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THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona
January 23, 2020
9:30 a.m.

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<p style="text-align: right;">Page 2</p> <p>1 PUBLIC MEETING BEFORE THE CITIZENS CLEAN 2 ELECTIONS COMMISSION convened at 9:30 a.m. on 3 January 23, 2020, 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. Galen D. Paton, Chairperson 8 Ms. Amy B. Chan 9 Mr. Mark S. Kimble 10 11 OTHERS PRESENT: 12 Thomas M. Collins, Executive Director 13 Paula Thomas, Executive Officer 14 Gina Roberts, Voter Education Director 15 Mike Becker, Policy Director 16 Alec Shaffer, Web Content Manager 17 Avery Oliver, Voter Education Specialist 18 Julian Arndt, Executive Support Specialist 19 Adrienne Carmack, AZ League of Women Voters 20 Mary O'Grady, Osborn Maledon 21 Kara Karlson, Assistant Attorney General 22 Dustin Romney, AZ Attorney General's Office 23 Allie Bones, Assistant Secretary of State 24 Bill Maaske, Secretary of State CIO 25</p>	<p style="text-align: right;">Page 4</p> <p>09:32:52-09:33:51</p> <p>1 CHAIRMAN PATON: We have a motion, and do 2 we have a second? 3 COMMISSIONER KIMBLE: Second. 4 CHAIRMAN PATON: We have a second. And, I 5 guess, I need to call the roll for that. 6 Commissioner Chan, how do you vote? 7 COMMISSIONER CHAN: Aye. 8 CHAIRMAN PATON: Commissioner Kimble? 9 COMMISSIONER KIMBLE: Aye. 10 CHAIRMAN PATON: And the Chair votes aye, 11 as well. Tom, it's not supposed to say that right 12 here. What if I voted no? 13 MR. COLLINS: It was a suggestion. 14 CHAIRMAN PATON: Right. Okay. I'm sorry. 15 I should be more proper here. 16 The minutes are approved. 17 Item III: Discussion and possible action 18 on the executive director's report and legislative 19 report and news, new business. 20 Mr. Collins, you're on parade. 21 MR. COLLINS: Okay. Thank you, 22 Mr. Chairman, Commissioners. I just want to highlight 23 a few things on the executive director's report. I 24 hope you've had a chance to review it. We've had a -- 25 as always, we've had a busy -- a busy -- it seems like</p>
<p>09:31:56-09:32:52</p> <p style="text-align: right;">Page 3</p> <p>1 P R O C E E D I N G 2 CHAIRMAN PATON: I will call our Citizens 3 Clean Elections Commission to order. I'm the brand-new 4 chairman. My name is Galen Paton. And, I guess, we 5 will do a roll call. 6 Commissioner Chan, are you here? 7 COMMISSIONER CHAN: I am here, 8 Mr. Chairman. Good morning. 9 CHAIRMAN PATON: And Commissioner Kimble, 10 are you here? 11 COMMISSIONER KIMBLE: Yes, I am. 12 CHAIRMAN PATON: And the Chair is here, and 13 I got a cheat sheet, by the way. So, I feel -- 14 COMMISSIONER CHAN: Very helpful. 15 CHAIRMAN PATON: I feel, I guess, like it's 16 the first day of school, or something. 17 Okay. And Commissioners Meyer and Titla 18 have informed us of scheduling conflicts, but we do 19 have a quorum. 20 Okay. Item II: Discussion and possible 21 action on Commission minutes for December 12th, 2019. 22 Do I have a motion to approve the minutes 23 for December 12th? 24 COMMISSIONER CHAN: Mr. Chairman, I move 25 that we approve the minutes as written.</p>	<p>09:33:54-09:35:15</p> <p style="text-align: right;">Page 5</p> <p>1 it's been more than one month, but some of the good 2 things we're working on here, we've got -- Avery and 3 Gina have been working with the Arizona Commission for 4 the Deaf and Hard of Hearing on collaborating on our 5 voter education materials and providing them in 6 American sign language. 7 The ACDHH, which is the -- that 8 commission's acronym, has been using voter education 9 videos that utilize the information that we've 10 developed, and we should be able to, also, use those on 11 our website. And we are looking at how to implement 12 the Voter Education Guide in American sign language. 13 So, that's all very exciting for us. 14 You see that on March 10th, we have several 15 local elections, which we'll be doing some educational 16 efforts on -- and, then, on March 17th, we'll have the 17 Presidential Preference Election which, you know, it 18 bears repeating that only Democratic party -- only the 19 Democratic party is participating and only voters 20 registered with the democratic party by February 18th 21 can vote in the PPE. 22 You'll see in our voter education efforts 23 that we'll be transitioning from awareness of the date 24 to awareness of the voter registration deadline and the 25 related issues of who can -- who can participate.</p>

<p>09:35:15-09:36:35 Page 6</p> <p>1 MS. THOMAS: Microphone. 2 MR. COLLINS: Oh, I'm sorry. Yeah. We'll 3 be transitioning into who can participate and -- and 4 the voter registration deadline for that purpose. 5 As you can see, Avery, who's, you know, 6 been out as our outreach -- doing outreach, we've 7 met -- he's met with a number of different folks about 8 that. He's continued to coordinate with the Secretary 9 of State's Office on their voter outreach efforts, and 10 we're looking at everything from a partnership with the 11 Tempe Public Library to working with the kids voting 12 program to working with ASU on youth development. 13 So, really, I think that, you know, the 14 Voter Education Department and Avery and Gina and Alec 15 have really been doing a heck of a lot of work and 16 creating the kinds of connections that we need to help 17 ensure that folks are getting the information that they 18 need. 19 A couple other -- 20 CHAIRMAN PATON: And I have a comment. 21 MR. COLLINS: Sure. Yeah, please. 22 CHAIRMAN PATON: I think all that is great, 23 and Avery looks like he wants to be the new executive 24 director, or something, because his name is everywhere. 25 So, I mean, that's good to have a face going out and</p>	<p>09:37:46-09:39:02 Page 8</p> <p>1 note on the State Ex Rel Brnovich v. Arizona Board of 2 Regents, the state's Supreme Court in their last -- oh, 3 sorry. A quick note on the State Ex Rel Brnovich v. 4 ABOR case, the Supreme Court continued that on its last 5 minute agenda. So we'll have -- we -- I would 6 anticipate an update on that when they next conference, 7 potentially. 8 The Election Procedures Manual thing, 9 that's -- that's an errata there. I needed to update 10 that, and I will update that now just orally. The 11 Elections Procedure Manual was approved in December. 12 And so, congratulations to the Secretary of State's 13 Office and Allie and Bo Dul and their efforts to get 14 that accomplished. 15 And, then, on the appointment issue, which 16 we've discussed, I don't have -- I don't have an update 17 to give you, but you may -- that maybe -- so, I would 18 just leave that to you to discuss. 19 CHAIRMAN PATON: Is that okay to discuss 20 that, then? 21 MR. COLLINS: Yes. 22 CHAIRMAN PATON: I mean -- go ahead, 23 Ms. Chan. 24 COMMISSIONER CHAN: Okay. Mr. Chairman -- 25 and I don't know. I don't want to step on</p>
<p>09:36:38-09:37:40 Page 7</p> <p>1 promoting Clean Elections instead of just being in an 2 office. I mean, I think that's -- that's what we need 3 to do. 4 So, good. Thank you. 5 COMMISSIONER CHAN: Mr. Chairman? 6 CHAIRMAN PATON: Yes. 7 COMMISSIONER CHAN: I, also -- when I was 8 reading this and seeing Avery, Avery, Avery, I was 9 thinking about when Avery was hired on here, and I had 10 no idea what a difference it would make to our voter 11 outreach program. 12 And I just want to compliment you on the 13 great strategy you've made to really enrich our program 14 because I think, like Chairman Paton said, having a 15 real person out there is really enhancing the work that 16 we do from the office here. So, excellent. 17 CHAIRMAN PATON: And with so many groups 18 and different kinds of groups and, of course, I like 19 the fact that you're going to schools. So, thank you. 20 Tom? 21 MR. COLLINS: Yes. I'm sorry. Thank you, 22 Mr. Chairman. 23 CHAIRMAN PATON: Game on. 24 MR. COLLINS: The outstanding legal issues 25 that we've mentioned in the past are still pending. A</p>	<p>09:39:04-09:40:29 Page 9</p> <p>1 Mr. Kimble's -- Commissioner Kimble's toes. I don't 2 know if he wanted to speak to -- I, you know, had made 3 statements previously about my concern about the fact 4 that the Governor had not made an appointment to fill 5 Mr. -- Commissioner Titla's position. 6 I double-checked with Tom this morning 7 about how long Commissioner Titla has been a member of 8 the Commission, and I think we're all aware that 9 commissioners fill terms of five years. Arizona has a 10 holdover provision in its Constitution and laws so that 11 we do not have vacancies, but a five-year term is a 12 good, long term. 13 And checking in with Tom this morning, 14 Commissioner Titla has been on this Commission almost 15 seven years because he was appointed after a few months 16 had elapsed in the term that he was appointed for, 17 which, I think, that's reasonable. I think it's 18 reasonable. It doesn't have to be right at the 19 beginning of a term, but the Governor has been waiting 20 or unable to make this appointment for two years. 21 I think that is negligence of his duty, and 22 the thing that really grates on my nerves is that after 23 I spoke up, I received a call from someone in the 24 Governor's office who was unhappy with how I had 25 publicly stated my concerns about how the Governor's</p>

<p>09:40:32-09:41:45 Page 10</p> <p>1 office was handling it. And I -- that, actually, made 2 me feel bad. I thought, you know, maybe I was being 3 unfair. And, frankly, before our last meeting, I 4 texted that person to see -- because I had been told by 5 that person to reach out if I had any concerns. And I 6 did reach out to that person, and I did not even 7 receive a text back. 8 So, at this point, I feel that we need to 9 really look at whether we have any options. I feel 10 manipulated -- I know I said that at the last 11 meeting -- because behind the scenes we've been told, 12 through staff, because the Governor's staff has told 13 our staff, oh, we've got somebody; oh, but don't make 14 any announcements yet; oh, no, this month we'll have 15 somebody, but don't make any announcements yet. And, I 16 mean, it's been, like -- I don't know -- four months 17 now. 18 So, to me, that's just manipulation behind 19 the scenes, and I don't appreciate it. It's 20 unprofessional. It's unfair, and the ultimate -- what 21 it comes down to is that noting has been done for two 22 years to fill this term that has been, basically, 23 vacant and filled by a holdover who, frankly, deserves 24 to go back to his life and not be tethered to a 25 position that he filled fine and well and dutifully for</p>	<p>09:43:09-09:44:35 Page 12</p> <p>1 Governor has not done this. The Governor has not made 2 any appointments, as Commissioner Chan pointed out, 3 since 2016. 4 So, I don't know what the motives here are. 5 I'll leave that to other people, but it's really 6 becoming increasingly difficult for the Commission to 7 do its work. As Commissioner Chan pointed out, people 8 have other responsibilities, and they were not expected 9 to be here six and even seven years for a five-year 10 term. 11 It hurts the Commission, but I think, much 12 more importantly, it hurts the 481,963 Arizonans who 13 voted in 1998 to form this Commission with the goal of 14 improving Arizona's state government and promoting 15 public confidence in elections. And I don't know what 16 to do about this, but it cannot continue. We cannot 17 just continue forcing people to keep coming to meetings 18 months and, in some cases, years after their term 19 expires. I am proud to serve on this Commission, and I 20 will continue serving. I don't know that I want to be 21 here in two more years, though. 22 Thank you, Mr. Chairman. 23 CHAIRMAN PATON: Tom, any information to 24 impart to us? 25 COMMISSIONER CHAN: Perhaps, Mr. Chairman,</p>
<p>09:41:48-09:43:05 Page 11</p> <p>1 five years. 2 And, having said that, I will give it back 3 to Mr. Chairman and let it go at that. 4 COMMISSIONER KIMBLE: Mr. Chairman? 5 CHAIRMAN PATON: Commissioner Kimble. 6 COMMISSIONER KIMBLE: A couple of things I 7 wanted to say. First of all, a week from tomorrow my 8 term on the Commission ends, but in all likelihood, 9 I'll be back next month and probably for quite a few 10 months to come. And as Commissioner Chan has pointed 11 out, Commissioner Meyer's term ended a year ago. He's 12 still serving on the Commission. Commissioner Titla's 13 term ended two years ago. He's still serving on the 14 Commission. And in a week, three members of this 15 Commission, a majority of the Commission, will be 16 serving past the end of their terms. 17 And if the three of us stop coming to 18 meetings, there would be no meetings. The Commission 19 would be unable to do anything, and this really 20 shouldn't be the case. The law that established this 21 Commission said that the Governor and the top elected 22 official of the other party shall make appointments. 23 It doesn't say they may make appointments; they should 24 go ahead and do it if they feel in a good mood. It 25 says they should make appointments, and they -- the</p>	<p>09:44:37-09:45:42 Page 13</p> <p>1 I could interrupt briefly. 2 CHAIRMAN PATON: Yes. Go ahead. 3 COMMISSIONER CHAN: Maybe we could direct 4 Tom to coordinate with our attorneys to look into what 5 our options could be with regard to this matter going 6 forward. 7 CHAIRMAN PATON: Do we need to make a 8 motion on that? 9 MR. COLLINS: No, no. No. I can just take 10 the direction and contact the appropriate folks and 11 that would be just -- that would be that, I mean, and 12 then we'll get them available for you. Oh, I'm sorry. 13 There's no motion necessary. I will just take the 14 direction. 15 CHAIRMAN PATON: Okay. Well, please -- 16 please do that. 17 MR. COLLINS: Okay. 18 CHAIRMAN PATON: It does stresses all. 19 Like, what if something happens? You break down on the 20 road, or something, and the people are here coming and 21 you couldn't have a quorum. And two of us are coming 22 from Tucson and before light. So -- anyway. 23 COMMISSIONER CHAN: Thank you, 24 Mr. Chairman. 25 CHAIRMAN PATON: Sure.</p>

<p>09:45:42-09:47:17</p> <p>Page 14</p> <p>1 Tom, back to you. 2 MR. COLLINS: The only -- the last thing, 3 so we've got some rules stuff, but most of that is on 4 the agenda already later. And, then, we have -- 5 currently, we have 43 participating candidates, and we 6 have, I believe, one candidate funded, so far. And -- 7 and candidates are filing for funding, as we speak. 8 So, that concludes -- oh, the other thing 9 is, obviously, we've included our legislative reports, 10 as we have in past sessions. I want to thank Julian 11 and Mike for working on this and putting it together 12 with a little bit different format that I quite like. 13 So far we're not -- you know, the main, quote/unquote, 14 Clean Elections Bill that we've identified is HP 2054, 15 which is, basically, the same thing that Representative 16 Biasiucci introduced last year. 17 The bill -- you know, the bill violates the 18 Voter Protection Act on its face even -- and, in 19 effect, that is including Prop 306. In other words, 20 Prop 306 is voter-protected. And so, it does not give 21 the legislature the ability, on a simple majority, just 22 to add things in that target the Clean Elections 23 Commission. The last session, we were -- we had a good 24 discussion that was fruitful with the rules attorneys 25 for the -- for the House and the Senate and with the --</p>	<p>09:48:41-09:50:09</p> <p>Page 16</p> <p>1 convicted of crimes. 2 Would this, possibly, impact our largest 3 source of funding? 4 MR. COLLINS: Our only -- well -- yes. 5 Mr. Chairman, Commissioner Kimble, we have said -- 6 we've contended with this issue, from our narrow 7 perspective, since Justice Bales was chief justice. 8 You know, our view -- and at that time, you may recall, 9 we -- the Commission authorized us, in the event 10 something happened, to actually sue the Administrative 11 Office of the Court. That would turn out to be 12 unnecessary. We did get, from the Administrative 13 Office of the Courts, some guidance to judges about the 14 Clean Elections surcharge. 15 To the extent that bills broadly grant 16 judges the authority to waive surcharges, as applying 17 to the Clean Elections Act, that is either an 18 amendment, a diversion or a superseding, which are all 19 under the -- under the Voter Protection Act require a 20 three-quarter vote and furthering the purpose of the 21 Act. 22 So, our position would be, therefore, that, 23 to the extent that those bills do not have -- and I'll 24 just tell you that, generally, those bills do not get a 25 Prop 105 clause because "leg" council leaves that up to</p>
<p>09:47:21-09:48:40</p> <p>Page 15</p> <p>1 and, you know, the bill, ultimately, failed on final a 2 passage in the House. So, we'll probably -- we'll 3 proceed along the lines that we proceeded last year. 4 And -- and, then, just the general 5 proposition, because we have Julian and Mike working 6 together on this, we will be able to have more -- as we 7 talked about in the private meetings, more eyes on the 8 bills. And Julian has really taken a strong role in 9 monitoring the bills that have been being filed. 10 Just a quick side note, the legislature 11 has, I think, more bills this year than it has in an 12 election year in the last several cycles, in general. 13 So, that's where we are. So, that, 14 basically, concludes my report, unless anyone has any 15 other questions. 16 COMMISSIONER KIMBLE: Mr. Chairman? 17 CHAIRMAN PATON: Yes. 18 COMMISSIONER KIMBLE: Mr. Collins, I know 19 there's a lot of talk about sentencing reform in the 20 legislature this year, and one of the stories I saw 21 said that there's some talk about giving judges -- 22 excuse me -- giving judges authority to waive some of 23 the fines and penalties -- 24 MR. COLLINS: Right. 25 COMMISSIONER KIMBLE: -- of people who were</p>	<p>09:50:12-09:51:29</p> <p>Page 17</p> <p>1 the sponsor, but, you know, one of the educational 2 efforts we'll be undertaking as part of our lobbying is 3 ensuring that folks understand that as applied to the 4 Clean Elections Act surcharge, the legislature must 5 have a three-quarter vote and further the purpose. 6 And to the extent that they can muster the 7 three-quarter vote, it's very difficult to see how 8 continuing to diminish the funds of the Commission 9 are -- is furthering the purpose. 10 In 2012, for example, when the -- when the 11 legislature virtually unanimously repealed the tax -- 12 the voluntary tax credits, both on the income tax form 13 and the tax credit that folks could take for up to -- 14 there was a bigger tax credit associated with that -- 15 those got a three-quarter vote. I don't have any 16 problem saying that that did not further the purpose of 17 the Act. 18 So, on the other hand, those -- and, in 19 fact, it actually raised taxes. It didn't have a Prop 20 108 clause on it even, but -- so, that having been 21 said, you know, that will be part of our educational 22 effort. You know, it does not require the waiver of -- 23 the other waiver -- other -- so, just to -- I'm sorry. 24 Just to give you a little bit of more 25 background here, my understanding is that the Clean</p>

<p>09:51:34-09:53:08 Page 18</p> <p>1 Elections surcharge was the first surcharge on criminal 2 and civil fines and penalties. Subsequently, a variety 3 of different law enforcement surcharges were added. 4 Some of those surcharges actually do some for law 5 enforcement and kick back into the general fund -- some 6 portion of it. What that means is that there's a total 7 of 80 -- of an 80 percent surcharge on a traffic 8 ticket, for example. We make up only 12 percent of 9 that.</p> <p>10 So -- so, we would be hopeful that both the 11 Commission staff and the advocates for Clean Elections 12 will be able to explain that -- you know, that you -- 13 that you needn't comprehensively just strike out the 14 word "surcharge" out of every -- out of every thing to 15 address the problem.</p> <p>16 I would, also, note that under 16-907, 17 surcharges have never been required to be paid in order 18 to restore one's voting rights. The only things that 19 have ever been included are restitution and fines, and 20 I think that the legislature, in the last session, took 21 fines out. So, now it's just restitution, but the 22 bottom line is our surcharge does not prevent anyone 23 from voting, and our surcharge is a small part of the 24 overall surcharge. And it's the only one approved by 25 voters, and it's the -- and it's a very small piece of</p>	<p>09:54:25-09:55:47 Page 20</p> <p>1 process. I think that's -- I think that that report is 2 helpful. We, also, have the -- the Secretary of 3 State's staff is, also -- have been generous enough to 4 be here today to discuss any issues that you might want 5 to raise and answer any questions that you may have.</p> <p>6 And I'm not sure if they want to make a 7 presentation of their own or not, but we have the 8 Deputy Secretary of State, Allie Bones, and the 9 director of I.T., Bill Maaske.</p> <p>10 And so -- do you want to introduce 11 yourself?</p> <p>12 MS. BONES: Sure.</p> <p>13 CHAIRMAN PATON: Welcome.</p> <p>14 MS. BONES: Hi. Good morning, 15 Mr. Chairman, members of the Commission. And I'm Allie 16 Bones. I'm the Assistant Secretary of State. I don't 17 have a formal presentation. We provided the report in 18 writing, but I did just want to, you know, come before 19 you and, basically, share, you know, how much we are 20 appreciative of the partnership that we have with the 21 Clean Elections Commission and hope that we can, you 22 know, really move forward in a clear working 23 relationship in good partnership to make sure that the 24 goals of having a transparent campaign finance system 25 for the public are met.</p>
<p>09:53:12-09:54:17 Page 19</p> <p>1 that.</p> <p>2 So, that's the law as I see it. We'll be 3 hopeful to communicate that to folks because as both a 4 legal matter, you know, and, frankly, as a policy 5 matter, to the extent these interfere -- there's a 6 perception these interfere with people being able to 7 vote, those are not -- those are -- it's legally wrong, 8 and policy-wise, we're not interfering with anybody's 9 right to vote.</p> <p>10 COMMISSIONER KIMBLE: Okay. Thank you.</p> <p>11 CHAIRMAN PATON: Okay. Any other 12 questions?</p> <p>13 (No response.)</p> <p>14 CHAIRMAN PATON: All right. Item IV: 15 Discussion and possible action on matters relating to 16 the Secretary of State's Office, the See the Money 17 project, the Campaign Finance Reporting System, 18 Commission Interagency Service Agreement with the 19 Secretary of State's Office.</p> <p>20 Tom?</p> <p>21 MR. COLLINS: Yes. Mr. Chairman, 22 Commissioners, you have in your -- in your packet a 23 report that the Arizona -- that the Secretary of 24 State's Office generously took the time to update us on 25 their process. The -- and where they are in their</p>	<p>09:55:49-09:57:11 Page 21</p> <p>1 So, this project, as you know, started 2 under the previous administration. We have been 3 working ever since we got on board to, kind of, unravel 4 what happened and what our office committed to, what we 5 were able to do, really trying to understand some of 6 the expectations that were set and how realistic, or 7 not, those were for the public, as well as for the 8 Commission. So, we hope that this report really, kind 9 of, gets into where we're at with the development of 10 the project.</p> <p>11 We -- the previous administration entered 12 into the ISA with the Clean Elections Commission. I 13 know that there was some discussion about that at the 14 last Commission meeting, and we were, you know, looking 15 into, kind of, what the status of that was. We really 16 didn't have a good sense of what was in it before the 17 discussion and have since, you know, uncovered where 18 things are and what's going on.</p> <p>19 So, I don't -- I think it was represented 20 that our office did not recognize that ISA, and that is 21 not our position at all. We understand that any 22 contracts or agreements or anything that was entered 23 into by the previous administration carries forward 24 into our administration. Anyone who's been watching 25 the news about what's happening with our office knows</p>

<p>09:57:14-09:58:28</p> <p>Page 22</p> <p>1 that we are in a contract -- a 10-year-contract with 2 Iron Mountain around records management and records 3 storage that we are trying to, you know, figure out and 4 deal with going forward. 5 So, this is a common issue that we are 6 dealing with, but we want to make sure that you all 7 know that our office has spent a great deal of time on 8 the system. When we came on board, we -- you know, 9 Secretary Hobbs and I met with our CIO, Bill Maaske, 10 who is here, too, and can answer any questions from a 11 technical nature, but really said, like, what are the 12 priorities? What are you all working on? 13 And it became really clear that the need 14 for attention and focus was on the input side of the 15 equation; that what is reported through the 16 public-facing site, See the Money, is very dependent 17 upon the data that goes into the reporting side of 18 that. And so, the better part of the last year has 19 been spent developing and updating and making that 20 reporting site, which we now call Beacon, functional 21 and making sure that the reports that are going in 22 there make sense and have good data because, as we 23 know, it's data in that is reported out. And so, we 24 need to make sure we're not having, you know, garbage 25 in/garbage out. We want to have good, strong data and</p>	<p>09:59:39-10:00:42</p> <p>Page 24</p> <p>1 doing, and I think I have an understanding of what you 2 guys have been having to deal with. I mean, not from 3 the inside, obviously. 4 MS. BONES: Right. 5 COMMISSIONER CHAN: I've just seen the 6 reports that have come out in the news, and I'm sorry. 7 MS. BONES: Thank you. 8 COMMISSIONER CHAN: So -- but I know you 9 guys have a good team with Bill, and I think it looks 10 like, you know -- and I'll let Tom chime in here, but 11 it sounds like -- I know Tom had conveyed to us that he 12 and staff had had a great meeting with you guys. And 13 it just sounds like, obviously, you know, the previous 14 Secretary was going one way. 15 MS. BONES: Right. 16 COMMISSIONER CHAN: And, to my mind, I 17 wasn't whetted to that, especially knowing there's a 18 new Secretary. You guys -- everybody has their own 19 agenda, but that doesn't mean it's not something that 20 we can support. It's just knowing what it is and 21 moving forward and making sure that we have a meeting 22 of the minds again. And thank you very much for 23 communicating this to us and coming over here and 24 spending your time this morning and putting this 25 together for us so that we are aware of, you know,</p>
<p>09:58:30-09:59:36</p> <p>Page 23</p> <p>1 things that can be done. 2 So, from there we've been working on an 3 updated plan for the public-facing site. We really see 4 See the Money as something that is a system that we, 5 kind of, are putting to rest. We're using the 6 infrastructure and what it was built upon as a basis 7 for moving forward and creating new functionality, 8 which is referenced in the report, some of our goals, 9 and are going to be transitioning that to a system that 10 we're going to be calling Spotlight and expect a 11 release within the next month, or so. 12 Any questions? 13 CHAIRMAN PATON: Questions? 14 COMMISSIONER CHAN: Mr. Chairman? 15 CHAIRMAN PATON: Yes. 16 COMMISSIONER CHAN: First of all, Allie, 17 thank you so much for coming today, for you and Bill. 18 And I'm sorry for any misunderstandings that we had. 19 MS. BONES: It's okay. 20 COMMISSIONER CHAN: And I read this last 21 night, and I was so happy to see that it feels like we 22 really did have -- there was -- it really was just a 23 misunderstanding. Like, it seems, like, all we needed 24 was a little communication. And looking at this, I'm 25 happy. You know, I love seeing what you guys are</p>	<p>10:00:45-10:01:45</p> <p>Page 25</p> <p>1 what's going on and that we're having all of our needs 2 met as a Commission. 3 So, thank you. 4 MS. BONES: Absolutely. Yes. Thank you 5 Mr. Chairman, Commissioner Chan, yeah, absolutely. 6 We're happy to be here and to answer any questions. I 7 think, as Tom mentioned, we did have a really good 8 meeting, and I think it's a good stepping-off point for 9 us to ensure that we're having regular communication 10 and discussion as the development of Spotlight 11 continues to move forward. We want to make sure that 12 the needs of the Commission are being met, as well. 13 COMMISSIONER CHAN: Thank you. 14 MS. BONES: Yeah. 15 COMMISSIONER KIMBLE: Mr. Chairman? 16 CHAIRMAN PATON: Commissioner Kimble. 17 COMMISSIONER KIMBLE: First of all, I was 18 very impressed with this report. And it looks like a 19 lot of things have been resolved, but I want to ask Tom 20 two questions. 21 First of all, are you happy with this? 22 And, second of all, we -- it seemed like we had some 23 issue about confusion over something that -- over our 24 program called Voter Compass, or something, that was 25 going to have the same name as something else.</p>

<p>10:01:48-10:02:41 Page 26</p> <p>1 MR. COLLINS: Oh, we resolved -- 2 COMMISSIONER KIMBLE: That's been resolved. 3 MR. COLLINS: That's been resolved. 4 COMMISSIONER KIMBLE: Okay. So, are you 5 satisfied with this? 6 MR. COLLINS: Well, I think -- I mean, 7 Mr. Chairman, Commissioner Kimble, my view is this. I 8 think the meetings were very productive. I think Allie 9 and I started to get in touch with one other -- around 10 the time that there were some news stories about that. 11 It was -- it was, kind of, a coincidence that -- 12 MS. BONES: Right around Christmas. 13 MR. COLLINS: Right. Yeah. 14 MS. BONES: Yes, it was perfect. 15 MR. COLLINS: Right. Well, yeah. It was a 16 coincidence. We met, and then the story was being 17 worked on. And so, these, kind of, coalesced around 18 each other. So, I think we handled that aspect of the 19 things appropriately. 20 You know, I think that -- long-term, I 21 think that -- you know, I think that -- I think the 22 issue is -- has been whether the Commission has gotten 23 the value for the investment that it made. And I think 24 that -- you know, I think that, you know, we -- I think 25 the -- I think the commitment that the Secretary's</p>	<p>10:04:05-10:05:21 Page 28</p> <p>1 finance reporting system, the statute says that the 2 Secretary and the Commission have to jointly approve 3 it. I don't see -- I don't anticipate any reason not 4 to do that, but I thought that it would be just, you 5 know, for the sake of efficiency -- it's, actually, 6 more efficient to do that at the next meeting than it 7 is to do it at this meeting, but I don't anticipate 8 any -- any difficulty with that. I just -- I just 9 thought that, basically, that would allow the dialogue 10 that's happening here, absent some pressure. 11 So, other than that, I don't have any other 12 comments. 13 COMMISSIONER KIMBLE: Okay. Thank you. 14 CHAIRMAN PATON: Okay. I do. So, you have 15 to understand you weren't here, but we were here. And 16 we had two years of assurances, money paid out, things 17 not working right, assurances. The Secretary of State 18 came here in person, told us this is how it's going to 19 be done and whatever. The technical guys came, did 20 their little show, dog-and-pony show, and we were 21 assured. And, then, here comes -- it comes to pass 22 that it was like a video game out of control, or 23 something. It wasn't -- nothing was working right, you 24 know. 25 And so, that led to a lot of frustration on</p>
<p>10:02:45-10:04:02 Page 27</p> <p>1 office has made and is making is -- demonstrates that 2 there -- whatever value might have been there -- 3 whatever value might not have occurred in the past 4 will -- we should be in a position to have that value 5 going forward. 6 I know I don't know technically if any -- 7 if the Secretary's office or anybody else wants to 8 work -- if there's anything else that needs to be done 9 with respect to the documentation on that. I'm 10 agnostic on that, but I mean, I think that, look, if -- 11 we're going -- the point is the things that we asked 12 for are either complete or in the pipeline by virtue of 13 what we paid for, and the things that -- and that 14 means -- and that's what, I think, as I understood the 15 Commission's request of us at the last meeting, was the 16 thing that we needed to establish. 17 And I think that that's something that 18 we've done. The only technical legal thing that we 19 still have -- that we have to do that we have to do, 20 which I was going to defer until -- which I do -- I 21 would like to defer until next month and just make sure 22 that everybody is comfortable on the -- on the -- on 23 the CFRS approval piece that's in the Clean Elections 24 Act. 25 We do have a -- when there's a new campaign</p>	<p>10:05:26-10:06:36 Page 29</p> <p>1 my part, anyway. And then -- then the news that, well, 2 we weren't here, and so on, so we don't know anything 3 about it. And that was a tad aggravating for me. 4 So -- but it sounds like things are back in order, 5 somewhat. So, I feel better. I mean, we're not the 6 technical people here. We just know that we have a 7 finite amount of money, as you do, and our funds were 8 being depleted. 9 And we felt like we are being -- I don't 10 know -- misled or we were told things were going to 11 happen, and we felt like it was a good operation to 12 make our function and your function much better for the 13 public. And that's what we're here for. So, when it 14 looked like that was down to ashes, it was quite 15 frustrating. So, I'm sorry if you, kind of, caught the 16 brunt of that. 17 So, with that, thank you. 18 MS. BONES: All right. 19 CHAIRMAN PATON: Any other questions? 20 (No response.) 21 CHAIRMAN PATON: Thank you for coming 22 and -- 23 MS. BONES: Absolutely. 24 CHAIRMAN PATON: -- and telling us -- and 25 your report makes it feel like everything is going</p>

<p>10:06:40-10:07:28</p> <p>Page 30</p> <p>1 well. 2 So, thank you. 3 MS. BONES: Thank you, Mr. Chairman and 4 Commissioners. I appreciate it. 5 CHAIRMAN PATON: Thank you. 6 MS. BONES: Thanks. 7 CHAIRMAN PATON: All right. Item V: 8 Discussion and possible action on proposed meeting 9 dates for February through July 2020. 10 And, Commissioners, have you all had the 11 chance to review the dates as Thomas has proposed? Any 12 discussion? 13 COMMISSIONER CHAN: Mr. Chairman, I would 14 move that we adopt the proposed meeting dates for 15 February through July of 2020. 16 COMMISSIONER KIMBLE: Second. 17 CHAIRMAN PATON: We have a motion and a 18 second. 19 Let's take a vote. 20 Commissioner Chan? 21 COMMISSIONER CHAN: Aye. 22 CHAIRMAN PATON: Commissioner Kimble? 23 COMMISSIONER KIMBLE: Aye. 24 CHAIRMAN PATON: And the Chair votes aye, 25 even though it says the Chair votes yes. So, that is</p>	<p>10:09:30-10:11:00</p> <p>Page 32</p> <p>1 candidates to do things that they are still allowed to 2 do regardless of Prop 306. 3 His view is that -- that the Commission, 4 apparently, doesn't have authority to tell people what 5 they can legally spend money on. And so, he believes 6 that with the passage of Prop 306, the Commission 7 should not be telling people what is legal but only 8 what is not legal. And so, that's what the amendment 9 to R2-20-209 accomplishes. 10 With respect to the small business impact, 11 the consumer impact and the -- and the other business 12 impacts, economic impact, I think that the fact that 13 GRRC returned R2-20-209 to us implicitly means that 14 this is -- that they believe that the benefits of this 15 to those groups, to the extent there are any, which is 16 always an issue because we don't regulate -- we don't 17 regulate business entities, as such, but it's 18 difficult -- I mean, let me -- let me put it this way. 19 There are obvious costs to candidates in 20 terms of this amendment that Mr. Sundt wrote. The 21 costs are the candidate compliance costs are increased 22 because they no longer have guidance about what is 23 legal for them to spend money on in Rule 702; however, 24 the council returned 702 to us with this direction. 25 And so, they've, obviously, made that analysis</p>
<p>10:07:33-10:09:24</p> <p>Page 31</p> <p>1 passed. 2 That was V. Okay. Let's go to the next. 3 Item Number VI: Discussion and possible 4 action on rules and rule amendments. 5 Mr. Collins? 6 MR. COLLINS: Yes. So, real briefly, so, I 7 wanted to just update you on Rule 113, I think it 8 was -- Rule 1 -- I might check it again. 9 So, we had -- GRRC had a special meeting on 10 January 7th? Is that right, Mike? And they gave their 11 stamp of approval to the amendments we had to Rule 113 12 and 704. Those had to do with the candidate statement 13 pamphlet and the -- a rule related to repayment 14 obligations that was contrary to the Act and to -- and 15 to law. So, we are going to go ahead -- we'll file 16 that statement from GRRC, in accordance with our -- 17 with our prior statements about that. 18 With respect to Item VI.B, that is an 19 action item. We are -- we have circulated -- this is 20 Council Member Sundt's first pass at revising the 700 21 series -- or chapters -- or Article 7 of our rules. We 22 have three other rules that he either drafted or 23 suggested out circulating right now. This one, 24 essentially, takes the pieces of 702 that -- that he 25 believed were confusing, insofar as they allowed</p>	<p>10:11:04-10:12:30</p> <p>Page 33</p> <p>1 themselves and concluded otherwise. So, with that, I 2 recommend that you all give -- we need two motions, as 3 we've talked about, a motion to approve and a motion to 4 set the effective date. 5 COMMISSIONER CHAN: Mr. Chairman? 6 CHAIRMAN PATON: Yes. 7 COMMISSIONER CHAN: I just want to make a 8 comment. This is just another example of the 9 Governor's Regulatory Review Council, once again, 10 making policy, which is a completely inappropriate 11 exercise of its statutory authority, in my opinion. I 12 think it's outrageous, but let's go ahead and let them 13 make these decisions. And we'll see what happens. 14 And with that, I will -- unless there's -- 15 I will let -- hand it back to the chairman. 16 CHAIRMAN PATON: Any other comments? 17 COMMISSIONER KIMBLE: Well, it seems to me 18 that in this election cycle, we ought to keep track of 19 the type of questions we get that could have been 20 answered if this language had remained so that a year 21 hence, for whoever is still here, we can, maybe, say, 22 okay, this was a mistake; let's push back again on 23 this. And -- because it led to confusion. It led to a 24 lot of unnecessary questions, and we now have evidence 25 of that. And I think then we would be in a far</p>

<p>10:12:35-10:13:41 Page 34</p> <p>1 stronger position to put this language back in which I 2 do think is very helpful guidance, but at some point, I 3 think you've got to stop hitting your head against the 4 wall. 5 CHAIRMAN PATON: Considering your -- and 6 you're finished? 7 COMMISSIONER KIMBLE: Yes, I am. 8 CHAIRMAN PATON: I mean, considering that 9 many of the people running have no idea. It's their 10 first time. They have no idea what they're doing, and 11 they need as much guidance as they can get. And 12 they -- and we wouldn't want them to do something that 13 would -- that we could warn them about. 14 But do I have a motion about R2-20-209? 15 COMMISSIONER CHAN: Mr. Chairman, I move 16 that we approve the proposed amendments to R2-20-702 17 for final adoption or -- 18 MR. COLLINS: It's 702. I kept saying 209. 19 I've got -- 20 COMMISSIONER CHAN: Did I say -- 21 MR. COLLINS: No. I'm wrong. I said 209. 22 COMMISSIONER CHAN: Okay. 23 MR. COLLINS: It's 702. 24 COMMISSIONER CHAN: Okay. 25 MR. COLLINS: Sorry. I apologize.</p>	<p>10:14:15-10:15:34 Page 36</p> <p>1 COMMISSIONER KIMBLE: Aye. 2 CHAIRMAN PATON: And the Chair votes aye, 3 as well. 4 COMMISSIONER CHAN: And, then, 5 Mr. Chairman, as far as the effective date, I don't 6 know if Tom -- 7 MR. COLLINS: Yes. 8 COMMISSIONER CHAN: -- has a recommendation 9 or not. 10 MR. COLLINS: I do. I do, in fact. As 11 we've outlined in previous meetings, the Governor's 12 Regulatory Review Commission counsel and its staff came 13 to the conclusion that, I think, is impossible to 14 square with the language that was in front of voters 15 wherein the Commission lost its authority to determine 16 the effective date of -- of rules. 17 Additionally, if the Commission does not 18 act unanimously, a rule cannot be implemented until 19 January 1 of the subsequent year. So, in this case, 20 if -- you know, if we want to make sure that this rule 21 is on the books during the election cycle so people are 22 aware of the change, I would recommend that you vote -- 23 that the motion be made to make it -- make it effective 24 immediately. If that motion is not unanimous, then it 25 will not be effective until January 1st.</p>
<p>10:13:42-10:14:12 Page 35</p> <p>1 CHAIRMAN PATON: On my cheat sheet, it says 2 209 here, Tom. 3 COMMISSIONER CHAN: Okay. I read it off 4 the agenda. So, hopefully, that was right. 5 MR. COLLINS: Well, the agenda is right. 6 The cheat sheet is wrong. 7 CHAIRMAN PATON: Okay. 8 MR. COLLINS: And I apologize. I have -- 9 CHAIRMAN PATON: Now you're really 10 aggravating me. 11 MR. COLLINS: Well -- 12 CHAIRMAN PATON: All right. You said 702? 13 COMMISSIONER CHAN: Yes. 14 CHAIRMAN PATON: Okay. 15 MR. COLLINS: I apologize. 16 CHAIRMAN PATON: All right. So, are we 17 having a motion? 18 COMMISSIONER CHAN: I made the motion. 19 CHAIRMAN PATON: Okay. 20 COMMISSIONER KIMBLE: Second. 21 CHAIRMAN PATON: So, we're having a motion 22 and a second. Let's call the roll. 23 Commissioner Chan? 24 COMMISSIONER CHAN: Aye. 25 CHAIRMAN PATON: Commissioner Kimble?</p>	<p>10:15:35-10:16:30 Page 37</p> <p>1 That would place us in a position with 2 vis-a-vis GRRC that is a little unknown, and we have 3 avoided that thus far because the -- our position, 4 staff's position has been -- my position, which is 5 where we're putting it in -- has been that it's better 6 to just get something out there that -- I mean, we 7 need -- this rule should be amended regardless because 8 we need -- the language that says you can spend money 9 with parties has to go. It's not consistent with the 10 statute, and that creates confusion. 11 So, for that reason, I would recommend that 12 you -- that a motion for immediate effectiveness -- 13 CHAIRMAN PATON: I thought it was already 14 unanimous? 15 MR. COLLINS: It has to be unanimous. 16 CHAIRMAN PATON: But it was unanimous. 17 COMMISSIONER CHAN: And, then, I think, 18 Mr. Chairman -- 19 MR. COLLINS: I would like -- we need to 20 make the record clear of the effective date. So, 21 you've approved it, but we need to state the effective 22 date for the record. 23 CHAIRMAN PATON: Okay. 24 COMMISSIONER CHAN: I think, Mr. Chairman, 25 then, I'll go ahead and just make another specific</p>

<p>10:16:31-10:17:16 Page 38</p> <p>1 motion -- 2 CHAIRMAN PATON: Okay. 3 COMMISSIONER CHAN: -- for clarity -- 4 CHAIRMAN PATON: Go ahead. 5 COMMISSIONER CHAN: -- to make our approval 6 of this amendment to the rule effective immediately. 7 CHAIRMAN PATON: Okay. 8 COMMISSIONER KIMBLE: Second. 9 CHAIRMAN PATON: We have a motion and a 10 second, and I'll call the roll. 11 Commissioner Chan? 12 COMMISSIONER CHAN: Aye. 13 CHAIRMAN PATON: Commissioner Kimble? 14 COMMISSIONER KIMBLE: Aye. 15 CHAIRMAN PATON: And the Chair votes aye, 16 as well. 17 So, that passed, both. 18 MR. COLLINS: Yes. 19 CHAIRMAN PATON: Item VII: Discussion and 20 possible action on 2020 Interagency Service Agreement 21 with the Attorney General's Office. 22 Tom? 23 MR. COLLINS: Yes. So, Mr. Chairman, 24 Commissioners, we've been working with the Attorney 25 General's Office on this year's Interagency Service</p>	<p>10:19:01-10:19:53 Page 40</p> <p>1 So -- so, that's where we are. So, 2 we're -- you know, we're -- we would say -- or 3 recommend that you all approve it, and then I can sign 4 it and send it back to the Attorney General's Office. 5 CHAIRMAN PATON: Any questions for 6 Mr. Collins? 7 COMMISSIONER CHAN: Mr. Chairman, just a 8 comment. 9 CHAIRMAN PATON: Yes. 10 COMMISSIONER CHAN: This, actually, doesn't 11 have any bearing on the ISA, but I noticed that our 12 attorney's boss issued a letter to our two U.S. 13 senators urging them to acquit the President in his 14 impeachment trial. And I just found that so 15 interesting because I didn't know how it related to his 16 job as our State Attorney General. And I just -- I 17 just wanted to throw that out there. I don't ask them 18 to comment on that, but I thought that was so 19 interesting yesterday. 20 Anyway, welcome, Dustin, and I hope you 21 enjoy elections as much as we all do. I think it's a 22 pretty interesting area of law. 23 So, having made that comment that I 24 couldn't resist -- 25 CHAIRMAN PATON: Mr. Kimball?</p>
<p>10:17:21-10:18:54 Page 39</p> <p>1 Agreement. We have -- I think, have established -- we 2 are happy to recommend that the Commission approve 3 this. So, I'll take a moment here, you know, to -- as 4 we all know, Mr. Joseph LaRue has now moved to the 5 county where he's a county election lawyer. We still, 6 lucky for us, have the benefit of Ms. Carlson's 7 expertise as, literally, the longest-serving election 8 attorney in the Attorney General's Office since, 9 probably, 2010, if not -- if not earlier. Not counting 10 Mary. 11 And so, we're pleased that she's still with 12 the Attorney General's Office. We, also, have with us 13 today Dustin Romney. He's sitting next to Mary. He is 14 a member of the Attorney General's Office. He's an 15 attorney there. He will be, as I understand, helping 16 out the elections section. He's -- comes from the -- I 17 think, the government accountability section of the 18 AG's office. So, welcome, Dustin. I think we'll be 19 seeing him around for some period of time, if not 20 permanently. 21 And so, with that, the cost on the ISA came 22 down to about \$60,000 this year because -- based on the 23 funding that we are providing for positions and the 24 hours that we were -- the hours being -- the 25 anticipated hours based on last year being less.</p>	<p>10:19:56-10:20:36 Page 41</p> <p>1 COMMISSIONER KIMBLE: I have no comments. 2 COMMISSIONER CHAN: I'll go ahead and make 3 a -- make the motion, then, Mr. Chairman. 4 CHAIRMAN PATON: Okay. 5 COMMISSIONER CHAN: I'll move that we 6 approve the 2020 Interagency Service Agreement with the 7 Attorney General's Office. 8 CHAIRMAN PATON: Do I have a second? 9 COMMISSIONER KIMBLE: Second. 10 CHAIRMAN PATON: We have a motion and a 11 second. I'll call roll. 12 Commissioner Chan? 13 COMMISSIONER CHAN: Aye. 14 CHAIRMAN PATON: Commissioner Kimble? 15 COMMISSIONER KIMBLE: Aye. 16 CHAIRMAN PATON: And the Chair votes aye. 17 Item VIII: Public comment. 18 Do we have anybody that would like to make 19 a public comment. 20 (No response.) 21 CHAIRMAN PATON: I don't see anybody 22 leaping up. 23 So, Item IV: Motion to adjourn. 24 COMMISSIONER CHAN: Mr. Chairman, I move 25 that we adjourn the meeting.</p>

10:20:38-10:20:50

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1 COMMISSIONER KIMBLE: Second.
2 CHAIRMAN PATON: We have a motion and a
3 second to adjourn.
4 Commissioner Chan?
5 COMMISSIONER CHAN: Aye.
6 CHAIRMAN PATON: Commissioner Kimble?
7 COMMISSIONER KIMBLE: Aye.
8 CHAIRMAN PATON: And the Chair votes aye,
9 and we are done.
10 We're adjourned.
11 (Whereupon, the proceedings concluded at
12 10:20 a.m.)
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1 STATE OF ARIZONA)
2 COUNTY OF MARICOPA)
3 BE IT KNOWN the foregoing proceedings were
4 taken by me; that I was then and there a Certified
5 Reporter of the State of Arizona, and by virtue thereof
6 authorized to administer an oath; that the proceedings
7 were taken down by me in shorthand and thereafter
8 transcribed into typewriting under my direction; that
9 the foregoing pages are a full, true, and accurate
10 transcript of all proceedings and testimony had and
11 adduced upon the taking of said proceedings, all done to
12 the best of my skill and ability.

13 I FURTHER CERTIFY that I am in no way
14 related to nor employed by any of the parties thereto
15 nor am I in any way interested in the outcome hereof.

16 DATED at Phoenix, Arizona, this 24th day of
17 January, 2020.

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19 _____
20 LILIA MONARREZ, RPR, CR #50699
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\$60,000 (1) 39:22							
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