	Transcript of Proceedings - Public Meeting		1
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5	THE STATE OF ARIZONA		
6	CITIZENS CLEAN ELECTIONS COMMISSION		
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10	REPORTER'S TRANSCRIPT OF PUBLIC MEETING		
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12	Phoenix, Arizona October 26, 2023		
13	9:30 a.m.		
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24	By: Kathryn A. Blackwelder, RPR CERTIFIED		
25	Certified Reporter Certificate No. 50666 TRANSCRIPT		

	inscript of Proceedings - Public Meeting		25
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1	PUBLIC MEETING BEFORE THE CITIZENS CLEAN	1	I will call the roll. Commissioner Chan.
2	ELECTIONS COMMISSION convened at 9:30 a.m. on	2	COMMISSIONER CHAN: Aye.
3	October 26, 2023, at the State of Arizona, Clean Elections Commission, 1110 West Washington, Conference	3	CHAIRMAN KIMBLE: Commissioner Paton.
4	Room, Phoenix, Arizona, in the presence of the	4	COMMISSIONER PATON: Aye.
6	following Board Members:		-
7		5	CHAIRMAN KIMBLE: Commissioner Titla.
8	Mr. Mark Kimble, Chairman Mr. Galen Paton	6	COMMISSIONER TITLA: Aye.
0	Ms. Amy Chan	7	CHAIRMAN KIMBLE: Thank you, Commissioner
9	Mr. Steve Titla	8	Titla.
10		9	The Chair votes aye.
11	OTHERS PRESENT:	10	The minutes are approved 4-to-nothing.
	Thomas M. Collins, Executive Director	11	Item III in the discussion Item III is
12	Paula Thomas, Executive Officer	12	discussion and possible action on the Executive
13	Mike Becker, Policy Director	13	Director's Report. Tom.
113	Gina Roberts, Voter Education Director Alec Shaffer, Web Content Manager	14	MR. COLLINS: Thank you, Mr. Chairman and
14	Avery Xola, Voter Education Manager	15	Commissioners. Thank you all for being here.
	Kara Karlson, Assistant Attorney General	16	I'd like to first, I wanted to mention,
15	Karen Hartman, Assistant Attorney General Mary O'Grady, Osborn Maledon	17	and so everybody knows, we have a November 7th is
16	Cathy Herring, Meeting Planner	18	the next consolidated election date. And so many of
	Jessica Painter, Meeting Planner	19	you may see, either as you're around the state or at
17 18	Rivko Knox, Member of the Public	20	home, the signs related to school district bond and
19		21	override elections, local municipal elections as well.
20		22	Many of these elections for this time of year
21 22		22	are mail ballot elections. So what that means is, the
22		-	
24		24	jurisdiction that is has called the election, for
25		25	example, a school district or a or a city or town,
	Page 3		Page 5
1	PROCEEDING	1	has the authority, under state statute, to designate it
2	CHAIRMAN KIMBLE: Agenda Item I, the call to	2	to be an all-mail election. This is designed to save
	• · · · · · · · · · · · · · · · · · · ·		co be an arr marr erectron, mus is designed to save
3	the order. It's 9:30 a.m., October 26th, 2023, and I'm	3	
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4	going to call this meeting of the Citizens Clean	3 4	costs and be more efficient. It also means that everyone who is eligible to vote in that election will
4 5	going to call this meeting of the Citizens Clean Elections Commission to order.	3 4 5	costs and be more efficient. It also means that everyone who is eligible to vote in that election will be mailed a ballot, not just those folks who are on the
4 5 6	going to call this meeting of the Citizens Clean Elections Commission to order. With that, we will take attendance.	3 4 5 6	costs and be more efficient. It also means that everyone who is eligible to vote in that election will be mailed a ballot, not just those folks who are on the active early voter list.
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1	at those, you know, demonstrates that we are connected	1	on November 1st.
2	to the community that we all live in.	2	For our purposes, you know, the report calls
3	I wanted to highlight also that Gina was a	3	for, and this was these were all approved by the
4	panelist on the Scholars Strategic Network Election	4	by the Task Force, having a central website that's a
5	Enhancement and Protection Program launch that if	5	sort of a one-stop shop for voters to get information
6	you ever have a chance, and we can send you the link,	6	about what's on their ballot. And the Task Force
7	if you're interested, to that program, but it's a very	7	report recognizes the Commission's website as the
8	interesting and look at how to improve our election	8	proper vehicle for that and recognizes the work that
9	processes nationwide.	9	we've always done already done to build that
10	I wanted real quick before we went on to	10	capacity.
11	the administrative stuff, I wanted to welcome to the	11	You know, and I think that's a I think
12	or, back to the state of Arizona Karen Hartman, who	12	this is a very big plus for the voters of the state. I
13	is I don't know what her title is at the Attorney	13	think it's important recognition for the work that Gina
14	General's Office, but she's joined the Attorney	14	and Alec and the rest of our team have done on that and
15	General's Office election section, for what it's worth,	15	I think that so the vision going forward is to build
16	or whatever the right nomenclature is, in the in the	16	that out further, to bring in more information that
17	agency council section of the Attorney General's	17	directly connects voters with both their state and
18	Office, which is in the state government division, I	18	federal and increasingly their local elections.
19	think.	19	Gina, would you mind, if you have a second,
20	In any event, Karen has a long experience as	20	would you could you would you have a little bit
21	an attorney in elections and other important government	21	to add about that maybe.
22	roles. She comes to the AG's Office having worked in	22	If you don't mind, Mr. Chairman.
23	the civil division for the Maricopa County Attorney's	23	MS. ROBERTS: Sure.
24	Office for the past several years, where she advised	24	CHAIRMAN KIMBLE: Gina.
25	the elected officials, including the Recorder's Office,	25	MS. ROBERTS: Mr. Chairman, if I may.
	Page 7		Page 9
1		1	CHAIRMAN KIMBLE: Yes, Gina. Go ahead.
2	participated in in a whole lot of litigation, if you	2	MS. ROBERTS: Mr. Chairman, Commissioners,
3	want to call it that, of the 2020 election and the 2022	3	yes, this is actually very exciting news, you know,
	election. Some of you and, Mark, you may recall,	4	one, for obviously the recognition that the site has
5	Karen was an attorney at Steptoe & Johnson in their	5	been successful in its mission in serving voters across the state. We know with all of our Commissioners it's
6	first amendment public records practice, which is, I	6	
	think, where we first met, so so this is a welcome		always been stressed that our voter education program,
8	to Karen. And I'm sure anyone who's not here today will meet her eventually.	8	you know, meets the needs of every voters regardless if they're in a rural part of the state or, you know, if
10	On the administrative front, we do we are	10	they're in metro Phoenix. And so our website has been
11	running candidate workshops, and we've had about 20	11	designed to interact with all voters across the state
12	candidates that participated in those workshops thus	12	regardless of their location and the election that is
13	far.	13	occurring.
14	The I guess this is probably the most	14	So we have built relationships, Alec has
15	important bullet point here, from my perspective, in	15	built relationships with all of our local election
16	terms of just positive news for us. So on the other	16	officials to make sure that we get the timely and
17	day, I guess it was Tuesday, the Governor the	17	accurate election information to essentially
18	Governor's Office, as you may recall, started a	18	consolidate it all on this single source, on this
19	Bipartisan Election Task Force. And the Bipartisan	19	website, and we ensure that our website is accessible
20	Election Task Force brought together folks from	20	for voters. So we're not just putting the information
21	elections, from the nonprofit sector, you know, from	21	out there, but we make sure that it's accessible in an
22	different parts of the state to talk about ways to	22	easy-to-absorb way.
23	improve their election processes. And there's a	23	And so it's accessible from a voter with
24		24	disabilities standpoint. It's accessible with screen
25	and we gan get you thege. The final report will be due	1 25	woodowa . We have multiple languages for the unbrite

25 and we can get you those. The final report will be due 25 readers. We have multiple languages for the website.

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1	And, of course, we present it in information that's	1	consequences potentially if there's not some remedy for
2	very easy for the user, whether it's entering in their	2	this recount threshold.
3	address if it's a nonstandard address for our travel	3	Recounts take a lot of time, right, so you've
4	communities, or simply just using a pin drop with	4	got to I mean, not an inordinate amount of time,
5	with their longitude and latitude. So we've really	5	but, you know, certainly an amount of time, when
6	built this website with the future in mind.	6	everything is on a very tight deadline. So two issues
7	So we you know, we have the front facing	7	where that becomes a factor.
8	of the website that provides this great service to	8	One, the primary. If there's an automatic
9	voters, but also on the back end in how our systems and	9	recount in the primary, and there's no and the
10	our databases operate and where we pull data from. We	10	county in question or counties in question don't have
11	built it really forward thinking so that, to be able to	11	the ability to know who is the nominee for a general
12	continue to expand on the information that we want to	12	election, that delays the printing of the ballots,
13	provide voters, we have that infrastructure already in	13	which runs into the deadlines for particularly for
14	place because we were very forward thinking in its	14	sending mailing ballots to uniformed and overseas
15	design. And we're actually going through a redesign	15	voters under UOCAVA.
16	right now too, so we're continuing to make improvements	16	Second, and perhaps more well, more
17	to the website all in the hopes that we are meeting	17	interesting in a sort of intellectual way and maybe a
18	voters. And the good news is too is that our data,	18	little more anxiety inducing in a in an emotional
19	our analytics show this as well.	19	way, is that the such a recount, if it were to
20	We look at our monthly analytics, and more	20	affect the electoral the electors for the electoral
21	and more people are getting to the Clean Elections	21	college, the counties have said, and this is in a
22	website organically, outside of paid media, outside of	22	Votebeat story that's cited there, that that could
23	paid media campaigns. They are going to Google and	23	delay the ability of the state to meet the safe harbor
24	they are searching for the Clean Elections website. So	24	provisions of the Electoral Count Act. I don't purport
25	we know that it's being used by voters, we know that	25	to be an expert in the Electoral Count Act, but and
	Page 11		Page 13
1	it's successful in the information that it's providing	1	
2	to voters, and we are in a position to continue to grow	2	nevertheless, it's a serious issue. The counties have
3	the website so that we can meet the needs of all	3	taken it quite seriously and are working on legislation
4	voters.	4	related to it, according to Votebeat.
5	So it really is a great, I think, recognition	5	So the for us, what's the issue? You
6	by the Governor's Task Force, but also it makes sense,	6	know, obviously, our a lot of our work, both on the
	because it really is a system that is very primed to		voter education side and on the especially on the
8	continue to serve and meet the needs of voters.	8	clean funding side, is tied to the primary date, in
9	CHAIRMAN KIMBLE: Thank you, Gina.	9	part, because of the both things, both on the
10	Tom.	10	deadlines for us to issue the candidate statement
11	MR. COLLINS: Thank you. Yes, and I just	11	pamphlet and the deadlines the candidates face for
12	want to, you know, reiterate that I think that the work	12	qualifying for the Clean Elections funding if they were
13	that Gina and Alec and the rest of their team on this	13	to choose to do that.
14	has been, you know, excellent, and this has been you	14	And then on the general election side, like
15	know, I think it's very exciting.	15	people who print ballots, we also need to know the
16	I want to real quick, couple other things	16	nominees for for the general election from a
17	just to keep our eyes on going forward. And this is	17	primary.
18	also wrapped up in the Governor's Task Force	18	So so there's been discussion about moving
19	recommendations. You know, there's some indication,	19	the primary maybe back a couple weeks or, up a
20	you know, that back in, I think it was 2020 2020	20	couple weeks, I should say. We've evaluated that
21	or 2021 or 2022 the Legislature passed a bill that	21	internally and we are comfortable that we could you
22	lowered the threshold for automatic recounts. And we	22	know, we could deal with that. The you know, on the
23	did, in fact, have automatic recounts in 2022. So the	23	clean candidate side, it would cut off, you know, two
24	County Association and Election Directors have raised	24	weeks of qualification. However, you know, in our
25	this as an issue for purposes of 2024. Two two	25	experience as in working with these candidates,
1		1	

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1	ordinarily if a candidate is that far behind, they're	1	MS. KARLSON: If you wanted an just
2	probably at the margins of qualifying and maybe weren't	2	procedurally an update on that, there was a response
3	going to qualify anyways. In other words, very few	3	filed yesterday, and Karen will be going to Prescott
4	people who get in at the last minute are able to use	4	tomorrow for a hearing on that. So just that just
5	their funding in a particularly useful way. We've had	5	happened, so I wanted to give an update on that.
6	candidates get funded at the last minute and basically	6	CHAIRMAN KIMBLE: Thank you.
7	have to turn around and return the money right away.	7	Did you want to say anything about that,
8	So, you know, we're keeping an eye on it.	8	Karen? You don't have to. I just wanted to give you
9	Obviously, whatever the Governor and the Legislature	9	the opportunity, if you want it.
10	choose to do would be you know, be good to know	10	MS. HARTMAN: Thank you. No, I don't need to
11	sooner rather than later, I suspect, but so we can	11	say anything.
12	provide, you know, appropriate information to	12	CHAIRMAN KIMBLE: Okay. Thank you.
13	candidates. But anyways, I think that's but that's	13	Were you done, Tom?
14	something to keep an eye on, and it's not really clear	14	MR. COLLINS: Oh, I'm done.
15	to me that there yet and it may be clear to others,	15	CHAIRMAN KIMBLE: Okay. Any questions from
16	but it's not clear to me yet that there will be that	16	any Commissioners?
17	we know how those things will get resolved and on what	17	(No response.)
18	time frame.	18	CHAIRMAN KIMBLE: Karen, welcome. Thank you
19	We have our first advisory opinion request,	19	for coming.
20	which is attached. We have we have about a month	20	MS. HARTMAN: Thank you, Mr. Chairman.
21	left to to provide some kind of answer. So what I	21	CHAIRMAN KIMBLE: Always nice to have one
22	anticipate, just for preview of next month, is that	22	more lawyer in the room. We don't quite have enough,
23	we'll that we will have a draft advisory opinion for	23	but but thank you for coming.
24	your consideration at the next meeting.	24	Next item, Item IV, discussion and possible
25	There is, as always, quite a bit of	25	action on adoption of rules pursuant to the Voters'
	Page 15		Page 17
1	Page 15	1	Page 17 Pickt to Vnow Act. Chapter 6.1 of Arizona Powiced
	litigation, including new cases that have been brought		Right to Know Act, Chapter 6.1 of Arizona Revised
2	litigation, including new cases that have been brought in the last few weeks, one challenging what the Free	2	Right to Know Act, Chapter 6.1 of Arizona Revised Statutes Title 16. This Agenda item involves the
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2 3 4	litigation, including new cases that have been brought in the last few weeks, one challenging what the Free Enterprise Club refers to as unstaffed drop boxes, claiming that the Election Procedures Manual that	2 3 4	Right to Know Act, Chapter 6.1 of Arizona Revised Statutes Title 16. This Agenda item involves the enforcement process for Proposition 211. The rules outline the requirements for filing and handling
2 3 4 5	litigation, including new cases that have been brought in the last few weeks, one challenging what the Free Enterprise Club refers to as unstaffed drop boxes, claiming that the Election Procedures Manual that authorizes drop boxes is violates a statute that	2 3 4 5	Right to Know Act, Chapter 6.1 of Arizona Revised Statutes Title 16. This Agenda item involves the enforcement process for Proposition 211. The rules outline the requirements for filing and handling complaints. These are the final rules we have in our
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1 LS	Inscript of Proceedings - Public Meeting		1821
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1	as we have on other things. You can see outlined our	1	you know, certainly Commissioner Paton, Commissioner
2	thoughts on that. I don't know if anybody has any sort	2	
3	of specific questions beyond what's outlined in the	3	about, you know, what we're trying to do or, what
4	memo.	4	the Act purports to do and what we're trying to do to
5	You know you know, I think that you	5	do our duty under the Act. And so I want to thank you
6	know, I really don't have a lot to add to the memo, I	6	all, Commissioners, for your patience in sitting
7	guess is what I'm trying to say. You know, we do	7	through some of these longer PowerPoint presentations
8	have and I guess I'll just highlight it. We have	8	and such to have a to get up to speed on what
9	a we have a we have a comment from the Campaign	9	what we're doing.
10	Legal Center related to donors and whether or not	10	And, you know, unless and not to continue
11	donors ought to how we would regulate donors, as	11	to prattle on, but unless you have any questions about
12	opposed to I shouldn't say "as opposed to"	12	the comments, I'm you know, I'm available for them,
13	separately from covered persons or you know, under	13	but otherwise I'm hopeful that you will approve the
14	the Act.	14	draft with the changes that we recommend that's in your
15	You know, my point of view on that is, as I	15	packet.
16	state in the memo, is that if we're interested in in	16	- CHAIRMAN KIMBLE: And just to be clear, we
17	talking about that, the better place to do that would	17	have received two sets of recommendations for changes
18	be, rather than in this context, would be to talk about	18	to proposed rules, and the staff has recommended that
19	it in the context of next of the next meeting. We	19	some of those recommendations or requests be taken into
20	could evaluate that more deeply and look at whether or	20	account, and those changes are included in Exhibit 1 of
21	not that's something we want to do and get some	21	this item, and in other cases they've recommended we
22	some, you know, feedback on that if we wanted to. You	22	not follow the requests by the two organizations. So
23	know, it's really up to the it's up to the	23	what we're now looking at is Exhibit 1 of today's
24	Commission to really it's not a you know, I don't	24	Agenda.
25	have a I mean, I have some well, that would be	25	Is there anyone else here in the audience or
	Page 19		Page 21
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Tra	anscript of Proceedings - Public Meeting		2225	
	Page 22		Page 24	
1	to just adopt, you know, approve your suggestions?	1	CHAIRMAN KIMBLE: Thank you,	
2	MR. COLLINS: I believe that that would be	2	Commissioner Paton.	
3	perfectly reasonably clear for the record and people	3	It's been moved and seconded to adopt	
4	would be able to understand what you're voting on. And	4	R2-20-809 through R2-20-813 with the changes indicated	
5	if we have a roll call on that, I think that would	5	in Exhibit 1 of the staff memo on those items. If	
б	be yes.	6	there's no further discussion, I'll call the roll.	
7	COMMISSIONER CHAN: Okay. That's I just	7	Commissioner Chan.	
8	wanted to make that statement for the record that, you	8	8 COMMISSIONER CHAN: Aye.	
9	know, I think obviously the record does kind of	9	CHAIRMAN KIMBLE: Commissioner Paton.	
10	speak for itself in your memo, but I wanted to just	10	COMMISSIONER PATON: Aye.	
11	make that statement that I was impressed with the work	11	CHAIRMAN KIMBLE: Commissioner Titla.	
12	you've put into this.	12	COMMISSIONER TITLA: Aye.	
13	And frankly, I appreciate all the parties	13 CHAIRMAN KIMBLE: Chair votes aye.		
14	I think we discussed this last time too. I'm very	14 The motion is approved 4-to-nothing.		
15	appreciative of the time that interested parties have	15 Thank you very much, Commissioners. Thank		
16	put into this, because it's not easy. I mean, you	16	you very much, Tom.	
17	know, I want to acknowledge the work you've done, Tom,	17	Item V, public comments. This is the time	
18	and also the interested parties who've reviewed this	18	for consideration of comments and suggestions from the	
19	and weighed in with their thoughts, because I do think	19		
20	it takes a village sometimes to make sure that all the	20	will be limited to directing staff to study the matter	
21	different interests and potential interests are	21	or rescheduling the matter for further consideration	
22	evaluated and thoroughly considered when we're	22	and decision at a later date or responding to	
23	adopting considering adopting things like this. So	23	criticism. If you have any comments, please limit them	
24	I just want to recognize that for you, as well as all	24	to no more than two minutes.	
25	the folks who've weighed in.	25	Does any member of the public wish to make	
	Page 23		Page 25	
1	CHAIRMAN KIMBLE: Thank you, Commissioner	1	comments at this time either in person or on Zoom?	
2	Chan. Those are very helpful comments. And I agree	2	(No response.)	
3	that it would have been very easy for Tom and other	3	CHAIRMAN KIMBLE: Going, going, no one.	
4	staff members who have worked on this to look at these	4	MS. HERRING: No one.	
5	suggestions and say, no. We we did it. We we	5	CHAIRMAN KIMBLE: Thank you.	
б	don't need any of your suggestions. We got it right.	6	The public may also send comments to the	
7	But there are some some thoughtful comments that we	7	Commission by mail or e-mail at	
8	received that have been incorporated in Exhibit 1, and	8	ccec@azcleanelections.gov.	
9	I think it makes it makes the rule stronger and more	9	At this time, I would entertain a motion to	
10	clear for anyone who has questions. So thank you for	10	adjourn.	
11	those comments, Commissioner Chan.	11	COMMISSIONER CHAN: Mr. Chairman, I move that	
12	Any other comments or questions from Members	12	we adjourn.	
	of the Commission?	13	CHAIRMAN KIMBLE: Thank you	

13 of the Commission? 14 (No response.) 15 CHAIRMAN KIMBLE: Hearing none, is there a 16 motion to adopt R2-20-809 through R2-20-813 with the 16 17 changes indicated in Exhibit 1 of the staff memo on 17 18 those items? 19 COMMISSIONER CHAN: Mr. Chairman, I would so 20 move. 21 21 CHAIRMAN KIMBLE: Thank you, 22 Commissioner Chan. 22 23 Is there a second? 23 24 24 COMMISSIONER PATON: This is Paton. I would

adjourn.
COMMISSIONER CHAN: Mr. Chairman, I move that
we adjourn.
CHAIRMAN KIMBLE: Thank you,
Commissioner Chan.
Is there a second?
COMMISSIONER PATON: This is Paton, second.
CHAIRMAN KIMBLE: Thank you,
Commissioner Paton.
I will call the roll on the motion to
adjourn. Commissioner Chan.

# 21COMMISSIONER CHAN: Aye.22CHAIRMAN KIMBLE: Commissioner Paton.23COMMISSIONER PATON: Aye.24CHAIRMAN KIMBLE: Commissioner Titla.25COMMISSIONER TITLA: Aye.

25 second it.

	Page 26	
1	CHAIRMAN KIMBLE: Chair votes aye.	
2	We are adjourned. Thank you very much.	
3	(The meeting adjourned at 10:09 a.m.)	
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	Page 27	
1	Page 27 STATE OF ARIZONA )	
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1	STATE OF ARIZONA )	
2	STATE OF ARIZONA ) ) ss.	
	STATE OF ARIZONA ) ) ss. COUNTY OF MARICOPA )	
2 3 4	STATE OF ARIZONA ) ) ss. COUNTY OF MARICOPA ) BE IT KNOWN that the foregoing proceedings	
2 3 4 5	STATE OF ARIZONA ) ) ss. COUNTY OF MARICOPA ) BE IT KNOWN that the foregoing proceedings were taken by me; that I was then and there a Certified	
2 3 4 5 6	STATE OF ARIZONA ) ) ss. COUNTY OF MARICOPA ) BE IT KNOWN that the foregoing proceedings were taken by me; that I was then and there a Certified Reporter of the State of Arizona; that the proceedings	
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