THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona
February 15, 2018
9:30 a.m.

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<td>PUBLIC MEETING BEFORE THE CITIZENS CLEAN ELECTIONS COMMISSION convened at 9:30 a.m. on February 15, 2018, at the State of Arizona, Clean Elections Commission, 1616 West Adams, Conference Room, Phoenix, Arizona, in the presence of the following Board members:</td>
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<td>Mr. Damien Meyer, Chairman</td>
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<td>Mr. Mark S. Kimble</td>
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<td>Mr. Galen D. Paton</td>
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<td>5</td>
<td>OTHERS PRESENT:</td>
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<td>6</td>
<td>Thomas M. Collins, Executive Director</td>
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<td>7</td>
<td>Paula Thomas, Executive Officer</td>
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<td>Sara Larsen, Financial Affairs Officer</td>
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<td>Gina Roberts, Voter Education Director</td>
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<td>Mike Becker, Policy Director</td>
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<td>11</td>
<td>Aero Shaffer, Web Content Manager</td>
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<td>12</td>
<td>Kara Karlson, Assistant Attorney General</td>
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<td>13</td>
<td>Mary O'Grady, Osborn Maledon</td>
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<td>Joseph LaRue, Assistant Attorney General</td>
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<td>15</td>
<td>Stephanie Cooper, Executive Support Specialist</td>
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<td>16</td>
<td>Andrea Whitsett, ASU Morrison Institute</td>
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<td>Joseph Garcia, ASU Morrison Institute</td>
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<td>18</td>
<td>Christina Stone, Riester</td>
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<td>Bob Robson, Self</td>
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09:29:51-09:30:45

1 PROCEEDING

2 CHAIRMAN MEYER: Good morning. We're going to call to order the Citizens Clean Elections Commission. It's Thursday, February 15, 2018, at 9:30 a.m.

3 I'm Commissioner Damien Meyer, and we also have Commissioners Kimble and Commissioners Paton present. Commissioner Chan will not be here today, and we are still waiting for an appointment of the fifth commissioner.

4 Correct?

5 MR. COLLINS: That's correct, Mr. Chairman.

6 CHAIRMAN MEYER: Okay. Item Number II on the agenda is discussion and possible action on Commission minutes for the January 18, 2018 meeting.

7 Any questions or comments on the minutes?

8 COMMISSIONER KIMBLE: Mr. Chairman?

9 CHAIRMAN MEYER: Commissioner Paton -- Kimble. Excuse me.

10 COMMISSIONER KIMBLE: I move we approve the minutes of the Commission meeting of January 18, 2018.

11 CHAIRMAN MEYER: Is there a second?

12 COMMISSIONER PATON: Second.

13 CHAIRMAN MEYER: All right. It has been moved and seconded.

14 All in favor of approving the minutes from the January 18, 2018 meeting say aye.

15 (Chorus of ayes.)

16 CHAIRMAN MEYER: Any opposition?

17 (No response.)

18 CHAIRMAN MEYER: Any abstention?

19 (No response.)

20 CHAIRMAN MEYER: Motion carries.

21 Roman Numeral III, Item III, discussion and possible action on the executive director's report. Tom?

22 MR. COLLINS: Yes. Mr. Chairman, members, so just to -- just so you know, the live stream is not up, but we are recording the meeting by audio. And we'll have that available on our website later today.

23 There's a lot of election activity going on. As you can see, there's the special primary election on February 27th in CDB, which is in Maricopa County, sort of the west side. There are March 21 elections in February in south Tucson and Tempe.

24 We'll be involved in a number of activities here in the near future on voter education. One of the things, I think, we're really interested and happy to be able to do is to sponsor training for election officials put on by the United States Election Assistance Commission to cover election security and IT management. That's something that -- the Election Assistance Commission was the commission formed under the Help America Vote Act to, essentially, help to ensure that elections around the country are free and fair and -- from a process perspective. So we're happy to be able to assist the county recorders and others in putting that on, and it's really -- that's an exciting opportunity for the Commission.

25 You can see the numbers of participating candidates. We are starting to fund candidates. Candidates are turning in their paperwork for funding. We have a couple of complaints pending.

26 We'll be resolving those -- well, we're not sure -- well, we'll be looking to resolve those one way or the other here in the next few weeks. Whether or not they come back to you or not remains to be seen.

27 And then, finally, I'd note we do have -- we did have an administrative hearing in front of Administrative Law Judge Diane Mihalsky on Mr. Rubalcava's appeal, and we expect the decision within 20 days of that. So it's 20 days from Monday. And then, at that point, you know, that comes back to you for your review, and you'll have independent help to ensure that elections around the country are free and fair and -- from a process perspective. So we're happy to be able to assist the county recorders and others in putting that on, and it's really --
1 counsel again, as you've had with the probable cause
2 process. So that's -- that's where that is. There's
3 not really very much I can say about it at this
4 juncture.
5 And that's really it, unless you have any
6 questions.
7 COMMISSIONER KIMBLE: Mr. Chairman?
8 CHAIRMAN MEYER: Commissioner Kimble?
9 COMMISSIONER KIMBLE: Mr. Collins, what are
10 the -- what's the general nature of the new complaints
11 pending in 2018?
12 MR. COLLINS: They're -- they are the --
13 they are sort of -- I don't want to characterize them
14 until we deal with them too much, but they're pretty
15 run of the mill. There's nothing -- nothing
16 extraordinary. These are -- these are your typical,
17 you know, questions about whether or not someone is
18 reporting stuff on their campaign finance reports the
19 way they ought to and/or -- that's basically the upshot
20 of all of them is are the campaign finance reports --
21 or campaign finance reporting issues. None of them are
22 sort of existential, if you will.
23 COMMISSIONER KIMBLE: Okay. Thank you.
24 COMMISSIONER PATON: I have a question.
25 CHAIRMAN MEYER: Go ahead, Commissioner

1 documents into evidence. Executive Director Collins
2 and, also, Ms. Larsen testified on your behalf, and we
3 submitted the documents through them. We had them
4 authenticate the documents, and these ranged from the
5 audits that were prepared of Mr. Rubalcava's campaign
6 accounts to various email correspondence between
7 Mr. Rubalcava and the Executive Director Collins or
8 Ms. Larsen to everything in between, but the reason the
9 evidence was presented was because we had to
10 substantiate that the Commission acted reasonably in
11 imposing the penalty. Mr. Rubalcava, for his part, did
12 not present any evidence.
13 CHAIRMAN MEYER: Thank you.
14 MR. LaRUE: Thank you.
15 CHAIRMAN MEYER: Any other questions on
16 that, Commissioner Paton?
17 COMMISSIONER PATON: None.
18 CHAIRMAN MEYER: Okay. We'll move on to
20 event and so I can -- I can speak about without
23 compromising anything, Executive Director Collins, at
24 the hearing Mr. Rubalcava asserted that his appeal was
25 of the entire proceeding, the repayment order as well
MR. COLLINS: We can defer this to a time when we can get him here, I suppose, or --

CHAIRMAN MEYER: We can defer this or we can wave the white flag and perhaps send him whatever we were going to send him, but we can talk about that --

MR. COLLINS: Yeah, we can -- we can deal with that.

CHAIRMAN MEYER: Sure.

MR. COLLINS: I think everyone -- I think everyone thought he did a wonderful job as chairman.

CHAIRMAN MEYER: He absolutely did. Yes.

So Item Number V is the discussion and possible action on Arizona State University's Morrison Institute Interagency Service Agreement for 2018.

MR. COLLINS: Mr. Chairman, Commissioners,

I'd like to kind of frame this a little bit and then we have staff members of the Morrison Institute are here to kind of give you -- fill in the details and correct anything I say that's wrong.

The -- Andrea Whitsett is the current executive director. She replaced Tom -- well, Tom --

MS. WHITSETT: Tom Riley.

MR. COLLINS: -- Tom Riley who went back to Nevada where he was from.

The upshot of this is -- from our perspective is that this is part of what we're doing on voter education with our contractors and with the program that Gina administers but also allows us to try to build a relationship and leverage those resources through ASU to bring ASU and the Morrison Institute's ex-policy expertise to bear on some of --

on our voter education opportunities and then ultimately, we hope, build a bridge to the Legislative Academy that the university started last year for new members, which was the first -- to the best of my knowledge, the first of its kind in the country.

And so ultimately I think that the -- as we continue to build new platforms and Gina has continued to build new tools and develop programs, I think if we can also -- and develop the relationship with the county recorders, this is another example of another opportunity for us to build a bridge that leverages our resources across platforms and across institutions in a way that ultimately ensures that voters have an institutional place that they can come to to rely on for information that's impartial and objective and, I hope, creates a common set of facts for including legislators and voters to work from because I think that one of the things that we've really suffered from in the last 15 years or so is that the set -- us having a set of facts that is shared across regardless of party or ideology is -- is not always the case. So I think this is an opportunity to do that.

So with that, I'd turn it over to Andrea for specific questions and for her to present, but I think -- I'm excited about the opportunity to continue our previous partnerships with ASU which have included Morrison's study on independent voters and media usage and all which have given us some insight and given the public some insight into how voters are behaving.

CHAIRMAN MEYER: Ms. Whitsett?

MS. WHITSETT: Thank you, and thank you, Tom. Thank you, Chairman Meyer, and thank you to the commissioners.

As he said, I'm Andrea Whitsett. I am the interim director of Morrison Institute for public policy, and, Tom, I think you actually framed that quite well. We really appreciate the opportunity to be here today and to submit this proposal -- excuse me -- for your consideration.

You know, I think the -- at a high level, we are here and we are bringing this forward because we believe in the value, the need for Arizona to have strong civic institutions, to have a strong base of civic knowledge. And I think it's clear to us and to many people that we're really facing a crisis in terms of voter engagement, voter participation, whether that's people who are registered to vote who are infrequent voters or who are not exercising that fundamental right or people who are not registered to vote at all.

And one of the strengths that Morrison Institute can bring to this is really establishing the level of the crisis and doing that through research and through empirical evidence. I think we've seen how effective that can be if you look, for instance, at the opioid epidemic and how you really have to call these things out. You have to give them a name if you want to galvanize support and really activate people in that space.

As Tom mentioned, we have had the privilege of doing quite a bit of work in the area of Arizona's electorate largely with support from the Clean Elections Commission. As Tom mentioned, we have done some really groundbreaking work on the independent voter, work that has garnered national media attention and has made us a leader in that space. We have done work on the emerging Latino vote. We have done work on...
1. The citizens initiative review which was a really
2. effective model for citizen engagement and
3. participation and understanding the initiative process
4. and reviewing ballot measures.
5. And the highlights of the proposal that we
6. have submitted, one is establishing that crisis and
7. then, two, is bringing forth the content that can make
8. it approachable and that can bridge that gap of
9. knowledge that we're seeing.
10. There's a really nice parallel to the work
11. that we have done with the Arizona Legislative Academy,
12. and I do see this as a bridge. The Legislative Academy
13. was first held last -- a year ago January for the
14. incoming freshman class of legislators, and we were
15. able to spend two days presenting, essentially, a
16. primer for them on issues ranging from water policy,
17. education policy, land use. We've amassed a pretty
18. significant archive of information, but there is a need
19. to then translate it for citizens, for voters, for
20. potential voters.
21. And I think the Clean Elections Commission
22. has a lot of great tools for deploying that
23. information, and we can bring the expertise in terms of
24. content and the way that we present it to make it
25. accessible.

...
CHAIRMAN MEYER: And then we'll get to Commissioner Kimble's question, Commissioner...

COMMISSIONER KIMBLE: Yeah.

CHAIRMAN MEYER: So Commissioner Paton is making some good points here about how this information will be presented. I think Commissioner Kimble is asking a question about what is this study going to be...

COMMISSIONER KIMBLE: Yeah.

CHAIRMAN MEYER: And then we'll get to the -- to the forum issue.

Mr. Garcia, good luck.

MR. GARCIA: Thank you, Mr. Chairman.

Commissioners. Yeah, I covered the politics for many years in my newspaper days, and I understand the role that the media took place as far as getting people involved. It has changed quite a bit, the media, as you know. It's getting smaller.

The reach is getting smaller as well, and it's -- the idea is to make the connection.

I think the news media right now is very good at covering the horse race when it comes to elections, but not the issues and not the candidates and not the qualifications and not in helping make the connection between the individual and their government.

I agree -- Andrea was pointing out that it is a crisis, and I think that is the way to approach it. One is to raise the level of public awareness where we're at as a democracy and, as you know, we've been graded pretty much as a -- as a flawed democracy at this point because there isn't the participation that we need.

And you're right about the primary elections. About 80 percent of primary elections are decided -- that is the election here in Arizona and people just don't know that. People -- independent voters don't even know they can vote in the primary election oftentimes, you know. I mean, it's held in August. I mean, some could argue perhaps not even in the best time, but he's right. It's about making the connection on why people need to be engaged.
Without the content, you don't have a website. It's no different than the newspaper. Without the content, you don't have a newspaper. It's similar to what we have here in Clean Elections. I think we have the apparatus and the formats to disseminate information, but without the content, it won't work. So some of the content is going to be very, very basic, I mean, one or two sentences. That is helping people understand what they need to know. And I also teach journalism at ASU, and many of the young journalists don't even know the three -- you know, the three branches of government. They don't understand the difference between federal and state and local. I mean, there's some very basic information that needs to be conveyed, but once they get it, they get it. So it's a matter of providing the content and helping them make the connection.

So, Commissioner Kimble, it is more at this point what we provide -- and, Mr. Chairman, it's not a necessarily a study because we already have the information. It's more of giving content that people need to know on why they should become involved. And, obviously, some people will never be reached, but earlier this week I was dealing with the -- a small group. We were talking about the future for the center for the future of Arizona. So it wasn't center for the future of Arizona. So it wasn't Arizona's future, but the future for the center for the future of Arizona and launch your vote. And the whole idea was, you know, voter engagement was so key and everyone was agreeing that, you know, it's something that we don't have.

This -- this can be -- the reason that we are trying to do is to create the buzz for Voter U, and the U is playing off of, of course, university because there's some knowledge there, but it's also playing off of, of course, university because they're much better at advertising than we are, but now, how they present that is up to them. They're more much better at advertising than we are, but then if you wanted to go deeper in, you could click on that beyond the two sentences and get, you know, a little bit more information. And maybe that is, you know, one large paragraph, you know, explaining a little more in depth. And if you were a more intelligent, more engaged voter, you can click on further and understand more.

So it's a matter of levels of content to reach voters, but you're right. It has to be started with getting people to engage and understand how this works, but simplicity is important for the potential voters and the non-voters because right now they're so overwhelmed they do not know where to start. So it's different levels of content through different delivery systems to reach many different voters and potential voters at different levels.

CHAIRMAN MEYER: So, Mr. Garcia, if I may, I think what I hear you saying is -- and Commissioner Kimble was asking about how do we get engagement, people to engage. And I think -- if I can summarize your answer, what you're telling us is you're going to create content that is on multiple levels depending on how engaged that voter wants to get, but you're going to try this out, you know. I learned a lot. I had no idea what, you know, a Corporation Commissioner did. I had no idea, you know. And it's just the idea that right now people are so overwhelmed, but as I mentioned the levels, some of it can be very basic where you just want those two sentences. And, you know, the Clean Elections has, as you know, vendors who deal with advertising. We would help provide the content for that advertising.

to start -- that base knowledge that every voter should at least start with will be there. MR. GARCIA: Exactly.

CHAIRMAN MEYER: And some of this is a bigger question of, you know, we can't make voters, you know, get off their couch and turn on their computer and go to the website and look at things. And I think that's part of what you're asking about, but I think what you're telling us is we're going to make that content available to them and at a level that will work for every voter so they can understand how these issues affect them.

Is that a fair summary of what this proposal -- the content you guys are offering to provide? MR. GARCIA: Yes. Mr. Chairman, you actually said it better than I did and more succinctly. So congratulations, but yes, I mean, that is -- that is exactly what it is because you cannot overwhelm the potential voter because that's what's happening now and they feel like they're a part of it. And, you know, the delivery of the message is on many different levels, but it is -- the idea is to get people engaged and to have knowledge because the worst thing we can do, in my opinion, is to drive people to the polls and
CHAIRMAN MEYER: Commissioner Paton had at, and I don't know if that's part of what your issue to see if we can actually go to people where they're and I was kind of thinking kind of struck that that was the main thing that they were interested in was he's taking away -- he's making my tobacco more expensive. And I was kind of thinking this is kind of like the Boston Tea Party or something, you know, about the tea taxes going up. So, anyway, that's my concern as -- I want to see if we can actually go to people where they're at, and I don't know if that's part of what your issue is or what you can do or our staff can do. So I'm concerned about that as well as Mr. Kimble.

CHAIRMAN MEYER: Commissioner Paton had at, and I don't know if that's part of what your issue to see if we can actually go to people where they're and I was kind of thinking kind of struck that that was the main thing that they were interested in was he's taking away -- he's making my tobacco more expensive. And I was kind of thinking this is kind of like the Boston Tea Party or something, you know, about the tea taxes going up. So, anyway, that's my concern as -- I want to see if we can actually go to people where they're at, and I don't know if that's part of what your issue is or what you can do or our staff can do. So I'm concerned about that as well as Mr. Kimble.
base, I think then you -- then you have the ability to
go out and say this is a crisis.
So I think that the public part of this
that resonates with me the most is leveraging the
relationship with ASU and the Commission and with the
resources the Commission already has to communicate to
the public that this crisis is just as important to the
health of democracy as the opioid crisis, for example,
is to the health of people. And that's -- that's how
we want to communicate it.
Now, the proposal is a proposal. So it's
designed to get, you know, press coverage and that kind
of thing, but our goal would be to roll this out in a
way where we're saying to folks, look, what are you
doing to address the fact that we're not increasing --
you know, we're increasing the population of the state
to seven million people. We're not increasing the
percentage of voter participation in any election.
Those numbers are static. Those percentages are static
in the primary. They're static in the off-year
elections, and they're static in the presidential
election years.
And so unless somebody steps up and tries
to make that analogy work, we're going to continue to
drift along because to -- you know, as Commissioner
Paton has pointed out many times in the past, the party
system doesn't really care whether or not folks show up
to vote or not. That's not their gig. Their gig is to
win elections. And people showing up to vote, well,
that's a -- that's an X factor that changes the dynamic
of their system. So this is for voters, not for
parties.
And so it's -- so it's sort of stepping
back from the party system. Let's look at this from
the voter perspective and are voter's healthy, if you
will. And the answer to that question is no, they're
not, for all the reasons that Commissioner Kimble has
just articulated.
So if we do this correctly, what we will
have done is -- you know, if we do this wrong, we do it
wrong, but if we do it correctly, what we will have
done is started and hopefully sparked a broader
dialogue around civics. You know, we already saw the
governor, you know, require a civics test to graduate
from high school last year.
So there's a -- there's definitely a --
there's a bunch of different things going
on out here. Can we coalesce them into one message
that says the electorate is not healthy; we need to
make it healthy and then say we have a solution to
making it healthy with this which is a combination of
the resources that the Clean Elections provides through
its existing services and the efforts that Morrison can
leverage through ASU to get us to a place where we're
now -- where we're -- where we can have the
infrastructure in place to do what I hope -- you know,
things like what Commissioner Paton is talking about,
getting out beyond the comfort zones of folks who hang
out at universities or folks who hang out in state
government buildings and getting out to folks but armed
with the -- all the tools and a broad partnership to
accomplish that.
So that's -- that's certainly my vision of
how this fits into what we're trying to do. You know,
I think that we have a commitment from the Morrison
Institute to make this work for both Clean Elections
and the public. So I'm not -- you know, when we -- you
know, we will have to get all this done on paper in
terms of a contract and all that other stuff, but I
have some confidence based on our prior experience that
we will -- we can -- and based on Morrison's prior
reputation and efforts they've made for us and in other
ways that we can -- that we can do that, but that's
really the vision here is to get folks to understand
the electorate is not healthy.
CHAIRMAN MEYER: So, Tom, I guess staff is
supportive of this proposal.
Correct?
MR. COLLINS: Well, I am. I don't know if
you want to poll -- poll the staff in general. I
think --
CHAIRMAN MEYER: Yeah.
MR. COLLINS: I mean, you know, I think --
I think, yes, we wouldn't put it in front of you if we
wouldn't support it. Let me put it to you that way.
And I don't know if Gina wants -- Gina can talk about
how it integrates with the voter education program that
we're doing. I think she's certainly -- that's her
area of expertise.
MS. ROBERTS: Mr. Chairman, Commissioners,
you've asked some questions that the Voter Education
team asks every single day, and this is -- this is
really at the crux of what we do. We look into how can
we get those voters to actually -- well, even
non-voters -- how can we actually get them to
participate? How are we going to reach them, make them
care, make them want to? What is the incentive to do
so?
And as the Commission knows, we work with
1 an advertising agency. We've partnered with Riester
2 for the past year, and we're working with them for our
3 2018 education campaign. And the way we kick off that
4 campaign is we do our research. We go back to the
5 voters and we talk to them and we say, what is it that
6 you need? Why are you voting? Why are you not voting?
7 And that's how we develop our education plan.
8 And what we've learned in this last go
9 around is it is very evident to us that most voters do
10 not have that general basic knowledge about what it is
11 their elected officials are supposed to be doing for
12 them across all levels, whether that's federal or state
13 or county. And so they -- they just don't understand
14 what it is that the governor is supposed to be doing or
15 how their local city council member makes a decision
16 that can make impact their daily lives.
17 So it comes back to, really, the starting
18 point. We have our tools. We have our communication
19 channels that we work with Riester on about how best to
20 disseminate the content that we provide. We work with
21 Riester to develop content, and we have a very
22 comprehensive voter education plan where we get
23 messages out such as important dates and deadlines, but
24 if you'll recall, our campaign this year, our education
25 campaign is about making the connection to the voter,

10:12:23-10:13:34

1 why the voter should care to want to participate. And
2 that comes back to showing that personal connection to
3 the election.
4 So I, you know, as a mother, I may be very
5 concerned about education or maybe my library that's a
6 mile from my house is going to be staffed and open
7 through the city. And so we have that in our existing
8 campaign, but what we see through the Morrison
9 Institute is they're going to bring us more content
10 that focuses on, one, the rules and responsibilities of
11 each of these levels of government all the way down
12 from federal to local, but also, two, the issues.
13 So as you've heard a lot, we have the
14 Legislative Academy, and we have this group of folks
15 who are interested. They've shown the interest in
16 politics and they go there and they learn about the
17 issues, but now we want to take that same information
18 that is available to them and provide it to voters on a
19 level that they can easily digest. And so if the voter
20 or a non-voter can now have the understanding of, wow,
21 this actually does impact my daily life, maybe they'll
22 be more inclined to vote. That's the hope.
23 And so we can take the information that we
24 will hopefully get from Morrison through this proposal,
25 and we're going to incorporate it into our education

10:13:37-10:14:39

1 campaign. And as far as having those -- you know,
2 going on the road and having those shows out there, you
3 know, Commissioner -- Commissioner Paton, you've made
4 some great suggestions. And part of the talks that
5 we've had is we do want to share this information. We
6 want to share it with our county partners. We want to
7 share it with our city partners.
8 Cities have leadership institutes where
9 they get their local citizens to come out and learn
10 about government and this -- maybe we can incorporate
11 this in there. As far as businesses go, we have had
12 phone calls from businesses who have asked us, hey,
13 we're going to have, you know, a meeting with our
14 employees. What information can you give them about
15 the upcoming election? We have the opportunity to
16 share this information further, but it's really taking
17 us back to the starting point.
18 As I said, our education campaign right
19 now, we're very comprehensive and we touch on all of
20 this to some degree, but now we're going back to the
21 starting point of, you know, to get people's attention
22 to it, we want to establish that crisis because we're
23 seeing those voter registration numbers. We're seeing
24 the participation rates as Arizona's population is
25 growing, and it comes back to do we even understand

10:14:43-10:15:43

1 that this crisis exists that is creeping up on us. And
2 we need to go back to the starting point of civics so
3 people understand why you should care, why you should
4 want to participate.
5 And the motivators and the barriers that
6 we've learned through our research, you know, the
7 motivating -- a strong motivator is the issues. When a
8 voter hears about an issue that's going to be on the
9 ballot that they care about, they're going to be more
10 inclined to cast that ballot. So the more aware we
11 make them of the issues that are affecting the state
12 today, the same issues that the legislators are
13 learning about and making laws and rules that impact
14 their daily lives, it's connecting all of it together.
15 So everything that we would receive through
16 the proposal, we would work with our partner to know
17 the best communication channels to get it out there.
18 We would frame it so it matches the Commission's tone
19 and help to establish that connection and that
20 motivator.
21 COMMISSIONER KIMBLE: Well, Mr. Chairman?
22 CHAIRMAN MEYER: Commissioner Kimble?
23 COMMISSIONER KIMBLE: Ms. Roberts, so what
24 is the goal of this thing? Is it to figure out why
25 people don't vote, or is it to get people to vote?
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10:15:46-10:16:54

CHAIRMAN MEYER: Or both?

MS. ROBERTS: Mr. Chairman, Commissioner Kimble, I would actually answer it a little bit different than the way you've phrased the question. I see the goal as two form: one, to establish the crisis, going back to the beginning to raise awareness about it, to raise awareness that there is a lack of civic education and knowledge. And that is really one of the foundations, a starting point for how we need to reach the voters to make them care and then to ultimately get them to register and to vote.

So I think raising the awareness about the issue, about the lack of information of -- on civics in general that our voters have, as we've learned through our research, that's going to be one of the main goals, establishing that crisis. And then the second goal is we now have the solution to it. So it's going -- not so much identifying why they don't. We have a good understanding of that from the research we've already performed with Riester.

And we have the numbers. We know that people just aren't getting out there, and we have our overall logistics of elections to let them know the important dates, let them know, hey, an election is actually happening. So I really do see the goal as establishing awareness about where democracy is headed with this lack of participation and going back to the basic starting point of civics education to get them to realize how it impacts their life, make the connection and then get them out there to vote.

COMMISSIONER KIMBLE: So we're sitting here a year from now. How are we going to look back at this and say it was a success or it was a failure? What would be a measure of success?

MS. ROBERTS: Mr. Chairman, Commissioner Kimble, that's a really good question. As we develop our education plan, we always put in place our key performance indicators. What are our metrics for success? With this proposal, what we are doing now is Morrison is creating the information and raising the awareness. We have not actually established some KPIs for this.

I would say, from my perspective, I think that we would look back on this a year from now and say it was successful as we document how we distributed this information. What groups were interested in receiving it? Where did we push it out to across all of our -- the partnerships that we've been cultivating, the organizations, the businesses?

We have an 18 at 2018 campaign that we're working on right now to get our youth involved and registered. This can be a component of that where we can take it to the high schools. We can take it to and post it on our website and have the teachers and the college professors -- have those folks -- get them informed that we have this information, that this tool exists, this resource exists to them.

So I would say one metric would be how we were able to push this information out to the communities and how we were able to -- as far as from a media standpoint, a press standpoint -- you keep hearing the reference to the opioid crisis. Well, that gets a lot of coverage. And so the media, through the press, as they're covering this, then the voters are going to hear about it and they're going to see, you know, the importance of it.

I would also say another metric would be from the PR perspective. How are we able to help and leverage the press, the media to get this out there so the voters care about it? And then, I think, ultimately we use our standard metrics. We look at how many website hits that we've had from where we are pushing this content out, through the tools, through our app, through our Chatbot. So there's a number of metrics that we can incorporate in there to see did this help us through our overall voter education plan?

Did we see improvement?

And, you know, it's really the first time that we've taken a step back and going -- and are focusing more on civics than we are on the education standpoint, but there is that connection. So we would have to take a step back and identify what those metrics for success are, but those are just a few that we could consider.

CHAIRMAN MEYER: Any other questions?

MS. ROBERTS: Okay.

COMMISSIONER PATON: I would say that since Mr. Garcia was in the newspaper business or whatever, I mean, once you have -- we have this content and that we advertise it as -- like, doing an op-ed in the "Arizona Republic," getting all the major TV channels to do a story on it. I mean, say, on this Tuesday, can all of the TV channels all over the state, can you all do a story on this? And then have our website and that kind of thing. That may draw a lot of attention.

You know, I think we're -- we're frustrated maybe because we come here once a month and we argue about the little -- little tidbits here and there, and this is something that really means something. And so
1 we want -- you know, when I -- when I was young -- I'm not that old, but when I was younger it was a bigger deal to vote, I think. And I guess I wish it was more like that, and I'm sure I'm catching Mr. Kimble's frustration about the same thing.
2 CHAIRMAN MEYER: Let's try to wrap this debate up here.
3 COMMISSIONER KIMBLE: Okay, Mr. Chairman, but what are we being asked, Mr. Collins, today to approve? A $99,000 contract with them, with Morrison?
4 MR. COLLINS: Good question, Mr. Chairman, Commissioner Kimble. If you -- this is an outline of the proposal and the breakdown of the costs. You would authorize me to go ahead and draw up a formal Interagency Service Agreement between Arizona State and the Commission, which we've done in the past. And so we would have to break this down into -- into contract deliverables and, you know, payment terms and all the other -- all the other good stuff.
5 CHAIRMAN MEYER: So we have -- like, will we see that agreement again?
6 MR. COLLINS: You are welcome to do that. That's certainly -- the only risk there is it's depending upon what the comfort level of the Morrison Institute is. You know, it might -- it might delay a little bit, but yeah, I'm certainly happy to bring that document back next month if you -- if you'd rather vote on it today, if you think -- if you'd like to revisit it, I will -- I can bring that document back. We see that agreement again?
7 MS. WHITSETT: Yeah.
8 CHAIRMAN MEYER: Okay. I just wanted to make sure.
9 Well, I will tell my fellow commissioners, I'm in favor of moving forward. I will make a motion that we authorize Tom to move forward with the ISA -- with ASU on this issue.
10 MR. COLLINS: Yeah.
11 CHAIRMAN MEYER: -- with ASU on this issue.
12 So there's my motion. Do I have a second?
13 COMMISSIONER PATON: Second.
14 CHAIRMAN MEYER: Okay. It's been moved and seconded.
15 All in favor say aye.
16 (Chorus of ayes.)
17 CHAIRMAN MEYER: Okay. The motion carries two to one.
18 Let's move on to Item Number VI.
19 Do we need to put a bow on Item V or are we --
20 MR. COLLINS: No, we're good.
21 We --
22 CHAIRMAN MEYER: Any opposition?
23 COMMISSIONER KIMBLE: No.
24 CHAIRMAN MEYER: Any abstention?
25 (No response.)
26 CHAIRMAN MEYER: Okay. The motion carries two to one.

1 reimbursement and the state per diem for -- I think it's only one meal or the hotel. These are all really low costs. Yes.
2 CHAIRMAN MEYER: Okay. So we're talking like one trip for the whole proposal?
3 MS. WHITSETT: Yeah.
4 CHAIRMAN MEYER: Okay. I just wanted to make sure.
5 Well, I will tell my fellow commissioners, I'm in favor of moving forward. I will make a motion that we authorize Tom to move forward with the ISA --
6 MR. COLLINS: Yeah.
7 CHAIRMAN MEYER: -- with ASU on this issue.
8 So there's my motion. Do I have a second?
9 COMMISSIONER PATON: Second.
10 CHAIRMAN MEYER: Okay. It's been moved and seconded.
11 All in favor say aye.
12 (Chorus of ayes.)
13 CHAIRMAN MEYER: Okay. The motion carries two to one.
The State of Arizona
Citizens Clean Elections Commission

Public Session
Transcript of Proceedings
February 15, 2018

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10:25:27-10:26:52

1. Okay. So, first, we’ve highlighted our voter and public education plan. It showcases our -- what we’ve done through 2017 to reach the voters. One is our vote informed campaign. This shows the components of what we’ve done to connect the voters to our election information. We’ve highlighted the two largest tools that we’ve developed for 2017, one being our ID at the polls tool that’s on our website and our Facebook Chatbot.

2. Also, part of our education is our candidate trainings. Sara and I kicked off those in July, and by the end of 2017, we had 97 participants and 61 of those were candidates.

3. We’ve also touched on our grassroots outreach because this really shows how our efforts reach the four corners of the state, one which was the National Voter Registration Day that I had the opportunity of attending. That was really great to get out there and connect with the students.

4. Our focus group research, Gina touched on this a little bit earlier. This was really our foundation of our education plan for 2017. That was -- our website and social media, this shows our statistics for our traffic that has visited our social media channels and our website.

10:28:26-10:28:55

1. 2016?

2. MR. COLLINS: Well, we did --

3. CHAIRMAN MEYER: The years are all running together -- the roundtable.

5. MR. COLLINS: The roundtable. Yeah, it’s --

7. MS. COOPER: So there was -- it touched on that in our grassroots outreach page.

9. CHAIRMAN MEYER: Great.

10. MR. COLLINS: Yeah.

12. MR. COLLINS: Yeah, that's -- in fact, that's the main thrust of the grassroots outreach page.

14. CHAIRMAN MEYER: Perfect.

15. MR. COLLINS: We can talk about all the --

16. CHAIRMAN MEYER: Thank you.

17. Any other questions for Stephanie on her presentation of the 2017 annual report?

19. (No response.)

20. CHAIRMAN MEYER: Thank you.

21. MS. COOPER: All right. Thank you.

22. MR. COLLINS: So, Mr. Chairman --

23. CHAIRMAN MEYER: Do we need to approve this?

25. MR. COLLINS: Yeah. Mr. Chairman, this gets -- this gets submitted to the Governor's office every year in March. It has a pro forma letter that we’ve taken the liberty of putting your name on.

4. CHAIRMAN MEYER: I saw that.

5. MR. COLLINS: And so Stephanie did a lot of hard work to get this pulled together so that we would be ahead of the curve and make sure we're going to get it in well before the deadline, but -- so we're very --

9. I'm very, very grateful to her for that, but I would appreciate it if you would approve it.

11. COMMISSIONER KIMBLE: Mr. Chairman?

12. CHAIRMAN MEYER: Yes, Commissioner Kimble.

13. COMMISSIONER KIMBLE: I move we approve the 2017 legislation that impacted the Commission.

14. Looking forward to 2018, Gina gave you a presentation last Commission meeting that really gave you an in-depth overview on that.

5. Our enforcement audits and litigation, we had 29 random audits of candidates who received Clean Elections funding in the 2016 election cycle. Our rule-making and legislation, this shows the rules that were either new or amended in 2017. And we jump into the 2017 legislation that impacted the Commission.

11. So that was the annual report briefly. If you have any questions for me, then that concludes my presentation.

22. Thank you.

23. CHAIRMAN MEYER: I breezed through this.

24. Is there anything in here about the forum that we held -- what month was that? Or was that in...
1 CHAIRMAN MEYER: Motion carries unanimously.
2 Item Number VII, discussion and possible action on the legislation affecting the Commission, campaign finance election and administrative law.
3 MR. COLLINS: Mr. Chairman, you have Mike's report on the -- on the bills that we've -- the major bills that we think impact the Commission. We are working -- we need to tally 2. The first one is right on the cover. There's HCR 2007. HCR 2007 is a referendum that would go to the voters. It is, as far as we can tell, a continuing part of the legislature's anger at the Democratic party and misunderstanding of the Clean Elections law from the issues that were in 2016.
16 The problem is that this bill is -- there's two problems. One, there is -- we made -- I made the argument in committee that the Voter Protection Act really needs to apply to this just as much as it would a bill that is going to the governor for review because, in my view, the amendment happens at the legislative stage and there is a three-quarter vote requirement. And all -- referring to the voters does is shift the veto from the governor to the voters. You know, in all practical terms, they're identical.
20 Thus far, the majority does not agree with me about that.
21 That having been said, the bill itself is a mess. It's not an existential mess in the sense that this bill would continue to allow us to do our work, but it's sloppily written. It -- first, on the piece regarding the party -- and, I guess, they've expanded out to 501(c) groups -- they can't spend directly or -- candidates can't spend -- participating candidates can't spend any money, whether it's seed money -- that's their own private money -- or clean money on anything other than a, quote/unquote, voter list, and then "voter list" is defined in the bill. This is the first time, to my knowledge, that a state law has defined what parties can have as their voter list, which seems to me to raise obvious, obvious association of rights. And if the majority continues to throw in NAACP versus Alabama in front of our face every time we want a spending report, it seems to me the regulating party membership roles and party information is way past what we've ever asked in terms of regulation, but no one seems to want to -- but we have yet to prevail on that one, on that argument.
24 It destroys the inflationary adjustment that the Clean Elections Act included by requiring a $100 biannual adjustment under 16-931. Just to show you how absolutely absurd this is, currently for this year the primary -- had a gubernatorial candidate taken Clean Elections funding, they would have received $840,000, roughly; whereas, they could take in seed money donations $160 per person. Under this bill, next year the gubernatorial candidate could take $840,000 -- 804 -- $840,100, but could take $260 in seed money donations. So the percentages are absurd. The percentage increase in the amount of money you can take from an individual is practically twice as much. It not only doesn't further the purpose. It's -- if you believe, as I do, the PO applies. It doesn't further any purpose, and it is absurd. And there is an absurdity doctrine, and I think if there is one, that this is pretty close to it, if not it. So I've been --
20 CHAIRMAN MEYER: Tom?
21 MR. COLLINS: Yeah.
22 CHAIRMAN MEYER: Is there -- I mean, do we think this is going to pass? Are we taking efforts to oppose this?
25 MR. COLLINS: We're opposing it. We're taking every effort to oppose it. We are -- we wouldn't be bringing it up with quite so much vigor if we weren't fairly concerned that it's going to pass. Whether or not -- once it gets to the ballot, what happens then is a different question, and we can jump off that bridge, you know, if it does. CHAIRMAN MEYER: So it will need to go to the ballot?
29 MR. COLLINS: It will need to go to the ballot, but I'm just -- I just pointing out that this is pretty close to it, if not.
30 MR. COLLINS: It's a nonsense bill that is based on -- based on nonsense. The one bill that we are having constructive conversations with, on the other hand, is House Bill 2184 which I think we briefed you on last time which is -- the general thrust of it is just to regularize the rule publication process, and it had some language in it that we were troubled by. We sat down with the Secretary of State's Office this week, got a draft from them we were looking at and they realized in some of their things that there are other
1 agencies that are exempt that they like that this is also going to affect.
2 So we're working on that. That's been productive so far, and we're hopeful to get back to them within the next couple of days about, you know, whether or not we have any issues with their proposed amendments, but that's been productive.
3 So those are the two biggies. I apologize for going on quite such a rant about 2007. It's just as a lawyer it drives me nuts.
4 CHAIRMAN MEYER: No need to apologize.
5 MR. COLLINS: Huh?
6 CHAIRMAN MEYER: No need to apologize.
7 MR. COLLINS: But in any event, that's where we are. I don't think we need any authorization from you on anything, but that's sort of the briefing.
8 If you have any questions on anything else that's in the report, please let me know. And, otherwise, I would -- that's all. That concludes our legislative report unless -- Mike, do you have anything? No.
9 COMMISSIONER KIMBLE: Mr. Chairman, I would like to ask about one other one.
10 CHAIRMAN MEYER: Commissioner Kimble, go ahead.

10:36:16-10:45:10

1 COMMISSIONER KIMBLE: 2104, that's probably not going to go anywhere, is it?
2 MR. COLLINS: At this point, we don't believe so. I don't even think it's been assigned to a committee. I'm not even sure --
3 COMMISSIONER KIMBLE: House government.
4 MR. COLLINS: Yeah. I guess you're right.
5 House -- it hasn't been heard. This is the last week for bills to be heard in the House origin, and it's not -- it won't be heard. So that's -- that's over.
6 CHAIRMAN MEYER: Anything further on Item Number VII on the agenda?
7 (No response.)
8 CHAIRMAN MEYER: Okay. I'm going to call a five-minute break here. We've been going about an hour and ten minutes. Let's have a five-minute recess and we'll be back to reconvene.
9 MR. COLLINS: Okay.
10 (Whereupon, a recess was taken in the proceedings.)
11 CHAIRMAN MEYER: We will reconvene this meeting.
12 We're on to Agenda Item Number VIII, which is discussion and possible action on authorization of staff to approve the final payment of CY 2017 ISA with
13 the Arizona Secretary of State's Office.
14 MR. COLLINS: So, Mr. Chairman,
15 Commissioners, we've already approved this in terms of giving me authority. This is really more of an update.
16 We've been working with the Secretary of State to finalize the contract. They have -- you can see they provided us some information that we've asked for on the beta testing which will be -- I'll be reviewing, but that information is there for you to look at. It's on page -- starting at page 7 in terms of the feedback that they received while they were online.
17 They also provided us information about how they did the outreach in terms of the -- Sara, what do you call it? The analytics? Do you call it the analytics? Let's call it the analytics -- which gives us some kind of picture of what they're -- what they're doing. We have heard, I think, that they're also going to work on the design some more which I think is not a bad thing, as we've talked about.
18 And then there's a few -- I think the last thing -- the last communication we had with them, which has all been very positive, was with their CFO yesterday about outstanding issues with -- not with -- with the back end of See the Money, the campaign finance reporting system that Sara and their IT folks provided us some information that we've asked for on page -- starting at page 7 in terms of the feedback that they received while they were online.
19 They also provided us information about how they did the outreach in terms of the -- Sara, what do you call it? The analytics? Do you call it the analytics? Let's call it the analytics -- which gives us some kind of picture of what they're -- what they're doing. We have heard, I think, that they're also going to work on the design some more which I think is not a bad thing, as we've talked about.
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1 (No response.)
2 CHAIRMAN MEYER: Okay. Let's move on to
3 Agenda Item Number IX, discussion and possible action
4 on the Legacy Foundation Action Fund versus Citizens
5 Clean Elections Commission.
6 And, Tom, I notice Number X -- excuse me --
7 Number IX says the Commission may choose to go into
8 executive session on this item. There's the same
9 notation for X.
10 Should we -- can we handle those both at
11 once in executive session, or do we need to go one at a
12 time?
13 MR. COLLINS: Well, actually, what it might
14 be helpful to do just, Mr. Chairman, if you -- would be
15 to do X first because we don't have to go into
16 executive session and that. I have a very brief
17 summary, and then we can then go back to IX.
18 CHAIRMAN MEYER: Sure.
19 MR. COLLINS: So on X, which is the Arizona
20 Advocacy Network, et al., lawsuit against the State of
21 Arizona, Secretary of State and Clean Elections
22 Commission, the only news update there is that the
23 Governor's Regulatory Review had filed a motion to
24 dismiss based on the argument they're not a jural
25 entity. They have -- in effect, they and the

1 plaintiffs have, in effect, settled on plaintiffs'
2 re-filing their complaint and naming the GRRC members
3 in their official capacity but individually. So that,
4 I think, has been filed or will be filed. I'm not sure
5 if it has been filed.
6 MS. O'GRADY: The amended complaint has
7 not.
8 MR. COLLINS: The amendment complaint has
9 not been filed, but that's what our understanding is
10 what's going to happen then. Then GRRC will have the
11 final an answer, and so that's really all there is to
12 that. There's no other -- there's been no other --
13 anything else moving the case at that point.
14 So that's -- that would complete my report
15 on that case, unless you have any questions.
16 CHAIRMAN MEYER: So no substantive changes
17 or updates, just some procedural maneuvering?
18 MR. COLLINS: That's correct. That's
19 correct.
20 CHAIRMAN MEYER: Okay. Now, we'll go back
21 to Item Number IV -- excuse me.
22 Commissioners, any questions on that update
23 on Item Number X?
24 COMMISSIONER PATON: No.
25 CHAIRMAN MEYER: Thank you.

1 (Chorus of ayes.)
2 CHAIRMAN MEYER: All -- any opposition?
3 (No response.)
4 CHAIRMAN MEYER: Abstentions?
5 (No response.)
6 CHAIRMAN MEYER: All right. We are --
7 motion is granted. We are moving to executive session.
8 Thank you.
9 (The following section of the meeting is in
10 executive session and bound under separate cover.)
11 * * * *
12
13 (End of executive session. Public meeting
14 resumes at 11:13 a.m.)
15 CHAIRMAN MEYER: All right. We are back in
16 open session.
17 We only have one item left on the agenda,
18 and that is Item Number XI, which is for public
19 comment. Now is the time for consideration of comments
20 and suggestions from the public.
21 Is anyone here of the public? This is your
22 time.
23 (No response.)
24 CHAIRMAN MEYER: Seeing no one, I'll go to
25 item Number XII, which is adjournment.
Do I have a motion to adjourn the meeting?

COMMISSIONER KIMBLE: Mr. Chairman, I move we adjourn.

COMMISSIONER PATON: Second.

CHAIRMAN MEYER: Okay. It's been moved and seconded.

All in favor of adjourning the meeting?

(Chorus of ayes.)

CHAIRMAN MEYER: All opposed?

(No response.)

CHAIRMAN MEYER: No oppositions? Motion carries.

Meeting adjourned.

(Whereupon, the proceedings concluded at 11:13 a.m.)
The State of Arizona
Citizens Clean Elections Commission

Public Session

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Public Session

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