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THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona
September 24, 2026
10:00 a.m.

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

**CERTIFIED
TRANSCRIPT**

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1 PUBLIC MEETING BEFORE THE CITIZENS CLEAN 2 ELECTIONS COMMISSION convened at 10:00 a.m. on 3 September 24, 2026, at the State of Arizona, Clean 4 Elections Commission, 1110 West Washington, Conference 5 Room, Phoenix, Arizona, in the presence of the 6 following Board Members: 7 Mr. Mark Kimble, Chairman 8 Mr. Galen Paton 9 Ms. Christina Werther 10 Mr. Sam Crump 11 Mr. Steve Titla 12 OTHERS PRESENT: 13 Thomas M. Collins, Executive Director 14 Paula Thomas, Executive Officer 15 Mike Becker, Policy Director 16 Gina Roberts, Voter Education Director 17 Avery Xola, Voter Education Manager 18 Alec Shaffer, Web Content Manager 19 Craig Morgan, Taft Law 20 Bill Richards, Richards & Moskowitz 21 Samantha Fox, Richards & Moskowitz 22 Cathy Herring, KCA 23 Kory Langhofer, Statecraft 24 Nick Myers, Member of the Public 25 Kevin Thompson, Member of the Public Alaina Menciger, Arizona Republic Baron Glassgow, Member of the Public Jon Ralson, Member of the Public Merissa Caldwell, Member of the Public Tom Ryan, Member of the Public	1 COMMISSIONER WERTHER: Mr. Chairman, I move 2 to approve the meeting minutes for August 27th, 3 September 2nd, September 10th, and September 16th. 4 COMMISSIONER TITLA: I second the motion. 5 CHAIRMAN KIMBLE: Thank you, 6 Commissioners Werther and -- for making the motion and 7 for -- Commissioner Titla for seconding it. I will 8 call the roll. 9 Commissioner Werther. 10 COMMISSIONER WERTHER: Aye. 11 CHAIRMAN KIMBLE: Commissioner Paton. 12 COMMISSIONER PATON: Aye. 13 CHAIRMAN KIMBLE: Commissioner Crump. 14 COMMISSIONER CRUMP: Aye. 15 CHAIRMAN KIMBLE: Commissioner Titla. 16 COMMISSIONER TITLA: Aye. 17 CHAIRMAN KIMBLE: Chair votes aye. The 18 meetings for -- excuse me. The minutes for the 19 meetings on August 27th, September 2nd, September 10th, 20 and September 16th have been approved 5-to-zero. 21 Item III, discussion and possible action on 22 the Executive Director's Report. 23 Tom, are there highlights you want to talk 24 about from the Executive Director's Report? 25 MR. COLLINS: Mr. Chairman, Commissioners,
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1 P R O C E E D I N G 2 CHAIRMAN KIMBLE: Good morning. I'm 3 Mark Kimble and I call this meeting of the Citizens 4 Clean Elections Commission to order. It's 10:00 a.m. 5 on September 24th, 2026. Today's meeting is being held 6 in person and also virtually. 7 With that, we will take attendance. 8 Commissioners, please identify yourselves for the 9 record. 10 COMMISSIONER PATON: Galen Paton. 11 COMMISSIONER WERTHER: Christina Werther. 12 COMMISSIONER TITLA: Steve Titla. 13 COMMISSIONER CRUMP: Sam Crump. 14 CHAIRMAN KIMBLE: We have all five 15 Commissioners present here. 16 Item II, discussion and possible action on 17 2026 meeting minutes for August 27th, September 2nd, 18 September 10th, and September 16th. 19 Commissioners, you have the minutes from our 20 August 27th, September 2nd, September 10th, and 21 September 16th meetings in your packet. Is there any 22 discussion? 23 (No response.) 24 CHAIRMAN KIMBLE: If not, do I have a motion 25 to approve the minutes?	1 yes, there are. I wanted to note, I mean, 2 Chairman Kimble wrote a, I thought, a very eloquent 3 memorial for Senator Kyl that we were able to post 4 on -- put out to the public and we included in the 5 report so everybody got a chance to see it. So thank 6 you, Chairman Kimble, for doing that. 7 We -- as far as our work, election work, the 8 Voter Education Guide has gone out in the mail. Of 208 9 candidates that were eligible for inclusion, we've had 10 198 submit profiles. And our website is now updated 11 with candidate and ballot measure information for all 12 15 counties. You know, I think the continued usage of 13 the Voter Education Guide by both candidates and the 14 public is an important thing to -- to note. 15 For those of you who don't know, the voter 16 registration deadline is October 5th. 17 And then we discussed in our last Executive 18 Director's Report the Postal Service rule with respect 19 to mail ballots, and at least at this point that will 20 not go into effect for the 2026 election. 21 We -- we have -- we're, what -- I would say, 22 what, three quarters of the way through our debate 23 schedule for the general election at this point. We 24 had our Attorney General and Treasurer debates last 25 night. We will have additional Secretary of State,

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1 Congressional District 1, Congressional District 4, and 2 some other televised debates coming up, as well as 3 legislative debates. So, you know, I think that 4 that's -- 5 I got an e-mail -- I got a message last night 6 from -- from a political professional, I guess is the 7 word, with one of the candidates who, you know, said 8 that -- just needed -- wanted to make sure that I knew, 9 so you can know, how good they thought their experience 10 was -- their candidate's experience was in dealing with 11 our team and -- and, you know, having everything, you 12 know, ready to go and -- and so that's always nice to 13 hear. And we consistently hear that, I think, from 14 most, but obviously not all, of our customers here at 15 Clean Elections. 16 The -- we've done a ton of voter outreach 17 this month. I wanted to note, I want to spend a little 18 more time on the report than I usually would because of 19 that. 20 But Avery coordinated having us on all three 21 university campuses on National Voter Registration Day 22 for the first time. So I was in Tucson, we had our -- 23 we had our -- our interns stationed in Flagstaff at 24 NAU, and then we had Avery and Gina at ASU. So that 25 was pretty cool.	1 at different careers, whether those be post-secondary 2 education, whether those be law enforcement, whether 3 those be, you know, any number of things. And it 4 really -- it's a -- it's a great event to help kick off 5 those kids' career and we're glad to be a part of that. 6 I think that that pretty much concludes my 7 report. 8 I did want to highlight, there are two 9 matters that, pursuant to -- one pursuant to 10 R2-20-811(F) and one pursuant to R2-20-205, that I 11 closed, and those are available for your review. And 12 so I wanted to just make sure that you knew those were 13 there. 14 And that, I think, concludes my report, 15 unless anybody thinks I missed anything. 16 CHAIRMAN KIMBLE: Any questions or comments 17 from Members of the Commission? 18 (No response.) 19 CHAIRMAN KIMBLE: Tom mentioned that there 20 were two items closing complaints in his report. Is 21 there anyone who wishes to make public comment on these 22 two closed complaints? If you're on Zoom, could you 23 either use your raise hand feature or wave at me or 24 something so I know you wish to make a comment on this. 25 (No response.)
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1 And then Avery also participated in a -- in a 2 similar event at South Mountain Community College 3 and -- and also did outreach to Kids Voting to talk 4 with them. 5 And then Commissioner Werther visited 6 Palominas Elementary for Constitution Week and 7 delivered Captain Activate copies to -- to them. You 8 can see a photo of that that we -- I think we stole 9 from -- yeah, but -- but that -- so that was really 10 good. 11 And I was up in the Four Corners area in 12 Window Rock for a broadcast with KTNN with all -- all 13 three of the counties that serve the Nation and the 14 Secretary of State's Office and the Navajo Nation 15 Department of Justice. So, you know, we really, I 16 think, were out and about. 17 And on the civics front, Gina presented our 18 civics curriculum to the Arizona Middle Grades Summit 19 at ASU, and Avery and Gina and I were all there. 20 And then Avery has spent the last, what, two, 21 three days at the Tolleson's Commitment Day ceremonies. 22 And this is a great event we participated in last year 23 where Tolleson Unified High School District, you know, 24 brings together students from their school district 25 to -- in kind of a commitment day. So they're looking	1 CHAIRMAN KIMBLE: Seeing no one, we will move 2 on. 3 Item IV, review, consideration, discussion, 4 analysis, and possible action on MUR 26-07 and MUR 5 26-10. 6 Item IV is review, consideration, discussion, 7 analysis, possible action on MUR 26-07 and MUR-20 -- 8 26-10, complaints regarding participating candidates 9 Nick Myers and Kevin Thompson. Commissioners, you have 10 the relevant materials in your packets. 11 Is either -- I think both respondents are 12 here. And does any -- either one of the respondents 13 wish to say anything at this time? 14 MR. MYERS: Yes, sir. I just wanted to say 15 thank you for having us and thank you for considering 16 this. Sorry I can't be there in person, but we do have 17 our counsel there in the room. 18 CHAIRMAN KIMBLE: Okay. I'm sorry, sir. 19 Could you state your name for the record? 20 MR. MYERS: Yeah, this is Nick Myers. 21 CHAIRMAN KIMBLE: Okay. Mr. Myers, thank 22 you. 23 And I think we have Mr. Thompson. Is there 24 anything you wanted to say? 25 MR. THOMPSON: Yes. Thank you, Chair. Thank

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1 you, Commissioners. I just really want to say I 2 appreciate the opportunity to be before the Commission 3 this morning. I think you have been busy lately. 4 And as a Clean Elections candidate, I take 5 the responsibilities and the rules of -- as a 6 participating candidate seriously, and I know Mr. Myers 7 does as well. And we look forward to a productive 8 conversation this morning and -- and helping the 9 Commission and public better understand our position. 10 Thank you. 11 CHAIRMAN KIMBLE: Thank you, Mr. Thompson. 12 Mr. Langhofer, before I call on you, I'd like 13 to ask the Executive Director to make an opening 14 statement. 15 MR. COLLINS: And Mr. Chairman, thank you, 16 Commissioners. And I -- I don't want to, I mean, 17 belabor the -- my recommendations. The -- I did 18 obviously want to note that Mr. Langhofer is here, as 19 are the two candidates. 20 So the main thing I wanted to do was sort of 21 start by sort of narrowing this down. We had two 22 complaints that -- that had sort of an overletting -- 23 overlapping set of facts. 24 With respect to the majority of MUR 26-07, 25 you know, our view is that there's no reason to believe	1 here are -- I don't anticipate being difficult to 2 obtain and -- and conclude this matter. 3 So unless you really have any questions, I 4 really -- I really -- I think this is a straightforward 5 issue under the rule. I think the rule is valid. And 6 I think that, as far as resolving this, past that I 7 don't think that there's a lot of facts out there for 8 us to confirm. 9 CHAIRMAN KIMBLE: Thank you, Tom. 10 Any questions from Members of the Commission 11 of Tom? 12 (No response.) 13 CHAIRMAN KIMBLE: Okay. Mr. Langhofer, do 14 you wish to make some comments? 15 MR. LANGHOFER: Yes, sir. Thank you, 16 Mr. Chairman and Members of the Commission. 17 There we go. Hopefully that's better. 18 Good morning and thank you for giving me a 19 chance to speak on behalf of our clients. I just want 20 to make three points. I don't have a whole lot to say. 21 The first is, I'll observe that I think the 22 scope of what we're talking about is pretty small. As 23 far as violations go, it's not so large. 24 Factually what happened was, there were some 25 signs left over from the last Corporation Commission
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1 that a violation occurred with respect to the joint 2 expenditure provision of that complaint and that 3 this -- and that there's not an unreported unreimbursed 4 campaign service there either. So we -- we think that. 5 And then there's a kind of a very -- a 6 small -- it ends up with a small overage on one refund 7 that hasn't been done yet possibly, which we'll -- we 8 will work out through our audit process, so -- 9 So that leaves us -- left us with the one 10 overlapping set of the complaint between 26-07 and 11 26-10. And I'll -- excuse me -- note that it looks 12 like the complainant in 26-10, Merissa Caldwell, is 13 here too. 14 And there -- you know, I think that we are -- 15 I think that the report hopefully speaks for itself. 16 You know, we have a rule. It might be that the purpose 17 of that rule is to try to address, you know, the 18 in-kind end of -- of prior existing fundraising. And 19 we have a way of addressing that on the cash end. This 20 rule, I think, tries to address that on the in-kind 21 end. 22 And so I think on the reason to believe 23 matter, I think it's pretty clear. And then, you 24 know -- and I'll just say I think that -- I think that 25 the facts here beyond reason -- beyond determination	1 election cycle with these candidates from 2022. And 2 the -- some of the signs, not all of them, from the 3 last cycle were collected and stored in, I think, 4 someone's garage. Some of them had the rebar; some of 5 them didn't. They're, you know, damaged and weathered, 6 so, you know, just sort of suboptimal set of materials 7 there. And they reused some of them; about 50, we 8 think. Not a huge number. And again, they didn't 9 reuse all of them because some of the rebar was 10 missing. 11 So if we're talking about a 20 percent cost 12 of 50 signs, we're dealing with a high water mark of 13 the cost of 10 signs or so, full cost, after the 14 20 percent discount. So this is not a huge number that 15 we're dealing with, but -- and we've got some arguments 16 about how that valuation should be played out. But the 17 first point is just, it's not an enormous problem here. 18 That said, it's an issue, and we want to take 19 care of it. My -- my clients really appreciate what 20 the Commission has done for, you know, financing their 21 campaigns historically, but it's also enabling this 22 sort of statewide conversation about the Corporation 23 Commission races that really wouldn't be possible 24 without -- without the Corporation's help -- excuse 25 me -- the Commission's help.

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1 So the second point is that we have some 2 legal arguments that we'll develop with Staff about how 3 the regulation should interface with the statutes. So, 4 for example, the -- the new campaign can't make 5 contributions to the old campaign. If you're to buy 6 merchandise from a campaign, that should be treated -- 7 the gross cost, not the net profit -- the gross cost 8 should be treated as a contribution. You're not 9 allowed to make contributions. You've got to -- you 10 know, that's a legal issue we need to think through. 11 But I don't need to take your time with that 12 because my third point, and maybe the most important 13 thing is, we want to conciliate. Like it's not a big 14 issue. The cost for us to litigate this or, you know, 15 just spend time in meetings and briefings and so on and 16 your cost dealing with it is -- is probably greater 17 than the size of the problem. 18 So we understand you will probably follow the 19 recommendation of the Executive Director and find 20 reason to believe. We'd like to have a conversation 21 with Staff afterwards about how to sort of put this 22 behind us efficiently for a price that's fair to 23 everyone and kind of reflects the gravity of what's -- 24 what's happened here. 25 With that, again, thank you for your time.	1 know, I've been doing this for a while myself, and I 2 didn't know about the regulation. I didn't advise on 3 this whole situation before the complaints came in, but 4 when -- when they came in I was surprised to read the 5 regulation myself. 6 I think it's kind of esoteric, the 7 regulation. I don't mean that as a criticism at all. 8 It's just, you know, there are more famous and less 9 famous regulations, and this is one of the less famous 10 ones. 11 And my own impression, just from practicing 12 in the area, is this happens quite a bit. I always 13 take note when I pass signs and it says, elect 14 so-and-so versus reelect, or reelect Senator X. You 15 know, you know that -- I always take note of it because 16 I know that the candidates like to reuse these signs. 17 I know it -- 18 COMMISSIONER PATON: Sure. 19 MR. LANGHOFER: -- happens quite a bit. And 20 my impression is that it's usually just not documented. 21 It just kind of happens in a breach without no -- we're 22 kind of in a more contentious point in American 23 politics generally, I think, and so complaints are more 24 likely. 25 I think now that this has come to the
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1 I'm happy to answer any questions that you'd have. 2 CHAIRMAN KIMBLE: Thank you. Do we have any 3 questions for Mr. Langhofer from Members of the 4 Commission? 5 COMMISSIONER PATON: I have a question or -- 6 CHAIRMAN KIMBLE: Commissioner Paton. 7 COMMISSIONER PATON: -- comment. 8 This -- so these are stored in like 9 volunteers' garages. And I'm assuming you have quite a 10 few volunteers. And was -- I guess as far as like 11 our -- our training and everything, do they not -- do 12 they go over that about the previous signs and all that 13 kind of stuff? I mean, were your clients aware of that 14 or maybe they just didn't let the volunteers know or -- 15 I'm just curious about that to see if maybe 16 we need to train better, since we're getting a lot of 17 issues before us that we haven't gotten before. I 18 mean, I've been doing this for like seven years, and 19 we're having a lot of stuff crop up. So I just want to 20 know, is there something that -- that we can approach 21 maybe in our training so that we can slow the tide of 22 all of this down? 23 MR. LANGHOFER: I don't know whether it's in 24 the training materials, but I -- I'm confident that my 25 clients didn't know about the regulation. In fact, you	1 attention of the Commission and myself and my clients, 2 it will probably kind of be better known going forward, 3 even without any change in the training materials, but 4 I can't tell you it wasn't in the materials they were 5 provided otherwise. 6 COMMISSIONER PATON: And Tom, can you address 7 my question? 8 MR. COLLINS: Yeah. Training covers what to 9 do with prior campaign assets. And, I mean, none of us 10 in the room wrote this rule, so I -- but -- but the -- 11 and so I think that the -- and like I said, what the 12 rule is trying to get at is -- 13 You know, we have a rule under -- we have a 14 rule that talks about, okay, I have a prior campaign, 15 right. It's got -- let's say I got a campaign 16 committee with \$30,000 that I raised in the past, 17 right, for my run for legislature. And then I'm going 18 to run for Treasurer and I want to run clean for 19 Treasurer, which you should, people. You should. 20 And then -- and so I can look at that set of 21 dollars, and some of that money can come over, provided 22 that money fits within the buckets that would be 23 available to you as a clean candidate. In other words, 24 if you have -- if you -- to have enough cash on hand in 25 that account to be able to account for the PAC

Page 18 1 donations that you might have gotten, right, and have 2 individual donations, and you can only take as much 3 money out of that account into Clean Elections as you 4 would be able to. So, for example, if in your 5 legislative campaign you raised almost all your money 6 from PACs, you might not be able to make that transfer. 7 So why does the Commission do that? It does 8 that because the -- the system, 16-947, says, you know, 9 you're going to have abided by these limits so far and 10 then you're going to have to abide by them going 11 forward, so that -- so on the money stuff, that's sort 12 of intuitive, right. I mean, you know -- so it doesn't 13 cut you off from every dollar that you might have had 14 access to, but it does limit, you know, you to money 15 you could have gotten legally under the Clean Elections 16 Act. 17 So -- so this rule comes in to say, okay, 18 you've got some assets that are from a prior campaign, 19 it calls out signs in it, you know, and -- and how 20 would we account for that. And my suspicion is that -- 21 and when they -- when they drafted this rule it 22 certainly is -- I think when Mike and I have talked 23 about it and thought about it, the idea here is -- 24 certainly I think there was a concern, at the time this 25 was drafted, along the lines of that -- what do you do	Page 20 1 about what they're doing. 2 And so if something got missed, it got 3 missed. I think that's -- I think that's -- I think 4 that's something that, you know, we can always sort of 5 -- I think the way that Mike -- and I'm going to speak 6 for Mike, unless you want to -- but the way we do this, 7 after we have -- every year we come into the next 8 training and we try to, you know, point out -- make 9 points of emphasis that this happened last year, so be 10 aware that this could be an issue. And that's 11 typically how we've addressed that. 12 So I think in this particular case, you know, 13 like I say, based on the response and based on -- 14 frankly, on the complaint itself, you know, I think 15 there is a -- I can see the disconnect there. And I 16 certainly, as I wrote in the footnote there, I don't 17 see any purposeful or knowing decision to say, hey, oh, 18 we should go and do it this way because -- and part of 19 the reason that's so is because that's what -- because 20 the complaint doesn't allege anything else and the 21 response makes clear that that's not the case in any 22 event. And then third, you know, the value here, you 23 know, is -- is low enough that you might -- you know, 24 you're not dealing with -- there's just not a -- 25 there's not the same incentive.
Page 19 1 with a situation that Mr. Langhofer identified for 2 ordinary -- for ordinary campaigns. Somebody has their 3 signs running -- from their prior campaign. Let's say 4 it was for the same seat, right, legislative seat. 5 Let's say they ran clean both times. Like how do you 6 account for that. 7 And so you're trying to account for the 8 in-kind half of the donation, right. In other words, 9 those signs have value. You know, we'll have a 10 discussion about what -- how you ought to assign that 11 value. The rule says, well, you have to have the 12 value -- we'll set the value based on, you know, 13 whatever it was or, at a minimum, we'll set -- set a 14 floor -- a floor for that. And that's how it addresses 15 it. You know, whether or not that's perfect, I don't 16 know. My view is it's valid, right, but -- 17 Anyways, so -- so it's covered there, but, 18 you know, I think that it's -- you know, I don't 19 think -- and we all -- I don't think we necessarily 20 anticipate -- I mean, we can't -- you know, I mean, 21 things come up, people are working on stuff, people are 22 reacting during campaigns. I mean, you know, we -- we 23 encourage folks to try to check in with us when they 24 can. A lot of people do. In fact, I know that, you 25 know, candidates do regularly especially talk to Mike	Page 21 1 So that's my -- that's probably a long way of 2 answering your question. The short answer is that we 3 will account for -- we account for everything that 4 happened in the prior cycle in the training to try to 5 emphasize, you know, hey, this came up. And the second 6 thing is, I do think -- I mean, if people think that 7 this rule is unwieldily or potentially in and of itself 8 could be clearer or made more effective within the 9 framework of the Act, we're happy to look at that. 10 COMMISSIONER PATON: Well, my concern is, he 11 said he's been doing this for a while and he wasn't 12 really aware of it. 13 MR. COLLINS: Sure. 14 COMMISSIONER PATON: He said his clients 15 weren't aware of it. So to me, he's a -- he's a lawyer 16 that's -- 17 MR. COLLINS: Right. 18 COMMISSIONER PATON: -- in election law. 19 MR. COLLINS: Sure. 20 COMMISSIONER PATON: And, I don't know, maybe 21 our rules are so, you know, vast that things are 22 getting lost or -- or -- here we are, you know, doing 23 all these official stuff and -- and people are not that 24 aware of it. And so it concerns me that maybe -- I 25 don't know if we can walk through every rule or

Page 22 1 whatever, but to make sure that we stem the tide of 2 these issues that we have coming up. I know it's like 3 a litigious society or whatever, but they don't want to 4 be standing up here doing this and we would rather not 5 have this kind of stuff going on, so I just -- if we 6 could feature things in our training so we don't have 7 to worry about this, you know, that's -- 8 MR. COLLINS: Sure. No disagreement from me, 9 Mr. Chairman, Commissioner Paton. 10 CHAIRMAN KIMBLE: Thank you. 11 Any other comments, questions from Members of 12 the Commission? 13 (No response.) 14 CHAIRMAN KIMBLE: Thank you. 15 MR. LANGHOFER: Thank you. 16 CHAIRMAN KIMBLE: Thank you, Mr. Langhofer. 17 Is there any member of the public who wishes 18 to comment on this matter? 19 Yes. I can't read the name, but I see 20 someone has -- 21 MS. HERRING: Merissa Caldwell. 22 CHAIRMAN KIMBLE: Martha Caldwell. 23 MS. HERRING: Merissa. 24 MS. CALDWELL: Merissa. 25 CHAIRMAN KIMBLE: Merissa Caldwell. Okay.	Page 24 1 all the laws, and there's thousands and thousands and 2 thousands of pages of laws, and it's nearly impossible 3 for us to learn all of them. But if we don't know 4 them, we still get held accountable. There's no excuse 5 to that. 6 And in the previous comments that have been 7 made in the -- in the hearings against Dr. Ralph Heap, 8 I believe Nick himself even said that it's unacceptable 9 for someone that wants to be on the Commission to not 10 know all the rules and that that's not an acceptable 11 reason to violate them. 12 In this case I think that this rule is very 13 important because to -- my reading of it is that this 14 rule is to make sure that incumbents don't have an 15 advantage. And when you're using money that came from 16 the citizens, mostly from fines and fees, then -- and 17 you're not using your own money, you're not using the 18 money that you raised yourself, then it's even more 19 important that we have fairness. 20 And that's the whole point of the Clean 21 Election Commission, that's the spirit of all that you 22 do is to make sure that we have fairness in the 23 elections. And so I urge you that you show the public 24 that you are not biased, that you give fair treatment, 25 that you give equal treatment, and that you hold
Page 23 1 I'm sorry. 2 Ms. Caldwell, do you wish to make some 3 comments? 4 MS. CALDWELL: Yes. Thank you very much. I 5 submitted one of the complaints that was referenced for 6 this issue, and I -- I did so in part because I wanted 7 to see that there was equal justice under the law and 8 under this Commission for all candidates. 9 I have been following the treatment of 10 Dr. Ralph Heap and the complaints -- the complaint that 11 was made against him and have been on those hearings, 12 and now this is -- I'm thankful to the Commission for 13 hearing this for the first time, but I'm finding that 14 the tone and the treatment is quite -- that there's a 15 large disparity between the two cases, and I'm 16 concerned as to why that is and wondering why that is. 17 I also find it interesting that I myself, as 18 a private citizen, was able to know that this rule 19 existed. And I've been a candidate before, but not a 20 clean candidate. And so if I was able to know this 21 rule existed, I don't think that lawyers or other 22 candidates, especially ones that serve in office, 23 should be given a pass that it's okay for them to not 24 know the rules. 25 We, as citizens, have to be -- have to know	Page 25 1 everyone to the same account that -- under these rules 2 that you have created. 3 And whether you personally created them or 4 not or they were made by previous people that served in 5 your role, it -- that's not an excuse. You still 6 have -- you have sat there and allowed the rule to 7 persist, and so -- so now you need to enforce it. And 8 I do think that there is an opportunity for clarity in 9 the rule, but that doesn't mean that the rule should be 10 excused. 11 I also have concerns with some of the 12 statements that were made by -- in the joint statement 13 by Nick and Kevin, and that has to do with the fact 14 that they're belittling the comments that they've made 15 on social media and say that the public shouldn't rely 16 on anything that they say on social media, that that's 17 all marketing. Well, then why should anyone rely on 18 what they're going to do once elected? That's very 19 concerning. I have concerns about how they've 20 belittled the rule in general and how they've -- and 21 the disparity in treatment that we've seen between -- 22 between these hearings. And so for that reason, I ask 23 you to strongly consider this. 24 And also, Nick and Kevin themselves posted 25 that they were going to be collecting these signs and

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1 holding these signs. They did not say volunteers would 2 be holding it. They then said that they were the ones 3 that were going to be distributing it on social media. 4 They think you should ignore all of that, and I think 5 that's unreasonable and I think that's mocking the 6 entire Clean Election process and it's part of what's 7 showing a disparity in the treatment of these cases. 8 So thank you for your time and consideration. 9 CHAIRMAN KIMBLE: Thank you, Ms. Caldwell. 10 Any other members of the public wish to make 11 any comments? 12 (No response.) 13 CHAIRMAN KIMBLE: Do we have a motion on 14 this? 15 MR. COLLINS: Well, I -- yeah. I just wanted 16 to make clear and recap, if I could. 17 CHAIRMAN KIMBLE: Sure. 18 MR. COLLINS: The Executive Director's 19 recommendation is that the Commission find reason to 20 believe that R2-20-702.01, you know, was violated. 21 The -- I'm not as clear that the Commission 22 necessarily needs to vote no reason to believe on the 23 remaining parts of 26-07. I think you have some -- 24 personally. And it's not -- I'm not the last word on 25 this, obviously. I'm just a -- just another advocate	1 those and then I can make a separate motion for the 2 other? 3 MR. COLLINS: Well, I mean, if I was -- so, I 4 guess, just to, you know -- my thought is -- and 5 obviously I'm not your adviser on this. And if -- and 6 if respondents' counsel has any other thoughts, they're 7 obviously invited to share them, I want to make clear. 8 But my thought would be, the most succinct 9 way to do this would be to -- is -- would be to approve 10 the statement of reasons in MUR 26-10 and approve the 11 statement of reasons in MUR 26-07 as presented, and I 12 think that that will be a clear -- personally I think 13 that would be a clear record that the reports were 14 adopted as the reason to believe determination. That 15 would include both those parts that are not -- there's 16 not reason to believe and those portions where -- where 17 there is. But, you know... 18 CHAIRMAN KIMBLE: Okay. Commissioner 19 Werther, do you wish to make a motion? 20 COMMISSIONER WERTHER: Yes. So, 21 Mr. Chairman, I would move to approve the statement of 22 reasons for 26-07 and 26-10 as presented. 23 CHAIRMAN KIMBLE: Is there a second? 24 COMMISSIONER PATON: I'll second. 25 CHAIRMAN KIMBLE: Moved by
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1 in this context. 2 But, you know, how you want to resolve those, 3 I think -- you know, I think that it would be helpful, 4 for the record, to in some manner dismiss those aspects 5 of 26-07 so we're clear that we're moving forward on -- 6 on the reason to believe there was a violation of 7 R2-20-702.01. 8 CHAIRMAN KIMBLE: Okay. Thank you. 9 Does any Member of the Commission wish to 10 make a motion? 11 COMMISSIONER WERTHER: Mr. Chairman, I guess 12 kind of a comment and a motion, because I -- I -- 13 first, I do agree with the Executive Director's 14 recommendations. So, you know, for me, reviewing all 15 this material and the recommendation, I don't believe 16 there's any reason to believe for the joint 17 expenditures or unreported unreimbursed campaign 18 services allegations. 19 I do agree that it looks like there was a 20 violation of the excess early contributions, but 21 because it's a de minimis amount and we have discretion 22 under the statute to dismiss that, I would agree with 23 that as well. 24 So I think for that it's more of a question, 25 I guess, in one motion can we just not proceed with	1 Commissioner Werther, seconded by Commissioner Paton. 2 I will call the roll. 3 Commissioner Werther. 4 COMMISSIONER WERTHER: Aye. 5 CHAIRMAN KIMBLE: Commissioner Paton. 6 COMMISSIONER PATON: Aye. 7 CHAIRMAN KIMBLE: Commissioner Crump. 8 COMMISSIONER CRUMP: Aye. 9 CHAIRMAN KIMBLE: Commissioner Titla. 10 Commissioner Titla, could you repeat what you 11 said, please. 12 COMMISSIONER TITLA: Aye. Aye. 13 CHAIRMAN KIMBLE: Thank you, 14 Commissioner Titla. 15 Chair votes aye. The motion is approved 16 5-to-nothing. Thank you. 17 Item V, discussion and possible action on 18 Dr. Ralph Heap's September 23rd, 2026 letter regarding 19 MUR 26-06. 20 The letter addresses Dr. Heap's stated intent 21 to use general fund clean funding or personal funds to 22 pay Mesa Sign Shop for signs obtained during the 23 primary election and request dismissal of the 24 investigation or reconsideration of settlement 25 concerning those signs. Commissioners, you have the

Page 30 1 letter and relevant materials. 2 We will hear from Mr. La Sota or Dr. Heap if 3 either is available, and I don't believe either of them 4 are. 5 (No response.) 6 CHAIRMAN KIMBLE: So does any member of the 7 public wish to make a comment on this matter? 8 (No response.) 9 CHAIRMAN KIMBLE: Seeing none. 10 Tom, do you wish to say anything? 11 MR. COLLINS: Yeah. I just want to make a 12 quick record. So as you -- as Commissioners know and 13 as Mr. La Sota knows and as Ms. Wilson knows, the 14 Commission received a letter through me yesterday -- 15 or, yeah, yesterday at about 7:00 a.m. or 8:00 a.m. 16 With -- with that letter, you know, albeit addressed to 17 me, but seemingly directed at the Commission and 18 seeking to impose some kind of deadline -- again, this 19 is my view -- on the Commission, I forwarded that 20 letter to the Commission, and obviously copying 21 Mr. La Sota and Ms. Wilson. 22 And so it was -- the Chair determined to put 23 it on the Agenda, so -- and Ms. Thomas provided notice 24 to Mr. La Sota, as she does with every matter that 25 involves Mr. La Sota's clients that comes before the	Page 32 1 and services directed to the primary election. 2 So -- so that money was available. The 3 Commission voted to make it available. The 4 Commission -- Commission Staff made that money 5 available. That money was returned by cashier's check. 6 That money is not available. 16-953(A) does not allow 7 the usage of other monies other than the primary money 8 to pay for that expense. 9 And then obviously -- or, it seems obvious to 10 me that Dr. Heap can't use personal funds to pay for it 11 because he has agreed not to use such funds under 12 16-947(B)(3) and the attendant limits that he agreed 13 to. 14 With respect to his request to revisit, I 15 guess, vacating wherever we are, the investigation is 16 proceeding. The Staff sees no basis to terminate -- to 17 terminate it at this time. 18 To make one note about a line -- one part of 19 the letter, the Staff does not agree that Mr. La Sota's 20 client has met his disclosure obligations under the Act 21 and rules in terms of his response to our request. 22 And I'd reiterate that Mr. La Sota's offer of 23 compromise and Ms. Wilson's offer of compromise is not 24 an offer of compromise, but that, based on where the 25 Staff investigation is, as we told the Commission and
Page 31 1 Commission. The -- so that's -- that's that record. 2 The -- addressing the substance of the 3 letter, which I think -- given that Mr. La Sota was 4 noticed and is not going to be here, I think I'm -- I 5 feel like I need to proceed with doing. On the issue 6 of the dollars that he states that he would either 7 spend out of the general fund allotment to pay Mesa 8 Sign Company or from his personal funds, neither of 9 those is an appropriate action under the Clean 10 Elections Act. 11 As the Commission may recall, the Commission 12 voted to issue him both his primary and general 13 allotment. He had his primary allotment. He chose not 14 to use it to pay Mesa Sign, and, in fact, he returned 15 the entirety of his primary allotment. Because the 16 obligation, however characterized, that the campaign 17 had arose during the primary, Dr. Heap had to use 18 primary dollars to pay for it and chose not to do it. 19 And this is not some esoteric rule. This is 20 A.R.S 16-953(A), which states, at the end of the 21 primary election period a participating candidate who 22 has received monies shall return to the fund all monies 23 in the candidate's campaign account above an amount 24 sufficient to pay any unpaid bills for expenditures 25 made during the primary election period and for goods	Page 33 1 Mr. La Sota at our last meeting, Staff will address a 2 conciliation at an appropriate time as contemplated by 3 the Commission's -- Commission's rules. 4 So that -- those are the -- I just wanted to 5 make that record about this. And that really concludes 6 my comments, unless you -- you have questions. 7 CHAIRMAN KIMBLE: Any Member of the 8 Commission have any questions of Tom? 9 COMMISSIONER PATON: I have a question. 10 CHAIRMAN KIMBLE: Commissioner Paton. 11 COMMISSIONER PATON: How much longer do we 12 have on the investigation, do you think? 13 MR. COLLINS: You know, our goal is -- 14 actually is to move expeditiously. We can only move as 15 expeditiously as a respondent and/or the other folks 16 who are part of that investigation in some cases will 17 let us, right. I mean, this is not a -- this is a -- 18 the investigation process is adversarial, and so I 19 don't want to get into the merits, but we are working 20 with some alacrity and, you know, in an ideal world 21 we -- we would have this resolved, you know, within -- 22 I mean, within -- certainly within, I'm hoping -- well, 23 put it this way. My current worst-case would be within 24 -- would be to say within the calendar year, which is 25 only -- that's only a couple more months,

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1 Commissioner Paton. 2 COMMISSIONER PATON: So you're still waiting 3 on documents and -- 4 MR. COLLINS: We are work -- you know, we are 5 working -- 6 COMMISSIONER PATON: -- you've asked for 7 stuff and you haven't received all of it -- 8 MR. COLLINS: We are in progress -- 9 COMMISSIONER PATON: -- to put that in lawyer 10 English? 11 MR. COLLINS: Right. I'm going to -- I'm 12 going to -- I'm going to try to dodge that. I guess 13 I'll just let your question stand. 14 COMMISSIONER PATON: Okay. 15 CHAIRMAN KIMBLE: Any other comments or 16 questions from the Commission? 17 (No response.) 18 CHAIRMAN KIMBLE: So Mr. La Sota is not here. 19 I've read his letter; I'm not exactly sure what he's 20 asking. Does any Member of the Commission feel the 21 need to go into executive session to hear from our 22 lawyers on this? 23 COMMISSIONER PATON: I would ask that we go 24 into executive session so we can have our lawyers 25 explain stuff to us.	1 executive session. 2 Is there any member of the public who wishes 3 to make a comment on Dr. Heap's September 23rd letter? 4 (No response.) 5 CHAIRMAN KIMBLE: Seeing none. 6 Is there any Member of the Commission who 7 wishes to make a comment, motion, anything on this 8 matter? 9 (No response.) 10 CHAIRMAN KIMBLE: Hearing nothing, we will 11 move on. 12 Item VI, review, consideration, discussion, 13 analysis, and possible action on Lombardo, et al., 14 versus Arizona Citizens Clean Elections Commission, 15 et al. 16 As indicated in the Agenda, the Commission 17 may vote to go into executive session for legal advice 18 or to discuss or consult with its attorneys regarding 19 its position in pending litigation. 20 Is there any discussion before we consider 21 executive session? 22 (No response.) 23 CHAIRMAN KIMBLE: Hearing none. 24 Is there a motion to go into executive 25 session?
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1 CHAIRMAN KIMBLE: Okay. Commissioner Paton. 2 Is there a second to Commissioner Paton's 3 motion to go into executive session? 4 COMMISSIONER WERTHER: Mr. Chair, I'll 5 second. 6 CHAIRMAN KIMBLE: Thank you, 7 Commissioner Werther. 8 It's been moved and seconded we go into 9 executive session. I will call the roll. 10 Commissioner Werther. 11 COMMISSIONER WERTHER: Aye. 12 CHAIRMAN KIMBLE: Commissioner Paton. 13 COMMISSIONER PATON: Aye. 14 CHAIRMAN KIMBLE: Commissioner Crump. 15 COMMISSIONER CRUMP: Aye. 16 CHAIRMAN KIMBLE: Commissioner Titla. 17 COMMISSIONER TITLA: Aye. 18 CHAIRMAN KIMBLE: Chair reluctantly votes 19 aye. We will go into executive session. 20 * * * * * 21 (End of executive session. Public meeting 22 resumes at 10:57 a.m.) 23 CHAIRMAN KIMBLE: We are back in regular 24 session. Just for the record, I want to make it clear 25 that Executive Director Collins was not part of that	1 COMMISSIONER WERTHER: Mr. Chairman, I move 2 to go into executive session for this item. 3 CHAIRMAN KIMBLE: Is there a second? 4 COMMISSIONER PATON: I'll second. 5 CHAIRMAN KIMBLE: It's been moved and 6 seconded that we go into executive session. I will 7 call the roll. 8 Commissioner Werther. 9 COMMISSIONER WERTHER: Aye. 10 CHAIRMAN KIMBLE: Commissioner Paton. 11 COMMISSIONER PATON: Aye. 12 CHAIRMAN KIMBLE: Commissioner Crump. 13 COMMISSIONER CRUMP: Aye. 14 CHAIRMAN KIMBLE: Commissioner Titla. 15 COMMISSIONER TITLA: Aye. 16 CHAIRMAN KIMBLE: Chair votes aye. We will 17 go back into executive session. 18 * * * * * 19 (End of executive session. Public meeting 20 resumes at 11:06 a.m.) 21 CHAIRMAN KIMBLE: We're back in regular 22 session. Is there any further discussion or action on 23 this matter, Item VI on the Agenda? 24 (No response.) 25 CHAIRMAN KIMBLE: Thank you.

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1 Item VII, public comment. This is the time 2 for consideration of comments and suggestions from the 3 public. Action taken as a result of public comment 4 will be limited to directing staff to study the matter, 5 rescheduling it for further consideration, or 6 responding to criticism. Please limit your comments to 7 no more than two minutes. 8 Does anyone on Zoom wish to make a comment? 9 Use the raise hand feature, wave your arms, any way you 10 want to get my attention. 11 (No response.) 12 CHAIRMAN KIMBLE: Not seeing anyone. 13 The public may also submit comments by e-mail 14 at ccec@azccleanelections.gov. 15 Item VIII, adjournment. At this time I would 16 entertain a motion to adjourn. 17 COMMISSIONER WERTHER: Mr. Chairman, I move 18 to adjourn. 19 CHAIRMAN KIMBLE: Thank you, 20 Commissioner Werther. 21 Is there a second? 22 COMMISSIONER PATON: I'll second. 23 CHAIRMAN KIMBLE: Thank you, 24 Commissioner Paton. 25 It's been moved and seconded that we adjourn.	1 STATE OF ARIZONA)) ss. 2 COUNTY OF MARICOPA) 3 4 BE IT KNOWN that the foregoing proceedings 5 were taken by me; that I was then and there a Certified 6 Reporter of the State of Arizona; that the proceedings 7 were taken down by me in shorthand and thereafter 8 transcribed into typewriting under my direction; that 9 the foregoing pages are a full, true, and accurate 10 transcript of all proceedings had and adduced upon the 11 taking of said proceedings, all to the best of my skill 12 and ability. 13 14 I FURTHER CERTIFY that I am in no way related 15 to nor employed by any of the parties hereto nor am I 16 in any way interested in the outcome hereof. 17 18 DATED at Tempe, Arizona, this 26th day of 19 September, 2026. 20 21  22 Kathryn A. Blackwelder, RPR 23 Certified Reporter #50666 24 25
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1 I will call the roll. 2 Commissioner Werther. 3 COMMISSIONER WERTHER: Aye. 4 CHAIRMAN KIMBLE: Commissioner Paton. 5 COMMISSIONER PATON: Aye. 6 CHAIRMAN KIMBLE: Commissioner Crump. 7 COMMISSIONER CRUMP: Aye. 8 CHAIRMAN KIMBLE: Commissioner Titla. 9 COMMISSIONER TITLA: Aye. 10 CHAIRMAN KIMBLE: Chair votes aye. We are 11 adjourned. Thank you. 12 (The meeting concluded at 11:08 a.m.) 13 14 15 16 17 18 19 20 21 22 23 24 25	

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