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THE STATE OF ARIZONA  
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona

August 31, 2017

9:31 a.m.

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<p style="text-align: right;">Page 2</p> <p>1 PUBLIC MEETING BEFORE THE CITIZENS CLEAN 2 ELECTIONS COMMISSION convened at 9:31 a.m. on August 31, 3 2017, at the State of Arizona, Clean Elections 4 Commission, 1616 West Adams, Conference Room, Phoenix, 5 Arizona, in the presence of the following Board members: 6 7 Mr. Steve Titla, Chairman 8 Mr. Mark S. Kimble 9 Mr. Damien Meyer 10 Mr. Galen D. Paton 11 Ms. Amy B. Chan 12 13 OTHERS PRESENT: 14 Thomas M. Collins, Executive Director 15 Paula Thomas, Executive Officer 16 Sara Larsen, Financial Affairs Officer 17 Gina Roberts, Voter Education Director 18 Mike Becker, Policy Director 19 Alec Shaffer, Web Content Manager 20 Stephanie Cooper, Executive Support Specialist 21 Kara Karlson, Assistant Attorney General 22 Mary O'Grady, Osborn Maledon 23 Joseph Larue, Assistant Attorney General 24 Joseph Kanefield, Ballard Spahr 25 Rivko Knox, League of Women Voters Christina Borrego, Riestler Christina Stone, Riestler Joel Edman, Arizona Advocacy Network</p>	<p style="text-align: right;">Page 4</p> <p>09:32:47-09:33:42</p> <p>1 Chan. 2 All in favor say aye. 3 (Chorus of ayes.) 4 CHAIRMAN TITLA: Opposed? 5 (No response.) 6 CHAIRMAN TITLA: Abstain? 7 (No response.) 8 CHAIRMAN TITLA: Motion is carried 9 unanimously. 10 So we will jump to VI, Item VI and wait for 11 Tom to come in later. This Item VI is on discussion 12 and possible action on the Voter Education updates. 13 MS. ROBERTS: Yes, sir. Mr. Chairman, 14 Commissioners, thank you. I'm so excited. I never get 15 to go first. 16 So we wanted to give the Commission an 17 update on Voter Education activities that have occurred 18 throughout the year and also what staff is doing to 19 prepare for 2018. 20 So we'll jump into what we've done so far 21 this year and, first, I wanted to thank everybody who 22 was able to attend the roundtable. We appreciated 23 everybody's presence there. And in your packets you do 24 have the summary which basically took our notes from 25 all the presentations and our notes from the breakout</p>
<p>09:31:41-09:32:47</p> <p style="text-align: right;">Page 3</p> <p>1 P R O C E E D I N G 2 3 CHAIRMAN TITLA: It's 9:30 a.m., the time 4 for the meeting for the Citizens Clean Elections 5 Commission. The meeting is called to order at 9:30 6 a.m. 7 And Tom Collins is not here. He's stuck in 8 traffic. So I would like to -- if it's okay with the 9 commissioners, to go from I to II and then maybe to VI, 10 if that's okay. 11 Is Number VI ready? Okay. So why don't we 12 go to Number II, discussion and possible action on the 13 Commission minutes for July 20, 2017 and August 22, 14 2017. 15 COMMISSIONER KIMBLE: Mr. Chairman? 16 CHAIRMAN TITLA: Commissioner Kimble. 17 COMMISSIONER KIMBLE: I move that we 18 approve the minutes for July 20th, 2017 and 19 August 22nd, 2017. 20 CHAIRMAN TITLA: Okay. There's a motion by 21 Commissioner Kimble to approve the minutes for July 20 22 and August 22nd, 2017. 23 Is there a second? 24 COMMISSIONER CHAN: I second that motion. 25 CHAIRMAN TITLA: Seconded by Commissioner</p>	<p style="text-align: right;">Page 5</p> <p>09:33:45-09:34:52</p> <p>1 roundtable sessions and consolidated it into a 2 summarized report. And we did share that with all of 3 the participants, and of course, we have our detailed 4 notes as well, too. 5 So there was about 100 people that 6 attended. And a little bit of background, we first 7 held a roundtable event in 2015, and we only invited 8 county recorders and county election directors at that 9 point. And the reason for that was we wanted to have 10 a, you know, greater discussion with the counties who 11 are the folks that are on the ground conducting the 12 elections and they know first-hand what the issues that 13 they're seeing in terms of voters and ballots and the 14 process. 15 And so based on the feedback that we got 16 from that first roundtable session, the survey 17 responses were overwhelmingly positive. We felt, you 18 know, we really could extend this, and so we decided to 19 host another one. And instead of just limiting it to 20 election officials, we actually expanded the invitation 21 list and invited community leaders and the stakeholders 22 that drive election information to their community 23 members. 24 And so we had a great participation, 25 representation from across the state, and it really</p>

<p>09:34:56-09:35:59</p> <p>Page 6</p> <p>1 provided, you know, a larger perspective on the voter 2 education needs for the state. And as I mentioned, you 3 have the summary. So I won't go into too much detail, 4 but for the most part, you know, the presentations 5 revolved around Voter Education and technology. That 6 was the theme: social media. 7 I will say my perspectives, a few of the 8 things that I took away from that roundtable, a lot of 9 the issues that I heard folks bring up about what's 10 occurring with voters and elections, I think for the 11 most part, 99 percent, the people who were talking 12 about those issues, they referenced that the solution 13 would be Voter Education. 14 And so I think that's a really positive 15 thing to hear because there are solutions that exist 16 and, furthermore, there's the need for our Voter 17 Education program to participate in that because not 18 only did the participants identify voter education as 19 the solution, I do feel most of them turned to the 20 Commission to provide that resource for the voters. So 21 it did reinforce, you know, that we're on the right 22 track in terms of our Voter Education program and the 23 information that we're providing to voters. So I felt 24 that was -- that was a positive. 25 At the roundtable we did a demo of a new</p>	<p>09:37:12-09:38:14</p> <p>Page 8</p> <p>1 that. 2 So, again, as it is new technology, we will 3 work towards making it more sophisticated, again, as we 4 learn with how voters are utilizing it and how we can 5 better understand that technology and leverage it as 6 well, too. So it's a new tool, but so far things are 7 looking great on it. 8 COMMISSIONER KIMBLE: Mr. Chairman? 9 CHAIRMAN TITLA: Commissioner Kimble. 10 COMMISSIONER KIMBLE: Gina, so how do 11 people know about this and start engaging with it? 12 MS. ROBERTS: Great question, Mr. Chairman, 13 Commissioner Kimble. So for this particular election, 14 what we did was we ran a few digital banner ads. So we 15 had ads out there that said, hey, you know, Clean 16 Elections has this new tool. It's a Chatbot. Come 17 help us, you know, test this out. And so we had banner 18 ads and we had social media posts as well to target 19 into those voters within those four jurisdictions that 20 were having an election. 21 Additionally, we have a direct URL where 22 voters can click on that link and access it. We have 23 it on the home page of our website, but we shared it 24 with the four cities. And so I know the city of Yuma, 25 I believe their city clerk went on the radio and was</p>
<p>09:36:04-09:37:09</p> <p>Page 7</p> <p>1 tool that we've launched: our Chatbot. This actually 2 went live on July 27th, and the Chatbot is an 3 application within an application of Facebook. So it's 4 available in Facebook Messenger, and this is new 5 technology. 6 So really we did a pilot in the August 29th 7 election this last Tuesday. There were four 8 jurisdictions that were conducting an election: 9 Phoenix, Prescott, Tucson and Yuma. And we did a soft 10 launch because we wanted to learn more about how voters 11 are engaging with this technology. So it's really a 12 moment for us to see how voters interacted with it. 13 Were they following through in the entire script? You 14 know, did they stop at certain points? Was there any 15 feedback that they provided? 16 And we don't have the full analytics on it 17 just yet. The election was Tuesday, but so far 18 everything was looking great. We did see most folks 19 were completing the script all the way through which is 20 a good thing because they're getting the information 21 and they're not quitting. So it was nice to see that. 22 And in the Chatbot voters can get information such as, 23 you know, when is the election, like my city that's 24 conducting the election, contact information, you know. 25 What's on my ballot? Where do I go vote? Things like</p>	<p>09:38:17-09:39:15</p> <p>Page 9</p> <p>1 announcing it to their voters. I'm not sure if they 2 linked it on their website or not, but that's how we 3 approached informing voters about this tool and the 4 availability of it for this particular election. 5 As I mentioned, we were doing sort of a 6 soft launch on it to test it out to see how voters 7 engaged with it, but going forward, we would have to 8 tell voters that it exists because they would have to 9 go into the Facebook Messenger application to look for 10 it or click on that external link somewhere. 11 Additionally, it comes with, like, a QR code. So any 12 printed materials that we have that maybe as -- and 13 I'll talk about this in a little bit too. As we go to 14 our outreach events, we can have that QR code on our 15 printed materials as well so voters can scan it and 16 access the Chatbot that way as well. 17 COMMISSIONER KIMBLE: And is there a way to 18 get to it from the app? 19 MS. ROBERTS: Yes. So if you have the 20 Facebook Messenger app installed on your phone -- 21 COMMISSIONER KIMBLE: But the Clean 22 Elections app? 23 MS. ROBERTS: Oh. Mr. Chairman, 24 Commissioner Kimble, no, we do not have it integrated 25 just yet. So we'll have to see if that is a</p>

<p>09:39:20-09:40:28 Page 10</p> <p>1 possibility. I'm sure we can just put the URL in 2 there. That would be very simple to do, but of course, 3 you know, we want to make things look nice and shiny 4 and we'll see if we can have a more sophisticated 5 approach to integrating it with the app. But in the 6 meantime, I'm sure we can just put the URL there under 7 maybe our FAQs or something like that. We can make 8 that update. 9 COMMISSIONER KIMBLE: Thank you. 10 MS. ROBERTS: Okay. Another tool that we 11 are working on is our ID at the polls tool. So this 12 actually was born out of our Native American outreach. 13 Through our efforts and our talks with ITCA and the 14 recorders in those areas that have a large population 15 of Native American voters, we found that a big issue 16 for voters was, you know, one, do they have the proper 17 ID that they need to vote on election day; and then, 18 two, how do they realize if they have the proper ID? 19 And so we do get phone calls on, you know, 20 well, if I have this does it work? Or if I have this? 21 And so there is a specific set of required forms that 22 work for ID at the polls, and we are looking to take 23 the guesswork out of that. So we're developing an 24 online application that's very easy to use. So the 25 user experience is it will be very simple, but it just</p>	<p>09:41:34-09:42:45 Page 12</p> <p>1 lot of it comes down to does it have the necessary 2 information: your photograph, your address. And is 3 it -- is it still valid? And so -- 4 COMMISSIONER PATON: The address. 5 MS. ROBERTS: -- it will walk the voters 6 through that entire process. And, you know, sometimes 7 it has to be taken in conjunction with another form of 8 ID. If it doesn't have the photograph, then you can 9 use it with a utility statement, something to that 10 effect. And so there's three lists total of ID that is 11 acceptable by law, and so it's a mix and match. And so 12 we help voters through that mix-and-match process. 13 CHAIRMAN PATON: So I have maybe a comment. 14 Could we contact the various tribal governments and 15 find out and explain to them that that would help out 16 their people if they would put a picture on it? Maybe 17 they don't know that's an issue. 18 MS. ROBERTS: Mr. Chairman, Commissioner, 19 absolutely. We did attend a training that discussed 20 this in detail, and so I know that the tribes are aware 21 of it. And they have different forms of tribal IDs as 22 well, too, depending on -- and I may be getting this 23 wrong. Forgive me -- you know, somebody's status to 24 that extent. I'm not really sure how they determine, 25 you know, who gets what type of ID, but there have been</p>
<p>09:40:30-09:41:30 Page 11</p> <p>1 guides the voter through, okay, if you have a driver's 2 license and is the address correct? Great, you're all 3 set. Make sure you take it with you on election day. 4 And if it doesn't, you follow that path of 5 what will work together. And then, ultimately, if a 6 voter finds through this application, you know what, I 7 may not have the proper ID, we still let them know it's 8 okay. You can still contact us. We can help you 9 through this. You know, possibly early voting would be 10 a solution. So just kind of an application to take the 11 guesswork out of it. 12 And, again, I mentioned this really came 13 out of our outreach efforts with the Native American 14 communities because it seemed to be an issue on that, 15 and so we felt with this tool we can take the guesswork 16 out of it. And we do hope to launch this in time for 17 the November election, so we hope to have it out within 18 the next month and a half. 19 CHAIRMAN PATON: I have a question. 20 CHAIRMAN TITLA: Commissioner. 21 CHAIRMAN PATON: So tribal ID is not -- 22 that doesn't work or does it or -- 23 MS. ROBERTS: Mr. Chairman, Commissioner, 24 yes, tribal ID does work, and so that will be one of 25 the options that are listed within this application. A</p>	<p>09:42:47-09:43:59 Page 13</p> <p>1 discussions at ITCA and some of their trainings about 2 this issue. 3 So what we intend to do is when this tool 4 is in a format where we can share it as a demo, we 5 intend to share that with them so they can go through 6 that and provide us feedback specifically on those 7 forms of tribal ID that are acceptable. And then, of 8 course, you know, we do love to make -- we can 9 absolutely make those suggestions about, well, you 10 know, if it had this, this would solve a lot of issues. 11 And, you know, that also goes for our 12 students as well, too, with IDs. Student IDs, 13 unfortunately, for the most part are not accepted as ID 14 at the polls because they lack certain information. 15 And so we do have those conversations with universities 16 as well, too, but, you know, in the meantime, until we 17 can get it changed, we do want to help voters navigate 18 the process as it is. But we will absolutely have 19 those conversations with the tribes. 20 CHAIRMAN PATON: And then, also, many 21 people that live on a particular reservation, they may 22 be tribal members elsewhere. So they could be 23 throughout the country from different areas. 24 CHAIRMAN TITLA: Ma'am, on that point, I 25 have a tribal ID that I'd like for you to take a quick</p>

<p>09:44:04-09:45:19</p> <p>Page 14</p> <p>1 glance at and see if this is enough for me to vote. It 2 talks about -- it talks about me being an enrolled 3 member of the San Carlos Apache tribe, and the only 4 reason I got this was because it says on here that I'm 5 a veteran U.S. Marine Corps also. And with this it's 6 like a pass to get into events in the reservation. 7 MS. ROBERTS: Yes, sir, Mr. Chairman. 8 Sure. 9 CHAIRMAN TITLA: And I'll give it to the 10 commissioners to review also. 11 COMMISSIONER CHAN: And, Mr. Chairman, 12 Gina, I would -- I'm glad you chimed in since you're a 13 member of a -- of a tribe. I think -- I love how our 14 staff has been working with, you know, the tribes here 15 in Arizona. I think it's difficult because all the 16 tribes are sovereign nations and so they have their own 17 requirements and for a state agency to -- a state 18 agency can inform them about, you know, what the state 19 requirements are but, you know, as sovereign nations 20 they obviously have their own administration of what's 21 necessary for their -- for themselves in governing. 22 And so I think that's maybe where some of 23 the issues come up. And what I really appreciate, 24 Gina, is the list that you put together and telling 25 people even if you don't have what's on this list, you</p>	<p>09:46:37-09:47:51</p> <p>Page 16</p> <p>1 people can go vote, and I'm sure that's true for all 2 the different tribes also. They have their own forms 3 of ID and we need to coordinate with them. 4 CHAIRMAN PATON: So, if I may, on this it 5 does say his P.O. Box and a lot of them -- I taught on 6 a reservation for 11 years. A lot of them have P.O. 7 boxes and a lot of the streets aren't named officially 8 or whatever. So that may be the issue if they are just 9 using P.O. boxes. 10 MS. ROBERTS: Sure. And, Mr. Chairman, 11 Commissioner, what we would have to do is actually take 12 a look and see how the poll workers are being trained 13 and what exactly the list says as well, too. So, you 14 know, it really comes down to, you know, on List 1, one 15 ID will serve. And so if it's missing a piece or if 16 the information does not match what is on the roster, 17 then you have to use it in conjunction with List 2. 18 So it depends on how that voter is 19 registered, you know. If they are utilizing their P.O. 20 box and that is what is printed in the roster for the 21 poll worker to verify, you know, then possibly it could 22 work. So it's -- you know, it depends on exactly what 23 does that ID say and what is printed in the roster and 24 how the poll worker matches that up. 25 CHAIRMAN PATON: The main issue, I think,</p>
<p>09:45:23-09:46:33</p> <p>Page 15</p> <p>1 can still vote. I love that. I really love that. 2 MS. ROBERTS: Mr. Chairman, Commissioner, 3 thank you. Yes. We certainly don't want any of our 4 applications to ever deter a voter from not voting and 5 so we always, you know, encourage voters to, you know, 6 maybe you don't see what you're looking for here. It's 7 okay. Don't give up. You know, give us -- give us a 8 phone call. 9 And, Mr. Chairman, with this particular ID, 10 so the three main requirements for this to work on -- 11 on itself, on its face, would be it would have to have 12 your photograph, your name and your address. And so it 13 does not have your residence address, and that's what 14 the poll worker would need to see. So I'd have to 15 double-check the specific list, but you may be able to 16 use it in conjunction with another ID. But I would be 17 happy to talk further with you on it, but I think on 18 its face it probably would not work. 19 CHAIRMAN TITLA: I'd like to ask the 20 commissioners to review that. I think that it would be 21 a good idea to coordinate, like Commissioner Chan said, 22 with the tribal enrollment office and election office 23 commissioner that we have the requirements to vote also 24 when we go to the -- to vote in November because they 25 have state election sites there in San Carlos where</p>	<p>09:47:52-09:49:15</p> <p>Page 17</p> <p>1 is we're trying to explain to these different entities 2 how they could make things easier for their people to 3 vote or in certain areas or whatever. I like the fact 4 that we're going out there and doing that and -- and it 5 just means the staff is just doing a great job. So I 6 appreciate that. 7 CHAIRMAN TITLA: Thank you, Commissioner 8 Paton. 9 And Commissioner Paton is correct. On our 10 reservation a lot of the people have P.O. boxes because 11 there's no addresses. And, for example, I live on a 12 road and there's no address there. We don't have mail 13 delivery there, also. So I don't have an address. 14 It's just a road on the reservation. 15 So for those people, we need to coordinate 16 with the state to ensure that we on the Clean Elections 17 Commission follow our mandate that we have voter 18 education to ensure that all the citizens of the state 19 of Arizona are able to vote because if the state of 20 Arizona provides some impediment to voters of a certain 21 segment of the reservation, then that -- that is not 22 good because we need to reach out to those people 23 because they're citizens of the state also and they 24 need to be able to vote if they can. 25 If I went to vote and they asked me for my</p>

<p>09:49:18-09:50:25 Page 18</p> <p>1 ID and this is all I had, they would say you can't 2 vote, you know. Then I feel that that's not something 3 that we should live with in Arizona. 4 MS. ROBERTS: Mr. Chairman, Commissioners, 5 a lot of the issues you've just noted are frequent 6 items of discussion, and I'm not sure if you'll recall, 7 but the Commission did sponsor a tri-county rule 8 addressing conference a few years ago to talk about 9 these particular issues with non-standard addresses and 10 how are these voters getting precinct -- you know, how 11 are the counties precincting them and how would they 12 have -- do they have access to their ballot? Do they 13 have to drive and go to their P.O. box and are those 14 P.O. boxes only available at certain times and they 15 have to arrange for transportation? And are polling 16 places, you know, set up close enough to those voters? 17 And so all of these issues, I'm going to -- 18 and I will talk in just a few minutes about a meeting I 19 went to about a week and a half ago that addressed 20 these particular issues as well, too. So those issues 21 are definitely on the forefront of the folks that are 22 working hard towards voter outreach and making sure 23 that voters across all -- you know, the four corners of 24 the state have access to the ballot. And so, again, 25 the issues that you've brought up, those are definitely</p>	<p>09:51:38-09:52:48 Page 20</p> <p>1 the shelters will provide that information to these 2 voters. And ACDL will take this information and lead 3 the coordination efforts with the shelters and also 4 with the police departments as well, too. So this is 5 another outreach effort we have for this likely 6 underserved community. 7 With our app, we do have iOS and Android 8 available for the app, and staff is working with our 9 developers to increase the functionality both on the 10 user end and also on staff, how we manage the app and 11 information. And we'll also be working on a redesign 12 for it so it closely mirrors our website and our other 13 applications so to maintain that Clean Elections theme 14 throughout. So we're excited to be working on that and 15 we hope to have the functionality of this finalized by 16 the end of this year. 17 The app is up and running and available, 18 and so within the next few days we intend to email 19 candidates with instructions on how they can create a 20 candidate profile. So this profile will be visible. 21 In the app it would have their name, photograph and 22 biography, website, social media links and even their 23 E-Qual links. So if it's a participating candidate and 24 he's set up a \$5 qualifying contribution form in 25 E-Qual, he can link directly to it in the app.</p>
<p>09:50:27-09:51:36 Page 19</p> <p>1 at the forefront. 2 Another project that staff is working on is 3 a partnership that we have with the Arizona Center for 4 Disability Law. They contacted us to let us know about 5 an effort to increase voter education and outreach 6 efforts to voters that do not have a permanent 7 residence, so our voters that do not have a home and 8 are -- and are on the go. 9 And so to assist in this -- this outreach 10 effort, the Commission staff has developed brochures 11 and posters and ACDL developed a wristband that 12 contains the Commission's toll free phone number 13 because we provide Voter Education for the entire 14 state. And so the intent is that these brochures and 15 posters will go to the shelters across the state, and 16 so if a voter, you know, who does not have a permanent 17 residence -- unfortunately, we're hearing that some of 18 these voters just don't think that they can register to 19 vote because they don't have a home and how are they 20 going to get their ballot. 21 There is a process where they can register 22 utilizing certain addresses, whether that's a shelter 23 they return to frequently or a general delivery address 24 at the post office. And so these brochures and this 25 informational material that we're going to hand out to</p>	<p>09:52:50-09:54:01 Page 21</p> <p>1 And so we hope to be reaching out to 2 candidates within the next few days to get that 3 information populated into the app, and then it is 4 providing information on the 2018 primary election and 5 so voters can have that resource soon. 6 Additionally, this year we will be working 7 on a website redesign. So in 2016, we received a lot 8 of good feedback on our website. You know, voters 9 reached out to us and they referenced that it was very 10 easy to use and navigate and find the information that 11 they were looking for. And so we want to, one, stay on 12 top of technology and the trends and, of course, make 13 things more efficient for staff to manage our website, 14 but our content is growing. The information that we 15 are providing out there to voters is growing and so the 16 need for that requires a restructuring of our website. 17 So we have a different audiences. We have 18 voters. We have candidates. We have lawyers and 19 consultants and the media and the general public. And 20 so knowing these multiple audiences that we serve, the 21 information that's currently on our site, we're sort of 22 squeezing in there. So we need to take a step back and 23 see how can we better restructure this so it provides a 24 better user experience for voters. 25 And really all of our media that we have</p>

<p>09:54:04-09:55:05 Page 22</p> <p>1 out there, the social media ads, things like that that 2 we do, our commercials, we drive people back to our 3 website because our website houses all of that 4 information the voter needs to know to vote. And so we 5 need to make sure that if a voter is taking the time to 6 come to our site, they're not going to leave. We want 7 to reduce our bounce rate. We want to make sure that 8 they stay and that they're finding meaningful content. 9 And so that's the goal of this website 10 redesign, and our timeline is to complete that by the 11 end of this year. 12 COMMISSIONER MEYER: Mr. Chairman? 13 CHAIRMAN TITLA: Commissioner Meyer. 14 COMMISSIONER MEYER: On the website at 15 the -- at the roundtable there was a lot of great 16 feedback on the information on the website. And many 17 of the folks I was at the breakouts with were county 18 recorder's offices, city clerks, and they had very good 19 things to say about the website. Our key note speaker, 20 Jaime Casap, was, let's just say, more neutral. And 21 maybe it will be a good idea -- I don't know -- I don't 22 know how connected we stay with him, but maybe give him 23 a call and get some thoughts on the website redesign. 24 MS. ROBERTS: Yes, sir. Mr. Chairman, 25 Commissioner, our key note, he did tell me -- he did</p>	<p>09:56:19-09:57:30 Page 24</p> <p>1 our executive director attended a county recorder 2 conference down in Gila County and staff is often 3 attending our election officials conferences and 4 meetings, the clerks association for city clerks, 5 election officer certification training. 6 Some staff was able to teach to our newest 7 election officials there and then also, of course, our 8 own staff who is certified as election officials, we 9 will -- we will be attending our recertification to 10 maintain our training certificate. And, of course, all 11 of our outreach with the inter-tribal council and 12 various fairs and outreaches events. We do have those 13 going on this year, and so there's a few -- 14 Mr. Chairman. 15 CHAIRMAN TITLA: Yes, ma'am. Tom Collins, 16 the executive director and I, attended the Gila County 17 Recorder's conference, and that was held at Apache Gold 18 Casino in the San Carlos Apache Reservation. And they 19 had a number of county recorders from Gila County and 20 Pinal County, Graham County, Apache County, Navajo 21 County and some others. So there as a good crowd 22 there, and they were able to talk -- give us some 23 feedback also. And Tom probably can talk to us about 24 that. 25 MR. COLLINS: Yeah.</p>
<p>09:55:08-09:56:16 Page 23</p> <p>1 apologize that he had to call it out. From our 2 perspective, we do hear for a government website 3 performs as well, however, taken into context and going 4 with the theme that Mr. -- Mr. Casap provided of 5 meeting them where they are and staying current and, 6 you know, providing that information in an optimal 7 viewpoint for our voters -- and, again, I do think he 8 was speaking mostly to Gen Z in that aspect. 9 And so we have to service all of the -- the 10 generations, but absolutely. We can take a step back 11 and we can look through his notes and even reach out to 12 him as we are going through our design to hopefully see 13 if he can give some feedback. He -- our key note was 14 very gracious and he did offer to stay in touch and so 15 hopefully we can leverage his expertise on that. 16 Thank you. 17 COMMISSIONER MEYER: And I don't think it 18 was meant as a criticism. I just think it was meant as 19 maybe there's ways to improve and reach more potential 20 voters. I don't think it was a criticism. 21 MS. ROBERTS: Thank you. 22 Speaking of the roundtable, we talked about 23 how we have our stakeholders present. We do continue 24 those relationships and staff attends meetings across 25 the state. We participated -- I know our chairman and</p>	<p>09:57:31-09:58:36 Page 25</p> <p>1 CHAIRMAN TITLA: But we were able to attend 2 that, and it was a good meeting. And then we also went 3 to the radio station in San Carlos. They call it KYAY 4 radio. It's at 91.1 AM -- I mean, FM. Excuse me. FM. 5 And we appeared for -- I don't know how long. 30 6 minutes to an hour? 7 MR. COLLINS: Yeah. At least, yeah, we 8 were there 30 minutes or so. 9 CHAIRMAN TITLA: Yeah. So we were able to 10 talk, and Tom was very good in giving all of the 11 information out. And then they -- we were also able to 12 dedicate a couple of songs in between breaks, and one 13 was -- we dedicated a song to Tom's mother who was 14 there with him. 15 MR. COLLINS: The -- 16 CHAIRMAN TITLA: The song was CCR, I Heard 17 it Through the Grapevine. 18 MR. COLLINS: That's what you chose, yes. 19 You were -- you are a -- Mr. -- Chairman Titla is a 20 remarkable DJ and a -- and a good radio host. 21 CHAIRMAN TITLA: So I just wanted to let 22 you know about that, how we are trying to do things to 23 reach out to all the people in the state. 24 And I got some good remarks on that, Tom, 25 afterwards.</p>

<p>09:58:37-09:59:37 Page 26</p> <p>1 MR. COLLINS: Oh, good. 2 CHAIRMAN TITLA: Yeah. You don't think 3 people are listening, but they're listening out there. 4 And so thank you. 5 MS. ROBERTS: Mr. Chairman, thank you for 6 that and for those efforts. I'm sure it was helpful in 7 reaching voters. 8 As I mentioned a few slides ago, about a 9 week and a half, two weeks ago, I was able to attend a 10 meeting with -- that was sponsored by the Inter-Tribal 11 Council of Arizona, and it was a Native vote strategy 12 session. And so at this meeting, a lot of the very 13 same issues that we've just discussed were brought up, 14 and we had community leaders from across the state and 15 from the tribes. Navajo Nation there was present. A 16 lot of the tribes were present. The county recorders 17 were there. 18 And it was a good discussion about what 19 happened in the 2016 election, issues that we saw, and 20 how can we work towards a better, you know, 2018 21 election experience for our voters. And so we were 22 able to participate in that and, you know, I will tell 23 you again the common theme here is voter education, a 24 lot of the issues that we see that are coming up. And 25 so we were able to take this information, and it will</p>	<p>10:00:41-10:01:51 Page 28</p> <p>1 know, the elections that are occurring for the 2 remainder of 2017 and what's coming up in 2018 and the 3 tools and resources that the Commission provides. 4 And we do have our National Voter 5 Registration Day which is coming up. This is on 6 September 26. This is a very big event where we get a 7 lot of traffic at our booths. And so we are working 8 with ASU, their undergrad student government, to be a 9 partner in this, and we hope to update our Chatbot with 10 trivia. So the nice thing about the Chatbot is not 11 only can we have a path for election information. We 12 can create multiple paths in there, and so we hope to 13 update election-related trivia just to help draw the 14 crowds to our booth and inform voters as well about the 15 process. 16 And so we do have quite a bit of people 17 that come and talk to us here. I would actually say I 18 think our booth is one of the busiest, but it takes a 19 lot of time and effort because our students are very 20 unique. They have unique circumstances on are they an 21 out-of-state student? Do they want to register to vote 22 here? They don't have ID. They don't have their birth 23 certificate. So we have to really talk to each 24 individual student and help them, and so this ends up 25 being a really good event where we're able to do a lot</p>
<p>09:59:40-10:00:39 Page 27</p> <p>1 help us as we work on our 2018 education plan and 2 identifying the messages that we'll be communicating 3 out there to voters and, of course, the information 4 that we put on our website. 5 So it was a really helpful meeting for us 6 to be present at and, of course, we want to continue up 7 our outreach efforts with this particular group. They 8 will be working on a report from that meeting and 9 sending it out to everybody so I look forward to 10 receiving that. 11 As we mentioned, we do have some fairs that 12 are coming up. Tom will actually be traveling tomorrow 13 to attend the White Mountain Apache tribal fair and 14 rodeo and then, of course, we will have a presence at 15 the Navajo Nation fair. So we're lucky that our 16 partnerships with our county recorders who already have 17 booths at these events are sharing their space with us 18 and invited us down here, and I think this actually 19 resulted -- these invitations resulted from the meeting 20 that the chairman and our executive director attended 21 in Gila County. 22 So that was really helpful. And this is a 23 good opportunity for us to have that grassroots 24 outreach with voters and provide them our tangible 25 voter education materials and let them know about, you</p>	<p>10:01:53-10:02:58 Page 29</p> <p>1 of good work for our students. 2 I'll go pretty briefly here, but for our 3 2017 elections, we have our four consolidated 4 elections. And for each of those we did have our voter 5 education efforts. We really touched on social media. 6 That was a strong point for us for this year so far, 7 and we provided key election dates, information like 8 that. We had the start of our qualifying period, when 9 early voting begins. There was a message there about 10 our Chatbot and helping us pilot it. 11 So we do have an active presence on social 12 media, and we get a lot of good feedback and 13 interaction and engagement with voters through the 14 comments and these are some examples of our digital 15 banners. And as I mentioned, our website, we drive 16 traffic to our website and this is where we house a lot 17 of the information that voters need to vote. 18 Very briefly, what's happening in 2018, we 19 do have our four consolidated election dates and, of 20 course, we do have our statewide primary and general 21 election. And the offices that are on the ballot, we 22 have all of the statewides this year. And so it will 23 be a pretty busy election. We do -- on the federal 24 side, we have one U.S. Senate seat and, of course, we 25 have our nine House of Representative seats that are up</p>



<p>10:02:59-10:04:05 Page 30</p> <p>1 for election. All of this -- all of the statewides 2 will, of course, be represented in our candidate 3 statement pamphlet. 4 And for our debates, right now we are 5 kicking off a debate review so we can take a look at, 6 you know, how did our process work in 2016, what was 7 the feedback we received from voters in the surveys and 8 how can we improve this. We are looking at working on 9 a pilot to involve high schools, and this is per 10 Commission Paton's direction. We have some good 11 thoughts on how we can incorporate the students and the 12 student governments and even their student audio/visual 13 teams to participate in this debate, possibly even 14 hosting a mock debate with the candidates beforehand, 15 but getting their parents involved. 16 And so we think this will be a good 17 community-based event, and so we're really hopeful that 18 it will be a more positive experience for the voters 19 that attend this debate. And we're also working on an 20 online application to make our invitation process more 21 efficient and transparent. 22 And then, of course, we have our Voter 23 Education guide. So we are working on this now, 24 actually. It's quite a big production, but we can take 25 a step back and start designing the guide and our</p>	<p>10:05:21-10:06:21 Page 32</p> <p>1 It's -- not only is it more cost efficient but it 2 really does provide a better user experience for the 3 voter. And I think, most importantly, it is less 4 intimidating. 5 And so that's -- you know, when a voter 6 receives this guide in the mail, we don't want them to 7 take a look at it and be scared and never open it 8 because it's huge. We want them to say, okay, this is 9 a tool. This is a resource and they'll take the time 10 to open it and they'll take the time to read it. And 11 it also takes the guesswork about having to flip 12 through and, well, which one can I vote for? So we 13 only give them the candidates that they're eligible to 14 vote for. So we will continue with that. 15 Thank you. 16 Were there any further questions? 17 COMMISSIONER KIMBLE: Mr. Chairman? 18 CHAIRMAN TITLA: Commissioner Kimble. 19 COMMISSIONER KIMBLE: I just want to say 20 that the -- I was very impressed with the roundtable, 21 and the people that I talked to and the people that I 22 was on breakout sessions with were very laudatory of 23 the programs and just the general assistance they get 24 from you specifically and other people in the office. 25 They are very -- they are very happy to have the</p>
<p>10:04:08-10:05:18 Page 31</p> <p>1 internal information. We can update the content. And 2 then we're even looking at revising it for better user 3 experience. We are working with the Center for Civic 4 Design. This is an agency that focuses on design 5 efforts for increasing engagement in the political 6 process, and it really comes down to ballot design, 7 voter education guide design, website design. 8 All of that can impact a voter's experience 9 in how you provide them that information. And so we 10 are really lucky that we were able to send our guide to 11 them and they agreed to take a look at it and give us 12 some feedback on how we can better structure this for a 13 better user experience for voters. 14 And with that -- 15 CHAIRMAN TITLA: Commissioner Meyer. 16 COMMISSIONER MEYER: Another -- another 17 positive feedback that the Commission received at the 18 roundtable that I was at was the district-specific 19 voter guides. That was a really big hit for everyone 20 that I interacted with, you know. It was so much 21 easier for them to use, less confusing. So that was a 22 really -- really positive feedback on that. 23 MS. ROBERTS: And, Mr. Chairman, 24 Commissioner Meyer, thank you for pointing that out. 25 We will continue with district-specific information.</p>	<p>10:06:25-10:07:25 Page 33</p> <p>1 advertising that we do because they can't afford it and 2 they think it's -- it's useful to them and it's higher 3 quality than they could do, and I heard nothing but 4 praise for the roundtable and for the Commission during 5 the entire day. I thought it was an outstanding event. 6 MS. ROBERTS: Mr. Chairman, Commissioner, I 7 thank you for that feedback. That's nice to hear. 8 CHAIRMAN TITLA: Any further questions? 9 Comments? 10 (No response.) 11 CHAIRMAN TITLA: Okay. Good report. Thank 12 you. 13 MS. ROBERTS: Thank you. 14 CHAIRMAN TITLA: Why don't we go to 15 Number III, executive director's report. 16 MR. COLLINS: Mr. Chairman, Commissioners, 17 I apologize for being a little bit -- a little bit 18 late. I calculated it out. I think I've been to 19 80-something meetings as the Commission's attorney and 20 the executive director, and I think this is the first 21 time I've been late from the beginning. It's not the 22 first time I've been late, but just the first time you 23 see me be late. 24 Just to really briefly mention, as I, you 25 know, highlight just ongoing news, election-related</p>

<p>10:07:29-10:08:59 Page 34</p> <p>1 news, there is a referendum filed on a bill called 2 Senate Bill 1431 that has to do with the -- the bill 3 itself has to do with an expansion of -- I think the 4 term in the statute is empowerment scholarships. The 5 colloquial term that's been used is vouchers, but in 6 any event, that process of signature verification is 7 underway through the Secretary of State's office and 8 the County Recorder's. 9 If this goes -- if this were to make it to 10 the ballot, in theory, it would be on the 2018 general 11 election ballot. So that's just something to bear in 12 mind. It's not a direct impact on us, but it may have 13 an impact on our education efforts in terms of what -- 14 you know, what we're looking at going forward. 15 You see the current participating 16 candidates numbers. We do have an oral argument on 17 September 11th at 10:40 in the case of Legacy 18 Foundation Action Fund versus Citizens Clean Elections 19 Commission which some of you or all of you -- many of 20 us may have forgotten about it. I certainly forgot 21 about it until I looked at my calendar and said, oh, 22 wow, we've got an oral argument on September 11th. 23 So I think that Joe Roth from Osborn 24 Maledon will be doing the argument for us, and I think 25 we'll be getting ready for that. And you're all</p>	<p>10:10:26-10:11:55 Page 36</p> <p>1 advantage of our opportunity to ensure that folks who 2 are participate in the system are, in fact -- 3 participating in the clean funding part of the system, 4 I should say, are -- are abiding by the rules. 5 It's also -- you know, obviously, I'll 6 point out that publicly funded candidates are the only 7 candidates who are getting audited and whose campaign 8 finance reports are getting reviewed which is kind of 9 an irony when you think about it. 10 Finally, I just wanted to give you an 11 update. I had a conversation with the Deputy Secretary 12 of State Lee Miller about changes the Secretary would 13 like to see to the structure of the E-Qual system. The 14 initial idea that the Secretary has talked about is to 15 essentially have those \$5 qualifications -- qualifying 16 donations or contributions, rather, channeled directly 17 to the Fund. There are some policy, slash, legal 18 issues there and some stakeholder issues there. 19 I certainly can say that I think the 20 Secretary's office would like to move this as quickly 21 as possible, but I think everyone is cognizant of the 22 fact that that may not be possible within this election 23 cycle, especially if the policy issues turn out to be 24 significant enough that we need to look at legislative 25 changes.</p>
<p>10:09:01-10:10:23 Page 35</p> <p>1 welcome to attend if you want to. I don't think 2 it's -- I don't think it's required at all, but -- and 3 it's also Livestreamed and the Livestream link is there 4 in the report. We can send you that, otherwise, as 5 well. 6 Just an FYI, as you know, we have set up 7 for public comment an additional expansion of our audit 8 rules to capture all participating candidates. Back in 9 December, I want to say, we adopted a rule that called 10 for all statewide candidates to be subject to audit, 11 and now we will expand that to all participating 12 candidates. 13 Just to give you a sense of what that audit 14 is, that's not going to mean a full audit of every 15 transaction, but it's the audit where we select certain 16 transactions, evaluate those transactions, see if those 17 transactions are good. And what we found is that, 18 generally speaking, candidates go through that process 19 with minimal difficulty. 20 The process itself is not burdensome, but 21 the issue is that we have, in fact, you know, also 22 caught some potential violations that are more serious. 23 And we want to make sure that given that we have the 24 resources and that the process we've set up is itself 25 not burdensome, we want to make sure that we're taking</p>	<p>10:11:56-10:13:26 Page 37</p> <p>1 So, you know, this is sort of a -- you 2 know, to the folks who are engaged with candidates or 3 engaged with the process, it's -- you know, this is 4 something to keep your eye on. And we certainly 5 welcome any feedback that we can get, and I'm happy to 6 talk to folks who are here and, of course, the 7 Commission about what this means going forward. 8 Just to -- just to put a real fine point on 9 it, the most significant practical change if this were 10 to come to pass is that the law as it's written 11 allowed -- you know, the money is fungible, right? I 12 mean, I think we all kind of agree about that. That's 13 a fact. And so when you collect \$5 contributions, 14 you're allowed to use that -- those dollars towards 15 your campaign so long as you reserve sufficient funds 16 to cut the appropriate check to the Commission at -- 17 and as the statute says, at the same time as you 18 deliver your qualifying names. 19 The -- so the change -- the significant 20 change would be that those dollars would not -- I don't 21 think that's contemplated by the proposal -- would not 22 be available to the candidates. There are two reasons 23 why this is significant. The first is that if you're 24 getting that -- if you're allowed to use the money as 25 you get it as long as you have the correct reserves,</p>

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1 that may or may not affect practical choices you make.  
2 There's another issue which is that if you  
3 don't qualify, you get to keep the \$5 contributions  
4 because they're still campaign contributions. And so  
5 if we are turning those -- if those are being turned in  
6 on a rolling basis, it's not clear what happens to  
7 those contributions if they're directly deposited into  
8 the Fund, but they, in fact, really otherwise would be,  
9 essentially, the funds that belong to the candidate  
10 campaign until they're tendered.  
11 And since we do have folks who don't -- who  
12 start out and then don't qualify, we -- you know,  
13 that's -- that's a little wrinkle there. So it's --  
14 the reason I flagged it now is because I know the  
15 Secretary of State's Office would like to move quickly,  
16 you know. You know, I don't personally feel like the  
17 Commission wants -- or that I certainly want to be in  
18 the way of progress, but we need to recognize that  
19 there's a bunch of different competing interests that  
20 are there. So I'm just flagging that now for an  
21 ongoing discussion going forward.  
22 COMMISSIONER CHAN: Mr. Chairman?  
23 CHAIRMAN TITLA: Commissioner Chan.  
24 COMMISSIONER CHAN: Mr. Chairman, Tom, I  
25 would just say this raises in my mind a whole host of

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1 issues which -- a few of which you've named, but I  
2 mean, it not only -- I guess in my mind when you're  
3 filing as a Clean Elections candidate, that means that  
4 you've done all the legwork. You've gotten the  
5 petition signatures. You've gotten your \$5 quals. You  
6 file them all at the same time because you know what  
7 your decision is.  
8 What about people that change their mind  
9 that -- well, you mentioned that. What about  
10 contributors that change their mind? You know, to me  
11 this is going to create, possibly, significant problems  
12 for us to administer something that should be in the  
13 hands of the candidates until the time they actually  
14 file.  
15 MR. COLLINS: Mr. Chairman, Commissioner  
16 Chan, I think -- I mean, I think that -- I think that  
17 will be part of the discussion. It's not  
18 necessarily -- I don't think -- this is all  
19 preliminary. I've certainly made the Secretary aware  
20 of the issue with the inflows and outflows from the  
21 Fund. And their view, I think, provisionally is that  
22 it simplifies things to just deposit the money in the  
23 Fund, but as you say -- and one of the reasons it  
24 simplifies things is because the way that the E-Qual  
25 program was structured from the -- from the outset --

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1 and I think we're in -- what? -- fourth election cycle  
2 with it -- and our rules reflect this.  
3 The Secretary designates an electronic  
4 payment system through which the contribution is made  
5 electronically, and that, I think, is what the  
6 Secretary would like to get out of the business of  
7 having to deal with is that integration of the -- of  
8 the payment system with the -- with the -- with the --  
9 with the voter -- with the system that checks to ensure  
10 that the voter is eligible to give the donation in the  
11 first place by -- you know, and sort of cuts out that  
12 process.  
13 You know, so whether or not you can kick  
14 back out money from the Fund in small increments to  
15 donors or candidates is a -- is in part a technology  
16 problem, and it's partially a problem for the state  
17 comptroller and the other folks who are handling the  
18 actual transactions of state money.  
19 COMMISSIONER CHAN: Mr. Chairman, Tom, I  
20 just -- I will be very interested in following this. I  
21 know you were just putting this out here for our  
22 information, but I'm extremely concerned about this  
23 change. And I think that, you know, the Secretary is  
24 the filing officer and, you know, it is what it is.  
25 That is her job as the Secretary. And E-Qual has been

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1 a boon, I think, for candidates, as well as voters who  
2 want to be participating, but I don't think that this  
3 is the way to go to simplify the process for the  
4 Secretary.  
5 And I know -- I've seen on Twitter that,  
6 you know, the system has been having issues that people  
7 are complaining about very publicly, but I don't think  
8 that that is a reason to make this kind of a policy  
9 change which, frankly, I think would be a bad policy  
10 change.  
11 So having said that, thank you,  
12 Mr. Chairman.  
13 CHAIRMAN PATON: Mr. Chairman?  
14 CHAIRMAN TITLA: Commissioner Paton.  
15 CHAIRMAN PATON: I would concur. The idea  
16 that they're collecting these \$5 -- I mean, it's not  
17 that much money, but to these people this is real money  
18 that they need upfront. You know, we've seen them come  
19 here and testify and, I mean, to -- I'm not a  
20 technology person or anything like that, but I don't --  
21 I don't think it should be that difficult to let  
22 somebody keep \$1,000 to get their campaign going.  
23 And since we had all these people saying  
24 things were too hard, well, I think that would make  
25 things too hard right there. I mean, it's just -- just

<p>10:18:46-10:19:57 Page 42</p> <p>1 kind of nonsensical that if they collect \$5, but they 2 can't keep it. They've got to turn it into somebody. 3 And then, well, if I decide not to use the Clean 4 Elections money, then how am I going to get that money 5 back. 6 MR. COLLINS: Right. 7 COMMISSIONER PATON: And what are they 8 going to do? They're going to go to somebody with a 9 lot of money to -- you know, for donations or whatever. 10 So to me, I just -- maybe I'm too simple minded on 11 this, but to me it makes -- it's not -- it's illogical, 12 really. 13 MR. COLLINS: Well, Mr. Chairman, 14 Commissioner Paton, I think -- I think -- no, I think 15 that both you and Commissioner Chan raised and 16 identified the kind of policy issues that you do have 17 to work through. I think that -- I think that my -- 18 these conversation are preliminary. I think it's 19 important to bear that in mind. I think that if 20 there's a better way to do the E-Qual program that 21 meets all the needs of all the stakeholders -- and 22 we're not the only stakeholder. 23 I mean, the fact of the matter is that the 24 Commission can -- is not to stand in -- as I've told 25 the Secretary's office, the Commission is not to stand</p>	<p>10:21:16-10:22:56 Page 44</p> <p>1 CHAIRMAN PATON: But it's a little -- it 2 kind of smacks a little bit of David versus Goliath 3 here. And, I mean, we were talking about all this, the 4 apps and whatever. Are you serious somebody in a suit 5 someplace can't figure this out easily? 6 MR. COLLINS: Yeah. Again, I mean -- 7 CHAIRMAN PATON: I'm a little irritated 8 just with the whole idea, I guess. 9 MR. COLLINS: No, I think -- Commissioner 10 Paton, I think that -- I think that, you know, we've -- 11 with respect to your comments and Commissioner Chan's 12 comments respecting the rollout of E-Qual itself, you 13 know, the Commission itself, you know, has been aware 14 of those issues and the Commission staff. We've done 15 some outreach to candidates on those issues, but we 16 have tried to not get involved in any kind of press 17 kind of public back-and-forth on it because my view is 18 that at least in the current cycle, the most important 19 thing is to get the thing working and -- and -- and it 20 seems like that's the case currently. 21 I mean, I haven't heard new -- new issues 22 since the initial launch. And I may be wrong about 23 that, but I certainly -- you know, so there is always 24 going to be -- you know, the legislature decided, you 25 know, several years ago that the Secretary's office</p>
<p>10:19:58-10:21:15 Page 43</p> <p>1 in for the candidates. The candidates are the 2 candidates, and so it is important that the candidates 3 be aware of these things as we go forward and get 4 them -- get themselves involved. Because they're going 5 to be able to make the exact points you are making and 6 they have -- as we've seen testimony here, they have 7 the day-to-day experience that even we as staff may 8 not -- may not have. 9 So I think that -- I think that's -- I 10 think that's right. I think that -- you know, so I 11 think that -- what I view this as -- as an idea to try 12 to find a better way, and I'm certainly open to 13 exploring things that may be more efficient for the 14 purpose of actually getting folks to a place where 15 they're -- where they're -- you know, the qualifying 16 process is not hampered unnecessarily by the 17 bureaucratic stuff so long as we're still getting 18 verification that the -- that the -- that the 19 qualifying signatures are good, but that's -- you know, 20 that's -- yeah. 21 As you all have observed, that's not a -- 22 that's not as easy as flipping a switch. So -- so I'll 23 keep you posted as we get closer to something. 24 CHAIRMAN PATON: Mr. Chairman? 25 CHAIRMAN TITLA: Commissioner Paton.</p>	<p>10:23:02-10:24:39 Page 45</p> <p>1 would be responsible for the statute that -- that deals 2 with E-Qual. I think the tension is that the 3 Secretary's office would also like the Commission to 4 share in that responsibility, but the Commission's 5 ability to share in that responsibility is limited by 6 the fact that the Commission doesn't have the authority 7 over the administration of the electronic system 8 itself. 9 And so, you know, it's sort of a -- it just 10 makes things more complicated, but as Commissioner Chan 11 observed, under the act and under E-Qual both, the 12 Secretary's office is the place where folks are going 13 to deliver these materials at the end of the day, not 14 the Commission. And so we can certainly advise. We 15 can -- you know, and I have advised, especially on the 16 stakeholder issue, that the Commission is not the only 17 stakeholder. The Commission is a stakeholder in this 18 process. 19 We have a legal role in terms of the fact 20 that there are legal issues or policy issues within the 21 act we have to deal with but, you know, at the end of 22 the day, if the stakeholder process for making a change 23 like this isn't done correctly, whether we take the 24 lead on that -- I mean, I don't mind taking a lead on 25 that, frankly, provided that, you know, we get that</p>

<p>10:24:42-10:25:48 Page 46</p> <p>1 feedback back to the Secretary's office as they're 2 going forward and developing it. 3 It's a matter of at the end of the day 4 where the road meets the road and the implementation 5 happens, we cannot -- well, it just creates a -- well, 6 I'm not saying we cannot. I guess that's too strong a 7 word. There's a conundrum and a tension about how much 8 the Commission itself can administrate a program that 9 the Secretary's is obligated to administrate. 10 So it's complicated. 11 COMMISSIONER CHAN: Mr. Chairman, I don't 12 think there's a question. I mean, we don't have a role 13 in administering it. So, okay, having said that. 14 CHAIRMAN TITLA: Any more comments? 15 Questions for the director? 16 (No response.) 17 CHAIRMAN TITLA: Okay. Let's go to the 18 next item here. 19 Thank you, Tom for your report. 20 MR. COLLINS: Thank you. 21 CHAIRMAN TITLA: We go to Item IV, 22 discussion and possible action on issues related to the 23 Clean -- or Citizens Clean Elections A.R.S. 16-941, the 24 Governor's Regulatory Review Council's activities 25 related to the Commission, and the Secretary of State's</p>	<p>10:27:16-10:28:47 Page 48</p> <p>1 the Secretary's office that Mary had sent them 2 basically saying, you know, we think that -- we think 3 that you ought to put the Rules R2-20-109 and R2-20-111 4 back into the Administrative Code. 5 We -- Deputy Secretary Miller cited a 6 particular section of the code, and I think he said 7 something to the effect of if a lawyer would tell him 8 that that's incorrect he would change it. Well, we 9 have told him that's incorrect because the citation 10 he's relying on simply doesn't apply to this situation 11 at all. Nevertheless, we haven't heard back from them 12 on that. So that's the status quo there. 13 Why that matters is that, you know, we -- 14 for purposes of an Interagency Service Agreement, the 15 services that they're providing are twofold. One, 16 they're providing us with -- with the ability to have 17 access to -- and the public to have access to better 18 presented information about campaign financing 19 activity, but, two, to ensure that specifically the 20 Clean Elections report called for in 16-941(d) and 958 21 are in the campaign finance reporting system. 22 And as a condition of that, we asked them 23 to refrain from taking actions in a regulatory 24 manner -- matter or in a lawsuit to interfere with the 25 Commission's ability to obtain information from</p>
<p>10:25:52-10:27:10 Page 47</p> <p>1 office actions related to Commission rules and the 2017 2 Interagency Service Agreement between the Commission 3 and the Secretary of State. 4 Director? 5 MR. COLLINS: Yes. Mr. Chairman -- and 6 I'll try to keep my summary brief. And we do 7 anticipate that we will ask you to go into executive 8 session on this, but I just want to update you. 9 Last meeting which was last week, you know, 10 in my executive director's report and in Deputy 11 Secretary Miller's response to it which he was nice 12 enough to come and present, you know, we had a 13 discussion about what's going on with the status of the 14 Commission's rules. The first thing I'll say is that 15 the Commission's view remains, unless otherwise 16 directed, the same it's always been. The rules are the 17 rules that we pass. Those are the rules that are 18 enforced, and those rules reflect directly the statutes 19 that are enforced and those statutes are still 20 enforced. 21 And so there -- and the case law in Arizona 22 also reflects the law as we currently apply it. So 23 that's always a preparatory comment that I make. I 24 will say that we've sent two letters. I think you have 25 at least one of them -- maybe not in this packet -- to</p>	<p>10:28:49-10:30:12 Page 49</p> <p>1 reporting parties. 2 So the risk here is -- and just on the ISA 3 piece is that, you know, those are intertwined. If 4 you're going to make a contract for services, which is 5 what we've done, you also have to -- and you have a -- 6 the person with whom you're contracting has previously 7 objected to the existence of the very service that you 8 want them to provide, it seems to me logical that the 9 contract would stipulate that you ought not to 10 interfere with the actual provision of the services 11 we're paying for. And that is where the publication -- 12 the depublishing of the rules fits in and why it's 13 important. 14 But what that's also done is brought 15 together two or three different strains of issues that 16 we have been wrestling with over the course of the last 17 couple of years because the depublishing situation 18 doesn't arise without the Governor's Regulatory Review 19 Commission's activities which don't arise without Eric 20 Spencer and Secretary Reagan's activities at the 21 Governor's Regulatory Review Commission in the first 22 place. 23 And so we now have a situation where -- 24 where legal issues, public education issues, reporting 25 issues and interagency -- you know, really, I mean,</p>

<p>10:30:17-10:31:32 Page 50</p> <p>1 basically GRRC's excessive -- you know, both incorrect 2 and excessive exercises of authority are all now 3 wrapped up in one thing which pulling out the strains 4 of that is complicated enough, but that's kind of the 5 lay of the land as it stands today. 6 As it stands today, we have no response 7 from the Secretary. As it stands today, the law is 8 what we say the law is, but the law is not 9 represented -- is not represented as clearly or 10 accurately as it could be in the Administrative Code 11 because those rules are not there. Absent those rules, 12 folks need to either find our rule book or look at the 13 statute and there's not necessarily -- and then that 14 creates an information problem and a concern. 15 So I think that's about all I can say to 16 give the public a sense of what this -- what this issue 17 is, unless Mary thinks there's more I can say. And 18 then -- but we recommend that if there was a motion to 19 go into executive session, we would -- we would 20 recommend that we do that at that time -- at this time. 21 CHAIRMAN TITLA: Is there a motion to go 22 into executive session, Commissioners? 23 COMMISSIONER CHAN: I move that we go into 24 executive session to discuss this issue. 25 CHAIRMAN TITLA: Commissioner Chan motions</p>	<p>11:28:26-11:30:02 Page 52</p> <p>1 we went into executive session, I wanted to return to 2 those issues because I think that one of those issues 3 is pertinent and appropriate for public session because 4 I discussed it in public. And I just wanted to close 5 that out, and that's the issue related to the 6 Interagency Service Agreement between the Secretary's 7 office and the Commission. 8 What I recommend is that, based on the 9 language of the ISA, that we would -- I would ask for 10 authorization to me and to our counsel to -- to notice 11 the Secretary of State of breach of that ISA. I think 12 that's a requirement -- well, it's part of the 13 contract. I think that -- as I indicated at the 14 outset, that Mr. Miller's statements respecting why he 15 did what he did are not backed up by the laws that he 16 cites and, therefore, they are -- in our view, and 17 according to letters we've already sent to him, they 18 were discretionary acts by the Secretary that 19 contradicted discretionary acts she took to that she 20 would refrain from acting in this manner. 21 And so I think it's important that the 22 Commission do, in fact, act on its rights under the 23 contract. And so I'd recommend, and subject to your 24 discussion and action, that authorization to the staff 25 and counsel to -- to draft and send over a notice of</p>
<p>10:31:35-11:28:24 Page 51</p> <p>1 for executive session. 2 Second? 3 COMMISSIONER KIMBLE: Second. 4 CHAIRMAN TITLA: Commissioner Kimble. 5 All in favor say aye. 6 (Chorus of ayes.) 7 CHAIRMAN TITLA: Opposed? 8 (No response.) 9 CHAIRMAN TITLA: Abstain? 10 (No response.) 11 CHAIRMAN TITLA: Motion passes. We will go 12 into executive session at 10:30 a.m. 13 (The following section of the meeting is in 14 executive session and bound under separate cover.) 15 * * * * * 16 (End of executive session. Public meeting 17 resumes at 11:28 a.m.) 18 CHAIRMAN TITLA: Okay. We're back in 19 regular session now having discussed Item IV in 20 executive session. 21 Any action by the Commission? 22 MR. COLLINS: Well, Mr. Chairman, if I 23 could, I think that the thing that we need to talk 24 about in open session real quickly just to rehash the 25 things that I talked about in the beginning or before</p>	<p>11:30:09-11:31:06 Page 53</p> <p>1 breach of the Interagency Service Agreement. 2 And I'm happy to answer any questions about 3 that that you have at this time. 4 CHAIRMAN TITLA: Any questions for the 5 director? 6 COMMISSIONER KIMBLE: Mr. Chairman? 7 CHAIRMAN TITLA: Commissioner Kimble. 8 COMMISSIONER KIMBLE: I would move that the 9 Commission direct the executive director, in 10 conjunction with our legal advisors, to draft a written 11 notice of a breach to the Secretary of State's office 12 regarding the 2017 Interagency Services Agreement 13 between the Commission and the Secretary of State. 14 CHAIRMAN TITLA: Motion by Commissioner 15 Kimble. 16 MR. COLLINS: And I don't mean to interrupt 17 the motion, but we would also like -- we would like -- 18 we would like to send it. 19 COMMISSIONER KIMBLE: And I would -- I 20 would modify my motion to say draft and send the 21 letter. 22 CHAIRMAN TITLA: Okay. We have a modified 23 motion by Commissioner Kimble. 24 Is there a second? 25 COMMISSIONER CHAN: I would second that</p>


<p>11:31:06-11:31:57 Page 54</p> <p>1 modified motion. 2 CHAIRMAN TITLA: Commissioner Chan seconds 3 the motion. 4 All in favor say aye. 5 (Chorus of ayes.) 6 CHAIRMAN TITLA: Opposed? 7 (No response.) 8 CHAIRMAN TITLA: Abstain? 9 (No response.) 10 CHAIRMAN TITLA: Motion is carried 11 unanimously. 12 Is there anything else? 13 MR. COLLINS: That's Item IV. We are 14 prepared to move on to Item V. 15 CHAIRMAN TITLA: Okay. Item V, discussion 16 and possible action on Clean Elections Surcharge and 17 related issues with the Arizona Administrative Office 18 of the Courts. 19 MR. COLLINS: And, Mr. Chairman, Joe 20 Kanefield from the law firm Ballard Spahr, as you know, 21 has been appointed to advise us on this matter. He 22 has, I think, an update for us. I also think that -- 23 you can ask him if we need to go into executive 24 session, but we may have to briefly go into executive 25 session to deal with a couple of issues. But I'll</p>	<p>11:32:51-11:44:25 Page 56</p> <p>1 CHAIRMAN TITLA: Opposed? 2 (No response.) 3 CHAIRMAN TITLA: Abstain? 4 (No response.) 5 CHAIRMAN TITLA: Motion is carried. 6 We are in executive session at 11:31 a.m. 7 (The following section of the meeting is in 8 executive session and bound under separate cover.) 9 * * * * * 10 (End of executive session. Public meeting 11 resumes at 11:43 a.m.) 12 CHAIRMAN TITLA: Okay. We are back in open 13 session. 14 And, esteemed counselor, we would ask you 15 to proceed as directed by the Commission. Thank you. 16 Okay. We did Item VI already, I think, at 17 the beginning of the meeting. So we'll go to Item VII, 18 public comment. 19 Is there anyone in the public that wishes 20 to comment? 21 Yes, ma'am. 22 MS. KNOX: My name is Rivko Knox, and I'm 23 representing the League of Women Voters of Arizona. 24 And I just felt a great need to one more time 25 compliment the staff, Mr. Chairman and members of the</p>
<p>11:32:01-11:32:51 Page 55</p> <p>1 leave it -- I'll put it -- Joe -- that's all I have to 2 say. 3 MR. KANEFIELD: Mr. Chair, members of the 4 Commission, at the last meeting following your 5 executive session to direct me to proceed as instructed 6 in executive session, I have had some additional 7 communications in a meeting with the senior leadership 8 at the Administrative Office of the Courts. I'd like 9 to report back my latest conversation with them, 10 however, because this is in the context of potential 11 litigation, I would suggest that the Commission go into 12 executive session. And I promise I won't take more 13 than five minutes. 14 CHAIRMAN TITLA: Is there a motion for 15 executive session? 16 COMMISSIONER CHAN: I would move that we go 17 back into executive session. 18 CHAIRMAN TITLA: Commissioner Chan motions 19 to go into executive session. 20 Second? 21 COMMISSIONER KIMBLE: Second. 22 CHAIRMAN PATON: Second -- third. 23 CHAIRMAN TITLA: Commission Kimble. 24 All in favor say aye. 25 (Chorus of ayes.)</p>	<p>11:44:28-11:45:33 Page 57</p> <p>1 Commission and Mr. Collins. And I wanted to compliment 2 the staff about the wonderful roundtable which the 3 league was privileged to be able to attend, and I also 4 wanted to say that we -- the League of Women Voters of 5 Arizona is tentatively planning a day at the 6 legislature on -- in early February, February 7, so our 7 members can get to know more of the legislators. 8 And one of the things that I am definitely 9 going to recommend that we talk with our legislators 10 about -- because we have about 800 members all over the 11 state -- is the outstanding job that the Citizens Clean 12 Elections staff does -- Citizen Clean Election through 13 their staff accomplished in terms of voter education 14 because I think that it's really important for more and 15 more legislators to be aware of what a -- what an 16 amazingly effective and efficient and important role 17 that that is: the Clean Elections Commission. And I 18 just wanted to say that for the record. 19 Thank you. 20 CHAIRMAN TITLA: Thank you, ma'am. Your 21 comments are always appreciated. 22 Anybody else in the public? 23 (No response.) 24 CHAIRMAN TITLA: Okay. If not, is there a 25 motion to adjourn?</p>

11:45:35-11:45:52

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1 COMMISSIONER CHAN: I would move we adjourn  
2 the meeting.  
3 CHAIRMAN TITLA: Commissioner Chan motions  
4 to adjourn.  
5 Second?  
6 COMMISSIONER KIMBLE: Second.  
7 CHAIRMAN TITLA: Commissioner Kimble  
8 seconds.  
9 All in favor say aye.  
10 (Chorus of ayes.)  
11 CHAIRMAN TITLA: Opposed?  
12 (No response.)  
13 CHAIRMAN TITLA: Abstain?  
14 (No response.)  
15 CHAIRMAN TITLA: Motion is carried.  
16 We are adjourned at 11:44. Thank you,  
17 everybody.  
18 (Whereupon, the proceedings concluded at  
19 11:45 a.m.)  
20  
21  
22  
23  
24  
25

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1 STATE OF ARIZONA )  
2 COUNTY OF MARICOPA )  
3 BE IT KNOWN the foregoing proceedings were  
4 taken by me; that I was then and there a Certified  
5 Reporter of the State of Arizona, and by virtue thereof  
6 authorized to administer an oath; 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 and testimony had and  
11 adduced upon the taking of said proceedings, all done to  
12 the best of my skill and ability.  
13 I FURTHER CERTIFY that I am in no way  
14 related to nor employed by any of the parties thereto  
15 nor am I in any way interested in the outcome hereof.  
16 DATED at Phoenix, Arizona, this 2nd day of  
17 September, 2017.  
18   
19 LILIA MONARREZ, RPR, CR #50699  
20  
21  
22  
23  
24  
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