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THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona
January 18, 2018
9:34 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 9:34 a.m. on 3 January 18, 2018, at the State of Arizona, Clean 4 Elections Commission, 1616 West Adams, Conference Room, 5 Phoenix, Arizona, in the presence of the following Board 6 members: 7 Mr. Damien R. Meyer, Chairperson 8 Mr. Mark S. Kimble 9 Ms. Amy B. Chan 10 Mr. Galen D. Paton 11 OTHERS PRESENT: 12 Thomas M. Collins, Executive Director 13 Paula Thomas, Executive Officer 14 Sara Larsen, Financial Affairs Officer 15 Gina Roberts, Voter Education Director 16 Mike Becker, Policy Director 17 Alec Shaffer, Web Content Manager 18 Stephanie Cooper, Executive Support Specialist 19 Kara Karlson, Assistant Attorney General 20 Mary O'Grady, Osborn Maledon (telephonic) 21 Joseph LaRue, Assistant Attorney General 22 Mirja Riester, Riester 23 Christina Stone, Riester 24 Talia Cornbeth, Riester 25</p>	<p style="text-align: right;">Page 4</p> <p>09:35:28-09:36:24</p> <p>1 CHAIRMAN MEYER: Is there a second? 2 COMMISSIONER CHAN: I second that motion. 3 CHAIRMAN MEYER: Commissioner Chan, thank 4 you. 5 We have a motion and a second. 6 All in favor say aye. 7 (Chorus of ayes.) 8 CHAIRMAN MEYER: All opposed? 9 (No response.) 10 CHAIRMAN MEYER: Okay. Motion passes. 11 Item Number III: Discussion and possible 12 action on executive director's report. 13 Tom? 14 MR. COLLINS: Yes. Thank you, 15 Mr. Chairman, Commissioners. 16 Just real briefly, we do have a -- there's 17 a special primary election to fill the vacancy in 18 Congressional District 8 you may have heard about. 19 That's on Tuesday, February 27, and the voter 20 registration deadline for that is January 29th. Early 21 voting begins January 31st. 22 We will have a booth at the 23 African-American Conference on Disabilities on 24 February 16th. 25 We have started to receive applications for</p>
<p>09:34:27-09:35:23</p> <p style="text-align: right;">Page 3</p> <p>1 P R O C E E D I N G 2 3 CHAIRMAN MEYER: All right. Good morning, 4 everyone. We're going to call to order the meeting of 5 the Citizens Clean Elections Commission. It is 6 Thursday, January 18, 2018. Commissioner Damien Meyer. 7 We are -- let's just go ahead and call the roll here, I 8 guess. 9 Everyone announce their presence. 10 Go ahead. 11 COMMISSIONER CHAN: Mr. Chairman, this is 12 Commissioner Chan. I'm here. 13 CHAIRMAN MEYER: Okay. 14 COMMISSIONER KIMBLE: Commissioner Kimble. 15 I'm present. 16 COMMISSIONER PATON: Galen Paton, present. 17 CHAIRMAN MEYER: Okay. And we have -- Mary 18 O'Grady is on the phone, counsel for the Commission. 19 Let's start with Item -- or move to Item 20 Number II: Discussion and possible action on 21 Commission minutes for December 14, 2017. 22 COMMISSIONER KIMBLE: Mr. Chairman? 23 CHAIRMAN MEYER: Yes. 24 COMMISSIONER KIMBLE: I move we approve the 25 minutes for the meeting of December 14th, 2017.</p>	<p>09:36:29-09:38:14</p> <p style="text-align: right;">Page 5</p> <p>1 funding from candidates. We have thus far funded three 2 candidates, one statewide and two legislative 3 candidates. 4 We are -- just to note real quick, MUR 5 17-01 on Rubalcava, that has been appealed. And then 6 the Legacy Foundation Action Fund case, oral argument 7 was in September. We're still waiting for -- for that. 8 This miscellaneous is -- was on last 9 month's agenda. We just sort of left it -- left it in 10 there. It's not -- it's not new. And then there's the 11 supplement. We're still working with the Secretary's 12 office on completion of the deliverables for the See 13 the Money program, and Sara and I had, I think, a 14 productive meeting with them on January 3rd and had 15 hoped that things will be completed by the 16th. 16 It doesn't look like all work has been 17 completed by the 16th, although on the -- on the good 18 side, the indications are that Clean Elections 19 independent expenditure reports are available for 20 filing. So, you know, it's kind of a mixed bag, but we 21 have not yet made the final payment on that. 22 And, you know, we -- when we last met, 23 you-all -- you-all authorized me to issue that payment 24 conditioned on completion and without having the items 25 completed, the final signoff, some -- I'm looking for</p>

<p>09:38:18-09:39:34 Page 6</p> <p>1 some information on the beta testing and those kinds of 2 things. I've been unable to do that, and they haven't 3 asked for the final payment yet either. So that's 4 where we are. 5 If anyone has any questions on that, that 6 pretty much concludes the highlights of my report. 7 COMMISSIONER PATON: Mr. Chairman? 8 CHAIRMAN MEYER: Yes, Commissioner Paton. 9 COMMISSIONER PATON: Tom, I do have a 10 question about Rubalcava. So he appealed. 11 What does that mean? 12 MR. COLLINS: I may not be the best person 13 to ask. Joe LaRue may be -- may be the best person to 14 answer that question. My -- my answer is, essentially, 15 the case goes to the Office of Administrative Hearings. 16 There are some procedures there. He has some filings 17 he has to make. We have filed our -- essentially, 18 noted our presence or something to that effect, entered 19 an appearance, I think. 20 MR. LaRUE: Commissioner -- or Mr. Chair 21 and Commissioner, basically, the way it works is that 22 Mr. Rubalcava sent a notice to Clean Elections 23 indicating that he wanted to appeal the decision that 24 the Commission reached. At that point, we, the 25 Attorney General's Office, prepared a notice of hearing</p>	<p>09:41:20-09:42:46 Page 8</p> <p>1 MR. LaRUE: Mr. Chairman and Commissioner, 2 I really -- I don't know. The criminal side of things 3 is not something that Kara and I deal with, and so I 4 really don't know the answer to that. 5 COMMISSIONER PATON: Okay. 6 COMMISSIONER KIMBLE: Mr. Chairman? 7 CHAIRMAN MEYER: Commissioner Kimble. 8 COMMISSIONER KIMBLE: So just to be clear, 9 this -- my understanding was that his deadline to 10 appeal had passed and now he's appealing to a different 11 agency and we are removed from this and -- am I 12 accurate in that? 13 MR. COLLINS: Mr. Chairman, Commissioner 14 Kimble, the way that -- the way -- the way that I see 15 the matter is that we had two separate orders against 16 him. One order related to repayment and one order 17 related to fines and penalties. The fines and 18 penalties deadline ran from the date of service which 19 was -- I don't know -- something like a couple of days 20 after -- after the last meeting. He did timely file 21 that notice of appeal. 22 Our rules and sort of background 23 administrative law in Arizona contemplate, you know, 24 that the -- that there are administrative law judges 25 who can review these kind of administrative decisions</p>
<p>09:39:38-09:41:19 Page 7</p> <p>1 and set a hearing before the Office of Administrative 2 Hearings for February 12th. 3 Mr. Rubalcava will have the opportunity to 4 make his case in that -- that hearing as to why your 5 decision against him was in error, and there's a 6 process through which that will go. The judge in that 7 hearing will either affirm your decision or else will 8 find problems with it, but until we come to that -- 9 that hearing date, I really don't know any more than 10 that. 11 MR. COLLINS: And, Mr. Chairman, 12 Commissioner Paton, I think just to add to that, when 13 we -- when/if the administrative law judge issues an 14 order, then we'll have -- I can't remember the other 15 Attorney General -- Assistant Attorney General's name 16 who will come back to be your adviser on the return of 17 that order because Joe and Kara will be in the process 18 of defending the decision. So there will be a separate 19 screened attorney general to advise you on what steps 20 you might take after an order comes back from the ALJ. 21 COMMISSIONER PATON: And if I may -- and is 22 it possible the Attorney General's Office could pursue 23 something criminally or -- I mean, it's not just our 24 thing? It's the Attorney General could do something. 25 Yes or no?</p>	<p>09:42:50-09:44:11 Page 9</p> <p>1 as to timely -- if a timely notice is filed. This is 2 the first opportunity we've really had to talk to you 3 about the notice because it was filed after our 4 December meeting. 5 In any event, it's not atypical. For 6 example, in the Legacy Foundation Action Fund case 7 which we're waiting the Supreme Court decision on, they 8 went to the ALJ. That decision came back to the 9 Commission. The Commission made some modifications to 10 the ALJ ruling and then, you know, they then could go 11 to Superior Court and then have jurisdictional deadline 12 that we believe they blew there, but -- so this is 13 pretty typical. 14 In fact, the last time we went through a 15 full-blown -- the other time we went through a 16 full-blown ALJ hearing was in 2012? '14. We had a 17 candidate who had previously been removed from office 18 who under the -- under the statute we denied the right 19 to participate in. He appealed that right to OAH, and 20 we had a hearing. And the administrative law judge 21 affirmed our decision or, I should -- our decision 22 there. 23 So it's just -- it's basically your first 24 step in an appellate process is to go to the 25 administrative law judge and then, depending upon how</p>

<p>09:44:16-09:45:23</p> <p>Page 10</p> <p>1 people want to proceed, they have a right to go to 2 Superior Court. 3 CHAIRMAN MEYER: So, Tom, is he appealing 4 only the fine and penalty provision of the -- of our 5 order? Because hasn't the deadline -- wouldn't the 6 deadline have passed on the initial order, the first 7 order to refund all the money? 8 MR. COLLINS: Mr. Chairman, that's how I 9 understand things. 10 CHAIRMAN MEYER: Okay. 11 MR. COLLINS: What he -- what he would say 12 at a -- at a hearing is up to him, but that certainly 13 would be the position I believe that we hold. 14 CHAIRMAN MEYER: Then the next question. 15 At the hearing, this is just a review of the record, 16 correct? There's not going to be evidence put on or 17 anything like that, will there? 18 MR. LaRUE: Mr. Chairman, that is my 19 understanding. That's the way it's supposed to work, 20 and I'm couching it that way because, you know, as an 21 attorney I can tell you that one never knows what may 22 happen in a hearing, but the way it is supposed to work 23 is that it is a review of this body's decision with 24 Mr. Rubalcava allowed to make arguments as to why this 25 Commission erred in imposing penalties. And we, of</p>	<p>09:46:37-09:48:29</p> <p>Page 12</p> <p>1 think it's -- well, I'll just say unattractive and not 2 at all what we were initially shown as the wire outline 3 of what it was supposed to look like. 4 So where exactly do we stand with them? 5 And there's a place you can put feedback, and I put 6 feedback in. And I sent an email to the Secretary of 7 State, and I've heard nothing back. So where do we 8 stand on our issues with them? 9 MR. COLLINS: Well, Mr. Chairman, 10 Commissioner Kimble, there's really two -- two 11 different issues there that you've described. The 12 first is the ISA outlined some specific features that 13 the site was to have. One of the things we did not do 14 in our -- in our ISA was make, if you will, aesthetic 15 stipulations. 16 We did -- the beta testing, however, was 17 specifically part of the process, and the Secretary has 18 gone out and done a pretty ongoing Facebook advertising 19 campaign, for example, to drive people to the site. I 20 have some inquiries into them related to what 21 they've -- what the scope of that was, what the results 22 were, how it's changed things. 23 As -- in an effort to be -- go above and 24 beyond what our partnership requires, I authorized Gina 25 to work with our -- with the designers at the Riester</p>
<p>09:45:27-09:46:32</p> <p>Page 11</p> <p>1 course, will make arguments as to why this Commission 2 was correct. 3 CHAIRMAN MEYER: Okay. Any other questions 4 on the appeal? 5 COMMISSIONER KIMBLE: Well, one other one. 6 So this may be getting in the realm of it's difficult 7 to predict, but typically will the administrative judge 8 rule that day or is this something he takes under 9 advisement? 10 MR. LaRUE: Mr. Chairman, Commissioner, it 11 is impossible to predict. That said, I would be 12 surprised if there is a ruling that day. 13 COMMISSIONER KIMBLE: Mr. Chairman, I have 14 a question about something else on the -- in the 15 executive director's report, if we're done with this 16 topic. 17 CHAIRMAN MEYER: Any other questions on the 18 Rubalcava matter? 19 (No response.) 20 CHAIRMAN MEYER: If not, go ahead, 21 Commissioner Kimble. 22 COMMISSIONER KIMBLE: Mr. Collins, on the 23 See the Money, I've looked at the -- at the site, and 24 I've spent a substantial amount of time using it. And 25 I can say that I think it works. I can also say I</p>	<p>09:48:38-09:50:20</p> <p>Page 13</p> <p>1 firm that we work on a lot of our design matters to 2 provide feedback and some mockups of some -- some, 3 perhaps, more -- dealing with some of the aesthetic 4 issues. 5 I think that the major -- putting aside, 6 you know, whether they like the tones and stuff like 7 that, I think there are -- I think, in my view -- and 8 Gina can correct me if I'm wrong, but I think there are 9 two major design issues. The first is that if you look 10 at what's currently there, the color scheme and the 11 granularity around the different icons makes it very 12 difficult to read. So there's a -- so there's a 13 visibility and accessibility issue there which we've 14 identified for the IT staff. 15 Secondly, the site as it's currently 16 designed doesn't articulate as well as it might why you 17 should look at it, and we think that's important. 18 We've given them a mockup that basically lays out, you 19 know, here's what -- here's why this matters; here's 20 what is -- here's where to find certain things. You 21 know, we haven't had a meeting with them about that. I 22 know they've been -- you know, their goal was to really 23 grind out a lot of this stuff over the course of the 24 next -- of the last two weeks. 25 So I'm not sure whether -- and we haven't</p>

<p>09:50:22-09:51:49 Page 14</p> <p>1 really bugged them about it. We expected some 2 communication by the 16th. We didn't get it. I 3 haven't had a chance to follow up where we are. I do 4 think -- I think there's really three evaluation 5 ways -- there are three ways to evaluate See the Money, 6 and the first is what does it look like right now. The 7 second is what does our ISA call for, and the third is 8 what has Secretary Reagan articulated it will do in the 9 future.</p> <p>10 And what our RSA -- ISA calls for in terms 11 of functionality is more limited than what the ultimate 12 vision of the system is. We may, as Mr. Miller told us 13 at the -- back in -- God knows -- May or so, you know, 14 we may -- they may come back and ask for assistance 15 with those kinds of things in the future. So I think 16 that there's a lot of information there. I think 17 there's a lot of function there.</p> <p>18 I think -- I think articulating better why 19 those functions are different than functions that have 20 previously existed and why those functions are relevant 21 to voters is really going to be the challenge going 22 forward, and that may be something that we do -- that 23 may be partially design issues and then maybe partially 24 public relations and it may be a combination of things, 25 but that's kind of where we are.</p>	<p>09:53:21-09:54:29 Page 16</p> <p>1 any changes, I would like -- there's a reason -- I'd 2 like to know why and those kinds of things because 3 those are the reasons why those were incorporated into 4 the contract itself, if that answers the question at 5 all.</p> <p>6 CHAIRMAN MEYER: Commissioner Chan? 7 COMMISSIONER CHAN: Mr. Chairman, Tom, is 8 it possible at all to bring it up on the screen for us? 9 I don't -- I don't want to hijack the meeting 10 completely, but I admire the fact that, you know, 11 Commissioner Kimble has actually looked at it. I have 12 been remiss because I haven't, and I was just curious 13 if we could take a look at it because I'm a little 14 surprised that it doesn't look like what we were shown. 15 And I was curious to see it.</p> <p>16 Thanks, Gina. 17 COMMISSIONER PATON: I have to admit it 18 doesn't lend itself to be real excited to view it, I 19 mean, once you see the --</p> <p>20 CHAIRMAN MEYER: That's a good -- and, 21 Commissioner Chan, I have actually pulled it up on my 22 phone and was looking at it.</p> <p>23 COMMISSIONER CHAN: Yeah. Well, 24 Mr. Chairman and Tom, I just -- I also want to thank 25 you and, you know, the staff that's working on this</p>
<p>09:51:51-09:53:17 Page 15</p> <p>1 I do -- you know, I want to stress that I 2 think we've had -- at all the meetings we've had -- 3 well, I think the meetings we had -- the meeting we had 4 January 3rd was cordial, and -- and I think that we -- 5 I think we got a lot accomplished in terms of 6 understanding where they're coming from. I just -- you 7 know, the whole purpose of the update to you was simply 8 to -- you know, I'm not -- you at the last meeting 9 authorized me to -- you know, to essentially have this 10 done and it's not.</p> <p>11 And so I feel like I'm obligated to report 12 on it, but I don't want to -- I don't want to 13 overemphasize this, but on the other hand, you know, 14 it's -- you know, I think we'll get -- I think we'll 15 get there sooner rather than later. That's my hope, 16 and my also hope is that the -- is that there are 17 some -- some of those aesthetic changes are made.</p> <p>18 And, finally, I really do, in order to -- 19 if you read the -- if you read the contract, the beta 20 testing and off the testing and final signoff, which 21 you authorized me to do, you know, requires me to have 22 some information, and I've asked for that information. 23 I haven't received it yet. So I'm really -- that's an 24 important piece of this. In other words, if the beta 25 testing didn't yield any information or didn't yield</p>	<p>09:54:31-09:55:51 Page 17</p> <p>1 because I appreciate the fact that you're sticking to 2 the terms of our contract and making sure that they're, 3 you know, fulfilling their part of the bargain.</p> <p>4 MR. COLLINS: And Commissioner -- 5 Chairman -- I'm not sure --</p> <p>6 COMMISSIONER CHAN: It looks a little 7 different.</p> <p>8 MR. COLLINS: Commissioner Chan, I just 9 wanted to note, I mean, I think that the Secretary of 10 staff has, for the most part, been receptive to our -- 11 to our ideas. I think the question is whether or not 12 they're in a position to implement some of the ones -- 13 some of the suggestions we've made or not. We don't -- 14 I don't think we have a clear answer on that.</p> <p>15 COMMISSIONER KIMBLE: Mr. Chairman, let me 16 just say, this looks somewhat different than when I 17 looked at it as recently as yesterday, although it 18 still has the rather unattractive funny-looking thing 19 at the top.</p> <p>20 CHAIRMAN MEYER: The magnifying glass? 21 COMMISSIONER KIMBLE: And, also, one of the 22 discussions we had with them was that they would give 23 equal display to saying this was a project of the 24 Secretary of State and the Clean Elections Commission 25 and they have, but you would need to find a microscope</p>

<p>09:55:55-09:57:22 Page 18</p> <p>1 to find that which is at the very bottom there in about 2 the one-point type. 3 MR. COLLINS: Yeah. Mr. Chairman, 4 Commissioner Kimble, with respect to that, I mean, I 5 think that the contract actually calls for a landing 6 page with both logos on it. I know that there are 7 folks who work on IT at the Secretary's office who 8 don't like landing pages. You know, part of it is a 9 question of what -- what battles to fight and what 10 battles not to fight. At a certain point there's -- 11 that's -- that's ultimately a call for you-all to make. 12 I mean, certainly -- and I don't have the 13 contract -- a copy of the contract with me, but I'm 14 pretty -- I'm almost 100 percent certain we wrote in 15 that there would be a landing page and then you would 16 go into it which would allow for more space for the 17 logos. A landing page with those logos could also 18 explain you are about to enter a system that allows you 19 to do X, Y, and Z and that kind of thing. 20 So there are some things you could do with 21 a landing page that I think would be beneficial but, 22 you know, I suspect that I can certainly give that 23 feedback to them. I mean, there's -- there's nothing 24 to prevent that, and I'm halfway certain they're 25 watching the meeting anyways. So, you know, I mean, I</p>	<p>09:58:27-10:00:09 Page 20</p> <p>1 about or it depends on, you know, how much you want to 2 be sticklers about it. 3 I certainly -- I think -- I think that Sara 4 and I have demonstrated a willingness to accommodate 5 the views of the Secretary's office insofar as they 6 don't mesh with the contract the Secretary's office 7 signed, but there is a point in which, you know, that 8 has to -- there is a point past which, you know, we 9 need to have -- the terms were written for the purpose 10 of having them done, you know, not to not have them 11 done. 12 So it's -- you know, on the other hand, you 13 know, we do have our reports in which is important, and 14 there's some other benefits. So it's -- you know, I 15 think the only thing I can say is that you'd like to 16 believe that a contract is a contract is a contract, 17 but a contract is often -- it becomes a jumping-off 18 place for further negotiations of that contract. 19 I don't think we've given anything away on 20 that score, but we have also tried not to overplay our 21 hand because it is important to us to have the 22 functionality. Once the functionality is built, the 23 Secretary's office over time has time to improve the 24 product. And if our relationship is good, we're happy 25 to continue to work with them to make sure that the</p>
<p>09:57:25-09:58:23 Page 19</p> <p>1 think we can -- but I do know there's a general dislike 2 for that. I don't know if that's true as a web design 3 concept in general or if it's simply just an 4 idiosyncrasy of the Secretary's IT folks. 5 COMMISSIONER CHAN: Thank you, 6 Mr. Chairman. 7 CHAIRMAN MEYER: Thank you. 8 Okay. So just sort of maybe bringing this 9 back a bit to the supplement to your report, Tom, if I 10 understand it correctly, you're just going to keep in 11 communication with them. There's certain deliverables 12 you've asked to have before we submit the second and 13 final payment? 14 MR. COLLINS: Yeah. 15 CHAIRMAN MEYER: And you're still waiting 16 on those and we'll hear from you on that, but once you 17 get those you're going to make the payment. 18 Is that a fair summary? 19 MR. COLLINS: I think -- yeah. I think as 20 long as the -- as long as the contracts are filled, I 21 think -- I think that -- I think we're obligated to 22 make the payment. You know, hindsight being 20/20, 23 surely there are things that we might have -- you know, 24 we might have been more specific of. Some things we 25 were specific of that we may or may not really care</p>	<p>10:00:11-10:01:12 Page 21</p> <p>1 product is something that benefits the public and is 2 understandable for the public and it's in the public's 3 best interest from a voter education perspective. 4 So I'd rather -- so the relationship 5 matters too is what I'm trying to say. 6 CHAIRMAN MEYER: Yeah. I mean, just -- 7 we'll move on here, but let me -- before we do, I'll 8 just say, you know, thank you to Tom. And I know Sara 9 has been involved in this. It's great to be working 10 with the Secretary of State's office on a project 11 that's bringing so much information. It's a huge 12 positive. And, you know, it's not done yet, but I'd 13 like -- you know, I think we're all happy with where 14 it's going. At least I am. 15 And, you know, Tom, keep doing what you're 16 doing. Thanks for the update on the status of that 17 last payment. And we'll, you know, trust you to keep 18 doing what you're doing and move on, but I think we're 19 in good hands in this project is going well. 20 So let's move on to the next item. 21 COMMISSIONER CHAN: Actually, Mr. Chairman, 22 I just had one question on -- 23 CHAIRMAN MEYER: Okay. 24 COMMISSIONER CHAN: -- not about the 25 Secretary of State's --</p>

<p>10:01:12-10:02:25 Page 22</p> <p>1 CHAIRMAN MEYER: Okay. 2 COMMISSIONER CHAN: -- but on the candidate 3 information. I was just curious about who the 4 legislative candidates are and who the statewide 5 candidate is who has received funding so far. 6 That's -- 7 MR. COLLINS: It's David Schapira, who's 8 the candidate for superintendent of public instruction, 9 Senator Dalessandro and Representative Gabaldon in 10 District -- who are both in District 2. Councilman 11 Schapira was the first statewide candidate to apply, 12 and Senator Dalessandro and Representative Gabaldon 13 have been our earliest filers, gosh, for two or three 14 election cycles now and really have -- do a very good 15 job articulating why they use Clean Elections and why 16 they think it's a benefit to them and their 17 constituents in terms of their interaction with their 18 constituents. 19 COMMISSIONER CHAN: Thank you. 20 CHAIRMAN MEYER: All right. Any other 21 questions on the executive director report? 22 (No response.) 23 CHAIRMAN MEYER: Okay. Let's move on to 24 Item Number IV, which is discussion and possible action 25 on the 2017 voter education activities and the 2018</p>	<p>10:03:46-10:04:53 Page 24</p> <p>1 them. 2 So we conducted focus groups earlier in 3 2017, and we held those in Phoenix, Tucson and 4 Flagstaff. We had about ten groups of about an average 5 of 10 participants in each group, and we had the 6 opportunity to sit down and talk with them. And we 7 discussed a lot of -- a lot of topics, but our ultimate 8 goal here, the objective, again, as I mentioned, was to 9 identify this messaging strategies that we can utilize 10 to reach these voters. 11 So we're just trying to get an 12 understanding of where our voters are at, and this was 13 particularly important coming off of the 2016 14 presidential election. We just wanted to see how 15 things may have changed with the voters. 16 Some of the subjects that we discussed with 17 them were overall democracy. What is a democracy and 18 what does it mean to be a citizen? What are your roles 19 and responsibilities as a citizen when it comes to 20 participating in your democracy? Elections in general. 21 We talked about social media, media, the news. We 22 talked about where do you go to get your information, 23 how the voting process has been for you. And we had 24 them go through a few exercises such as writing a 25 letter to a nine-year-old and describe what a democracy</p>
<p>10:02:31-10:03:43 Page 23</p> <p>1 voter education plan. 2 MS. ROBERTS: Mr. Chairman, Commissioners, 3 good morning. 4 CHAIRMAN MEYER: Good morning. 5 MS. ROBERTS: We have a lot to cover today 6 so I'm going to try to be as brief as possible. 7 There's a lot of information in this -- in this 8 presentation just for your ultimate review if you 9 decide to look further and deeper, but I will try to be 10 brief. So what we have for you today is a recap of our 11 voter education activities for 2017 and our plan going 12 forward. 13 To start off, I'd like to briefly remind 14 the Commission of some research that we conducted in 15 the beginning of 2017, and this is really the 16 foundation for how we've moved forward for what we have 17 done in 2017 and what our plan is for 2018. This 18 research guides our messaging strategy. It guides the 19 tactics that we utilize, and the Commission has for the 20 past several years conducted research for this purpose 21 to make sure that we understand where the voters stand, 22 where they are looking for their information, what 23 their overall feelings and thoughts are on elections. 24 And so the more we can understand the voter standpoint, 25 the viewpoint of the voters, the better we can reach</p>	<p>10:04:56-10:06:01 Page 25</p> <p>1 is to these folks -- you know, to this nine-year-old 2 and write another letter explaining how you felt the 3 last time you voted. Did you feel empowered? Did you 4 have a good experience? Things like that. 5 And then we actually asked them to describe 6 what each elected office does. What is the 7 responsibility of the governor? What is the 8 responsibility of the Corporation Commission? So that 9 was very eye opening for us to see where these focus 10 groups, the participants -- where they stood with that 11 level of knowledge. 12 A few takeaways that we wanted to share. 13 The participants noted that voting, especially voting 14 local is important, but we know the turnout in our 15 midterms and in our local elections and our city and 16 town elections, those are much lower. So, you know, 17 it's interesting because a voter -- they recognize the 18 importance because it's their own backyard. These are 19 the things -- the issues that are -- hit really close 20 to home, but unfortunately, we're not seeing that 21 turnout. 22 We see reasons for that due to the lack of 23 coverage maybe. There's obviously not as much media 24 coverage on these local elections as there is the 25 presidential election. So it's not so much in the</p>

<p>10:06:04-10:07:08 Page 26</p> <p>1 voter's face. They don't have that constant reminder 2 this election is coming up. And then where do they go 3 to get information? Most of these voters describe 4 difficulty in I don't really know where to go to find 5 information on, you know, my local candidate or, you 6 know, my midterm election or my legislative candidate. 7 So there was that overall feeling of, yes, 8 they're important, but the reason why we're not turning 9 out is because we don't know where to go for the 10 information. We're not being constantly reminded of 11 it. 12 We did talk to them about our debates and 13 our voter guide, and with regard to debates, voters 14 spoke positive when it came to the presidential ones. 15 As far as the local debates, not so much awareness that 16 these are actually happening. 17 And our voter guide, folks reference the 18 guide as being too long and complicated to be fully 19 understood. So we have made some changes, as you're 20 aware of, with going from the full pamphlet to the 21 district specific. And the first year that we 22 implemented that was the 2016 cycle. So with this 23 feedback after the fact, we still have some 24 improvements that we can make. 25 And I'll share those with you a little bit</p>	<p>10:08:19-10:09:36 Page 28</p> <p>1 elections this year on our consolidated election dates. 2 One thing I want to notice -- or mention here, the 3 messaging and tactics that we've used. So I described 4 a little bit about the research and how that drives our 5 messaging, and that will go forward with our tactics 6 that we used for our media plan. 7 The other thing that I want to point out to 8 consider as we go through this, we have the job of 9 educating the entire state of Arizona. We have 15 10 counties. The voting experience is different in each 11 county for each individual voter as in what options do 12 they have. And we have terminology from vote by mail, 13 vote centers, all mail, all mail ballot, polling place, 14 provisional ballot, early voting, ballot replacement 15 centers. All of these terms are different across 16 counties and a matter of what's available. 17 So a voter who is in Pima County can have a 18 very different voting experience than a voter that's in 19 Yavapai County. So that's important for us to keep in 20 mind as we consider the messaging that we're pushing 21 out statewide and then how we have to reach each 22 individual voter across the four corners of the state. 23 So this is where I'll go pretty quickly. 24 These are just some brief details on the elections and 25 what we did. So we had our March election with our</p>
<p>10:07:11-10:08:15 Page 27</p> <p>1 later throughout the presentation, but we are aware of, 2 you know, how can we improve our Voter Education Guide? 3 How can we make folks aware of the debate so that 4 they'll come out? 5 So the overall takeaway that we left with 6 from the research was, as far as our messaging goes, we 7 really need -- and I apologize. I know this is 8 difficult to see, but we need to demonstrate the 9 emotional reward of voting, that feeling of 10 empowerment, that feeling of, you know, I just cast my 11 ballot and I feel really great walking away from the 12 polls. 13 We need to provide our information in a 14 more simplified manner. We need to show the connection 15 of this information to the individual voter, the local 16 issues, how they impact their backyard. We need to 17 make our information as easily accessible as possible 18 and as easily digestible as possible and just to be 19 transparent. It's important for voters to understand 20 where they're getting their information from, that it's 21 non-partisan and that it's unbiased so they trust the 22 source. And we need to consistently provide multiple 23 touch points on how we can get this information to 24 voters. 25 So 2017, our elections, we had four</p>	<p>10:09:38-10:10:41 Page 29</p> <p>1 local cities, and we've supported these through social 2 media. And these are just some examples of the 3 creative that we did, and you'll see a lot here where 4 we talk about impressions and engagement and the cost. 5 We had a very strong media plan in 2017, and overall 6 our performance was above industry standard. 7 So, you know, in terms of what do these 8 numbers mean, it means we did a good job. It means our 9 media buyer and our media team, they did a good job in 10 getting us our bank for a buck in our reach. 11 COMMISSIONER CHAN: Mr. Chairman, Gina, 12 could you just explain what impressions are and 13 engagement? 14 MS. ROBERTS: Sure. So an impressions is 15 how many times was this ad -- a message, an ad that we 16 have, how many times was it displayed to somebody so 17 they were impressed with it. 18 Now, whether or not they clicked on it, 19 that's a click or did they engage with it somehow. So 20 if we're talking social, you know, did they react to 21 it? Did they leave a comment? That type -- that's 22 engagement, and we want engagement because that gives 23 us the opportunity, then, if someone puts a question on 24 social media, we can respond to it pretty quickly. You 25 know, we have a hundred response rate through those.</p>

<p>10:10:45-10:11:40 Page 30</p> <p>1 So it's a good communication channel for us. 2 CHAIRMAN MEYER: What does engagement mean? 3 Like, someone clicked on it? 4 MS. ROBERTS: Yeah. That would be a click, 5 so depending on the ad that we are talking about. And 6 then the engagement, again, is if they leave a comment 7 or something like that. So they engage with the ad. 8 They clicked on it. They left a message. They shared 9 it with their friends, that type of thing. 10 COMMISSIONER PATON: Did they like it? 11 MS. ROBERTS: Yes, yes. 12 So these are just examples of creative that 13 we did, some of the ads that we had through March. And 14 then we had our May election. You'll see as we go from 15 March, May, August and November, the amount of 16 jurisdictions that are participating, those start to 17 pick up. So when those pick up, because we now have a 18 greater audience, we'll support that with more tactics. 19 So we'll see more social media here. 20 And, again, the messaging that we're 21 putting out there is key dates, deadlines, last date to 22 register to vote. This is where you go to find your 23 polling or your vote center, a reminder to turn in your 24 early ballot, things like that. 25 When we get into August, August was a</p>	<p>10:13:02-10:14:16 Page 32</p> <p>1 supporting messaging out there for each election and 2 the stats on this show that we were successful. 3 An example of one of the radio reads that 4 we had: Brought to you by the Citizens Clean Elections 5 Commission. Register to vote by October 10th for the 6 November 7th election. Visit 7 azcleelections.gov/novemberelection for all your 8 voter registration information. Very to the point, 9 very basic. It's the information you need right then 10 and there, and we did radio reads like this for all the 11 key dates and deadlines. So mail your ballot back, the 12 last date to get a ballot by mail. 13 Maricopa County had a very specific voting 14 process with specific dates that people could vote in 15 person once early voting ended. So we a specific radio 16 read to that and then, of course, on election day. 17 So some of the voter tools that we 18 implemented. This is a picture here from when staff 19 went down to ASU at the National Voter Registration 20 Day, and these students who are on their phone, they 21 are downloading our chatbot. They are engaging with 22 it. And with our chatbot, we ran ads to support this. 23 And as most of you saw during the roundtable, the 24 chatbot is a new tool that we developed, and it 25 provides automated responses to voters under specific</p>
<p>10:11:42-10:12:59 Page 31</p> <p>1 pretty bigger -- a much bigger election because of the 2 city of Phoenix one that got more media attention on 3 it, and so we did social media and we also had digital 4 tactics. So we helped support this election through 5 banner ads. So when you're on your computer, you see 6 an ad pop up, that type of thing. We had social videos 7 going through YouTube, and then we did paid search. So 8 if you're googling and you type in city of Phoenix 9 election, that type of thing, you'll get to the Clean 10 Elections information. 11 Just some more examples, some examples of 12 our videos for our Facebook. Hopefully our 13 commissioners follow us and have already seen these. 14 Some examples of the banner ads that I mentioned, the 15 digital. And this was a YouTube video that we had to 16 remind voters to mail in your early ballot. And, 17 again, with our paid search. 18 So November picked up. We had 11 counties, 19 it looks like, that had elections. So because of that, 20 we wanted to amplify our tactics. We added radio into 21 the mix here and we -- that helped support our digital 22 and social media efforts. And -- you know, I 23 apologize, but I am trying to go through these items 24 pretty quickly because we do have a lot to cover again, 25 but overall, the main point here is that we had</p>	<p>10:14:20-10:15:29 Page 33</p> <p>1 detailed election information. 2 So, you know, it's the August election. 3 Here's the key dates and deadlines. You want to learn 4 more about how to get your ballot or where your voting 5 location is or visit azcleelections.gov directly to 6 learn more. It's a new tool, new technology. We 7 learned a lot about how voters use this, and it was 8 really interesting to see their reaction to it. 9 We had three paths in the chatbot. We had 10 one for the August election, the November -- elections. 11 Elections in general, the details about it. And then 12 we had a path for trivia. So test your election trivia 13 knowledge. We had about ten questions -- or eight to 14 ten questions in there. And where we asked what we 15 thought as staff were very easy questions, such as how 16 old do you have to be to register to vote or, you know, 17 when is the deadline, things like that, it took our 18 users about nine to ten minutes to answer those 19 questions which was, you know, a little bit of an eye 20 opener for us because, again, on our end, we think this 21 is easy information but, you know, it took a little bit 22 longer than anticipated to respond to those. 23 So this tool, again, is very new. We're 24 learning more about it, how we can best use it to reach 25 our -- to reach our voters and -- sorry about that.</p>

<p>10:15:34-10:16:46 Page 34</p> <p>1 One of the interesting things, too, is with our 2 subscription rate. So with the chatbot, when someone 3 downloads it, they can choose to subscribe to 4 notifications. And we had a 10 percent subscription 5 rate, which was really great to see. So what that 6 means now is every time we have an election deadline, 7 we can push that notification out to them and it will 8 pop up. 9 We had our voter I.D. at the polls tool 10 that we developed, and so we launched that later in 11 2017. If you'll recall, this tool was developed to 12 help people navigate through that standard list. 13 There's three lists of acceptable I.D., and sometimes 14 it's kind of a mix and match. You know, do I have 15 this, but is it the right -- you know, is it out of 16 date, or does this have my current address on it? So 17 we developed an application to take the guesswork out 18 of it. 19 Events and outreach that we went through in 20 2017, we had our roundtable. That was really great. 21 We had a good turnout between our counties, our 22 election officials, and our stakeholders throughout the 23 community. So we took away from that roundtable -- the 24 highlight was the need for voter education. Throughout 25 all of the breakout sessions, from the feedback that we</p>	<p>10:18:06-10:19:08 Page 36</p> <p>1 passionate they are. We also know that they need a lot 2 of help just because, you know, we have voters who 3 maybe they're here temporarily, you know, this is not 4 their home state. They don't have an Arizona I.D., an 5 Arizona driver's license. They live in a dorm. 6 We just have to talk to each individual 7 voter to understand more about how we can help them. 8 These are just some pictures of the event. So it's 9 really great to get these folks registered, and we 10 asked them to write down on a whiteboard, why are you 11 registering today? And so this is also really great 12 content for our social medial channels too, but you'll 13 see some of the messages here. All voices should be 14 heard. Voting creates a better future. This is just a 15 picture of our booth. So we hope to be out there in 16 2018 as well. 17 So that was a very brief -- hopefully it 18 was very brief -- review of 2017. Unless there's any 19 questions, Mr. Chairman, I can jump right into what our 20 plans are for this year. 21 CHAIRMAN MEYER: No. Go ahead. 22 MS. ROBERTS: Okay. So we do have some 23 events coming up. The first would be in February. The 24 Commission is working with our counties to sponsor a 25 security training conducted by the United States</p>
<p>10:16:49-10:18:03 Page 35</p> <p>1 got in our surveys, the Number 1 theme was the need for 2 voter education and how most people view voter 3 education as the solution to some of the issues that 4 we're seeing, whether, you know, it's on the county 5 side or, you know, maybe getting people to return their 6 early ballots on time, that type of thing. The common 7 denominator here was that voter education could be the 8 solution for most of the issues. 9 Just a quick overview, we continued our 10 partnerships and building and strengthening those 11 partnerships with the county recorders, our election 12 officials. We held several meetings with them 13 throughout the year. We provided training for them in 14 terms of public relations. We gave a presentation on 15 how can we better educate voters about the ballot by 16 mail process. We had a partnership with the Arizona 17 Center for Disability Law in developing education 18 materials for voters without permanent residence. This 19 is just a snapshot of what we have done this year. 20 As I mentioned, we were at National Voter 21 Registration Day. This is a really fun event for staff 22 to go to because we get to interact with really our 23 young generation of voters here. These are going to be 24 the folks who are shaping our future, and it's really 25 exciting to see their level of interest and how</p>	<p>10:19:11-10:20:19 Page 37</p> <p>1 Elections Assistance Commission. So that will be 2 towards the end of February down at the Hyatt, and this 3 training will really talk about what it means -- what 4 IT means with regards to elections and how important it 5 is to have an IT manager in your office and how they 6 interact with all of the different applications and 7 databases and the overall security for that, for making 8 sure that our voters' information is secured. 9 There will be a conference in February as 10 well for the African-American Conference on 11 Disabilities. This is through our partnership with 12 ACDL. So the staff will be out there with education 13 materials. There will be a Federal Election Commission 14 Regional Conference that staff will be attending. We 15 have our EOA spring conference and, of course, National 16 Voter Registration Day. Again, this is just a snapshot 17 of some of the grassroots efforts that staff will be 18 attending in 2018. 19 Our campaign for this year, our voter 20 education campaign, we are terming that "Connections." 21 And, again, this goes back to our research. How can we 22 connect the voter to the election? So our goal here is 23 to motivate Arizona voters to vote informed in our 24 state elections, of course, but also, you know, their 25 local.</p>

<p>10:20:20-10:22:45 Page 38</p> <p>1 And our approach for doing that is, again, 2 we need to showcase that emotional reward of voting and 3 actually voting informed as well, too, but we need to 4 have that -- if we can demonstrate that emotional 5 reward and demonstrate the connection to the individual 6 voter on why it matters to them to vote in this 7 election, the goal is to increase that turnout and get 8 these folks to participate in the political process. 9 We'll have a strong media mix to support 10 all of our messaging efforts. So we will be on TV this 11 year. We will have our radio reads. We'll have our 12 print ads and, of course, a strong presence on digital 13 and social and paid search. 14 I would like to play for you one of our TV 15 spots that we have developed. It's a 30 second spot, 16 and if you'll excuse me. I just have to go straight to 17 the source. I don't think -- I'll just go straight up 18 here. There we go. 19 (Video playing.) 20 MS. ROBERTS: Okay. So that was our 30 -- 21 30-second TV spot, and as we've been mentioning and 22 building up towards, the point behind this strategy was 23 really, again, that emotional connection. So we 24 showcase talent that represents our college student 25 down in NAU. We had folks who represented our urban</p>	<p>10:24:05-10:25:20 Page 40</p> <p>1 We will have -- our supporting media for 2 this includes developing a mural. So we will have a 3 location here in downtown Phoenix. I'm sure you've 4 seen street art, but we're actually going to develop a 5 mural -- I'll give you an example on them just in 6 another slide here -- and turn that into augmented 7 reality. So it will be a mural on a physical location, 8 but then we'll have an application where voters can 9 actually interact with it digitally. 10 And this will encourage our younger voters 11 to come out. You know, it's that Instagram worthy 12 moment for them. This goes back to what we heard in 13 our roundtable from Mr. Casap that it's meeting them 14 where they're at. So trying to hit our younger 15 generation here. Again, with these media tactics, 16 we'll meet them where they're at with our social, 17 snapshot. We'll have Snapchat filters, Instagram, and 18 then we'll run ads on their college campus newspapers 19 and things like that. 20 So this is an example of what that mural 21 could look like, the 18 in 2018. So we've seen similar 22 types of wings before, but you get the person out 23 there. They stand in front of it and they get that 24 photo. Ideally they share it and then they interact 25 with -- with our website.</p>
<p>10:22:49-10:24:03 Page 39</p> <p>1 area, our rural areas. We wanted to try to reach, you 2 know, again, the four corners of the state and 3 establish that emotional reward, that connection to 4 what it means to vote local in our state elections. 5 This is just some examples of the print of 6 what that Connections campaign looks like and how we'll 7 be communicating with voters. So, again, how does this 8 election connect with you. And, again, we'll have our 9 talent representing the different areas of the state. 10 And we also have another campaign that 11 we'll be running in 2018, and it's our 18 in 2018 12 campaign. We have voters who will be turning 18 years 13 old in 2018, and as part of that we want to reach -- we 14 want to reach them and get them to register to vote now 15 and act- -- what we are terming activate their 16 political power. These are, again, our next generation 17 of voters. And so we want to get to them and celebrate 18 that they are now able to vote, to participate in the 19 political process. 20 And so our goal is to increase our voter 21 registration with these younger voters and inform them. 22 They're new now. They're new to this process, to 23 voting, to elections. So we want to introduce them to 24 the tools and resources that we can provide so they can 25 not just vote but be that informed voter.</p>	<p>10:25:22-10:26:33 Page 41</p> <p>1 This -- on the right you'll see our 2 Instagram page for the 18 in '18, and the kind of 3 content we'll be pushing out there is interesting facts 4 about young leaders. So we just did one for MLK day 5 about some of the other leaders that have been younger 6 activists, and really it goes back to informing this 7 younger generation. You're 18 now. You can vote. You 8 have this voice now. So activate it. Get out there 9 and register. 10 So we also have our debates. That's going 11 to be part of our bread and butter that the Commission 12 sponsors, and this year we have all of our statewide 13 that will be on the ballot. So in addition to 14 statewide, we will have our legislative candidates. So 15 we will be running debates in every legislative 16 district where it's eligible and, of course, our 17 statewide. And just a reminder for our statewide 18 debates, we do broadcast those. So those are 19 televised. And our legislative ones are on the ground 20 in the district, and voters can actually attend those 21 in person. 22 And our goals here are to increase 23 attendance ultimately and engagement and provide 24 multiple touch points on how voters can access this 25 information. We record them for viewing after the</p>

<p>10:26:38-10:27:48 Page 42</p> <p>1 fact. We have different outlets where voters can 2 actually submit a debate question, whether that's 3 through our smart phone app or our website, coming down 4 in person, but we want those voters to engage with the 5 candidates directly. 6 And some of the pilot programs that we 7 have -- or excuse me. We do have our media mix for 8 supporting our debates. If you'll recall, during the 9 budget approval process, we had spoke briefly about how 10 we can further support our debates and our Voter 11 Education Guide, and this is where we landed at. We 12 can use tactics that are listed here to let our voters 13 know that the debates are actually happening so we can 14 increase that attendance. 15 The feedback that we constantly hear from 16 our surveys is they just -- voters, they learn last 17 minute about it, and the way that they knew about it 18 was from the candidate themselves. So we know that we 19 need to do more to communicate to the voters about the 20 existence of these debates and when they're occurring. 21 One thing I wanted to point out, this is a 22 new tactic we'll be trying out is direct mail. So 23 we -- with our Voter Education Guide, we send the guide 24 to every household that has a registered voter. We 25 want to now send a personalized invitation to every</p>	<p>10:29:03-10:30:05 Page 44</p> <p>1 they can bring their parents and they can get involved. 2 They get the community involved. 3 And what we're doing there is, again, with 4 our younger -- our next generation of voters, we're 5 creating an experience where they can get involved in 6 the political process and hopefully we'll get that 7 lifelong voter from this. 8 And we have an opportunity to live stream 9 certain districts as well. So we've talked about doing 10 that in the past and it's never been feasible until now 11 in terms of the economics of it and the efficiency of 12 it, but now we're in a place where we think with the 13 technology that's available to us through our A/V 14 partners, we are going to pilot live streaming in 15 certain legislative districts. And as far as the 16 statewide debates goes, I mentioned we broadcast those, 17 but we will now be able to tap into that feed and live 18 stream it through the Clean Elections social medial 19 channels as well, too. So we will be exploring those 20 options. 21 We will improve the process of 22 communicating with our candidates about the debates. 23 So we're working on online applications to -- if you 24 think of, like, an Evite invitation, if you've ever 25 seen those, but that's how we want to get our</p>
<p>10:27:54-10:29:00 Page 43</p> <p>1 household with a registered voter letting them know, 2 did you know Clean Elections sponsors debates? You're 3 invited. Visit our website for the schedule, but this 4 is now going back to where voters -- you know, they 5 want that information provided directly to them. This 6 is the response to that. So they're going to get it in 7 their mailboxes, in their hands that a debate will be 8 occurring in their district. 9 Some of the pilots that we're working 10 through and how can we improve our debate experience 11 for voters. We have been working with Commissioner 12 Paton on implementing a pilot with some high schools 13 down in the Tucson area and incorporating the student 14 groups and parent networks. So if we host a debate -- 15 and right now we're working with Sahuaro High School 16 and Empire High School. 17 So if we host a debate down there, we can 18 get those students who are in the student government 19 classes, who are on the debate team, who maybe they 20 have an A/V club or they have a social media club. 21 These groups can get involved and they can maybe write 22 the debate questions. They can cover it as a 23 journalist. They can write up a report. They can take 24 pictures of it for their social media channels. They 25 can come out and interact with the entire process and</p>	<p>10:30:08-10:31:13 Page 45</p> <p>1 invitations out to the candidates and the responses. 2 And the goal here is that whatever 3 candidate happens to interact with this, if they 4 confirm their attendance or, you know, maybe or a no, 5 that information is automatically populated to our 6 website so that voters know immediately which 7 candidates will be -- are confirmed to attend and the 8 press as well. So we often get phone calls about who's 9 coming to this debate. This is our -- our automatic 10 way of getting that information out there. 11 Our Voter Education Guide. As I mentioned, 12 one thing we heard through our research was we need to 13 take a look at this guide and see how can we make it 14 more user friendly for our voters. We are working with 15 the Center for Civic Design. We have sent that to 16 them. This is a national group who -- they work with 17 election officials across the state to develop ballots, 18 education guides, websites, and they focus on plain 19 language and layouts to develop a better user 20 experience. 21 So we got some really great feedback from 22 them on our guide, and we're working on implementing 23 those changes. So hopefully when we get our guide out 24 this year voters will have a better experience as they 25 navigate through the information that we provide in</p>

<p>10:31:14-10:32:24 Page 46</p> <p>1 there. And, of course, we'll be integrating our 2 Connections campaign, the look and feel of it. And we 3 will continue with the district-specific guides that we 4 are putting out there. That's proved to be not only 5 cost efficient for us, but also it was a better 6 experience for the voter. Again, we don't want to 7 intimidate them with that thick guide. 8 We will have supporting messaging and media 9 tactics out there to inform voters about the existence 10 of the guide; that it's coming to them; what 11 information they can get from it and how to use it. So 12 we'll let voters know about this through several 13 tactics such as radio print and digital. 14 We will have a specific campaign for our 15 independent voters. As we know, Arizona has an open 16 primary. So we want to make sure that we let this 17 significant block of voters understand the process so 18 they know how to participate and get their ballot. And 19 this is an example of the media that we'll do use to 20 support that. 21 Our website. We have launched a redesign 22 of our website. We launched -- working on it, I should 23 say. The new design is not live yet, but this is what 24 our new site will look like. So we've worked closely 25 with our partner Riester to put a new skin on our site</p>	<p>10:33:39-10:34:45 Page 48</p> <p>1 good stuff. 2 And then if there's something significant 3 that voters need to know, you know, maybe it's not a 4 date or something but it's something specific, maybe 5 it's about the open primary and independent voters, we 6 have this communication channel to send them an email 7 about it now. 8 And I saved the best for last, so our voter 9 dashboard. I'd like to walk you through this tool that 10 we are building as part of our new website design. And 11 I will probably have to work from over there because I 12 will be using the mouse, but the dashboard -- we've 13 mentioned this before a few times. This is really that 14 one stop shop for voters to come to. 15 They enter in their address, and when we 16 get their address, we know what districts they're in. 17 If we know what districts they're in, we know what 18 county they're in. We know their voting experience, 19 the voting options that they have to them. We know 20 their candidates, and so we can provide them very 21 useful information in one location. 22 And I'm going to jump up over there to 23 guide you through that. 24 COMMISSIONER CHAN: It looks like we need a 25 mouse with more range. It probably doesn't exist yet.</p>
<p>10:32:26-10:33:36 Page 47</p> <p>1 and also work on the flow of the information that we 2 provide, the structure of it. 3 When you look at our site compared to even 4 last year, but a few years ago, the amount of content 5 we are providing to the voters now, the information, it 6 has increased significantly. And the previous site 7 structure that we had did not really support that, and 8 so we had to take a step back and see how can we 9 improve the overall structure of this site, the bones 10 of it, to support all of the information we have out 11 there. 12 And so we went through a process of working 13 with Riester on that redesign, and we hope to have this 14 launched within the next month or two. So we are close 15 to getting this new design out there. With that, we'll 16 be updating the mobile app design as well so folks know 17 when they visit the app or when they visit the website 18 that they are on the Clean Elections site. 19 We are implementing a new communication 20 tool as well. We will be setting up an email registry 21 so folks can give us their email if they want to sign 22 up to get election-related information. So any time we 23 have an election coming up, we'll send out an email, 24 hey, did you know this election is coming up? Here's 25 everything you need to know, reminders and all that</p>	<p>10:34:55-10:36:14 Page 49</p> <p>1 MS. ROBERTS: Can I jump right in here? 2 I'm so sorry. My apologies. 3 So here we have our landing page. 4 COMMISSIONER PATON: Maybe you can sit over 5 there. 6 MS. ROBERTS: I'm so sorry. 7 COMMISSIONER PATON: That way -- you're 8 making me uncomfortable. 9 MS. ROBERTS: I know. I'm sorry. 10 Our technical difficulties here. Okay. So 11 here we go. 12 This is the landing page. As you brought 13 up during some of the conversations with See the Money, 14 we have this page here and we tell voters what you will 15 see if you use this tool. So very specific here. You 16 will get election information. You will get 17 information on the candidates, where to vote, the 18 voting process, who your current elected officials are 19 and your district information. 20 So the user will enter in their address. 21 We don't retain that information, but we do need it to 22 identify their districts. And we get going. The first 23 thing they're going to see is my upcoming election, and 24 this button will take them to our election detail page 25 on our website where they can get everything they need</p>

<p>10:36:15-10:37:30 Page 50</p> <p>1 to know about that specific election. And we jump into 2 our important dates. So what's the voter registration 3 deadline? When do they need to return their ballot? 4 When will they get their ballot? 5 Then we jump into where to vote. As I 6 mentioned with our 15 counties, the voting options that 7 are available, there can be a lot to filter through. 8 So we have it broken down by am I going to vote early 9 or do I prefer to vote on election day? And so if I'm 10 voting early, we have the information to request an 11 early ballot, who their specific county recorder is and 12 the contact information. 13 We also list all of the early voting 14 locations in that county. We explain what an early 15 voting location is and then we show them the top three 16 to the address that they entered. If they decide, you 17 know what, maybe I want to visit an early voting 18 location near my job, then they can change their 19 location. And we will list all of them so they can 20 click "see all," but we do list the top three nearest 21 to them. And, of course, it will have the operating 22 hours. 23 Then if I want to vote on election day, if 24 I'm in a county that utilizes polling places, then -- 25 and this is very important. We do need to let the</p>	<p>10:38:41-10:39:59 Page 52</p> <p>1 office, for example, in addition to just their social 2 media -- 3 MS. ROBERTS: Yes, Mr. Chairman, 4 Commissioner Chan. We have that capability. So right 5 now in our profiles we can link to their -- we can link 6 to -- we can link to actually whatever we want. We 7 have the fields to do it. Right now we have just 8 linked to their E-Qual documents and we have talked 9 about integrating their campaign finance reports into 10 it when we get access to that data. With our existing 11 structure, we really didn't have that opportunity, but 12 now through See the Money hopefully we will have more 13 access to that system where we could do that. 14 COMMISSIONER CHAN: Great. Thank you. 15 Well, Mr. Chairman, while Gina is 16 completing what she needs to to get past the technical 17 difficulties, I'll just mention that prior to seeing 18 this dashboard, the most exciting thing for me so 19 far -- I mean, it's all exciting, but I was able to 20 actually subscribe through the chatbot to get election 21 updates for myself which I guess I hadn't done that 22 before. You just go on Facebook and message the 23 Commission and it will kind of take you through the 24 thing, and you give it a thumbs up if you want to get 25 election information.</p>
<p>10:37:31-10:38:37 Page 51</p> <p>1 voter know you have an assigned polling location. And 2 so here that information will be displayed if we have 3 access to that data. If it's a county that utilizes 4 voting centers, we'll have all of those voting centers 5 listed just like with did with those early voting 6 locations. 7 Then if I go back up to my different tabs 8 here, that was the when and where to vote. Now I want 9 to know what's on my ballot. So here's the candidate 10 information that populates. So we'll have all of the 11 candidate profiles, and you would just click on the 12 view info to view their candidate statement, their 13 contact information, their social media links. This 14 would be a link to our candidate compass quiz, and then 15 here's the information on, great, here's the upcoming 16 debates in my district or statewide -- oh, sorry about 17 that. 18 COMMISSIONER CHAN: Mr. Chairman, this is 19 incredible. 20 Sorry you're having a technical difficulty. 21 I was going to ask about the candidate 22 links. 23 Do you -- do you think it would be 24 beneficial or too confusing to also link to their 25 campaign finance, you know, at the Secretary of State's</p>	<p>10:40:00-10:41:07 Page 53</p> <p>1 I thought that was -- I didn't realize, I 2 guess, that we did that with our chatbot. 3 So thank you, Gina. That is incredible, 4 and this is amazing. 5 MS. ROBERTS: Thank you, Mr. Chairman. 6 You know, in the interest of time and also 7 technical difficulties, I will just show you -- I 8 apologize -- instead of going through each page, but we 9 do also have a my registration and ballot status where 10 voters can actually look up am I registered to vote or 11 the status of my early ballot. And a quick note about 12 that, if the Commission -- if you'll recall, you did 13 approve Tom to work with Maricopa County on an IGA so 14 we can get access to that data from Maricopa County. 15 So our goal is to work with our county partners to be 16 able to provide specific information to voters through 17 our application. 18 And then we have our elected officials tab. 19 We show the profiles, very similar to candidates, about 20 their current incumbents, so who the current elected 21 official is, and then the my district info will show 22 them all of their districts: congressional, 23 legislative, board of supervisor, their city district, 24 and with a brief explanation of what these districts 25 actually are and what they do.</p>

<p>10:41:10-10:42:45 Page 54</p> <p>1 So with that, I am happy to answer any 2 questions, but I do apologize for the technical 3 difficulty here. 4 CHAIRMAN MEYER: No need to apologize. 5 Commissioner Paton, go ahead. 6 COMMISSIONER PATON: So as to the -- a 7 couple of things that strike me here is when you 8 compare this dashboard to the See the Money thing and 9 it pales in comparison, the Clean Elections -- I mean, 10 the See the Money looks rather generic compared -- I 11 mean, I'm not a technical person, but I mean, I can 12 definitely see the difference. 13 Secondly, as to my emphasis that I wanted 14 to do as far as have these debates at schools, last 15 week Gina and Stephanie and I met the principal at 16 Sahuaro High School where I went to school, and he was 17 worried that we may go to Sabino or another school. 18 And he was all on Twitter that, you know, we may have 19 like a competing thing. 20 And he is -- he's very excited that we 21 would have the debate for Legislative District 10 at 22 Sahuaro High School, and he's going to involve his 23 government classes. They're going to push it in the 24 community. And we went and saw their auditorium. 25 Obviously, I've been to the auditorium before, and it</p>	<p>10:44:17-10:45:38 Page 56</p> <p>1 And so this fits in well with Gina's plan 2 for the 18 in 2018 and my goal of getting a more 3 educated electorate. It's frustrating when people ask 4 me, well, who should I vote for, you know, that kind of 5 thing. We need an electorate that knows what's going 6 on. And so if this goes well, hopefully, my goal would 7 be to have all these debates of contested elections, I 8 mean -- you know, to be at school sites. And you're 9 going to get these schools to back up these debates and 10 hopefully promote the younger kids voting as well as 11 educating their parents and the community areas around 12 them so that we have more participation in our 13 elections. 14 CHAIRMAN MEYER: Thank you, Commissioner 15 Paton. And on behalf of the Commission, thanks for all 16 your work on that. I think it's a really -- a really 17 great idea and a really great thing. 18 So anyone else have any other questions for 19 Gina? 20 Are you -- thank you very much. 21 MS. ROBERTS: Thank you. 22 CHAIRMAN MEYER: The information is 23 definitely out there if anyone wants to find it. So 24 thank you. 25 MS. ROBERTS: My apologies again for the</p>
<p>10:42:51-10:44:16 Page 55</p> <p>1 seats -- I don't know -- like a thousand people or so. 2 And so he's loving the idea. 3 And for people that are on our Commission 4 that haven't been to these debates, they're -- a lot of 5 them re rather poorly attended by 10 or 20 people. And 6 it just -- it's very frustrating to see that. And if 7 we can get hundreds of people at Sahuaro High School 8 and get the news media down there to promote it and 9 that kind of thing, you know, I feel like that's -- 10 that's my goal. 11 And then we went down to Empire High School 12 where my stepdaughter goes to school, and they have a 13 parents group that's very involved. And they have put 14 on their own debates for the whole school district area 15 which covers like several districts, but this would be 16 for 14, correct? 17 And so we talked to a parents group, and 18 I've also separately talked to the principal there. 19 And I told them that our budget is going to -- we're 20 going to set this debate up, but my goal is to fill 21 this -- this auditorium. And it seats about 523 22 people, and they said the last debate they had, they 23 had a couple hundred, but I said, no, you don't have to 24 worry about doing the debate. You guys fill this place 25 up.</p>	<p>10:45:39-10:52:50 Page 57</p> <p>1 technical difficulties. 2 CHAIRMAN MEYER: No need to apologize. 3 I suggest we take five minute -- a 4 five-minute break here, and then we'll reconvene and 5 we'll move on to Action Item Number 5. 6 (Whereupon, a recess was taken in the 7 proceedings.) 8 CHAIRMAN MEYER: All right. We're going to 9 reconvene our meeting here. We were actually at Item 10 Number V, which is discussion and possible action on 11 MUR 14-027, Veterans for a Strong America. 12 I know, Tom, you provided a memo to us, a 13 one pager recommending that the Commission approve this 14 conciliation. I agree with that. I'm ready to approve 15 it with my vote. 16 Does any of the other commissioners have 17 any questions on this issue? 18 COMMISSIONER PATON: Actually, I do. 19 How did you come up with that amount? 20 MR. COLLINS: So, Mr. Chairman, 21 Commissioner Paton, this complaint comes out of two -- 22 well, one set of expenditures and two different 23 complaints. There was a complaint filed with the 24 Secretary of State's office alleging that Veterans for 25 a Strong America was a corporation that owed corporate</p>

<p>10:52:54-10:54:20 Page 58</p> <p>1 reports under what then 16-914.02. 2 I as -- in my capacity as executive -- in 3 my capacity as executive director and my ability to 4 make complaints reviewed that complaint and concluded 5 that based on the information available, that DSA was 6 an unincorporated association in South Dakota and, 7 therefore, not subject to 914.02, but subject to the 8 Clean Elections Act which does not make a distinction 9 between corporate entities and unincorporated 10 associations. 11 The Commission worked with the Attorney 12 General's Office after the Commission directed me to do 13 so. There were a number of different changes in 14 both -- counsel both of the AG's office and most 15 specifically and more difficulty at the -- at DSA. And 16 the \$2,000 was arrived at by the Attorney General's 17 Office, and the specific attorney that negotiated it is 18 not -- is not here. 19 I think that -- my view was, given that we 20 were working on this together, that getting the Clean 21 Elections reports was more important for Clean 22 Elections. And to the extent the Attorney General's 23 office did take the lead in negotiating this 24 conciliation, that the fine going to the Attorney 25 General was reasonable.</p>	<p>10:55:24-10:56:42 Page 60</p> <p>1 be cashed in the possession of the Attorney General's 2 Office. 3 This is -- this is -- I'm very -- I have to 4 say I'm very happy the Attorney General's Office and 5 particularly O.H. Skinner who is the civil -- the 6 government accountability chief there who worked with 7 me on this getting this done was helpful. I think it 8 relieved a lot of ongoing issues or outstanding issues 9 that had been shifted around as the Attorney General's 10 Office has gone through its own reorganization, but 11 this did not get lost in the shuffle. 12 And I'm appreciative to the Attorney 13 General's Office as well as to Joe and Kara who kept me 14 informed when it was in their section for their help on 15 getting this done. And I think this is a good 16 resolution and -- and given, obviously, the amount of 17 time passed since that election, I'm happy to have it 18 resolved. And I would encourage you to vote to approve 19 it. And if someone would move. 20 COMMISSIONER KIMBLE: Mr. Chairman? 21 CHAIRMAN MEYER: Commissioner Kimble. 22 COMMISSIONER KIMBLE: I move that we 23 approve the agreement in MUR 14-027. 24 CHAIRMAN MEYER: Is there a second? 25 COMMISSIONER CHAN: I second that motion.</p>
<p>10:54:21-10:55:19 Page 59</p> <p>1 In the past we've done -- I think in 2014 2 we did a similar conciliation with the Attorney 3 General's Office where we got the fine. So I don't 4 really have a -- I don't have a -- I don't have an 5 answer to why the fine was set as it was, but I did 6 defer to the Attorney General on the fine because they 7 did the bulk of the negotiating legwork here and yet we 8 are getting the Clean Elections reports out of the 9 conciliation which I think is -- our bottom line -- 10 most important. 11 If that -- I mean, that's the answer to 12 your question. It may not be a -- it may not be an 13 answer answer, but it's the answer. 14 CHAIRMAN MEYER: Any other questions on the 15 proposed conciliation agreement? 16 (No response.) 17 CHAIRMAN MEYER: I think -- I think it's 18 been signed by all the other parties -- 19 MR. COLLINS: That's correct. 20 CHAIRMAN MEYER: -- if I'm correct, Tom? 21 MR. COLLINS: Yeah. And, Mr. Chairman, 22 that's different from most reconciliations. Typically 23 the parties will wait until we approve before they 24 sign, but in this particular case, they have actually 25 signed. And the -- and the fine dollars are waiting to</p>	<p>10:56:44-10:57:43 Page 61</p> <p>1 CHAIRMAN MEYER: We have a motion to 2 approve the reconciliation in MUR 14-027. 3 All in favor say aye. 4 (Chorus of ayes.) 5 CHAIRMAN MEYER: All opposed? 6 (No response.) 7 CHAIRMAN MEYER: Abstentions? 8 (No response.) 9 CHAIRMAN MEYER: All right. Motion carries 10 unanimously. 11 On to Item Number VI on the agenda, 12 discussion and possible action on Arizona Advocacy 13 Network, et al., v. State of Arizona, et al. 14 It says we may choose to go into executive 15 session here, Tom? 16 MR. COLLINS: Yes, Mr. Chairman. And I 17 think Mary is on the line. 18 Mary? 19 MS. O'GRADY: Yes, I am. 20 MR. COLLINS: Okay. I'm not -- Mary, I 21 guess I thought I'd give a quick outline of where we 22 are and then -- and then you and the Commissioners can 23 make a decision about whether or not to go into 24 executive session, but January 8th was the due date for 25 responsive pleadings to the complaint filed by AZN and</p>

<p>10:57:48-10:59:29 Page 62</p> <p>1 the other plaintiffs which include the bulk of the 2 Democratic caucus as well as at least one union. 3 We filed our answer. The State and the 4 Secretary of State whom are both represented by Tim 5 Berg of Fennemore Craig, filed an answer, and then the 6 Governor's Regulatory Review Council which was named 7 filed a motion to dismiss on the basis of essentially 8 that they are not a jural entity; that is to say, 9 they're not an entity that can be sued or be sued 10 independently. 11 So that is sort of the beginning of the 12 lawsuit. There will be some deadlines approaching as 13 far as initial disclosures and those kinds of things, 14 but I think that so far, you know, there's -- you know, 15 one might have anticipated that the Secretary of State 16 might have filed a motion to dismiss. They did not, 17 and -- and that's kind of where things are. 18 Mary, I don't know how you want to -- if 19 you want to get into any -- any detail or talk -- or if 20 there's anything we need to go into executive session 21 on or if there are any questions that are public that 22 anybody has. 23 MS. O'GRADY: This is Mary. Yeah. I think 24 Tom gave a good procedural update, and unless the 25 commissioners have questions, I don't see a need to go</p>	<p>11:00:37-11:01:59 Page 64</p> <p>1 CHAIRMAN MEYER: Any other questions? 2 (No response.) 3 CHAIRMAN MEYER: Okay. Thank you, Mary. 4 We will go to Item VII: Discussion and 5 possible action on legislation affecting the 6 Commission, campaign finance, election and 7 administrative law. 8 MS. O'GRADY: And I will hang up now. 9 Thank you. 10 CHAIRMAN MEYER: Thank you. 11 MR. COLLINS: Mr. Chairman, if I may, 12 you'll have -- you have in front of you a memo that 13 Mike put together updating the bills that we have 14 identified thus far as a -- as having an essential 15 impact on the Commission. I want to highlight a couple 16 of them and what we're -- what we're planning on with 17 those bills. 18 There's an HCR referendum dealing with, as 19 the short title says, unlawful contributions and 20 rulemaking. Basically -- essentially Section 1 of the 21 bill says that participating candidates would not be 22 able to make any expenditures to any party directly or 23 indirectly for anything other than a voter file and 24 voter file would be defined in the statute. 25 We have reached out to Representative</p>
<p>10:59:32-11:00:36 Page 63</p> <p>1 into executive session. 2 CHAIRMAN MEYER: I do not have any 3 questions. 4 Any of the other commissioners have any 5 questions? 6 COMMISSIONER KIMBLE: Mr. Chairman? 7 CHAIRMAN MEYER: Commissioner Kimble. 8 COMMISSIONER KIMBLE: I guess I just have a 9 general question. 10 So what's next in this? 11 MS. O'GRADY: Tom, do you want me to 12 respond or Commissioner -- Mr. Chair? 13 MR. COLLINS: Yeah. 14 MS. O'GRADY: Procedurally -- 15 CHAIRMAN MEYER: Mary, go ahead, please. 16 MS. O'GRADY: Okay. Thank you. 17 Procedurally there will be briefing on 18 GRRC's motion to dismiss. So those will be the next 19 court filings, and then -- and then we'll also get 20 into, you know, initial disclosures and discovery and 21 setting a schedule for the case. So that will -- that 22 will be in the next few months, but the next paper that 23 will be filed is likely the briefing on GRRC's motion 24 to dismiss that Tom described. 25 COMMISSIONER KIMBLE: Thank you.</p>	<p>11:02:03-11:03:24 Page 65</p> <p>1 Coleman about this because it's not actually clear to 2 Mike and I what they're driving at. We understand, 3 obviously, that the purported controversy over the view 4 of certain -- the incorrect view, I think, about the 5 facts of what happened in 2012, and then we had a 6 different policy discussion here at the Commission 7 which is -- you know, those are different things. 8 You know, and what policy should be, I 9 think, is something that there may be some room to talk 10 about, but this particular version does a couple of 11 things that are problematic. One, it's much broader 12 than even any of the most restrictive policies the 13 Commission considered and might have adopted because it 14 restricts participating candidates even in the use of 15 their private contributions which is -- which is a step 16 farther than anything has ever -- that has ever gone 17 forward. 18 Mr. Coleman has -- similar to last year, 19 Mike and I met with him and discussed that with him and 20 tried to explain to him that if he wanted to accomplish 21 this, the best way to do it was to focus on clean 22 funding, not on all participating candidate dollars 23 because if they don't qualify, those contributions are 24 private contributions that they are free to expend 25 how -- under other law -- of their law.</p>

<p>11:03:30-11:05:01 Page 66</p> <p>1 It also creates some new challenges for the 2 Commission in terms of, essentially, enforcing and 3 ensuring that no money is directly or indirectly spent 4 on voter -- anything other than voter files, and then 5 the definition of voter files which opens up the 6 Commission to be involved in the parties' own internal 7 processes and transactions in a manner that it never 8 has been. 9 So, ironically, this bill is a -- can only 10 be characterized as an expansion of the Commission's 11 authority, yet it's not something we're super 12 comfortable with anyways. And we're trying to get an 13 understanding of why. 14 On the rulemaking issue which is the sort 15 of off -- you know, we've done this now for the second 16 or third year. The rulemaking exemption has certain 17 consequences. We would have to do outreach formally 18 under the APA, which is not anywhere -- not any more 19 onerous than what we do now. And with respect to what 20 it does to us in our relationship with GRRC, you know, 21 it essentially -- it's the status quo because GRRC 22 claims they can do what they're doing now. 23 So if we were to refer -- if for some 24 reason the legislation were to refer this to the 25 voters, we would simply -- GRRC would continue to</p>	<p>11:06:38-11:07:57 Page 68</p> <p>1 reported. See the Money -- one of the things See the 2 Money does, it's supposed to encapsulate the profession 3 of a person so that you can essentially track, you 4 know, industry influence, whether it be lobbyists or 5 other industry. 6 If there's a lot of -- if 55 percent of 7 donations are going to be captured or something along 8 those lines by this and not be reported, it's going to 9 distort what See the Money tells you. So that's 10 problematic even in our investment. And then from a 11 transparency perspective for Clean Elections candidates 12 themselves, most candidates -- the maximum they can 13 take in See the Money is 160 bucks. \$100 is well over 14 50 percent of that. So I think there's still a reason 15 to be concerned. 16 If the bill were to say at least \$100, that 17 would make a difference. That hundred dollar threshold 18 seems like it could have a difference. We don't have a 19 statistical analysis of that yet, but I think we'll be 20 looking at that going forward. But we did -- I did 21 sign in an opposition of this bill based on the reasons 22 I've articulated to you here. 23 Those are really the top bills that we have 24 identified as having a real impact, 2182 we noted only 25 because we are working with this with the folks who are</p>
<p>11:05:04-11:06:35 Page 67</p> <p>1 assert what it asserts. And if we disagreed with 2 GRRC's legal conclusions, we continue to think they are 3 wrong and we might -- you know, we or others might have 4 to take action on that. 5 So, anyways, we're hoping to talk to 6 Representative Coleman about it and find some way to 7 resolve this short of this HCR but -- and we have some 8 hope about that because we know that he listened to us 9 last year when we tried to explain to him at least the 10 practical implications of what he was trying to do 11 and -- and we'll see. 12 I can tell you that SB 1023 just passed 13 Senate judiciary on a party line vote or four-three -- 14 I don't know if that's party line. I think it's party 15 line -- that it was amended so that the amount of money 16 that required the candidate to report an 17 identification -- contribute to the identifying 18 information be increased from 50 to more than \$100, 19 although from what I understand from Senator Kavanagh's 20 testimony at the -- at the hearing, that still includes 21 55 percent of the donors. 22 And in my view, it still raises issues with 23 the effectiveness of See the Money because, you know, 24 if you're cutting it off at more than \$100, right, so 25 you have to be at \$100 and one cent before you are</p>	<p>11:08:03-11:09:16 Page 69</p> <p>1 advocating for this bill to make sure that -- 2 essentially, we'd like to remain neutral on the bill 3 because we don't think that we --we think that it 4 provided that it doesn't affect the 20 percent formula 5 reduction in state campaign contributions, there's 6 really no reason for us to be in opposition, but we've 7 been in close communication with the folks who are 8 working on this bill to make sure that they're -- that 9 we're all on the same page. 10 So those are the top three. You can see 11 the rest of the -- a number of other bills that have 12 been introduced related to elections and rulemaking and 13 the like, but unless you have any questions on those, 14 those would be -- 15 COMMISSIONER PATON: Question. 16 MR. COLLINS: Yes. 17 CHAIRMAN MEYER: Commissioner Paton. 18 COMMISSIONER PATON: So the 2104, does that 19 have a chance or -- I mean -- 20 MR. COLLINS: 2104. 2104. 2104, you know, 21 Mr. Chairman, Commissioner Paton, we were asked by a 22 couple of county recorders about this, and this is not 23 a bill that we were consulted on before it was 24 introduced because that was their major question. It 25 has not been assigned yet. I don't anticipate it being</p>

<p>11:09:19-11:10:41 Page 70</p> <p>1 assigned. For whatever -- for what it's worth, it's 2 a -- it's a bill that is sponsored entirely by 3 Democratic members of the -- of the House. And, 4 frankly, it's simply not been the practice of the -- of 5 the House or the Senate in at least the last ten years 6 to assign or move most Democratic sponsored bills. 7 COMMISSIONER PATON: So -- 8 MR. COLLINS: So the answer is probably no. 9 COMMISSIONER PATON: So what they're asking 10 for is us to fund those elections too? 11 MR. COLLINS: That's what they're asking 12 for, but I don't think that their -- 13 COMMISSIONER PATON: Since we're kind of 14 worried about our funding to begin with. 15 MR. COLLINS: Yeah. I would be -- 16 COMMISSIONER PATON: It made me nervous. 17 MR. COLLINS: I would be surprised if that 18 were -- if that bill were to move, and I also -- based 19 on the contact we received when it was introduced by -- 20 from a couple of county recorders, I suspect the 21 county recorders would not be supportive of it even 22 if -- or at least would be skeptical of it even if it 23 were to -- even if it were to move which would have the 24 effect of probably have -- giving it a rough time. So 25 we are not overly concerned about it.</p>	<p>11:12:02-11:13:20 Page 72</p> <p>1 that sort of antiregulatory position that many folks in 2 the legislature and elsewhere have taken, that seems 3 counterintuitive. 4 The other thing that seems counterintuitive 5 about it is that, you know, when you vote on a rule or 6 anybody votes on a rule, that rule is the law whether 7 or not the Secretary's office has caught up with 8 publishing it in the Administrative Code. I mean -- 9 you know. 10 And as I read this bill, until the 11 Secretary of State's office publishes a rule in the 12 Administrative Code, it's not law, and that's not -- 13 and, frankly -- and, Commissioner Chan, you probably 14 know this better than most, but the vision of the 15 Secretary's office that publishes the Administrative 16 Code, they've caught up now but in many years in the 17 past under, I think, more than one of the Secretary's 18 administration, the code itself has been far behind the 19 actual making of rules. 20 So this -- this kind of -- so there's 21 something -- there's something that's not quite right 22 about the language. And, again, if this gets moving, 23 we would -- we would seek to meet with Representative 24 Coleman to try to understand what he's trying to get at 25 because we really don't think that this is written in a</p>
<p>11:10:43-11:11:57 Page 71</p> <p>1 COMMISSIONER PATON: Okay. 2 COMMISSIONER CHAN: Mr. Chairman? 3 CHAIRMAN MEYER: Commissioner Chan. 4 COMMISSIONER CHAN: Tom, the 2184, the 5 rulemaking one, so does that bill specifically -- 6 because our rules -- don't rules have the force of law 7 right now even though they can't -- you know, the law 8 would be preeminent, I guess, but don't rules have the 9 force of law now? Does this bill specifically say that 10 they can preempt statute or -- 11 MR. COLLINS: This -- 12 COMMISSIONER CHAN: I find it concerning, I 13 guess, this bill. 14 MR. COLLINS: Well, Chairman Meyer, 15 Commissioner Chan, you know -- and we can get you a 16 copy of the bill. The particular clause -- there's a 17 whole mess of stuff that does with rules that we'll be 18 looking at more deeply once this bill gets moving, but 19 I will say that the specific language that stood out to 20 Mike and I is very -- it's counterintuitive in two 21 ways. 22 First, it purports to say that the Arizona 23 Administrative Code as published is the law, and it 24 also says that the Administrative Code is essentially 25 the equivalent of the Arizona Revised Statutes. Given</p>	<p>11:13:23-11:14:39 Page 73</p> <p>1 way that is consistent with sort of general legal 2 principles. 3 COMMISSIONER CHAN: Okay. Thanks. 4 You know, Mr. Chairman, Tom, I guess my 5 question for the sponsor would be what's the perceived 6 problem he's trying to fix? And then, you know, who's 7 really behind the bill? Is it a governor's office 8 bill? That would be my curiosity, I guess. 9 MR. COLLINS: That's a good question. I 10 don't know. I'm assuming it's a Secretary of State 11 bill, but I don't -- I don't have an answer to that 12 question. 13 COMMISSIONER CHAN: Okay. 14 MR. COLLINS: And we can certainly work on 15 that as it goes forward. I think the other -- 16 COMMISSIONER CHAN: I know you have to 17 prioritize based on, you know, there are so many. 18 MR. COLLINS: Right. Well, I think the 19 other -- I think the other stakeholders here -- and 20 just to be quite clear about it -- are other agencies 21 that make rules. Now, some agencies that make rules 22 are more or less interested in those rules. Some 23 agencies are really aggressively seeking to get rid of 24 rules and that kind of thing. You know, other agencies 25 less so, but I think that the problems -- and we'll</p>

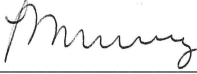
11:14:45-11:15:57 Page 74

1 have to examine the rest of the bill more to understand
2 precisely what the overall intent is, but the
3 definitional change here really creates a potential for
4 a lot of confusion about what is the law.
5 And that's a -- that seems to us to be a
6 significant problem that raises all kinds -- I mean, it
7 raises due process issues, frankly. I mean, you need
8 to know what the law is. That's part of the reason we
9 spend so much time making clear what the law is insofar
10 as the Clean Elections Act is concerned.
11 COMMISSIONER CHAN: Thank you.
12 CHAIRMAN MEYER: Any other questions on
13 Item Number VII?
14 (No response.)
15 CHAIRMAN MEYER: Let's move on to Item
16 Number VIII, which is the recognition and appreciation
17 of Commissioner and Past Chairman Steve M. Titla. He's
18 not here today.
19 So we'll hold that over to the next
20 meeting, Tom?
21 MR. COLLINS: Yeah. I mean, we can -- we
22 can certainly invite him to come, you know. He's in
23 court today. I got an email from him shortly before
24 the meeting. So we will certainly invite him back --
25 invite him back, you know, or perhaps -- unless there's

11:16:03-11:16:37 Page 75

1 an appointment made by January -- by the next meeting,
2 he may still be on the Commission. So -- although we
3 anticipate there will be an appointment before the next
4 meeting.
5 CHAIRMAN MEYER: And item Number IX, public
6 comment, I don't see anyone from the public here.
7 Item X, adjournment. Do I have a motion to
8 adjourn?
9 COMMISSIONER KIMBLE: Mr. Chairman, I move
10 we adjourn.
11 CHAIRMAN MEYER: Is there a second?
12 COMMISSIONER CHAN: I second.
13 CHAIRMAN MEYER: All right. All in favor
14 of adjourning, say aye.
15 (Chorus of ayes.)
16 CHAIRMAN MEYER: Any opposition?
17 (No response.)
18 CHAIRMAN MEYER: Motion carries.
19 Thank you.
20 (Whereupon, the proceedings concluded at
21 11:16 a.m.)
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 20th day of
17 January, 2018.
18
19 
20 LILIA MONARREZ, RPR, CR #50699
21
22
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24
25

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