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THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona

March 16, 2020

9:33 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 9:33 a.m. on March 16, 3 2020, at the State of Arizona, Clean Elections 4 Commission, 1616 West Adams, Conference Room, Phoenix, 5 Arizona, in the presence of the following Board members: 6 7 Mr. Galen D. Paton, Chairman (Telephonic) 8 Mr. Damien Meyer (Telephonic) 9 Mr. Mark S. Kimble (Telephonic) 10 Ms. Amy B. Chan (Telephonic) 11 12 OTHERS PRESENT: 13 14 Thomas M. Collins, Executive Director 15 Paula Thomas, Executive Officer 16 Mike Becker, Policy Director 17 Alec Shaffer, Web Content Manager 18 Julian Arndt, Executive Support Specialist 19 Avery Oliver, Voter Education Specialist 20 Kara Karlson, Assistant Attorney General 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>09:34:39-09:36:15</p> <p>1 this. We've been in -- I think -- I think you have a 2 copy of the communication from the Attorney General's 3 Office. I've gotten some follow-up communication that, 4 I think, is helpful. 5 My -- my thoughts on this, just to kind of 6 keep this quick, are I think that, you know, we know 7 that the Attorney General's Office is very busy right 8 now. We know that our staff is very busy right now. 9 You know, we didn't really anticipate or -- we 10 certainly didn't precipitate this -- this development 11 in the first place. This was -- this was something 12 that was unilaterally done by the Attorney General's 13 Office. 14 That having been said, my only 15 recommendation on this at this point is to put a button 16 in it until we can get to a time when we can address it 17 more fully. I don't have the time or the resources 18 necessary to get into the number of ways in which I 19 think that the Attorney General's position is 20 inconsistent with the law -- the law of the Attorney 21 General's Office, the law of lawyer regulation and the 22 procurement law, in general, but I -- other than to 23 say, you know, other than that, I just don't think we 24 are in a position to push this farther at this moment. 25 You know, we have another meeting at the</p>
<p>09:33:35-09:34:36</p> <p style="text-align: right;">Page 3</p> <p>1 P R O C E E D I N G 2 3 CHAIRMAN PATON: All right. It is 9:33 on 4 March 16, 2020. I'm Chairman Galen Paton, and I call 5 this meeting of the Citizens Clean Elections Commission 6 to order. 7 And we will now take attendance. Each 8 Commissioner, please, state your presence for the 9 record. 10 Commissioner Chan? 11 COMMISSIONER CHAN: Here. 12 CHAIRMAN PATON: Commissioner Kimble? 13 COMMISSIONER KIMBLE: Here. 14 CHAIRMAN PATON: Commissioner Meyer? 15 COMMISSIONER MEYER: Here. 16 CHAIRMAN PATON: And I am Commissioner 17 Paton, and I am here, as well. And so, we do have a 18 quorum. 19 Item II: Discussion and possible action on 20 issues associated with the Attorney General's Office. 21 Mr. Collins, would you give us an update? 22 MR. COLLINS: Yes, Mr. Chairman, 23 Commissioners, thank you. 24 Just real quickly, obviously, a couple of 25 different things have happened since we last met on</p>	<p style="text-align: right;">Page 5</p> <p>09:36:16-09:37:34</p> <p>1 end of the month and meetings after that. If something 2 else were to happen, we can -- we can monitor the 3 situation. 4 So, really, our goal here over the course 5 of the last week since our last communication has been 6 to ascertain, as best we can, what this -- with the 7 help of the AG's office, you know, in this case, you 8 know, to get our arms around the scope of the issue. I 9 think I have a better understanding of that, but as I 10 say, I just don't think that -- I just don't think this 11 is the most effective use of our time at this moment in 12 time. And that's, you know, changed over the course of 13 simply, literally, the last week, obviously. 14 So, those are my thoughts. I don't -- if 15 you have questions for me about the correspondence you 16 have or any other thoughts that I might be able to 17 answer, I'm happy to take those questions. 18 We -- the last thing I'll say, just to make 19 sure everything is summarized, we placed the amicus 20 brief issue on the agenda as a separate item in the 21 event that either you wanted to discuss it as a 22 separate topic or take some action thereon. Staff's 23 recommendation was and continues to be that we just -- 24 we don't, as a body, get involved in that process at 25 this point. I think that -- I don't -- again, I don't</p>

<p>09:37:40-09:38:52 Page 6</p> <p>1 think that given -- given the run of things, I just 2 don't think that that's something we need to do at this 3 point. 4 So, those -- those are my thoughts. I 5 appreciate you all -- I appreciate Chairman Paton 6 calling the meeting to make sure that we all had a 7 chance to check in on that. I think that was the right 8 decision and I appreciate it, but I really, at this 9 point, would just take your questions if you have any 10 on those issues. 11 CHAIRMAN PATON: So -- this is Chairman 12 Paton. 13 So, your recommendation, then, for us to 14 proceed in this meeting is to what? 15 MR. COLLINS: My recommendation with 16 respect to this meeting is if there are questions that 17 I can answer, I'm happy to answer those, but I don't -- 18 since we have not taken any action vis-a-vis the -- the 19 AG's office or the amicus brief, there's no need to 20 take any action on those items. We do have that rule 21 agenda item, Item III, that I would like to get through 22 today since we're all here, but my recommendation is 23 that -- I have no action to recommend at this point. 24 That doesn't mean that you all may not have 25 actions that you think are appropriate and necessary or</p>	<p>09:40:06-09:41:30 Page 8</p> <p>1 agree with what Commissioner Kimble said. I wasn't 2 happy with the response of the Attorney General's 3 Office, particularly declining to meet with us. I 4 think that says it all, that they don't really have 5 anything that they can stand on, but I don't really 6 know what more we can do at this point. So, I agree 7 with Commissioner Kimble and agree with Tom's 8 recommendation. 9 CHAIRMAN PATON: And -- thank you. 10 And this is Commissioner Paton, and I would 11 agree with the other two, that I think we have other 12 things down the road where we need goodwill on 13 everybody's part. And I don't want to muddy the waters 14 right now right during the legislature, and so on. 15 And so, Mr. Collins, what is our next item 16 to -- 17 MR. COLLINS: Yes. Thank you, 18 Mr. Chairman. Yes. If I would -- if we could move on 19 to Item III: Discussion and possible action and final 20 approval of amendments to R2-20-703.01. 21 With your permission, Mr. Chairman, I'll 22 just go through that real quick. 23 MS. THOMAS: Item IV. 24 MR. COLLINS: Oh, Item IV. I'm sorry. 25 Item IV. Item IV, but I'll go through that real quick,</p>
<p>09:38:56-09:40:03 Page 7</p> <p>1 that you all may not have questions that you have that 2 might trigger some -- some discussion along those 3 lines. That's really, at this point, my -- my thought. 4 Does that answer your question, Chairman 5 Paton? 6 CHAIRMAN PATON: Okay. So, are there any 7 questions for Mr. Collins on his statements? 8 COMMISSIONER KIMBLE: Mr. Chairman, this is 9 Commissioner Kimble. 10 CHAIRMAN PATON: Yes, Commissioner Kimble, 11 go ahead. 12 COMMISSIONER KIMBLE: I -- Tom, I just 13 wanted to say that, although I'm not happy with the 14 response of the Attorney General's Office, particularly 15 even declining to meet with us, and I'm not happy with 16 their previous actions, I think, personally, this is 17 something that I think we've just got to swallow up. I 18 don't think this is a hill that I'm ready to die on in 19 our -- in our continuing discussions with the Attorney 20 General's Office. 21 CHAIRMAN PATON: And anybody else? 22 COMMISSIONER CHAN: Mr. Chairman? 23 CHAIRMAN PATON: Yes, Commissioner Chan. 24 COMMISSIONER CHAN: Mr. Chairman, I think I 25 couldn't have said it better myself. I would totally</p>	<p>09:41:32-09:42:22 Page 9</p> <p>1 with your permission. 2 CHAIRMAN PATON: Yes. 3 MR. COLLINS: So -- 4 CHAIRMAN PATON: So, we're skipping 5 Item III? 6 MR. COLLINS: Well, unless you all want to 7 take a vote on the amicus brief issue. 8 CHAIRMAN PATON: We don't need to, then, 9 correct? 10 MR. COLLINS: Correct. You are correct. 11 You are correct. 12 CHAIRMAN PATON: Okay. All right. Go 13 ahead on Item IV, then. 14 MR. COLLINS: Thank you. 15 So, this is a final approval of a rule 16 amendment that we had -- we had at issue with in the 17 last agenda. Since we're all here, we wanted to go 18 ahead and get that final approval. 19 R2-20-703.01, we drafted in response to 20 comments from the Governor's Regulatory Review Council 21 and their view of how to implement Prop 306. We have 22 received no -- 23 CHAIRMAN PATON: Excuse me, Tom. 24 MR. COLLINS: Yes. I apologize. 25 CHAIRMAN PATON: Excuse me. By my agenda,</p>

<p>09:42:23-09:43:32 Page 10</p> <p>1 this is Item III that you're speaking of, not Item IV. 2 MR. COLLINS: Right. For clarity's sake, 3 that's -- it's the item labeled discussion and possible 4 action on final approval of amendments to Arizona 5 Administrative Code R2-20-703.01. I have it as Item 6 III on my script, but I don't have the agenda in front 7 of me right this minute. So, it's not -- 8 CHAIRMAN PATON: That's -- so, I guess, 9 that's why it's hard to do this by phone. So, my -- 10 MR. COLLINS: Right. 11 CHAIRMAN PATON: On my agenda here, it says 12 Item III as to what you're discussing. So, I just -- I 13 didn't want it to be confusing. So, if we could use 14 this as Item III, then, I guess. 15 MR. COLLINS: Yes. The substance of the 16 item is what is the relevant issue here. It's 17 discussion and possible action on the status of the 18 rule amendment -- approval of rule amendments to A.A.C. 19 R2-20-703.01. 20 Okay. So, anybody watching at home, that 21 is what we're discussing. 22 Sorry. 23 CHAIRMAN PATON: Go ahead. I'm sorry. 24 MR. COLLINS: No, no, no. That's helpful. 25 The -- anyways. So, as I said, this was</p>	<p>09:45:42-09:46:49 Page 12</p> <p>1 rule finally and, Number 2, because we're in the midst 2 of an election cycle, that the Commission vote to make 3 that rule effective immediately, pursuant to A.R.S. 4 16-956. 5 So, those are the actions we're requesting, 6 Mr. Chairman and members. 7 CHAIRMAN PATON: Okay. Do we have any 8 motions? 9 COMMISSIONER CHAN: Mr. Chairman, I would 10 move that we give final approval of R2-20-703.01. 11 CHAIRMAN PATON: And do I have a second? 12 COMMISSIONER MEYER: And this is 13 Commissioner Kimble. Second. 14 CHAIRMAN PATON: Okay. So, we have a 15 motion and a second. We'll do a roll call. 16 So, Commissioner Chan? 17 COMMISSIONER CHAN: Aye. 18 CHAIRMAN PATON: Commissioner Kimble? 19 COMMISSIONER KIMBLE: Aye. 20 CHAIRMAN PATON: Commissioner Meyer? 21 COMMISSIONER MEYER: Aye. 22 CHAIRMAN PATON: And the chairman, 23 Commissioner Paton, I vote aye, as well. 24 MR. COLLINS: So -- 25 CHAIRMAN PATON: And --</p>
<p>09:43:39-09:45:38 Page 11</p> <p>1 based on comments from the council member -- a council 2 member implementing their view of Prop 306. This, 3 basically, reiterates in a third place in -- or -- 4 yeah, I guess, a third place in Rule 7 -- in Article 7 5 that you oughten spend money directly or indirectly 6 with a political party or a nonprofit that engages in 7 advocacy on behalf of or against candidates. 8 That's the upshot of the rule. As I 9 mentioned, we've received no public comment on this 10 either for or against. With respect to the small 11 business, economic and consumer impact, again, as we've 12 discussed with some similar rules in the past, you 13 know -- you know, we will see if there's any -- if we 14 get any further questions respecting this rule as we go 15 forward, but for the most part, this is -- this rule 16 ought -- oughten to do more than simply reiterate what 17 the statute already says. 18 So, you know, in any event, whatever 19 economic, small business or consumer impact there's 20 going to be is kind of subsumed in the recommendations 21 that we've received. So I -- you know, it's -- there 22 may be a marginal compliance cost, but that's really 23 about all I can say about that. 24 So, with that, what we're asking for is, 25 Number 1, that we -- that the Commission approve the</p>	<p>09:46:51-09:47:46 Page 13</p> <p>1 MR. COLLINS: Sorry. 2 COMMISSIONER CHAN: Mr. Chairman, could I 3 make -- I'll make a motion to make this rule effective 4 immediately, just as Tom said. 5 CHAIRMAN PATON: Okay. Do we have a 6 second? 7 COMMISSIONER KIMBLE: Commissioner Kimble. 8 Second. 9 CHAIRMAN PATON: Okay. So, we have a 10 motion and a second. 11 Commissioner Chan, how do you vote? 12 COMMISSIONER CHAN: Aye. 13 CHAIRMAN PATON: Commissioner Kimble? 14 COMMISSIONER KIMBLE: Aye. 15 CHAIRMAN PATON: Commissioner Meyer? 16 COMMISSIONER MEYER: Aye. 17 CHAIRMAN PATON: And Commissioner/Chairman 18 Paton, I vote aye, as well. 19 And Item IV, do we have any public comment 20 at this time? 21 MR. COLLINS: We are -- we have no public 22 comment. So, again -- 23 CHAIRMAN PATON: Okay. 24 MR. COLLINS: -- the substance of that item 25 was public comment, and there is no one here to make</p>

09:47:48-09:48:21

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1 public comment.
2 CHAIRMAN PATON: Okay. So Item V: Motion
3 to adjourn.
4 At this time, I would we entertain a motion
5 to adjourn.
6 COMMISSIONER CHAN: Mr. Chairman, I move
7 that we adjourn our meeting.
8 CHAIRMAN PATON: Okay. Commissioner Chan.
9 COMMISSIONER KIMBLE: This is Commissioner
10 Kimble. Second.
11 CHAIRMAN PATON: We have a motion and a
12 second to adjourn.
13 Commissioner Chan, how do you vote?
14 COMMISSIONER CHAN: Aye.
15 CHAIRMAN PATON: Commissioner Kimble?
16 COMMISSIONER KIMBLE: Aye.
17 CHAIRMAN PATON: Commissioner Meyer?
18 COMMISSIONER MEYER: Aye.
19 CHAIRMAN PATON: And the Chair,
20 Commissioner Paton, I vote aye, as well.
21 We are now adjourned. Thank you.
22 (Whereupon, the proceedings concluded at
23 9:48 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 17th day of
17 March, 2020.
18 
19 _____
20 LILIA MONARREZ, RPR, CR #50699
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