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THE STATE OF ARIZONA  
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona

June 29, 2018

10:02 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 10:02 a.m. on June 29, 3 2018, at the State of Arizona, Clean Elections 4 Commission, 1616 West Adams, Conference Room, Phoenix, 5 Arizona, in the presence of the following Board members: 6 Mr. Damien R. Meyer, Chairperson 7 Mr. Mark S. Kimble (Telephonic) 8 Mr. Steve Titla (Telephonic) 9 Ms. Amy B. Chan 10 Mr. Galen D. Paton 11 12 OTHERS PRESENT: 13 Thomas M. Collins, Executive Director 14 Paula Thomas, Executive Officer (Telephonic) 15 Gina Roberts, Voter Education Director 16 Alec Shaffer, Web Content Manager 17 Stephanie Cooper, Executive Support Specialist 18 Nathan Arrowsmith, Osborn Maledon 19 Joseph LaRue, Attorney General's Office 20 Representative Ken Clark, D-24 21 Joel Edman, Executive Director, AZLN 22 Rivko Knox, AZ LWV 23 Kayla Blessinger, AZAN 24 Rehit Rajan, AZAN 25 Morgan Dick, AZAN Rhonda Barnes, House Lisette Flores, Senate Talei Hornback, RIESTER</p>	<p style="text-align: right;">Page 4</p> <p>10:03:08-10:04:03</p> <p>1 move that we approve the minutes as written. 2 CHAIRMAN MEYER: Is there a second? 3 COMMISSIONER PATON: Second. 4 CHAIRMAN MEYER: All right. We have a 5 motion to approve the minutes. 6 All in favor say aye. 7 (Chorus of ayes.) 8 CHAIRMAN MEYER: Opposed? 9 (No response.) 10 CHAIRMAN MEYER: Abstentions? 11 (No response.) 12 CHAIRMAN MEYER: Okay. The motion carries 13 unanimously to approve the minutes. 14 Let's go to Item Number III, which is the 15 discussion and possible action on the executive 16 director's report. 17 Tom? 18 MR. COLLINS: Yes. Mr. Chairman, 19 Commissioners, just to take the highlights, as you can 20 see, there is a comprehensive amount of activity going 21 on in voter education that Gina and Alec and Stephanie 22 are spearheading. We've had -- our debates on Horizon 23 have begun. We are starting to work with Apache, 24 Coconino and Navajo Counties on voter education 25 advertising on KTNN to reach those -- that underserved</p>
<p>10:02:20-10:03:06</p> <p style="text-align: right;">Page 3</p> <p>1 PROCEEDING 2 3 CHAIRMAN MEYER: All right. Good morning. 4 We're going to call to order the Citizens Clean 5 Elections Commission meeting. It's Friday, June 29, 6 2018, at 10:00 o'clock a.m. 7 It looks like we have a quorum here. 8 Tom, is anyone on the phone? 9 MR. COLLINS: I think Commissioner Kimble 10 is joining us on the phone. I don't know if he's on 11 yet. 12 COMMISSIONER PATON: Yes, he's there. 13 MR. COLLINS: Okay. 14 COMMISSIONER KIMBLE: Yes, I am here. 15 CHAIRMAN MEYER: Thank you. 16 MR. COLLINS: Okay. 17 CHAIRMAN MEYER: Good morning, Commissioner 18 Kimble. 19 COMMISSIONER KIMBLE: Good morning. 20 CHAIRMAN MEYER: So Item Number II on the 21 agenda is discussion and possible action on Commission 22 minutes for April 19, 2018 and May 10, 2018. 23 Any comments or questions on the minute -- 24 minutes for those meetings? 25 COMMISSIONER CHAN: Mr. Chairman, I would</p>	<p>10:04:08-10:05:25</p> <p style="text-align: right;">Page 5</p> <p>1 community. 2 We are working to expand our 18 in 2018 3 campaign to raise awareness among younger voters. Gina 4 has been invited to present at the American Indian 5 Right to Vote Conference in July. Alec will be 6 presenting at the Municipal Clerks Association Election 7 Conference in July, and then we'll be doing a -- this 8 is a new event for us. 9 The "Capitol Times" has for years hosted a 10 thing called the Meet the Candidates event, and that 11 event had previously been a paid-for admission event 12 for -- you know, people paid for admission. And we 13 decided, because of the possibility of addition -- in 14 addition to the debates and the -- and the -- and the 15 pamphlet, that it would be a good, interesting idea to 16 try this year to see if we could make that available to 17 the public. 18 So we -- we, essentially, became the 19 exclusive sponsor of it in order that the entire public 20 could -- could participate instead of having to -- have 21 paid admission the way they kept time. So it's more of 22 a forum and an opportunity for people to come to 23 Phoenix or who are in Phoenix and meet -- and meet 24 candidates and interact with them. 25 So we think that's, you know, consistent</p>

<p>10:05:28-10:06:34 Page 6</p> <p>1 with what we've been trying to do. It's not a debate, 2 per se, but it is an opportunity to promote interaction 3 with candidates, which is a key part of what Clean 4 Elections does. So I think that's -- that's sort of 5 the high points there. 6 We will have, just to -- just to -- and 7 this has been in the newspaper. We will -- under the 8 Clean Elections rules, we have a gubernatorial 9 Republican candidate, Former Secretary of State Ken 10 Bennett, who is a participating candidate. Governor 11 Ducey has declined to participate in that debate. And, 12 in accordance with our rules, there will be a 30-minute 13 Q and A session where then Mr. Bennett is obligated to 14 take questions during. So that will be in the 15 beginning of August. 16 COMMISSIONER PATON: Question. 17 MR. COLLINS: Yes. 18 COMMISSIONER PATON: So on the Q and A -- 19 MR. COLLINS: Yeah. 20 COMMISSIONER PATON: -- would that be on 21 TV? 22 MR. COLLINS: It will be on TV. We think 23 that, you know, KAET may or may not have different 24 obligations under its own standards to provide time to 25 Mr. Ducey if they want to. Our rules are clear -- and</p>	<p>10:08:08-10:09:00 Page 8</p> <p>1 well as other news outlets, have catalogued a number -- 2 a high number of cases involving petitions -- candidate 3 petition signature irregularities. Some of these 4 matters, I believe, are still in appeal. 5 Joe, is that right? 6 MR. LaRUE: Yes, Tom, that is correct. 7 MR. COLLINS: Yes. So we will see how 8 that -- 9 COMMISSIONER TITLA: Tom? 10 MR. COLLINS: Yes. 11 COMMISSIONER TITLA: Steve Titla. I joined 12 the call earlier. 13 MR. COLLINS: Oh, good. I didn't hear you. 14 Sorry. 15 COMMISSIONER TITLA: Mr. Chairman, thank 16 you. 17 CHAIRMAN MEYER: Just for the record, we 18 have -- Commissioner Titla has joined the meeting. 19 MR. COLLINS: Wonderful. Thank you. 20 Sorry. 21 So -- anyway, so that's their -- I think 22 that's something to be aware of because, you know, it 23 may -- I think that looking at some of the Secretary of 24 State's comments there in the article, that cited I 25 think that we may see some changes to that process.</p>
<p>10:06:39-10:08:04 Page 7</p> <p>1 Mr. Ducey was invited to participate, and our rules are 2 clear that the burden here is on Mr. Bennett. He has 3 to take the questions. 4 And our anticipation is that although, 5 obviously, he gets time on air, we don't anticipate 6 those questions will be easy. I mean, I think that Ted 7 Simons -- one of the reasons we've had a long and 8 trusted relationship with Arizona PBS is because Ted is 9 good at bringing out real information from candidates 10 and making them ask questions -- answer questions that 11 are tough. And in the case of any candidate, there are 12 tough questions. 13 So we don't -- we don't -- although -- so 14 really, as I said, the burden is on Mr. Bennett. He 15 has obligated himself under the rules to sit for this, 16 and whether or not KAET offers some other time to 17 Governor Ducey is their -- you know, that's their 18 business. We don't have any problem with that or -- 19 you know, that's just -- that's just their issue. This 20 is more of an issue of complying with our rules. 21 COMMISSIONER PATON: Thank you. 22 MR. COLLINS: I wanted to raise a couple of 23 issues real quick. And I know these -- and I know we 24 have a lot to get to later, but, one, I just want to 25 call your attention to the "Republic," especially, as</p>	<p>10:09:03-10:10:04 Page 9</p> <p>1 It's not entirely clear how those changes will 2 play out but, you know, I think that the -- that 3 the consensus among folks who pay attention to this 4 stuff is that this is -- year was pretty -- pretty 5 extraordinary for that. 6 So I don't know if -- 7 COMMISSIONER PATON: And I have a question. 8 MR. COLLINS: Yes, please. 9 COMMISSIONER PATON: And what -- do we have 10 any kind of -- I mean, besides just interest, you know, 11 individual interest, do we have any interest, since 12 we're Clean Elections -- 13 MR. COLLINS: Right. 14 COMMISSIONER PATON: -- and, obviously, 15 that wasn't clean. 16 MR. COLLINS: Right. 17 COMMISSIONER PATON: Is there -- what kind 18 of overlap do we have with the Secretary of State or -- 19 MR. COLLINS: Right. That's a very good 20 question. And, Mr. Chairman, Commissioner Paton, I 21 think -- I think it will -- I think the overlap, as 22 this develops, will come in two ways. First, under 23 16-950 and under the existing Attorney General's 24 opinions, the oversight over the review of qualifying 25 signatures that go with the \$5 slips is done by the</p>

<p>10:10:07-10:11:21 Page 10</p> <p>1 Secretary of State and the County -- County Recorders. 2 That's of statutory -- that's their statutory 3 obligation. 4 However, the Commission does have the 5 authority in its mandate to make suggestions on how to 6 improve the process to make it, you know, cleaner. And 7 so I think that, A, you know, we have some issues that 8 I don't think it's appropriate for us to discuss now in 9 terms of what we may be looking at specifically, but we 10 may have some general -- but, generally, I think we 11 will want to weigh in on that from a Clean Elections 12 perspective. 13 And then I think, more generally, because 14 of our interaction with signature gathering in all of 15 its facets -- because you need to qualify for the 16 ballot in order to be funded. I think there's a nexus 17 there for us to be constructive. So I think what we'll 18 try to do going forward, as much as we can -- that's 19 Secretary of State, the Maricopa County Recorder, the 20 other recorders -- I think that -- I think, you know, 21 Pima, Yavapai, other -- Yuma -- the other -- you know, 22 all of the other recorders that are dealing with these 23 issues -- I think we do have an opportunity to -- to be 24 constructive. 25 And I think that is with that mandate, but</p>	<p>10:12:35-10:13:48 Page 12</p> <p>1 circulate for them -- I don't know the details of any 2 particular case in this moment, but I think -- you 3 know, I don't want to say the system works, but I mean, 4 I think the system is set up so that these types of 5 irregularities can be caught and made evident. 6 And one of the things is having a healthy 7 and robust system of folks running against each other 8 because it's always, kind of, the loyal opposition or, 9 you know, the opposing candidate that looks through and 10 may catch some of these things. So I think when the 11 recorders are looking through signatures for the clean 12 candidates, that's very -- a very important component. 13 MR. COLLINS: Right. 14 COMMISSIONER CHAN: But I think it's also 15 very important to have, you know, a healthy and robust 16 system of people who want to be active in government so 17 that we have folks who are keeping an eye on each 18 other. I've never felt that way more strongly, I 19 think, than I do now that -- that it's very important 20 for people to be involved and keep an eye on the folks 21 who are running for election. 22 And just one last comment with regard to 23 this, I believe there are only a few reasons that a 24 person is prohibited from running for office, and if 25 I'm not mistaken -- and I don't know if Joseph or Tom</p>
<p>10:11:23-10:12:33 Page 11</p> <p>1 it remains to be seen what, you know, kinds of 2 proposals get developed. And we may come to a point 3 where we want to develop our own proposals down the 4 road that may have a nexus with the \$5 qualifying 5 process and may have a nexus with the qualifying for 6 the ballot process. 7 We'll just have to -- we'll have to -- 8 we're going to have to play this a little by ear, but 9 it's definitely something that's within our -- to 10 directly answer your question, it's definitely within 11 our -- both our -- the Commission's express authority to 12 make recommendations on proving the process and the 13 Commission's duty to ensure that the electoral -- the 14 integrity of the electoral process. 15 CHAIRMAN MEYER: Commissioner Chan. 16 COMMISSIONER CHAN: As long as Commissioner 17 Paton has gotten his answer. 18 COMMISSIONER PATON: Shoot. Yes. 19 COMMISSIONER CHAN: Just a comment on that. 20 I find it pretty disheartening that we're seeing this 21 many irregularities and an increase, you know, from 22 years, but it does happen, unfortunately. And I think 23 that the fact that candidates were kind of cut out, so 24 to speak, for their actions -- or even if it wasn't 25 directly their actions, the people that they allowed to</p>	<p>10:13:50-10:14:50 Page 13</p> <p>1 might know this off the top of their heads. 2 One of the bars to running for office, even 3 filing for office to run for office, is a campaign 4 fraud, like a signature fraud-type conviction. So 5 that's the other piece here. It's not just that they 6 don't get to run for office. They might get kicked off 7 the ballot for this election. If they're actually 8 convicted by being referred for criminal activity, then 9 I believe that they could be barred for a period of 10 years from even filing. 11 MR. COLLINS: I'm a little rusty on that. 12 I know there's a -- or was a provision of law that said 13 that there was certain things that could happen that 14 would cause you to be out for five years. I don't know 15 if that -- I don't know what the trigger on that is. 16 COMMISSIONER CHAN: That might have been a 17 campaign finance thing. 18 MR. COLLINS: Yeah. 19 COMMISSIONER CHAN: I think. 20 MR. COLLINS: So I will say this, just to 21 add a little more context -- and, Joe, correct me if 22 I'm wrong. You know, one of the things that's pending 23 at the -- I think the Arizona Supreme Court is an 24 appeal by a candidate for the Secretary of State's 25 Office over the amount of time that she received to</p>

<p>10:14:52-10:15:59 Page 14</p> <p>1 review a report from the Maricopa County Recorder's 2 Office. 3 The Maricopa County Recorder's Office has 4 taken the position that, really, there's no statutory 5 obligation to -- for them to be doing these reviews 6 and, in effect, inviting the legislature to review 7 these things if they were successful in that argument. 8 So I do think that going forward -- to Commissioner 9 Paton's point -- there's going to be -- you know, that 10 case may not be the -- may not resolve that issue, but 11 that case is an indicator that there's going to be some 12 legislative activity. 13 I mean, I think it's safe to say there will 14 be some legislative interest here; that coupled with 15 Mr. Spencer's comments and the story I provided. I 16 think -- I think you'll see some legislative activity 17 in this area next year. 18 COMMISSIONER PATON: I have a statement, I 19 guess. 20 Particularly, it looks like the incentive 21 for people to pass petitions for monetary gain -- I 22 mean, as a job is, obviously, causing the majority of 23 this issue. And so, I mean, I don't want to malign 24 everybody that's doing this, but when they find 25 hundreds and dead people signing up and people that are</p>	<p>10:17:35-10:18:34 Page 16</p> <p>1 view, based precisely on your view regarding 2 initiatives. Perhaps they will make a similar effort 3 with respect to candidates. It's hard to say, but 4 we'll definitely keep an eye on it. 5 COMMISSIONER PATON: Okay. Thank you. 6 MR. COLLINS: Just real quick, running 7 through issues, we've got the AZAN, et al., lawsuit. 8 The summary judgment briefing is ongoing. We have an 9 update on See the Money. It appears the See the Money 10 program is -- is now being fed -- the current 11 information, by the campaign finance reporting system 12 which is good, but we'll continue to keep you apprised 13 of that. 14 And then -- 15 COMMISSIONER PATON: I have a question. 16 I'm sorry. 17 MR. COLLINS: Sure, sure, sure. 18 COMMISSIONER PATON: Talking about -- I 19 haven't been for a couple -- 20 MR. COLLINS: Well, none of us have been. 21 We didn't have a meeting last month. 22 COMMISSIONER PATON: So I read that 23 newspaper article about all of that, and we're 24 satisfied that things are going well, then, as staff? 25 MR. COLLINS: Commissioner -- Chairman</p>
<p>10:16:04-10:17:31 Page 15</p> <p>1 out of the country and so on that have no chance to 2 sign, it's pretty disheartening because when it gets to 3 the newspapers and the TV and everything, it -- the 4 average -- the average person thinks that politicians 5 aren't that trustworthy as it is. 6 MR. COLLINS: Right. 7 COMMISSIONER PATON: And, then, do we want 8 to be one of these countries that the electorate 9 doesn't believe that anything legitimate is happening 10 anymore? And I certainly don't want to go through 11 something like that, and -- so I don't know what we can 12 do, but I'm really pretty concerned about that. 13 MR. COLLINS: And if I -- I don't want to 14 take -- you know, I know we have some other activity, 15 but just to, sort of, amplify and validate, 16 Commissioner Paton, what you've been saying, one of the 17 things the legislature did in 2014, '15, '16, somewhere 18 like that, was to prohibit per-signature payment for 19 initiative and referendum gathering. 20 Now, to your point, they did not do that 21 for candidates, and so the tension between those two 22 policies is exacerbated by the news that has happened 23 this year. So, again, I don't know how the legislature 24 will wrestle with that but, you know, they did take 25 steps based precisely on your -- or at least, in their</p>	<p>10:18:37-10:20:00 Page 17</p> <p>1 Meyer, Commissioner Paton, I would say this: That the 2 amount of work that has gone into both updating the 3 campaign -- let's back up a second. 4 There's two different systems. There's the 5 campaign finance reporting system into which candidates 6 and others input their information and there's See the 7 Money, which is the public-facing, a search function 8 and -- you know, functionality of that. 9 Because -- as I understand it, because of 10 all the rehab of the back-end system, there was a delay 11 in connecting it to the front-end system. I had 12 extensive conversations with the Secretary of State's 13 Office after that story broke. They relayed to me that 14 they expected that connection to be made within a week, 15 and they did make good on that. I think the next 16 campaign finance filing window opens July 5th. 17 And so, you know, we'll see, you know, how 18 that works, but we've -- we have evaluated this from a 19 couple of different perspectives, and as of right now, 20 you know, we don't think there's any sort of bad faith 21 issue. We think it's more of just -- you know, it's an 22 amount of work and trying to get a lot of work done in 23 a short period of time. So we think that by the time 24 voters are really clued in as we reach people file, 25 people have the ballot and the July 5th reporting</p>

<p>10:20:04-10:21:07 Page 18</p> <p>1 deadline comes, our anticipation is that things will be 2 working the way they're anticipated. 3 If that turns out to be different, we'll 4 let you know, but we have had, I would say, productive 5 conversations with the Secretary of State's Office to 6 keep ourselves informed and to keep you informed about 7 where that is. 8 COMMISSIONER PATON: Since we helped -- 9 MR. COLLINS: Right. 10 COMMISSIONER PATON: -- pay for this. 11 MR. COLLINS: Yeah. 12 COMMISSIONER PATON: I think the article 13 made it sound like it was sheer chaos or -- you know. 14 So -- but you don't seem to be too concerned. 15 MR. COLLINS: Well, I -- 16 COMMISSIONER PATON: So I guess I shouldn't 17 be. 18 MR. COLLINS: Well, I would say this about 19 that. I would say that in talking to the Secretary of 20 State's Office, I think their view -- and I'm somewhat 21 speaking for them and, you know -- is that the 22 distinction between CFRS and See the Money is not 23 always drawn neatly in press reports, but the more 24 important thing to me is to ensure that they are 25 continuing to make progress so that by the time we're</p>	<p>10:22:33-10:23:46 Page 20</p> <p>1 over with a feather, I think, when I read that article. 2 And I'm very happy to hear that they have now addressed 3 that. I think this kind of goes to my trust issues 4 that we discussed at length with their office when they 5 asked us for this money to save this project. 6 And, unfortunately, it's just another, kind 7 of, broken step in our -- this Commission's 8 relationship, I think, with that office that this was 9 how they approached it; that they did not think that 10 was an important enough piece to have it hooked into 11 real time information. 12 And so, thank you, Commissioner Paton, for 13 reminding me that that was an issue. 14 And as I mentioned, Tom, you are the voice 15 of reason, and I appreciate that very much. 16 MR. COLLINS: You may be the only person 17 who thinks that. 18 COMMISSIONER CHAN: But I'm -- I just 19 wanted to make that statement because I wanted to have 20 on the record that I was appalled when I learned that 21 that -- I just don't understand how that could even 22 have been an option with See the Money. 23 MR. COLLINS: Right. Well -- and if I may, 24 Mr. Chairman, Commissioner Chan, I think -- I think -- 25 you know, I think we'll just continue to work through</p>
<p>10:21:11-10:22:29 Page 19</p> <p>1 at the most critical time, which is coming up here as 2 we enter the meat of the election season, things are 3 functioning. 4 They seem to be responsive to our 5 questions, which is -- which is a good thing. So so 6 long as we continue to be able to have a productive 7 relationship with them and conversation with them 8 around these issues, you know, my -- my anxiety level 9 around this is lower than it otherwise would be. 10 COMMISSIONER PATON: Thank you. 11 CHAIRMAN MEYER: Commissioner Chan. 12 COMMISSIONER CHAN: Thank you, 13 Mr. Chairman. 14 Commissioner Paton, I'm actually glad you 15 brought that up because I think it was last month that 16 this news story broke, if I'm not mistaken, and I had 17 actually forgotten just because so much has happened 18 since then, but I was very disappointed that one of the 19 fundamental bases of what I thought See the Money was 20 going to be was not happening, which was to be hooked 21 into actual real information from the campaign finance 22 system. 23 I mean, what is the point of See the Money 24 if it's not hooked into real actual information? It 25 just -- I really actually -- you could have knocked me</p>	<p>10:23:48-10:24:50 Page 21</p> <p>1 this. I think that the -- I think there is some 2 pressure on the Secretary's office, and I think that 3 there -- and I think -- my feeling is that -- you know, 4 just from a staff perspective, which is different from 5 a commissioner's perspective is that, you know, my job 6 at this point is to try to keep the lines of 7 communication open until we can -- until something -- 8 you know, so that we can get what we need, you know. 9 And we can -- you know, certainly, you can 10 direct -- either you or Commissioner Paton can direct 11 me to put this on the agenda as a separate item in the 12 future, if you'd like to have a more extensive 13 discussion. 14 COMMISSIONER CHAN: I think, Mr. Chairman 15 and Tom, the thing that's disappointing is that we even 16 have to be having this discussion when they came here 17 and promised us that this was going to be a particular 18 way and then one of the fundamental aspects of it 19 wasn't even put in place. So -- 20 MR. COLLINS: Understood. 21 COMMISSIONER CHAN: But having said that, 22 thank you. 23 And the other thing I'll say is that it 24 would be difficult to know what we would even need -- 25 that we would even need to put it on the agenda</p>

<p>10:24:52-10:25:55 Page 22</p> <p>1 without, you know, reporting, like Dustin Garner has 2 been doing. 3 So, anyway, thank you very much for that. 4 Thank you, Mr. Chairman. 5 MR. COLLINS: Thank you. 6 CHAIRMAN MEYER: And I'll just make a brief 7 comment on that. 8 As far as See the Money, I mean, I'm glad 9 we're part of it. I understand this was a cutting-edge 10 piece of technology and new thing that other states are 11 doing. I understand there's going to be some bumps in 12 the road anytime you try to implement a system like 13 that. I'm glad that they're working on it and we're 14 going to get this up and running. It's going to do 15 what they said it would do. So, I mean, I understand 16 anytime you implement systems like this, it's very 17 common to have some bumps in the road. 18 So I would, I guess, urge some patience 19 from my fellow commissioners and let Tom, who is very 20 optimistic on this issue, to keep doing what he's 21 doing. And I think we're going to get what we -- what 22 we were told we were going to get and just -- and I'll 23 leave it at that. 24 MR. COLLINS: Mr. Chairman, the last item I 25 want to highlight is that there is litigation related</p>	<p>10:27:13-10:28:09 Page 24</p> <p>1 that. 2 So I thought it would be best to have them 3 testify prior to going into executive session, 4 although, I think Nate and I recommend that we do go 5 into executive session after that. And so that would 6 be the way I would structure it just -- 7 CHAIRMAN MEYER: So we're going to do 8 public comment on just HCR 207 -- 2007 right now? 9 MR. COLLINS: 2007 publicity pamphlet, 10 yeah. 11 CHAIRMAN MEYER: And then we'll -- 12 MR. COLLINS: And then go into executive 13 session. 14 CHAIRMAN MEYER: All right. 15 MR. COLLINS: And, if I could, as a matter 16 of preface, just so everybody knows the background, 17 yesterday the legislative council met and drafted the 18 language that will go in the publicity pamphlet of the 19 Secretary of State. As I think everyone knows, that 20 language is very important. The courts look to it to 21 interpret initiatives and referendums. The voters look 22 at it as a way -- it may be the only interaction that 23 voters have with the actual text of the legal measures 24 that are obligated to -- where they have the 25 opportunity to vote on.</p>
<p>10:25:59-10:27:11 Page 23</p> <p>1 to the substance -- well, I should say the procedures 2 by which HCR 2007 was put on the ballot. Oral 3 arguments on the motion for a preliminary injunction 4 filed by -- in the Hoffman v. Reagan matter are 5 July 12th. 6 That's really all I want to highlight. 7 Unless anyone else has questions, I am concluded. 8 CHAIRMAN MEYER: Commissioner Kimble, 9 Commissioner Titla, unless you have questions, we're 10 going to move on to the next agenda item. 11 COMMISSIONER KIMBLE: I'm good. Thank you. 12 CHAIRMAN MEYER: Okay. We're going to bump 13 up an item here, public comment. 14 Do you want to do now, Tom, or do you want 15 to -- 16 MR. COLLINS: Well, yeah. What I would 17 propose would be -- with respect to Item IV, what I 18 would propose is that we take -- we'll still need to do 19 the public comment that we have noticed, but since we 20 take public comment on items, I was going to suggest, 21 since we have folks here who are interested in 22 addressing this particular item after the legislative 23 council met yesterday to pass its summary that goes in 24 the publicity pamphlet, we have at least three people 25 here who, I believe, are interested in testifying on</p>	<p>10:28:10-10:29:30 Page 25</p> <p>1 And more than that, because it goes out to 2 every household in the state, it is the best way to 3 reach voters of all demographics because -- because 4 everybody gets the mail. 5 So, you know, we can discuss some of the 6 issues with it, but I thought that it might be better 7 to allow -- to kind of put this in order, I'd like -- 8 Representative Ken Clark is the representative from 9 central Phoenix who was -- is on "leg council" and 10 offered amendments yesterday, not all of which were 11 heard by the council. I think it would be good if 12 Representative Clark were able to address the 13 Commission first and then maybe Mr. Edman and then 14 Rivko, if that works for you. Okay. 15 REPRESENTATIVE CLARK: Thank you, Chair, 16 members, commissioners. My name is Ken Clark, state 17 representative of District 24. I just wanted to make 18 myself available, really, for questions. I can -- if 19 you'd like, I can go through the two -- the two 20 amendments that I offered, neither of which were 21 accepted or really seriously debated. I don't -- we 22 didn't really push for a vote on either of them because 23 I was hoping that we would have a serious conversation 24 about them. 25 They took parts of one of them, but let me</p>

<p>10:29:33-10:30:57 Page 26</p> <p>1 just say first, with the help of our Senate staff, we 2 put these together in an effort to address an 3 overriding problem with the -- with the language, and 4 that was that unlike the two other pamphlet language 5 propositions that went before us yesterday, the one 6 regarding HCR 2007 didn't give any context, really, as 7 to why they were doing what they were doing. 8 So, for instance, the one on retirement 9 issues did give you some amount of knowledge about what 10 the system is like right now and what is being changed, 11 although they denied that in the committee yesterday. 12 It wasn't true. And then the conversation about the 13 ESAs did give context as to what the law is right now 14 and then what the -- what a passing yes/no vote would 15 do if that were passed. 16 So if you -- if a person were looking at 17 that ballot language or the pamphlet language, they 18 could possibly come to the conclusion -- I think very 19 likely come to the conclusion that the things that the 20 legislature is attempting to do in HCR 2007 are not 21 already being done by the -- by the Commission. 22 And to that point, there were two 23 amendments addressing two issues. One was that it 24 seemed as if the Commission did not already make its 25 rules -- its own rules, have its own rule-making</p>	<p>10:32:33-10:33:09 Page 28</p> <p>1 up to something, like, I think, 40-some lines. 2 COMMISSIONER CHAN: Mr. Chairman, 3 Representative Clark, if I could, just to that point, 4 one of the questions I had, even when you started 5 presenting is, is there a limit on the words or lines 6 that the legislative council's summary -- is there any 7 limit on that? 8 REPRESENTATIVE CLARK: I don't know the 9 answer to that question. 10 CHAIRMAN MEYER: Yeah, I had that same 11 question. 12 COMMISSIONER CHAN: Okay. Maybe -- 13 CHAIRMAN MEYER: Because I think the one -- 14 HCR 2007 is 14 lines? 15 REPRESENTATIVE CLARK: Yeah. I think I've 16 got that. 17 CHAIRMAN MEYER: Do I have that right? 18 REPRESENTATIVE CLARK: Yeah, 14 lines. 19 COMMISSIONER CHAN: I mean, certainly if 20 the other one is 50 lines, they could have done a 21 little more. 22 REPRESENTATIVE CLARK: Yeah. Exactly. 23 And -- thank you, Commissioner. I think that that 24 points to the animosity that the legislature shows 25 toward -- the Commission and beyond this language.</p>
<p>10:31:01-10:32:30 Page 27</p> <p>1 authority. Second, it seemed as if the Commission did 2 not already have rules in place deciding what 3 candidates could and could not spend money on, 4 particularly in regards to political parties. 5 So we brought those two issues forward. 6 The only thing that was -- that they kind of took part 7 of was my second amendment that has to do with the role 8 of the Governor's Regulatory Review Council and in -- 9 insofar as they only took, I think, the part that -- I 10 think that just kind of said it's a council of six 11 members who are appointed by the governor, like that. 12 So from my perspective, I think -- I 13 think -- I tried to say at the very end of the whole 14 meeting as I was explaining my vote on one of the other 15 pamphlet language questions -- I tried to draw the 16 distinction that we had just spent a large amount of 17 time talking about this ESA thing, going into great 18 detail, adding language, clarifying language, adding 19 context on something for ESAs that ended up being about 20 50 lines long, yet one of the big reasons that they 21 used not to accept either of my amendments was, well, 22 we don't want to make this too long. 23 So even had they accepted my amendments in 24 full which, you know, of course, they didn't, had they 25 accepted those amendments in full, it would have come</p>	<p>10:33:15-10:34:20 Page 29</p> <p>1 The point that I made was if you look at 2 the history, the legislature -- of which this meeting 3 yesterday was a subset and very -- I don't know if it's 4 representative of the legislature, but there were ten 5 Republicans and four Democrats. That legislature has 6 historically shown hostility toward the Clean Elections 7 Commission. You can look at the record and see that; 8 whereas, they have shown a warm embrace toward 9 empowerment scholarship accounts. 10 And they were happy to go into great detail 11 and add context to that one, but they were not to this 12 one. And I don't know what that gets you but -- 13 COMMISSIONER PATON: Excuse me. 14 REPRESENTATIVE CLARK: Yeah. 15 COMMISSIONER PATON: The ESA, is that -- 16 does that mean the scholarships? 17 REPRESENTATIVE CLARK: Yeah, the ESAs. 18 COMMISSIONER PATON: Okay. 19 REPRESENTATIVE CLARK: So -- and I don't 20 know what that gets you in the end. Obviously, I am 21 not a legal scholar. And I don't know if that informs 22 in any way what could be done at this point, but I 23 don't know if there's a much more clear example of a 24 legislature that has open hostility toward a Commission 25 and, therefore, expresses that hostility in the way</p>

<p>10:34:24-10:35:32 Page 30</p> <p>1 that it very misleadingly writes the ballot -- or the 2 pamphlet language. 3 COMMISSIONER CHAN: Mr. Chairman? 4 CHAIRMAN MEYER: Go ahead, Commissioner 5 Chan. 6 COMMISSIONER CHAN: Representative Clark, I 7 think, you know, definitely being -- having worked in 8 elections for years and worked in and around the 9 legislature for years, I'm very familiar with this, you 10 know, process. And it's just a political process. And 11 so I think there's definitely -- what you're saying, I 12 think, is accurate on many levels. I know that there's 13 a lot of animosity from some legislators toward the 14 Commission. 15 Unfortunately, for the Commission's, you 16 know, feeling -- well, I guess I can't speak for the 17 Commission yet, but unfortunately, from my feelings 18 about this summary and about this bill, since I'm 19 actually one of the plaintiffs in the other lawsuit 20 that -- in the lawsuit that's pending right now, you 21 know, having ten Rs on the committee, I'm sure they all 22 feel strongly about the Clean Elections role. 23 And, frankly, I will -- I want to, kind of, 24 give some credit to Commissioner Paton because I know 25 when this Commission considered rules regarding using</p>	<p>10:36:59-10:38:34 Page 32</p> <p>1 inclination during -- you know, when we set our rules 2 was that this was going to happen and it was going to 3 be more restrictive than what -- because of them not 4 being happy with -- with our rules. And I'm not happy 5 with the GRRC being lumped in with this, and now I'm 6 just not happy with the whole situation, actually. 7 REPRESENTATIVE CLARK: If I could, there 8 was some discussion, both during the ESA issue and this 9 yesterday, about our job as legislators to present an 10 impartial -- impartial language regarding -- and I 11 don't know how anybody can believe that leaving out 12 these two very critical things could be in any way 13 considered impartial. I obviously -- I have my 14 opinion. I believe it's a power grab. I believe that 15 the governor, in an attempt to influence a Commission 16 that he does not like, is trying to, with his friends 17 in the legislature, fold this under the Governor's 18 Regulatory Review Council. 19 I would not try to put that in this 20 language, but I would like people to be able to 21 understand the very basics here, that the Commission 22 already has successful rules in place and has 23 rule-making authority as set up by a proposition that 24 was passed by the voters. And that's it. All you have 25 to do is say that, and I think people will fully</p>
<p>10:35:37-10:36:56 Page 31</p> <p>1 Clean Election monies for -- to pay political parties 2 for services, he expressed concern that we would have 3 this kind of clap back and here it is. So everything 4 is political. Everything is -- in that sense, you 5 know, can be biased, in my opinion, you know. 6 I think -- I'm sure I want to -- I think 7 when legislators come to write the summary, they're 8 definitely coming from their own -- we all have our own 9 biases. So they're coming from their biased space, and 10 I think when I read this summary, I was sorry 11 disappointed in it, but I understand, you know, the -- 12 how this comes to be. And so, obviously, thank you so 13 much for your time and being here today and, kind of, 14 going over with us your two amendments. 15 I didn't have an opportunity yet to watch 16 the committee meeting or even look at your two 17 amendments, and I would -- I'd really be interested in 18 looking at those as well. So just thank you, and I 19 just wanted to kind of validate what you're saying. 20 REPRESENTATIVE CLARK: Well, Commissioner 21 grab a soda and some popcorn because it's a lot of fun. 22 COMMISSIONER CHAN: Okay. Thank you. 23 CHAIRMAN MEYER: Commissioner Paton, do you 24 have a comment? 25 COMMISSIONER PATON: No. I mean, my</p>	<p>10:38:37-10:39:32 Page 33</p> <p>1 understand what's happening. 2 CHAIRMAN MEYER: Commissioner Kimble or 3 Commissioner Titla, do you have any questions for 4 Representative Clark? 5 COMMISSIONER TITLA: No comments. 6 COMMISSIONER KIMBLE: No. I don't think I 7 do at this point. Thank you. 8 CHAIRMAN MEYER: Representative Clark, 9 thank you. I will just say I appreciate you being 10 here. I appreciate your perspective, your context and, 11 I mean, from my chair -- and I think I'll safely 12 include Commissioner Chan's chair, I mean, you're 13 preaching to the choir -- a choir of two, anyway. So 14 thank you for your comments. We'll take them into 15 consideration, and unless you have anything more to 16 offer, we appreciate that. 17 REPRESENTATIVE CLARK: Thank you. 18 COMMISSIONER PATON: Thank you. 19 CHAIRMAN MEYER: Next up, Tom? 20 MR. COLLINS: Yeah, we're going to -- 21 CHAIRMAN MEYER: I forget the order. 22 MR. COLLINS: Yeah. We're going to have -- 23 Joel and Rivko can fight to go -- over who's next, I 24 guess. 25 MR. EDMAN: It's yours.</p>

<p>10:39:32-10:40:41 Page 34</p> <p>1 CHAIRMAN MEYER: Let's not have a -- 2 MR. EDMAN: I know better than to fight 3 Rivko. 4 Yeah, Mr. Chairman, Commissioners, I'm Joel 5 Edman, Arizona Advocacy Network. As you know, we're 6 longtime friends of Clean Elections and the Commission 7 and have played several roles now in this saga here, 8 sort of. So we're active at the legislative session, 9 trying to oppose HCR 2007, along with the League who 10 actually just filed an amicus brief in the case 11 challenging it under the single subject rule, and we 12 were there at "leg council" yesterday. 13 And so I'll just start, I think, by saying 14 that I think Representative Clark's characterization of 15 how things went and sort of the summary of what 16 happened, I agree with all of that. And so I won't 17 repeat it, but just try to add a couple of points. 18 You know, there was a lot of discussion 19 about, oh, we can't add these couple of sentences; it 20 will make it too long and it needs to be concise. And 21 it's true that they have an obligation to be concise 22 but also to be clear, and there can be a tradeoff at 23 times there, right? And I think that there's a couple 24 of instances of where moving towards being more concise 25 is misleadingly incomplete.</p>	<p>10:41:52-10:42:50 Page 36</p> <p>1 Elections does. 2 You know, the -- in the voucher, Prop 305, 3 the ESA measure, I didn't stick around for hours of 4 debate that happened there, but the draft had, you 5 know, a paragraph or two at the top explaining what the 6 ESAs are. And, you know, that sort of context is 7 appropriate for something that voters aren't 8 necessarily going to have all, you know, at the top of 9 their head. And, you know, these are complicated 10 changes. To understand how they actually play out is 11 important. 12 And then I think, you know, the -- as part 13 of that, in that parenthetical, you know, it says 14 voluntary system of public funding of election 15 campaigns for candidates. And, of course, that's 16 correct. That in itself leaves out an important aspect 17 of the public funding piece. Candidates give something 18 up to get that, you know. 19 They -- as Mr. Collins was explaining, they 20 have certain obligations to show up to debates. They 21 can't raise money from certain sources of people, 22 right? They can only raise a limited amount of private 23 money. They have an expenditure cap. You know, it's 24 not just you show up and say give me some money. And, 25 you know, if you don't have that background knowledge,</p>
<p>10:40:44-10:41:49 Page 35</p> <p>1 And, for example, at the top of the 2 language here, you know, it explains what the Clean 3 Elections Act is very briefly in a short parenthetical 4 that only highlights the public funding aspect of Clean 5 Elections, not your voter education activities, not 6 your authority to regulate independent expenditures, 7 nonparticipating candidates. And, of course, those 8 last pieces are really where this issue comes from, 9 right? 10 That's been the fight with GRRRC over the 11 last several years. It has really been about that 12 aspect of the Clean Elections program, and since that 13 is, I think, the fundamental change that would be made 14 by this measure to put the Commission, at least 15 arguably -- I'm sure there will be legal fights at 16 first, but under these sort of auspices of GRRRC, that's 17 really the ball game here, right? 18 And so to not tell voters or not signal to 19 voters the Clean Elections is more than, you know, 20 handing out checks to candidates, they do a lot of 21 other things that would also be affected by that 22 change, I think is misleadingly incomplete. And I know 23 that was something that Representative Clark was 24 pushing to have changed, to have just, you know, a 25 sentence or two saying the other things the Clean</p>	<p>10:42:52-10:43:50 Page 37</p> <p>1 that -- just this phrase here makes it sound like it's, 2 well, voluntary; I can show up and get public funding. 3 And I think that kind of colors, potentially, in 4 people's minds their impression of the Clean Elections 5 system if that's all the information they have. 6 And then the other piece, as -- you know, 7 Representative Clark already mentioned this but, you 8 know, on Point 2 here that the Commission would be 9 required to follow rule-making requirements without any 10 context that you already do, of course, have your own 11 rule-making requirements that are in some way similar 12 and some ways inconsistent with, you know, the 13 Administrative Procedures Act, but it sort of suggests 14 without any context that you have just been able to do 15 whatever you want from, you know, day one until now. 16 And I think that is, you know, also 17 misleadingly incomplete. I think the -- adding "except 18 as currently provided by law," I don't know -- 19 CHAIRMAN MEYER: That tells no one 20 anything. 21 MR. EDMAN: Exactly. 22 COMMISSIONER CHAN: I wasn't even sure what 23 that meant. 24 CHAIRMAN MEYER: It's because it doesn't 25 mean anything.</p>

<p>10:43:50-10:44:45 Page 38</p> <p>1 COMMISSIONER CHAN: Yeah, it doesn't mean 2 anything. 3 MR. EDMAN: Yeah, I don't -- I agree. I 4 don't think that helps at all. 5 CHAIRMAN MEYER: Pardon the informality 6 there. 7 MR. EDMAN: No, no, no. So -- I know. I 8 thinks that's -- those are really all the points I 9 wanted to make. I'm happy to take any questions on 10 sort of thoughts on what happened yesterday or this 11 whole process. 12 CHAIRMAN MEYER: I just want to make a 13 quick point. On the language that says "except as 14 currently provided by law," I mean, the point of these 15 summaries is to give voters a fair summary that's 16 unbiased of what the law is. So when you say "except 17 as currently provided by law," it's nonsensical 18 completely. 19 Commissioner Chan? 20 COMMISSIONER CHAN: Thank you, 21 Mr. Chairman. 22 First of all, I wanted to mention, Tom 23 pointed out to me that staff had included 24 Representative Clark's amendments in our packet. So we 25 do have them.</p>	<p>10:45:41-10:46:46 Page 40</p> <p>1 already has rules -- and that's also mentioned here in 2 Amendment 1 -- rules that are in the same vein as 3 what's being changed here. And I think that -- well, I 4 think, you know, Commissioner Paton, you were right to 5 predict that there would be sort of a backlash from 6 adopting, let's say, less restrictive rules than the 7 legislature would have liked. 8 I think it's still useful context for 9 voters to know there are rules, right? It's not just, 10 you know, there's nothing in place right now and that 11 we're going to impose some rules. So I think that 12 would have been good context. 13 The -- and then Amendment 2, yeah, as it 14 explains, the Clean Elections, you know, already has a 15 rule-making process, I think, that you all go through. 16 And, you know, I think that that's also an important, 17 you know, point to make for voters that it's not sort 18 of, you know, lawless, right? That there is a process 19 here and that this would mean changing the process. 20 And I think, also -- you know, and this may 21 not be appropriate to include in an analysis or not, 22 but since that process is inconsistent with the 23 Procedures Act -- Mike Braun from the "leg council" 24 yesterday, when he testified, sort of had to speculate 25 as to how those two systems would be merged together.</p>
<p>10:44:46-10:45:40 Page 39</p> <p>1 Did you have any feeling -- are you 2 familiar with the amendments that Representative Clark 3 was going to offer yesterday or discussed yesterday? 4 MR. EDMAN: Yes. 5 COMMISSIONER CHAN: Do you have any 6 feelings about either of those amendments? Did you, 7 like, maybe separate them out? Could you kind of tell 8 us what you think about -- if those would have been an 9 improvement, as far as giving a little more 10 information? 11 MR. EDMAN: Yeah, Mr. Chair, Commissioner 12 Chan -- 13 COMMISSIONER CHAN: Do you need to see 14 them? 15 MR. EDMAN: Yeah. I don't have them in 16 front of me. I mean, I know that, generally, I think 17 they provided the sort of context that was needed. I 18 mean, I think, looking here at Amendment 1, yeah, the 19 Citizens Clean Elections act as a system of public 20 funding and then adds -- sorry -- voter education and 21 campaign finance enforcement, you know, the other sort 22 of main aspects of the program. And that, I think, 23 gets to that problem. 24 I didn't mention the [inaudible] that 25 Representative Clark did that, you know, the Commission</p>	<p>10:46:49-10:47:35 Page 41</p> <p>1 I think voters, you know, may want to know that there 2 could likely be some litigation or at least just legal 3 costs to the state in figuring out what the rules are 4 from item to item. 5 I don't know if that's appropriate for this 6 kind of analysis or not, but it's important background 7 information. 8 COMMISSIONER CHAN: Thank you. 9 MR. EDMAN: Thank you. 10 CHAIRMAN MEYER: Thank you. 11 Any other questions for Mr. Edman? 12 (No response.) 13 MR. EDMAN: Thank you. 14 CHAIRMAN MEYER: Commissioner Kimble, 15 Commissioner Titla, any questions? 16 COMMISSIONER KIMBLE: No, thank you. 17 COMMISSIONER TITLA: No, no comment. Thank 18 you. 19 CHAIRMAN MEYER: And Ms. Knox? 20 MS. KNOX: Good morning, Chairman Meyer and 21 members of the Commission and staff. I'm Rivko Knox. 22 I'm representative -- representing the nonpartisan 23 League of Women Voters of Arizona. I've spoken many 24 times at this Commission. 25 I want to start by, kind of, maybe throwing</p>

<p>10:47:39-10:48:55 Page 42</p> <p>1 in a little humor by saying this reminds me a lot of 2 something I heard with another board that I've been 3 involved in where the saying was everything has been 4 said but not everyone said it. And so, in this case, I 5 think pretty much everything has been said, but I 6 haven't had the chance to say my part yet. 7 So, anyway, I did show up yesterday and -- 8 representing the League. I wanted to say that the 9 process was very confusing. And I have sat in many 10 legislative committees, but the way that it worked, I 11 had no idea that it would be this long debate. And 12 then they would -- before they took votes, they would 13 ask for the public comment. It was a very confusing 14 process to begin with. 15 I have not had a chance to see 16 Representative Clark's amendments, but what I planned 17 to say was very similar to that. And so, of course, I 18 appreciated what he had to say, and it was very well -- 19 much better phrased than what I think I said and with, 20 you know, appropriate legal background, et cetera, 21 et cetera. 22 It was -- to me there was no question but 23 that when there was no -- I love the word that 24 Representative Clark used: context. When there was no 25 explanation of the current status, there was no way for</p>	<p>10:50:23-10:51:43 Page 44</p> <p>1 and the ways that you are appointed compared to the 2 GRRC. 3 So -- and I also wanted to add, in relation 4 to what you said, Commissioner Paton, that from what I 5 understand, the tension or disagreements between GRRC 6 and the Clean Elections Commission came about well 7 before the change in the expenditure rules for use of 8 Clean Election money to purchase services from 9 political parties. So I think it preceded that. 10 So it was -- it was disturbing. I think 11 people, if the language remains the same, will not have 12 the opportunity to really be informed -- voters -- when 13 they vote. 14 I will also add, by the way, that the 15 League has already submitted a statement to the 16 Secretary of State's Office. We have not seen the 17 language that was proposed yesterday. Although I think 18 we cover quit of bit, but I think if we had known how, 19 bluntly speaking, in my opinion, distorted it was, by 20 supposed brevity -- or conciseness was the word they 21 used -- we might have reworded some of our argument, 22 but we've already submitted a statement in 23 opposition -- I shouldn't say it's for -- in opposition 24 to HCR 2007. 25 So is there any -- any questions? Okay.</p>
<p>10:48:58-10:50:19 Page 43</p> <p>1 the public to know what was being changed. And I 2 pointed out, when I spoke, I had not read the 3 pension -- the first item on the agenda because, 4 truthfully, I don't know enough about pensions to have 5 had an opinion before that. And the League does not 6 have an opinion. 7 Although I will read it before I vote in 8 November, I saw no point in downloading it and reading 9 it, but I have read the Proposition 305 because, 10 truthfully, the League does have a position on that. 11 And very clearly there were sentences that started the 12 current situation is, currently this is, and they would 13 not allow that. So it was very frustrating. I pointed 14 out that the omission of the current situation was very 15 distorting and kept it from being clear and impartial, 16 in my opinion. 17 I think the whole issue -- and I pointed 18 out, again, in my testimony that prior to my coming and 19 observing and having a chance just to speak -- thank 20 you -- to the Clean Elections Commission, I would have 21 had no idea what GRRC was. When I reported to the 22 League of Women Voters of Arizona board, they were, 23 like, what -- I have always had to clarify what this 24 was and the difference between a bipartisan or, in 25 your -- bipartisan/nonpartisan board the way you are</p>	<p>10:51:46-10:52:33 Page 45</p> <p>1 CHAIRMAN MEYER: I don't have any. 2 Do any other commissioners? 3 (No response.) 4 CHAIRMAN MEYER: Okay. Thank you, 5 Ms. Knox. We're always -- always glad to hear your 6 perspective. 7 So at this time, Tom, I think -- 8 MR. COLLINS: Right. So -- 9 CHAIRMAN MEYER: We'll move to -- 10 MR. COLLINS: Mr. Chairman, yeah, unless 11 there's anybody else who wants to make public comment 12 before, I think that what we would like to do -- what I 13 would recommend we do is we have to make some decisions 14 about what, if anything, to do now. And, in order to 15 do that, we need to have some discussion with our legal 16 counsel. So I would recommend someone make a motion to 17 go into executive session. 18 CHAIRMAN MEYER: I will move that we go 19 into executive session. 20 Is there a second to the motion? 21 COMMISSIONER CHAN: I second it. 22 CHAIRMAN MEYER: We have a motion to go 23 into executive session. 24 All in favor? 25 (Chorus of ayes.)</p>

<p>10:52:33-11:26:41 Page 46</p> <p>1 CHAIRMAN MEYER: All opposed? 2 COMMISSIONER TITLA: Aye. 3 CHAIRMAN MEYER: Okay. Just to confirm, 4 Commissioner Titla, are you opposing going into 5 executive session? 6 COMMISSIONER TITLA: No. I said aye. 7 CHAIRMAN MEYER: Okay. I went too fast. 8 So all opposed, aye -- or all in favor, 9 aye. 10 (Chorus of ayes.) 11 CHAIRMAN MEYER: Any opposition? 12 (No response.) 13 CHAIRMAN MEYER: Okay. None. Okay. 14 Motion carries. We are in -- we'll go into executive 15 session. 16 (The following section of the meeting is in 17 executive session and bound under separate cover.) 18 * * * * * 19 (End of executive session. Public meeting 20 resumes at 11:26 a.m.) 21 CHAIRMAN MEYER: Okay. We are back from 22 executive session. Thank you, everyone. 23 Is there any motion to be made out of 24 executive session? 25 COMMISSIONER CHAN: Mr. Chairman, I move</p>	<p>11:28:45-11:31:05 Page 48</p> <p>1 I'm trying to reach him, but it's busy. So 2 I don't know if he's -- if he went into a non-signal 3 area, but give me one minute. 4 THE OPERATOR: Mr. Kimble has rejoined. 5 CHAIRMAN MEYER: Mr. Kimble -- Commissioner 6 Kimble, are you on the line? 7 COMMISSIONER KIMBLE: Yeah. I got dropped 8 and then I couldn't get back on. 9 CHAIRMAN MEYER: No problem. I just want a 10 clean record on this motion. 11 So currently there is a motion on the 12 table, a motion that the Commission direct legal 13 counsel and the executive director to take such legal 14 actions necessary to ensure that a fair, legal and 15 accurate summary of HCR 2007 is included in the State's 16 publicity pamphlet. That motion was made by 17 Commissioner Chan. It was seconded by Commissioner 18 Paton. So now I want to call a vote for this again. 19 All in favor of the motion, vote aye, 20 please. 21 (Chorus of ayes.) 22 CHAIRMAN MEYER: So we have five ayes. 23 Any opposition? 24 (No response.) 25 CHAIRMAN MEYER: Any abstention?</p>
<p>11:26:42-11:28:00 Page 47</p> <p>1 that we direct counsel and the executive director to 2 take such legal actions necessary to ensure that a 3 fair, legal and accurate summary of HCR 2007 is 4 included in the State's publicity pamphlet. 5 CHAIRMAN MEYER: Is there a second? 6 COMMISSIONER PATON: Second. 7 CHAIRMAN MEYER: We have a motion pending. 8 All in favor of that motion say aye. 9 (Chorus of ayes.) 10 CHAIRMAN MEYER: Commissioner Titla -- 11 COMMISSIONER TITLA: Yeah, aye. 12 CHAIRMAN MEYER: Commissioner Kimble? 13 MR. COLLINS: Did we lose Kimble? 14 CHAIRMAN MEYER: Commissioner Kimble, was 15 your vote an aye? 16 MS. THOMAS: It looks like he dropped off 17 the line. I don't see him on the line. 18 CHAIRMAN MEYER: Okay. Do we want to try 19 to get him back for this vote? 20 MS. THOMAS: Yes, sir. One moment, please. 21 MR. COLLINS: Okay. 22 MS. THOMAS: I believe he's on. 23 Commissioner Kimble, are you back on the 24 line? 25 One second.</p>	<p>11:31:08-11:32:14 Page 49</p> <p>1 (No response.) 2 CHAIRMAN MEYER: Okay. The motion carries 3 5 to 0. 4 And I just want to state that the legal 5 action the Commission will be taking is not to prevent 6 a vote on HCR 2007. We have no issue with this going 7 to the ballot. Rather, we are going to take action to 8 ensure that there will be a fair, non-partisan and 9 informed vote on this issue. This action we're taking 10 is consistent with our duties as a Commission, which is 11 to maintain and protect the integrity of the government 12 of this state. 13 If any other commissioners have a comment 14 they'd like to make, please do so. 15 (No response.) 16 CHAIRMAN MEYER: Okay. Now we'll move on 17 to -- is there any other public comment today from 18 those in attendance? 19 Ms. Knox. 20 MS. KNOX: I'll be very brief. Again, this 21 is Rivko Knox on behalf of the League of Women Voters 22 of Arizona. 23 When I spoke earlier, I was focusing, 24 obviously, on yesterday's legislative council. I 25 wanted just, also, as kind of a private citizen, to</p>

<p>11:32:17-11:33:12 Page 50</p> <p>1 mention that I have -- I attended my legislative 2 district's Clean Election debate which was quite well 3 attended. Luigi Depart [phonetic], the moderator, did 4 an outstanding job, and I've watched every one of the 5 Horizon debates. And I think they were really good. 6 And I would like to compliment the 7 Commission for -- and staff for how this has been 8 organized. And I do agree that Ted Simons was asked 9 very difficult -- or, shall we say, challenging 10 questions that really get to the heart of, I think, 11 what the particular office is supposed to do and how 12 the various candidates feel about what their roles 13 would be if elected. 14 So thank you. 15 CHAIRMAN MEYER: Thank you. 16 Any other public comment? 17 (No response.) 18 CHAIRMAN MEYER: All right. Hearing 19 none -- 20 MR. COLLINS: Motion to adjourn? 21 CHAIRMAN MEYER: -- is there a motion to 22 adjourn? 23 COMMISSIONER CHAN: Do we need to do this 24 one? 25 MR. COLLINS: What?</p>	<p>11:33:41-11:34:18 Page 52</p> <p>1 that we adopt these meeting dates for the remainder of 2 the year. 3 CHAIRMAN MEYER: I'll second that motion. 4 All in favor of the motion to approve the 5 meeting dates say aye. 6 (Chorus of ayes.) 7 CHAIRMAN MEYER: Any opposition? 8 (No response.) 9 CHAIRMAN MEYER: Abstentions? 10 (No response.) 11 CHAIRMAN MEYER: Motion carries 12 unanimously. 13 Now I will ask for a motion to adjourn the 14 meeting. 15 COMMISSIONER CHAN: I move that we adjourn 16 our meeting. 17 CHAIRMAN MEYER: Is there a second? 18 COMMISSIONER PATON: Second. 19 CHAIRMAN MEYER: All right. All in favor 20 of adjourning the meeting say aye. 21 (Chorus of ayes.) 22 CHAIRMAN MEYER: Any opposition? 23 (No response.) 24 CHAIRMAN MEYER: Abstentions? 25 (No response.)</p>
<p>11:33:17-11:33:39 Page 51</p> <p>1 COMMISSIONER CHAN: The proposed meeting 2 dates? 3 CHAIRMAN MEYER: Oh, the meeting dates. 4 That's right. 5 COMMISSIONER CHAN: Do we need to do that 6 or -- 7 MR. COLLINS: Yeah. I guess -- 8 CHAIRMAN MEYER: Yeah. 9 MR. COLLINS: Yeah, I guess we do need to 10 do that. 11 CHAIRMAN MEYER: Oh, I'm sorry. What? 12 MR. COLLINS: We've forgot about the 13 meeting dates. 14 Do you all agree -- 15 CHAIRMAN MEYER: Oh, the meeting dates 16 issue. 17 COMMISSIONER CHAN: That's just Item V. 18 MR. COLLINS: Yeah. Do you want to move on 19 the -- 20 CHAIRMAN MEYER: Forgive me. I missed 21 Item V and the discussion and possible action on 22 proposed meeting dates. 23 COMMISSIONER CHAN: How do I do that? 24 MR. COLLINS: Just move them. 25 COMMISSIONER CHAN: Could I -- I'll move</p>	<p>11:34:18-11:34:20 Page 53</p> <p>1 CHAIRMAN MEYER: All right. We are 2 adjourned. 3 Thank you, everybody. 4 (Whereupon, the proceedings concluded at 5 11:34 a.m.) 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

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 30th day of  
17 June, 2018.



LILIA MONARREZ, RPR, CR #50699

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