that the<br/>6 voluntary nature of it is the contract that you sign at<br/>7 the outset.<br/>8 And then finally, I guess I would just say<br/>9 that in the event that the Commission does accede to<br/>10 Dr. Heap's request, I think it would be helpful, in<br/>11 view of what Mr. La Sota just said about investigatory<br/>12 matters, to have clarity about whether or not the<br/>13 Commission views MUR 26-06 and any other complaints<br/>14 that are pending -- there's one other that's -- that we<br/>15 know of regarding Dr. Heap's actions in the past -- it<br/>16 would be helpful for both my -- both for staff and for,<br/>17 I suspect, for Mr. La Sota to know the Commission's<br/>18 view on that were you to, you know, grant this request.<br/>19 So that's really all I have. If you have<br/>20 questions for me, I'm happy to take them. Thank you.<br/>21 CHAIRMAN KIMBLE: Thank you, Tom.<br/>22 Next, we'll hear from members of the public<br/>23 who wish to speak on this issue. We will ask the<br/>24 speakers identify themselves for the record and limit<br/>25 their comments to no more than three minutes. Please</p> | <p>1 We should hold people accountable. What's to<br/>2 stop anyone from collecting these funds and trying to<br/>3 get away with something, and maybe they do. That's<br/>4 bad. We want people to know that if you sign up, you<br/>5 have to be committed and you have to follow the rules.<br/>6 When my kids were young, they signed up for<br/>7 different sports, and sometimes in the middle of it<br/>8 they said, mom, I don't want to finish. And my<br/>9 response was, I'm sorry. You gave your word. You need<br/>10 to complete it. So the same holds true here. Maybe<br/>11 his mom didn't tell him that, but you need to honor<br/>12 your word.<br/>13 CHAIRMAN KIMBLE: Thank you, Ms. Everett.<br/>14 Next, we have Merissa Caldwell.<br/>15 Ms. Caldwell.<br/>16 MS. CALDWELL: Yes. Can you hear me?<br/>17 CHAIRMAN KIMBLE: Yes, we can hear you.<br/>18 Proceed.<br/>19 MS. CALDWELL: Thank you. Thank you so much.<br/>20 You know, I've looked at the rules that the Clean<br/>21 Elections Commission has and I've also looked at the<br/>22 statutes, and what I find concerning about the whole<br/>23 process is that there is only a one-way door against a<br/>24 candidate. And so I have concerns with the rule as it<br/>25 exists that -- that is being used to prevent Dr. Ralph</p>                               |

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| <p>1 Heap from being -- from leaving the program. He hasn't<br/>2 used the money, and so I don't think that this is -- I<br/>3 don't think that the -- the way the system is set up<br/>4 today is something that is fair.<br/>5       Also, the other candidates that are in the<br/>6 same race that have similar accusations being made<br/>7 against them basically said that the rules shouldn't<br/>8 apply. And so my biggest concern here is that we've<br/>9 had multiple hearings now for Dr. Ralph Heap; we've had<br/>10 no hearings on the other complaints in the same race.<br/>11 And I think that especially Arizona voters have been<br/>12 very concerned about -- about equal application of the<br/>13 law, about seeing that there's no corruption, that no<br/>14 one puts their thumb on the scale of any races.<br/>15       And so I just have concerns, because the<br/>16 voters have made it clear that they -- the Republican<br/>17 voters made it clear that they wanted Ralph Heap --<br/>18 Dr. Ralph Heap to represent them and move forward into<br/>19 the general. So I have concerns that basically you're<br/>20 kind of keeping him with both hands tied behind his<br/>21 back, and so I -- I don't think that's fair and I think<br/>22 that the Commission should take a look at what their<br/>23 rules are.<br/>24       If someone doesn't spend the money, if<br/>25 they're returning the money, if they're not going to</p> | <p>1       Thousands of voters, along with myself, want<br/>2 our votes to count and want Dr. Heap released from the<br/>3 entanglements that this complaint has presented.<br/>4 Please release him and let the voters' choice stand.<br/>5 Thank you for listening.<br/>6       CHAIRMAN KIMBLE: Thank you very much for<br/>7 your comments.<br/>8       I don't have any other hands raised. Are<br/>9 there any other people who wish to comment who have<br/>10 not? Turn on your camera and wave or do something to<br/>11 get my attention.<br/>12       MR. COLLINS: Mr. Chair.<br/>13       CHAIRMAN KIMBLE: Yes.<br/>14       MR. COLLINS: I just want to make sure that<br/>15 Mr. La Sota gets his rebuttal time.<br/>16       CHAIRMAN KIMBLE: Yes, I will.<br/>17       Maria Grainger, are you trying to raise your<br/>18 hand? A hand went floating across my screen with your<br/>19 name on it.<br/>20       (No response.)<br/>21       CHAIRMAN KIMBLE: I guess not. Okay. No one<br/>22 else wishing to speak.<br/>23       Okay. Mr. La Sota.<br/>24       MR. LA SOTA: Thank you, Mr. Chairman. And<br/>25 thanks for that reminder, Mr. Collins.</p>                                                                                                                                                                                                                                   |
| Page 15                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Page 17                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>1 use it at all, then really it's a violation of free<br/>2 speech to keep them locked into that program.<br/>3       CHAIRMAN KIMBLE: Thank you, Ms. Caldwell.<br/>4       Next, Mary Maybeno. I apologize if I<br/>5 mispronounced your name.<br/>6       MS. MAYBENO: That's all right. It's Mary<br/>7 Maybeno. Good afternoon, Commissioners.<br/>8       CHAIRMAN KIMBLE: Good afternoon.<br/>9       MS. MAYBENO: This is, of course, my opinion.<br/>10 And I like to try to look at things overall view, and<br/>11 this is my overall view of this whole mess. It seems<br/>12 to me your Clean Elections Commission became pawns in<br/>13 the witch hunt against Dr. Ralph Heap, pawns in the<br/>14 sense of individuals who would like to see Dr. Heap<br/>15 removed from the general election race and using this<br/>16 Commission to accomplish that goal.<br/>17       Okay, he inadvertently made a Clean Election<br/>18 mistake against one of the many requirements for Clean<br/>19 Election money. But he has actually never spent any of<br/>20 that Clean Election money and has even returned the,<br/>21 from what you say, the 40 percent of that of the check<br/>22 that was eventually released to him. And now he's<br/>23 asking to be released from the Clean Election program<br/>24 completely. Please release him. No Clean Election<br/>25 money was spent. No harm, no foul.</p>                                                  | <p>1       I did want to clarify that we did return the<br/>2 primary money and we were -- we will return the general<br/>3 election money. It hasn't -- it has gone untouched.<br/>4 The exact same amount that was deposited in our account<br/>5 is still in the account, less the -- the deduction of<br/>6 the primary money, which has already been received by<br/>7 Clean Elections.<br/>8       And I know we -- so on August -- I was<br/>9 shaking my head when -- when Mr. Collins said that.<br/>10 The timing of the most recent e-mail is -- is accurate,<br/>11 I believe.<br/>12       But on August 24th I sent an e-mail, I<br/>13 invoked Rule 208, and I said -- you know, that's the<br/>14 provisions on -- on the early public administrative<br/>15 settlement. It uses kind of a little bit different<br/>16 wording. And I got a -- just a one-liner that I should<br/>17 talk to Mary, who Mr. Collins works with. I don't know<br/>18 who that is. It was not a -- it was not any kind of a,<br/>19 in my opinion, an invitation to -- to really engage.<br/>20 And nonetheless, I have followed up with -- with a<br/>21 proposal.<br/>22       Last thing I'll say is, again, I think<br/>23 Ms. Everett is confused, because every time she gets on<br/>24 the phone or on this call or this virtual she says,<br/>25 well, you shouldn't receive money and then try to back</p> |

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| <p>1 out of the program. No. I mean, we haven't -- we<br/>2 haven't spent any money. There is money in the bank<br/>3 account, but we -- we asked for withdrawal before any<br/>4 money was sent us, so -- and certainly no money has<br/>5 been -- been spent. So that's all I have to say. I<br/>6 appreciate your attention to this. Thank you.</p> <p>7 CHAIRMAN KIMBLE: Thank you, Mr. La Sota.<br/>8 Any Members of the Commission have any<br/>9 questions or comments from either -- for either<br/>10 Mr. La Sota or Mr. Collins?</p> <p>11 COMMISSIONER CRUMP: Mr. Chairman, I have a<br/>12 question for Mr. Collins.</p> <p>13 CHAIRMAN KIMBLE: Yes, Commissioner Crump.<br/>14 COMMISSIONER CRUMP: So, Mr. Collins, we are<br/>15 once again being posed with this withdrawal request<br/>16 that we've addressed before, and I just would like your<br/>17 clarification and confirmation that -- it seemed to me<br/>18 that it was rather black and white, that the rules<br/>19 and/or the statute said that any withdrawal request<br/>20 must be made before certification by the Secretary of<br/>21 State's Office. Was that correct?</p> <p>22 MR. COLLINS: You know, I think that -- I<br/>23 think that what the Commission is authorized to do<br/>24 either statutorily or in its own discretion outside of<br/>25 the rules is one question. I also think a different</p>                                        | <p>1 me personally as a Commissioner, that we've acted in<br/>2 any way underhanded, and that I'm seeking to act<br/>3 impartially and fairly as I've been sworn to do. Thank<br/>4 you.</p> <p>5 CHAIRMAN KIMBLE: Thank you,<br/>6 Commissioner Crump.</p> <p>7 MR. LA SOTA: Mr. Chairman, may I be heard on<br/>8 the -- may I be heard on the question that was asked<br/>9 Mr. Collins?</p> <p>10 CHAIRMAN KIMBLE: Okay.<br/>11 MR. LA SOTA: Thank you. Yeah, you know, and<br/>12 I would agree with the first part, that there's what<br/>13 the rule says, but there's -- there's other situations<br/>14 that maybe the rule doesn't speak to and it doesn't<br/>15 mean that -- that the Commission doesn't -- you know,<br/>16 it doesn't foreclose the Commission from -- from acting<br/>17 in a certain way.</p> <p>18 But, you know, Mr. Collins said, once the<br/>19 money is distributed then it's too late. Well, then<br/>20 what's the -- what's the reason for -- for the first<br/>21 time we asked to be out of the program? We hadn't<br/>22 gotten any money then, and you still -- you said no.</p> <p>23 And as for Mr. Crump -- well, I wanted to<br/>24 remind everyone that when you -- we didn't have any of<br/>25 your money the first time you said no. So, I mean, I</p>                                                     |
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| <p>1 question is where the funds haven't been given at all.<br/>2 But I think this specific question, right, of<br/>3 where the funds have issued, spent or unspent, I think<br/>4 is the -- is the situation that the rule precisely<br/>5 addresses, and I -- and I think the rule does say that<br/>6 at that point it's too late. I mean, I think that -- I<br/>7 mean, you know, I think that -- that's what I think.</p> <p>8 I mean, you know, I also think, as I alluded<br/>9 to earlier, that -- the fact that participation is<br/>10 voluntary, there's -- there's like no logical link<br/>11 between signing up for something for the election cycle<br/>12 and being able to exit at any time. That's just --<br/>13 that's -- that's not an inference that I think is --<br/>14 you know, the statute -- that you draw -- that you can<br/>15 draw from the statute. And in any event, the rule<br/>16 seems, on this specific fact scenario, to pretty,<br/>17 pretty soundly reject that inference as a matter of<br/>18 preexisting, you know, policy. So that's my -- those<br/>19 are my thoughts.</p> <p>20 COMMISSIONER CRUMP: Okay. Thank you,<br/>21 Mr. Collins.</p> <p>22 And Mr. Chairman, I -- I would just like to<br/>23 say also that it seems to me that whatever problems<br/>24 Mr. Heap is experiencing he's brought on himself, and I<br/>25 take offense to Mr. La Sota's comments that, at least</p> | <p>1 don't think that holds up.</p> <p>2 One other thing I should clarify, we're not<br/>3 asking for any action on MUR 26-06, you know, that that<br/>4 -- we're not asking that that be dismissed or the other<br/>5 one. We'll obviously deal with that, but I -- I don't<br/>6 know if there's been some confusion that we're asking<br/>7 for -- for just everything, we're asking to exit and<br/>8 for the enforcement actions to disappear. We're not.<br/>9 I understand the enforcement actions will go forward.<br/>10 I don't think they have any merit, but that's not what<br/>11 you're here for today.</p> <p>12 You know, Mr. Crump says he takes offense. I<br/>13 think what -- everything I said, it goes especially for<br/>14 Mr. Crump, because he voted the last time to deny us<br/>15 the ability to withdraw and then he voted to deny us<br/>16 funding. So I certainly stand by my comments. Thank<br/>17 you.</p> <p>18 CHAIRMAN KIMBLE: Any other Members of the<br/>19 Commission have any questions?<br/>20 (No response.)</p> <p>21 CHAIRMAN KIMBLE: At this point, the<br/>22 Commission may vote to go into executive session to<br/>23 seek legal advice from our independent legal advisor,<br/>24 Craig Morgan. Neither the public nor Mr. La Sota nor<br/>25 Mr. Collins will be permitted in an executive session.</p> |

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| <p>1 With that, does any Member of the Commission<br/>2 wish to make a comment or make a motion to go into<br/>3 executive session?<br/>4 COMMISSIONER WERTHER: Mr. Chairman, I'd like<br/>5 to make a motion to go into executive session for this<br/>6 item.<br/>7 CHAIRMAN KIMBLE: Thank you,<br/>8 Commissioner Werther.<br/>9 Is there a second?<br/>10 COMMISSIONER CRUMP: I'll second.<br/>11 COMMISSIONER PATON: This is Paton. Yes.<br/>12 CHAIRMAN KIMBLE: I'll take -- I heard<br/>13 Mr. Crump first.<br/>14 It's been moved and seconded that we go into<br/>15 executive session. I'll call the roll.<br/>16 Commissioner Werther.<br/>17 COMMISSIONER WERTHER: Aye.<br/>18 CHAIRMAN KIMBLE: Commissioner Crump.<br/>19 COMMISSIONER CRUMP: Aye.<br/>20 CHAIRMAN KIMBLE: Commissioner Paton.<br/>21 COMMISSIONER PATON: Aye.<br/>22 CHAIRMAN KIMBLE: Commissioner Titla.<br/>23 COMMISSIONER TITLA: Aye.<br/>24 CHAIRMAN KIMBLE: Commissioner Titla, did you<br/>25 say aye?</p>                                                                                                                                                                  | <p>1 Commission -- or, the Act.<br/>2 CHAIRMAN KIMBLE: Thank you,<br/>3 Commissioner Werther.<br/>4 Is there a second?<br/>5 COMMISSIONER CRUMP: Second.<br/>6 CHAIRMAN KIMBLE: Thank you,<br/>7 Commissioner Crump.<br/>8 It's been moved and seconded to deny<br/>9 Dr. Heap's request to withdraw from the Clean Elections<br/>10 program. I will call the roll.<br/>11 Commissioner Werther.<br/>12 COMMISSIONER WERTHER: Aye.<br/>13 CHAIRMAN KIMBLE: Commissioner Crump.<br/>14 COMMISSIONER CRUMP: Aye.<br/>15 CHAIRMAN KIMBLE: Commissioner Paton.<br/>16 COMMISSIONER PATON: Aye.<br/>17 CHAIRMAN KIMBLE: Commissioner Titla.<br/>18 COMMISSIONER TITLA: Aye.<br/>19 CHAIRMAN KIMBLE: Commissioner Titla, could<br/>20 you --<br/>21 COMMISSIONER TITLA: Aye. Aye.<br/>22 CHAIRMAN KIMBLE: Thank you,<br/>23 Commissioner Titla.<br/>24 Chair votes aye. The request is denied<br/>25 5-to-zero.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p>1 COMMISSIONER TITLA: Aye. Yeah, aye.<br/>2 CHAIRMAN KIMBLE: Okay. Thank you,<br/>3 Commissioner Titla.<br/>4 Chair votes aye. We will go into executive<br/>5 session.<br/>6 * * * * *<br/>7 (End of executive session. Public meeting<br/>8 resumes at 2:40 p.m.)<br/>9 CHAIRMAN KIMBLE: Okay. We're back in open<br/>10 session.<br/>11 Does any Commissioner have any additional<br/>12 comments or questions from anyone?<br/>13 (No response.)<br/>14 CHAIRMAN KIMBLE: Does any Commissioner want<br/>15 to make a motion whether to approve Dr. Heap's request?<br/>16 COMMISSIONER WERTHER: Mr. Chairman, I'd like<br/>17 to make a motion. But before I do so, I just want to<br/>18 state that this is -- the time -- this is an untimely<br/>19 request, I guess is what I would state. This is -- the<br/>20 time for a voluntary withdrawal is prior to<br/>21 notification, before the Clean Elections Commission<br/>22 issues that notification to the candidate.<br/>23 So since this is untimely, I motion to deny<br/>24 Dr. Heap's August 28th, 2026 request to withdraw as a<br/>25 participating candidate from the Clean Elections</p> | <p>1 We now move to Item III, public comment.<br/>2 This is the time for comments and suggestions from the<br/>3 public on other matters. If you are a Member of the<br/>4 public and wish to make a comment, please use the raise<br/>5 hand feature in Zoom and I will call on people one at a<br/>6 time. Please limit your remarks to items within the<br/>7 Commission's authority. Action taken as a result of<br/>8 public comment is limited by statute to directing staff<br/>9 to study the matter, responding to criticism, or<br/>10 scheduling it for further consideration. You may also<br/>11 send comments to the Commission at<br/>12 ccec@azcleanelections.gov.<br/>13 Do we have anyone on Zoom wishing to make a<br/>14 comment?<br/>15 Merissa Caldwell, you have your hand raised.<br/>16 MS. CALDWELL: Yes, sir. Thank you.<br/>17 This is criticism of the Clean Election<br/>18 Commission, so you can reply back to my criticism. And<br/>19 my criticism is that we are here once again with the<br/>20 complaint for Dr. Ralph Heap, and yet my complaint that<br/>21 I've filed against Nick Myers and Kevin Thompson has<br/>22 still not been heard by the Commission. So my<br/>23 criticism is that you seem to not be applying equal<br/>24 attention to these matters, and that is concerning to<br/>25 me.</p> |

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| <p>1 MR. COLLINS: Mr. Chairman, I'm happy to<br/>2 respond, because that's in the staff's ballpark, if<br/>3 anybody --<br/>4 CHAIRMAN KIMBLE: Okay. Mr. Collins.<br/>5 MR. COLLINS: Ms. Caldwell did, in fact, file<br/>6 a complaint. That complaint was sent out for response.<br/>7 The response has been received and we're processing it.<br/>8 I will say that we have been here on<br/>9 Dr. Heap's motions for special -- that require special<br/>10 meetings, and so the number of meetings that you've<br/>11 attended respecting Dr. Heap are a direct result of<br/>12 Dr. Heap's motions. And so that balance you're asking<br/>13 for is based on figuring the math incorrectly. The<br/>14 math has to account for the fact that these aren't my<br/>15 efforts and they aren't the Commission's efforts.<br/>16 So I think that's about as much as I can say.<br/>17 In response directly to your criticism, I think your<br/>18 criticism is invalid for that reason.<br/>19 MS. CALDWELL: May I respond?<br/>20 MS. HERRING: Chairman Kimble, you're muted.<br/>21 CHAIRMAN KIMBLE: You may briefly respond,<br/>22 Ms. Caldwell.<br/>23 MS. CALDWELL: Thank you, sir.<br/>24 I -- I understand that. But basically from<br/>25 the citizen perspective, that just sounds like,</p> | <p>1 COMMISSIONER CRUMP: I'll second.<br/>2 CHAIRMAN KIMBLE: Thank you,<br/>3 Commissioner Crump.<br/>4 It's been moved and seconded that we adjourn.<br/>5 I will call the roll.<br/>6 Commissioner Werther.<br/>7 COMMISSIONER WERTHER: Aye.<br/>8 CHAIRMAN KIMBLE: Commissioner Crump.<br/>9 COMMISSIONER CRUMP: Aye.<br/>10 CHAIRMAN KIMBLE: Commissioner Paton.<br/>11 COMMISSIONER PATON: Aye.<br/>12 CHAIRMAN KIMBLE: Commissioner Titla.<br/>13 COMMISSIONER TITLA: Aye.<br/>14 CHAIRMAN KIMBLE: Chair votes aye. We are<br/>15 adjourned. Thank you.<br/>16 (The meeting concluded at 2:46 p.m.)<br/>17<br/>18<br/>19<br/>20<br/>21<br/>22<br/>23<br/>24<br/>25</p>                                                                                                                                                                                                                                                                                                                                                        |
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| <p>1 respectfully, Mr. Collins, that what you're saying is<br/>2 that you can sit on citizen complaints for as long as<br/>3 you would like, but -- and only if the -- only if the<br/>4 candidates themselves ask for -- ask for<br/>5 accountability -- which they are indeed not asking for<br/>6 accountability. They think that they shouldn't be held<br/>7 accountable for anything.<br/>8 So I just think that from a public perception<br/>9 I would just encourage the Commission to take a look at<br/>10 what the perception is that's being displayed, because<br/>11 the Clean Election Commission is a -- is a program that<br/>12 I think you find very important, and there's a<br/>13 perception that's being created because of that. Thank<br/>14 you so much.<br/>15 CHAIRMAN KIMBLE: Thank you.<br/>16 Does any member of the public wish to make<br/>17 any other comments?<br/>18 (No response.)<br/>19 CHAIRMAN KIMBLE: If there's no further<br/>20 business, I would entertain a motion to adjourn.<br/>21 COMMISSIONER WERTHER: Mr. Chairman, I move<br/>22 to adjourn.<br/>23 CHAIRMAN KIMBLE: Thank you,<br/>24 Commissioner Werther.<br/>25 Is there a second?</p>                                                                                                       | <p>1 STATE OF ARIZONA )<br/> ) ss.<br/>2 COUNTY OF MARICOPA )<br/>3<br/>4 BE IT KNOWN that the foregoing proceedings<br/>5 were taken by me; that I was then and there a Certified<br/>6 Reporter of the State of Arizona; that the proceedings<br/>7 were taken down by me in shorthand and thereafter<br/>8 transcribed into typewriting under my direction; that<br/>9 the foregoing pages are a full, true, and accurate<br/>10 transcript of all proceedings had and adduced upon the<br/>11 taking of said proceedings, all to the best of my skill<br/>12 and ability.<br/>13<br/>14 I FURTHER CERTIFY that I am in no way related<br/>15 to nor employed by any of the parties hereto nor am I<br/>16 in any way interested in the outcome hereof.<br/>17<br/>18 DATED at Tempe, Arizona, this 3rd day of<br/>19 September, 2026.<br/>20<br/>21 <br/>22 Kathryn A. Blackwelder, RPR<br/>23 Certified Reporter #50666<br/>24<br/>25</p> |

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