



**NOTICE OF PUBLIC MEETING
AND POSSIBLE EXECUTIVE SESSION OF THE
STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION**

Location: Citizens Clean Elections Commission
1616 West Adams, Suite 110
Phoenix, Arizona 85007

Date: Thursday, January 23, 2020

Time: 9:30 a. m.

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the Commissioners of the Citizens Clean Elections Commission and the general public that the Citizens Clean Elections Commission will hold a regular meeting, which is open to the public on January 23, 2020. This meeting will be held at 9:30 a.m., at the Citizens Clean Elections Commission, 1616 West Adams, Suite 110, Phoenix, Arizona 85007. The meeting may be available for live streaming online at www.livestream.com/cleanelections. Members of the Citizens Clean Elections Commission will attend either in person or by telephone, video, or internet conferencing.

The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item listed on the agenda, pursuant to A.R.S. § 38-431.03 (A)(3). The Commission reserves the right at its discretion to address the agenda matters in an order different than outlined below.

All matters on the agenda may be discussed, considered and are subject to action by the Commission.

Possible action on any Matter Under Review (MUR) identified in this agenda may include, but is not limited to, authorizing or entering into a conciliation agreement with subject of the MUR, in addition to any other actions, such as finding reason to believe a violation has occurred, finding probable cause to believe a violation has occurred, applying penalties, ordering the repayment of monies to the Clean Elections Fund, or terminating a proceeding.

Possible actions with regard to Rules and Rules amendments may include, but is not limited to, approval of the proposed rules or amendments, a determination whether any rules adopted unanimously should be made effective immediately, termination of a rulemaking docket, or directing staff to file a notice of supplemental rulemaking, approving a proposed Rule or Amendment for Public Comment.

The agenda for the meeting is as follows:

- I. Call to Order.
- II. Discussion and Possible Action on Commission Minutes for December 12, 2019 meeting.

III. Discussion and Possible Action on Executive Director’s Report and Legislative Report. **Possible Action may include directing staff to take positions on legislation, legal, rulemaking, appointment and voter education issues discussed in the report. The report is typically available online on the Clean Elections Commission website or via email request at ccec@azcleanelections.gov**

IV. Discussion and Possible Action on matters relating to the Secretary of State’s office, the See the Money project, the Campaign Finance Reporting System, the Commission Interagency Service Agreement with the Secretary of State’s Office.

The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on this item, pursuant to A.R.S. § 38-431.03 (A)(3).

V. Discussion and Possible Action on Proposed Meeting Dates for February – July, 2020.

VI. Discussion and Possible Action on Rules and Rule Amendments including:

A. Status of Governor’s Regulatory Review Commission action on pending Rules amendments including R2-20-113 and 704.

B. Discussion and Possible Action on proposed amendments to R2-20-702, for final adoption and effective date. **After 60 days public comment, the Commission may vote to make the amendment(s) effective immediately. A.R.S. § 16-956(D). (E).**

The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on this item, pursuant to A.R.S. § 38-431.03 (A)(3).

VII. Discussion and Possible Action on 2020 Interagency Service Agreement with the Attorney General’s Office.

VIII. Public Comment

This is the time for consideration of comments and suggestions from the public. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date or responding to criticism

IX. Adjournment.

This agenda is subject to change up to 24 hours prior to the meeting. A copy of the agenda background material provided to the Commission (with the exception of material relating to possible executive sessions) is available for public inspection at the Commission’s office, 1616 West Adams, Suite 110, Phoenix, Arizona 85007.

Dated this 21st day of January, 2020.

Citizens Clean Elections Commission

Thomas M. Collins, Executive Director

Any person with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Commission at (602) 364-3477. Requests should be made as early as possible to allow time to arrange accommodations.

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THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona

December 12, 2019

9:30 a.m.

ITEM II

COASH & COASH, INC.
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Prepared by:
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<p style="text-align: right;">Page 2</p> <p>1 PUBLIC MEETING BEFORE THE CITIZENS CLEAN 2 ELECTIONS COMMISSION convened at 9:30 a.m. on 3 December 12, 2019, at the State of Arizona, Clean 4 Elections Commission, 1616 West Adams, Conference Room, 5 Phoenix, Arizona, in the presence of the following Board 6 members: 7 Mr. Mark S. Kimble, Chairperson 8 Mr. Damien R. Meyer (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 15 Gina Roberts, Voter Education Director 16 Mike Becker, Policy Director 17 Alec Shaffer, Web Content Manager 18 Avery Oliver, Voter Education Specialist 19 Julian Arndt, Executive Support Specialist 20 Rivko Knox, AZ League of Women Voters 21 Joseph LaRue, Attorney General's Office 22 Kara Karlson, Attorney General's Office 23 Ryan Wheelock, RIESTER 24 25</p>	<p style="text-align: right;">Page 4</p> <p>09:31:47-09:32:48</p> <p>1 Is there a second? 2 COMMISSIONER PATON: Second. 3 COMMISSIONER KIMBLE: It's moved and 4 seconded. 5 All those in -- well, let's do a roll call. 6 Commissioner Chan? 7 COMMISSIONER CHAN: Aye. 8 CHAIRMAN KIMBLE: Commissioner Paton? 9 COMMISSIONER PATON: Aye. 10 CHAIRMAN KIMBLE: Commissioner Meyer? 11 COMMISSIONER MEYER: Aye. 12 CHAIRMAN KIMBLE: The Chair votes aye. The 13 minutes are approved. Excuse me. 14 Item III: Discussion and possible action 15 on executive director's report and legislative report. 16 Tom? 17 MR. COLLINS: Thank you, Mr. Chairman, 18 Commissioners. I just want to briefly cover that, you 19 know, as you can see, we've had -- in terms of 20 community outreach, you know, we have had -- Avery has 21 been out collaborating with and meeting with folks and 22 really expanding our relationships with entities that 23 are eager to have the kind of voter education services 24 that we provide and, you know -- and, of course, Gina 25 has been doing an enormous amount of work with the</p>
<p>09:30:51-09:31:46</p> <p style="text-align: right;">Page 3</p> <p>1 P R O C E E D I N G 2 3 CHAIRMAN KIMBLE: Good morning. I'm going 4 to call to order the December 12th, 2019, meeting of 5 the Citizens Clean Elections Commission. We have 6 commissioners here and on the phone. So, we're going 7 to do a roll call. 8 Commissioner Chan? 9 COMMISSIONER CHAN: Oh, here. 10 CHAIRMAN KIMBLE: Commissioner Paton? 11 COMMISSIONER PATON: Here. 12 CHAIRMAN KIMBLE: Commissioner Meyer? 13 COMMISSIONER MEYER: Here. 14 CHAIRMAN KIMBLE: And Commissioner Kimble 15 is here, too. We have a majority. 16 Item II: Discussion and possible action on 17 Commission minutes for the November 14th, 2019 meeting. 18 Are there any corrections or additions to 19 the minutes? 20 COMMISSIONER CHAN: Mr. Chairman. 21 CHAIRMAN KIMBLE: Commissioner Chan. 22 COMMISSIONER CHAN: I move that we approve 23 the minutes as written. 24 CHAIRMAN KIMBLE: Motion made to approve 25 the minutes as written.</p>	<p>09:32:56-09:34:12</p> <p style="text-align: right;">Page 5</p> <p>1 Secretary of State's Office on their election security 2 issues and helping them to -- to develop plans along 3 those lines. 4 And -- I mean, one correction. I got sick. 5 So, I didn't go to the National Governors Association's 6 Policy Academy, but I think that a two-day -- it was 7 two days of meetings that Gina participated in that, I 8 think, were important for us to be at. 9 And we had an incredibly successful launch 10 in the Pinal County Recorder's -- Recorder's Office had 11 an incredible and successful loss -- launch of their 12 mobile voter outreach center on December 5th. 13 I just want to, real quickly, say I think 14 this has been one of the most successful, if not the 15 most successful, voter education years we've had. 16 You'll hear more about that in Gina's presentation. 17 And Gina said something that really stuck with me, and 18 I think this makes a difference in the context of 19 communicating with voters, especially around issues 20 like, you know, security and information, which is that 21 other states don't have the kind of dedicated resources 22 and administrative priorities that this agency has had 23 created for it by the voters. 24 And I think that that -- I think that's -- 25 you know, that as you look to all of the issues around</p>

<p>09:34:17-09:35:37</p> <p>Page 6</p> <p>1 elections, I think that's -- I think that unique role 2 is more necessary than ever. And I just want to say 3 that this has been a -- that this has been a good year 4 for that. And we've -- I mean, from the voter 5 conference to -- to the partnership with Pinal, working 6 with Coconino later this -- later this week, I think 7 we're really doing some extraordinary stuff. 8 Just a real quick thing. We filed -- on 9 outstanding legal matters, we filed a response to the 10 Arizona Advocacy -- Arizona Advocacy Network v. State 11 case where we are, essentially, appellees. I have a 12 copy of that, if you're interested. The Election 13 Procedures Manual is supposed to be approved by the 14 Governor's office by December 31st is my understanding 15 and -- and, then, you guys -- you all can see the rest 16 of the report. I just wanted to hit those highlights. 17 CHAIRMAN KIMBLE: Any comments or questions 18 on the executive director's report? 19 COMMISSIONER PATON: Yes, I have -- 20 CHAIRMAN KIMBLE: Commissioner Paton? 21 COMMISSIONER PATON: Can you expand on the 22 progress being made by the Governor's office? 23 CHAIRMAN KIMBLE: Let me just say that, to 24 me, looks like it was cut and pasted from the last 25 agenda.</p>	<p>09:36:57-09:38:34</p> <p>Page 8</p> <p>1 that duty and to let it go two years is too long. The 2 significance of the fact that your term, Mr. Chairman, 3 is expiring next month should be lost on no one. When 4 your term expires, it will be Mr. -- Commissioner Paton 5 and myself who are the only active members. The other 6 three members will be holdovers. 7 And, I guess, the reason for my unhappiness 8 is that for the past three months, through back 9 channels, I have heard rumors that there was somebody 10 who was going to be appointed to fill the position, and 11 I felt, like, that was something that appeased my 12 concerns. And now I feel, like, maybe I've been 13 manipulated because I don't understand where those 14 rumors came from. I don't know that they were 15 disingenuous. I don't know what has happened behind 16 the scenes. 17 And maybe I just need to speak with the 18 Governor's office myself to get that information and 19 maybe they don't -- maybe that's not my place. I 20 just -- I am extremely concerned about the fact that 21 this -- when I spoke up and the League of Women Voters 22 spoke up -- and thank you for doing that, Rivko and the 23 League -- it had been 18 months. And I think that had 24 been plenty of time for the Governor's office to get 25 this done.</p>
<p>09:35:37-09:36:54</p> <p>Page 7</p> <p>1 MR. COLLINS: Yes. 2 CHAIRMAN KIMBLE: And from the meeting 3 agenda before that and the agenda before that. 4 COMMISSIONER PATON: It does. 5 MR. COLLINS: It is. 6 CHAIRMAN KIMBLE: Okay. Thank you. 7 MR. COLLINS: I can tell you that I 8 emailed -- exchanged emails with the Governor's board 9 and Commission director yesterday, and I was told that 10 there's a -- that they are still vetting candidates. 11 So, that's the information I have. 12 COMMISSIONER CHAN: Mr. Chairman? 13 CHAIRMAN KIMBLE: Commissioner Chan? 14 COMMISSIONER CHAN: I just have a few 15 comments, and I -- I personally reached out to the 16 person that I know on the Governor's staff this morning 17 just to do that because I found myself feeling a little 18 unhappy last night, realizing that we're going into the 19 third month of still not having somebody appointed to 20 this vacancy that's going to have been vacant now for 21 two years starting next month. 22 And, recognizing that there may be 23 difficulties in finding appropriate candidates, I think 24 it's a very important job, and I think it's incumbent 25 upon the Governor's staff and the Governor to fulfill</p>	<p>09:38:36-09:39:55</p> <p>Page 9</p> <p>1 And, again, now it's going to be a full two 2 years of a vacancy, basically, with a holdover. And, 3 frankly, a five-year term is a long term. We cannot 4 expect holdovers to continue to serve in these 5 positions that are volunteer positions. Yes, there is 6 a per diem. These are volunteer positions. 7 So, having said that, I know that Secretary 8 Hobbs has an opportunity to appoint someone to the 9 position held by Commissioner Meyer who is a 10 holdover -- not that I don't appreciate Commissioner 11 Meyer, but I think my understanding of that situation 12 is that her office believes she is unable to do so 13 until the Governor acts. I would just publicly ask her 14 to strongly reconsider that because of the situation we 15 are going to find ourselves in if the Governor 16 continues to be unable to fulfill his duty to fill this 17 two-year long vacancy. 18 And with that, that's all I have, 19 Mr. Chairman. 20 CHAIRMAN KIMBLE: Any other comments on the 21 executive director's report? 22 (No response.) 23 CHAIRMAN KIMBLE: Thank you. 24 Item IV: Discussion and possible action on 25 the 2020 Voter Education Plan.</p>

<p>09:39:57-09:41:32 Page 10</p> <p>1 Gina? 2 MS. ROBERTS: Mr. Chairman, Commissioners, 3 good morning. Today I have the 2020 Voter Education 4 Plan to present to you. If you'll recall -- excuse 5 me -- the Commission has already approved the budget 6 for 2020, and so in that included the voter education 7 budget request that we had. And now I have a little 8 bit more detail for you about what our plans and our 9 goals are for next year. 10 I usually do this every time I present the 11 public education plan, the Voter Education Plan that we 12 have. This is our preamble, and I like to share this 13 because it just -- this is what we always fall back on. 14 Whenever we're making decisions about voter education 15 and the directions that we should go, we always fall 16 back on the fact that our preamble specifically states 17 that we will encourage citizen participation in the 18 political process. And so, that's really the 19 underlying goal here throughout the plans. Excuse me. 20 I wanted to, kind of, share the lay of the 21 land right now with what the voter registration 22 statistics are for the state. So, we have about 3 -- 23 almost 3.9 million registered voters, and there's the 24 breakdown between the political affiliations. You can 25 see other, which is our Independent voter group. They</p>	<p>09:42:49-09:43:59 Page 12</p> <p>1 reason not to vote is inadequate knowledge. And there 2 can be many different components to that, such as, 3 well, where do I find this information that I'm looking 4 for and how do I know if it is trustworthy information. 5 That was a common theme. The other theme that we'll 6 talk about, too, is the time it takes to become 7 knowledgeable and to find the information that you're 8 looking for and be an informed voter. And so, I wanted 9 to highlight some of the recommendations. 10 And I'm sorry. I wanted to start by 11 stating that we will be continuing to work with 12 RIESTER. They are our partner in helping us execute 13 our Voter Education Plan, and RIESTER conducted this 14 research on behalf of Clean Elections. And so, they 15 really are and have been a wonderful partner for us and 16 understanding the mission of reaching voters and 17 encouraging that participation. 18 And so, the recommendations are really -- 19 we're on the same path. We really are. There's really 20 nothing new from the research. It's just continuing to 21 validate that we are going on the right path here with 22 what voters are expressing what their needs are. And, 23 again, you know, the ultimate goals are to encourage 24 that participation in the political process, but what I 25 wanted to really call to your attention here are some</p>
<p>09:41:35-09:42:48 Page 11</p> <p>1 are still the second largest voting block in the state, 2 and I would like to mention that the Green Party, they 3 do not have ballot recognition for 2020. So, 4 technically, those groups are, also, falling into the 5 Independent category, as well. 6 This is just a quick snapshot of some of 7 the turnout that we've seen in the past year and with 8 2018. I believe I've shared this information with you 9 before, but I did just want to highlight. You'll see 10 in presidential election years, obviously, the turnout 11 is going to be higher. And, in 2016, we had, in the 12 general election, a turnout of 74.17 percent. So, I 13 just, again, wanted to share that we are expecting, you 14 know, similar, if not higher, turnout rates in the 2020 15 election cycle. 16 So, historically, the Commission, for the 17 past several years, has invested in research with 18 voters so we can identify the needs that they are 19 expressing that they feel that they need to participate 20 and what kind of voter education services voters are 21 looking for. And so, we did conduct research this 22 year. We did both focus groups and a survey with 23 voters, and I just wanted to share some of the key 24 findings that stood out to us. 25 And you'll see here that the number one</p>	<p>09:44:03-09:45:16 Page 13</p> <p>1 of the issues that stood out to us and the 2 considerations in really removing the barriers and that 3 it takes too much time and too much work and effort. 4 And, again, just, kind of -- the 5 information that I'm finding here, how do I know if 6 it's trustworthy, how do I know if it's factual. And 7 the three key points that I wanted to highlight from 8 this research is that voters can become overwhelmed, 9 apathetic, disinterested. That's, you know, really 10 nothing new that we've dealt with over the years. 11 We're always trying to address that issue. And feeling 12 uninformed can result in distress in the system. 13 And we really want to -- excuse me -- 14 voters, you know, they can -- we all have our busy 15 lives. And so, considering all of the issues that are 16 on the ballot and the candidates and the time that it 17 takes to research, we want to make sure that voting 18 information is easily accessible and adjustable for 19 voters. 20 And so, one of the things that really stood 21 out to us as we were doing the focus groups was the 22 word "bullets." Practically every focus group that we 23 had, every single voter mentioned, can I just get the 24 bullets from what the issues are? Can you just give 25 met the highlights here? And so, that really pointed</p>

<p>09:45:19-09:46:26</p> <p>Page 14</p> <p>1 out to us the need for that easily accessible 2 information. Excuse me. 3 So, our campaigns that we're going to be 4 focusing on, obviously, elections, the key dates, 5 logistics, the voting, what voters need to know in 6 terms of how to get their ballot, voter registration 7 deadlines, that sort of thing for the elections itself. 8 And, then, we will -- Independent voters, the rules 9 change across the elections, and so, they need 10 specialized education. And so, we will be focusing on 11 the information that Independent voters need to know. 12 And, then, younger voters, we will continue 13 our outreach to the 18- and 24-year-old group and 14 trying to, again, instill that lifelong voting habit to 15 these younger voters and trying to reach them and meet 16 them where they are. 17 And since we will be in an election year, 18 we will have our Voter Education Guide. We will be 19 sponsoring debates, and another campaign will be 20 election security. Tom briefly touched on that in the 21 executive director's report, but I will go over that a 22 little bit more in detail here. 23 There will be five elections next year. 24 This includes two local elections and, then, we do have 25 our March 17 presidential preference election and,</p>	<p>09:47:41-09:48:42</p> <p>Page 16</p> <p>1 presidential preference election is not a primary 2 election. There is a difference. And the open primary 3 law is not applicable. So, that is a constant 4 communication point that we will be putting out there. 5 COMMISSIONER PATON: I have a question. 6 CHAIRMAN KIMBLE: Commissioner Paton? 7 COMMISSIONER PATON: So, if there's not a 8 Republican presidential primary, basically, there is 9 for the other federal offices, I mean, the Senate -- 10 the Senate office. So, they may not vote for the 11 president, but the Senate is going to be on there. 12 Correct? 13 MS. ROBERTS: Mr. Chairman, Commissioner 14 Paton, that is correct. So, on the primary ballot, the 15 federal offices that will be there will be the U.S. 16 Senate seat that Senator McCally is currently holding 17 that is -- 18 COMMISSIONER PATON: And the congressional. 19 MS. ROBERTS: Yes. And that is the 20 remainder of Senator McCain's term. And, then, we do 21 have our 9 Congressional District. So, for 22 everything else but president, there is a primary that 23 does exist. 24 COMMISSIONER PATON: Okay. 25 MS. ROBERTS: And the purpose of the</p>
<p>09:46:30-09:47:39</p> <p>Page 15</p> <p>1 then, of course, our primary and our general. And just 2 as a reminder, the primary election date has changed. 3 The legislature moved it up. So, we now are looking at 4 an earlier time frame for when our debates will kick 5 off, when the Voter Guide goes out. So, our schedule 6 has been bumped up by, approximately, a month. 7 What's on the ballot for the PPE? So, only 8 one political party is participating, that is the 9 Democratic Party, which means only Democrats can vote 10 in the presidential preference election. That is a 11 critical message that we need to get out to voters 12 across the state, and we need to make sure everybody 13 understands who is eligible to vote. 14 The Secretary of State's Office had the 15 ballot order drawing yesterday. So, there are 18 16 candidates that qualified for the ballot, and I have 17 the order listed here. Excuse me. And, then, what's 18 on the ballot for the primary election. We have all of 19 our candidate races that will be on there from federal, 20 state and, of course, our local districts, as well. 21 One thing that we'll be communicating and 22 we have -- we often get this question is on our 23 August 4 primary ballot, there's nothing related to the 24 presidential election on there. And so, we're 25 constantly trying to let voters know that the</p>	<p>09:48:42-09:49:32</p> <p>Page 17</p> <p>1 primary is to nominate the candidates to the general 2 election where they can actually be elected into 3 office. 4 COMMISSIONER PATON: So, that will confuse 5 a lot of people when they don't see that. 6 MS. ROBERTS: There's -- yes, sir. There's 7 a lot of education efforts that are -- are necessary to 8 explain those differences. 9 COMMISSIONER PATON: But that would give 10 the Independents at least the chance to vote in the 11 Democratic presidential -- no? 12 MS. ROBERTS: Mr. Chairman, Commissioner 13 Paton, in the Democratic presidential preference 14 election only Democratic voters can participate. 15 COMMISSIONER PATON: Okay. 16 MS. ROBERTS: Independents, any other 17 political party, the only way someone can participate 18 in the March 17 PPE is if they are a registered 19 Democrat by, I believe, February 18th is the federal 20 registration deadline. 21 COMMISSIONER PATON: Unless they register 22 to be a Democrat. Okay. 23 MS. ROBERTS: Yes, sir. 24 COMMISSIONER PATON: Okay. 25 MS. ROBERTS: And so, what that extends to</p>

<p>09:49:32-09:50:40 Page 18</p> <p>1 for Independents -- and I've got a slide for that, too. 2 We'll talk about how the rules for Independent voters 3 change across the three elections. 4 COMMISSIONER PATON: So, I would think 5 that -- I mean, if I'm a little confused, then -- then 6 that just shows that one-third of the people that are 7 registered to vote, we really need to try to reach 8 them. 9 MS. ROBERTS: Mr. Chairman, Commissioner 10 Paton, absolutely. It is -- it is something that all 11 of our election officials across the state have been 12 discussing for the past year. It is something that can 13 be very confusing to explain and, you know, we have to 14 try to figure out a way to do that with all of our 15 communication methods that we have available to us. 16 Even talking to somebody face to face, it can be hard 17 to explain that process. 18 And, along with that, it includes making 19 sure that the media understands and that it's not being 20 misrepresented because, you know, we want to make sure 21 that our partners there have a good understanding of 22 what this means. And so, it is a challenge. 23 COMMISSIONER PATON: Yeah. I mean, I guess 24 it's not really that confusing, but I know that wasn't 25 the case when I started voting. They changed that</p>	<p>09:51:49-09:52:53 Page 20</p> <p>1 cannot participate. They cannot vote. In the primary, 2 they can, but they have to take the step of requesting 3 a single partisan ballot. Well, there technically 4 could be a local non-partisan ballot available, but for 5 the most part, they would have to request which ballot 6 they want. And, then, in the general, everybody can 7 vote. Independents can vote. No additional steps are 8 required. 9 So, we're going to be going through 2020 10 trying to communicate to voters in this period of time 11 here's the rules for this election and, then, scratch 12 that; here's the rules for this election and, then, 13 scratch that; here's the rules for this election. 14 Although, we, also, have two local elections occurring, 15 as well, too. 16 One thing that I wanted to highlight from 17 our research was most Independents do -- they weren't 18 aware that they could participate or it gets a little 19 confusing to them on how they can participate in the 20 primary. And so, we do try to communicate to them that 21 in the primary election, the August primary election, 22 you can participate. You don't have to change your 23 party registration. Simply picking a partisan ballot 24 will not impact your registration. There's not a 25 single ballot that has all party candidates on it.</p>
<p>09:50:44-09:51:46 Page 19</p> <p>1 law -- I don't know at what time, but -- so people of 2 my age, at least, you know, that wasn't an issue. If 3 you weren't of a certain party, then you didn't vote in 4 the primary. And so, I don't know when that law took 5 place, but -- 6 MS. ROBERTS: Mr. Chairman -- 7 COMMISSIONER PATON: That's one reason why 8 they're confused, I guess. 9 MS. ROBERTS: Yes, sir. 10 And for the general election, when we 11 transition over to that, we do have our presidential 12 electors that will be on the ballot, as well. So, 13 that's when voters will be voting for the electors to 14 vote for president to the electoral college. And, 15 then, of course, we have the remaining of those 16 candidate races where now the elections will actually 17 take place and ballot measures. So, statewide and any 18 local ballot measures, judges and justices who are up 19 for retention and, of course, those local districts. 20 Going back to Independent voters, as I 21 mentioned, the rules changed. So, we have three 22 statewide elections next year. The rules changed for 23 the Independent voters across each election. Excuse 24 me. As I mentioned, they are the second largest voting 25 block in Arizona, and so, in the PPE, Independents</p>	<p>09:52:55-09:54:10 Page 21</p> <p>1 That's in the general election, but we often hear 2 frustration with the system by having to pick a single 3 partisan ballot. So, that is also a challenge that we 4 see from -- with Independent voters. 5 And just this quote here that we took from 6 the research: Can't vote in the primary as an 7 Independent. It is not fair. So, again, in our August 8 primary, you can, but there's a process of doing so. 9 And so, we often hear either Independent voters aren't 10 aware that they can participate. If they are aware, 11 they don't like the system, the process by which they 12 are participating. And so, we will be having that 13 specialized education for Independent voters. 14 And, then, for our younger voters, we will 15 be continuing to look at ways that we can reach them. 16 I wanted to highlight our mural that we did in the Take 17 Flight Campaign. We are going to look at -- we are in 18 the process of rewriting that so it is applicable to 19 2020. And we are looking at improvements to the 20 augmented reality portion of it, making user friendly 21 updates, such as adding in-app video sharing and, also, 22 looking at doing some branding overlays so that we can 23 have, you know, register to vote and additional, you 24 know, sayings on there or I voted, things like that. 25 And so, we've found great success with this</p>

<p>09:54:16-09:55:16 Page 22</p> <p>1 effort in reaching younger voters, and we want to 2 continue to see how we can further amplify this 3 project. 4 COMMISSIONER CHAN: Mr. Chairman? 5 CHAIRMAN KIMBLE: Commissioner Chan. 6 COMMISSIONER CHAN: Mr. Chairman, Gina, 7 this is just a selfish question, but if I'm on 8 Facebook, can I get the wings as an overlay for my 9 Facebook photo, or do I have to go to the mural 10 downtown? Is that what you're talking about with the 11 overlays or -- 12 MS. ROBERTS: Mr. Chairman, Commissioner 13 Chan, that's a great idea that we should do and build 14 that frame, yes. 15 COMMISSIONER CHAN: Okay. 16 MS. ROBERTS: So, we can do that, but yes, 17 you do have to visit the mural in person -- excuse 18 me -- and either snap a photo of yourself or use the 19 augmented reality to take the video. And so, we do 20 have the physical location here downtown Phoenix, 21 Roosevelt Row. We have it at two community colleges. 22 Two community colleges actually reached out to us 23 asking if we could do installations, and we have a few 24 more colleges that are interested, as well. 25 And we have portable versions of the mural,</p>	<p>09:56:23-09:57:29 Page 24</p> <p>1 election year, approximately four million pieces across 2 the state. 3 And the Guide will continue to have the 4 statements and photographs and contact information for 5 each candidate from statewide and legislative office. 6 We will have information in there, such as the 7 logistics of voting. And while this is our printed 8 guide, we do allow any candidate in the state of 9 Arizona to create a similar profile that is available 10 on our website because the number one feedback that we 11 get from voters when they receive the Guide is, well, 12 this is great. We've got the statewide and 13 legislative. Where are the rest of the candidates? 14 And so, we refer them to our website. We, 15 also, put an ad in the Voter Guide stating if you're 16 looking for this, you can go online, and we provide 17 multiple versions of it. We've got English, Spanish, 18 Navajo. Excuse me. And we do plain text for screen 19 readers. We have large print available, and we partner 20 with Sun Sounds to provide a readable -- or an audio 21 version for folks that want to dial into an (800) 22 number. 23 Our debates. So, from the research, 24 debates -- online research and education guide are at 25 the top rated sources for unbiased information. And</p>
<p>09:55:19-09:56:19 Page 23</p> <p>1 pop-up banners that some of our county partners have 2 asked for, and they use it in their outreach events 3 when they go to high schools, things like that. Avery 4 uses the wings a lot, and sees great success with 5 it, at all the events that he's attending; but as far 6 as the overlays, what I meant is when someone goes in 7 there in the app and they're doing the videos and the 8 wings are popping up -- 9 COMMISSIONER CHAN: Got you. 10 MS. ROBERTS: -- we can have it say 11 register to vote so when they post that video of 12 themselves, we make sure that that message of 13 registering to vote is communicated in that video. 14 COMMISSIONER CHAN: Okay. 15 MS. ROBERTS: In their shares. 16 COMMISSIONER CHAN: Thank you. 17 MS. ROBERTS: But we do are writing down 18 that note to make a frame for Facebook. 19 As a mentioned, we will have our Voter 20 Education Guide this year, in 2020, and I wanted to 21 point out, from our research, the Voter Guide is the 22 most widely known tool from Clean Elections. And it's 23 a trusted tool and people expect to receive it, and it 24 is automatically sent to every household with a 25 registered voter. So, we are sending out, in an</p>	<p>09:57:33-09:58:42 Page 25</p> <p>1 so -- excuse me -- we recognize the value of -- the 2 Clean Elections Act recognizes the value of debates and 3 providing that service to voters so they have the 4 opportunity to hear from the candidates and come out 5 and meet them. This year we plan to live stream as 6 many of the debates as we possibly can. We did a pilot 7 in 2018 where we did a handful, and we saw great 8 success with that. So, now we want to expand that to 9 as many districts that we have the ability to do so 10 with the technology. 11 We're going to try to improve our 12 grassroots -- grassroots outreach on the debates, 13 letting our partners, such as the relationships that 14 Avery has been fostering and developing, to help 15 promote and let their community know that these debates 16 are occurring. Excuse me. 17 And we do recording that we're live 18 streaming. We, also, record the videos, as well, and 19 post them on our website for on-demand viewing. And 20 so, we're going to continue and drive traffic to those 21 recordings. And we are updating the format. So, the 22 goal and some of the things that we -- we are 23 constantly learning from our debates, and we do surveys 24 with voters after they participate. 25 And where we're at right now is we want to</p>

<p>09:58:45-09:59:53 Page 26</p> <p>1 be less restrictive in the format where we want to 2 encourage more of a dialogue between the candidates 3 back and forth and not be so stringent, maybe, on the 4 times, while we're really looking to strong moderators 5 to control those portions of the debate, making sure 6 that every candidate has, you know, near equal speaking 7 time, but to really have knowledgeable moderators who 8 can draw on the responses from the candidates and try 9 to pull more substantive information and notes and be 10 informed about what the issues are in the state. 11 Excuse me. 12 And so, we're -- we are going to be able to 13 partner with the "Arizona Capitol Times" again this 14 year and their reporters and have them serve as 15 moderators. They are actually going to be doing a 16 training session for our moderators who are not 17 reporters, as well, so we can work with them and try to 18 get them up to speed with the things that we require 19 from the moderators, but those, so far, are the main 20 goals for the debate process. 21 COMMISSIONER PATON: I have a question or a 22 statement. 23 CHAIRMAN KIMBLE: Commissioner Paton? 24 COMMISSIONER PATON: So, I really wish more 25 people would go to the debates. So, I'm always trying</p>	<p>10:01:40-10:02:56 Page 28</p> <p>1 newspapers, have them do op-eds, or something, before 2 the debates, the little local one-week newspapers, like 3 in Ajo, Arizona, or wherever, you know. 4 And I was, kind of, struck by your research 5 where 83 percent of the people said they always voted 6 in federal elections. We know that's not true because, 7 you know, just in the last one, like, 73 percent, and 8 that's a very high number. So, I'm wondering who these 9 people are that were in the survey and maybe how we 10 could reach the people that -- the other 15 percent 11 that didn't -- you know. 12 MS. ROBERTS: Sure. Mr. Chairman, 13 Commissioner Paton, with regards to the research, one 14 thing we do often see and realize is what voters say 15 and what voters do are very different. 16 COMMISSIONER PATON: That was kind of my 17 point. 18 MS. ROBERTS: Yes. And, then, with regards 19 to the debates, absolutely. We can -- we will be 20 working on the public relations component to help 21 spread the word about the debates and partner with all 22 of these different news outlets to, hopefully, garner 23 their coverage on it. 24 And, as far as the radio ads going -- the 25 paid ads that we're doing, we can certainly take a look</p>
<p>10:00:00-10:01:36 Page 27</p> <p>1 to think of ways to get people there. I would 2 suggest -- you know, my -- when I heard that radio 3 commercial in Tucson that was so fast but over 15 4 seconds or whatever the thing was, I knew what it, 5 basically, was saying, but they're talking so fast that 6 I'm sure most other people weren't paying attention. 7 I wonder if -- I know, obviously, it would 8 be more costly, but maybe it would be more effective if 9 we could do commercials that are, like, a minute long 10 to where somebody would talk slowly and emphasize who 11 is going to be there, that they could listen to, the 12 kind of things that they would speak about. That way 13 it would be easier for the listener to identify where 14 it's going to be and who's going to be there and the 15 issues and do they live in that area and all that kind 16 of stuff. 17 I mean, I don't know the difference in the 18 cost, whatever. I think we have -- I think our budget 19 should be trying to get people to go to those debates, 20 and I think it would be worth our while to have longer 21 commercials, more prevalent commercials where we can 22 hit these people in enough time to plan. And I just 23 wish we had more people going to the debates. So, you 24 know, just from my own hearing it, or whatever, if we 25 could do a partnership with, actually, all these</p>	<p>10:02:59-10:03:50 Page 29</p> <p>1 and see if there's opportunities to expand them. We 2 just have to take into consideration knowing the 3 deadlines for when they need the reads by. 4 COMMISSIONER PATON: Right. 5 MS. ROBERTS: And when the candidates RSVP 6 by, but we can certainly look into that. 7 One thing I didn't mention but that we did 8 do in 2018 that we found to be very successful, Tom was 9 able to film some pre-debate videos with the editor of 10 the "Arizona Capitol Times," Luige del Puerto, and 11 those helped generate interest. And we did talk about, 12 well, here's the district. These are the communities 13 it covers. 14 COMMISSIONER PATON: Right. 15 MS. ROBERTS: These are the candidates that 16 will be in attendance, why you should be attending. 17 The questions come from you. The voters who come out 18 and meet them. 19 COMMISSIONER PATON: Right. 20 MS. ROBERTS: And it, absolutely, is our 21 goal to get more people there, but I would, also, 22 highlight even though if we don't have a full room of 23 bodies in the debate, we have the recordings. 24 COMMISSIONER PATON: Right. 25 MS. ROBERTS: And we do see a lot of views</p>

<p>10:03:51-10:05:22 Page 30</p> <p>1 on those -- a couple hundred views in each district for 2 the videos. And so, that's why we continue to provide 3 that service and do the live stream. 4 COMMISSIONER PATON: And maybe -- so, if we 5 could do -- get the local TV channels to do stories 6 before the debate and, kind of, highlight that. And 7 they all have these sections -- like, in Tucson, they 8 may have, like, the Northwest where they can do a 9 little article, or whatever. I mean, at least the 10 people that watch the news, local news, they're 11 probably going to -- those are the people that are 12 probably going to vote. 13 And so -- but many of them may just have a 14 superficial idea of who's running, and so on, because 15 they kind of gloss over that. They've got 23 minutes, 16 or whatever. So, I guess, if we could prod each of 17 them to do a story on debates with enough time that 18 people can plan, as well as -- again, I don't know how 19 much all this costs, but like a long commercial on the 20 news saying this is happening near you on this date 21 or -- because, I mean, in Tucson, I don't know how many 22 different districts there are, but at least those 23 people, I think, would be more prone to show up because 24 they're interested, probably. I'm just talking off the 25 top of my head.</p>	<p>10:06:35-10:07:46 Page 32</p> <p>1 much, I mean, with our -- with our -- gerrymandering of 2 either party for all these other ones. I don't know 3 how many are close, but at least that election we know 4 is going to be close and highly contested. 5 And maybe we could get behind that to try 6 to -- and, then, at that debate, we could say, hey, 7 here's your local ones, you know, you're -- there's 8 local debates that are going to be happening, and maybe 9 we could do that debate a little bit earlier than some 10 of the other ones to, kind of, promote the other 11 smaller debates. I don't know. 12 COMMISSIONER CHAN: Mr. Chairman? 13 CHAIRMAN KIMBLE: Commissioner Chan. 14 COMMISSIONER CHAN: I just wanted to 15 mention -- and I'm sorry if we already went over this a 16 little bit, but I know I'm on Twitter and Facebook much 17 more than I listen to the radio or watch local news 18 even. And I -- so, I think I'm more of the 19 demographic -- it sounds like Commissioner Paton is 20 more of a demographic that listens to the radio, 21 watches the local news. And I know for myself -- I 22 think your input is great, Commissioner Paton, as far 23 as how you, you know, hear what's on the radio, but I 24 know that -- I think what we do online is great, too. 25 And I think that may target -- I'm not a</p>
<p>10:05:22-10:06:33 Page 31</p> <p>1 MS. ROBERTS: Mr. Chairman, Commissioner 2 Paton, that's -- that's great feedback. I think you've 3 really hit the nail in the head with the public 4 relations efforts that -- I think that's really the 5 opportunity that we can see most success with in trying 6 to increase participation at the debates. 7 We do have our paid media plan, of course, 8 where we will have commercials. We do have radio reads 9 and we do have digital. So -- excuse me. So, we're 10 hitting all of the communication methods that we have 11 available to us to put the message out there, but 12 you're right. Maybe we just have 15-second or 13 30-second spots to try to capture that attention. And 14 so, for something where we're asking them to physically 15 come out and participate and dedicate their evening to, 16 I do see and agree with you that the public relations 17 component of it -- we have the opportunity for getting 18 success. 19 COMMISSIONER PATON: I don't know the cost 20 and if it's possible. 21 And, then, also, why couldn't we sponsor a 22 debate between the people running for U.S. Senate? 23 That's going to be a close election, and that would be 24 one that, I think, a lot of people would watch, you 25 know. I don't know about the congressional one so</p>	<p>10:07:48-10:08:47 Page 33</p> <p>1 younger person, but I feel like younger people are 2 probably on, like, Instagram. I'm not on Instagram, 3 but I think -- I think that's where younger people go. 4 I'm looking over here -- Facebook and Twitter. And I 5 see a lot of our ads on those platforms. 6 I remember two years ago seeing ads for our 7 debates on those, and that, actually, was how I found 8 out about our debates most times because I don't keep a 9 schedule of our debates. I felt like a bad 10 commissioner, actually, because I felt, like, well, I 11 should know when all the databases are, but it was 12 because of your ads that you guys put up on Facebook 13 and Twitter and stuff. 14 So, I think -- I think -- from that 15 perspective, I think we have a very robust, you know, 16 communications plan. So -- but I think that 17 Commissioner Paton's comments are -- 18 COMMISSIONER PATON: Yeah. I don't 19 necessarily watch the TV news anymore as much as I used 20 to, but I'm just thinking that, obviously, somebody is. 21 COMMISSIONER CHAN: Yeah. 22 COMMISSIONER PATON: And those people vote, 23 and a lot of those don't show up. 24 But, Tom, is it possible for us to sponsor 25 a U.S. Senate debate?</p>

<p>10:08:51-10:10:12 Page 34</p> <p>1 MR. COLLINS: Mr. Chairman, Commissioner 2 Paton, anything -- anything is possible. The -- 3 COMMISSIONER PATON: That would get our 4 name out there. I mean -- 5 MR. COLLINS: Right. I would look at it 6 this way. We can -- we can -- we can look at that in a 7 couple of different contexts to review it. I don't 8 think that -- I don't think there's any prohibition on 9 that. I think the bigger issue is that the competition 10 for those candidates' time and the competition for -- 11 for -- that we're -- that's a situation in which, for 12 sponsorship purposes, we are going head to head with 13 the actual television stations, the actual -- and the 14 actual -- and the actual newspapers. 15 So, for example, in 2018, you know, we 16 worked with Arizona PBS on statewide debates, but 17 Arizona PBS worked directly with "The Republic" and, I 18 want to say -- I think "The Republic" and maybe one 19 other related entity on that. So, there's -- the 20 competition to sponsor is different and the money at 21 play is different. So, there's a bunch of different 22 factors -- 23 COMMISSIONER PATON: Maybe we could be in 24 conjunction with and, then, as part of our deal, say -- 25 MR. COLLINS: Right.</p>	<p>10:11:18-10:12:36 Page 36</p> <p>1 is election security. Election security has been a 2 very hot topic for election officials since the 2016 3 presidential election. There's been national 4 conversations, statewide conversations. And, as Tom 5 mentioned, the Secretary of State's Office, they held a 6 tabletop exercise this Monday. And on Tuesday, there 7 was -- Arizona was awarded the opportunity for a policy 8 academy through the National Governors Association on 9 election security. And so, that was held on Tuesday. 10 And so, during those exercises, the 11 Secretary's Office had representatives from all 15 12 counties in attendance and, basically, simulated a mock 13 election with disasters and leading up to how do you 14 fortify your election and then the day of, election 15 day. It was, actually, a wonderful event that their 16 security officer, Ken Matta, put on. 17 And I found it very informative, but one 18 thing that I took away from that is voter education was 19 the key theme on how our election official partners are 20 relying and communicating with the public and 21 addressing some of these issues. And so, when you talk 22 about election security, it's important to think about 23 the context of it and perspective. 24 Election security means something 25 different, depending on who you are, if you're an</p>
<p>10:10:16-10:11:15 Page 35</p> <p>1 COMMISSIONER PATON: -- here's our other 2 local -- 3 MR. COLLINS: Right. 4 COMMISSIONER PATON: -- our other local 5 debates that we want to promote. 6 MR. COLLINS: Right. I mean, like I say, I 7 think that, you know, I can't think of anything offhand 8 that says we can't do that. I think you're right. I 9 think that we could get those from a partnership 10 perspective and especially in that context where the 11 partnership communicates the role in this promoting 12 participation in an election year that is dominated by 13 the presidential election and the senatorial election 14 gives us -- if you're not involved in that process, 15 you're not able to communicate what -- what people are 16 doing on a state level. 17 And so, I see that -- I think -- I agree 18 with you in principle. It's really just a matter of -- 19 it would be a matter of competition and trying to 20 figure out what those partnerships look like, but we 21 can certainly look at that, absolutely. 22 CHAIRMAN KIMBLE: Okay. Gina? 23 MS. ROBERTS: Mr. Chairman, Commissioners, 24 thank you for that, for the feedback. 25 So, the final campaign that I'll talk about</p>	<p>10:12:36-10:13:49 Page 37</p> <p>1 election official, if you're a voter, if you're a 2 reporter, a political party, if you are a hacker, if 3 you are an I.T. representative. All of -- you know, 4 your different perspective. Excuse me. You look at 5 election security in a different component. And so, 6 there's -- obviously, there's cyber security efforts. 7 There's the physical security of the equipment, and so 8 forth, and then, of course, there's voter education. 9 So, when we talk about elections 10 themselves, elections themselves are very secure. Our 11 county election officials do great -- do a great job in 12 ensuring that voters have secure and fair and accurate 13 elections. However, as we've seen, though, the 14 perception of elections has changed over the years with 15 social media and foreign influence and interference and 16 misinformation that is out there. The public 17 perception of elections has been impacted by that. 18 And, historically, when we talk about voter 19 education, it's always been about the logistics of 20 voting, how do you get your ballot, what's on your 21 ballot, how do I learn about the candidates and the 22 issues, but now, with this change and this perception 23 of elections, we are seeing voter education as one of 24 the greatest tools that we have to combat 25 misinformation out there about elections.</p>

<p>10:13:52-10:15:06 Page 38</p> <p>1 The National Association of Secretary of 2 States has launched a public education campaign to 3 encourage voters to get their election information from 4 official sources, meaning their election officials, 5 their local election officials. This is their hash 6 tag: Trusted info 2020. Excuse me. So, we are seeing 7 election officials across the country utilize that, and 8 the goal is to encourage voters to get their 9 information from official agencies, such as the Clean 10 Elections, such as our county election offices and 11 recorders, your local city clerks. 12 So, those are the major campaigns. Now, 13 how do we actually accomplish this? This is -- so, 14 jumping into what the actual plan will be for 2020, I 15 wanted to highlight with this pie chart here that the 16 Election Assistance Commission has put out. And it's, 17 basically, highlighting the core competencies of what 18 an election official needs to have. And you'll see 19 that public relations, which I take to be voter 20 education, as well, is an equal slice of the pie on the 21 grid. 22 And when you talk about being an election 23 official, this really is a critical component of 24 performing your duties. And so, that's just, kind of, 25 why I wanted to share why voter education matters.</p>	<p>10:16:20-10:17:24 Page 40</p> <p>1 but, also, knowing that there are different 2 demographics, knowing that voters -- every voter is 3 different in how they get their information and their 4 news. 5 And so, we have a very diverse media plan 6 available to us to reach voters. And we'll go 7 through -- through all of it, but it, pretty much, is 8 every opportunity that we have, we should be -- we'll 9 be there. 10 And so, the theme of our campaign this year 11 will be the balloteer. If you attended the -- if you 12 attended the voter conference, we did a preview with 13 the balloteer there, and we know we're going into a 14 presidential election year. We know that candidates 15 are stating and committing to spending a lot of money 16 in our state in terms of political ads. We have to, 17 somehow, in our budget and our resources, also connect 18 with voters through all of those mass advertisements 19 that are happening. And we do know that voters get 20 overwhelmed and they see a lot of negativity, 21 sometimes, in the process, and so, we have to cut 22 through that somehow. 23 Looking back to the success of our Take 24 Flight Campaign, we had this opportunity to connect 25 with the community directly through street art and</p>
<p>10:15:08-10:16:17 Page 39</p> <p>1 And as far as Clean Elections goes -- and 2 Tom talked about this a little bit, you know, we are 3 very unique. The state of Arizona is very unique with 4 our agency in that the Clean Elections Act is not just 5 about clean funding and campaign finance. It has the 6 voter education component to it, as well. And so, we 7 really do serve as the state's voter education agency 8 and, you know, our plan, our goals are to meet voters 9 where they are. And, again I, you know, pulled these 10 concepts from our research to, kind of, help set the 11 stage for what our goals are in this plan. 12 As far as how we do this, we do have our 13 budget. We have a paid media budget for our ads, and 14 that's pretty consistent every year in the amount. It 15 is the 1.9 million. We do have an additional budget, a 16 separate budget for the Voter Guide and debates 17 awareness. 18 And so, Commissioner Paton, this goes to 19 your point on the efforts that we can make. We do have 20 resources available to us. And the communication 21 channels that we'll be using to reach voters, pretty 22 much, everything that's available. I'll say we do have 23 a very well-rounded communications plan, and RIESTER, 24 as our partners and our media buyer, has been great in 25 helping us get the most bang for our buck, if you will,</p>	<p>10:17:27-10:19:29 Page 41</p> <p>1 connect that to voting and to voter registration, and 2 we saw that that was very successful. And so, now, we 3 saw -- we find this opportunity, in working with the 4 balloteer, to connect voters to the election process by 5 another means of art and that's through music. 6 And so, we are working with this gentleman, 7 and I have two examples of some of the commercials that 8 we've created. These are extremely rough cuts. So, 9 nowhere near final, but I did want to give you an idea 10 of what this looks like. So, the first spot that I 11 have for you is an English version and, then, the 12 second spot, you'll see Spanish. So, hopefully, we've 13 got audio. 14 (Video playing.) 15 MS. ROBERTS: And, then, now I'll show you 16 a Spanish version. It's a different -- a different 17 spot, but just so you get the general idea. 18 (Video playing.) 19 MS. ROBERTS: So, we'll have animations in 20 there, but what I wanted to illustrate here is that we 21 have this unique talent, this gentleman that -- this 22 actor, he has a persona that we found to be very warm, 23 inviting. He's non-threatening. He's just 24 approachable, and that's what we were looking for. We 25 wanted a persona that was like that to, kind of, cut</p>

<p>10:19:32-10:20:45 Page 42</p> <p>1 through -- excuse me -- all of the different messages 2 that voters are going to be hit with in the 2020 3 election cycle. 4 And he was able to develop some unique 5 songs for us about our Voter Guide, about debates, 6 about our Dashboard, about voting, about our website. 7 And so, we have these different spots available to us 8 to, again, try to -- I think the term is earworm? Is 9 that correct? So, the goal is that we were in studio 10 and filming, and you can't get these songs out of your 11 head. And you just like it and you smile. And when 12 you watch this gentleman act and play his part, you 13 just -- you know, you feel a little bit relaxed. 14 And that's what we were looking for. And 15 with the earworm, when you hear these a few times, 16 you're going to not be able to get it out of your head. 17 That was the goal. And so, I can tell you our partners 18 at RIESTER, I don't think I've ever seen them more 19 excited about a campaign before. And we've done great 20 campaigns before, but this one we really think we have 21 something special with. Again, these are very rough 22 cuts, but once we get the final product, we really do 23 believe voters are going to respond well to them. 24 And, then, as far as -- I mentioned our 25 Dashboard. So, everything that we're doing in paid</p>	<p>10:21:54-10:23:00 Page 44</p> <p>1 it's a vote center county, absolutely, we can provide 2 that information on our website. Some have hybrids, 3 like, Maricopa County. Maricopa uses assigned polling 4 places, in addition to vote centers. So, when it's an 5 assigned polling location, we were not able to provide 6 that information because it needed to be pulled based 7 off of the person's precinct assignment, and we didn't 8 have access to that information. 9 Now, with Maricopa, they provided us 10 what's, essentially, a web service called an API where 11 we just ping to their site and pulled that information 12 out. So, it is something new and showcasing assigned 13 polling place locations that we can do for Maricopa 14 County voters. So, vote centers, we can absolutely 15 show it. We can list all the polling places, too, but 16 unless a voter knows their precinct, then they wouldn't 17 know their assigned location. So, now, with this 18 partnership, we can provide it for Maricopa County 19 voters. 20 COMMISSIONER CHAN: So, just so I 21 understand, so if I live in Pinal County and I go on 22 and put in my street address on to my voting Dashboard, 23 it may not pull up my polling place? 24 MS. ROBERTS: Mr. Chairman, Commissioner 25 Chan, that is correct, unless we can, somehow, get</p>
<p>10:20:47-10:21:51 Page 43</p> <p>1 media, we're really driving people to our website. 2 We'll have -- and, obviously, we have a wealth of 3 information on our website, but I wanted to highlight 4 the Dashboard because that really is one of our prime 5 tools that we have for voters because it's a one 6 location that provides customized voting information. 7 And our goals this year, we are continually 8 improving it to provide a better user experience. We 9 are going to be able to filter local candidate data. 10 So, as I mentioned, with our printed Voter Guide, 11 candidates are often looking for the local candidates 12 at their level. We'll be able to take those profiles, 13 if the candidates build them, and filter them so they 14 are displaying to candidates based on their location. 15 We have a partnership with Maricopa County 16 where, through our website, voters are able to look up 17 their voter registration information but, also, find 18 their assigned polling place, as well, which we're very 19 grateful for that. 20 COMMISSIONER CHAN: Mr. Chairman -- I'm 21 sorry to interrupt, Gina. I thought that was 22 statewide. It's only with Maricopa County? 23 MS. ROBERTS: Mr. Chairman, Commissioner 24 Chan, each county has a different process of voting 25 locations. So, some counties have vote centers. If</p>	<p>10:23:02-10:24:18 Page 45</p> <p>1 access to data, which would be a partnership with, 2 likely, the Secretary of State's Office through the 3 statewide voter registration system. 4 COMMISSIONER CHAN: Oh, okay. Thank you. 5 MS. ROBERTS: Uh-huh. 6 And I think you've been hearing at every 7 Commission meeting about the efforts that Avery has 8 been doing. We really have ramped up our grassroots 9 outreach, and Avery has -- excuse me -- been developing 10 some great partnerships, a lot with educators. Avery 11 has been reaching out to a lot of our high schools and 12 our colleges, and he's been traveling the state and 13 connecting with these students and informing them about 14 voting and how to get engaged and vote informed. 15 And Avery is in the process of developing a 16 youth ambassador program pilot that we are going to 17 consider, and the thought behind that would be to 18 partner with a local school and recruit students to, 19 really, serve as voting ambassadors. And we would 20 provide whatever resources and support that they need 21 so these students can host voter registration drives on 22 campus. They can inform students and their parents and 23 the community about debates. They can bring voter 24 guides to campus with them. Basically, just try to get 25 these students, who may already be inclined to be</p>

<p>10:24:21-10:25:23 Page 46</p> <p>1 civically engaged, to provide them resources. 2 And then we thought, you know, we could 3 have, maybe, at the end of each -- however long the 4 program ends up being, if it's two semesters, you know, 5 honor them with a plaque in front of the Commission, 6 perhaps. We're really flushing out what this program 7 could look like, but again, the thought is to go 8 directly into the community and connect with these 9 students. 10 The other thing that Avery has been working 11 on, too, is when we request time in classrooms, we know 12 that that's classroom time and that's precious time. 13 And so, we want to make sure that the information that 14 we're providing, that it meets the state standards for 15 curriculum so the teachers are more inclined to be 16 receptive to inviting us into the classroom to talk to 17 the students. And so, Avery has been working on that, 18 as well. 19 COMMISSIONER CHAN: That's awesome. 20 COMMISSIONER PATON: I have a question. I 21 have a question, statement. 22 CHAIRMAN KIMBLE: Commissioner Paton? 23 COMMISSIONER PATON: I would suggest 24 that -- going to, like, their assemblies. That way 25 you're not taking class time. You can speak for five</p>	<p>10:26:43-10:27:57 Page 48</p> <p>1 counties. 2 As Tom mentioned, we worked with Pinal 3 County on their mobile voter outreach plan. We've 4 worked with Graham County and Yavapai County on voter 5 guides they've developed and are mailing to their 6 voters. 7 This Friday we will be filming some videos, 8 in partnership with Coconino County, to educate voters 9 about accessible voting equipment that is at the polls 10 and how to use it and a demonstration of how to use it, 11 how to -- early voting and reminding voters to fill -- 12 sign your affidavit envelope and, also, voter I.D. 13 We are partnering with Apache, Coconino and 14 Navajo County for radio reads to be run in KTNN, and 15 those will, actually, be read in the Navajo language. 16 And we've been working with Maricopa County on their 17 Voter Education Plan that they plan to launch for 2020, 18 and Tom will be traveling to Santa Cruz County in the 19 new year to conduct some trainings -- excuse me -- for 20 their local candidates. 21 And you just -- through all of this, we 22 have behind-the-scenes work that we need to do, as 23 well, for our system improvements, things to ensure 24 that our website doesn't go down and stays up and how 25 we -- we have a lot of different data points and how we</p>
<p>10:25:26-10:26:42 Page 47</p> <p>1 or ten minutes, and you're going to have a lot of 2 students there. Some of the assemblies, though, it's 3 hard to understand what you said. So, it would be good 4 to take something, you know, a visual with you, and 5 then you can hand stuff out, that kind of thing, 6 because a lot of -- I mean, the government classes will 7 be happy to have you, I'm sure, but you're only getting 8 a select amount of people. 9 And for one person to do that, I mean, 10 where you could go see a thousand kids, you know, at 11 one shot or whatever. That's just because I taught 12 school for a while. So, that's how I would -- I would 13 do that, as well as, maybe, go to the government 14 classes. 15 MS. ROBERTS: Mr. Chairman, Commissioner 16 Paton, thank you for that, that suggestion. 17 COMMISSIONER PATON: And they plan those 18 assemblies out way in advance. So, you would know, you 19 know, a long time in advance when they're going to have 20 those. They tend to have them on Fridays. 21 MS. ROBERTS: Great. Thank you. 22 And, then, we will continue supporting our 23 county partners. This is not, by any means, a 24 comprehensive list, but this is just an example of some 25 of the things that we've done this year with the</p>	<p>10:28:01-10:28:45 Page 49</p> <p>1 collect that data and how we store it internally in our 2 system and making improvements to our -- all of our 3 tools. So, we will be working on that, as well. 4 And with that, I'm happy to answer any 5 questions. 6 CHAIRMAN KIMBLE: Do any of the 7 commissioners have any questions? 8 COMMISSIONER CHAN: Do you need a motion, 9 Mr. Chairman? 10 CHAIRMAN KIMBLE: I don't think so, no. 11 COMMISSIONER CHAN: Yeah? 12 CHAIRMAN KIMBLE: Do we? 13 MR. COLLINS: We've asked for one in the 14 past, just to make everything clear for the record. So 15 I -- 16 CHAIRMAN KIMBLE: Okay. 17 MR. COLLINS: Mr. Chairman, in the past, we 18 have asked for approval of these plans. So, yes, we 19 would request that. 20 CHAIRMAN KIMBLE: Okay. Before we do that, 21 are there any -- there's no one who has any other 22 questions about this? 23 Commissioner Meyer? 24 COMMISSIONER MEYER: I don't have any 25 questions. Thank you.</p>

<p>10:28:46-10:29:30 Page 50</p> <p>1 CHAIRMAN KIMBLE: Okay. Thank you. 2 Okay. Commissioner Chan? 3 COMMISSIONER CHAN: Mr. Chairman, I move 4 that we adopt the 2020 Voter Education Plan. 5 CHAIRMAN KIMBLE: Is there a second? 6 COMMISSIONER PATON: Second. 7 CHAIRMAN KIMBLE: It's been moved and 8 seconded that we adopt the 2020 Voter Education Plan. 9 We'll do a roll call vote. 10 Commissioner Chan? 11 COMMISSIONER CHAN: Well, first, thank you, 12 Gina, very much for everything you put into it, and I 13 vote aye. 14 CHAIRMAN KIMBLE: Commissioner Paton? 15 COMMISSIONER PATON: Aye. 16 CHAIRMAN KIMBLE: Commissioner Meyer? 17 COMMISSIONER MEYER: Aye. 18 CHAIRMAN KIMBLE: The Chair votes aye. The 19 motion is approved four to nothing. 20 Thank you, Gina, for fighting through your 21 health issues, too, to present this. 22 MS. ROBERTS: Thank you. 23 CHAIRMAN KIMBLE: Item V: Discussion and 24 possible action on rules and rule amendments, including 25 four different items that are enumerated on the agenda.</p>	<p>10:31:06-10:33:04 Page 52</p> <p>1 think that -- I think it's safe to say that we are now 2 convinced that the language that we have is consistent 3 with what staff had always viewed the language as 4 stating and that we are prepared -- I'm prepared to 5 recommend that we simply terminate this rule proceeding 6 at this point. 7 The issue we had had was that there was 8 some question as to whether or not there was a -- the 9 rule, as written, allowed what I refer to as stacking 10 of limits and, then, allowing loans to fund them 11 that -- the entirety of the package. If you read the 12 rule, its language says that you have to be within 13 compliance with the limits that are already set forth 14 in 9 -- 16-941(A)(1) and (2). And so, we don't think 15 that the rules, as understood -- properly understood. 16 We think that the guidance we've always put 17 out on those rules is now correct, and to the extent 18 that -- I mean, I would -- I would refer -- if we have 19 specific legal questions on that or want some 20 background from Kara, I would, you know -- and she can 21 correct me, also, but that's, sort of, where we are. 22 So, we're recommending a termination 23 because we think that the rules, as written, are -- do 24 not permit the kind of stacking that we -- we had -- 25 that was permitted in 2018. And I'd ask, Mr. Chairman,</p>
<p>10:29:34-10:31:01 Page 51</p> <p>1 Tom? 2 MR. COLLINS: Yeah. 3 CHAIRMAN KIMBLE: Do you want to discuss 4 this, or how do you want to handle it? 5 MR. COLLINS: Well, Mr. Chairman, just, in 6 the interest of time and some scheduling issues that 7 folks have, what I'd like to do -- you can see the 8 items there. I want to move -- I want to -- I would 9 like to start with Item C, and then -- and, then, I 10 think, circle back to the -- to the -- to A, if that's 11 acceptable to you. 12 CHAIRMAN KIMBLE: Sure, sure. 13 MR. COLLINS: Okay. With respect to 14 Item C, this is the amendment to R2-20-104(E) relating 15 to participating candidate loans, and we have 16 circulated this in two different forms. We received 17 some public comment at our prior meeting on this from 18 Secretary -- Former Secretary Bennett. We've continued 19 to reach out to him in writing to try to confirm or get 20 some kind of conversation going. Those emails have 21 been unresponded to. 22 However, we have, in that same time, worked 23 with the Attorney General's Office on the -- in an 24 abundance of -- well, just what one should do in order 25 and recourse to look at the language we have. And I</p>	<p>10:33:10-10:33:57 Page 53</p> <p>1 if you could -- if Kara has something to say. 2 CHAIRMAN KIMBLE: Okay. Kara? 3 MS. KARLSON: And, Mr. Chairman, if you 4 don't mind, I prefer to go speak at the -- 5 CHAIRMAN KIMBLE: Oh, okay. 6 MS. KARLSON: -- podium just because I like 7 to look at the people I'm talking to. Sorry. It's 8 awkward for me, as an attorney, to be at the side 9 table. 10 COMMISSIONER MEYER: This is Commissioner 11 Meyer. I apologize for interrupting, but I cannot 12 hear. 13 CHAIRMAN KIMBLE: She's moving to the 14 podium, so that it should be easier to hear in just a 15 second. 16 COMMISSIONER MEYER: Oh, thank you. 17 MS. KARLSON: Commissioner Meyer, can you 18 hear me? 19 CHAIRMAN KIMBLE: Can you hear her, 20 Commissioner Meyer? 21 COMMISSIONER MEYER: I haven't heard her 22 speaking yet. 23 CHAIRMAN KIMBLE: Is that turned on? 24 COMMISSIONER PATON: It's green. 25 CHAIRMAN KIMBLE: It's green, but I --</p>

<p>10:33:57-10:35:30 Page 54</p> <p>1 MS. KARLSON: Hello? 2 CHAIRMAN KIMBLE: Okay. There we go. 3 MS. KARLSON: There we go. 4 COMMISSIONER MEYER: There. 5 CHAIRMAN KIMBLE: Okay. 6 MS. KARLSON: Okay. I have to eat the mic, 7 but I can do that for you guys. So, I apologize to the 8 people in the room that I am being very loud for, I 9 feel like. 10 So, just to give you some -- some 11 background as to how we landed where we landed, as you 12 know, there are, basically, three pots of money or 13 three buckets that contributions come in for clean 14 candidates. There's the seed money, which for 2020 is 15 set at \$170. There's personal money, which for certain 16 candidates it's set for 770 and for statewide offices 17 for \$1,500. And, then, there's the \$5 contributions, 18 okay? So you've got these three different buckets of 19 money. 20 And in 2018 -- in 2018 -- there we go -- 21 there was a question as to whether or not the language 22 of the rule allowed you to, essentially, take a loan 23 that filled all three buckets. And I will be the first 24 to admit -- and this is easy for me to admit since I 25 didn't draft the rule -- that it's not a model of</p>	<p>10:37:26-10:39:03 Page 56</p> <p>1 would conform with the statute and there's a way to 2 read a rule that doesn't conform with the statute, you 3 know, it's legalese, but you're required to read it in 4 the way that conforms with the statute. 5 And the way that conforms with the statute 6 is these are individual contributions. You cannot do a 7 loan to yourself for more than the personal monies loan 8 or for more than the personal monies contribution 9 because the personal monies contribution is defined, 10 and the rule specifically states you cannot give 11 yourself more than what is defined as personal monies. 12 There were concerns raised by -- a few 13 meetings ago that if, you know, the -- if we remove the 14 loan language, whether the -- whether it was clear that 15 you would go to the statute. Well, of course, you'd go 16 to the statute and, in fact, you can even go to the 17 Clean Elections Act because the Clean Elections Act 18 defines a number of terms. It leaves undefined terms, 19 like, contribution and expenditure. They specifically 20 say for the definition of contribution and the 21 definition of expenditure, go to 16-901. 22 So, even within the Act, it explicitly 23 directs the candidate in what to do and -- and -- and 24 it's clear that reading the rule in such a way that 25 allows a candidate to take a loan for the entire sum of</p>
<p>10:35:36-10:37:23 Page 55</p> <p>1 clarity. And I believe what happened is that they 2 looked at the language that said the total sum of the 3 contribution received or personal funds and loans shall 4 not exceed the expenditure limits set forth in 5 16-941(A)(1) and (A)(2), and that is the seed money 6 bucket or the early contribution bucket and the 7 personal monies bucket. 8 So, they said, okay, look it, I can fill 9 both of those buckets with a loan. And read in 10 isolation, that could be an interpretation of that 11 specific sentence; however, I think that you have to 12 look at the entirety of that rule more broadly that 13 says a candidate may -- may accept an individual 14 contribution as a loan or personal monies as a loan and 15 that the total sum of the contribution as -- you know, 16 the contribution, the early contribution, or the 17 personal funds and loans received, all of that cannot 18 exceed the contribution limits. So, you can't exceed 19 the buckets. 20 Nothing in the loan can be read as allowing 21 a candidate to exceed, through the loans, the total 22 number of, you know, the types of contributions and the 23 total caps on those contributions. And, to the extent 24 there is any ambiguity, if there's a way to read a 25 statute -- or if there's a way to read a rule that</p>	<p>10:39:09-10:40:33 Page 57</p> <p>1 these -- of these two buckets of money would violate 2 the terms of the statute. 3 So, we can't read the -- we can't read the 4 rule that way. We have to read it to say you have to 5 comply with the limits in (A)(1) and (A)(2) and, if you 6 get individuals who loan you -- you know, if you get 7 140 individuals, or whatever it would need to be to get 8 to the cap on (A)(1), then, in theory, you could get 9 that, but that's a whole different question. You 10 can't -- you can't do the stacking that's allowed and 11 that's -- I think that's clear in the rule, but even if 12 that is not clear, it would be, at most, ambiguous. 13 And, in the case of an ambiguity, you have to read it 14 in terms of -- or in compliance with the statute. 15 So, does anyone have any questions as to 16 why we are looking at it this way, that I can answer? 17 CHAIRMAN KIMBLE: Are there any questions 18 from any commissioners? 19 (No response.) 20 CHAIRMAN KIMBLE: So, I just want to be 21 clear here that what we are doing is eliminating 22 Section R2-20-104, Subsection E. 23 Is that right, Tom? 24 MR. COLLINS: That's correct. And, if I 25 may, Mr. Chairman, just to -- to add a little more</p>

<p>10:40:36-10:42:12 Page 58</p> <p>1 context to Kara's statements and in terms of that rule. 2 So, in 2018, this issue came up for the 3 first time with -- specifically with respect to 4 Secretary Bennett. Secretary Bennett was able to do 5 the latter, the inverse of what Kara has just 6 discussed. We, as staff, confirmed that to him. And 7 that has, you know, created an issue for him, but in 8 view of his comments at the last meeting, which were 9 threefold, one, he prefers there to be stacking; two, 10 in the absence of stacking, he wanted to make sure we 11 didn't eliminate the rule to the extent it said you 12 could not take loans; and, third, he believed that the 13 Commission could simply make up whatever it wanted as a 14 loan rule. 15 So, we satisfy -- by terminating this rule 16 proceeding at this point, we satisfy Mr. Bennett's 17 concern that candidates would not know that they can 18 take loans. We are consistent with our historical 19 and -- and, then, renewed guidance. The stacking 20 thing, I think, it's clear doesn't work. And, then, 21 the third point that Secretary Bennett made in his 22 public comments here a couple of months ago is that we 23 could do anything we wanted with respect to loans, and 24 I think it's clear that that's not that loan rule. And 25 that's not -- I think he knows and I think everybody</p>	<p>10:43:36-10:44:15 Page 60</p> <p>1 to make sure that that was on the record. 2 CHAIRMAN KIMBLE: Okay. Thank you. 3 Any questions from members of the 4 Commission? 5 COMMISSIONER CHAN: Mr. Chairman? 6 CHAIRMAN KIMBLE: Commissioner Chan. 7 COMMISSIONER CHAN: I think what Kara said 8 makes perfect sense. And, thank you, Tom, for your 9 clarification of that, as well. 10 Mr. Chairman, I would move that we 11 terminate the rule-making proceeding that we had opened 12 on R2-20-104. 13 CHAIRMAN KIMBLE: Is there a second? 14 COMMISSIONER PATON: Second. 15 COMMISSIONER MEYER: Second. 16 CHAIRMAN KIMBLE: Seconded by -- 17 COMMISSIONER MEYER: This is Commissioner 18 Meyer. 19 CHAIRMAN KIMBLE: -- Commissioner Paton. 20 Any discussion on the motion? 21 (No response.) 22 CHAIRMAN KIMBLE: We'll do a roll call 23 vote. 24 Commissioner Chan? 25 COMMISSIONER CHAN: Aye.</p>
<p>10:42:15-10:43:34 Page 59</p> <p>1 knows that that's not an option. 2 So, terminating this rule proceeding in 3 this context and why this is staff's recommendation 4 satisfies, at least, one of the options that Secretary 5 Bennett wanted to retain. And it's a situation where 6 doing nothing, especially as we are already deep in the 7 election cycle, it's better to do nothing and reaffirm 8 our guidance than to -- than to start creating all 9 sorts of side issues. 10 So, I think we have met, at least, one of 11 the -- I would say I think we met Mr. Bennett's most 12 legally valid public comment by terminating this and -- 13 and, at the same time, we can move forward with -- with 14 ensuring everybody is on the same page in terms of what 15 our reading of the rule is. 16 MS. KARLSON: And, Mr. Chairman, if I may 17 speak. 18 CHAIRMAN KIMBLE: Kara. 19 MS. KARLSON: And that was part of the 20 rationale with having me do the presentation in the 21 open meeting was to explain the rationale so the public 22 and any candidates who are interested in running would 23 be aware of the rules and the requirements. And, then, 24 of course, they can feel free to contact staff and, as 25 you know, they get their training. So, we just wanted</p>	<p>10:44:17-10:45:21 Page 61</p> <p>1 CHAIRMAN KIMBLE: Commissioner Paton? 2 COMMISSIONER PATON: Aye. 3 CHAIRMAN KIMBLE: Commissioner Meyer? 4 COMMISSIONER MEYER: Aye. 5 CHAIRMAN KIMBLE: The Chair votes aye. The 6 motion is approved four to nothing to terminate the 7 rule-making on R2-20-104. 8 Okay. Tom, now you want to deal with A, B 9 and D? 10 MR. COLLINS: Mr. Chairman, Members, yes, 11 please. I think that -- I think that gets everybody on 12 track. 13 CHAIRMAN KIMBLE: Okay. 14 MR. COLLINS: Right? Okay -- 15 schedule-wise. 16 So, with respect to the, sort of, 17 overarching question on A, with respect to 113, 702 and 18 704, so just -- as, I think, my memo noted, we've had 19 a -- we are current -- 113 and 704 are still pending 20 with GRRC. We learned yesterday from the Governor's -- 21 GRRC staff attorneys that they are going to schedule a 22 special meeting for January 7th to address those -- 113 23 and 704, which have simply -- they've simply taken no 24 action on. So, that was good news. 25 I want to take a moment to say a couple of</p>

<p>10:45:21-10:46:46 Page 62</p> <p>1 things. First, I have said this at other meetings. I 2 think that GRRC staff attorneys have done a very good 3 job of both helping us get accustomed to different 4 forms and aspects of the -- of the -- their process 5 and, additionally, in accommodating our request for a 6 special meeting to, at least, get an answer on those 7 two rules. I'm very grateful for the two -- counsel 8 and the staff for that. 9 I, also, want to take a moment to talk -- 10 to say, you know, in the past five years, as we've been 11 dealing with issues related to the Governor's 12 Regulatory Review Council, you know, I have, on 13 occasion, made some fairly sarcastic comments about the 14 process. And, you know, to the extent that those are 15 seen as, you know, problematic or insulting, I mean -- 16 I mean, you know -- you know, I don't know how to make 17 a genuine apology -- I don't know how to make an 18 apology that doesn't sound like if you're offended, I'm 19 sorry, but -- but, on the other hand, I think I mis- -- 20 I think I was -- had less of an understanding of how 21 those kinds of comments which I made in the past were 22 taken. 23 And so, in view of that, I am 24 comfortable -- I'm apologizing, as genuinely as one can 25 in that context, for that because, I think, we are</p>	<p>10:48:19-10:49:48 Page 64</p> <p>1 and that the purpose, as Council Member Sundt has 2 expressed to me, is to -- his view is that this will 3 help, and not hinder, and clarify things, I see no 4 reason to not advance to -- for the 60 days of public 5 comments the amendments to R2-20-701, 702.01 and 703.01 6 that are contained in my memo dated -- I believe it's 7 on 12 -- 8 CHAIRMAN KIMBLE: Nine. 9 MS. THOMAS: Nine. 10 MR. COLLINS: Nine? On 12-9. So, this 11 is -- this is the item with the -- in regards to public 12 comment an additional amendments. So, I do recommend 13 that we forward for 60-day public comment the 14 additional amendments to R2-20-701, 702.01 and 703.01 15 that are on page -- looks like it's page 1 on -- under 16 Item V(B) -- pages 1 through 3, I should say, on 17 Item V(B). 18 So, that's our recommendation, and I'm, 19 obviously, happy to take any questions. 20 COMMISSIONER CHAN: Mr. Chairman? 21 CHAIRMAN KIMBLE: Commissioner Chan? 22 COMMISSIONER CHAN: I just have a comment. 23 And it doesn't even deal substantively with Mr. Sundt's 24 comments, but I just want to put on record it troubles 25 me greatly that GRRC is dealing with substantive issues</p>
<p>10:46:48-10:48:15 Page 63</p> <p>1 moving towards having a more productive relationship 2 with the council and staff, and I want, as best we can, 3 to move forward on that. 4 So, that takes care of number A -- or 5 letter A, from my perspective, unless you have any 6 questions on those issues. 7 CHAIRMAN KIMBLE: Any questions from 8 members of the Commission on Item A of Number V on our 9 agenda? 10 (No response.) 11 CHAIRMAN KIMBLE: Okay. So, down to B. 12 MR. COLLINS: So, Mr. Chairman, 13 Commissioners, in the context of -- of amending 14 R2-20-702 to -- so that our rules are aligned with what 15 the voters passed in Prop 306, we've gotten a 16 significant amount of feedback from the council on 17 that. The first step we took in response to that 18 feedback was to -- when 702 was returned, we have it 19 now out for public comment, removing all of 20 R2-20-702(B). 21 We received comments, I believe you all 22 have, from Council Member Sundt, respecting proposed 23 amendments to -- to R2-20-701, 702.01 and 703.01. I 24 think that, given that the council -- council members 25 comments, you know, have to be given significant weight</p>	<p>10:49:51-10:51:22 Page 65</p> <p>1 of rule-making that I believe are outside their lane. 2 I know I'm not a council member of GRRC. So, maybe I 3 don't understand fully what their job is, but in my 4 experience, when I was in the executive branch of 5 government doing rule-making, GRRC never did 6 substantive changes. They worked with agencies on form 7 and, perhaps, other such suggestions. I have never 8 seen anything like this. 9 And I'm not claiming to be an expert and, 10 perhaps, I'm -- again, maybe I'm going outside of my 11 lane, but I -- and I don't mean any disrespect to 12 Mr. Sundt. Certainly, I can see that he's put a great 13 deal of work into this and certainly we have. I 14 just -- I feel it's important to put on record how 15 troubling I find it that, rather than defer to the 16 State's agencies -- and I don't know how many other 17 agencies GRRC does this to -- this is -- this is where 18 we are, that we're getting substantive policy direction 19 from the Governor's Regulatory Review Council. 20 And that's -- that's all I have to say 21 about that. I -- it troubles me very deeply. I do not 22 believe that is the job of GRRC. And with that, we can 23 move on. 24 MR. COLLINS: There's some questions in 25 there --</p>

<p>10:51:23-10:52:30 Page 66</p> <p>1 COMMISSIONER CHAN: Go ahead. 2 MR. COLLINS: Okay. I mean -- 3 CHAIRMAN KIMBLE: Okay. Mr. Collins, do 4 you want to respond? 5 MR. COLLINS: Well, Mr. Chairman, 6 Commissioner Chan, I think, in all honesty, I mean, 7 those are -- those observations are well taken. I 8 think that there is a shift that we've seen since the 9 Commission's last five-year -- the first five-year 10 report of 2015 -- and we filed subsequent ones -- in 11 GRRC's view itself. 12 There are -- in addition, obviously, with 13 Prop 306, the Council has, I think, taken that as a 14 ratification of their unique approach to Clean 15 Elections. That having been said, from sitting in 16 their meetings, they do have a different view of their 17 role than any -- I've personally worked on issues in 18 front of the Regulatory Review Council since 2010, and 19 they -- and the current council takes a different 20 position on its -- on its powers than any council that 21 I've worked with. 22 That having been said, you know, when or if 23 we get to a place where there's a -- we're at 24 loggerheads, I mean, we are -- there are legal issues 25 that we've noted for -- there for the record with them</p>	<p>10:54:05-10:55:24 Page 68</p> <p>1 where we have exhausted our ability to compromise 2 and/or take direction in this way, I -- we have not, in 3 the past, ever received direct language from the 4 council on how the rules need to be written. That is 5 unprecedented. I mean, that's a fact, also. So -- 6 but, you know, we are attempting to maintain a record 7 on our objections to -- legal objections to those 8 issues while complying, as best we can, with the -- 9 with the requests that the council members are making. 10 So, I just -- I feel like it's important 11 for me, in my administrative role, to just tell you 12 that you're not wrong. 13 COMMISSIONER CHAN: Thank you. 14 MR. COLLINS: Well, I mean, but we are 15 where we are. 16 CHAIRMAN KIMBLE: Right. 17 COMMISSIONER CHAN: And, Mr. Chairman, Tom, 18 I appreciate that. And I hope my comments weren't 19 counterproductive. I just -- 20 MR. COLLINS: No, no, not at all. Not at 21 all. 22 COMMISSIONER CHAN: felt -- I just feel 23 it's very important for me to put that on the record. 24 And, again, I don't mean any disrespect to Council 25 Member Sundt. I do appreciate the fact that he has,</p>
<p>10:52:32-10:54:03 Page 67</p> <p>1 that -- you know, that we are -- you know, that we 2 continue to make a record on. That having -- you know, 3 but that having been said, in this particular instance, 4 we're -- you know, we want to advance the ball. 5 So, you know, the voters were told by the 6 Attorney General's Office summary of the -- of the 7 writing of the ballot election that the purpose of 306 8 was that Clean Elections would be treated like any 9 other agency. Clean Elections -- I mean, it's not 10 unfair to say that with respect to GRRC, in the last 11 five years, Clean Elections has not been treated like 12 any other agency, and that's just a fact. 13 You know, my own, sort of, riffing on this 14 in past meetings that may have -- that was interpreted 15 as barbed or sarcastic side, the tone, I may have been 16 incorrect, but the substance is correct. And I 17 don't -- and so, the question is at what time -- but 18 right now it seems to me we would like our rules 19 aligned with the statute. The statute turns to the 20 rules regardless. That's -- that's basic law, but on 21 the other hand, you know -- you know, we're trying to 22 get to a place where we -- where we can work on these 23 things in a -- in a way that ultimately ends up with 24 where we need to be. 25 And when we get to a place where we've --</p>	<p>10:55:26-10:56:28 Page 69</p> <p>1 obviously, put time and effort into this. I just don't 2 think that is his role. That's all. 3 Thank you, Tom. 4 MR. COLLINS: No, and I don't think that's 5 counterproductive. I think that's just honest. 6 CHAIRMAN KIMBLE: Okay. Are there any 7 other comments on Item V(B)? 8 (No response.) 9 CHAIRMAN KIMBLE: Okay. Do we have a 10 motion to open up a 60-day public comment period for 11 amendments to R2-20-701, 702.01, 703.01, again, for 60 12 days of public comment? 13 COMMISSIONER CHAN: And, Mr. Chairman, is 14 that what the motion is is just opening up public 15 comment on these amendments? 16 CHAIRMAN KIMBLE: Yes. 17 COMMISSIONER CHAN: Okay. Mr. Chairman, I 18 move that we open up 60-day public comment on the 19 proposed amendments to R2-20-701, 702.01 and 703.01. 20 CHAIRMAN KIMBLE: There's been a motion 21 made. 22 Is there a second? 23 COMMISSIONER PATON: Second. 24 CHAIRMAN KIMBLE: It's been moved and 25 seconded that we open a 60-day public comment period</p>

<p>10:56:31-10:57:53 Page 70</p> <p>1 for amendments to R2-20-701, 702.01, 703.01. 2 We'll do a roll call vote. 3 Commissioner Chan? 4 COMMISSIONER CHAN: Aye. 5 CHAIRMAN KIMBLE: Commissioner Paton? 6 COMMISSIONER PATON: Aye. 7 CHAIRMAN KIMBLE: Commissioner Meyer? 8 COMMISSIONER MEYER: Aye. 9 CHAIRMAN KIMBLE: The Chair votes aye. The 10 motion is approved four to nothing, which takes us to 11 Item V(D): Discussion and possible action on amendment 12 to R2-20-209 relating to investigation. 13 MR. COLLINS: Yes. Mr. Chairman, 14 Commissioners, on this rule, we have -- we have -- we 15 are recommending two things. We are recommending that 16 the rule be adopted, and we are recommending that the 17 rule be made effective immediately. As we discussed at 18 our last meeting, we don't believe that this rule is a 19 change insofar as our actual investigative practices, 20 but this is a true clarifying rule. 21 When we look at the consumer, small 22 business and economic impact of the proposal, because 23 it, in our view, maintains the status quo, we don't 24 believe that it will have a cost to any of those kinds 25 of entities. And with respect to the regulated</p>	<p>10:59:15-11:00:07 Page 72</p> <p>1 COMMISSIONER CHAN: Aye. 2 CHAIRMAN KIMBLE: Commissioner Paton? 3 COMMISSIONER PATON: Aye. 4 CHAIRMAN KIMBLE: Commissioner Meyer? 5 COMMISSIONER MEYER: Aye. 6 CHAIRMAN KIMBLE: The Chair votes aye. The 7 motion is approved four to nothing. 8 Do we need to take a second vote to make it 9 effective immediately? 10 COMMISSIONER CHAN: I'll do another motion. 11 MR. COLLINS: Well, yeah, there's one 12 clarifying point I should have made. The Commission 13 vote has to be unanimous in order to make it effective 14 immediately. If it is not effective immediately, it 15 will be effective January 1. Now, that is a thing that 16 GRRC disputes, just to be -- just to be honest, but the 17 Clean Elections Act is clear. If you all vote to make 18 it effective immediately, it's our view it's effective 19 immediately. If you all vote and are not unanimous or 20 do not -- or the motion fails, or whatever, the rule, 21 having been adopted, will be effective on January 1st. 22 CHAIRMAN KIMBLE: Okay. And the definition 23 of "unanimous" would be everyone attending the meeting? 24 MR. COLLINS: That's correct, because the 25 Act is clear that both -- that all those are part of</p>
<p>10:57:56-10:59:14 Page 71</p> <p>1 community and others who are involved in the election 2 process, it has a benefit in terms of lowering 3 compliance costs and providing a more direct but -- and 4 simpler explanation for the investigative process that 5 we have always utilized. 6 And, for those reasons, again, I recommend 7 that the Commission first adopt the rule as a final 8 rule and, second, that the Commission vote to make the 9 amendment effective immediately, again, as we are in 10 the middle of the election cycle. 11 CHAIRMAN KIMBLE: Thank you. 12 Any questions or comments from 13 commissioners? 14 (No response.) 15 COMMISSIONER CHAN: Mr. Chairman? 16 CHAIRMAN KIMBLE: Commissioner Chan. 17 COMMISSIONER CHAN: I move that we adopt 18 R2-20-209 relating to investigation, the amendment, as 19 final. 20 CHAIRMAN KIMBLE: Is there a second? 21 COMMISSIONER PATON: Second. 22 CHAIRMAN KIMBLE: It's been moved and 23 seconded that we adopt the amendment to R2-20-209. 24 We'll do a roll call vote. 25 Commissioner Chan?</p>	<p>11:00:10-11:00:48 Page 73</p> <p>1 the quorum, and the Act is also clear that the Act -- 2 that those kinds of issues shall not impede the 3 Commission's activity. Those are both literal language 4 of the Act. 5 CHAIRMAN KIMBLE: So, it doesn't seem 6 necessary to take a second vote since we just voted 7 four to nothing. 8 COMMISSIONER CHAN: Or do I need to make a 9 motion? I was going to make a separate motion. I 10 thought I understood from Tom we needed two separate 11 motions. 12 MR. COLLINS: We did. We did in the event 13 that you're interested in having it effective 14 immediately. If you're not concerned about that 15 because of the holidays, then it will just be effective 16 January 1st. 17 CHAIRMAN KIMBLE: Okay. Whatever the 18 Commission would like. 19 MR. COLLINS: It will be helpful for me to 20 make a record that you would like to make it effective 21 January 1st. 22 CHAIRMAN KIMBLE: Okay. 23 MR. COLLINS: But that doesn't have to be 24 unanimous. 25 CHAIRMAN KIMBLE: Okay. You would like to</p>

<p>11:00:49-11:01:31 Page 74</p> <p>1 make it effective January 1st? 2 MR. COLLINS: I would like -- I'm sorry. I 3 should back up a second. I would like the Commission 4 to make a record on when the Commission believes it 5 should be effective. 6 CHAIRMAN KIMBLE: Okay. Okay. 7 MR. COLLINS: To be effective immediately, 8 it needs to be unanimous. To be effective January 1st, 9 it need not be unanimous. 10 CHAIRMAN KIMBLE: Okay. 11 COMMISSIONER PATON: I have a question. 12 CHAIRMAN KIMBLE: Commissioner Paton. 13 COMMISSIONER PATON: Is this just on 14 another bone to pick with the GRRC people? 15 MR. COLLINS: This is a fundamental legal 16 disagreement we have with GRRC. 17 COMMISSIONER PATON: I mean, can we just do 18 it January 1st and not have another fight with them? 19 MR. COLLINS: They will fight January 1st. 20 COMMISSIONER PATON: What's that? 21 MR. COLLINS: They will fight January 1st. 22 COMMISSIONER PATON: Oh, okay. All right. 23 MR. COLLINS: They don't believe that 24 the -- they believe, incorrectly, in my view, that by 25 removing a sentence from 16-956 while all of the other</p>	<p>11:02:29-11:03:38 Page 76</p> <p>1 COMMISSIONER PATON: Aye. 2 CHAIRMAN KIMBLE: Commissioner Meyer? 3 COMMISSIONER MEYER: Aye. 4 CHAIRMAN KIMBLE: The chair votes aye. The 5 motion passes four to nothing, unanimously. 6 Item VI: Discussion and possible action on 7 matters relating to the Secretary of State's Office, 8 the See the Money project, the Campaign Finance 9 Reporting System, the Commission Interagency Service 10 Agreement with the Secretary of State's Office. 11 MR. COLLINS: Mr. Chairman, Commissioners, 12 I hope you've had a chance to read the memo that I 13 tried to -- sort of, to try to update you on the status 14 of things. 15 CHAIRMAN KIMBLE: Yeah. 16 MR. COLLINS: Just to, kind of, highlight 17 that, at a meeting -- at a meeting before Thanksgiving, 18 I had a meeting with the government relations director 19 for the Secretary's Office. Among other things, I 20 communicated to him that the Clean Elections Act and 21 the Commission's responsibilities to the Fund would not 22 allow us to just let this go. And, additionally, I 23 attempted to explain that we're not a subappropriator, 24 that the Interagency Service Agreement law is designed 25 for an agency like ours to purchase a service from an</p>
<p>11:01:36-11:02:29 Page 75</p> <p>1 Commission -- provisions were left alone, that the -- 2 that the voters accidentally repealed the entirety of 3 the procedures that apply to the Commission under the 4 Clean Elections Act. They're wrong. We've avoided a 5 fight over that, but January 1st is not the date that 6 they will agree to. 7 COMMISSIONER PATON: Okay. 8 CHAIRMAN KIMBLE: Nor will they agree to 9 immediately? 10 MR. COLLINS: Correct. 11 CHAIRMAN KIMBLE: Okay. So, let's pick one 12 and vote on it, when we want this to become effective. 13 COMMISSIONER CHAN: Mr. Chairman? 14 CHAIRMAN KIMBLE: Commissioner Chan. 15 COMMISSIONER CHAN: I move that we vote to 16 make this rule effective immediately. 17 CHAIRMAN KIMBLE: Is there a second? 18 COMMISSIONER PATON: Second. 19 CHAIRMAN KIMBLE: It's been moved and 20 seconded to make the -- to make the amendment to 21 R2-20-209 effective immediately. 22 Roll call vote. 23 Commissioner Chan? 24 COMMISSIONER CHAN: Aye. 25 CHAIRMAN KIMBLE: Commissioner Paton?</p>	<p>11:03:40-11:05:06 Page 77</p> <p>1 agency like theirs and there are background terms of 2 Arizona law that are included therein. 3 To the best of our knowledge, there's no 4 evidence that those are -- that those have been 5 complied with. I made some suggestions on how to 6 include us in their redevelopment of See the Money. 7 And, then, following that, I received some calls -- a 8 call from a candidate who was a clean candidate who 9 could not -- there was discrepancy between the new, 10 quote/unquote, Beacon System and what the Act has 11 previously required the Secretary to allow clean 12 candidates to file. 13 The conversation resulted in a follow-up 14 email and then a second follow-up email related to the 15 Beacon System which, incidentally, is supposed to be a 16 jointly approved matter. I have not received any 17 response to that. If there is a response to that that 18 I should have received, I have no knowledge of it. 19 The ultimate recommendation I'm making here 20 at the bottom of that -- of that -- of that memo is 21 simply to allow myself and counsel to take the steps 22 necessary, in prudence, that we need to take in order 23 to ensure we're in the best possible position to -- to 24 resolve this issue in a manner that's acceptable to the 25 Commission and, hopefully, the Secretary of State.</p>

<p>11:05:10-11:06:21 Page 78</p> <p>1 It is important to me, as executive 2 director, to -- the reason I'm asking for a motion on 3 that and the recommendation, I think, is pretty clear 4 in the -- in the memo because I need to be able to 5 communicate again to the Secretary of State's staff 6 that I'm not speaking as an executive director with 7 their own agenda. This is the Commission's view. This 8 is the Commission's issue. The legal issues here are 9 real ones under both the Clean Elections Act and under 10 Title 35. 11 And -- and so, I just -- I want to -- the 12 last time I, sort of, updated you on what we were going 13 to try to do. We tried to do that. That was not 14 effective. And so, I'm asking for a formal vote on 15 that recommendation. We will, then, proceed to update 16 you as we can on -- on those things, but it's 17 important, I think, for the public, for the Secretary 18 of State's Office and, obviously, for us to be clear 19 that this is a serious matter we can't simply ignore. 20 CHAIRMAN KIMBLE: Let me make sure I 21 understand. 22 So, is See the Money DOA? It does not 23 exist anymore? 24 MR. COLLINS: So -- and there was an 25 article in the "Capitol Times," which I can get for you</p>	<p>11:07:52-11:09:21 Page 80</p> <p>1 Elections Fund that has been, apparently, spent 2 without -- with neither a product that works nor an 3 identification of the hours put into it nor a respect 4 for the agreement that was there. 5 And so, I am trying -- we are going to 6 attempt to work on these things in good faith, as we 7 always do, but -- yeah, but this is where we are. 8 CHAIRMAN KIMBLE: Well, it seems -- 9 COMMISSIONER PATON: That's not good. 10 CHAIRMAN KIMBLE: It seems, like, while I 11 think it's worthwhile to have continuing discussions 12 with the Secretary of State's Office, there needs to be 13 some kind of a deadline or an endgame, not -- so this 14 isn't just endless discussions with no -- 15 MR. COLLINS: Mr. Chairman, that's a very 16 fair question. You know, we have Mary on call, if you 17 want, and we can call her. We can actually call her on 18 the phone. She's at her desk if we need her, but I 19 will just say this, that the steps that I envision 20 taking are steps that we -- that by virtue -- that are 21 serious steps in advancing the ball. 22 The endgame here is to either restore 23 our -- our role and the deliverables required of the 24 Secretary of State's Office or to get the money back. 25 There are steps we need to take now, in my view, in</p>
<p>11:06:25-11:07:47 Page 79</p> <p>1 all, recently that talked about it. It's not clear to 2 me what the intent of the Secretary's Office is with 3 respect to See the Money. There are things that I 4 think, obviously, if we were in a position to discuss 5 this with them and get responses, we don't care about. 6 Like, call it See the Money or call it something else. 7 I don't care. That's not the point. 8 I think there's, also, some underlying 9 issues with the data that was going in to See the Money 10 that -- that, I think, are the responsibility of the -- 11 of the folks who presented See the Money to us back 12 when it was Secretary Reagan's issue. Nevertheless, in 13 our -- in the discussion that -- earlier that Mike and 14 I had with the Secretary's Office, the current 15 Secretary's Office, they told us -- and we have no 16 further update to this position -- that an agreement 17 signed by Secretary Reagan simply does not exist. 18 And, unfortunately, that means there's 19 \$200,000 that we paid to the Secretary of State's 20 Office that it has to exist because it's money. 21 Whether somebody spent it is not our problem. And I 22 understand the budgetary concerns the Secretary of 23 State has been -- has issued over the course of the 24 last couple of months, but that doesn't mean that 25 that -- that there's not \$200,000 from the Clean</p>	<p>11:09:26-11:10:50 Page 81</p> <p>1 order to put us in the strongest position to do that. 2 Without your approval, this -- if I were to do that on 3 my own, that would be seen by the Secretary of State's 4 Office as -- even if it was not true, it would be 5 characterized as the executive director is doing 6 something freelancing. 7 And it's very important to me that the 8 Commission here -- there is an endgame. The endgame is 9 one of those two things, but there are steps we need to 10 take now to ensure we can get that endgame and that the 11 Secretary knows that I am not speaking on behalf of the 12 staff or myself when I'm dealing with these issues. 13 COMMISSIONER PATON: Can I make a 14 statement? 15 CHAIRMAN KIMBLE: Yes, Commissioner Paton. 16 COMMISSIONER PATON: So, I -- I even feel 17 stronger about it than that. I mean, I think we need 18 to give them a time limit and an ultimatum and do 19 what's necessary to get our money back because we've 20 just wasted our money as far as this coming-up 21 election. We were promised the moon and, apparently, 22 it's, kind of, half baked. And so, it sounds to me as 23 if they're not taking us seriously. 24 And Tom says that the whole office over 25 there are lawyers. So, I think they know what a</p>

<p>11:10:53-11:12:20 Page 82</p> <p>1 contract is, and we had a contract with them, the 2 Secretary of State's Office, not just Mrs. Reagan. 3 And, I think, we need to let them know, in uncertain 4 terms, that we want our money back or we want it to 5 work. 6 Is that clear? 7 COMMISSIONER CHAN: Mr. Chairman? 8 CHAIRMAN KIMBLE: Commissioner Chan. 9 COMMISSIONER CHAN: I, also, have some 10 comments on this. And just, to start with, I see two 11 issues here in this memo from Tom. One is, you know, 12 the issue with See the Money. And I want to say that 13 I'm not unsympathetic to Secretary Hobbs' situation. 14 We all know what we were dealing with, I think, with 15 the prior administration. We struggled with whether to 16 invest the money in the IGA. We came to the difficult 17 decision to do so because, I think, we thought that 18 would be what was best for the voters. And we did have 19 a contract, a binding contract with the Secretary of 20 State. 21 I think legally we all know where we are 22 with that. It does not just dissolve on the new 23 election of the new Secretary of State. And, 24 unfortunately, I believe Secretary Hobbs and her staff 25 will have to deal with that with our staff, and I'm</p>	<p>11:14:00-11:15:15 Page 84</p> <p>1 Paton's statement, I would be all -- I mean, deadlines 2 and moving ahead on that. I think that's well -- I 3 take your point. I think that's -- I think that's 4 critical. I'm not prepared, without more of a 5 consultation with Mary, to identify what those are. 6 And so, that's part of the reason we left the -- I 7 have left the recommendation a little more open ended. 8 With respect to -- you know, and the 9 Secretary may very well have defenses that are more 10 persuasive. I don't know. That's another assessment, 11 but with respect to the requirements of the Clean 12 Elections Act, they may not even know that. I don't 13 know. I mean, that's not something we have discussed 14 previously because it's an assumption, but you know, 15 it's just, you know, these are all things that -- at a 16 certain point, yeah, these are just requirements. 17 They're just -- they're just in the law. 18 COMMISSIONER PATON: I have another 19 statement. 20 CHAIRMAN KIMBLE: Commissioner Paton. 21 COMMISSIONER PATON: So, she's been in 22 office a year, correct? 23 MR. COLLINS: A year come January, yes. 24 COMMISSIONER PATON: All right. So, it's 25 not been two months ago. So, obviously, it's not</p>
<p>11:12:23-11:13:56 Page 83</p> <p>1 happy to make a motion and vote -- vote on this. You 2 know, I support authorizing Tom to go ahead and work 3 with them in any way, shape or form that he needs to, 4 but I want to make clear I'm not unsympathetic to 5 Secretary Hobbs. 6 I think, perhaps, she needs to add into 7 whatever money she's asking for an extra 200 grand to 8 pay us back because, you know, it is a binding 9 contract. And, I mean, it's not going away. It's -- 10 it's a real thing. 11 The other issue for me is this issue of 12 Beacon. I'm a little concerned. I did not realize 13 until now, of course, that we haven't had an 14 opportunity to review it that's required by statute so 15 that we have joint approval of the campaign finance 16 reporting system. I think that's really key. 17 Obviously, our candidates, you know, and we need to 18 have access to that and be able to use it, have some 19 functionality for our purposes. And, if we don't have 20 joint approval, can we be certain that we'll have the 21 functionality that we need? 22 MR. COLLINS: Mr. Chairman, Commissioner 23 Chan, with respect to those -- those things, first, you 24 know -- and, actually, sort of, answering your question 25 and answering -- and in responding to Commissioner</p>	<p>11:15:20-11:16:30 Page 85</p> <p>1 something that they're concerned with. They're trying 2 to sweep it under the rug, forget about it like a -- 3 you know, like a school child, or something, and the 4 homework is due. 5 CHAIRMAN KIMBLE: It would seem to me that 6 it might be reasonable to authorize staff to continue 7 working with the Secretary of State's Office, but to 8 report back at our January meeting where we are. And, 9 at that point, we can decide whether we need to up this 10 to some other level to -- so that this just doesn't 11 turn into endless discussions and they don't respond 12 and -- you know. 13 MR. COLLINS: Mr. Chairman, if I may 14 respond to that. 15 CHAIRMAN KIMBLE: Yeah. 16 MR. COLLINS: My only clarification to that 17 is -- my only point on that is, to the extent that I do 18 not -- there are steps we need to take in terms of 19 documentation that I need to involve Mary in. And so, 20 that's part of the reason why the recommendation 21 includes working with counsel. 22 COMMISSIONER CHAN: Okay. 23 MR. COLLINS: We -- we are not in a 24 position to stand pat and work with staff absent -- 25 with -- without taking some of the steps, I think, that</p>

<p>11:16:32-11:17:30 Page 86</p> <p>1 are, at least, necessary for us to do. We may need to 2 act on that sooner before the next meeting. I'm not 3 talking about, like -- what I'm not talking about is 4 filing a lawsuit. 5 CHAIRMAN KIMBLE: Correct. 6 MR. COLLINS: What I am talking about is 7 the kind of interim steps you have to take in order to 8 make sure that you can be in the best position 9 possible. 10 CHAIRMAN KIMBLE: Okay. My only point was 11 I want to get across the message to the Secretary of 12 State's Office that this is something we're interested 13 in, that we're following, that we don't want to be back 14 here in the middle of next year and be reading the 15 Secretary of State is -- I received no response from 16 the Secretary of State's Office. 17 MR. COLLINS: Understood. Understood. 18 COMMISSIONER CHAN: And, Mr. Chairman, just 19 one more comment. I mean, I don't know how the other 20 commissioners feel, but frankly, if Beacon is the new 21 campaign finance reporting system and that was 22 something that the Secretary decided we could be a 23 partner in, I don't know why that couldn't be 24 something -- I guess, you know, money is fungible, they 25 always say, right?</p>	<p>11:18:31-11:19:13 Page 88</p> <p>1 promised -- 2 COMMISSIONER CHAN: Did you just disparage 3 the Tucson Toros? 4 COMMISSIONER PATON: They don't -- they 5 don't exist anymore. 6 COMMISSIONER CHAN: Oh. 7 COMMISSIONER PATON: They were Triple A. 8 COMMISSIONER CHAN: I remember. 9 COMMISSIONER PATON: So, when you are 10 talking about that, it sounds like we're willing -- you 11 were willing to downshift, and I'm not willing. We 12 spent that money. We were promised something. I don't 13 care if they changed people, changed the characters. 14 We have a contract. They need to make it work right. 15 CHAIRMAN KIMBLE: Well, as I understood 16 Commissioner Chan's comments is we had specific 17 requests. If they can meet them under another name -- 18 COMMISSIONER PATON: Sure. I don't care if 19 they change the name, just so it's a like quality. 20 CHAIRMAN KIMBLE: Right. We want the 21 deliverables. 22 COMMISSIONER PATON: Right. 23 CHAIRMAN KIMBLE: Okay. So, do you have a 24 motion, Commissioner Chan? 25 COMMISSIONER CHAN: Yeah. Mr. Chairman, I</p>
<p>11:17:30-11:18:29 Page 87</p> <p>1 I mean, it could be that there's this, 2 okay, we're going from See the Money to this. And if 3 she can say, well, we're using the money for this 4 instead and is that going to be workable for you and 5 what can we give you to make you happy kind of thing, 6 if they're working with us, I think we could be happy 7 with that. It doesn't have to be See the Money. I 8 don't think -- I think we can be flexible. I don't 9 want her to think that we're, like, oh, no, it has to 10 be Secretary Reagan's thing. That -- I don't think 11 that's it at all. 12 I think it's more we need something out of 13 this, and that's the point. It's not, like, oh, 14 you're -- you're just out of luck, Clean Elections, and 15 your 200,000 is gone, too. 16 CHAIRMAN KIMBLE: Right. 17 COMMISSIONER CHAN: So with that, unless 18 there's -- Mr. Chairman, should I go ahead and make a 19 motion? 20 CHAIRMAN KIMBLE: Is there any other 21 discussion or questions on Item VI? 22 COMMISSIONER PATON: Well, to that -- to 23 that point, it can't be like the difference between the 24 Arizona Diamond Backs and the Tucson Toros. I mean, 25 it's -- I mean, we were promised something. We were</p>	<p>11:19:14-11:20:04 Page 89</p> <p>1 move that we authorize staff to work with our counsel 2 to assess and undertake such actions that are necessary 3 to secure compliance with the Interagency Service 4 Agreement regarding See the Money and the campaign 5 finance reporting system, as well as other applicable 6 laws, and recover the Commission's payment for those 7 services, if possible. 8 CHAIRMAN KIMBLE: Is there a second to 9 that? 10 COMMISSIONER PATON: I will second that. 11 CHAIRMAN KIMBLE: Okay. It's been moved 12 and seconded. We're authorizing staff to work with our 13 counsel and the Secretary of State's Office. 14 We'll do a roll call vote. 15 Commissioner Chan? 16 COMMISSIONER CHAN: Aye. 17 CHAIRMAN KIMBLE: Commissioner Paton? 18 COMMISSIONER PATON: Aye. 19 CHAIRMAN KIMBLE: Commissioner Meyer? 20 COMMISSIONER MEYER: Aye. 21 CHAIRMAN KIMBLE: The Chair votes aye, and 22 the motion is approved four to nothing. 23 Item VII: Public comment. 24 Is there any member of the public that 25 wishes to make comments?</p>

11:20:06-11:20:56 Page 90

1 (No response.)
2 CHAIRMAN KIMBLE: No?
3 MR. COLLINS: If I -- if I could, I want to
4 make a quick public comment, if I may. Just -- I think
5 I'm allowed to say this now, right, that you're --
6 MR. LA RUE: Oh, yes.
7 MR. COLLINS: Just a quick public comment
8 and then we should adjourn, and then you can talk to
9 him about whatever you want for to meeting to be over,
10 but my public comment, because none of you can respond
11 to this, is that Joseph has taken a position at the
12 Maricopa County Attorney's Office as an election
13 attorney. It's very exciting for him. And so, after
14 you adjourn the meeting, I would recommend that you
15 take a moment to congratulate him on his new position
16 and thank him for his service here, as I certainly do.
17 CHAIRMAN KIMBLE: We wouldn't want to do
18 that during the meeting, I guess.
19 MR. COLLINS: Well, it's an open meeting
20 law.
21 CHAIRMAN KIMBLE: Okay. Any other public
22 comments?
23 (No response.)
24 CHAIRMAN KIMBLE: Okay. Adjournment? Is
25 there a motion to adjourn?

11:20:57-11:21:12 Page 91

1 COMMISSIONER CHAN: I move we adjourn the
2 meeting.
3 COMMISSIONER PATON: Second.
4 CHAIRMAN KIMBLE: We'll do a roll call.
5 Commissioner Chan?
6 COMMISSIONER CHAN: Aye.
7 CHAIRMAN KIMBLE: Commissioner Paton?
8 COMMISSIONER PATON: Aye.
9 CHAIRMAN KIMBLE: Commissioner Meyer?
10 COMMISSIONER MEYER: Aye.
11 CHAIRMAN KIMBLE: The Chair votes aye. We
12 are adjourned.
13 Thank you.
14 (Whereupon, the proceedings concluded at
15 11:21 a.m.)
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Page 92

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; that the proceedings
6 were taken down by me in shorthand and thereafter
7 transcribed into typewriting under my direction; that
8 the foregoing pages are a full, true, and accurate
9 transcript of all proceedings and testimony had and
10 adduced upon the taking of said proceedings, all done to
11 the best of my skill and ability.
12 I FURTHER CERTIFY that I am in no way
13 related to nor employed by any of the parties thereto
14 nor am I in any way interested in the outcome hereof.
15 DATED at Phoenix, Arizona, this 14th day of
16 December, 2019.
17 
18 _____
19 LILIA MONARREZ, RPR, CR #50699
20
21
22
23
24
25

	83:24	55:20	19:25;24:9;26:13;28:3; 29:10;34:16,17;36:7; 39:3;77:2;87:24	B
\$	ad (1) 24:15 add (2) 57:25;83:6 adding (1) 21:21 addition (2) 44:4;66:12 additional (5) 20:7; 21:23;39:15;64:12,14 additionally (2) 62:5; 76:22 additions (1) 3:18 address (3) 13:11; 44:22;61:22	allows (1) 56:25 almost (1) 10:23 alone (1) 75:1 along (2) 5:2;18:18 Although (1) 20:14 always (11) 10:13,15; 13:11;26:25;28:5; 37:19;52:3,16;71:5; 80:7;86:25	around (2) 5:19,25 art (2) 40:25;41:5 article (2) 30:9;78:25 aspects (1) 62:4 assemblies (3) 46:24; 47:2,18 assess (1) 89:2 assessment (1) 84:10 assigned (5) 43:18; 44:3,5,12,17 assignment (1) 44:7 Assistance (1) 38:16 Association (2) 36:8; 38:1 Association's (1) 5:5 assumption (1) 84:14 attempt (1) 80:6 attempted (1) 76:23 attempting (1) 68:6 attendance (2) 29:16; 36:12 attended (2) 40:11,12 attending (3) 23:5; 29:16;72:23 attention (3) 12:25; 27:6;31:13 Attorney (4) 51:23; 53:8;67:6;90:13 attorneys (2) 61:21; 62:2 Attorney's (1) 90:12 audio (2) 24:20;41:13 augmented (2) 21:20; 22:19 August (3) 15:23; 20:21;21:7 authorize (2) 85:6;89:1 authorizing (2) 83:2; 89:12 automatically (1) 23:24 available (9) 18:15; 20:4;24:9,19;31:11; 39:20,22;40:6;42:7 Avery (9) 4:20;23:3; 25:14;45:7,9,10,15; 46:10,17 avoided (1) 75:4 awarded (1) 36:7 aware (4) 20:18;21:10, 10;59:23 awareness (1) 39:17 away (2) 36:18;83:9 awesome (1) 46:19 awkward (1) 53:8 Aye (32) 4:7,9,11,12; 50:13,15,17,18;60:25; 61:2,4,5;70:4,6,8,9; 72:1,3,5,6;75:24;76:1, 3,4;89:16,18,20,21; 91:6,8,10,11	back (15) 8:8;10:13,16; 19:20;26:3;40:23; 51:10;74:3;79:11; 80:24;81:19;82:4;83:8; 85:8;86:13 background (3) 52:20; 54:11;77:1 Backs (1) 87:24 bad (1) 33:9 baked (1) 81:22 ball (2) 67:4;80:21 ballot (21) 11:3;13:16; 14:6;15:7,15,16,18,23; 16:14;19:12,17,18; 20:3,4,5,23,25;21:3; 37:20,21;67:7 balloteer (3) 40:11,13; 41:4 bank (1) 39:25 banners (1) 23:1 barbed (1) 67:15 barriers (1) 13:2 based (2) 43:14;44:6 basic (1) 67:20 basically (7) 9:2;16:8; 27:5;36:12;38:17; 45:24;54:12 Beacon (4) 77:10,15; 83:12;86:20 become (3) 12:6;13:8; 75:12 behalf (2) 12:14;81:11 behind (3) 8:15;32:5; 45:17 behind-the-scenes (1) 48:22 believes (2) 9:12;74:4 benefit (1) 71:2 Bennett (5) 51:18;58:4, 4,21;59:5 Bennett's (2) 58:16; 59:11 best (6) 63:2;68:8;77:3, 23;82:18;86:8 better (2) 43:8;59:7 bigger (1) 34:9 binding (2) 82:19;83:8 bit (6) 10:8;14:22;32:9, 16;39:2;42:13 block (2) 11:1;19:25 board (1) 7:8 bodies (1) 29:23 bone (1) 74:14 both (6) 11:22;55:9; 62:3;72:25;73:3;78:9 bottom (1) 77:20 branch (1) 65:4 branding (1) 21:22 breakdown (1) 10:24 briefly (2) 4:18;14:20
A	addressing (1) 36:21 adjourn (4) 90:8,14,25; 91:1 adjourned (1) 91:12 Adjournment (1) 90:24 adjustable (1) 13:18 administration (1) 82:15 administrative (2) 5:22; 68:11 admit (2) 54:24,24 adopt (5) 50:4,8;71:7, 17,23 adopted (2) 70:16; 72:21 ads (7) 28:24,25;33:5, 6,12;39:13;40:16 advance (4) 47:18,19; 64:4;67:4 advancing (1) 80:21 advertisements (1) 40:18 Advocacy (2) 6:10,10 affidavit (1) 48:12 affiliations (1) 10:24 again (18) 9:1,11;13; 12:23;13:4;14:14;21:7; 26:13;30:18;39:9;42:8, 21;46:7;65:10;68:24; 69:11;71:6,9;78:5 age (1) 19:2 agencies (4) 38:9;65:6, 16,17 agency (7) 5:22;39:4,7; 67:9,12;76:25;77:1 agenda (6) 6:25;7:3,3; 50:25;63:9;78:7 ago (4) 33:6;56:13; 58:22;84:25 agree (4) 31:16;35:17; 75:6,8 Agreement (5) 76:10, 24;79:16;80:4;89:4 ahead (4) 66:1;83:2; 84:2;87:18 Ajo (1) 28:3 aligned (2) 63:14;67:19 allow (4) 24:8;76:22; 77:11,21 allowed (4) 52:9;54:22; 57:10;90:5 allowing (2) 52:10;	ambassador (1) 45:16 ambassadors (1) 45:19 ambiguity (2) 55:24; 57:13 ambiguous (1) 57:12 amending (1) 63:13 amendment (6) 51:14; 70:11;71:9,18,23; 75:20 amendments (9) 50:24; 63:23;64:5,12,14; 69:11,15,19;70:1 Among (1) 76:19 amount (4) 4:25;39:14; 47:8;63:16 amplify (1) 22:2 and/or (1) 68:2 animations (1) 41:19 anymore (3) 33:19; 78:23;88:5 Apache (1) 48:13 apathetic (1) 13:9 API (1) 44:10 apologize (2) 53:11; 54:7 apologizing (1) 62:24 apology (2) 62:17,18 app (1) 23:7 apparently (2) 80:1; 81:21 appeased (1) 8:11 appellees (1) 6:11 applicable (3) 16:3; 21:18;89:5 apply (1) 75:3 appoint (1) 9:8 appointed (2) 7:19;8:10 appreciate (3) 9:10; 68:18,25 approach (1) 66:14 approachable (1) 41:24 appropriate (1) 7:23 approval (4) 49:18; 81:2;83:15,20 approve (2) 3:22,24 approved (9) 4:13; 6:13;10:5;50:19;61:6; 70:10;72:7;77:16; 89:22 approximately (2) 15:6; 24:1 area (1) 27:15 Arizona (13) 6:10,10;		

<p>bring (1) 45:23 broadly (1) 55:12 buck (1) 39:25 bucket (3) 55:6,6,7 buckets (6) 54:13,18, 23;55:9,19;57:1 budget (8) 10:5,7; 27:18;39:13,13,15,16; 40:17 budgetary (1) 79:22 build (2) 22:13;43:13 bullets (2) 13:22,24 bumped (1) 15:6 bunch (1) 34:21 business (1) 70:22 busy (1) 13:14 buyer (1) 39:24</p>	<p>20:25;24:13;25:4;26:2; 8;29:5,15;37:21;40:14; 43:11,11,13,14;48:20; 54:14,16;58:17;59:22; 77:12;83:17 candidates' (1) 34:10 cap (1) 57:8 Capitol (3) 26:13; 29:10;78:25 caps (1) 55:23 capture (1) 31:13 care (5) 63:4;79:5,7; 88:13,18 case (3) 6:11;18:25; 57:13 category (1) 11:5 center (2) 5:12;44:1 centers (3) 43:25;44:4, 14 certain (4) 19:3;54:15; 83:20;84:16 certainly (6) 28:25; 29:6;35:21;65:12,13; 90:16 Chair (8) 4:12;50:18; 61:5;70:9;72:6;76:4; 89:21;91:11 CHAIRMAN (174) 3:3, 10,12,14,20,21,24;4:8, 10,12,17;6:17,20,23; 7:2,6,12,13;8:2,9,19, 20,23;10:2;16:6,13; 17:12;18:9;19:6;22:4, 5,6,12;26:23;28:12; 31:1;32:12,13;34:1; 35:22,23;43:20,23; 44:24;46:22;47:15; 49:6,9,10,12,16,17,20; 50:1,3,5,7,14,16,18,23; 51:3,5,12;52:25;53:2,3, 5,13,19,23,25;54:2,5; 57:17,20,25;59:16,18; 60:2,5,6,10,13,16,19, 22;61:1,3,5,10,13;63:7, 11,12;64:8,20,21;66:3, 5;68:16,17;69:6,9,13, 16,17,20,24;70:5,7,9, 13;71:11,15,16,20,22; 72:2,4,6,22;73:5,17,22, 25;74:6,10,12;75:8,11, 13,14,17,19,25;76:2,4, 11,15;78:20;80:8,10, 15;81:15;82:7,8;83:22; 84:20;85:5,13,15;86:5, 10,18;87:16,18,20; 88:15,20,23,25;89:8, 11,17,19,21;90:2,17, 21,24;91:4,7,9,11 challenge (2) 18:22; 21:3 Chan (80) 3:8,9,20,21, 22;4:6,7;7:12,13,14; 22:4,5,6,13,15;23:9,14,</p>	<p>16;32;12,13,14;33:21; 43:20,24;44:20,25; 45:4;46:19;49:8,11; 50:2,3,10,11;60:5,6,7, 24,25;64:20,21,22; 66:1,6;68:13,17,22; 69:13,17;70:3,4;71:15, 16,17,25;72:1,10;73:8; 75:13,14,15,23,24; 82:7,8,9;83:23;85:22; 86:18;87:17;88:2,6,8, 24,25;89:15,16,91:1,5, 6 chance (2) 17:10;76:12 change (6) 14:9;18:3; 20:22;37:22;70:19; 88:19 changed (7) 15:2; 18:25;19:21,22;37:14; 88:13,13 changes (1) 65:6 channels (3) 8:9;30:5; 39:21 Chan's (1) 88:16 characterized (1) 81:5 characters (1) 88:13 chart (1) 38:15 child (1) 85:3 circle (1) 51:10 circulated (1) 51:16 citizen (1) 10:17 Citizens (1) 3:5 city (1) 38:11 civically (1) 46:1 claiming (1) 65:9 clarification (2) 60:9; 85:16 clarify (1) 64:3 clarifying (2) 70:20; 72:12 clarity (1) 55:1 class (1) 46:25 classes (2) 47:6,14 classroom (2) 46:12,16 classrooms (1) 46:11 Clean (24) 3:5;12:14; 23:22;25:2;38:9;39:1, 4,5;54:13;56:17,17; 66:14;67:8,9,11;72:17; 75:4;76:20;77:8,11; 78:9;79:25;84:11; 87:14 clear (16) 49:14;56:14, 24;57:11,12,21;58:20, 24;72:17,25;73:1;78:3, 18;79:1;82:6;83:4 clerks (1) 38:11 close (3) 31:23;32:3,4 Coconino (3) 6:6;48:8, 13 collaborating (1) 4:21 collect (1) 49:1 college (1) 19:14</p>	<p>colleges (4) 22:21,22, 24;45:12 COLLINS (53) 4:17; 7:1,5,7;34:1,5,25;35:3, 6;49:13,17;51:2,5,13; 57:24;61:10,14;63:12; 64:10;65:24;66:2,3,5; 68:14,20;69:4;70:13; 72:11,24;73:12,19,23; 74:2,7,15,19,21,23; 75:10;76:11,16;78:24; 80:15;83:22;84:23; 85:13,16,23;86:6,17; 90:3,7,19 combat (1) 37:24 comfortable (1) 62:24 coming-up (1) 81:20 comment (16) 51:17; 59:12;63:19;64:12,13, 22;69:10,12,15,18,25; 86:19;89:23;90:4,7,10 comments (19) 6:17; 7:15;9:20;33:17;58:8, 22;62:13,21;63:21,25; 64:5,24;68:18;69:7; 71:12;82:10;88:16; 89:25;90:22 commercial (2) 27:3; 30:19 commercials (5) 27:9, 21,21;31:8;41:7 Commission (22) 3:5, 17;7:9;10:5;11:16; 38:16;45:7;46:5;58:13; 60:4;63:8;71:7,8; 72:12;73:18;74:3,4; 75:1,3;76:9;77:25;81:8 Commissioner (215) 3:8,9,10,11,12,13,14, 20,21,22;4:2,3,6,7,8,9, 10,11;6:19,20,21;7:4, 12,13,14;8:4;9:9,10; 16:5,6,7,13,18,24;17:4, 9,12,15,21,24;18:4,9, 23;19:7;22:4,5,6,12,15; 23:9,14,16;26:21,23, 24;28:13,16;29:4,14, 19,24;30:4;31:1,19; 32:12,13,14,19,22; 33:10,17,18,21,22; 34:1,3,23;35:1,4; 39:18;43:20,23;44:20, 24;45:4;46:19,20,22, 23;47:15,17;49:8,11, 23,24;50:2,3,6,10,11, 14,15,16,17;53:10,10, 16,17,20,21,24;54:4; 60:5,6,7,14,15,17,17, 19,24,25;61:1,2,3,4; 64:20,21,22;66:1,6; 68:13,17,22;69:13,17, 23;70:3,4,5,6,7,8; 71:15,16,17,21,25;</p>	<p>72:1,2,3,4,5,10;73:8; 74:11,12,13,17,20,22; 75:7,13,14,15,18,23,24, 25;76:1,2,3;80:9; 81:13,15,16;82:7,8,9; 83:22,25;84:18,20,21, 24;85:22;86:18;87:17, 22;88:2,4,6,7,8,9,16,18, 22,24,25;89:10,15,16, 17,18,19,20;91:1,3,5,6, 7,8,9,10 commissioners (11) 3:6;4:18;10:2;35:23; 49:7;57:18;63:13; 70:14;71:13;76:11; 86:20 Commission's (6) 66:9; 73:3;76:21;78:7,8;89:6 committing (1) 40:15 common (1) 12:5 communicate (4) 20:10, 20;35:15;78:5 communicated (2) 23:13;76:20 communicates (1) 35:11 communicating (3) 5:19;15:21;36:20 communication (4) 16:4;18:15;31:10; 39:20 communications (2) 33:16;39:23 communities (1) 29:12 community (8) 4:20; 22:21,22;25:15;40:25; 45:23;46:8;71:1 competencies (1) 38:17 competition (4) 34:9,10, 20;35:19 compliance (4) 52:13; 57:14;71:3;89:3 complied (1) 77:5 comply (1) 57:5 complying (1) 68:8 component (5) 28:20; 31:17;37:5;38:23;39:6 components (1) 12:2 comprehensive (1) 47:24 compromise (1) 68:1 concepts (1) 39:10 concern (1) 58:17 concerned (4) 8:20; 73:14;83:12;85:1 concerns (3) 8:12; 56:12;79:22 concluded (1) 91:14 conduct (2) 11:21; 48:19 conducted (1) 12:13 conference (2) 6:5; 40:12</p>
C				
<p>call (17) 3:4,7;4:5; 12:25;50:9;60:22;70:2; 71:24;75:22;77:8;79:6, 6;80:16,17,17;89:14; 91:4 called (1) 44:10 calls (1) 77:7 came (3) 8:14;58:2; 82:16 campaign (12) 14:19; 21:17;35:25;38:2;39:5; 40:10,24;42:19;76:8; 83:15;86:21;89:4 campaigns (3) 14:3; 38:12;42:20 campus (2) 45:22,24 can (93) 4:19;6:15,21; 7:7;10:24;11:18;12:2; 13:8,12,14,23,24;15:9; 17:2,14,17;18:12,16; 20:2,6,7,19,22;21:8,10, 15,22;22:2,8,16;23:10; 24:16;25:6;26:8,17; 27:21;28:19,25;29:6; 30:8,18;31:5;34:6,6,6; 35:21;39:19;42:17; 44:1,13,14,15,18,25; 45:21,22,23;46:25; 47:5;51:7;52:20;53:17, 19;54:7;55:8,20;56:16; 57:16;58:17;59:13,24; 62:24;63:2,6;5:12,22; 67:22;68:8;74:17; 78:16,25;80:17,17; 81:10,13;83:20;85:9; 86:8;87:3,5,8;88:17; 90:8,10 candidate (13) 15:19; 19:16;24:5,8;26:6; 43:9;51:15;55:13,21; 56:23,25;77:8,8 candidates (25) 7:10, 23;13:16;15:16;17:1;</p>	<p>20:25;24:13;25:4;26:2; 8;29:5,15;37:21;40:14; 43:11,11,13,14;48:20; 54:14,16;58:17;59:22; 77:12;83:17 candidates' (1) 34:10 cap (1) 57:8 Capitol (3) 26:13; 29:10;78:25 caps (1) 55:23 capture (1) 31:13 care (5) 63:4;79:5,7; 88:13,18 case (3) 6:11;18:25; 57:13 category (1) 11:5 center (2) 5:12;44:1 centers (3) 43:25;44:4, 14 certain (4) 19:3;54:15; 83:20;84:16 certainly (6) 28:25; 29:6;35:21;65:12,13; 90:16 Chair (8) 4:12;50:18; 61:5;70:9;72:6;76:4; 89:21;91:11 CHAIRMAN (174) 3:3, 10,12,14,20,21,24;4:8, 10,12,17;6:17,20,23; 7:2,6,12,13;8:2,9,19, 20,23;10:2;16:6,13; 17:12;18:9;19:6;22:4, 5,6,12;26:23;28:12; 31:1;32:12,13;34:1; 35:22,23;43:20,23; 44:24;46:22;47:15; 49:6,9,10,12,16,17,20; 50:1,3,5,7,14,16,18,23; 51:3,5,12;52:25;53:2,3, 5,13,19,23,25;54:2,5; 57:17,20,25;59:16,18; 60:2,5,6,10,13,16,19, 22;61:1,3,5,10,13;63:7, 11,12;64:8,20,21;66:3, 5;68:16,17;69:6,9,13, 16,17,20,24;70:5,7,9, 13;71:11,15,16,20,22; 72:2,4,6,22;73:5,17,22, 25;74:6,10,12;75:8,11, 13,14,17,19,25;76:2,4, 11,15;78:20;80:8,10, 15;81:15;82:7,8;83:22; 84:20;85:5,13,15;86:5, 10,18;87:16,18,20; 88:15,20,23,25;89:8, 11,17,19,21;90:2,17, 21,24;91:4,7,9,11 challenge (2) 18:22; 21:3 Chan (80) 3:8,9,20,21, 22;4:6,7;7:12,13,14; 22:4,5,6,13,15;23:9,14,</p>	<p>16;32;12,13,14;33:21; 43:20,24;44:20,25; 45:4;46:19;49:8,11; 50:2,3,10,11;60:5,6,7, 24,25;64:20,21,22; 66:1,6;68:13,17,22; 69:13,17;70:3,4;71:15, 16,17,25;72:1,10;73:8; 75:13,14,15,23,24; 82:7,8,9;83:23;85:22; 86:18;87:17;88:2,6,8, 24,25;89:15,16,91:1,5, 6 chance (2) 17:10;76:12 change (6) 14:9;18:3; 20:22;37:22;70:19; 88:19 changed (7) 15:2; 18:25;19:21,22;37:14; 88:13,13 changes (1) 65:6 channels (3) 8:9;30:5; 39:21 Chan's (1) 88:16 characterized (1) 81:5 characters (1) 88:13 chart (1) 38:15 child (1) 85:3 circle (1) 51:10 circulated (1) 51:16 citizen (1) 10:17 Citizens (1) 3:5 city (1) 38:11 civically (1) 46:1 claiming (1) 65:9 clarification (2) 60:9; 85:16 clarify (1) 64:3 clarifying (2) 70:20; 72:12 clarity (1) 55:1 class (1) 46:25 classes (2) 47:6,14 classroom (2) 46:12,16 classrooms (1) 46:11 Clean (24) 3:5;12:14; 23:22;25:2;38:9;39:1, 4,5;54:13;56:17,17; 66:14;67:8,9,11;72:17; 75:4;76:20;77:8,11; 78:9;79:25;84:11; 87:14 clear (16) 49:14;56:14, 24;57:11,12,21;58:20, 24;72:17,25;73:1;78:3, 18;79:1;82:6;83:4 clerks (1) 38:11 close (3) 31:23;32:3,4 Coconino (3) 6:6;48:8, 13 collaborating (1) 4:21 collect (1) 49:1 college (1) 19:14</p>	<p>colleges (4) 22:21,22, 24;45:12 COLLINS (53) 4:17; 7:1,5,7;34:1,5,25;35:3, 6;49:13,17;51:2,5,13; 57:24;61:10,14;63:12; 64:10;65:24;66:2,3,5; 68:14,20;69:4;70:13; 72:11,24;73:12,19,23; 74:2,7,15,19,21,23; 75:10;76:11,16;78:24; 80:15;83:22;84:23; 85:13,16,23;86:6,17; 90:3,7,19 combat (1) 37:24 comfortable (1) 62:24 coming-up (1) 81:20 comment (16) 51:17; 59:12;63:19;64:12,13, 22;69:10,12,15,18,25; 86:19;89:23;90:4,7,10 comments (19) 6:17; 7:15;9:20;33:17;58:8, 22;62:13,21;63:21,25; 64:5,24;68:18;69:7; 71:12;82:10;88:16; 89:25;90:22 commercial (2) 27:3; 30:19 commercials (5) 27:9, 21,21;31:8;41:7 Commission (22) 3:5, 17;7:9;10:5;11:16; 38:16;45:7;46:5;58:13; 60:4;63:8;71:7,8; 72:12;73:18;74:3,4; 75:1,3;76:9;77:25;81:8 Commissioner (215) 3:8,9,10,11,12,13,14, 20,21,22;4:2,3,6,7,8,9, 10,11;6:19,20,21;7:4, 12,13,14;8:4;9:9,10; 16:5,6,7,13,18,24;17:4, 9,12,15,21,24;18:4,9, 23;19:7;22:4,5,6,12,15; 23:9,14,16;26:21,23, 24;28:13,16;29:4,14, 19,24;30:4;31:1,19; 32:12,13,14,19,22; 33:10,17,18,21,22; 34:1,3,23;35:1,4; 39:18;43:20,23;44:20, 24;45:4;46:19,20,22, 23;47:15,17;49:8,11, 23,24;50:2,3,6,10,11, 14,15,16,17;53:10,10, 16,17,20,21,24;54:4; 60:5,6,7,14,15,17,17, 19,24,25;61:1,2,3,4; 64:20,21,22;66:1,6; 68:13,17,22;69:13,17, 23;70:3,4,5,6,7,8; 71:15,16,17,21,25;</p>	<p>72:1,2,3,4,5,10;73:8; 74:11,12,13,17,20,22; 75:7,13,14,15,18,23,24, 25;76:1,2,3;80:9; 81:13,15,16;82:7,8,9; 83:22,25;84:18,20,21, 24;85:22;86:18;87:17, 22;88:2,4,6,7,8,9,16,18, 22,24,25;89:10,15,16, 17,18,19,20;91:1,3,5,6, 7,8,9,10 commissioners (11) 3:6;4:18;10:2;35:23; 49:7;57:18;63:13; 70:14;71:13;76:11; 86:20 Commission's (6) 66:9; 73:3;76:21;78:7,8;89:6 committing (1) 40:15 common (1) 12:5 communicate (4) 20:10, 20;35:15;78:5 communicated (2) 23:13;76:20 communicates (1) 35:11 communicating (3) 5:19;15:21;36:20 communication (4) 16:4;18:15;31:10; 39:20 communications (2) 33:16;39:23 communities (1) 29:12 community (8) 4:20; 22:21,22;25:15;40:25; 45:23;46:8;71:1 competencies (1) 38:17 competition (4) 34:9,10, 20;35:19 compliance (4) 52:13; 57:14;71:3;89:3 complied (1) 77:5 comply (1) 57:5 complying (1) 68:8 component (5) 28:20; 31:17;37:5;38:23;39:6 components (1) 12:2 comprehensive (1) 47:24 compromise (1) 68:1 concepts (1) 39:10 concern (1) 58:17 concerned (4) 8:20; 73:14;83:12;85:1 concerns (3) 8:12; 56:12;79:22 concluded (1) 91:14 conduct (2) 11:21; 48:19 conducted (1) 12:13 conference (2) 6:5; 40:12</p>

<p>confirm (1) 51:19 confirmed (1) 58:6 conform (2) 56:1,2 conforms (2) 56:4,5 confuse (1) 17:4 confused (2) 18:5;19:8 confusing (3) 18:13,24; 20:19 congratulate (1) 90:15 congressional (3) 16:18,21;31:25 conjunction (1) 34:24 connect (5) 40:17,24; 41:1,4;46:8 connecting (1) 45:13 consider (1) 45:17 consideration (1) 29:2 considerations (1) 13:2 considering (1) 13:15 consistent (3) 39:14; 52:2;58:18 constant (1) 16:3 constantly (2) 15:25; 25:23 consultation (1) 84:5 consumer (1) 70:21 contact (2) 24:4;59:24 contained (1) 64:6 contested (1) 32:4 context (7) 5:18;35:10; 36:23;58:1;59:3;62:25; 63:13 contexts (1) 34:7 continually (1) 43:7 continue (9) 9:4;14:12; 22:2;24:3;25:20;30:2; 47:22;67:2;85:6 continued (1) 51:18 continues (1) 9:16 continuing (4) 12:11, 20;21:15;80:11 contract (6) 82:1,1,19, 19;83:9;88:14 contribution (11) 55:3,6, 14,15,16,16,18;56:8,9, 19,20 contributions (5) 54:13, 17;55:22,23;56:6 control (1) 26:5 conversation (2) 51:20; 77:13 conversations (2) 36:4, 4 convinced (1) 52:2 copy (1) 6:12 core (1) 38:17 correction (1) 5:4 corrections (1) 3:18 cost (3) 27:18;31:19; 70:24 costly (1) 27:8 costs (2) 30:19;71:3 Council (16) 62:12;</p>	<p>63:2,16,22,24,24;64:1; 65:2,19;66:13,18,19, 20;68:4,9,24 counsel (5) 62:7;77:21; 85:21;89:1,13 counterproductive (2) 68:19;69:5 counties (3) 36:12; 43:25;48:1 country (1) 38:7 County (21) 5:10;23:1; 37:11;38:10;43:15,22, 24;44:1,3,14,18,21; 47:23;48:3,4,4,8,14,16, 18;90:12 couple (5) 30:1;34:7; 58:22;61:25;79:24 course (11) 4:24;15:1, 20;19:15,19;31:7;37:8; 56:15;59:24;79:23; 83:13 cover (1) 4:18 coverage (1) 28:23 covers (1) 29:13 create (1) 24:9 created (3) 5:23;41:8; 58:7 creating (1) 59:8 critical (3) 15:11;38:23; 84:4 Cruz (1) 48:18 current (3) 61:19; 66:19;79:14 currently (1) 16:16 curriculum (1) 46:15 customized (1) 43:6 cut (3) 6:24;40:21; 41:25 cuts (2) 41:8;42:22 cyber (1) 37:6 cycle (4) 11:15;42:3; 59:7;71:10</p>	<p>64:25;81:12;82:14 dealt (1) 13:10 debate (8) 26:5,20; 29:23;30:6;31:22;32:6, 9;33:25 debates (27) 14:19; 15:4;24:23,24;25:2,6, 12,15,23;26:25;27:19, 23;28:2,19,21;30:17; 31:6;32:8,11;33:7,8,9; 34:16;35:5;39:16;42:5; 45:23 December (3) 3:4;5:12; 6:14 decide (1) 85:9 decided (1) 86:22 decision (1) 82:17 decisions (1) 10:14 dedicate (1) 31:15 dedicated (1) 5:21 deep (1) 59:6 deeply (1) 65:21 defenses (1) 84:9 defer (1) 65:15 defined (2) 56:9,11 defines (1) 56:18 definition (3) 56:20,21; 72:22 del (1) 29:10 deliverables (2) 80:23; 88:21 Democrat (2) 17:19,22 Democratic (4) 15:9; 17:11,13,14 Democrats (1) 15:9 demographic (2) 32:19, 20 demographics (1) 40:2 demonstration (1) 48:10 depending (1) 36:25 designed (1) 76:24 desk (1) 80:18 detail (2) 10:8;14:22 develop (2) 5:2;42:4 developed (1) 48:5 developing (3) 25:14; 45:9,15 dial (1) 24:21 dialogue (1) 26:2 Diamond (1) 87:24 diem (1) 9:6 difference (4) 5:18; 16:2;27:17;87:23 differences (1) 17:8 different (26) 12:2; 28:15,22;30:22;34:7, 20,21,21;36:25;37:4,5; 40:1,3;41:16,16;42:1, 7;43:24;48:25;50:25; 51:16;54:18;57:9;62:3; 66:16,19 difficult (1) 82:16</p>	<p>difficulties (1) 7:23 digital (1) 31:9 direct (2) 68:3;71:3 direction (2) 65:18;68:2 directions (1) 10:15 directly (3) 34:17; 40:25;46:8 director (5) 7:9;76:18; 78:2,6;81:5 director's (4) 4:15;6:18; 9:21;14:21 directs (1) 56:23 disagreement (1) 74:16 disasters (1) 36:13 discrepancy (1) 77:9 discuss (2) 51:3;79:4 discussed (3) 58:6; 70:17;84:13 discussing (1) 18:12 Discussion (9) 3:16; 4:14;9:24;50:23;60:20; 70:11;76:6;79:13; 87:21 discussions (3) 80:11, 14;85:11 disingenuous (1) 8:15 disinterested (1) 13:9 disparage (1) 88:2 displaying (1) 43:14 disputes (1) 72:16 disrespect (2) 65:11; 68:24 dissolve (1) 82:22 distress (1) 13:12 District (3) 16:21;29:12; 30:1 districts (4) 15:20; 19:19;25:9;30:22 diverse (1) 40:5 DOA (1) 78:22 documentation (1) 85:19 dominated (1) 35:12 done (4) 8:25;42:19; 47:25;62:2 down (3) 23:17;48:24; 63:11 downshift (1) 88:11 downtown (2) 22:10,20 draft (1) 54:25 draw (1) 26:8 drawing (1) 15:15 drive (1) 25:20 drives (1) 45:21 driving (1) 43:1 due (1) 85:4 during (2) 36:10;90:18 duties (1) 38:24 duty (2) 8:1;9:16</p>	<p>earlier (3) 15:4;32:9; 79:13 early (3) 48:11;55:6,16 earworm (2) 42:8,15 easier (2) 27:13;53:14 easily (2) 13:18;14:1 easy (1) 54:24 eat (1) 54:6 economic (1) 70:22 editor (1) 29:9 educate (1) 48:8 education (28) 4:23; 5:15;9:25;10:3,6,11,11, 14;11:20;12:13;14:10, 18;17:7;21:13;23:20; 24:24;36:18;37:8,19, 23;38:2,20,25;39:6,7; 48:17;50:4,8 educators (1) 45:10 effective (21) 27:8; 70:17;71:9;72:9,13,14, 15,18,18,21;73:13,15, 20;74:1,5,7,8;75:12,16, 21;78:14 effort (3) 13:3;22:1; 69:1 efforts (5) 17:7;31:4; 37:6;39:19;45:7 either (4) 21:9;22:18; 32:2;80:22 elected (1) 17:2 election (63) 5:1;6:12; 11:10,12,15;14:17,20, 25;15:2,10,18,24;16:1, 2;17:2,14;18:11;19:10, 23;20:11,12,13,21,21; 21:1;24:1;31:23;32:3; 35:12,13,13;36:1,1,2,3, 9,13,14,14,19,22,24; 37:1,5,11;38:3,4,5,7, 10,16,18,22;40:14; 41:4;42:3;59:7;67:7; 71:1,10;81:21;82:23; 90:12 Elections (38) 3:5;6:1; 12:14;14:4,7,9,23,24; 18:3;19:16,22;20:14; 23:22;25:2;28:6;37:9, 10,13,14,17,23,25; 38:10;39:1,4;56:17,17; 66:15;67:8,9,11;72:17; 75:4;76:20;78:9;80:1; 84:12;87:14 electoral (1) 19:14 electors (2) 19:12,13 eligible (1) 15:13 eliminate (1) 58:11 eliminating (1) 57:21 else (2) 16:22;79:6 email (2) 77:14,14 emailed (1) 7:8 emails (2) 7:8;51:20 emphasize (1) 27:10</p>
D				
<p>Dashboard (4) 42:6,25; 43:4;44:22 data (5) 43:9;45:1; 48:25;49:1;79:9 databases (1) 33:11 date (3) 15:2;30:20; 75:5 dated (1) 64:6 dates (1) 14:4 day (2) 36:14,15 days (3) 5:7;64:4;69:12 deadline (2) 17:20; 80:13 deadlines (3) 14:7; 29:3;84:1 deal (5) 34:24;61:8; 64:23;65:13;82:25 dealing (4) 62:11;</p>				
E				
			<p>eager (1) 4:23</p>	

<p>encourage (5) 10:17; 12:23;26:2;38:3,8 encouraging (1) 12:17 end (1) 46:3 ended (1) 84:7 endgame (5) 80:13,22; 81:8,8,10 endless (2) 80:14; 85:11 ends (2) 46:4;67:23 engaged (2) 45:14; 46:1 English (2) 24:17;41:11 enormous (1) 4:25 enough (2) 27:22; 30:17 ensure (3) 48:23; 77:23;81:10 ensuring (2) 37:12; 59:14 entire (1) 56:25 entirety (3) 52:11; 55:12;75:2 entities (2) 4:22;70:25 entity (1) 34:19 enumerated (1) 50:25 envelope (1) 48:12 envision (1) 80:19 equal (2) 26:6;38:20 equipment (2) 37:7; 48:9 especially (3) 5:19; 35:10;59:6 essentially (3) 6:11; 44:10;54:22 Even (10) 18:16;29:22; 32:18;56:16,22;57:11; 64:23;81:4,16;84:12 evening (1) 31:15 event (2) 36:15;73:12 events (2) 23:2,5 everybody (5) 15:12; 20:6;58:25;59:14; 61:11 everyone (1) 72:23 evidence (1) 77:4 example (2) 34:15; 47:24 examples (1) 41:7 exceed (4) 55:4,18,18, 21 exchanged (1) 7:8 excited (1) 42:19 exciting (1) 90:13 Excuse (18) 4:13;10:4, 19;13:13;14:2;15:17; 19:23;22:17;24:18; 25:1,16;26:11;31:9; 37:4;38:6;42:1;45:9; 48:19 execute (1) 12:12 executive (8) 4:15; 6:18;9:21;14:21;65:4;</p>	<p>78:1,6;81:5 exercise (1) 36:6 exercises (1) 36:10 exhausted (1) 68:1 exist (5) 16:23;78:23; 79:17,20;88:5 expand (3) 6:21;25:8; 29:1 expanding (1) 4:22 expect (2) 9:4;23:23 expecting (1) 11:13 expenditure (3) 55:4; 56:19,21 experience (2) 43:8; 65:4 expert (1) 65:9 expires (1) 8:4 expiring (1) 8:3 explain (5) 17:8;18:13, 17;59:21;76:23 explanation (1) 71:4 explicitly (1) 56:22 expressed (1) 64:2 expressing (2) 11:19; 12:22 extends (1) 17:25 extent (5) 52:17;55:23; 58:11;62:14;85:17 extra (1) 83:7 extraordinary (1) 6:7 extremely (2) 8:20;41:8</p>	<p>68:22 few (4) 7:14;22:23; 42:15;56:12 fight (4) 74:18,19,21; 75:5 fighting (1) 50:20 figure (2) 18:14;35:20 file (1) 77:12 filed (3) 6:8,9;66:10 filing (1) 86:4 fill (4) 8:10;9:16;48:11; 55:8 filled (1) 54:23 film (1) 29:9 filming (2) 42:10;48:7 filter (2) 43:9,13 final (5) 35:25;41:9; 42:22;71:7,19 finance (5) 39:5;76:8; 83:15;86:21;89:5 find (6) 9:15;12:3,7; 41:3;43:17;65:15 finding (2) 7:23;13:5 findings (1) 11:24 first (9) 41:10;50:11; 54:23;58:3;62:1;63:17; 66:9;71:7;83:23 five (4) 14:23;46:25; 62:10;67:11 five-year (3) 9:3;66:9,9 flexible (1) 87:8 Flight (2) 21:17;40:24 flushing (1) 46:6 focus (3) 11:22;13:21, 22 focusing (2) 14:4,10 folks (4) 4:21;24:21; 51:7;79:11 following (2) 77:7; 86:13 follow-up (2) 77:13,14 foreign (1) 37:15 forget (1) 85:2 form (2) 65:6;83:3 formal (1) 78:14 format (2) 25:21;26:1 Former (1) 51:18 forms (2) 51:16;62:4 forth (4) 26:3;37:8; 52:13;55:4 fortify (1) 36:14 forward (3) 59:13;63:3; 64:13 fostering (1) 25:14 found (6) 7:17;21:25; 29:8;33:7;36:17;41:22 four (9) 24:1;50:19,25; 61:6;70:10;72:7;73:7; 76:5;89:22 frame (3) 15:4;22:14; 23:18 frankly (2) 9:3;86:20 free (1) 59:24</p>	<p>freelancing (1) 81:6 Friday (1) 48:7 Fridays (1) 47:20 friendly (1) 21:20 front (2) 46:5;66:18 frustration (1) 21:2 fulfill (2) 7:25;9:16 full (2) 9:1;29:22 fully (1) 65:3 functionality (2) 83:19, 21 fund (3) 52:10;76:21; 80:1 fundamental (1) 74:15 funding (1) 39:5 funds (2) 55:3,17 fungible (1) 86:24 further (2) 22:2;79:16</p>	<p>grateful (2) 43:19;62:7 great (15) 21:25;22:13; 23:4;24:12;25:7;31:2; 32:22,24;37:11,11; 39:24;42:19;45:10; 47:21;65:12 greatest (1) 37:24 greatly (1) 64:25 Green (3) 11:2;53:24, 25 grid (1) 38:21 group (3) 10:25;13:22; 14:13 groups (3) 11:4,22; 13:21 GRRRC (12) 61:20,21; 62:2;64:25;65:2,5,17, 22;67:10;72:16;74:14, 16 GRRC's (1) 66:11 guess (6) 8:7;18:23; 19:8;30:16;86:24; 90:18 guidance (3) 52:16; 58:19;59:8 Guide (12) 14:18;15:5; 23:20,21;24:3,8,11,15, 24;39:16;42:5;43:10 guides (2) 45:24;48:5 guys (3) 6:15;33:12; 54:7</p>
F		G		
<p>face (2) 18:16,16 Facebook (6) 22:8,9; 23:18;32:16;33:4,12 fact (7) 8:2,20;10:16; 56:16;67:12;68:5,25 factors (1) 34:22 factual (1) 13:6 fails (1) 72:20 fair (3) 21:7;37:12; 80:16 fairly (1) 62:13 faith (1) 80:6 fall (2) 10:13,15 falling (1) 11:4 far (8) 23:5;26:19; 28:24;32:22;39:1,12; 42:24;81:20 fast (2) 27:3,5 February (1) 17:19 federal (5) 15:19;16:9, 15;17:19;28:6 feedback (5) 24:10; 31:2;35:24;63:16,18 feel (11) 8:12;11:19; 33:1;42:13;54:9;59:24; 65:14;68:10,22;81:16; 86:20 feeling (2) 7:17;13:11 felt (4) 8:11;33:9,10;</p>	<p>H</p>	<p>garner (1) 28:22 general (7) 11:12;15:1; 17:1;19:10;20:6;21:1; 41:17 General's (2) 51:23; 67:6 generate (1) 29:11 gentleman (3) 41:6,21; 42:12 genuine (1) 62:17 genuinely (1) 62:24 gerrymandering (1) 32:1 gets (2) 20:18;61:11 Gina (9) 4:24;5:7,17; 10:1;22:6;35:22;43:21; 50:12,20 Gina's (1) 5:16 given (2) 63:24,25 gives (1) 35:14 gloss (1) 30:15 goal (6) 10:19;25:22; 29:21;38:8;42:9,17 goals (6) 10:9;12:23; 26:20;39:8,11;43:7 goes (4) 15:5;23:6; 39:1,18 Good (9) 3:3;6:3;10:3; 18:21;47:3;61:24;62:2; 80:6,9 government (4) 47:6, 13;65:5;76:18 Governor (3) 7:25;9:13, 15 Governors (2) 5:5;36:8 Governor's (10) 6:14, 22;7:8,16,25;8:18,24; 61:20;62:11;65:19 Graham (1) 48:4 grand (1) 83:7 grassroots (3) 25:12, 12;45:8</p>	<p>habit (1) 14:14 hacker (1) 37:2 half (1) 81:22 hand (3) 47:5;62:19; 67:21 handful (1) 25:7 handle (1) 51:4 happened (2) 8:15; 55:1 happening (3) 30:20; 32:8;40:19 happy (6) 47:7;49:4; 64:19;83:1;87:5,6 hard (2) 18:16;47:3 hash (1) 38:5 head (6) 30:25;31:3; 34:12,12;42:11,16 health (1) 50:21 hear (10) 5:16;21:1,9; 25:4;32:23;42:15; 53:12,14,18,19 heard (3) 8:9;27:2; 53:21 hearing (2) 27:24;45:6 held (3) 9:9;36:5,9 Hello (1) 54:1 help (4) 25:14;28:20; 39:10;64:3 helped (1) 29:11</p>	

<p>helpful (1) 73:19 helping (4) 5:2;12:12; 39:25;62:3 here's (6) 20:11,12,13; 29:12;32:7;35:1 hey (1) 32:6 high (3) 23:3;28:8; 45:11 higher (2) 11:11,14 highlight (10) 11:9; 12:9;13:7;20:16;21:16; 29:22;30:6;38:15;43:3; 76:16 highlighting (1) 38:17 highlights (2) 6:16; 13:25 highly (1) 32:4 hinder (1) 64:3 historical (1) 58:18 historically (2) 11:16; 37:18 hit (4) 6:16;27:22;31:3; 42:2 hitting (1) 31:10 Hobbs (3) 9:8;82:24; 83:5 Hobbs' (1) 82:13 holding (1) 16:16 holdover (2) 9:2,10 holdovers (2) 8:6;9:4 holidays (1) 73:15 homework (1) 85:4 honest (2) 69:5;72:16 honesty (1) 66:6 honor (1) 46:5 hope (2) 68:18;76:12 hopefully (3) 28:22; 41:12;77:25 host (1) 45:21 hot (1) 36:2 hours (1) 80:3 household (1) 23:24 hundred (1) 30:1 hybrids (1) 44:2</p>	<p>impede (1) 73:2 important (9) 5:8;7:24; 36:22;65:14;68:10,23; 78:1,17;81:7 improve (1) 25:11 improvements (3) 21:19;48:23;49:2 improving (1) 43:8 inadequate (1) 12:1 in-app (1) 21:21 incidentally (1) 77:15 inclined (2) 45:25; 46:15 include (1) 77:6 included (2) 10:6;77:2 includes (3) 14:24; 18:18;85:21 including (1) 50:24 incorrect (1) 67:16 incorrectly (1) 74:24 increase (1) 31:6 incredible (1) 5:11 incredibly (1) 5:9 incumbent (1) 7:24 Independent (11) 10:25;11:5;14:8,11; 18:2;19:20,23;21:4,7,9, 13 Independents (6) 17:10,16;18:1;19:25; 20:7,17 individual (2) 55:13; 56:6 individuals (2) 57:6,7 influence (1) 37:15 info (1) 38:6 inform (1) 45:22 information (26) 5:20; 7:11;8:18;11:8;12:3,4, 7;13:5,18;14:2,11; 24:4,6,25;26:9;38:3,9; 40:3;43:3,6,17;44:2,6, 8,11;46:13 informative (1) 36:17 informed (3) 12:8; 26:10;45:14 informing (1) 45:13 input (1) 32:22 insofar (1) 70:19 Instagram (2) 33:2,2 installations (1) 22:23 instance (1) 67:3 instead (1) 87:4 instill (1) 14:14 insulting (1) 62:15 intent (1) 79:2 Interagency (3) 76:9, 24;89:3 interest (2) 29:11;51:6 interested (6) 6:12; 22:24;30:24;59:22; 73:13;86:12 interference (1) 37:15</p>	<p>interim (1) 86:7 internally (1) 49:1 interpretation (1) 55:10 interpreted (1) 67:14 interrupt (1) 43:21 interrupting (1) 53:11 into (16) 7:18;11:4; 17:2;24:21;29:2,6; 38:14;40:13;46:8,16; 50:12;65:13;69:1;80:3; 83:6;85:11 inverse (1) 58:5 invest (1) 82:16 invested (1) 11:17 investigation (2) 70:12; 71:18 investigative (2) 70:19; 71:4 inviting (2) 41:23;46:16 involve (1) 85:19 involved (2) 35:14;71:1 isolation (1) 55:10 issue (12) 13:11;19:2; 34:9;52:7;58:2,7; 77:24;78:8;79:12; 82:12;83:11,11 issued (1) 79:23 issues (24) 5:2,19,25; 13:1,15,24;26:10; 27:15;36:21;37:22; 50:21;51:6;59:9;62:11; 63:6;64:25;66:17,24; 68:8;73:2;78:8;79:9; 81:12;82:11 Item (15) 3:16;4:14; 9:24;50:23;51:9,14; 63:8;64:11,16,17;69:7; 70:11;76:6;87:21; 89:23 items (2) 50:25;51:8 IV (1) 9:24</p>	<p>17:54;1,3,6;59:16,19 keep (1) 33:8 Ken (1) 36:16 key (5) 11:23;13:7; 14:4;36:19;83:16 kick (1) 15:4 kids (1) 47:10 KIMBLE (126) 3:3,10, 12,14,14,21,24;4:3,8, 10,12;6:17,20,23;7:2,6, 13;9:20,23;16:6;22:5; 26:23;32:13;35:22; 46:22;49:6,10,12,16, 20;50:1,5,7,14,16,18, 23;51:3,12;53:2,5,13, 19,23,25;54:2,5;57:17, 20;59:18;60:2,6,13,16, 19,22;61:1,3,5,13;63:7, 11;64:8,21;66:3;68:16; 69:6,9,16,20,24;70:5,7, 9;71:11,16,20,22;72:2, 4,6,22;73:5,17,22,25; 74:6,10,12;75:8,11,14, 17,19,25;76:2,4,15; 78:20;80:8,10;81:15; 82:8;84:20;85:5,15; 86:5,10;87:16,20; 88:15,20,23;89:8,11, 17,19,21;90:2,17,21, 24;91:4,7,9,11 kind (23) 4:23;5:21; 10:20;11:20;13:4; 27:12,15;28:4,16;30:6, 15;32:10;38:24;39:10; 41:25;47:5;51:20; 52:24;76:16;80:13; 81:22;86:7;87:5 kinds (3) 62:21;70:24; 73:2 knew (1) 27:4 knowing (3) 29:2;40:1, 2 knowledge (3) 12:1; 77:3,18 knowledgeable (2) 12:7;26:7 known (1) 23:22 knows (4) 44:16;58:25; 59:1;81:11 KTNN (1) 48:14</p>	<p>58:8;66:9;67:10;70:18; 78:12;79:24 later (2) 6:6,6 latter (1) 58:5 launch (3) 5:9,11;48:17 launched (1) 38:2 law (8) 16:3;19:1,4; 67:20;76:24;77:2; 84:17;90:20 laws (1) 89:6 lawsuit (1) 86:4 lawyers (1) 81:25 lay (1) 10:20 leading (1) 36:13 League (2) 8:21,23 learn (1) 37:21 learned (1) 61:20 learning (1) 25:23 least (9) 17:10;19:2; 30:9,22;32:3;59:4,10; 62:6;86:1 leaves (1) 56:18 left (3) 75:1;84:6,7 legal (6) 6:9;52:19; 66:24;68:7;74:15;78:8 legalese (1) 56:3 legally (2) 59:12;82:21 legislative (3) 4:15; 24:5,13 legislature (1) 15:3 less (2) 26:1;62:20 letter (1) 63:5 letting (1) 25:13 level (3) 35:16;43:12; 85:10 lifelong (1) 14:14 likely (1) 45:2 limit (1) 81:18 limits (5) 52:10,13;55:4, 18;57:5 lines (1) 5:3 list (2) 44:15;47:24 listed (1) 15:17 listen (2) 27:11;32:17 listener (1) 27:13 listens (1) 32:20 literal (1) 73:3 little (14) 7:17;10:7; 14:22;18:5;20:18;28:2; 30:9;32:9,16;39:2; 42:13;57:25;83:12; 84:7 live (5) 25:5,17;27:15; 30:3;44:21 lives (1) 13:15 loan (12) 54:22;55:9, 14,14,20;56:7,7,14,25; 57:6;58:14,24 loans (8) 51:15;52:10; 55:3,17,21;58:12,18,23 local (21) 14:24;15:20; 19:18,19;20:4,14;28:2; 30:5,10;32:7,8,17,21;</p>
<p style="text-align: center;">I</p> <p>ID (1) 48:12 idea (4) 22:13;30:14; 41:9,17 identification (1) 80:3 identify (3) 11:18; 27:13;84:5 IGA (1) 82:16 ignore (1) 78:19 II (1) 3:16 III (1) 4:14 illustrate (1) 41:20 immediately (12) 70:17; 71:9;72:9,14,14,18,19; 73:14;74:7;75:9,16,21 impact (2) 20:24;70:22 impacted (1) 37:17</p>	<p style="text-align: center;">J</p> <p>January (13) 61:22; 72:15,21;73:16,21; 74:1,8,18,19,21;75:5; 84:23;85:8 job (5) 7:24;37:11; 62:3;65:3,22 joint (2) 83:15,20 jointly (1) 77:16 Joseph (1) 90:11 judges (1) 19:18 jumping (1) 38:14 justices (1) 19:18</p> <p style="text-align: center;">K</p> <p>Kara (6) 52:20;53:1,2; 58:5;59:18;60:7 Kara's (1) 58:1 KARLSON (8) 53:3,6,</p>	<p style="text-align: center;">L</p> <p>LA (1) 90:6 land (1) 10:21 landed (2) 54:11,11 lane (2) 65:1,11 language (10) 48:15; 51:25;52:2,3,12;54:21; 55:2;56:14;68:3;73:3 large (1) 24:19 largest (2) 11:1;19:24 last (9) 6:24;7:18;28:7;</p>	<p style="text-align: center;">L</p>	<p style="text-align: center;">L</p>

<p>35:2,4;38:5,11;43:9,11;45:18;48:20 location (5) 22:20;43:6,14;44:5,17 locations (2) 43:25;44:13 loggerheads (1) 66:24 logistics (3) 14:5;24:7;37:19 long (7) 8:1;9:3,17;27:9;30:19;46:3;47:19 longer (1) 27:20 look (17) 5:25;21:15,17;28:25;29:6;34:5,6;35:20,21;37:4;43:16;46:7;51:25;53:7;55:8,12;70:21 looked (1) 55:2 looking (14) 11:21;12:3,8;15:3;21:19,22;24:16;26:4,33;40:23;41:24;42:14;43:11;57:16 looks (3) 6:24;41:10;64:15 loss (1) 5:11 lost (1) 8:3 lot (14) 17:5,7;23:4;29:25;31:24;33:5,23;40:15,20;45:10,11;47:1,6;48:25 loud (1) 54:8 lowering (1) 71:2 luck (1) 87:14 Luige (1) 29:10</p>	<p>matters (3) 6:9;38:25;76:7 may (18) 7:22;16:10;30:8,13;32:25;44:23;45:25;55:13,13;57:25;59:16;67:14,15;84:9,12;85:13;86:1;90:4 maybe (17) 8:12,17,19,19;26:3;27:8;28:9;30:4;31:12;32:5,8;34:18,23;46:3;47:13;65:2,10 McCain's (1) 16:20 McSally (1) 16:16 mean (34) 5:4;6:4;16:9;18:5,23;27:17;30:9,21;32:1,34;4;35:6;47:6,9;52:18;62:15,16;65:11;66:2,6,24;67:9;68:5,14,24;74:17;79:24;81:17;83:9;84:1,13;86:19;87:1,24,25 meaning (1) 38:4 means (6) 15:9;18:22;36:24;41:5;47:23;79:18 meant (1) 23:6 measures (2) 19:17,18 media (7) 18:19;31:7;37:15;39:13,24;40:5;43:1 meet (5) 14:15;25:5;29:18;39:8;88:17 meeting (22) 3:4,17;4:21;7:2;45:7;51:17;58:8;59:21;61:22;62:6;70:18;72:23;76:17,17,18;85:8;86:2;90:9,14,18,19;91:2 meetings (5) 5:7;56:13;62:1,66:16;67:14 meets (1) 46:14 Member (5) 63:22;64:1;65:2;68:25;89:24 members (7) 8:5,6;60:3;61:10;63:8,24;68:9 memo (6) 61:18;64:6;76:12;77:20;78:4;82:11 mention (3) 11:2;29:7;32:15 mentioned (8) 13:23;19:21,24;23:19;36:5;42:24;43:10;48:2 message (4) 15:11;23:12;31:11;86:11 messages (1) 42:1 met (3) 13:25;59:10,11 methods (2) 18:15;31:10 Meyer (32) 3:12,13;</p>	<p>4:10,11;9:9,11;49:23,24;50:16,17;53:10,11,16,17,20,21;54:4;60:15,17,18;61:3,4;70:7,8;72:4,5;76:2,3;89:19,20;91:9,10 mic (1) 54:6 middle (2) 71:10;86:14 might (1) 85:6 Mike (1) 79:13 million (3) 10:23;24:1;39:15 mind (1) 53:4 minute (1) 27:9 minutes (7) 3:17,19,23,25;4:13;30:15;47:1 mis- (1) 62:19 misinformation (2) 37:16,25 misreported (1) 18:20 mission (1) 12:16 mobile (2) 5:12;48:3 mock (1) 36:12 model (1) 54:25 moderators (5) 26:4,7,15,16,19 moment (3) 61:25;62:9;90:15 Monday (1) 36:6 money (29) 34:20;40:15;54:12,14,15,19;55:5;57:1;76:8;77:6;78:22;79:3,6,9,11,20;80:24;81:19,20;82:4,12,16;83:7;86:24;87:2,3,7;88:12;89:4 monies (6) 55:7,14;56:7,8,9,11 month (4) 7:19,21;8:3;15:6 months (5) 8:8,23;58:22;79:24;84:25 moon (1) 81:21 more (31) 5:16;6:2;10:8;14:22;22:24;26:2,9,24;27:8,8,21,23;29:21;30:23;32:17,18,20;42:18;46:15;55:12;56:7,8,11;57:25;63:1;71:3;84:4,7,9;86:19;87:12 morning (3) 3:3;7:16;10:3 most (11) 5:14,15;20:5,17;23:22;27:6;31:5;33:8;39:25;57:12;59:11 Motion (21) 3:24;49:8;50:19;60:20;61:6;69:10,14,20;70:10;72:7,10,20;73:9,9;76:5;78:2;83:1;87:19;88:24;89:22;90:25</p>	<p>motions (1) 73:11 move (12) 3:22;50:3;51:8;59:13;60:10;63:3;65:23;69:18;71:17;75:15;89:1;91:1 moved (7) 4:3;15:3;50:7;69:24;71:22;75:19;89:11 moving (3) 53:13;63:1;84:2 Mrs (1) 82:2 much (9) 13:3,3;30:19;32:1,16;33:19;39:22;40:7;50:12 multiple (1) 24:17 mural (4) 21:16;22:9,17,25 music (1) 41:5 myself (6) 7:17;8:5,18;32:21;77:21;81:12</p>	<p>nominate (1) 17:1 none (1) 90:10 non-partisan (1) 20:4 non-threatening (1) 41:23 Nor (3) 75:8;80:2,3 Northwest (1) 30:8 note (1) 23:18 noted (2) 61:18;66:25 notes (1) 26:9 November (1) 3:17 nowhere (1) 41:9 number (8) 11:25;24:10,22;28:8;55:22;56:18;63:4,8</p>
O				
<p>objections (2) 68:7,7 observations (1) 66:7 obviously (13) 11:10;14:4;27:7;33:20;37:6;43:2;64:19;66:12;69:1;78:18;79:4;83:17;84:25 occasion (1) 62:13 occurring (2) 20:14;25:16 off (3) 15:5;30:24;44:7 offended (1) 62:18 offhand (1) 35:7 Office (35) 5:1,10;6:14,22;8:18,24;9:12;15:14;16:10;17:3;24:5;36:5,11;45:2;51:23;67:6;76:7,10,19;78:18;79:2,14,15,20;80:12,24;81:4,24;82:2;84:22;85:7;86:12,16;89:13;90:12 officer (1) 36:16 offices (4) 16:9,15;38:10;54:16 official (6) 36:19;37:1;38:4,9,18,23 officials (6) 18:11;36:2;37:11;38:4,5,7 often (5) 15:22;21:1,9;28:14;43:11 once (1) 42:22 on-demand (1) 25:19 one (35) 5:4,14;8:3;11:25;13:20;15:8,21;19:7;20:16;24:10;28:7,13;29:7;31:24,25;34:18;36:17;37:23;42:20;43:4,5;47:9,11;49:13,21;51:24;58:9;59:4,10;62:24;72:11;75:11;81:9;82:11;86:19 ones (5) 32:2,7,10;66:10;78:9</p>				

<p>one-third (1) 18:6 one-week (1) 28:2 online (3) 24:16,24; 32:24 only (10) 8:5;15:7,9; 17:14,17;43:22;47:7; 85:16,17;86:10 op-eds (1) 28:1 open (7) 16:2;59:21; 69:10,18,25;84:7; 90:19 opened (1) 60:11 opening (1) 69:14 opportunities (1) 29:1 opportunity (9) 9:8; 25:4;31:5,17;36:7; 40:8,24;41:3;83:14 option (1) 59:1 options (1) 59:4 order (8) 3:4;15:15,17; 51:24;72:13;77:22; 81:1;86:7 others (1) 71:1 ours (1) 76:25 ourselves (1) 9:15 out (35) 4:21;7:15; 11:24;13:1,21;14:1; 15:5,11;16:4;18:14; 22:22;23:21,25;25:4; 29:17;31:11,15;33:8; 34:4;35:20;37:16,25; 38:16;42:10,16;44:12; 45:11;46:6;47:5,18; 51:19;52:17;63:19; 87:12,14 outlets (1) 28:22 outreach (7) 4:20;5:12; 14:13;23:2;25:12;45:9; 48:3 outside (2) 65:1,10 outstanding (1) 6:9 over (12) 13:10;14:21; 19:11;27:3;30:15; 32:15;33:4;37:14;75:5; 79:23;81:24;90:9 overarching (1) 61:17 overlay (1) 22:8 overlays (3) 21:22; 22:11;23:6 overwhelmed (2) 13:8; 40:20 own (4) 27:24;67:13; 78:7;81:3</p>	<p>part (7) 20:5;34:24; 42:12;59:19;72:25; 84:6;85:20 participate (10) 11:19; 17:14,17;20:1,18,19, 22;21:10;25:24;31:15 participated (1) 5:7 participating (3) 15:8; 21:12;51:15 participation (5) 10:17; 12:17,24;31:6;35:12 particular (1) 67:3 partisan (3) 20:3,23; 21:3 partner (7) 12:12,15; 24:19;26:13;28:21; 45:18;86:23 partnering (1) 48:13 partners (7) 18:21; 23:1,25;13;36:19; 39:24;42:17;47:23 partnership (8) 6:5; 27:25;35:9,11;43:15; 44:18;45:1;48:8 partnerships (2) 35:20; 45:10 Party (9) 11:2;15:8,9; 17:17;19:3;20:23,25; 32:2;37:2 passed (1) 63:15 passes (1) 76:5 past (10) 8:8;11:7,17; 18:12;49:14,17;62:10, 21;67:14;68:3 pasted (1) 6:24 pat (1) 85:24 path (2) 12:19,21 Paton (97) 3:10,11;4:2, 8,9;6:19,20,21;7:4;8:4; 16:5,6,7,14,18,24;17:4, 9,13,15,21,24;18:4,10, 23;19:7;26:21,23,24; 28:13,16;29:4,14,19, 24;30:4;31:2,19;32:19, 22;33:18,22;34:2,3,23; 35:1,4;39:18;46:20,22, 23;47:16,17;50:6,14, 15;53:24;60:14,19; 61:1,2;69:23;70:5,6; 71:21;72:2,3;74:11,12, 13,17,20,22;75:7,18, 25;76:1;80:9;81:13,15, 16;84:18,20,21,24; 87:22;88:4,7,9,18,22; 89:10,17,18;91:3,7,8 Paton's (2) 33:17;84:1 pay (1) 83:8 paying (1) 27:6 payment (1) 89:6 PBS (2) 34:16,17 pending (1) 61:19 people (30) 17:5;18:6; 19:1;23:23;26:25;27:1,</p>	<p>6,19,22,23;28:5,9,10; 29:21;30:10,11,18,23; 31:22,24;33:1,3,22; 35:15;43:1;47:8;53:7; 54:8;74:14;88:13 per (1) 9:6 percent (4) 11:12;28:5, 7,10 perception (3) 37:14, 17,22 perfect (1) 60:8 performing (1) 38:24 perhaps (4) 46:6;65:7, 10;83:6 period (3) 20:10;69:10, 25 permit (1) 52:24 permitted (1) 52:25 person (4) 7:16;22:17; 33:1;47:9 persona (2) 41:22,25 personal (9) 54:15; 55:3,7,14,17;56:7,8,9, 11 personally (2) 7:15; 66:17 person's (1) 44:7 perspective (5) 33:15; 35:10;36:23;37:4;63:5 persuasive (1) 84:10 Phoenix (1) 22:10 phone (2) 3:6;80:18 photo (2) 22:9,18 photographs (1) 24:4 physical (2) 22:20;37:7 physically (1) 31:14 pick (3) 21:2;74:14; 75:11 picking (1) 20:23 pie (2) 38:15,20 pieces (1) 24:1 pilot (2) 25:6;45:16 Pinal (4) 5:10;6:5; 44:21;48:2 ping (1) 44:11 place (9) 8:19;19:5,17; 43:18;44:13,23;66:23; 67:22,25 places (2) 44:4,15 plain (1) 24:18 Plan (21) 9:25;10:4,11, 11;12:13;25:5;27:22; 30:18;31:7;33:16; 38:14;39:8,11,23;40:5; 47:17;48:3,17,17;50:4, 8 plans (4) 5:2;10:8,19; 49:18 plaque (1) 46:5 platforms (1) 33:5 play (2) 34:21;42:12 playing (2) 41:14,18 please (1) 61:11</p>	<p>plenty (1) 8:24 podium (2) 53:6,14 point (16) 16:4;23:21; 28:17;39:19;52:6; 58:16,21;72:12;79:7; 84:3,16;85:9,17;86:10; 87:13,23 pointed (1) 13:25 points (2) 13:7;48:25 Policy (3) 5:6;36:7; 65:18 political (7) 10:18,24; 12:24;15:8;17:17;37:2; 40:16 polling (6) 43:18;44:3, 5,13,15,23 polls (1) 48:9 popping (1) 23:8 pop-up (1) 23:1 portable (1) 22:25 portion (1) 21:20 portions (1) 26:5 position (11) 8:10;9:9; 66:20;77:23;79:4,16; 81:1;85:24;86:8;90:11, 15 positions (3) 9:5,5,6 possible (12) 3:16; 4:14;9:24;31:20;33:24; 34:2;50:24;70:11;76:6; 77:23;86:9;89:7 possibly (1) 25:6 post (2) 23:11;25:19 pots (1) 54:12 powers (1) 66:20 PPE (3) 15:7;17:18; 19:25 Practically (1) 13:22 practices (1) 70:19 preamble (2) 10:12,16 precinct (2) 44:7,16 precious (1) 46:12 pre-debate (1) 29:9 prefer (1) 53:4 preference (4) 14:25; 15:10;16:1;17:13 prefers (1) 58:9 prepared (3) 52:4,4; 84:4 present (3) 10:4,10; 50:21 presentation (2) 5:16; 59:20 presented (1) 79:11 president (3) 16:11,22; 19:14 presidential (12) 11:10; 14:25;15:10,24;16:1,8; 17:11,13;19:11;35:13; 36:3;40:14 pretty (4) 39:14,21; 40:7;78:3 prevalent (1) 27:21</p>	<p>preview (1) 40:12 previously (2) 77:11; 84:14 primary (17) 15:1,2,18, 23;16:1,2,8,14,22;17:1; 19:4;20:1,20,21,21; 21:6,8 prime (1) 43:4 principle (1) 35:18 print (1) 24:19 printed (2) 24:7;43:10 prior (2) 51:17;82:15 priorities (1) 5:22 probably (4) 30:11,12, 24;33:2 problem (1) 79:21 problematic (1) 62:15 Procedures (2) 6:13; 75:3 proceed (1) 78:15 proceeding (4) 52:5; 58:16;59:2;60:11 proceedings (1) 91:14 process (16) 10:18; 12:24;18:17;21:8,11, 18;26:20;35:14;40:21; 41:4;43:24;45:15;62:4, 14;71:2,4 prod (1) 30:16 product (2) 42:22;80:2 productive (1) 63:1 profile (1) 24:9 profiles (1) 43:12 program (3) 45:16; 46:4,6 progress (1) 6:22 prohibition (1) 34:8 project (2) 22:3;76:8 promised (4) 81:21; 87:25;88:1,12 promote (3) 25:15; 32:10;35:5 promoting (1) 35:11 prone (1) 30:23 Prop (2) 63:15;66:13 properly (1) 52:15 proposal (1) 70:22 proposed (2) 63:22; 69:19 provide (10) 4:24; 24:16,20;30:2;43:8; 44:1,5,18;45:20;46:1 provided (1) 44:9 provides (1) 43:6 providing (3) 25:3; 46:14;71:3 provisions (1) 75:1 prudence (1) 77:22 public (28) 10:11; 28:20;31:3,16;36:20; 37:16;38:2,19;51:17; 58:22;59:12,21;63:19; 64:4,11,13;69:10,12,</p>
<p style="text-align: center;">P</p> <p>package (1) 52:11 page (3) 59:14;64:15, 15 pages (1) 64:16 paid (5) 28:25;31:7; 39:13;42:25;79:19 parents (1) 45:22</p>	<p>part (7) 20:5;34:24; 42:12;59:19;72:25; 84:6;85:20 participate (10) 11:19; 17:14,17;20:1,18,19, 22;21:10;25:24;31:15 participated (1) 5:7 participating (3) 15:8; 21:12;51:15 participation (5) 10:17; 12:17,24;31:6;35:12 particular (1) 67:3 partisan (3) 20:3,23; 21:3 partner (7) 12:12,15; 24:19;26:13;28:21; 45:18;86:23 partnering (1) 48:13 partners (7) 18:21; 23:1,25;13;36:19; 39:24;42:17;47:23 partnership (8) 6:5; 27:25;35:9,11;43:15; 44:18;45:1;48:8 partnerships (2) 35:20; 45:10 Party (9) 11:2;15:8,9; 17:17;19:3;20:23,25; 32:2;37:2 passed (1) 63:15 passes (1) 76:5 past (10) 8:8;11:7,17; 18:12;49:14,17;62:10, 21;67:14;68:3 pasted (1) 6:24 pat (1) 85:24 path (2) 12:19,21 Paton (97) 3:10,11;4:2, 8,9;6:19,20,21;7:4;8:4; 16:5,6,7,14,18,24;17:4, 9,13,15,21,24;18:4,10, 23;19:7;26:21,23,24; 28:13,16;29:4,14,19, 24;30:4;31:2,19;32:19, 22;33:18,22;34:2,3,23; 35:1,4;39:18;46:20,22, 23;47:16,17;50:6,14, 15;53:24;60:14,19; 61:1,2;69:23;70:5,6; 71:21;72:2,3;74:11,12, 13,17,20,22;75:7,18, 25;76:1;80:9;81:13,15, 16;84:18,20,21,24; 87:22;88:4,7,9,18,22; 89:10,17,18;91:3,7,8 Paton's (2) 33:17;84:1 pay (1) 83:8 paying (1) 27:6 payment (1) 89:6 PBS (2) 34:16,17 pending (1) 61:19 people (30) 17:5;18:6; 19:1;23:23;26:25;27:1,</p>	<p>6,19,22,23;28:5,9,10; 29:21;30:10,11,18,23; 31:22,24;33:1,3,22; 35:15;43:1;47:8;53:7; 54:8;74:14;88:13 per (1) 9:6 percent (4) 11:12;28:5, 7,10 perception (3) 37:14, 17,22 perfect (1) 60:8 performing (1) 38:24 perhaps (4) 46:6;65:7, 10;83:6 period (3) 20:10;69:10, 25 permit (1) 52:24 permitted (1) 52:25 person (4) 7:16;22:17; 33:1;47:9 persona (2) 41:22,25 personal (9) 54:15; 55:3,7,14,17;56:7,8,9, 11 personally (2) 7:15; 66:17 person's (1) 44:7 perspective (5) 33:15; 35:10;36:23;37:4;63:5 persuasive (1) 84:10 Phoenix (1) 22:10 phone (2) 3:6;80:18 photo (2) 22:9,18 photographs (1) 24:4 physical (2) 22:20;37:7 physically (1) 31:14 pick (3) 21:2;74:14; 75:11 picking (1) 20:23 pie (2) 38:15,20 pieces (1) 24:1 pilot (2) 25:6;45:16 Pinal (4) 5:10;6:5; 44:21;48:2 ping (1) 44:11 place (9) 8:19;19:5,17; 43:18;44:13,23;66:23; 67:22,25 places (2) 44:4,15 plain (1) 24:18 Plan (21) 9:25;10:4,11, 11;12:13;25:5;27:22; 30:18;31:7;33:16; 38:14;39:8,11,23;40:5; 47:17;48:3,17,17;50:4, 8 plans (4) 5:2;10:8,19; 49:18 plaque (1) 46:5 platforms (1) 33:5 play (2) 34:21;42:12 playing (2) 41:14,18 please (1) 61:11</p>	<p>plenty (1) 8:24 podium (2) 53:6,14 point (16) 16:4;23:21; 28:17;39:19;52:6; 58:16,21;72:12;79:7; 84:3,16;85:9,17;86:10; 87:13,23 pointed (1) 13:25 points (2) 13:7;48:25 Policy (3) 5:6;36:7; 65:18 political (7) 10:18,24; 12:24;15:8;17:17;37:2; 40:16 polling (6) 43:18;44:3, 5,13,15,23 polls (1) 48:9 popping (1) 23:8 pop-up (1) 23:1 portable (1) 22:25 portion (1) 21:20 portions (1) 26:5 position (11) 8:10;9:9; 66:20;77:23;79:4,16; 81:1;85:24;86:8;90:11, 15 positions (3) 9:5,5,6 possible (12) 3:16; 4:14;9:24;31:20;33:24; 34:2;50:24;70:11;76:6; 77:23;86:9;89:7 possibly (1) 25:6 post (2) 23:11;25:19 pots (1) 54:12 powers (1) 66:20 PPE (3) 15:7;17:18; 19:25 Practically (1) 13:22 practices (1) 70:19 preamble (2) 10:12,16 precinct (2) 44:7,16 precious (1) 46:12 pre-debate (1) 29:9 prefer (1) 53:4 preference (4) 14:25; 15:10;16:1;17:13 prefers (1) 58:9 prepared (3) 52:4,4; 84:4 present (3) 10:4,10; 50:21 presentation (2) 5:16; 59:20 presented (1) 79:11 president (3) 16:11,22; 19:14 presidential (12) 11:10; 14:25;15:10,24;16:1,8; 17:11,13;19:11;35:13; 36:3;40:14 pretty (4) 39:14,21; 40:7;78:3 prevalent (1) 27:21</p>	<p>preview (1) 40:12 previously (2) 77:11; 84:14 primary (17) 15:1,2,18, 23;16:1,2,8,14,22;17:1; 19:4;20:1,20,21,21; 21:6,8 prime (1) 43:4 principle (1) 35:18 print (1) 24:19 printed (2) 24:7;43:10 prior (2) 51:17;82:15 priorities (1) 5:22 probably (4) 30:11,12, 24;33:2 problem (1) 79:21 problematic (1) 62:15 Procedures (2) 6:13; 75:3 proceed (1) 78:15 proceeding (4) 52:5; 58:16;59:2;60:11 proceedings (1) 91:14 process (16) 10:18; 12:24;18:17;21:8,11, 18;26:20;35:14;40:21; 41:4;43:24;45:15;62:4, 14;71:2,4 prod (1) 30:16 product (2) 42:22;80:2 productive (1) 63:1 profile (1) 24:9 profiles (1) 43:12 program (3) 45:16; 46:4,6 progress (1) 6:22 prohibition (1) 34:8 project (2) 22:3;76:8 promised (4) 81:21; 87:25;88:1,12 promote (3) 25:15; 32:10;35:5 promoting (1) 35:11 prone (1) 30:23 Prop (2) 63:15;66:13 properly (1) 52:15 proposal (1) 70:22 proposed (2) 63:22; 69:19 provide (10) 4:24; 24:16,20;30:2;43:8; 44:1,5,18;45:20;46:1 provided (1) 44:9 provides (1) 43:6 providing (3) 25:3; 46:14;71:3 provisions (1) 75:1 prudence (1) 77:22 public (28) 10:11; 28:20;31:3,16;36:20; 37:16;38:2,19;51:17; 58:22;59:12,21;63:19; 64:4,11,13;69:10,12,</p>

<p>14,18,25;78:17;89:23, 24;90:4,7,10,21 publicly (1) 9:13 Puerto (1) 29:10 pull (2) 26:9;44:23 pulled (3) 39:9;44:6,11 purchase (1) 76:25 purpose (3) 16:25; 64:1;67:7 purposes (2) 34:12; 83:19 put (15) 24:15;31:11; 33:12;36:16;38:16; 44:22;50:12;52:16; 64:24;65:12,14;68:23; 69:1;80:3;81:1 putting (1) 16:4</p>	<p>readers (1) 24:19 reading (3) 56:24; 59:15;86:14 reads (3) 29:3;31:8; 48:14 reaffirm (1) 59:7 Reagan (2) 79:17;82:2 Reagan's (2) 79:12; 87:10 real (4) 5:13;6:8;78:9; 83:10 reality (2) 21:20;22:19 realize (2) 28:14;83:12 realizing (1) 7:18 really (32) 4:22;5:17; 6:7;10:18;12:15,18,19, 19,25;13:2,9,13,20,25; 18:7,24;26:4,7,24;31:3, 4;35:18;38:23;39:7; 42:20,22;43:1,4;45:8, 19;46:6;83:16 reason (7) 8:7;12:1; 19:7;64:4;78:2;84:6; 85:20 reasonable (1) 85:6 reasons (1) 71:6 recall (1) 10:4 receive (2) 23:23;24:11 received (9) 51:16; 55:3,17;63:21;68:3; 77:7,16,18;86:15 recently (1) 79:1 receptive (1) 46:16 recognition (1) 11:3 recognize (1) 25:1 recognizes (1) 25:2 recognizing (1) 7:22 recommend (4) 52:5; 64:12;71:6;90:14 recommendation (7) 59:3;64:18;77:19; 78:3,15;84:7;85:20 recommendations (2) 12:9,18 recommending (4) 52:22;70:15,15,16 reconsider (1) 9:14 record (11) 25:18; 49:14;60:1;64:24; 65:14;66:25;67:2;68:6, 23;73:20;74:4 recorders (1) 38:11 Recorder's (2) 5:10,10 recording (1) 25:17 recordings (2) 25:21; 29:23 recourse (1) 51:25 recover (1) 89:6 recruit (1) 45:18 redevelopment (1) 77:6 refer (3) 24:14;52:9,18 regarding (1) 89:4 regardless (1) 67:20</p>	<p>regards (3) 28:13,18; 64:11 register (3) 17:21; 21:23;23:11 registered (4) 10:23; 17:18;18:7;23:25 registering (1) 23:13 registration (9) 10:21; 14:6;17:20;20:23,24; 41:1;43:17;45:3,21 regulated (1) 70:25 Regulatory (3) 62:12; 65:19;66:18 related (4) 15:23; 34:19;62:11;77:14 relating (4) 51:14; 70:12;71:18;76:7 relations (5) 28:20; 31:4,16;38:19;76:18 relationship (1) 63:1 relationships (2) 4:22; 25:13 relaxed (1) 42:13 relying (1) 36:20 remainder (1) 16:20 remaining (1) 19:15 remember (2) 33:6; 88:8 reminder (1) 15:2 reminding (1) 48:11 remove (1) 56:13 removing (3) 13:2; 63:19;74:25 renewed (1) 58:19 repealed (1) 75:2 report (8) 4:15,15;6:16, 18;9:21;14:21;66:10; 85:8 reporter (1) 37:2 reporters (2) 26:14,17 Reporting (4) 76:9; 83:16;86:21;89:5 representative (1) 37:3 representatives (1) 36:11 Republic (2) 34:17,18 Republican (1) 16:8 request (5) 10:7;20:5; 46:11;49:19;62:5 requesting (1) 20:2 requests (2) 68:9;88:17 require (1) 26:18 required (5) 20:8;56:3; 77:11;80:23;83:14 requirements (3) 59:23; 84:11,16 research (14) 11:17,21; 12:14,20;13:8,17; 20:17;21:6;23:21; 24:23,24;28:4,13; 39:10 resolve (1) 77:24 resources (5) 5:21;</p>	<p>39:20;40:17;45:20; 46:1 respect (12) 51:13; 58:3,23;61:16,17; 67:10;70:25;79:3;80:3; 83:23;84:8,11 respecting (1) 63:22 respond (5) 42:23; 66:4;85:11,14;90:10 responding (1) 83:25 response (13) 6:9;9:22; 57:19;60:21;63:10,17; 69:8;71:14;77:17,17; 86:15;90:1,23 responses (2) 26:8; 79:5 responsibilities (1) 76:21 responsibility (1) 79:10 rest (2) 6:15;24:13 restore (1) 80:22 restrictive (1) 26:1 result (1) 13:12 resulted (1) 77:13 retain (1) 59:5 retention (1) 19:19 returned (1) 63:18 review (5) 34:7;62:12; 65:19;66:18;83:14 rewriting (1) 21:18 RIESTER (4) 12:12,13; 39:23;42:18 riffing (1) 67:13 right (25) 10:21;12:21; 25:25;29:4,14,19,24; 31:12;34:5,25;35:3,6, 8;57:23;61:14;67:18; 68:16;74:22;84:24; 86:25;87:16;88:14,20, 22;90:5 Rivko (1) 8:22 ROBERTS (33) 10:2; 16:13,19,25;17:6,12, 16,23,25;18:9;19:6,9; 22:12,16;23:10,15,17; 28:12,18;29:5,15,20, 25;31:1;35:23;41:15, 19;43:23;44:24;45:5; 47:15,21;50:22 robust (1) 33:15 role (6) 6:1;35:11; 66:17;68:11;69:2; 80:23 roll (9) 3:7;4:5;50:9; 60:22;70:2;71:24; 75:22;89:14;91:4 room (2) 29:22;54:8 Roosevelt (1) 22:21 rough (2) 41:8;42:21 Row (1) 22:21 RSVP (1) 29:5 RUE (1) 90:6 rug (1) 85:2</p>	<p>rule (29) 50:24;52:5,9, 12;54:22,25;55:12,25; 56:2,10,24;57:4,11; 58:1,11,14,15,24;59:2, 15;70:14,16,17,18,20; 71:7,8;72:20;75:16 rule-making (4) 60:11; 61:7;65:1,5 rules (17) 14:8;18:2; 19:21,22;20:11,12,13; 50:24;52:15,17,23; 59:23;62:7;63:14; 67:18,20;68:4 rumors (2) 8:9,14 run (1) 48:14 running (3) 30:14; 31:22;59:22</p>
Q				S
<p>qualified (1) 15:16 quality (1) 88:19 quick (4) 6:8;11:6;90:4, 7 quickly (1) 5:13 quo (1) 70:23 quorum (1) 73:1 quote (1) 21:5 quote/unquote (1) 77:10</p>				<p>safe (1) 52:1 same (4) 12:19;51:22; 59:13,14 Santa (1) 48:18 sarcastic (2) 62:13; 67:15 satisfies (1) 59:4 satisfy (2) 58:15,16 saw (3) 25:7;41:2,3 saying (2) 27:5;30:20 sayings (1) 21:24 scenes (1) 8:16 schedule (3) 15:5;33:9; 61:21 schedule-wise (1) 61:15 scheduling (1) 51:6 school (3) 45:18;47:12; 85:3 schools (2) 23:3;45:11 scratch (2) 20:11,13 screen (1) 24:18 seat (1) 16:16 second (25) 4:1,2;11:1; 19:24;41:12;50:5,6; 53:15;60:13,14,15; 69:22,23;71:8,20,21; 72:8;73:6;74:3;75:17, 18;77:14;89:8,10;91:3 seconded (7) 4:4;50:8; 60:16;69:25;71:23; 75:20;89:12 seconds (1) 27:4 Secretary (40) 5:1;9:7; 15:14;36:5;38:1;45:2; 51:18,18;58:4,4,21; 59:4;76:7,10;77:11,25; 78:5,17;79:12,17,19, 22;80:12,24;81:3,11; 82:2,13,19,23,24;83:5; 84:9;85:7;86:11,15,16, 22;87:10;89:13 Secretary's (5) 36:11;</p>
R				
<p>R2-20-104 (3) 57:22; 60:12;61:7 R2-20-104E (1) 51:14 R2-20-209 (4) 70:12; 71:18,23;75:21 R2-20-701 (6) 63:23; 64:5,14;69:11,19;70:1 R2-20-702 (1) 63:14 R2-20-702B (1) 63:20 races (2) 15:19;19:16 radio (7) 27:2;28:24; 31:8;32:17,20,23; 48:14 raised (1) 56:12 ramped (1) 45:8 rated (1) 24:25 rates (1) 11:14 rather (1) 65:15 ratification (1) 66:14 rationale (2) 59:20,21 reach (7) 14:15;18:7; 21:15;28:10;39:21; 40:6;51:19 reached (2) 7:15;22:22 reaching (3) 12:16; 22:1;45:11 read (13) 48:15;52:11; 55:9,20,24,25;56:2,3; 57:3,3,4,13;76:12 readable (1) 24:20</p>				

<p>76:19;79:2,14,15 Section (1) 57:22 sections (1) 30:7 secure (3) 37:10,12; 89:3 security (12) 5:1,20; 14:20;36:1,1,9,16,22, 24;37:5,6,7 seed (2) 54:14;55:5 seeing (3) 33:6;37:23; 38:6 seem (2) 73:5;85:5 seems (3) 67:18;80:8, 10 sees (1) 23:4 select (1) 47:8 selfish (1) 22:7 semesters (1) 46:4 Senate (6) 16:9,10,11, 16;31:22;33:25 Senator (2) 16:16,20 senatorial (1) 35:13 sending (1) 23:25 sense (1) 60:8 sent (1) 23:24 sentence (2) 55:11; 74:25 separate (3) 39:16; 73:9,10 serious (2) 78:19;80:21 seriously (1) 81:23 serve (4) 9:4;26:14; 39:7;45:19 service (8) 25:3;30:3; 44:10;76:9,24,25;89:3; 90:16 services (3) 4:23; 11:20;89:7 session (1) 26:16 set (5) 39:10;52:13; 54:15,16;55:4 several (1) 11:17 shall (2) 55:3;73:2 shape (1) 83:3 share (5) 10:12,20; 11:13,23;38:25 shared (1) 11:8 shares (1) 23:15 sharing (1) 21:21 shift (1) 66:8 shot (1) 47:11 show (4) 30:23;33:23; 41:15;44:15 showcasing (1) 44:12 shows (1) 18:6 sick (1) 5:4 side (3) 53:8;59:9; 67:15 sign (1) 48:12 signed (1) 79:17 significance (1) 8:2 significant (2) 63:16,25 similar (2) 11:14;24:9</p>	<p>simpler (1) 71:4 Simply (8) 20:23;52:5; 58:13;61:23,23;77:21; 78:19;79:17 simulated (1) 36:12 single (4) 13:23;20:3, 25;21:2 site (1) 44:11 sitting (1) 66:15 situation (5) 9:11,14; 34:11;59:5;82:13 slice (1) 38:20 slide (1) 18:1 slowly (1) 27:10 small (1) 70:21 smaller (1) 32:11 smile (1) 42:11 snap (1) 22:18 snapshot (1) 11:6 social (1) 37:15 somebody (6) 7:19;8:9; 18:16;27:10;33:20; 79:21 somehow (3) 40:17,22; 44:25 someone (3) 9:8;17:17; 23:6 sometimes (1) 40:21 songs (2) 42:5,10 sooner (1) 86:2 sorry (6) 12:10;32:15; 43:21;53:7;62:19;74:2 sort (7) 14:7;52:21; 61:16;67:13;76:13; 78:12;83:24 sorts (1) 59:9 sound (1) 62:18 Sounds (4) 24:20; 32:19;81:22;88:10 sources (2) 24:25;38:4 Spanish (3) 24:17; 41:12,16 speak (5) 8:17;27:12; 46:25;53:4;59:17 speaking (4) 26:6; 53:22;78:6;81:11 special (3) 42:21; 61:22;62:6 specialized (2) 14:10; 21:13 specific (3) 52:19; 55:11;88:16 specifically (4) 10:16; 56:10,19;58:3 speed (1) 26:18 spending (1) 40:15 spent (3) 79:21;80:1; 88:12 spoke (2) 8:21,22 sponsor (3) 31:21; 33:24;34:20 sponsoring (1) 14:19 sponsorship (1) 34:12</p>	<p>spot (3) 41:10,12,17 spots (2) 31:13;42:7 spread (1) 28:21 stacking (6) 52:9,24; 57:10;58:9,10,19 staff (17) 7:16,25;52:3; 58:6;59:24;61:21;62:2, 8;63:2;78:5;81:12; 82:24,25;85:6,24;89:1, 12 staff's (1) 59:3 stage (1) 39:11 stand (1) 85:24 standards (1) 46:14 start (4) 12:10;51:9; 59:8;82:10 started (1) 18:25 starting (1) 7:21 State (19) 6:10;10:22; 11:1;15:12,20;18:11; 24:2,8;26:10;35:16; 39:3;40:16;45:12; 46:14;77:25;79:23; 82:20,23;86:15 statement (5) 26:22; 46:21;81:14;84:1,19 statements (2) 24:4; 58:1 states (4) 5:21;10:16; 38:2;56:10 State's (19) 5:1;15:14; 36:5;39:7;45:2;65:16; 76:7,10;78:5,18;79:19; 80:12,24;81:3;82:2; 85:7;86:12,16;89:13 statewide (9) 19:17,22; 24:5,12;34:16;36:4; 43:22;45:3;54:16 stating (4) 12:11;24:15; 40:15;52:4 stations (1) 34:13 statistics (1) 10:22 status (2) 70:23;76:13 statute (12) 55:25;56:1, 2,4,5,15,16;57:2,14; 67:19,19;83:14 stays (1) 48:24 step (2) 20:2;63:17 steps (10) 20:7;77:21; 80:19,20,21,25;81:9; 85:18,25;86:7 still (4) 7:10,19;11:1; 61:19 stood (3) 11:24;13:1,20 store (1) 49:1 stories (1) 30:5 story (1) 30:17 stream (2) 25:5;30:3 streaming (1) 25:18 street (2) 40:25;44:22 stringent (1) 26:3 strong (1) 26:4 stronger (1) 81:17</p>	<p>strongest (1) 81:1 strongly (1) 9:14 struck (1) 28:4 struggled (1) 82:15 stuck (1) 5:17 students (8) 45:13,18, 21,22,25;46:9,17;47:2 studio (1) 42:9 stuff (4) 6:7;27:16; 33:13;47:5 subappropriator (1) 76:23 Subsection (1) 57:22 subsequent (1) 66:10 substance (1) 67:16 substantive (4) 26:9; 64:25;65:6,18 substantively (1) 64:23 success (6) 21:25;23:4; 25:8;31:5,18;40:23 successful (6) 5:9,11, 14,15;29:8;41:2 suggest (2) 27:2;46:23 suggestion (1) 47:16 suggestions (2) 65:7; 77:5 sum (3) 55:2,15;56:25 summary (1) 67:6 Sun (1) 24:20 Sundt (4) 63:22;64:1; 65:12;68:25 Sundt's (1) 64:23 superficial (1) 30:14 support (2) 45:20;83:2 supporting (1) 47:22 supposed (2) 6:13; 77:15 sure (17) 13:17;15:12; 18:19,20,23;12:26;5; 27:6;28:12;46:13;47:7; 51:12,12;58:10;60:1; 78:20;86:8;88:18 survey (2) 11:22;28:9 surveys (1) 25:23 sweep (1) 85:2 system (12) 13:12;21:2, 11;45:3;48:23;49:2; 76:9;77:10,15;83:16; 86:21;89:5</p>	<p>3,6;88:10 target (1) 32:25 taught (1) 47:11 teachers (1) 46:15 technically (2) 11:4; 20:3 technology (1) 25:10 television (1) 34:13 ten (1) 47:1 tend (1) 47:20 term (6) 8:2,4;9:3,3; 16:20;42:8 terminate (3) 52:5; 60:11;61:6 terminating (3) 58:15; 59:2,12 termination (1) 52:22 terms (13) 4:19;14:6; 40:16;56:18,18;57:2, 14;58:1;59:14;71:2; 77:1;82:4;85:18 Thanksgiving (1) 76:17 theirs (1) 77:1 theme (4) 12:5,5;36:19; 40:10 theory (1) 57:8 therein (1) 77:2 thinking (1) 33:20 third (3) 7:19;58:12,21 THOMAS (1) 64:9 though (4) 29:22; 37:13;47:2;82:17 thought (5) 43:21; 45:17;46:2,7;73:10 thousand (1) 47:10 three (9) 8:6,8;13:7; 18:3;19:21;54:12,13, 18,23 threefold (1) 58:9 throughout (1) 10:19 times (6) 26:4,13; 29:10;33:8;42:15; 78:25 Title (1) 78:10 Today (1) 10:3 told (3) 7:9;67:5;79:15 Tom (18) 4:16;14:20; 29:8;33:24;36:4;39:2; 48:2,18;51:1;57:23; 60:8;61:8;68:17;69:3; 73:10;81:24;82:11; 83:2 tone (1) 67:15 took (4) 19:4;21:5; 36:18;63:17 tool (2) 23:22,23 tools (3) 37:24;43:5; 49:3 top (2) 24:25;30:25 topic (1) 36:2 Toros (2) 87:24;88:3 total (4) 55:2,15,21,23 touched (1) 14:20</p>
T				
<p>table (1) 53:9 tabletop (1) 36:6 tag (1) 38:6 talent (1) 41:21 talk (12) 12:6;18:2; 27:10;29:11;35:25; 36:21;37:9,18;38:22; 46:16;62:9;90:8 talked (2) 39:2;79:1 talking (9) 18:16;22:10; 27:5;30:24;53:7;86:3,</p>				

3 (2) 10:22;64:16 3.9 (1) 10:23 306 (3) 63:15;66:13; 67:7 30-second (1) 31:13 31st (1) 6:14 35 (1) 78:10				
4				
4 (1) 15:23				
5				
5th (1) 5:12				
6				
60 (2) 64:4;69:11 60-day (4) 64:13;69:10, 18,25				
7				
702 (2) 61:17;63:18 702.01 (6) 63:23;64:5, 14;69:11,19;70:1 703.01 (6) 63:23;64:5, 14;69:11,19;70:1 704 (3) 61:18,19,23 73 (1) 28:7 74.17 (1) 11:12 770 (1) 54:16 7th (1) 61:22				
8				
800 (1) 24:21 83 (1) 28:5				
9				
9 (2) 16:21;52:14				

**CITIZENS CLEAN ELECTIONS COMMISSION
EXECUTIVE DIRECTOR REPORT
January 23, 2020**

Announcements:

- The public can view Commission meetings live via the internet at www.livestream.com/cleanelections. A link is available on our website.

Voter Education:

- Avery and Gina met with the Arizona Commission for the Deaf and the Hard of Hearing (ACDHH) about collaboration on voter education materials in American Sign Language. ACDHH has created voter education videos in ASL utilizing information from CCEC that staff can embed on our website and share on social media. Additionally, staff is exploring the possibility of providing the Voter Education Guide in ASL.
- There are two election dates in March:
 - March 10, 2020 Local Elections (ballot by mail election):
 - City of Douglas (Mayoral & Council)
 - City of Tempe (Mayor & Council)
 - City of Chandler (Prop 426)
 - March 17, 2020 Presidential Preference Election
 - Only the Democratic Party is participating; therefore,
 - Only voters registered with the Democratic Party by February 18th can vote in the PPE.

Community Outreach/Events

- Avery met with the President of the Tempe Union High School District Governing Board, Berdetta Hodge to discuss a collaboration between the Tempe Union High School District and the Arizona Citizens Clean Elections Commission to promote civic engagement in their students and parents. (Jan.7)
- Avery participated in a conference call meeting to go over the agenda of the African American Leadership and Legislative council's "Youth Day" at the Capitol event that will take place on February 14th. (Jan.9)
- Avery attended the Secretary of State's monthly meeting for the SOS Voter Outreach Committee to coordinate resources to promote voter registration in counties outside of Maricopa County. (Jan.14)
- Avery met with Library Supervisor Nicole Swanson to discuss a partnership with Tempe Public Library to create a voter information program for the summer and fall of 2020.
- Avery had a meeting with Voting Ambassador Joe Delgado of the Secretary of State's office and Jennifer Castro with the Arizona Foundation for Legal Services and Education to discuss the Kids Voting program and youth civic engagement. (Jan.16)
- Avery will be attending a Youth Leadership and Development Council meeting sponsored by Opportunities for Youth and Arizona State University's Watts College of Public Service and Community Solutions. (Jan.21)
- Avery will present voter information along with Melissa Davis of the Maricopa County Records' Office to students at Tempe Preparatory Academy. (Jan.21)

- Avery will be attending the Maricopa County's Native American Roundtable discussion. (Jan.22)
- Avery will be a vendor at The Maricopa County Arizona Veterans Stand Down Alliance to inform and register veterans. (Jan.24)
- Avery will be presenting to the students of Central Arizona College in Casa Grande on How to Vote, How to Register and register students. (Jan.28)
- Avery will be presenting to the students of Central Arizona College on the Maricopa campus on How to Vote, How to Register and register students. (Jan.29)

Miscellaneous

- **Outstanding legal matters**
 - Legacy Foundation Action Fund
 - AZAN v. State et. al.
 - State Ex Rel Brnovich v. Ariz. Board of Regents.
- **Election Proecudures Manual**
 - Pending approval by December 31.
 - Discussions pending between AG and SOS offices.
- **Appointments**
 - Nothing to report. The Governor's Office has not made an appointment, the Secretary's Office believes that it cannot make an appointment until the Governor does. As of the end of the month the majority of sitting commissioners will be holdovers.
- **Rules**
 - Items include:
 - R2-20-702 On this agenda
 - R2-20-113 Approved by GRRC (No Action by GRRC)
 - R2-20-704 Approved by GRRC (No Action By GRRC)
- Number of Participating Candidates – 43
- Participating Candidates Funded - 1

Doug A. Ducey
Governor

Thomas M. Collins
Executive Director



Galen D. Paton
Chair

Damien R. Meyer
Steve M. Titla
Mark S. Kimble
Amy B. Chan
Commissioners

State of Arizona
Citizens Clean Elections Commission

1616 W. Adams - Suite 110 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcleelections.gov

Bill:	Sponsor:	Assigned to:	What it does:	Effect on CCEC:
HB2054: GRRC; petition to request review	Representative Leo Biasiucci	Regulatory Affairs, Rules	Allows a person to petition GRRC to review an agency's rule or interpretation of a rule of an agency established under Title 16, Chapter 6.	Would allow anyone to request GGRC to review Clean Elections adopted rules, policy statements, or final rules.
HB2109: unification; consolidation; notice; ballot language	Representative Michelle Udall	Elections, Rules	When forming a new school district, notice of the proposed vote must be posted in 3 separate locations.	n/a
HB2121: election pamphlet submittals; identification required	Representative John Kavanagh	n/a	For school elections (overrides, special elections, bonds), anybody submitting an argument for/against must to signed and notarized.	n/a
HB2137: polling places; law enforcement officers	Representative Jay Lawrence	n/a	Requires a peace officer be stationed at all polling stations/vote centers for both the primary and general election.	n/a
HB2233: court rules; signatures; court documents	Representative John Allen	n/a	Gives Supreme Court ability to adopt rules that govern signatures on court documents.	Depends on ruling (how signatures are validated, if affidavits would still be allowed, etc...)
SB1014: election procedures manual; rulemaking; GRRC	Senator Michelle Ugenti-Rita	Judiciary, Rules	S.O.S. must have their procedures manual approved by GRRC.	n/a

SB1020: ballot measures; proposition 105; disclosure	Senator Michelle Ugenti-Rita	Judiciary, Rules	Would require that all ballots with a statutory measure have a disclosure of Prop 105.	n/a
SB1032: early voting; signature required, notice	Senator Michelle Ugenti-Rita	Judiciary, Rules	A ballot without a signature will not be counted and that an elector would not be able to add their signature post-receipt of the envelope.	Update to website.
SB1067: voting rights; felonies; automatic restoration	Senator Martin Quezada	Judiciary, Rules	Status of voting rights must be made know to an individual being discharged from probation or being absolutely discharged from imprisonment.	n/a
SB1068: election and ethics; commission; duties	Senator Martin Quezada	Judiciary, Rules	Creates a commission that shall succeed to the duties of the Secretary of State in regards to Title 16, Chapter 6 (all but Article 2) with respect to acting as the investigatory, compliance, and enforcement officer.	Would work with this elections and ethics commission on enforcement issues.
SB1077: countywide elections; vote by mail	Senator Sean Bowie	Judiciary, Rules	Counties may conduct a mail in ballot election for every election within that county's jurisdiction only after a vote of approval by a County Board of Supervisors and if 60% of the electorate is on the PEVL.	n/a

SB1092: early ballot delivery; identification; attestation	Senator Michelle Ugenti-Rita	Judiciary, Rules	Vote/Emergency vote centers must adhere to identification laws set up in 16-548. If dropping off someone else's ballot, the voter must attest in writing that they are a family member, caregiver, or household member.	Update to voter information on website.
HB2268: election complaints; attorney general	Representative Kelly Townsend	n/a	Allows individuals to that believe an election irregularity or unlawful act has occurred to submit a complaint to the attorney general.	n/a
HB2272: postelection equipment testing	Representative Bob Thorpe	n/a	Would require an additional round of logic and accuracy testing to be done on ballot equipment after ballot tabulation but prior to certification.	n/a
HB2028: candidate signs; prohibition; primary	Representative John Fillmore	Elections, Rules	Extends the period in which mailers and campaign signage can be posted up to 120 days before an election.	n/a

HB2043: voter identification; school ID cards	Representative Kelly Townsend	n/a	Restricts secondary ID's that can be used at the polls, no more: utility bills; bank or credit union statements; vehicle registration; vehicle insurance card; and property tax statements. Also prohibits use of high school, college, or university as acceptable ID for elections.	Limits voter access, would require an update to educational material and website.
HB2364: election law amendment	Representative Kelly Townsend	n/a	Several changes to county processes and general clean up. Would extend early voting through the weekend to a Monday instead of ending on the Friday before the weekend.	May be a slight additional cost to extend early voting outreach for an extra 2 days. Changes to the website to reflect early voting extension.
HB2306: elections; counting center; electronic adjudication	Representative Kelly Townsend	n/a	Appoint an electronic vote adjudication board to oversee the process, keep records, and make decisions.	n/a
HB2304: federal only ballots; paper; tabulation	Representative Kelly Townsend	n/a	Federal ballots would be printed on a different color paper and labeled. Tabulation and retention of federal ballots would be separate from other elections.	n/a

HB2343: early voting; identification required	Representative John Fillmore	n/a	Allows a voter to drop off an early ballot at an early voting location and/or vote center. Early voter would be required to print name on early voting log and provide ID pursuant to 16-579.	Update information on website.
HB2307: elections; special districts; technical correction	Representative Kelly Townsend	n/a	Technical correction.	n/a
HB2308: judges; election; technical correction	Representative Kelly Townsend	n/a	Technical correction.	n/a
HB2647: federal form registrations; reregistration	Representative Kelly Townsend	n/a	Provide and notify those registered as federal only voters the opportunity to provide citizenship in order to be registered as a state voter.	n/a
HB2619: election boards; marshal training	Representative John Fillmore	n/a	Election Marshals shall receive additional training from the attorney general.	n/a
HB2527: initiative; referendum signatures; electronic submittal	Representative Amish Shah	n/a	S.O.S. shall provide a system for electors to sign initiative and referendum petitions through an online portal.	n/a

HB2503: campaign finance; corporate recipients; registration	Representative Athena Salman	n/a	A corporation, limited liability company or labor organization that makes a contribution of over \$5,000 for statewide, \$2,500 for legislative, \$1000 for county, city, or town election must register and notify the appropriate filing officer for public viewing.	n/a
HB2461: voter registration; temporary residency	Representative Bob Thorpe	n/a	Dormitory address or other temporary college/university address, or an address where an individual does not intend to stay for 12 months may not be used for determining residency when registering to vote.	Update to website information.
HB2487: appropriation; election equipment	Representative Charlene Fernandez	n/a	Appropriate \$20,000,000 for 2020-2021 to S.O.S. to provide grants to county recorder's office for election equipment.	n/a

**THE ARIZONA SECRETARY OF STATE'S OFFICE RESPONSE
ON THE STATUS OF THE INTERAGENCY SERVICE AGREEMENT
WITH THE CITIZENS CLEAN ELECTIONS COMMISSION**

JANUARY 20, 2020

Executive Overview

In May 2017, the Citizens Clean Elections Commission (CCEC) entered into an Interagency Service Agreement (ISA) with the Arizona Secretary of State (SOS) to jointly develop the “See the Money” campaign finance public disclosure website. CCEC agreed to pay SOS \$200,000 to aid in the development of a new concept for campaign finance public disclosure.

Over the past two and a half years, the SOS has been hard at work on both the See the Money public site and the reporting site—“Beacon”—used by candidates, PACs, parties, organizations, and individuals to file the campaign finance income and expenditures.

In 2018, we rolled out the first version of the See the Money website, first as a beta program and then, in early 2019, as a final product. See the Money has continued to evolve since its first release in 2018. Since its first release, we have made approximately 250 changes to the system to enhance its functionalities and correct errors.

In 2020, the SOS will be building upon the foundations of See the Money and completing a rebranding of the system under the new name, “Spotlight”. Once the changes are made and Spotlight goes live, along with Beacon, Arizona will have a comprehensive platform for reporting and reviewing campaign finance transactions in Arizona.

In 2018 and the first part of 2019, the SOS turned its focus to the Beacon filing system. We delivered a brand-new system that greatly reduces the complexities that filers face in selecting the proper type of transactions.

Complications such as statutory requirements to support all jurisdictions in the state as well as the complexities of implementing the vast changes in HB1516 have surely impacted some of the proposed development of these systems. While all HB1516 requirements are now present in Beacon today, full support of local jurisdictions is slated for delivery in 2021.

SOS Use of Resources

Since beginning our partnership with CCEC in 2017, the SOS has delivered 60 iterations of See the Money and Beacon and has logged over 10,000 work hours enhancing and supporting our campaign finance systems—at a cost of over \$615,000.

Status of ISA Deliverables

On January 7, 2020, SOS met with CCEC staff to discuss the current and future state of campaign finance reporting. CCEC staff asked that SOS prepare a report to address recent Commission questions about these systems.

The SOS is committed to meeting all CCEC statutory filing requirements in these systems and, at this time, we believe we do meet these. The following questions were posed by CCEC staff and were suggested to be included in this report to the Commission.

Item	Status	Note
<i>Filing (Beacon)</i>		
Trigger Reports	Functional	Recently updated to reflect 2020 primary election date changes
Interim reports for applications for participation	Functional	
CCEC additional reports for participating candidates	Functional	Recently updated for 2020 dates
Support for any filer under 16-942D, what we typically term individual filers	Functional	
SOS must provide reporting parties and the Commission access to any function necessary to make reports requested or required by the Commission except in the case of outages	Functional	If CCEC reporting requirements change, we will do our best to accommodate with the understanding that it may take time to implement new requirements
Allow Commission to approve the filing system		SOS is committed to working with the CCEC on system changes and enhancements to Spotlight and Beacon
<i>Back-end Access</i>		
Provide CCEC staff back-end, read-only access to perform staff duties	Functional	
Provide CCEC staff with access that includes the ability to mimic filings of reporting parties in real time	Functional	CCEC has access to our QA system so they can do anything that any committee can do

Communications with reporting parties by the commission (include emails)	Functional	The current interface supplied to CCEC will be revamped after 2020 to enhance this capability
<i>See the Money & Data Issues</i>		
Substantially complete by January 2, 2018	Product went live in January 2018	We delivered our beta version of STM prior to this date. There are many additional enhancements coming in 2020 and 2021. This product will essentially always be in a state of being enhanced.
Capable of displaying state and local campaign finance information reported for any jurisdiction using the system	Functional at state level; not yet for local jurisdictions	Promised delivery dates for multi-jurisdictional support were not able to be met because of other unanticipated election-related statutory changes and projects that were not foreseen at the time of our original project plan. Our current plan anticipates full multi-jurisdiction support in calendar year 2021.
Allow users to identify contributors and vendors and their relationships including: <ul style="list-style-type: none"> • All committees that have made expenditures to a specific vendor • All contributors who have made contributions to a specific committee • All committees that have received contributions from a specific donor 	Functional at state level; not yet for local jurisdictions	Promised delivery dates for multi-jurisdictional support were not able to be met because of other unanticipated election-related statutory changes and projects that were not foreseen at the time of our original project plan. Our current plan anticipates full multi-jurisdiction support in calendar year 2021.
Permit users to download results	Functional	All data views allow for data export

Permit users to see most frequently searched items	Not implemented	This item was a proposed functionality that in retrospect never really worked out in a meaningful way. The SOS still thinks this functionality would be nice, but in practice it didn't seem very useful with real-world data. This item is still on our backlog and we are hoping to use machine learning to make it more useful.
Be reasonably compatible with mobile web browser	Functional	Supports all modern browser platforms, including mobile devices
Show historical data in STM	Not yet functional	The next release of STM (Spotlight) will display all historical data back to around 2002
Names and other standardization	Not yet functional	The Beacon product has made some significant inroads in data normalization but the bulk of this work will come in the next major release in 2021

Delays to multi-jurisdictional support from the campaign finance system resulted from several unanticipated developments, including:

- No funding was allocated for multi-jurisdiction implementation
- Complexities of implementing HB1516
- Two statutory changes to election cycle dates
- New project - statewide voter registration system
- New project - statute requiring a circulator portal
- New project - statute requiring candidate statement of interest filing
- New project - changes to E-Equal to support new voter registration system
- New project - moving the primary election date
- Supporting local jurisdictions for election reporting
- Unanticipated administration change
- High stakeholder turnover
- Availability of stakeholders in 2018 due to election year

Future Vision for Campaign Finance

The SOS will build upon the STM platform and release a rebranded product in early 2020 known as Spotlight.

New features in Spotlight will be:

- Complete rebrand of the STM website as Spotlight
- New “Advanced Search” functionality
- Video tutorials on common tasks
- Context-sensitive help bubbles
- Replace “tree map” chart with bubble chart
- When Spotlight goes live in early 2020, the old CFS search will be retired

Ongoing Development in 2020

Our policy is to keep new features to a minimum during election years. This keeps user confusion to a minimum, provides the most stable platform for election years, and allows us to provide as much election year support as possible. Our development plan for 2020 is to continue to work through our backlog of enhancements and fixes for both Spotlight and Beacon and roll out a major new version of both products in 2021. As the need arises, we may inject bug fixes and enhancements deemed critical during 2020.

Enhancements under consideration for Spotlight 2021 Release

- Full multi-jurisdictional support
- Chart layer for individual committees
- Export of complete database
- Additional usability improvements, documentation, tutorials

Enhancements under consideration for Beacon 2021 Release

- Full multi-jurisdictional support including all the administrative functions for jurisdictions
- Spreadsheet upload of “simple” transactions
- Better data integrity for duplicate names
- Standardize Occupations & Employers
- Provide a new CCEC administrative interface
- Enter multiple \$5 QC transactions on same screen
- Allow administrator to add past reports as due
- Copy/Clone transactions
- Robust transaction search function (other than current dashboard)

Ongoing Partnership with CCEC

The SOS is committed to a continuing partnership with CCEC. In our meeting on January 7, 2020, we committed to the following:

- A comprehensive overview of our project backlog for Spotlight and Beacon
- A monthly executive overview of project status for both products
- Ongoing open dialog about enhancements and issues
- Providing all necessary access to campaign finance data and test systems (completed)
- Supporting all CCEC statutory filing requirements
- Work with CCEC to develop a new CCEC interface after 2020

***Proposed Commission Meeting Dates
February - July 2020***

Month	<i>Date</i>	<i>State Holiday – Office Closed</i>
February	<i>27th</i>	<i>President's Day, Feb 17th</i>
March	<i>26th</i>	
April	<i>30th</i>	
May	<i>28th</i>	<i>Memorial Day, May 25th</i>
June	<i>25th</i>	
July	<i>30th</i>	<i>Independence Day, July 3rd</i>



During the months of February – July 2020, staff estimates commission meetings will be held once a month. All meeting dates are on Thursday and scheduled to begin at 9:30 a.m.

In the event additional meetings are required, Staff will work individually with each Commissioner to determine availability and ensure we have a quorum for the meeting.

ITEM V



NOTICES OF PROPOSED RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Proposed Rulemakings.

A proposed rulemaking is filed by an agency upon completion and submittal of a Notice of Rulemaking Docket Opening. Often these two documents are filed at the same time and published in the same *Register* issue.

When an agency files a Notice of Proposed Rulemaking under the Administrative Procedure Act (APA), the notice is published in the *Register* within three weeks of filing. See the publication schedule in the back of each issue of the *Register* for more information.

Under the APA, an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule (A.R.S. §§ 41-1013 and 41-1022).

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency that promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #10 for the close of record and information related to public hearings and oral comments.

NOTICE OF PROPOSED RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

[R19-254]

PREAMBLE

- | | |
|--|--|
| <p><u>1. Article, Part, or Section Affected (as applicable)</u>
R2-20-702</p> | <p><u>Rulemaking Action</u>
Amend</p> |
|--|--|
- 2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**
 Authorizing statute: A.R.S. §§ 16-956(A)(6), Id. and 16-956(A)(7)
 Implementing statute: A.R.S. § 16-948(C)
- 3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**
 Notice of Rulemaking Docket Opening: 25 A.A.R. 3578, December 13, 2019 (*in this issue*)
 Notice of Rulemaking Docket Opening: 25 A.A.R. 1457, June 14, 2019
 Notice of Proposed Rulemaking: 25 A.A.R. 1414, June 14, 2019
 Notice of Final Rulemaking: 25 A.A.R. 2120, August 23, 2019
- 4. The agency's contact person who can answer questions about the rulemaking:**
 Name: Thomas M. Collins
 Address: Citizens Clean Elections Commission
 1616 W. Adams, Suite 110
 Phoenix, AZ 85007
 Telephone: (602) 364-3477
 E-mail: ccec@azcleelections.gov
 Web site: www.azcleelections.gov
- 5. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**
 A.A.C. R2-20-702: Conforms Commission rules to statutory changes enacted by 2018's Proposition 306. Additionally, at its meeting on November 4 2019, the Governor's Regulatory Review Council "returned" the amendment to the Commission. Although GRRC does not issue reasoned decisions like a Court, one apparent reason for the "return" vote was based on Council Member Sundt's expressed confusion on retaining the remainder of R2-20-702(B), despite the Commission's efforts to remove any language that could conceivably be read as conflicting with Prop. 306.
 In an effort to ensure the Commission's rules align with the statute, the Commission approved the following rules for public comment, subject to its reservation of rights under The Clean Elections Act (A.R.S. §§ 16-940 to -961), Title 41, Chapter 6, and the Arizona and Federal Constitutions.
 In addition to removing provisions of the R2-20-702(B) that conflict with A.R.S. § 16-948, the proposed amendment also removes language permitting certain spending of clean funding that the Council members believed were confusing, specifically language that expressly permitted certain activities under the Clean Elections Act.
- 6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
 Not applicable



7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

These changes do not diminish a previous grant of authority to a political subdivision of this state.

8. The preliminary summary of the economic, small business, and consumer impact:

As indicated in our filing with the Council, the Commission believes there is little consumer, economic, or small business impact. The rule amendment may deprive voters of some candidates who might have run with Clean Funding, but additionally, benefits those voters who do not want candidates to be able to make purchases from political parties. There is an impact on candidates who may have preferred to run with clean funding, and, with the further amendment, may have preferred certainty as to what is permitted by the Clean Elections There is no economic or consumer or small business impact.

9. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:

Name: Thomas M. Collins
Address: Citizens Clean Elections Commission
1616 W. Adams, Suite 110
Phoenix, AZ 85007
Telephone: (602) 364-3477
E-mail: ccec@azcleelections.gov
Web site: www.azcleelections.gov

10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Pursuant to A.R.S. § 16-956, a 60-day public comment period precedes an oral hearing which is the earliest the Commission may act on a proposed rule. Rule comments are accepted, in addition, through the web site, e-mail, and regular mail, as well as at call to the public at interim meetings. Rules that are passed unanimously may be made effective immediately. All other approved rules are effective January 1 of the year following their enactment. A.R.S. § 16-956(C), (D).

11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

Not applicable

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

Not applicable

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Not applicable

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

Not applicable

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

Not applicable

13. The full text of the rules follows:

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

ARTICLE 7. USE OF FUNDS AND REPAYMENT

Section
R2-20-702. Use of Campaign Funds

ARTICLE 7. USE OF FUNDS AND REPAYMENT

R2-20-702. Use of Campaign Funds

A. No change

~~B. A participating candidate may: make a payment from the candidate's campaign bank account:~~

- ~~1. To a political committee or civic organization or an unincorporated association. The payment is not a contribution if the payment is reasonable in relation to the value received.~~
- ~~2. For customary charges for services rendered, such as for printing and obtaining voter or telephone lists, shall be considered reasonable in relation to the value received.~~
- ~~3. Of not more than \$200 per person to attend a political event open to the public or to party members shall be considered reasonable in relation to the value received.~~
2. Only make an advanced payment to a political party for services such as consulting, communications, field employees, canvassers, mailers, auto dialers, telephone town halls, electronic communications and other advertising purchases and other campaign

CY 2020 INTERAGENCY SERVICE AGREEMENT BETWEEN
THE STATE OF ARIZONA DEPARTMENT OF LAW AND
THE CITIZENS CLEAN ELECTIONS COMMISSION

This Interagency Service Agreement is between the State of Arizona Department of Law (“AGO”), acting under authority of A.R.S. §§ 41-192 and 41-193 and the Citizens Clean Elections Commission (“Commission”) acting under the authority of A.R.S. §§ 35-148(A)

This document, including the terms of this Agreement and the attachment “Interagency Service Agreement Contract Requirements for CY 2020 including any modifications approved in accordance with the terms of this Agreement, shall constitute the entire agreement between the parties and shall supersede all other understandings, oral or written.

1. Purpose

The purpose of this agreement is to enable the AGO to provide legal services on request to the Commission. AGO is the legal advisor to the Commission, pursuant to A.R.S. § 41-192. The Commission has authority to enter into this Agreement, pursuant to Title 16, Chapter 6, Article 2.

2. Definition of Terms:

2.1 “Agreement” or “Contract” means this written document between the Commission and the AGO, and any amendment thereof.

2.2 “Commission” means the Citizens Clean Elections Commission.

2.3 “Direct Legal Service Costs” mean Direct Labor Costs, Operating Costs, Training Costs, and Travel Costs.

2.4 “Direct Labor Costs” mean salaries or portions of salaries of AGO employees who provide legal services pursuant to this Agreement, including personal services, leave costs, and actual employee fringe benefits, also known as employee related expenses (“ERE”).

2.5 “Equipment” The AGO is approved for expenditures for capital equipment as established per the State Accounting Manual (Object Code 8400 and 8500) which will be paid from the funds advanced on a quarterly basis under this Agreement. Equipment costs must be consistent with the purpose of this Agreement and the equipment purchased shall become the property and sole responsibility of the AGO.

2.6 “Indirect Costs” mean the indirect cost rate established in the budgets for each fiscal year.

2.7 “Operating Costs” means the actual costs incurred by the AGO in connection with its performance under this Agreement, including professional services (Comp Object 6200); travel (Comp Object 6500 and 6600); other operating expenditures (Comp Object 7000); and non-capital equipment (Comp Object 7000).

2.8 “Shall” means that which is mandatory.

2.9 “State” means the State of Arizona.

2.10 “Training Costs” mean costs of Arizona State Bar mandated or other continuing legal education incurred by AGO employees performing duties under this Agreement. Training costs shall be paid from the funds advanced on a quarterly basis under this Agreement.

2.11 “Travel Costs” mean costs incurred by the AGO in connection with the performance of its duties under this Agreement which will be paid from the funds advanced on a quarterly basis under this Agreement. The report of actual travel costs shall be in accordance with the State Accounting Manual, and will be paid in accordance with State Accounting Manual guidelines and pre-approved amounts.

3. Project Purpose

The Commission shall receive legal services as needed, including: Obtaining, reviewing and documenting evidence for enforcement; participating in negotiations; drafting of consent orders and agreements; assisting with the development of rules; conducting litigation (both administrative and judicial); researching all applicable state and federal laws, rules, and opinions; participating in formal and informal appeals processes; providing legal advice and counsel on issues arising in the program including all its subdivisions; and delivering other legal services as determined by the Commission.

4. Providing of Services

Legal services provided by the AGO under this Agreement will support the Commission according to the work priority coordinated by the AGO, with the Commission’s input. Legal support for the Commission shall take priority. However the AGO may assign other work to AGO personnel paid for by this Agreement as long as the Commission’s priorities are met. The AGO may also assign matters related to the Commission to assistant attorneys general not funded by this ISA, with appropriate supervision.

5. Access to Information

Subject to Arizona Public Records law and statutory confidentiality requirements of the AGO and the Commission, both parties to this Agreement shall have full, complete and equal access to data and information prepared under this Agreement on a no-charge basis.

6. Amendment

This Agreement may be modified only by written contract amendment signed by the Commission or designee, and the person duly authorized to act on behalf of the AGO. Agreement amendments shall be executed with the same formalities as this Agreement. Executed copies of any amendment shall be provided to both parties.

7. Amount of Agreement

The total funds transferred to the AGO to cover expenses reasonably incurred by the AGO in providing services to the Commission as defined in this Agreement, shall not exceed \$121,600.00 for expenses incurred under this Agreement during the term of this Agreement, unless otherwise amended. It is the understanding of both the AGO and the Commission that the dollar amount identified in this Agreement includes an estimated amount for ERE and other indirect costs. In the event that these costs are fairly determined to be more than the amount included in the dollar amount identified, the Commission agrees to adjust the total amount to be paid under this Agreement to reflect the true costs.

8. Applicable Law

This contract shall be governed by and construed in accordance with the laws of the State of Arizona. Each provision of law and any terms required by law to be in this contract are a part of this contract as if fully stated in it.

9. Assignment

Neither Party may assign any rights hereunder without the express written prior consent of the other Party.

10. Audit of Records

Pursuant to A.R.S. § 35-214, at any time during the term of this Agreement and for five years thereafter, the AGO's or any subcontractor's books and records shall be subject to audit by the State, and, where applicable, the Federal Government, to the extent that the books and records relate to the performance of the contract or subcontract.

11. Cancellation of State Contracts for Conflict of Interest

Both parties may cancel this Agreement without penalty of further obligation pursuant to A.R.S. § 38-511.

12. Contract Term

The term of this Agreement shall be January 1, 2020 through December 31, 2020. The Agreement may be extended for additional periods by formal contract amendment, subject to the requirements and/or limitations of Federal or State regulations.

13. Severability

The provisions of this Agreement are severable to the extent that any provision or application held to be invalid shall not affect any other provision or application of the Agreement, which shall remain in effect without the invalid provision or application.

14. Litigation Costs

The expenses incurred in connection with administrative and judicial litigation, including but not limited to filing fees, service of process fees, postage, court reporters, expert witness, investigator and consultant fees, transcripts of depositions and other proceedings copying and bates-stamp services and other like expenses, shall be paid from a separate funding source designated by the Commission.

15. Effective Date

This Agreement shall become effective as of January 1, 2020.

16. Non-Availability of Funds

Every payment obligation of the State under this Agreement is conditioned upon the availability of funds appropriated or allocated for the payment of such obligation. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the State at the end of the period for which funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments or for any damages as a result of termination under this paragraph.

17. Non-Discrimination

The parties shall comply with State Executive Order No. 75-5, as amended by

Executive Order 2009-09 and all other applicable Federal and State laws, rules and regulations, including the Americans with Disabilities Act.

18. Ownership of Information

Title to all documents, reports and other materials prepared by the AGO in performance of this Agreement shall rest in the State of Arizona.

19. Payment

The Commission will transfer monies to the Office of the Attorney General to fund this agreement for the period of time commencing January 1, 2020 and ending December 31, 2020 in the amount of \$121,600.00 to pay the salary and employee-related expenses for the assigned attorney(s). The Commission will transfer the first two quarterly payments in the amount of \$60,800.00 to the Attorney General within twenty days of the execution of this Agreement. The third quarterly payment of \$30,400.00 will be transferred on or about July 1, 2020, and the final quarterly payment of \$30,400.00 will be transferred on or about October 1, 2020. The aforesaid monies may also be used to pay the travel and other expenses incurred through attendance at seminars, conferences or meetings by any assistant attorneys general in connection with the representation of the Commission, and may also be used to pay for other operating expenses reasonably incurred by the Attorney General and directly related to legal services to the Commission. Further, upon approval by the Commission, other travel costs, operating costs and other costs incurred by the assistant attorney general rendering legal services to the Commission in connection with legal services provided pursuant to this Agreement may be paid by the Commission. Any amount unexpended at the termination of this Agreement shall be returned to the Commission.

20. Personnel

All personnel engaged in the work shall be fully qualified and shall be authorized under state and local law to perform such services. The parties understand and acknowledge that the attorney(s) shall be hired by the AGO under this Agreement, the selection of such attorney(s) to be made with input by the Commission. All decisions concerning the hiring and supervision, and the awarding of promotions, performance increases or cost of living increases shall be the sole responsibility of the Attorney General.

21. Project Review

It is the responsibility of the Commission to review and observe the delivery of legal representation, litigation and other legal services. Therefore, the Commission reserves the right to meet with the AGO or its subcontractors at reasonable intervals for purposes of review of the work.

22. Termination

The Commission or the AGO may terminate this Agreement at any time, with or without cause, after giving ninety (90) days written notice of termination to the AGO or the Commission, as appropriate. The notice shall specify the effective date of termination. If the Agreement is terminated, the AGO shall be paid for all allowable costs incurred prior to the date of termination, subject to audit verification by the Commission or its duly authorized representative.

23. Third Party Antitrust Violations

The AGO assigns to the State any claim for overcharges resulting from antitrust violations to the extent that those violations concern materials or services supplied by third parties to the AGO, toward fulfillment of this Agreement.

24. Arbitration

To the extent required by A.R.S. § 12-1518, the parties to this Agreement agree to resolve all disputes arising out of or relating to this Agreement through arbitration.

Executed this _____ day of January, 2020.

ARIZONA CITIZENS CLEAN
ELECTIONS COMMISSION

STATE OF ARIZONA
DEPARTMENT OF LAW

By: _____
Thomas M. Collins
Executive Director

By: _____
Jerry Connolly
Procurement Manager

**OFFICE OF THE ATTORNEY GENERAL
INTERAGENCY SERVICE AGREEMENT CONTRACT REQUIREMENTS FOR CY2020
CLIENT AGENCY: CLEAN ELECTIONS COMMISSION
ISAE70388**

	Projected CY2020
Number of FTEs	1.00
PS	75,600
ERE	26,200
Contingency	3,800
Travel	-
Operating	1,800
P&O	-
Indirect Cost	14,200
Equipment	-
Total Cost	\$121,600

OFFICE OF THE ATTORNEY GENERAL
INTERAGENCY SERVICE AGREEMENT CONTRACT REQUIREMENTS FOR CY2020
CLIENT AGENCY: CLEAN ELECTIONS COMMISSION
ISAE70388

<u>JOB TITLE</u>	<u>FTE</u>	<u>PERSONAL SERVICES</u>	<u>EMPLOYEE RELATED EXP</u>	<u>TOTAL PS & ERE</u>
ASST AG	1.00	75,600	26,200	101,800
	<u>1.00</u>	<u>75,600</u>	<u>26,200</u>	<u>101,800</u>