



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, April 29, 2021

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 April 29, 2021. 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 <https://www.youtube.com/c/AZCCEC/live>. You can also visit <https://www.azcleanelections.gov/clean-elections-commission-meetings>. Members of the Citizens Clean Elections Commission will attend either in person or by telephone, video, or internet conferencing. **This meeting will be held virtually.** Instructions on how the public may participate in this meeting are below. For additional information, please call (602) 364-3477 or contact Commission staff at ccec@azcleanelections.gov.

Join Zoom Meeting

<https://us02web.zoom.us/j/86098574992?pwd=R2xhTDAyOEFxdUY4YtkLlJlVDRQT09>

Meeting ID: 860 9857 4992

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Please note that members of the public that choose to use the Zoom video link must keep their microphone muted for the duration of the meeting. If a member of the public wishes to speak, they may use the Zoom raise hand feature and once called on, unmute themselves on Zoom once the meeting is open for public comment. Members of the public may participate via Zoom by computer, tablet or telephone (dial in only option is available but you will not be able to use the Zoom raise hand feature, meeting administrator will assist phone attendees). Please keep yourself muted unless you are prompted to speak. The Commission allows time for public comment on any item on the agenda. Council members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing Council staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.

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.

The agenda for the meeting is as follows:

- I. Call to Order.
- II. Discussion and Possible Action on Commission Minutes for March 25, 2021.
- III. Discussion and Possible Action on Executive Director's Report, Enforcement, Legal, and Regulatory Updates and Legislative Report on measures related to elections and administrative measures. (Notice of Enforcement Administrative Closure is included in the Executive Directors report.).
- IV. Discussion and Possible Action on the following 2020 General Election Candidate Audits.
 - A. Eric Sloan, Corporation Commission
 - B. Anna Tovar, Corporation Commission
 - C. Lea Marquez Peterson, Corporation Commission
 - D. Travis Angry, State Senate, LD 5
 - E. Mary Honne, State Rep, LD 22
 - F. Deborah McEwen, State Rep, LD 2
 - G. Mark Workman, State Senate, LD 2
 - H. Melody Hernandez, State Rep, LD 26
 - I. Paul Weigel, State Senate, LD 25

J. Wendy Garcia, State Rep, LD 22

K. Mabelle Gummere, State Rep, LD 10

V. Discussion and Possible Action on MUR 20-04, Eric Sloan.

VI. Discussion and Possible Action on MUR 20-03, Arizona Education Association.

VII. Discussion and Possible action on HB2110 (civil penalties; mitigation; restitution).

The Commission may choose to go into executive session for discussion or consultation with its attorneys to consider its position and instruct its attorneys regarding the public body's position regarding contracts, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. A.R.S. § 38-431.03(A)(4).

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 27th day of April, 2021

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

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CITIZENS CLEAN ELECTIONS COMMISSION

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REPORTER'S TRANSCRIPT OF VIRTUAL PUBLIC MEETING

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Phoenix, Arizona

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March 25, 2021

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9:31 a.m.

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COASH & COASH, INC.

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| Page 2 | Page 4 |
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| <p>1 VIRTUAL PUBLIC MEETING BEFORE THE CITIZENS 2 CLEAN ELECTIONS COMMISSION convened at 9:31 a.m. on 3 March 25, 2021, 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:</p> <p>6 Ms. Amy B. Chan, Chairperson 7 Mr. Damien R. Meyer 8 Mr. Galen D. Paton 9 Mr. Mark S. Kimble 10 Mr. Steve Titla</p> <p>11 OTHERS PRESENT:</p> <p>12 Thomas M. Collins, Executive Director 13 Paula Thomas, Executive Officer 14 Gina Roberts, Voter Education Director 15 Alec Shaffer, Web Content Manager 16 Mike Becker, Policy Director 17 Julian Arndt, Executive Support Specialist 18 Kara Karlson, Assistant Attorney General 19 Kyle Cummings, Assistant Attorney General 20 Heather Mrowiec 21 Cathy Herring, Staff</p> | <p>1 yourself?</p> <p>2 COMMISSIONER MEYER: Good morning. Damien 3 Meyer.</p> <p>4 CHAIRWOMAN CHAN: Thank you.</p> <p>5 Commissioner Kimble?</p> <p>6 COMMISSIONER KIMBLE: Commissioner Kimble. 7 I'm here.</p> <p>8 CHAIRWOMAN CHAN: Commissioner Paton?</p> <p>9 COMMISSIONER PATON: Commissioner Paton is 10 here.</p> <p>11 CHAIRWOMAN CHAN: Okay. And I am 12 Commissioner Amy Chan, and I am, also, here. 13 And with that, we can move on to Item II: 14 Discussion and possible action on Commission minutes 15 for February 25th, 2021.</p> <p>16 Any discussion?</p> <p>17 (No response.)</p> <p>18 CHAIRWOMAN CHAN: I don't see any 19 discussion. And, if not, do I have a motion to approve 20 the minutes?</p> <p>21 COMMISSIONER KIMBLE: This is Commissioner 22 Kimble.</p> <p>23 COMMISSIONER TITLA: Move --</p> <p>24 COMMISSIONER KIMBLE: I move that we 25 approve the minutes.</p> |
| Page 3 | Page 5 |
| <p>1 PROCEEDING</p> <p>2</p> <p>3 CHAIRWOMAN CHAN: All right. It is 9:30 4 a.m., so we are ready to call the meeting to order. So 5 I will go ahead and do that.</p> <p>6 This is the open meeting of the Citizens 7 Clean Elections Commission for Thursday, March 25th, 8 2021, and it is 9:30 a.m. I'll go ahead and for, 9 Item I on the agenda, call the meeting to order.</p> <p>10 If I could ask any audience members -- oh, 11 and I see Commissioner Titla has joined us.</p> <p>12 Excellent -- ask any audience members to please keep 13 their microphones on mute.</p> <p>14 And with that, I'll go ahead and take 15 attendance.</p> <p>16 Commissioners, please identify yourselves 17 for the record. And, perhaps, we could start with 18 Commissioner Titla.</p> <p>19 COMMISSIONER MEYER: He's muted.</p> <p>20 CHAIRWOMAN CHAN: Yes. Commissioner Titla, 21 you are muted. There you go.</p> <p>22 COMMISSIONER TITLA: Oh, yes. Yeah. I 23 here.</p> <p>24 CHAIRWOMAN CHAN: Thank you.</p> <p>25 Commissioner Meyer, do you want to identify</p> | <p>1 CHAIRWOMAN CHAN: Thank you.</p> <p>2 COMMISSIONER MEYER: Commissioner Meyer, 3 second.</p> <p>4 CHAIRWOMAN CHAN: Okay. We have a motion 5 to approve and a motion to second -- seconding. I'll 6 go ahead and call the roll.</p> <p>7 Commissioner Titla, how do you vote?</p> <p>8 COMMISSIONER TITLA: Aye. Aye.</p> <p>9 CHAIRWOMAN CHAN: Thank you.</p> <p>10 Commissioner Meyer, how do you vote?</p> <p>11 COMMISSIONER MEYER: Aye.</p> <p>12 CHAIRWOMAN CHAN: Commissioner Kimble, how 13 do you vote?</p> <p>14 COMMISSIONER KIMBLE: Aye.</p> <p>15 CHAIRWOMAN CHAN: Commissioner Paton?</p> <p>16 COMMISSIONER PATON: Aye.</p> <p>17 CHAIRWOMAN CHAN: And I vote aye, as well.</p> <p>18 All right. We have approved the minutes 19 for the February meeting by a vote of five ayes and 20 zero nays.</p> <p>21 And with that, we can quickly move on to 22 Item Number III: Discussion and possible action on 23 Executive Director's report, enforcement and regulatory 24 updates and legislative update, including election and 25 administrative bills such as House Bill 2014 and House</p> |

| Page 6 | Page 8 |
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| <p>1 Bill 2110.</p> <p>2 Tom?</p> <p>3 MR. COLLINS: Yes. Madam Chair,</p> <p>4 Commissioners, thank you very much. I will try to -- I</p> <p>5 will try to hit the high points here just as quickly as</p> <p>6 I can.</p> <p>7 The -- I think the big -- hang on. I'm</p> <p>8 having a -- I myself am having a technical difficulty</p> <p>9 here. I apologize. Let me find my way here.</p> <p>10 Well, I'll start by saying, obviously, you</p> <p>11 can see there's a full calendar of -- of voter</p> <p>12 education activities. In fact, today Gina, Alec and</p> <p>13 Avery are at a -- are at a conference -- online</p> <p>14 conference on social media effectiveness, which they've</p> <p>15 done -- this is the second time, I believe, they've</p> <p>16 attended that conference. And we've found it pretty --</p> <p>17 pretty helpful in keeping us -- keeping the</p> <p>18 Commission's voter education stuff in line with</p> <p>19 industry -- with the developing -- still developing</p> <p>20 industry.</p> <p>21 You know, we are excited Gina and Avery</p> <p>22 will be -- have been invited to participate in the</p> <p>23 CE -- CE2 educator conference, which is an opportunity</p> <p>24 to -- which will invite them -- which involves an</p> <p>25 opportunity for them to meet with civics educators</p> | <p>1 Governor's Regulatory Review Council in how to go</p> <p>2 forward with this and make sure we're adhering to the</p> <p>3 Governor's rule guidance. So I specifically wanted to</p> <p>4 thank Nicole Colyer, who is the Governor general --</p> <p>5 assistant general counsel or deputy general counsel.</p> <p>6 I'm not sure if I have the title right -- for helping</p> <p>7 me get through -- go through those issues.</p> <p>8 We had noted, on a prior regulatory</p> <p>9 framework, a regulatory issue that we weren't clear</p> <p>10 where we were with respect to how our rules and the</p> <p>11 statutory formula for reducing State and legislative</p> <p>12 contribution limits worked. We have had a good</p> <p>13 conversation with the Secretary of State's Office, and</p> <p>14 we are -- we actually -- we actually are on the same</p> <p>15 page about that. And I, also, want to thank Kori</p> <p>16 Lorick, who is the Election Services and Compliant</p> <p>17 Manager at the Secretary of State for her help with</p> <p>18 that.</p> <p>19 Finally, I wanted to make this -- I wanted</p> <p>20 to mention to you all we've been approached by a</p> <p>21 staffer for Corporation Commissioner Justin Olson about</p> <p>22 the Corporation Commission's forthcoming, I gather,</p> <p>23 ethics rules. One of their ethics rules, as I</p> <p>24 understand it, has to do with whether or not folks who</p> <p>25 have business in front of the Corporation Commission --</p> |
| Page 7 | Page 9 |
| <p>1 around the state.</p> <p>2 And -- and -- you know, and Avery has,</p> <p>3 also, met, which I think is very -- with both the</p> <p>4 Arizona State College Republicans and the Arizona State</p> <p>5 College Democrats leadership. And Gina is</p> <p>6 participating -- continuing to participate in the</p> <p>7 Secretary of State's election security meetings.</p> <p>8 A couple of things to check out on the</p> <p>9 website, if you're interested, we have launched a</p> <p>10 webpage with information on redistricting, specifically</p> <p>11 to try to make sure that folks, if they're inclined to</p> <p>12 follow the redistricting process, have an understanding</p> <p>13 of what it means to voters, specifically, because, you</p> <p>14 know, obviously, a lot of redistricting stuff can get</p> <p>15 into the weeds.</p> <p>16 A couple of quick highlights and then I</p> <p>17 just -- I don't want to delay -- delay this -- or I</p> <p>18 don't want to, you know, have this go too long. We're</p> <p>19 still waiting for a decision in the Legacy -- Legacy</p> <p>20 Foundation Action Fund case, which has been pending at</p> <p>21 the Court of Appeals, we think, since December.</p> <p>22 A couple of other things, we have two rule</p> <p>23 amendments on the agenda. We've had the opportunity to</p> <p>24 work with the Governor's office and with some of the</p> <p>25 members -- or at least one of the members of the</p> | <p>1 you know, what that would mean in terms of recusal and</p> <p>2 those kinds of things.</p> <p>3 So we got -- the question was if a</p> <p>4 Corporation Commission candidate wanted to add language</p> <p>5 to their \$5 form, which you can individualize under our</p> <p>6 rules, you know, would that be an issue, and we've</p> <p>7 concluded that would not be. It would be simply -- as</p> <p>8 a matter of course, if someone adds information that's</p> <p>9 not needed but is not wrong or misleading, our policy</p> <p>10 would be to approve it, generally.</p> <p>11 And if you have supplemental question, Mike</p> <p>12 can speak to them, but as a general proposition, under</p> <p>13 our rule, we're looking for making sure that the</p> <p>14 material that has to be on the form is on the form, you</p> <p>15 know, so that the form is valid. You know, we,</p> <p>16 obviously, offer copies of the form. You can print out</p> <p>17 the form, you know, the stock form for the \$5</p> <p>18 qualifying contributions, but you know, candidates are</p> <p>19 allowed to make their own. So that's -- that's where</p> <p>20 that is.</p> <p>21 And, then, lastly, I know we have -- or I</p> <p>22 anticipate we have one -- you should have received</p> <p>23 today a complaint that I -- you may not have received</p> <p>24 previously from Heather -- and I'm going to butcher her</p> <p>25 name -- Mrowiec, I believe, who is a complainant</p> |

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| <p style="text-align: right;">Page 10</p> <p>1 against a participating candidate, Ryan Starzyk. We 2 did a -- I did a -- what we, under our rules, is an 3 administrative decline on that complaint. 4 Our rules do say that I have to -- I am to 5 provide you all notice, which I do, as you know, and 6 you know some -- many of you know the past that's in 7 the enforcement section, but the reason for giving you 8 all the notice is to provide you an opportunity to, you 9 know, ask about that. Also, it gives an opportunity to 10 a person, who doesn't think that the conclusion that 11 the Staff reached was correct, to speak on that. 12 And, then, the last thing I want to add on 13 this before we get into that, assuming she's here, is, 14 you know, the way this rule is intended to work is not 15 supposed to develop a hearing because the respondent 16 may or may not be here and may or may not -- although 17 they're aware of the circumstances, the goal here is, 18 if you all desire to, to simply direct Staff to 19 reevaluate the closure. I think that's stating that 20 correctly, and I will leave it to -- I think I've said 21 it correctly, but I'll leave it to Kara. I'll put her 22 on the spot to correct me if I've said anything wrong. 23 So with that, that completes my report. It 24 looks like Heather is on the line. So however -- 25 Commissioner Chan, however you want to recognize her, I</p> | <p style="text-align: right;">Page 12</p> <p>1 with us before. I just -- after reading the closure 2 letter, I just wanted to have it available. And 3 because we can't go too into the details, I -- but I 4 wondered, did you want to speak to the Commission today 5 about the closure letter? 6 MS. MROWIEC: I would love to. I 7 appreciate that. And I understand we can't go too into 8 depth, but the essence of the complaint is that 9 Facebook, in 2019, decided upon some political 10 transparency rules. And so they started reporting 11 exactly how much money they received from any political 12 campaign in exchange for advertising. 13 So, in this case, the campaign of Dr. Ryan 14 Starzyk spent, according to Facebook, \$2,500 on 15 advertising on Facebook. That was 50 ads over about an 16 18-month time period, includes before and after 17 funding, and none of that expense appears on 18 Dr. Starzyk's campaign finance reports. There's no 19 payments, apparently, to Facebook. 20 So that discrepancy, either it's somewhere 21 in the report and not readily available, in which it 22 can be cleared up by him providing -- he can easily 23 download a report that shows where all the payments 24 came from. And that would be great, but if he missed 25 logging those expenditures, because his reports balance</p> |
| <p style="text-align: right;">Page 11</p> <p>1 think -- 2 CHAIRWOMAN CHAN: Sure. 3 MR. COLLINS: -- I think that's -- I think 4 that's all we need. I think that's what we need to do. 5 And, Kara, obviously, if you want to jump 6 in at any time if I've done anything -- said anything 7 incorrectly, please do. 8 CHAIRWOMAN CHAN: Thank you, Tom. 9 Kara, did you need to add anything to what 10 Tom said? 11 MS. KARLSON: No. I was just going to say 12 that that is correct, and I appreciate him for raising 13 the hearing part, you know, the fact that this can't go 14 too far into the merits of the complaint for those 15 reasons. 16 CHAIRWOMAN CHAN: Okay. Thank you. 17 Okay. Now, Ms. -- and I don't want to -- 18 maybe you can tell me how to pronounce your name. 19 MS. MROWIEC: Actually, Director Collins 20 was pretty close. We say Mrowiec. 21 CHAIRWOMAN CHAN: Mrowiec. Thank you, 22 Ms. Mrowiec. 23 And Tom had sent us your -- the closure 24 email that he had sent you, and I did ask him to send 25 us your complaint because -- and he may have shared it</p> | <p style="text-align: right;">Page 13</p> <p>1 he took in contributions and he had expenditures that 2 are the same, if you add \$2,500 of expenditures, you 3 have to, also, add contributions. 4 If they were paid for out of his 5 non-campaign account, they would be considered in-kind 6 contributions. These are ads that say paid for by the 7 Ryan for Arizona campaign, and I have provided all 8 those in the complaint in a big stack printed out. 9 So I would appreciate, if we did have an 10 investigation, to show who paid for those ads, were 11 they accounted for; and, if they weren't accounted for, 12 how much of it came from his personal account or from 13 others. Did he have -- did he exceed contribution 14 limits? And, if so, did that happen before he applied 15 for Clean Elections funding, which would mean he had -- 16 and I, as a treasurer, know how serious filing reports 17 are. You know, you're -- it's a perjury to file an 18 incomplete report. 19 So I just think an investigation, him 20 downloading the reports, seeing if it's accounted for 21 somewhere in his report and, if not, what the 22 consequences are. There's -- depending on how those 23 ads were paid for, there's a whole series of different 24 laws that can be broken, like a little chain. So I 25 would appreciate it if the Clean Elections Committee</p> |

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| <p style="text-align: right;">Page 14</p> <p>1 did do an investigation and we can resolve the issue. 2 CHAIRWOMAN CHAN: Thank you. 3 Commissioner Kimble, do you have a 4 question? 5 COMMISSIONER KIMBLE: Well, I guess, I do 6 to Kara. So I don't understand what our limitations 7 are here and what we should do about that. So if I ask 8 Tom to respond to that, is that going to be a problem? 9 And since we don't have the other party here, I mean, 10 how would you recommend we proceed on this? 11 MS. KARLSON: You can't take action in 12 terms of -- in terms of, you know, finding a reason to 13 believe, or something. You can ask Tom questions. He 14 can respond to you. Ultimately, the decision is really 15 do you direct Tom to go back and continue investigating 16 or are you fine with Tom's conclusion and rationale as 17 has been explained in the email for administratively 18 closing the complaint. So you can ask questions, and 19 it would be fair for Tom to respond to provide his, you 20 know, explanation in his rationale. 21 COMMISSIONER KIMBLE: Okay. Well, given 22 that, Tom, I've read the original complaint, which I 23 think I've read before, and I read your response to it. 24 And I've heard Heather's -- and I apologize for using 25 your first name, but it's safer, I think -- and I</p> | <p style="text-align: right;">Page 16</p> <p>1 just how it was put together. I -- you know, I don't 2 have any -- I don't have a position personally on 3 sending this back to me to review -- or not review. I 4 feel -- I mean, I don't know if I'm -- I guess I 5 should -- assuming I can say that. I mean, I don't -- 6 just don't. 7 I mean, I think that if that's the 8 Commission's inclination, that's the Commission's 9 inclination, and that's -- the rule is supposed to be 10 set up in order to facilitate this. This happens to be 11 the first time we've had someone actually take 12 advantage of this rule and the way it's supposed to 13 work. So, you know, I -- you know, our explanation 14 was, basically, based on focusing on those limits and 15 how we thought that those limits worked in conjunction 16 with some assumptions based on the facts presented by 17 the complaint, but to the extent that -- you know, but 18 like I say, I don't -- I recognize -- I mean, I'm 19 not -- I'm not -- but we don't -- I don't know how to 20 put this other than we don't have any private 21 officeship associated with it. The goal here is to 22 make sure we get the process right, and so I don't have 23 any position on -- beyond that. 24 COMMISSIONER KIMBLE: Madam Chair, Tom, I 25 just want to make sure I understand this. So do you</p> |
| <p style="text-align: right;">Page 15</p> <p>1 understand Heather's point, which she made, also, in 2 this complaint. 3 So could you address some of what she said 4 this morning? 5 MR. COLLINS: Madam Chair, Commissioner 6 Kimble, I certainly can try. I would say this. I 7 mean -- and I think that I -- just to -- you know, 8 we -- when we looked at the complaint or as I evaluated 9 the complaint, I focused -- and I think -- and I think 10 I've expressed this to Heather, as well, but you know, 11 I focused on the -- on the bottom line of the knowing 12 violation of the limits. 13 That having been said -- and in the limits 14 that sort of -- if you look at the way the complaint is 15 structured, it's -- you know, this part is -- I 16 found -- I mean, I think it is very clear the 17 allegations say, you know, this person may have 18 violated the personal contribution limit. They may 19 have violated the primary spending limit and, then, 20 there's, obviously, a knowing violation of those as 21 some of the consequences that -- that Heather 22 mentioned. 23 That said, that -- that was the targeting 24 or the way that the -- the way that it was put 25 together. You know, I don't -- but as far as -- that's</p> | <p style="text-align: right;">Page 17</p> <p>1 and Heather have a difference of opinion on the facts 2 or on the consequences? Because, in your response, a 3 number of times you said if this had been brought to 4 the attention of the Commission earlier, it probably 5 would have been a warning or a request to fix records 6 or other things. 7 So is there a factual disagreement with you 8 or just what should be done about that? 9 MS. KARLSON: I think -- excuse me. 10 MR. COLLINS: Yes. 11 CHAIRWOMAN CHAN: Go ahead, Kara, if you 12 need -- is it to that point or about the way we're 13 going? 14 MS. KARLSON: I think that, you know, 15 asking -- asking Tom to state his position that's been 16 on the record is one thing and then trying to kind of 17 suss out the distinctions between the Complainant's 18 perspective and the Staff's perspective is -- we're 19 getting to that line. 20 And, you know, all due respect, 21 Commissioner Kimble, you know, I'm sorry for cutting 22 you off, but like Tom said, we are trying to get the 23 process correct. So -- so that's really what we're 24 trying to do here. So let's try to avoid that kind of 25 questioning, and you know, to the extent you want that</p> |

Page 18

1 explanation, we can try -- Staff can try to provide
2 some of that information if the Commission decides to
3 send it back.
4 COMMISSIONER KIMBLE: Okay. That --
5 MS. KARLSON: Does that makes sense?
6 COMMISSIONER KIMBLE: Yes, it does. Thank
7 you, Kara.
8 MR. COLLINS: And just to amplify that, I
9 mean, my view as a Staff member is, yeah, we're -- we
10 are in a position where we are here to -- if there's an
11 issue, the Commission has questions, absolutely, we
12 want to get those answers. So taking -- having it sent
13 back is -- like I said, we have no objection to that.
14 COMMISSIONER PATON: This is Commissioner
15 Paton.
16 CHAIRWOMAN CHAN: Commissioner Paton, go
17 ahead, please.
18 COMMISSIONER PATON: I'm troubled by the
19 fact that the person that the complaint goes against
20 had -- isn't showing how those were paid for, those
21 ads, and some of this is -- it's hard to understand why
22 the complaint wasn't -- why it was closed to me. And
23 so for my -- for my reasoning, I think that I don't
24 really understand why it was closed in that respect.
25 If \$2,500 were paid for by these -- for Facebook ads

Page 19

1 and it's not shown in his report how it was paid for,
2 that troubles me.
3 CHAIRWOMAN CHAN: Thank you, Commissioner
4 Paton.
5 I think what I'm hearing -- and I'm sorry,
6 Tom, if you would like to respond. I just --
7 MR. COLLINS: No. No, I have no interest
8 in responding.
9 CHAIRWOMAN CHAN: Okay. I just would like
10 to say that I think that's exactly, Commissioner Paton,
11 why Tom wrote us the email and wrote to Ms. Mrowiec, if
12 I -- I hope I am pronouncing that correctly, and please
13 forgive me if I didn't after you told me how to
14 pronounce it -- and that is precisely why he wrote the
15 email he did to explain why he was closing it and gave
16 us the opportunity to say to him whether we agree with
17 his decision or not.
18 And I -- and I think what I'm hearing --
19 and I know for myself -- I think what I'm hearing from
20 you and Commissioner Kimble may be what I'm feeling,
21 which is I think I would like him to -- I'd probably
22 like to send it back to him to reopen it and give it
23 back to us to consider, if that's the right way to
24 think about it.
25 And, Tom, would that be the right way to

Page 20

1 think about it and do we need to vote on that or just
2 tell you or not if that's what we want?
3 MR. COLLINS: My understanding -- or when
4 we put together this particular rule to allow this kind
5 of closure with a -- with a postdoc -- or not a
6 postdoc -- with a -- you know, with the ability to
7 not -- you know, with this process, the goal was to get
8 direction. I have -- I think I have a pretty clear
9 consensus from those commissioners, and so I have -- I
10 don't believe there's a vote to be had. I think it's
11 simply a we will do that.
12 CHAIRWOMAN CHAN: Thank you, and thank you
13 for your work.
14 And thank you, Ms. Mrowiec, for filing --
15 you know, for coming to the Commission with this. And,
16 you know, I think campaign finance is always fraught
17 with, you know, lots of facts and details and, frankly,
18 you know, it makes my eyes go across when I try to
19 think about all the numbers and, you know, the details
20 and things like that. So having it simplified by
21 people who file the complaints and Tom looking at it,
22 and things like that, is always very helpful. Even
23 when he's, you know, making a decision to close it,
24 presenting it to us helps boil it down.
25 So thank you to both of you for presenting

Page 21

1 this to us.
2 MS. MROWIEC: And I appreciate the
3 Commission taking the time to listen. Thank you.
4 CHAIRWOMAN CHAN: Of course.
5 Anything else on that?
6 (No response.)
7 CHAIRWOMAN CHAN: Okay. All right -- oh.
8 MR. COLLINS: Okay. So if we're good with
9 that, I just wanted to really quickly hit a couple of
10 legislative things, but I don't --
11 CHAIRWOMAN CHAN: Oh, please.
12 MR. COLLINS: But I --
13 CHAIRWOMAN CHAN: Yes.
14 MR. COLLINS: But I don't know if that's
15 good with everybody.
16 CHAIRWOMAN CHAN: I'm fine with it. I
17 think we're moving on from that and, yes, please, go
18 ahead, Tom.
19 MR. COLLINS: Okay. So on the legislative
20 front, I just want a couple of quick updates.
21 As you did, even through yesterday, the
22 bill from -- the bill that would add additional
23 paperwork to the process of getting a mail ballot, that
24 came out of committee yesterday out of the House
25 Government and -- Committee -- Government and Elections

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| <p>Page 22</p> <p>1 Committee. We -- our own -- the two bills we've 2 highlighted for Clean Elections purposes, 2014 and 3 2110, are out of committee. 2014 is sort of 4 self-explanatory. 2110 is interesting, a couple of 5 developments there that are worth noting. 6 One, the legislature, in an attempt to 7 somehow make this a more -- I don't know -- palatable 8 bill to someone, changed the work requirement sentence 9 to a sentence of choice. I'm not sure that deals with 10 the legal problem there in terms of when you're 11 substituting work for the surcharge. You know, our big 12 focus in this has been the fact that they're 13 notwithstanding the surcharge here, which is the 14 functional equivalent of the same thing they're doing 15 with respect to suspect, for example, the Prop 208 in 16 terms of just saying, well, this was -- this was this, 17 but we found a way to rewrite the law around this 18 issue. We still think that's wrong. 19 The other thing the legislature has done, 20 which I think will be a significant problem, is that 21 there was a bill in the -- in the House to eliminate 22 juvenile financial sanctions. Now, I don't pretend to 23 have a -- I've never been a -- I've been a public 24 defender. I've never been a juvenile public defender. 25 My -- the problem with -- so this edition sort of is</p> | <p>Page 24</p> <p>1 fund is set up and the fact that this actually is an 2 ineffective -- an ineffective justice reform are -- you 3 know, are just -- you're letting the -- and we're 4 letting the perfect get in the way of the good kind of 5 an argument. 6 So that's where things are. You know, 7 we're hopeful to continue to try to make those 8 arguments. We've made them, you know, in writing, 9 typically. We haven't -- we haven't had to appear at 10 the Senate. And so that's where we are. 11 So a number of bills -- you know, 1485 is 12 another bill that we've been -- had an eye on. That 13 bill, also, is moving. That bill is the one that -- it 14 seems to have some ambiguity in it with respect to how 15 many elections one would have to not participate in 16 before one would be a -- have to re-sign up for the 17 PEVL. You know, those bills are all moving at a pace, 18 and so we'll see where -- where we get. I don't mean 19 to circle back to that, you know, sort of awkwardly, 20 but I just wanted to make sure that -- if you had any 21 questions or thoughts on that, that you're aware of 22 where we are on that process. 23 So that's all I had on that, Madam Chair. 24 CHAIRWOMAN CHAN: Okay. Thank you so much, 25 Tom.</p> |
| <p>Page 23</p> <p>1 designed to do two things. One, obviously, I assume it 2 is to eliminate financial penalties for juveniles, 3 which whether or not that's the -- how that's written 4 and how that works under the Clean Elections Act and 5 the VPA is one thing. 6 The essential effects of it, however, is 7 that it makes it -- it makes our legal position look 8 like it's harsh, right? So we will be in front of the 9 Senate saying you're doing this illegally and, yes, 10 that may include juveniles, also. When you're making a 11 legal argument, the best political response is to 12 take -- is to try to extend the legal argument to some 13 place where everybody would say you're incorrect or you 14 must be crazy or why are you letting the law get in the 15 way of a good thing. 16 And so I think by larding this up like a 17 spitball, the -- the folks who -- the powerful folks 18 who want this bill to pass really want it to pass, and 19 the statistics we've been able to gather from JLBC say 20 that this is a completely ineffective criminal or civil 21 justice reform measure. So the goal will be to say -- 22 I mean, essentially, what they've set up is a, you 23 know, kids who are guilty or adjudicated responsible 24 for certain financial issues should be -- you know, 25 should be let go and your concerns about the way the</p> | <p>Page 25</p> <p>1 Any comments? Commissioner Kimble? 2 COMMISSIONER KIMBLE: Yes. Tom, in 3 relation to 2110, so does it look like it's going to 4 pass? 5 MR. COLLINS: Well, it looks like it's 6 going to pass to the extent -- because there's 16 7 Republicans and 14 Democrats. 8 COMMISSIONER KIMBLE: Yeah. 9 MR. COLLINS: And the vast majority of 10 these election bills have passed on a 16/14. The hard 11 part about Clean Elections is that there's a committed 12 group of Democrats who don't like it. That group is 13 much larger in the House than it is in the Senate, you 14 know. So our -- you know, our main goal, frankly, is 15 to hope and to work to have this not get a 16 three-quarter vote. 17 The House Rules attorney has provided the 18 argument to the legislature as to why this does not 19 violate the Voter Protection Act and does not yield an 20 amendment that requires a three-quarter vote. We spent 21 time with that analysis. We think the analysis is 22 incorrect, and so we do think that keeping the vote 23 under three-quarters is key. 24 You know, I think that, you know -- so 25 whereas some election bills that are clearly sort of</p> |

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| <p style="text-align: right;">Page 26</p> <p>1 red/blue election bills, those are easy. Those are all 2 going to go -- you know, there's been a -- and there 3 may be a marginal Republican who can tilt those one way 4 or the other in the Senate or House based on the 5 margins, but on a program such as ours where, you know, 6 there are -- there's a particular faction of the 7 Democratic caucus that's deeply committed to 8 undermining Clean Elections, you know, makes this a 9 bigger challenge. They don't -- it's not a red/blue 10 thing. It's an institutional power versus -- versus, 11 you know, the sort of public-minded notions behind the 12 Clean Elections Act. 13 COMMISSIONER KIMBLE: Okay. 14 MR. COLLINS: So we're doing the best we 15 can. 16 COMMISSIONER KIMBLE: Okay. 17 MR. COLLINS: And -- and trying to make it 18 clear what the legal issues are. We have -- I'll say 19 the one difference we have made in this, one different 20 tactic we've taken on this is based on what -- so JLBC 21 received numbers from the courts about what percentage 22 of defendants have been able to take advantage of a 23 similar work diversion program that exists, and their 24 number was 1 to 2 percent of defendants. 25 So if you're going to notwithstand the</p> | <p style="text-align: right;">Page 28</p> <p>1 COMMISSIONER KIMBLE: Okay. Thank you. 2 CHAIRWOMAN CHAN: Thank you, Tom. 3 Anyone else have any comments, questions 4 for Tom? 5 (No response.) 6 CHAIRWOMAN CHAN: Okay. All right. I 7 always feel so defeated after we talk about 8 legislation. 9 Okay. Thank you, though, very much, Tom, 10 for the work you guys are doing for us over there -- 11 Mike and Julian, too. 12 So, I think we can move on to Item IV, 13 which is discussion and possible action on the 14 following 2020 General Election candidate audits. 15 And we're going to have Mike make some 16 general comments on this item, right? 17 MR. BECKER: That's correct. Thank you, 18 Madam Chair, and Commissioners. 19 Good morning. Before you are General 20 Election audits. As you're aware, the Commission 21 audits all Clean Elections candidates, either in the 22 Primary or the General. These audits, just as they 23 were in the Primary, are very good audits. Our 24 auditing firm that we work with, Fester & Chapman, and 25 the candidates and their campaigns worked well</p> |
| <p style="text-align: right;">Page 27</p> <p>1 Clean Elections Act altogether, including its funding, 2 in order to assist, at most, 1 to 2 percent of 3 defendants because -- and I can say this as a former 4 public defender and among my former colleagues and 5 current peers, those kinds of work requirements are, 6 essentially, too expensive in terms of time to make up 7 the difference for the fines and fees that we have in 8 Arizona. 9 The Clean Elections Act surcharge is 10 something like 12.5 percent of the total fees, which is 11 something like 6 percent of the total civil fines, but 12 if no one can use it, your -- notwithstanding the Clean 13 Elections Act for no -- for nothing, essentially, for a 14 percentage of people, what would need to happen and 15 what we're not opposed to is a real civil and criminal 16 justice reform measure that did not damage the Clean 17 Elections Commission's funding source or obliterated it 18 as the notwithstanding clause. 19 So I don't meant to get it too far in the 20 weeds, but we have been a little more aggressive than 21 we would otherwise be about the -- about the 22 ineffectiveness of this as a -- as a civil or criminal 23 justice reform measure. 24 COMMISSIONER KIMBLE: Okay. 25 MR. COLLINS: This isn't the real deal.</p> | <p style="text-align: right;">Page 29</p> <p>1 together. We are very happy with the results. 2 As you -- as you've looked through them, 3 there are some minor issues here and there, but they 4 have been resolved or are getting resolved. Nothing 5 has -- rises to any major -- major complaint or any 6 major issue. So we're very happy with all of these 7 audits. This is just the beginning. There will be 8 more on the -- on the Commission meeting for April, and 9 that should wrap it up. 10 And so, with that, like I said, they are 11 very good audits. And I'm happy to answer any 12 questions, and I ask that you to approve those audits. 13 CHAIRWOMAN CHAN: Comments or questions for 14 Mike? 15 (No response.) 16 CHAIRWOMAN CHAN: Okay. Hearing none, is 17 there any comments from the audience on this item? 18 And, if so, you can signal the moderator. 19 (No response.) 20 CHAIRWOMAN CHAN: All right. 21 COMMISSIONER PATON: Let me just say -- 22 this is Commissioner Paton. 23 CHAIRWOMAN CHAN: Oh, I'm sorry. Go ahead. 24 COMMISSIONER PATON: Let me just say that 25 I'm just glad that we're doing all these audits and</p> |

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| <p style="text-align: right;">Page 30</p> <p>1 it's because of what has happened in the past. And 2 having very small things, whatever, that makes me feel 3 good that we're trying to keep everybody on the 4 straight and narrow. 5 CHAIRWOMAN CHAN: Thank you, Commissioner 6 Paton. 7 It does feel good to have this done and, 8 you know, have good results, truly. So thank you, Mike 9 and the Staff. I'm glad we decided to do that. I 10 think it was a good decision. 11 So if there's no further discussion, I will 12 entertain a motion to approve the audits that are 13 identified on the agenda. 14 COMMISSIONER MEYER: This is Commissioner 15 Meyer. I move that we approve the audits identified on 16 the agenda for today's meeting. 17 CHAIRWOMAN CHAN: Thank you. 18 Is there a second? 19 COMMISSIONER KIMBLE: Commissioner Kimble, 20 second. 21 CHAIRWOMAN CHAN: All right. We have a 22 motion and a second. 23 Commissioner Titla, how do you vote? 24 (No response.) 25 CHAIRWOMAN CHAN: Commissioner Titla?</p> | <p style="text-align: right;">Page 32</p> <p>1 MR. COLLINS: Okay. Yes. Thank you, Madam 2 Chair, Commissioners. 3 So, yeah, we have two rules, Item V and 4 Item VI. Item VI is -- so in Senate Bill 1516, the 5 legislature expanded the definition of "family members" 6 to include aunts and uncles and a couple other things. 7 We have had a rule in our books that has a narrower 8 definition. This has caused some confusion over the 9 last couple of years because of 1516 and the 10 outstanding litigation. 11 The effect of the two -- because of the 12 cross-reference, the way the cross-reference is used in 13 the Clean Elections Act, the effect of expanding the 14 definition of "family members" for non-participating 15 candidates has the reverse effect on participating 16 candidates. In other words, whereas that definition 17 now expands people who are not covered by the 18 contribution limits subject to that traditional 19 candidates are subject to, it actually expands the 20 world of who is considered a personal or family 21 contribution under the Clean Elections Act. 22 As a result, a candidate who is clean who 23 gets a contribution from their uncle has to count that 24 towards the limit on personal family contributions 25 where they would not have had to do that previously.</p> |
| <p style="text-align: right;">Page 31</p> <p>1 COMMISSIONER TITLA: Aye. 2 CHAIRWOMAN CHAN: Thank you. 3 COMMISSIONER TITLA: Aye. 4 CHAIRWOMAN CHAN: Thank you. 5 Commissioner Meyer? 6 COMMISSIONER MEYER: Aye. 7 CHAIRWOMAN CHAN: Commissioner Kimble? 8 COMMISSIONER KIMBLE: Aye. 9 CHAIRWOMAN CHAN: Commissioner Paton? 10 COMMISSIONER PATON: Aye. 11 CHAIRWOMAN CHAN: And I vote aye, as well. 12 And by a vote of five ayes and zero nays, we have 13 approved the audits identified on the agenda. 14 MR. BECKER: Thank you. 15 CHAIRWOMAN CHAN: Thank you all. 16 Item V: Discussion and possible action on 17 amendment to R20 -- R2-20-101, definitions. The 18 Commission may vote to begin the public comment period 19 for a rulemaking related to this item. So we're going 20 to try to bring out definitions and rules in line with 21 the outcome of AZAN versus State, which was dealing 22 with certain cross-referenced definitions in the Clean 23 Elections Act. So we're amending the definitions of 24 the rules, and Tom is going to give us details. 25 So, please, Tom.</p> | <p style="text-align: right;">Page 33</p> <p>1 Nevertheless, AZAN v. State, more or less, stands for 2 the proposition that the legislature can do a lot with 3 these footnotes before they cross the line. 4 We feel like after a few years of this and 5 having gone through the litigation -- or I feel that we 6 just need -- we need to have a rule. I mean, this 7 is -- we've had the sort of tension between our rules 8 and the -- and the statute and, you know, it's 9 something we can take public comment on. Obviously, 10 that's the whole purpose of this enterprise is to open 11 public comment. 12 We probably will get some public comment on 13 whether or not that's consistent, in some people's 14 views, with AZAN and the outcome. Other people will 15 take different views, but that's -- but our starting 16 point is what's the cleanest way to make sure that the 17 Clean Elections Commission's rules line up with the 18 statutory definitions. And, in this case, we recommend 19 taking public comment on deleting the -- the more 20 narrow definition of "family members" that is included 21 in R2-20-101-113. 22 So that's -- if you have any questions for 23 me, Madam Chair, Commissioners, that's what we're 24 trying to do there. 25 Obviously, Mike, if there's anything I've</p> |

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| <p style="text-align: right;">Page 34</p> <p>1 missed there, let me know, but that's -- so we're 2 recommending we open this up for public comment. We 3 may get some, but ultimately, we wanted to start with 4 the cleanest amendment and see where we go from there. 5 CHAIRWOMAN CHAN: Okay. And Mike didn't 6 have anything to add? 7 Okay. Thank you, Tom. 8 Any questions or comments from 9 Commissioners? 10 (No response.) 11 CHAIRWOMAN CHAN: Okay. If there's no 12 further discussion, I will entertain a motion to 13 propose the amendment to R2-20-101 to be published for 14 public comment. 15 COMMISSIONER KIMBLE: Madam Chair -- 16 COMMISSIONER TITLA: I make that motion, 17 Madam Chair. 18 CHAIRWOMAN CHAN: All right. Commissioner 19 Titla has made the motion. Thank you. 20 Do I have a second? 21 COMMISSIONER KIMBLE: Commissioner Kimble, 22 second. 23 CHAIRWOMAN CHAN: Thank you. 24 We have a motion and a second. I will call 25 the roll.</p> | <p style="text-align: right;">Page 36</p> <p>1 CHAIRWOMAN CHAN: We didn't roll this up in 2 the last one, did we? 3 MR. COLLINS: This has been -- R2-20-109 4 has been -- there's been -- it's been a lot of things. 5 It has been a topic of discussion for many years. So, 6 basically, the upshot of the AZAN case -- so when the 7 legislature passed Senate Bill 1516 and 2016, they drew 8 a circle around IRS-recognized organizations, 9 regardless of their nature, and said that they shall be 10 treated unlike any other political spenders in state 11 law and shall not ever be able to be a political 12 committee. 13 We and AZAN and the Democratic minority and 14 some unions all were involved in litigation brought by 15 AZAN on this issue. On the cross-reference, we were 16 not successful. So what this rule does is -- and what 17 this amendment does is to say, look, we have a formula 18 that we've developed with the Center For Competitive 19 Politics and lawyers associated with them. So it's 20 a -- which is to say it's a -- it's a formula developed 21 with a group that is seen as a pro-free speech, a more 22 of a -- you know, not a group. 23 So we think with a formula, it has some 24 bipartisan cross-ideological content, but we want to 25 make -- and we think that's important because</p> |
| <p style="text-align: right;">Page 35</p> <p>1 Commissioner Titla, how do you vote? 2 COMMISSIONER TITLA: Aye. 3 CHAIRWOMAN CHAN: Thank you. 4 COMMISSIONER TITLA: Aye. 5 CHAIRWOMAN CHAN: Thank you. 6 Commissioner Meyer? I think I saw you 7 speak, but didn't hear you. 8 COMMISSIONER MEYER: Aye. 9 CHAIRWOMAN CHAN: Thank you. 10 Commissioner Kimble, how do you vote? 11 COMMISSIONER KIMBLE: Aye. 12 CHAIRWOMAN CHAN: Okay. Commissioner 13 Paton? 14 COMMISSIONER PATON: Aye. 15 CHAIRWOMAN CHAN: Thank you. 16 And I vote aye, as well. And we have voted 17 five ayes and zero nays and approved that for 18 publication for public comment. 19 And with that, we can move on to Item VI. 20 One moment while I turn the page. And it's like the 21 previous item. This amendment is to address AZAN 22 versus State, and Tom is, again, going to speak about 23 this proposal. 24 MR. COLLINS: Right. Madam Chair, 25 Commissioners, so R2-20-109 is, you know --</p> | <p style="text-align: right;">Page 37</p> <p>1 determining the primary purpose of any organization, 2 even if it's accepted by the legislature, still, in 3 Staff's view, requires something other than primary 4 purpose means primary purpose because the primary 5 purpose doesn't tell you when, doesn't tell you what, 6 doesn't tell you time frame, any of those things. We 7 have a formula for that. 8 So we believe and we've started the process 9 of working with some of the GRRC counselors, 10 including -- including -- I had a very wonderful email 11 exchange with Council Member Sundt about making clear 12 that putting aside what anybody thinks about political 13 committees, this will not apply to those groups that 14 are set aside by the legislature for different 15 treatment. 16 So that's why the language of the amendment 17 says -- where you get into the formula, it says, you 18 know, subject to 16-901.43, which is the definition 19 that says notwithstanding any other rule, there's no 20 way you can't -- these IRS-enabled organizations are 21 not subject to these parameters, and it, also, 22 notwithstanding any rule that we have to the contrary. 23 I don't believe there are any other rules 24 to the contrary, but nevertheless, as we did with 25 Prop 306, I think it's important to just say, look,</p> |

Page 38

1 it's not just subject to, but if there's anything
2 inconsistent with that where somehow we're going to get
3 an IRS-involved person here.
4 Okay. So that's it. So, basically, the
5 bottom line is we would -- under this amendment, we
6 would never apply our formula for political committee
7 to an IRS-recognized group, which is what the
8 legislature wanted us to do when they passed 1516, and
9 that is the result of the AZAN case. One caveat, this
10 does not affect the Clean Elections Act so-called
11 trigger reports which have nothing to do with political
12 committee or IRS status. They apply to spending -- qua
13 spending.
14 So -- so that's it. So we believe that --
15 you know, obviously, again, we may get comments to say
16 go broader that -- you know, we may not, but at the
17 very least, this concisely says if you're in an IRS
18 category identified by the legislature, the rules --
19 the formula will not be applied to you because you are
20 just not subject to the rule.
21 So that's where that is. We think that
22 that -- again, it's better to -- it's better to simply
23 move on. And the fact that it doesn't touch the
24 trigger reports which, frankly, when it comes down to
25 trying to track real spending in real time are really

Page 39

1 the only tool left in the State's toolbox for that kind
2 of disclosure, you know, this is -- this just seems
3 like, again, the best, cleanest way to proceed to get
4 public comment.
5 CHAIRWOMAN CHAN: Thank you, Tom.
6 Any discussion or questions?
7 (No response.)
8 CHAIRWOMAN CHAN: Okay.
9 COMMISSIONER KIMBLE: Madam Chair?
10 CHAIRWOMAN CHAN: Oh, yes, Commissioner
11 Kimble.
12 COMMISSIONER KIMBLE: Let me just say
13 despite reading this probably ten times, I remain
14 befuddled. Nonetheless, I would like to make a motion
15 that we open R2-20-109 for public comment.
16 CHAIRWOMAN CHAN: Thank you for that
17 motion. Excellent.
18 Is there a second?
19 COMMISSIONER MEYER: Commissioner Meyer,
20 I'll second the motion.
21 CHAIRWOMAN CHAN: Thank you, Commissioner
22 Meyer.
23 All right. I will take a roll call then.
24 Commissioner Titla, how do you vote?
25 COMMISSIONER TITLA: Aye.

Page 40

1 CHAIRWOMAN CHAN: Excellent.
2 COMMISSIONER TITLA: Aye.
3 CHAIRWOMAN CHAN: Thank you.
4 Commissioner Meyer?
5 COMMISSIONER MEYER: Aye.
6 CHAIRWOMAN CHAN: Commissioner Kimble?
7 COMMISSIONER KIMBLE: Aye.
8 CHAIRWOMAN CHAN: And Commissioner Paton?
9 COMMISSIONER PATON: Aye. And I'm equally
10 befuddled.
11 CHAIRWOMAN CHAN: I, also, vote aye.
12 MR. COLLINS: I -- I mean, as far as -- I'm
13 happy to take any time -- any time anyone needs to try
14 to unbefuddle. The bottom line is that we didn't make
15 the problem. We're trying to fix the problem. We went
16 to court -- I mean, other people went to court and we
17 went with them on the problem. It is -- I don't
18 know --
19 CHAIRWOMAN CHAN: Everybody is befuddled,
20 but at least --
21 MR. COLLINS: I don't know how to make it
22 better.
23 CHAIRWOMAN CHAN: At least we are -- we
24 have voted to publish our rule for public comment.
25 MR. COLLINS: Right, right.

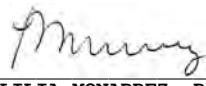
Page 41

1 CHAIRWOMAN CHAN: So that's the good news.
2 MR. COLLINS: Right, right, right.
3 CHAIRWOMAN CHAN: And everybody will be
4 befuddled with us and we'll probably get lots -- well,
5 maybe we'll get lots of public comments.
6 MR. COLLINS: Well, I think -- I think this
7 is a good example of where we will -- where public
8 comment will help clarify what the issues are going
9 forward, and I think that's important.
10 CHAIRWOMAN CHAN: Yeah. Thank you.
11 All right. And with that, we can move on
12 to Item VII: Public comment.
13 Are there any members of the public here
14 who wish to speak to the Commission today?
15 (No response.)
16 CHAIRWOMAN CHAN: I don't see anybody. You
17 may, also, send comments to the Commission by mail or
18 email at ccec@azcleelections.gov.
19 And if there's no public comments, we can
20 move to adjournment.
21 Is there a motion to adjourn?
22 COMMISSIONER KIMBLE: Madam Chair --
23 COMMISSIONER TITLA: I motion to adjourn.
24 CHAIRWOMAN CHAN: Oh, all right.
25 Commissioner Titla stole your thunder again,

Page 42

1 Commissioner Kimble. Maybe you can give us a second.
2 COMMISSIONER KIMBLE: Second.
3 CHAIRWOMAN CHAN: All right. Thank you.
4 COMMISSIONER KIMBLE: I will second.
5 CHAIRWOMAN CHAN: All right. Thank you.
6 I'll call the roll again.
7 Commissioner Titla?
8 COMMISSIONER TITLA: Aye.
9 CHAIRWOMAN CHAN: All right. Commissioner
10 Meyer?
11 COMMISSIONER MEYER: Aye.
12 CHAIRWOMAN CHAN: Commissioner Kimble?
13 COMMISSIONER KIMBLE: Aye.
14 CHAIRWOMAN CHAN: And Commissioner Paton?
15 COMMISSIONER PATON: Aye.
16 CHAIRWOMAN CHAN: And I vote aye.
17 And, with that, we are adjourned. Have a
18 wonderful weekend, everybody. See you next month.
19 (Whereupon, the proceedings concluded at
20 10:23 a.m.)
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Page 43

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 27th day of
17 March, 2021.
18 
19 LILIA MONARREZ, RPR, CR #50699
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| \$ | | 28:20 | came (3) 12:24;13:12; 21:24 | 16 |
| \$2,500 (3) 12:14;13:2; 18:25 | although (1) 10:16 altogether (1) 27:1 always (3) 20:16,22; 28:7 | awkwardly (1) 24:19 Aye (29) 5:8,8,11,14, 16,17;31:1,3,6,8,10,11; 35:2,4,8,11,14,16; 39:25;40:2,5,7,9,11; 42:8,11,13,15,16 | campaign (5) 12:12,13, 18;13:7;20:16 | changed (1) 22:8 |
| \$5 (2) 9:5,17 | ambiguity (1) 24:14 amending (1) 31:23 amendment (8) 25:20; 31:17;34:4,13;35:21; 36:17;37:16;38:5 | ayes (3) 5:19;31:12; 35:17 | campaigns (1) 28:25 | Chapman (1) 28:24 |
| A | | AZAN (8) 31:21;33:1, 14;35:21;36:6,13,15; 38:9 | can (32) 4:13;5:21;6:6, 11;7:14;9:5,12,16; 11:18;12:22,22;13:24; 14:1,13,14,18;15:6; 16:5;18:1,1;26:3,15; 27:3,12;28:12;29:18; 33:2,9;35:19;41:11,19; 42:1 | check (1) 7:8 |
| ability (1) 20:6 able (3) 23:19;26:22; 36:11 | amendments (1) 7:23 among (1) 27:4 amplify (1) 18:8 Amy (1) 4:12 | | candidate (4) 9:4;10:1; 28:14;32:22 | choice (1) 22:9 |
| absolutely (1) 18:11 | analysis (2) 25:21,21 | B | candidates (6) 9:18; 28:21,25;32:15,16,19 | circle (2) 24:19;36:8 |
| accepted (1) 37:2 | anticipate (1) 9:22 | back (7) 14:15;16:3; 18:3,13;19:22,23; 24:19 | case (5) 7:20;12:13; 33:18;36:6;38:9 | circumstances (1) 10:17 |
| according (1) 12:14 | apologize (2) 6:9;14:24 | balance (1) 12:25 | category (1) 38:18 | Citizens (1) 3:6 |
| account (2) 13:5,12 | apparently (1) 12:19 | ballot (1) 21:23 | caucus (1) 26:7 | civics (1) 6:25 |
| accounted (3) 13:11,11, 20 | Appeals (1) 7:21 | based (4) 16:14,16; 26:4,20 | caused (1) 32:8 | civil (4) 23:20;27:11,15, 22 |
| across (1) 20:18 | appear (1) 24:9 | basically (3) 16:14; 36:6;38:4 | caveat (1) 38:9 | clarify (1) 41:8 |
| Act (10) 23:4;25:19; 26:12;27:1,9,13;31:23; 32:13,21;38:10 | appears (1) 12:17 | BECKER (2) 28:17; 31:14 | ccec@azcanelections.gov (1) 41:18 | clause (1) 27:18 |
| action (6) 4:14;5:22; 7:20;14:11;28:13; 31:16 | approved (1) 8:20 | befuddled (4) 39:14; 40:10,19;41:4 | CE (1) 6:23 | Clean (19) 3:7;13:15, 25;22;2;23:4;25:11; 26:8,12;27:1,9,12,16; 28:21;31:22;32:13,21, 22;33:17;38:10 |
| activities (1) 6:12 | approve (7) 4:19,25; 5:5,9;10:29;12;30:12, 15 | begin (1) 31:18 | CE2 (1) 6:23 | cleanest (3) 33:16; 34:4;39:3 |
| actually (6) 8:14,14; 11:19;16:11;24:1; 32:19 | approved (3) 5:18; 31:13;35:17 | beginning (1) 29:7 | Center (1) 36:18 | clear (5) 8:9;15:16; 20:8;26:18;37:11 |
| add (7) 9:4;10:12;11:9; 13:2,3;21:22;34:6 | April (1) 29:8 | behind (1) 26:11 | certain (2) 23:24;31:22 | cleared (1) 12:22 |
| additional (1) 21:22 | argument (4) 23:11,12; 24:5;25:18 | best (3) 23:11;26:14; 39:3 | certainly (1) 15:6 | clearly (1) 25:25 |
| address (2) 15:3;35:21 | arguments (1) 24:8 | better (3) 38:22,22; 40:22 | chain (1) 13:24 | close (2) 11:20;20:23 |
| adds (1) 9:8 | Arizona (4) 7:4,4;13:7; 27:8 | beyond (1) 16:23 | Chair (12) 6:3;15:5; 16:24;24:23;28:18; 32:2;33:23;34:15,17; 35:24;39:9;41:22 | closed (2) 18:22,24 |
| adhering (1) 8:2 | around (3) 7:1;22:17; 36:8 | big (3) 6:7;13:8;22:11 | CHAIRWOMAN (78) | closing (2) 14:18;19:15 |
| adjourn (2) 41:21,23 | aside (2) 37:12,14 | bigger (1) 26:9 | 3:3,20,24;4:4,8,11,18; 5:1,4,9,12,15,17;11:2, 8,16,21;14:2;17:11; 18:16;19:3,9;20:12; 21:4,7,11,13,16;24:24; 28:2,6;29:13,16,20,23; 30:5,17,21,25;31:2,4,7, 9,11,15;34:5,11,18,23; 35:3,5,9,12,15;36:1; 39:5,8,10,16,21;40:1,3, 6,8,11,19,23;41:1,3,10, 16,24;42:3,5,9,12,14, 16 | closure (5) 10:19; 11:23;12:1,5;20:5 |
| adjourned (1) 42:17 | assist (1) 27:2 | Bill (12) 5:25;6:1; 21:22,22;22:8,21; 23:18;24:12,13,13; 32:4;36:7 | challenge (1) 26:9 | colleagues (1) 27:4 |
| adjournment (1) 41:20 | assistant (1) 8:5 | bills (7) 5:25;22:1; 24:11,17;25:10,25; 26:1 | CHAN (80) 3:3,20,24; 4:4,8,11,12,18;5:1,4,9, 12,15,17;10:25;11:2,8, 16,21;14:2;17:11; 18:16;19:3,9;20:12; 21:4,7,11,13,16;24:24; 28:2,6;29:13,16,20,23; 30:5,17,21,25;31:2,4,7, 9,11,15;34:5,11,18,23; 35:3,5,9,12,15;36:1; 39:5,8,10,16,21;40:1,3, 6,8,11,19,23;41:1,3,10, 16,24;42:3,5,9,12,14, 16 | College (2) 7:4,5 |
| adjudicated (1) 23:23 | associated (2) 16:21; 36:19 | both (2) 7:3;20:25 | | COLLINS (25) 6:3; 11:3,19;15:5;17:10; 18:8;19:7;20:3;21:8, 12,14,19;25:5,9;26:14, 17;27:25;32:1;35:24; 36:3;40:12,21,25;41:2, 6 |
| administrative (2) 5:25; 10:3 | assume (1) 23:1 | bottom (3) 15:11;38:5; 40:14 | | Colyer (1) 8:4 |
| administratively (1) 14:17 | assuming (2) 10:13; 16:5 | bring (1) 31:20 | | coming (1) 20:15 |
| ads (6) 12:15;13:6,10, 23;18:21,25 | assumptions (1) 16:16 | broader (1) 38:16 | | comment (13) 31:18; 33:9,11,12,19;34:2,14; 35:18;39:4,15;40:24; 41:8,12 |
| advantage (2) 16:12; 26:22 | attempt (1) 22:6 | broken (1) 13:24 | | comments (10) 25:1; 28:3,16;29:13,17;34:8; 38:15;41:5,17,19 |
| advertising (2) 12:12,15 | attendance (1) 3:15 | brought (2) 17:3;36:14 | | Commission (15) 3:7; 4:14;8:25;9:4;12:4; 17:4;18:2,11;20:15; 21:3;28:20;29:8;31:18; 41:14,17 |
| affect (1) 38:10 | attended (1) 6:16 | business (1) 8:25 | | Commissioner (113) 3:11,18,19,20,22,25; 4:2,5,6,6,8,9,9,12,21, 21,23,24;5:2,2,7,8,10, 11,12,14,15,16;8:21; 10:25;14:3,5,21;15:5; 16:24;17:21;18:4,6,14, 14,16,18;19:3,10,20; 25:1,2,8;26:13,16; 27:24;28:1;29:21,22, |
| again (6) 35:22;38:15, 22;39:3;41:25;42:6 | attention (1) 17:4 | butcher (1) 9:24 | | |
| against (2) 10:1;18:19 | attorney (1) 25:17 | | | |
| agenda (5) 3:9;7:23; 30:13,16;31:13 | audience (3) 3:10,12; 29:17 | | | |
| aggressive (1) 27:20 | auditing (1) 28:24 | | | |
| agree (1) 19:16 | audits (12) 28:14,20,21, 22,23;29:7,11,12,25; 30:12,15;31:13 | | | |
| ahead (8) 3:5,8,14;5:6; 17:11;18:17;21:18; 29:23 | aunts (1) 32:6 | | | |
| Alec (1) 6:12 | available (2) 12:2,21 | | | |
| allegations (1) 15:17 | Avery (3) 6:13,21;7:2 | | | |
| allow (1) 20:4 | avoid (1) 17:24 | | | |
| allowed (1) 9:19 | aware (3) 10:17;24:21; | | | |

| | | | | | | | | |
|--|--|---|--|---|----------|--|----------|---|
| 24;30:5,14,14,19,19, 23,25;31:1,3,5,6,7,8,9, 10;34:15,16,18,21,21; 35:1,2,4,6,8,10,11,12, 14;39:9,10,12,19,19, 21,24,25;40:2,4,5,6,7,8, 9;41:22,23,25;42:1,2,4, 7,8,9,11,12,13,14,15 Commissioners (8) 3:16;6:4;20:9;28:18; 32:2;33:23;34:9;35:25 Commission's (6) 6:18; 8:22;16:8,8;27:17; 33:17 committed (2) 25:11; 26:7 Committee (8) 13:25; 21:24,25;22:1,3;36:12; 38:6,12 committees (1) 37:13 Competitive (1) 36:18 complainant (1) 9:25 Complainant's (1) 17:17 complaint (16) 9:23; 10:3;11:14,25;12:8; 13:8;14:18,22;15:2,8,9, 14;16:17;18:19,22; 29:5 complaints (1) 20:21 completely (1) 23:20 completes (1) 10:23 Compliant (1) 8:16 concerns (1) 23:25 concisely (1) 38:17 concluded (2) 9:7; 42:19 conclusion (2) 10:10; 14:16 conference (4) 6:13,14, 16,23 confusion (1) 32:8 conjunction (1) 16:15 consensus (1) 20:9 consequences (3) 13:22;15:21;17:2 consider (1) 19:23 considered (2) 13:5; 32:20 consistent (1) 33:13 content (1) 36:24 continue (2) 14:15;24:7 continuing (1) 7:6 contrary (2) 37:22,24 contribution (6) 8:12; 13:13;15:18;32:18,21, 23 contributions (5) 9:18; 13:1,3,6;32:24 conversation (1) 8:13 copies (1) 9:16 Corporation (4) 8:21, 22,25;9:4 | correctly (3) 10:20,21; 19:12 Council (2) 8:1;37:11 counsel (2) 8:5,5 counselors (1) 37:9 count (1) 32:23 couple (8) 7:8,16,22; 21:9,20;22:4;32:6,9 course (2) 9:8;21:4 Court (3) 7:21;40:16,16 courts (1) 26:21 covered (1) 32:17 crazy (1) 23:14 criminal (3) 23:20; 27:15,22 cross (1) 33:3 cross-ideological (1) 36:24 cross-reference (3) 32:12,12;36:15 cross-referenced (1) 31:22 current (1) 27:5 cutting (1) 17:21 | determining (1) 37:1 develop (1) 10:15 developed (2) 36:18,20 developing (2) 6:19,19 developments (1) 22:5 difference (3) 17:1; 26:19;27:7 different (4) 13:23; 26:19;33:15;37:14 difficulty (1) 6:8 direct (2) 10:18;14:15 direction (1) 20:8 Director (1) 11:19 Director's (1) 5:23 disagreement (1) 17:7 disclosure (1) 39:2 discrepancy (1) 12:20 Discussion (10) 4:14, 16,19;5:22;28:13; 30:11;31:16;34:12; 36:5;39:6 distinctions (1) 17:17 diversion (1) 26:23 done (5) 6:15;11:6; 17:8;22:19;30:7 down (2) 20:24;38:24 download (1) 12:23 downloading (1) 13:20 Dr (2) 12:13,18 drew (1) 36:7 due (1) 17:20 | 34:12 equally (1) 40:9 equivalent (1) 22:14 essence (1) 12:8 essential (1) 23:6 essentially (3) 23:22; 27:6,13 ethics (2) 8:23,23 evaluated (1) 15:8 Even (3) 20:22;21:21; 37:2 everybody (6) 21:15; 23:13;30:3;40:19;41:3; 42:18 exactly (2) 12:11;19:10 example (2) 22:15;41:7 exceed (1) 13:13 Excellent (3) 3:12; 39:17;40:1 exchange (2) 12:12; 37:11 excited (1) 6:21 excuse (1) 17:9 Executive (1) 5:23 exists (1) 26:23 expanded (1) 32:5 expanding (1) 32:13 expands (2) 32:17,19 expenditures (3) 12:25; 13:1,2 expense (1) 12:17 expensive (1) 27:6 explain (1) 19:15 explained (1) 14:17 explanation (3) 14:20; 16:13;18:1 expressed (1) 15:10 extend (1) 23:12 extent (3) 16:17;17:25; 25:6 eye (1) 24:12 eyes (1) 20:18 | feeling (1) 19:20 fees (2) 27:7,10 Fester (1) 28:24 few (1) 33:4 file (2) 13:17;20:21 filing (2) 13:16;20:14 Finally (1) 8:19 finance (2) 12:18;20:16 financial (3) 22:22; 23:2,24 find (1) 6:9 finding (1) 14:12 fine (2) 14:16;21:16 finer (2) 27:7,11 firm (1) 28:24 first (2) 14:25;16:11 five (3) 5:19;31:12; 35:17 fix (2) 17:5;40:15 focus (1) 22:12 focused (2) 15:9,11 focusing (1) 16:14 folks (4) 7:11;8:24; 23:17,17 follow (1) 7:12 following (1) 28:14 footnotes (1) 33:3 forgive (1) 19:13 form (7) 9:5,14,14,15, 16,17,17 former (2) 27:3,4 formula (8) 8:11;36:17, 20,23;37:7,17;38:6,19 forthcoming (1) 8:22 forward (2) 8:2;41:9 found (3) 6:16;15:16; 22:17 Foundation (1) 7:20 frame (1) 37:6 framework (1) 8:9 frankly (3) 20:17;25:14; 38:24 fraught (1) 20:16 front (3) 8:25;21:20; 23:8 full (1) 6:11 functional (1) 22:14 Fund (2) 7:20;24:1 funding (4) 12:17; 13:15;27:1,17 further (2) 30:11;34:12 | | | | |
| | D | damage (1) 27:16 Damien (1) 4:2 deal (1) 27:25 dealing (1) 31:21 deals (1) 22:9 December (1) 7:21 decided (2) 12:9;30:9 decides (1) 18:2 decision (5) 7:19; 14:14;19:17;20:23; 30:10 decline (1) 10:3 deeply (1) 26:7 defeated (1) 28:7 defendants (3) 26:22, 24;27:3 defender (3) 22:24,24; 27:4 definition (6) 32:5,8,14, 16;33:20;37:18 definitions (5) 31:17,20, 22,23;33:18 delay (2) 7:17,17 deleting (1) 33:19 Democratic (2) 26:7; 36:13 Democrats (3) 7:5;25:7, 12 depending (1) 13:22 depth (1) 12:8 deputy (1) 8:5 designed (1) 23:1 desire (1) 10:18 despite (1) 39:13 details (4) 12:3;20:17, 19;31:24 | E | earlier (1) 17:4 easily (1) 12:22 easy (1) 26:1 edition (1) 22:25 education (2) 6:12,18 educator (1) 6:23 educators (1) 6:25 effect (3) 32:11,13,15 effectiveness (1) 6:14 effects (1) 23:6 either (2) 12:20;28:21 election (8) 5:24;7:7; 8:16;25:10,25;26:1; 28:14,20 Elections (20) 3:7; 13:15,25;21:25;22:2; 23:4;24:15;25:11;26:8, 12;27:1,9,13,17;28:21; 31:23;32:13,21;33:17; 38:10 eliminate (2) 22:21; 23:2 else (2) 21:5;28:3 email (6) 11:24;14:17; 19:11,15;37:10;41:18 enforcement (2) 5:23; 10:7 enterprise (1) 33:10 entertain (2) 30:12; | F | Facebook (5) 12:9,14, 15,19;18:25 facilitate (1) 16:10 fact (6) 6:12;11:13; 18:19;22:12;24:1; 38:23 faction (1) 26:6 facts (3) 16:16;17:1; 20:17 factual (1) 17:7 fair (1) 14:19 family (5) 32:5,14,20, 24;33:20 far (4) 11:14;15:25; 27:19;40:12 February (2) 4:15;5:19 feel (6) 16:4;28:7;30:2, 7;33:4,5 | G | gather (2) 8:22;23:19 gave (1) 19:15 general (8) 8:4,5,5; 9:12;28:14,16,19,22 generally (1) 9:10 gets (1) 32:23 Gina (3) 6:12,21;7:5 given (1) 14:21 gives (1) 10:9 |

| | | | | |
|---|--|---|---|--|
| <p>giving (1) 10:7 glad (2) 29:25;30:9 goal (5) 10:17;16:21; 20:7;23:21;25:14 goes (1) 18:19 Good (15) 4:2;8:12; 21:8,15;23:15;24:4; 28:19,23;29:11;30:3,7, 8,10;41:1,7 Government (2) 21:25, 25 Governor (1) 8:4 Governor's (3) 7:24; 8:1,3 great (1) 12:24 group (5) 25:12,12; 36:21,22;38:7 groups (1) 37:13 GRRC (1) 37:9 guess (2) 14:5;16:4 guidance (1) 8:3 guilty (1) 23:23 guys (1) 28:10</p> | <p>II (1) 4:13 III (1) 5:22 illegally (1) 23:9 important (3) 36:25; 37:25;41:9 inclination (2) 16:8,9 inclined (1) 7:11 include (2) 23:10;32:6 included (1) 33:20 includes (1) 12:16 including (4) 5:24;27:1; 37:10,10 incomplete (1) 13:18 inconsistent (1) 38:2 incorrect (2) 23:13; 25:22 incorrectly (1) 11:7 individualize (1) 9:5 industry (2) 6:19,20 ineffective (3) 23:20; 24:2,2 ineffectiveness (1) 27:22 information (3) 7:10; 9:8;18:2 in-kind (1) 13:5 institutional (1) 26:10 intended (1) 10:14 interest (1) 19:7 interested (1) 7:9 interesting (1) 22:4 into (6) 7:15;10:13; 11:14;12:3,7;37:17 investigating (1) 14:15 investigation (3) 13:10, 19;14:1 invite (1) 6:24 invited (1) 6:22 involved (1) 36:14 involves (1) 6:24 IRS (2) 38:12,17 IRS-enabled (1) 37:20 IRS-involved (1) 38:3 IRS-recognized (2) 36:8;38:7 issue (7) 8:9;9:6;14:1; 18:11;22:18;29:6; 36:15 issues (5) 8:7;23:24; 26:18;29:3;41:8 Item (14) 3:9;4:13; 5:22;28:12,16;29:17; 31:16,19;32:3,4,4; 35:19,21;41:12 IV (1) 28:12</p> | <p>27:16,23 Justin (1) 8:21 juvenile (2) 22:22,24 juveniles (2) 23:2,10</p> | <p>15:12,13;16:14,15; 32:18 line (9) 6:18;10:24; 15:11;17:19;31:20; 33:3,17;38:5;40:14 listen (1) 21:3 litigation (3) 32:10; 33:5;36:14 little (2) 13:24;27:20 logging (1) 12:25 long (1) 7:18 look (5) 15:14;23:7; 25:3;36:17;37:25 looked (2) 15:8;29:2 looking (2) 9:13;20:21 looks (2) 10:24;25:5 Lorick (1) 8:16 lot (3) 7:14;33:2;36:4 lots (3) 20:17;41:4,5 love (1) 12:6</p> | <p>member (2) 18:9;37:11 members (8) 3:10,12; 7:25,25;32:5,14;33:20; 41:13 mention (1) 8:20 mentioned (1) 15:22 merits (1) 11:14 met (1) 7:3 MEYER (21) 3:19,25; 4:2,3;5:2,2,10,11; 30:14,15;31:5,6;35:6, 8;39:19,19,22;40:4,5; 42:10,11 microphones (1) 3:13 Mike (7) 9:11;28:11,15; 29:14;30:8;33:25;34:5 minor (1) 29:3 minority (1) 36:13 minutes (4) 4:14,20,25; 5:18 misleading (1) 9:9 missed (2) 12:24;34:1 moderator (1) 29:18 moment (1) 35:20 money (1) 12:11 month (1) 42:18 more (6) 22:7;27:20; 29:8;33:1,19;36:21 morning (3) 4:2;15:4; 28:19 most (1) 27:2 motion (14) 4:19;5:4,5; 30:12,22;34:12,16,19, 24;39:14,17,20;41:21, 23 move (10) 4:13,23,24; 5:21;28:12;30:15; 35:19;38:23;41:11,20 moving (3) 21:17; 24:13,17 Mrowiec (9) 9:25; 11:19,20,21,22;12:6; 19:11;20:14;21:2 much (6) 6:4;12:11; 13:12;24:24;25:13; 28:9 must (1) 23:14 mute (1) 3:13 muted (2) 3:19,21 myself (2) 6:8;19:19</p> |
| H | | | | |
| <p>hang (1) 6:7 happen (2) 13:14; 27:14 happened (1) 30:1 happens (1) 16:10 happy (4) 29:1,6,11; 40:13 hard (2) 18:21;25:10 harsh (1) 23:8 hear (1) 35:7 heard (1) 14:24 hearing (6) 10:15; 11:13;19:5,18,19; 29:16 Heather (5) 9:24;10:24; 15:10,21;17:1 Heather's (2) 14:24; 15:1 help (2) 8:17;41:8 helpful (2) 6:17;20:22 helping (1) 8:6 helps (1) 20:24 high (1) 6:5 highlighted (1) 22:2 highlights (1) 7:16 hit (2) 6:5;21:9 hope (2) 19:12;25:15 hopeful (1) 24:7 House (7) 5:25,25; 21:24;22:21;25:13,17; 26:4</p> | <p>J</p> | <p>K</p> | <p>M</p> | |
| <p>I</p> | <p>JLBC (2) 23:19;26:20 joined (1) 3:11 Julian (1) 28:11 jump (1) 11:5 justice (4) 23:21;24:2;</p> | <p>L</p> | <p>Madam (12) 6:3;15:5; 16:24;24:23;28:18; 32:1;33:23;34:15,17; 35:24;39:9;41:22 mail (2) 21:23;41:17 main (1) 25:14 major (3) 29:5,5,6 majority (1) 25:9 makes (6) 18:5;20:18; 23:7,7;26:8;30:2 making (4) 9:13;20:23; 23:10;37:11 Manager (1) 8:17 many (3) 10:6;24:15; 36:5 March (1) 3:7 marginal (1) 26:3 margins (1) 26:5 material (1) 9:14 matter (1) 9:8 may (16) 9:23;10:16, 16,16,16;11:25;15:17, 18;19:20;23:10;26:3; 31:18;34:3;38:15,16; 41:17 maybe (3) 11:18;41:5; 42:1 mean (15) 9:1;13:15; 14:9;15:7,16;16:4,5,7, 18;18:9;23:22;24:18; 33:6;40:12,16 means (2) 7:13;37:4 meant (1) 27:19 measure (3) 23:21; 27:16,23 media (1) 6:14 meet (1) 6:25 meeting (6) 3:4,6,9; 5:19;29:8;30:16 meetings (1) 7:7</p> | |
| | | | | N |
| <p>identified (4) 30:13,15; 31:13;38:18 identify (2) 3:16,25</p> | | | | <p>name (3) 9:25;11:18; 14:25 narrow (2) 30:4;33:20 narrower (1) 32:7 nature (1) 36:9 nays (3) 5:20;31:12; 35:17 need (8) 11:4,4,9; 17:12;20:1;27:14;33:6, 6</p> |

| | | | | |
|--|--|--|---|---|
| <p>needed (1) 9:9 needs (1) 40:13 Nevertheless (2) 33:1; 37:24 news (1) 41:1 next (1) 42:18 Nicole (1) 8:4 non-campaign (1) 13:5 none (2) 12:17;29:16 Nonetheless (1) 39:14 non-participating (1) 32:14 noted (1) 8:8 notice (2) 10:5,8 noting (1) 22:5 notions (1) 26:11 notwithstanding (1) 26:25 notwithstanding (4) 22:13;27:12,18;37:19 notwithstands (1) 37:22 Number (4) 5:22;17:3; 24:11;26:24 numbers (2) 20:19; 26:21</p> | <p>33:14 outstanding (1) 32:10 over (3) 12:15;28:10; 32:8 own (2) 9:19;22:1</p> | <p>points (1) 6:5 policy (1) 9:9 political (8) 12:9,11; 23:11;36:10,11;37:12; 38:6,11 Politics (1) 36:19 position (5) 16:2,23; 17:15;18:10;23:7 possible (4) 4:14;5:22; 28:13;31:16 postdoc (2) 20:5,6 power (1) 26:10 powerful (1) 23:17 precisely (1) 19:14 presented (1) 16:16 presenting (2) 20:24,25 pretend (1) 22:22 pretty (4) 6:16,17; 11:20;20:8 previous (1) 35:21 previously (2) 9:24; 32:25 primary (7) 15:19; 28:22,23;37:1,3,4,4 print (1) 9:16 printed (1) 13:8 prior (1) 8:8 private (1) 16:20 probably (5) 17:4; 19:21;33:12;39:13; 41:4 problem (7) 14:8;22:10, 20,25;40:15,15,17 proceed (2) 14:10;39:3 proceedings (1) 42:19 process (7) 7:12;16:22; 17:23;20:7;21:23; 24:22;37:8 pro-free (1) 36:21 program (2) 26:5,23 pronounce (2) 11:18; 19:14 pronouncing (1) 19:12 Prop (2) 22:15;37:25 proposal (1) 35:23 propose (1) 34:13 proposition (2) 9:12; 33:2 Protection (1) 25:19 provide (4) 10:5,8; 14:19;18:1 provided (2) 13:7;25:17 providing (1) 12:22 public (19) 22:23,24; 27:4;31:18;33:9,11,12, 19;34:2,14;35:18;39:4, 15;40:24;41:5,7,12,13, 19 publication (1) 35:18 public-minded (1) 26:11 publish (1) 40:24 published (1) 34:13</p> | <p>purpose (5) 33:10;37:1, 4,4,5 purposes (1) 22:2 put (5) 10:21;15:24; 16:1,20;20:4 putting (1) 37:12</p> | <p>report (7) 5:23;10:23; 12:21,23;13:18,21; 19:1 reporting (1) 12:10 reports (6) 12:18,25; 13:16,20;38:11,24 Republican (1) 26:3 Republicans (2) 7:4; 25:7 request (1) 17:5 requirement (1) 22:8 requirements (1) 27:5 requires (2) 25:20;37:3 re-sign (1) 24:16 resolve (1) 14:1 resolved (2) 29:4,4 respect (5) 8:10;17:20; 18:24;22:15;24:14 respond (4) 14:8,14,19; 19:6 respondent (1) 10:15 responding (1) 19:8 response (12) 4:17; 14:23;17:2;21:6;23:11; 28:5;29:15,19;30:24; 34:10;39:7;41:15 responsible (1) 23:23 result (2) 32:22;38:9 results (2) 29:1;30:8 reverse (1) 32:15 Review (3) 8:1;16:3,3 rewrite (1) 22:17 right (25) 3:3;5:18;8:6; 16:22;19:23,25;21:7; 23:8;28:6,16;29:20; 30:21;34:18;35:24; 39:23;40:25,25;41:2,2, 2,11,24;42:3,5,9 rises (1) 29:5 roll (5) 5:6;34:25;36:1; 39:23;42:6 rule (14) 7:22;8:3;9:13; 10:14;16:9,12;20:4; 32:7;33:6;36:16;37:19, 22;38:20;40:24 rulemaking (1) 31:19 rules (15) 8:10,23,23; 9:6;10:2,4;12:10; 25:17;31:20,24;32:3; 33:7,17;37:23;38:18 Ryan (3) 10:1;12:13; 13:7</p> |
| <p>O</p> <p>objection (1) 18:13 obliterated (1) 27:17 obviously (9) 6:10; 7:14;9:16;11:5;15:20; 23:1;33:9,25;38:15 off (1) 17:22 offer (1) 9:16 office (2) 7:24;8:13 officeship (1) 16:21 Olson (1) 8:21 one (17) 7:25;8:23; 9:22;17:16;22:6;23:1, 5;24:13,15,16;26:3,19, 19;27:12;35:20;36:2; 38:9 online (1) 6:13 only (1) 39:1 open (4) 3:6;33:10; 34:2;39:15 opinion (1) 17:1 opportunity (6) 6:23,25; 7:23;10:8,9;19:16 opposed (1) 27:15 order (4) 3:4,9;16:10; 27:2 organization (1) 37:1 organizations (2) 36:8; 37:20 original (1) 14:22 others (1) 13:13 otherwise (1) 27:21 ours (1) 26:5 out (9) 7:8;9:16;13:4,8; 17:17;21:24,24;22:3; 31:20 outcome (2) 31:21;</p> | <p>P</p> <p>pace (1) 24:17 page (2) 8:15;35:20 paid (7) 13:4,6,10,23; 18:20,25;19:1 palatable (1) 22:7 paperwork (1) 21:23 parameters (1) 37:21 part (3) 11:13;15:15; 25:11 participate (3) 6:22;7:6; 24:15 participating (3) 7:6; 10:1;32:15 particular (2) 20:4;26:6 party (1) 14:9 pass (4) 23:18,18;25:4, 6 passed (3) 25:10;36:7; 38:8 past (2) 10:6;30:1 Paton (23) 4:8,9,9;5:15, 16;18:14,15,16,18; 19:4,10;29:21,22,24; 30:6;31:9,10;35:13,14; 40:8,9;42:14,15 payments (2) 12:19,23 peers (1) 27:5 penalties (1) 23:2 pending (1) 7:20 people (5) 20:21; 27:14;32:17;33:14; 40:16 people's (1) 33:13 percent (4) 26:24;27:2, 10,11 percentage (2) 26:21; 27:14 perfect (1) 24:4 perhaps (1) 3:17 period (2) 12:16;31:18 perjury (1) 13:17 person (4) 10:10; 15:17;18:19;38:3 personal (4) 13:12; 15:18;32:20,24 personally (1) 16:2 perspective (2) 17:18, 18 PEVL (1) 24:17 place (1) 23:13 please (8) 3:12,16; 11:7;18:17;19:12; 21:11,17;31:25 point (3) 15:1;17:12; 33:16</p> | <p>R</p> <p>R20 (1) 31:17 R2-20-101 (2) 31:17; 34:13 R2-20-101-113 (1) 33:21 R2-20-109 (3) 35:25; 36:3;39:15 raising (1) 11:12 rationale (2) 14:16,20 reached (1) 10:11 read (3) 14:22,23,23 readily (1) 12:21 reading (2) 12:1;39:13 ready (1) 3:4 real (4) 27:15,25;38:25, 25 really (6) 14:14;17:23; 18:24;21:9;23:18; 38:25 reason (2) 10:7;14:12 reasoning (1) 18:23 reasons (1) 11:15 received (4) 9:22,23; 12:11;26:21 recognize (2) 10:25; 16:18 recommend (2) 14:10; 33:18 recommending (1) 34:2 record (2) 3:17;17:16 records (1) 17:5 recusal (1) 9:1 red/blue (2) 26:1,9 redistricting (3) 7:10,12, 14 reducing (1) 8:11 reevaluate (1) 10:19 reform (4) 23:21;24:2; 27:16,23 regardless (1) 36:9 regulatory (4) 5:23;8:1, 8,9 related (1) 31:19 relation (1) 25:3 remain (1) 39:13 reopen (1) 19:22</p> | <p>S</p> <p>safer (1) 14:25 same (3) 8:14;13:2; 22:14 sanctions (1) 22:22 saw (1) 35:6 saying (3) 6:10;22:16; 23:9 second (14) 5:3,5;6:15;</p> | |

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**CITIZENS CLEAN ELECTIONS COMMISSION
EXECUTIVE DIRECTOR REPORT
April 29, 2021**

Announcements:

The next consolidated election day is May 18th. Staff is working with the counties to identify the local jurisdictions conducting an election and updating the website. Key dates are:

Voter Registration Deadline: April 19, 2021

Early Voting Begins: April 21, 2021

Voter Education:

- Avery continues to participate in the CE2 Educator Conference Planning Committee
- Avery continues his involvement with the Arizona African American Legislative Council
- Avery presented in the Mesa Community College Civic Action Hour on the topic of Redistricting in Arizona (May 31, 2021)
- Gina and Avery were special guest presenters at Future for Kids and held a mock election with grade school students (April 1, 2021)
- Avery continues to contribute to the Mesa Community College Civic Action team at weekly planning meetings.
- Avery and Gina created a Session on Contemporary Civics for the AZ Department of Education's 8th Annual Civic Learning Conference (April 24, 2020)
- Gina served as a panelist for the Arizona Center for Civic Leadership CivEx event: A Conversation on Election System Reform on Wednesday, April 28th.
- On May 4th, Clean Elections is sponsoring an Arizona Capitol Times Morning Scoop segment on the 2020 general election. Gina will serve as a panelist along with the Honorable Leslie Hoffman, Yavapai County Recorder, Lisa Marra, Cochise County Election Director and Tammy Patrick, Senior Advisor, Elections, Democracy Fund.

Administration:

- DOA continues to prioritize telework & asks agencies to consider utilizing it to the greatest extent possible. CEC remains committed to reducing the spread of COVID-19. Staff continues to practice social distancing, follow CDC recommendations & DOA guidance, remote work and electronic changes have been implemented to reduce exposure. Telework continues to be an important way that the State continues to do business.
- Given the CDC recommendation and the state's efforts to mitigate COVID and the governor's initiatives on work from home, we have continued setting up commission meetings virtually. Although there are drawbacks to this approach, the current setting avoids practical issues such as sufficient distancing in the commission hearing room, as well as promoting public access to attend and participate in commission meetings. Paula continues to meet with the Arizona Department of Administration regarding the state's recommendations to boards, agencies and commissions.

Miscellaneous

- **Outstanding legal matters**

- Legacy Foundation Action Fund
 - Awaiting decision
- Election cases involving Arizona including
 - Decision pending at U.S. Supreme Court Brnovich v. DNC— Argument was held March 2, a decision is not expected until May or June. At issue is a divided 9th Circuit en banc court of appeals decision determining that Arizona's bar on out of precinct voting and on ballot collection are violation of Sec. 2 of the Voting Rights Act.
 - Arizona Democratic Party v. Fann – The Democrats and County Supervisor brought an action in Superior Court for Maricopa County seeking force disclosure and certain rules related to handling of ballots and election equipment against Senate President Fann and others involved in the Senate's review of the 2020 election. A hearing was scheduled for Tuesday. We have briefs available for the Commissioners who are interested.
- Free Speech/Disclosure
 - Americans for Prosperity Foundation v. Bonta – The US Supreme Court heard oral arguments in this case this week in a case challenging a California statute that nonprofits share donor information with that state's Attorney General. Attorney General Brnovich filed an amicus on the side of the petitioners Americans for Prosperity at both the cert. stage and on the merits. Scotusblog's reporting and the briefing is available here: <https://www.scotusblog.com/case-files/cases/americans-for-prosperity-foundation-v-becerra/>.

- **Appointments**

- No additional information at this time.

- **Enforcement**

- MUR 20-01, Starzyk, closed
- MUR 20-02, Parra, closed
- MUR 20-03, Ariz. Educ Ass'n, pending
- MUR 20-04, Sloan, pending
- MUR 20-05, Starzyk 2, closed (see new attachment)

Regulatory Agenda

Just a quick reminder, we were been asked by a staff member for Corporation Commissioner Justin Olson whether if a corporation commission candidate included language on their own paper form indicating compliance with new corporation commission ethical rules would be an issue. Our current rules regarding review of individualized paper forms is consistent with this kind of addition, so no policy or rule change is necessary.

Public comment is being taken on amendments to Ariz. Admin. Code R2-20-101 and R2-20-109.

| Bill | Sponsor | Assigned to | What it does | Direct effect on CCEC | Status | Notes |
|---|--------------------|---|--|---|---|--|
| HB2014: GRRC; petition to request review | Rep. Biasiucci(R) | House: Government & Elections, Rules. Senate: Government and 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 that GRRC review Clean Elections adopted rules, policy statements, or final rules. | Passed Government & Elections 7-6. Passed House Rules 5-3. Passed House Floor 31-28. Transmitted to Senate on 2/5. Passed Senate Government 5-3. | Last year passed Reg. Affairs 4-3, Passed Rules 5-3, Passed the Floor 33-27, and was transmitted to Senate. House Rules attorney did suggest adding a Prop 105 clause. |
| HB2039: elections; hand counts; five percent | Rep. Griffin (R) | House: Government & Elections, Rules. Senate: Government and Rules. | The number of precincts in each county that must be randomly selected for a hand count after each election is increased to five percent of the precincts in the county or five precincts, whichever is greater, from two percent or two precincts. Voting centers are deemed to be a precinct for the purposes of the hand counts. S/E introduced, adds a provision that it is 5% or a number to produce a statistical significance of 99% in the accuracy of the count. | None | Passed Government & Elections 7-6. Passed House Rules 8-0. Passed House Floor 31-29. Transmitted to Senate on 3/5. | |
| HB2054: voter registration database; death records | Rep. Kaiser (R) | House: Government & Elections, Rules | Requires rather than suggests the Secretary of State (SOS) to compare the death records with the statewide voter registration database annually. | None. | Passed Government & Elections 8-5. Passed House Rules. Passed House 58-1. Referred to Senate on 2/18. Passed Senate Government 8-0. Passed Senate Rules. Passed Senate Floor 30-0. Signed by Governor on 3/18. | |
| HB2073: records; confidentiality; eligible individuals | Rep. Pratt (R) | House: Judiciary, Rules | For the purpose of statute allowing eligible persons to file an affidavit to request county officers and state agencies prohibit access to that person's information contained in certain public records, the definition of "eligible person" is expanded to include former county attorneys, former municipal prosecutors, former attorneys general, former U.S. Attorneys, commissioners of the municipal court, hearing officers appointed for civil traffic violations, and members of the Commission on Appellate Court Appointments. Persons whose residential address is protected from public disclosure are not required to disclose their address when making campaign contributions and are instead required to provide an alternate mailing address. | None. | Passed Judiciary 10-0. Passed Rules 8-0. Passed House 59-0. Referred to Senate on 2/18. Passed Senate Judiciary 8-0. Passed Senate Rules. Passed Senate Floor 29-1-3. Transmitted to Governor on 3/18. Signed by Governor on 3/24. | |
| HB2088: technical correction; ballot; presidential candidates | Rep. Bolick (R) | | Minor change in Title 16 (Elections) related to presentation of presidential candidates on the ballot. | | | Possible Striker |
| HB2110: civil penalties; traffic; mitigation; restitution | Rep. Biasiucci(R) | House: Transportation, Rules. Senate: Transportation and Technology, Rules. | If a "monetary obligation" (defined) is imposed on a person at sentencing, the court is authorized to order the person to perform community restitution in lieu of the payment of the monetary obligation. The court is required to credit any community restitution performed at a rate of \$12 per hour. | Waiving civil penalties would directly effect CCEC funding. | House: Passed Transportation 6-2-1 (present)-3(absent). Passed House Rules 5-3. Passed House Floor 43-16 (did not get 3/4). Transmitted to Senate on 2/5. Passed Senate Transportation 5-3-1. Passed Senate Rules. Passed Senate Floor 17-13 (did not get 3/4). Transmitted to House on 4/14. Passed House Floor 32-27-1. Transmitted to Governor on 4/22. | Except for fees under 12-116. House Rules attorney did not suggest a Prop 105 clause for this bill based on "formula argument". |
| HB2180: online content; publishers; liability; fee | Rep. Finchem (R) | House: Judiciary, Rules | A person engaged in the business of allowing online users to upload publicly accessible content on the internet and that exercises a level of "control" (defined) over the uploaded content for politically biased reasons is deemed to be a "publisher" (defined as a person that curates and distributes content on the internet) and to not be a "platform" (defined as a person that enables the content and distribution of information on the internet), and is liable for damages suffered by an online user because of the person's actions. The Attorney General or the online user who claims to have suffered the damages may bring an action to recover the damages. Does not apply to pornographic or libelous content or content that advocates or promotes violence toward a person or group of persons. A publisher is required to pay to the Attorney General an annual fee as determined by the Attorney General for each online user in Arizona that is authorized to upload publicly accessible content to the publisher's interactive computer service. The Attorney General is required to deposit the fees in the Antitrust Enforcement Revolving Fund. | The intent seems to be geared toward social media and we expect it to be implemented as such but it is one to keep an eye on to see how it actually gets implemented. | | |
| HB2181: write-ins; residency; filing deadline | Rep. Kavanaugh (R) | House: Government & Elections, Rules. Senate: Government and Rules. | Would require write-in candidates be a resident of the filing location for 120 days before the date of the Election. Change nomination filing to 76 days before, instead of 14 days. Amended to allow the early ballot tallying to begin once affidavit is processed and delivered to early election board. | Change in candidate training information. | Passed Government and Elections 13-0. Passed House Rules 8-0. Passed House 57-0. Transmitted to Senate on 2/25. Passed Government 7-0-1. Passed Rules. Passed Senate Floor 29-0-1. Transmitted to House on 4/22. | |
| HB2285: rulemaking; expedited process; rule expiration | Rep. Kavanaugh (R) | House: Government & Elections, Rules. Senate: Government, Rules. | A state agency that seeks to expire a rule or rules is authorized to file a notice of intent to expire with the Governor's Regulatory Review Council (GRRC). GRRC is required to place the notice on the agenda for the next scheduled meeting for consideration. If a quorum of GRRC approves the notice, GRRC is required to cause a notice of rule expiration to be prepared and provide the notice of rule expiration to the agency for filing with the Secretary of State. | Would allow for an expedited process of striking a rule. | Passed Government and Elections 13-0. Passed Rules 8-0. Passed House 60-0. Referred to Senate on 2/18. Passed Government 7-0-1. Passed Senate Rules. Passed Senate Floor 28-0-2. Signed by the Governor on 4/6. | |

| Bill | Sponsor | Assigned to | What it does | Direct effect on CCEC | Status | Notes |
|---|--------------------|--|--|---|---|-------|
| HB2302: election lawsuits; settlements; approvals | Rep. Blackman (R) | House: Government & Elections, Rules. Senate: Government, Rules | If a proposed settlement of an election-related civil action by the Secretary of State materially affects a county recorder, the Secretary of State cannot settle or otherwise compromise that civil action without consulting the county recorder. A county recorder is authorized to object to the settlement based on the difficulty or impracticability of its requirements, and is authorized to demonstrate or otherwise provide evidence regarding that difficulty or impracticability. If the county recorder's evidence is sufficient, the Secretary of State's settlement cannot be approved without the consent of the county recorder. A county recorder is authorized to join in any election-related civil action that materially affects the county recorder. | Geared toward the Secretary of State however one provision of the bill states, "A county recorder is authorized to join in any election-related civil action that materially affects the county recorder". | Passed Government and Elections 7-6. Passed Rules 8-0. Passed Floor 31-29. Transmitted to Senate 3/5. | |
| HB2307: voting equipment; overvote notice | Rep. Kavanaugh (R) | House: Government & Elections, Rules. Senate: Government, Rules. | County Board of Supervisors must provide signage that if a voter is to cast an overvote or any other irregularity, the vote for that office will not count. | This is just not true, if the machine had an error reading the ballot or spit it out, it would be sent to the bi-partisan election board where they would try and identify voter intent. If they could not create a duplicate ballot, in this instance, the vote would not count. | Passed Government and Elections 12-0-0-1. Passed Rules 8-0. Passed House 52-0-8. Transmitted to Senate on 3/1. Passed Senate Government 7-0-1. Passed Rules. Passed Senate Floor 28-1-1. Transmitted to House on 4/22. | |
| HB2308: recall petitions and elections; revisions | Rep. Kavanaugh (R) | House: Government & Elections, Rules. Senate: Government, Rules. | Numerous changes to statute relating to recall petitions and signature gathering. | None. | Passed Government and Elections 7-5-0-1. Passed Rules 8-0. Passed House 31-28. Transmitted to Senate 3/4. Passed Senate Government 4-3. Passed Rules. Retained on COW 4/1. | |
| HB2314: presidential electors; ballots | Rep. Kavanaugh (R) | House: Government & Elections, Rules. Senate: Government and Rules. | Names of presidential electors may (not required now) to be printed on the ballot. | None. | Passed Government and Elections 13-0. Passed Rules 8-0. Passed House 52-6-2. Transmitted to Senate 2/25. Passed Senate Government 6-1-1. | |
| HB2342: recalls; city elections; signatures required | Rep. Salman (D) | House: Government & Elections, Rules | For an officer elected at a nonpartisan election, the "last preceding general election" for the purpose of calculating the number of signatures required on a recall petition is the last preceding election at which the public officer who is the subject of the recall was declared elected. | None. | Passed Government and Elections 12-1. Passed Rules 8-0. Retained House COW on 2/24. | |
| HB2343: voting centers; board of supervisors | Rep. Salman (D) | House: Government & Elections, Rules | Only on a specific resolution of the county board of supervisors, the board is permitted to authorize the use of additional types of voting locations by using voting centers and early voting drop-off centers. A voting center is deemed to be a polling place on election day, and may be used as an early voting location. When an election is ordered and voting centers are used, the county board of supervisors is required to appoint a voting center election board for each voting center consisting of at least one inspector, one marshal and as many judges or clerks as needed. Requires there to be an equal number of inspectors in the various voting centers in the county who are members of the two largest political parties. The board may also appoint a minor, at least 16 to serve as Clerk of Elections. Schools cannot penalize a student for missing class due to serving as Clerk of Elections. County recorders are authorized to make changes to the approved early voting locations and are required to notify the public as soon as practicable. Also, change "one central location" for replacement ballots to "one or more locations". | Updates to voter education. Possible outreach to let kids know they can be hired for this position. Sounds like a nice opportunity to get involved. | | |
| HB2344: early voting; weekend hours | Rep. Salman (D) | House: Government & Elections, Rules | On-site early voting locations, including the locations at the county recorder's office, are required to be open until 7:00PM on the Saturday, Sunday and Monday immediately preceding election day. | Voter Ed. changes to reflect change in early emergency voting. | | |
| HB2345: early ballot collection; limitations; repeal | Rep. Salman (D) | House: Government & Elections, Rules | Would no longer be a class (6) felony to knowingly collect voted or unvoted early ballots. | Small update to website. | | |
| HB2358: voter registration update; address change | Rep. Kavanaugh (R) | House: Government & Elections, Rules | By May 1 of each year, the County Recorder shall use the National Change of Address system from USPS to remove voters who have moved out of the County or State. They are also no longer required to provide information to the voter on how to continue to be eligible to vote. | None. | Held in Government and Elections. | |
| HB2359: election equipment; access; locks | Rep. Kavanaugh (R) | House: Government & Elections, Rules. Senate: Government, Rules. | For a voting machine; any open plug, port, access port will be locked with a tamper proof device. | None. | Passed Government and Elections 13-0. Passed House Rules 8-0. Pass House Floor 52-0-8. Transmitted to Senate on 3/1. Passed Senate Government 7-0-1. Passed Senate Rules. Passed Senate Floor 30-0. Transmitted to House 4/13. Passed House 60-0. Transmitted to Governor 4/22. | |
| HB2360: driver license voter registrations; committee | Rep. Kavanaugh (R) | House: Government & Elections, Rules. Senate: Government, Rules. | The Secretary of State is required to operate and maintain the driver license voter registration system in conjunction with a committee of county recorders that is selected by a statewide county recorder membership group. | None. | Passed Government and Elections 13-0. Passed House Rules 8-0. Pass House Floor 52-0-8. Transmitted to Senate on 3/1. Passed Senate Government 7-0-1. Passed Senate Rules. Passed Senate Floor 30-0. Vetted by Governor on 4/11. | |

| Bill | Sponsor | Assigned to | What it does | Direct effect on CCEC | Status | Notes |
|--|--------------------|---|--|--|--|--|
| HB2361: write-ins; early ballots; processing | Rep. Kavanaugh (R) | House: Government & Elections, Rules | The deadline for filing a nomination paper to be a write-in candidate is moved to 5PM on the 76th day before the election, from 5PM on the 40th day before the election. Tallying of early ballots is permitted to begin immediately after the envelope and completed affidavit are processed and delivered to the early election board, and the prohibition on early ballots being tallied any early than 14 days before election day is deleted. | Slight update to candidate training regarding nomination papers for write-ins. | Held in Government and Elections. | |
| HB2362: elections; ballot privacy folders | Rep.Kavanaugh (R) | House: Government & Elections, Rules. Senate: Government, Rules. | A voter is to be given a privacy envelope along with their ballot when voting. | None. | Passed Government and Elections 13-0. Passed House Rules 8-0. Passed House 47-11-2. Transmitted to Senate on 2/25. Passed Senate Government 4-3-1. | Amended in committee. |
| HB2363: municipal election officers; certification training | Rep. Kavanaugh (R) | House: Government & Elections, Rules. Senate Government, Rules. | For municipal employees who work on elections, the municipality is authorized to train its own employees if the municipal training program is approved by the Secretary of State. | None. | Passed Government and Elections 13-0. Passed House Rules 8-0. Passed House Floor 58-0-2. Transmitted to Senate 2/25. Passed Senate Government 6-1-1. | |
| HB2364: election pamphlet submittals; identification required | Rep.Kavanaugh (R) | House: Government & Elections, Rules. Senate Government, Rules. | Arguments in favor of or against a ballot measure, which are printed in the informational pamphlet, must contain a sworn, notarized statement of the person submitting it. If the argument is submitted by an organization, it must contain the sworn statement of two executive officers of the organization. The names of persons and entities submitting written arguments is required to be included in the informational pamphlet. Persons signing the argument must identify themselves by giving their residence address and telephone number, which cannot appear in the pamphlet. Any argument submitted that does not comply with these requirements cannot be included in the pamphlet. | None. | Passed Government and Elections 13-0. Passed House Rules 8-0. Passed House Floor 54-4-2. Transmitted to Senate on 2/25. Passed Senate Government 6-0-2. Passed Rules. Passed Senate Floor 18-11-1. Transmitted to House on 3/30. Transmitted to Governor 3/31. Signed by the Governor on 4/6. | |
| HB2369:early ballots; notarization; identification | Rep. Payne (R) | House: Government & Elections, Rules | Requires a voter's signature on an early ballot return envelope to be notarized. The voter is required to present identification to the election board worker when dropping off an early ballot as required for in-person voting. A family member and a household member are removed from the list of persons authorized to collect an early ballot on behalf of a voter. | Update to voter education regarding early ballots. | | |
| HB2370: permanent early voting list; repeal | Rep. Payne (R) | | Repeals the PEVL. | Update to voter education regarding early voting. | | Would require that you request an early ballot for each election. |
| HB2371: hand count; voting centers; total | Rep. Payne (R) | House: Government & Elections, Rules | For a county that uses voting centers, at least two percent of the total number of ballots cast in the county must be randomly selected for a hand count after each election, from a pool consisting of at least two percent of the voting centers or two voting centers, whichever is greater. Voting centers are deemed to be a precinct for the purposes of the hand counts. | None. | | |
| HB2373: voter registration groups; forms; identifiers | Rep. Dunn (R) | House: Government & Elections, Rules. Senate: Government, Rules. | Any person or group that request 10 or more voter registration forms from the County must put their unique identifier on said form collected or distributed by them. S/E ups count from 10 to 25 forms. | We would likely need to add the Clean Elections symbol to voter registration forms (stamp, printed). | Passed Government and Elections 7-6. Passed House Rules 8-0. Passed 31-28. Transmitted to Senate 3/4. Passed Appropriations 8-2. | |
| HB2378: ranked choice voting; presidential preference | Rep.Dunn (R) | House: Government & Elections, Rules | Notwithstanding any other statute, the PPE shall be conducted by ranked choice voting when 3 or more candidates qualify for a political party's ballot. Establishes requirements for how to conduct tabulation. The SoS shall conduct a voter education outreach campaign to familiarize electors with ranked choice voting. | Would require an update to voter education and likely a joint campaign with the SoS's office. | Held in Government and Elections. | "Election threshold" means the number of votes that are sufficient for a candidate to be elected in a multi-winner contest which is determined by calculating the total votes to be counted for active candidates in the first round of tabulation, dividing by the sum of one plus the number of offices to be filled, then adding one, disregarding any fractions. |
| HB2426:presidential electors; congressional districts; at-large | Rep. Carrol (R) | House: Government & Elections, Rules | Would change Arizona from a winner take all state to a state who casts their Electoral College votes by Congressional District. The 2 remaining votes would voted on by the Legislature. If a tie vote occurs, the remaing electors would be split among the respective candidates. | Update to voter education, specifically how the Electoral College would function in Arizona. | | |
| HB2430:publicity pamphlet; submittal dates | Rep. Bolick (R) | House: Government & Elections, Rules. Senate: Government, Rules. | Emergency clause to change arguments for publicity pamphlet dates. Legislative Council has till 30 days before the primary to submit analysis instead of 60 days, a person filing has till 27 days before the primary instead of 48 days. | None. | Passed Government and Elections 12-0-0-1. Passed Rules 8-0. Passed House Floor 57-1-2. Transmitted to Senate on 2/25. | |
| HB2444: judges; election; technical correction | Rep. Nutt (R) | | Technical change. Apparent striker. | None | | |
| HB2468:elections; special districts; technical correction | Rep. Barton (R) | | Technical change. Apparent striker. | None. | | |
| HB2469: mail ballot elections; techinal correction | Rep. Barton (R) | | PDF links to HB2468, not HB2469. However, it is likely another striker bill. | None. | | |
| HB2529: early ballots; address; return S/E; address; return; early ballots | Rep. Dunn (R) | House: Government & Elections, Rules | Early ballots shall have a "return to sender" marking for those who receive a ballot by mail for someone who does not reside at that address. S/E The officer charged by law with the duty of preparing ballots at any election is required to ensure that early ballots are sent in envelopes that state substantially the following" If the addressee does not reside at this address, mark the unopened envelope "return to sender" and deposit it in the U.S. mail. | None. | Passed Government and Elections 13-0. Passed Rules 8-0. Passed House Floor 57-2-1. Transmitted to Senate 3/4. | |
| HB2560: removal; permanent early voting list | Rep. Dunn (R) | House: Government & Elections, Rules | If a voter fails to vote using an early ballot in a General Election, they shall be removed from the PEVL. | Would require an update to voter education. | | The way it is written, even if someone chooses to vote in person on Election Day, they would still be removed from PEVL. |

| Bill | Sponsor | Assigned to | What it does | Direct effect on CCEC | Status | Notes |
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| HB2569: elections; private funding; prohibition | Rep. Hoffman (R) | House: Government & Elections, Rules. Senate: Government, Rules. | Notwithstanding any other law, the state, city, town, county, school district, or other public body that conducts or administers elections may not receive or expend private monies for preparing for administering or conducting an election, including registering voters. | None. | Passed Government and Elections 7-6. Passed House Rules 8-0. Passed House Floor 31-29. Transmitted on 3/5. Passed Government 5-3. Passed Senate Government 5-3. Passed Rules. Passed Senate Floor 16-14. Transmitted to Governor on 4/8. Signed by Governor on 4/9. | Would allow for only appropriated money to be spent on administering elections. |
| HB2613: ballots measure amendments | Rep. Salman (D) | House: Government & Elections, Rules | Would allow for a person or organization to submit the proposed description for an initiative petition or referendum petition to the Attorney General for determination of whether or not the description is lawful and sufficient. AG has 10 days to approve or reject, if rejected must provide reasoning. If accepted, those wishing to challenge the description have 10 days. | None. | | In response to lawsuits filed against Prop 208's description not being sufficient. |
| HB2616: election data; legislative review authority | Rep. Biasiucci(R) | House: Government & Elections, Rules | After tabulation but before the official canvass, the county recorder and county board of supervisors shall provide to designated representatives of the legislature access to or copies of election data, including results and other election records, equipment, systems and facilities. On written request, the Speaker of the House or the Senate President shall receive access as described above whether in session or not. | None. | | Copy of SB1444. |
| HB2686: candidate signs; prohibition; primary | 0 | House: Government & Elections, Rules | Extends the period in which signs cannot be altered with from 45 days before the Primary to 150 days before the General Election which would work out to approximately 65 days before the Primary. | None. | | |
| HB2701: polling places; identification; early voting | Rep. Fillmore (R) | House: Government & Elections, Rules | Will require a 3/4 vote. Makes substantive changes to voting in Arizona. The list of acceptable ID's for registration is expanded to include a ID card issued by the Government. Limits all of the secondary ID's that are allowable when voting in person. A qualified elector may only vote by mail if they are physically unable to vote in person, exceptions for military, nursing homes, and those with physical disabilities. Also, provides limits on the number of vote centers allowed in a county based on population. Changes documents to obtain a driver license; proof of identity via passport or birth certificate, proof of social security number (social or W-2), proof of residency via 2 forms such as a utility bill or bank statement. | Update to voter education/website. | | |
| HB2708: voting rights; felonies; automatic restoration | Rep. Espinoza (D) | House: Government & Elections, Criminal Justice Reform, Rules | Upon absolute discharge from either prison or probation would have their voting rights automatically restored. | Update to website information. | | |
| HB2720: ballots; election contests; certificates | Rep. Bolick (R) | | The County Recorder must maintain a count of all ballots produced and post this information 1 day after the election. Keep a digitized image of duplicated ballots as public record. Increases access for observers and states that the live feed must clearly display ballots being counted and the screens used by the electronic adjudication board. If a live feed goes out, a County Recorder and the Board of Supervisors be deemed ineligible for reelection and would be barred from public office for 10 years. Also, with a majority vote the Legislature would have authority over certification of the election and could revoke the decision whether in session or not. Would allow any party to request a jury trial which shall be granted. A court may not grant a motion to dismiss or a motion for summary judgement until after the jury has issued its verdict. Would also allow for the inspection of tabulation equipment pre trial from either party. | None. | | Several of these provisions I believe would require majority support as constitutional rights such as, right to a private ballot, and being able to have full authority over the states presidential electors are a large cause for concern. |
| HB2722: emergency voting; manual; photographs; electioneering | Rep. Bolick (R) | House: Government & Elections, Rules | Statute takes precedent over elections manual if there are conflicting provisions. Involves the Leg in making any changes to the election manual and in picking tabulation personnel. Allows video and photography within the 75 foot limit if it is ones own ballot. Stikes provision for vote centers. Requires board of supervisors to apporve any and all emergency voting locations. | None. | | |
| HB2723: campaign finance; reports; contribution amount | Rep. Kavanaugh (R) | House: Government & Elections, Rules. Senate: Government, Rules. | Changes reporting for aggregate contributions from \$50 to \$200. Amended to an increase to \$100 from \$200. | Candidates would no longer be required to report details such as name, address, occupation, employer for donations less than \$100. | Passed Government and Elections 7-6. Passed House Rules 8-0. Passed House Floor 32-27-1. Transmitted to Senate on 3/4. | SB1104 amended to increase aggregate contribution threshold to \$100 from \$50. |
| HB2736: presidential preference election; independent voters | Rep. Pawlik (D) | House: Government & Elections, Rules | Would allow Independents to participate in the PPE. | Voter education efforts. | | |
| HB2750: automatic voter registration; same day | Rep. Teran (D) | House: Government & Elections, Rules | Automatic registration on and up to Election day plus automatic registration upon driver license or ID renewal/issuing. | Update to website information regarding registering to vote. | | |
| HB2782: clean elections; county candidates | Rep. Powers Hannley (D) | House: Government & Elections, Rules | Clean Elections would now provide funding for races at the County level to included; bounty board of supervisors, county assessor, county attorney, county recorder, county school superintendent, county sheriff, and county treasurer. Lays out funding amounts and requires 200 \$5 dollar contributions to qualify for all county offices. | Yes, we would need to provide funding and training to candidates for County positions. | | |

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| HB2783: campaign finance; contribution limits | Rep. Powers Hannley (D) | House: Government & Elections, Rules | Lowers contribution amounts for candidates across the board. Strikes partnership contributions for monies in the name of the partnership and that they now shall be attributed to each contributing party as designated by the partnership. | Would make Clean Elections a more competitive option for candidates. | | |
| HB2792: early ballots; request required | Rep. Hoffman (R) | House: Government & Elections, Rules. Senate: Government, Rules. | Except for a voter who is on the permanent early voting list, a voter who requests a one-time early ballot, or for an all mail-ballot election, a county recorder, municipal clerk or other election officer is prohibited from delivering or mailing an early ballot to a person who has not requested an early ballot for that election. An election officer who knowingly violates this prohibition is guilty of a class 5 (second lowest) felony. | None. | Passed Government and Elections 7-5. Passed House Rules 8-0. Passed House Floor 31-28. Transmitted to Senate 3/4. Passed Senate Judiciary 5-3. Passed Rules. | |
| HB2793: voter registration; request required | Rep. Hoffman (R) | House: Government & Elections, Rules. Senate: Government, Rules. | Any agency or byproduct acting on its behalf may not register someone to vote unless they specifically request to do so. | I do not believe this effects any sort of registration drive, rather prevents "automatic voter registration" as the title of the provision would suggest. Would need to see how this bill is interpreted by state agencies. | Passed Government and Elections 7-6. Passed House Rules 8-0. Passed House Floor 31-28. Transmitted to Senate on 3/4. | |
| HB2794: election deadlines; modifications prohibited | Rep. Hoffman (R) | House: Government & Elections, Rules. Senate: Government, Rules. | Class 6 felony to change any date, deadline, filing date, or other election date related to Elections other than what is provided for in statute. | None. | Passed Government and Elections 7-6. Passed House Rules 8-0. Passed House Floor 31-29. Transmitted to Senate on 3/5. Passed Senate Appropriations 6-4. | |
| HB2797: election laws; revisions; appropriation | Rep. Salman (D) | House: Government & Elections, Appropriations, Rules | Automatic restoration of voting rights upon final discharge. Various election law changes; Automatic restoration of rights, allow for international observers, updating standards for e-pollbook, may skip signature verification if elector gets ballot at early voting location, county recorder shall register to vote someone who votes a provisional and is not registered, provisional ballots to have all the information required to register. The Secretary of State is required to establish a system to issue credentials to a limited number of international observers to observe elections in Arizona. Appropriates \$100,000 from the general fund in each of FY2021-22 and FY2022-23 to the Secretary of State to provide risk-limiting audit grants to officers in charge of elections to conduct risk-limiting audits. By March 31, 2022, the Secretary of State is required to report to the Joint Legislative Budget Committee on its plan for distributing these grants. For the 2022 general election, an officer in charge of elections is authorized to conduct a risk-limiting audit instead of a hand count audit. By March 31, 2023, the Secretary of State is required to report to Legislature on any findings and recommendations related to the use of risk-limiting audits. | Updates to voter information on website. | | Identical to Quezada's SB1667 except it adds the part about the SoS. |
| HB2798: early voting procedures; signature cards | Rep. Barton (R) | | 90 day notice before an election must be returned signed and with a copy of the voters drivers licence or state ID in order to receive a ballot. If the information that the voter returns does not match the voter's records, the county recorder or officer in charge of elections is required to contact the voter to resolve the discrepancy. If the discrepancy is not resolved, the county recorder or other officer in charge of elections is prohibited from mailing the voter an early ballot and the voter must be removed from the permanent early voting list. The requirement for the county recorder or other officer in charge of elections to contact a voter with an inconsistent signature on an early ballot affidavit and allow the voter to correct the signature is deleted. | Update to voter information on website. | | |
| HB2799: voter registration rolls; electioneering | Rep. Barton (R) | House: Government and Elections, Rules | The Secretary of State is required to use the records of deaths transmitted by the Department of Health Services to establish a nonpublic database for use by county recorders to cancel the names of deceased persons from county voter registration databases. A legislative committee is required to have access to the records to confirm the process of cancellation of deceased voters. For the purpose of electioneering being prohibited within 75 feet of a polling place, the definition of "electioneering" is modified to include wearing, displaying or carrying an item that expresses support for or opposition to a candidate or ballot question that appears on the ballot in that election. | None. | | |

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| HB2800: elections; legislative session; procedures manual | Rep. Barton (R) | House: Government and Elections, Rules | Declares that the Legislature has absolute authority over elections. An election special session of the Legislature begins by operation of law on the date of the regular primary election and the regular general election and continues for at least three days following the election. During an election special session, the Legislature is authorized to conduct hearings and receive testimony, documents and other evidence as appropriate relating to any irregularities that occur during and after the election. The Legislature is authorized to vote to reject or confirm the preliminary results of the election. If confirmed, the Legislature is required to forward that confirmation to the county board of supervisors of the county examined by the Legislature. On rejection, the Legislature is required to forward its findings to the office of the Attorney General for possible civil or criminal action. Also, the official election instructions and procedures manual prepared by the Secretary of State is required to be approved by a vote of the Legislature, instead of by the Governor and the Attorney General. | Update to Election processes. | | | |
| HB2804: public meetings; executive session | Rep. Pingerelli (R) | House: Government & Elections, Rules. Senate: Government, Rules. | Requires a notice of executive session to also include the statutory reference to which the legal advice pertains, in the case of legal advice. | Would need to add this provision to our public meeting notices. | Passed Government and Elections 7-6. Passed House Rules 7-1. Passed House Floor 31-29. Transmitted to Senate on 3/5. | Concerns on predicting what may require legal advice in advance of a public meeting. | |
| HB2811: same day registration; prohibition | Rep. Hoffman (R) | House: Government & Elections, Rules. Senate: Government, Rules. | Any state agency, department, or division may not register someone to vote on Election Day if it deems that individual eligible to vote in that Election. | None. | Passed Government and Elections 7-6. Passed House Rules 7-1. Passed House Floor 31-28. Transmitted to Senate on 3/5. | | |
| HB2826: elections; county canvass; legislative review | Rep. Roberts (R) | House: Government and Elections, Rules | The certified permanent copy of a county's official canvass for all offices and ballot measures is required to be delivered to the Legislature. On receipt of an official county canvass, the Legislature "under its plenary powers regarding elections" is authorized to call itself into session for the purpose of reviewing the official county canvass, certifying its results by majority vote and transmitting those results to the Secretary of State. | None. | | | |
| HB2869: election procedures; registrations; campaign finance | Rep. Salman (D) | House: Government and Elections, Rules | Numerous changes to statutes relating to Elections. Most notable; Automatic registration/updates of registration when providing proof of citizenship through ADOT to get/renew a license/state ID. Eliminates requirement for voter to live within the district for 29 days prior to registration. Each county must provide a registration clerk at each official polling place, vote center, or early voting site. Reduces PAC and individual contributions. Requires a 3/4 vote. | Various changes to voter information and outreach. | | | |
| HB2874: permanent early voting list; independents | Rep. Chavez (D) | House: Government and Elections, Rules | The application to be placed on the permanent early voting list is required to allow a voter who is not registered as a member of a recognized political party to designate which political party's ballot the voter wishes to receive automatically for partisan open primary elections. | Change to voter information. | | | |
| HB2875: voter registration; maintenance; early voting | Rep. Carrol (R) | House: Government and Elections, Rules | The election notice and form sent to voters on the permanent early voter list is required to include instructions to complete the form by confirming or updating the voter's voter registration information, providing the voter's voter identification card number, indicating whether the voter wishes to continue to receive an early ballot, signing the form and returning it to the county recorder. If the voter completes and returns the notice and form, the county recorder or other officer in charge of elections is required to examine the information and signature and compare it to the information on the voter registration rolls. If the voter does not complete the form and return the notice, the county recorder or other officer in charge of elections is required to send a second notice requesting the same information. If the second notice and form are not returned within 30 days after the second mailing, the county recorder or other officer in charge of elections is required to remove the voter from the permanent early voting list. | Update to voter information regarding PEVL. | | | |
| HB2881: election hand counts; verification committee | Rep. Blackman (R) | House: Government & Elections, Rules. Senate: Government, Rules. | The number of precincts in each county that must be randomly selected for a hand count after each election is increased to the number of precincts required to achieve a statistical significance consisting of a percentage confidence level as determined by the Vote Count Verification Committee with a margin of error as determined by the Committee that is to be based on the total number of ballots cast in that county, instead of two percent or two precincts. | None. | Passed Government and Elections 7-6. Passed House Rules 8-0. Passed House Floor 31-28. Transmitted to Senate on 3/5. | | |
| HCR2016: initiatives; supermajority vote requirement | Rep. Dunn (R) | House: Government & Elections, Rules. Senate: Government, Rules. | The 2022 general election ballot is to carry the question of whether to amend the state Constitution to require approval by 60 percent of the votes cast on the measure for an initiative or referendum measure to become law, instead of a majority of the votes cast. | None. | Passed Government and Elections 7-6. Passed House Rules 8-0. Passed House Floor 31-29. Transmitted to Senate on 3/5. Passed Senate Government 4-3-1. | This bill would make it much harder to pass voter approved initiatives. For example, the Clean Elections Act passed with a 51.2% vote, under this amendment, it would not have passed. | |

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| HCR2020: lieutenant governor; joint candidacy | Rep. Nutt (R) | House: Government & Elections, Rules. Senate: Government, Rules. | The 2022 general election ballot is to carry the question of whether to amend the state Constitution to add a Lieutenant Governor to the executive department, which person is next in line to succeed to the office of Governor. No later than 100 days before the general election, unless the Legislature prescribes otherwise by statute, each nominee for the office of Governor is required to name a Lieutenant Governor nominee to run on a ticket as a joint candidate with that nominee for the office of Lieutenant Governor. The Lieutenant Governor's powers and duties are to supervise and direct the Department of Administration or its successor agency. Applies beginning with elections for the term of office that starts in 2027. | None. | Passed Government and Elections 7-5-1. Passed House Rules 8-0. Passed House Floor 45-14-1. Transmitted to Senate on 3/5. | |
| HCR2021: electoral college; supporting | Rep. Burges (R) | House: Government and Elections, Rules | That the Members of the Legislature support the Electoral College and oppose any effort to repeal or nullify it, including the National Popular Vote Interstate Compact. That the Members of the Legislature support the Governor and Attorney General of this state in any efforts to aggressively litigate against the National Popular Vote Interstate Compact should other states attempt to implement it. | None. | Passed Government and Elections 7-6. Passed House Rules 8-0. | |
| HCR2023: elections; state authority; infringement; opposition | Rep. Hoffman (R) | House: Government & Elections, Rules. Senate: Government, Rules. | The members of the Legislature oppose any attempt by the federal government to usurp, or otherwise interfere with, the state legislative sovereign authority over the management, control and administration of elections. The members of the Legislature oppose H.R. 1 and any subsequent enactment of the terms of this proposal and implore the members of the United States House of Representatives and the United States Senate to oppose the proposal. The Secretary of State is directed to transmit copies of this memorial to the President of the U. S. Senate, the Speaker of the U.S. House, each member of Congress from Arizona, and each Speaker of the House of Representatives and each President of the Senate of the other state legislatures. | None. | Passed Government and Elections 7-6. Passed House Rules 8-0. Passed House Floor 31-29. Transmitted to Senate on 3/4. Passed Senate Government 5-3. Passed Rules. Passed Senate Floor 16-14. Transmitted to 4/7. Transmitted to Secretary of State on 4/12. | |
| HCR2027: campaign finance; source disclosure | Rep. Hernandez (D) | House: Government and Elections, Rules | The 2022 general election ballot is to carry the question of whether to amend the state Constitution to require any person that makes campaign expenditures of more than \$10,000, or \$20,000 for statewide campaigns, in a two-year election cycle to promptly disclose the identity of all "original sources" of "major contributions" (both defined) used to fund that expenditure, and to grant the Citizens Clean Elections Commission the authority to establish penalties to enforce this requirement. Severability clause. If approved by the voters, the amendment applies to all elections occurring after January 1, 2024. | Would require that CCEC establish penalties for not reporting major contribution sources. | | |
| HCR2038: legislative session; county canvass | Rep. Roberts (R) | | The 2022 general election ballot is to carry the question of whether to amend the state Constitution to require the Legislature to hold an election special session to review the county canvasses for any general election for legislative or statewide office, including the office of presidential elector. The Legislature is authorized to hold hearings on the canvasses, receive evidence, hear witness testimony and approve or reject the county canvasses. On approval by the Legislature, the Legislature is required to certify the county canvasses and send the county canvasses to the Secretary of State. On rejection of one or more county canvasses, the Legislature is authorized to refer the matter to the Attorney General for further action. | Update to website on election processes. | | |
| SB1002: early voting envelopes; party affiliation | Sen. Ugenti-Rita (R) | Senate: Government, Rules. House: Government & Elections, Rules. | Ensure ballot return envelope does not indicate party affiliation. | None | Passed Government 7-0-1. Passed Rules. Passed Senate 20-9-1. Transmitted to House on 2/11. Passed House Government & Elections 8-5. Passed House Rules 7-0-1. Passed House 41-18. Signed by the Governor on 3/18. | |
| SB1003: early voting; signature required; notice | Sen. Ugenti-Rita (R) | Senate: Government, Rules. House: Government & Elections, Rules. | Ballots without signatures will not be counted, voter has until 7 p.m. on Election Day to cure their signature. County will make the effort to contact the voter. | None. | Passed Government 5-3. Passed Rules. Passed Senate Floor 16-14. Transmitted to House 3/4. Passed House Government & Elections 7-6. Passed House Rules 8-0. | |

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| SB1010: recount requests; amount; bond; procedure. S/E NOW: recounts; requests; procedures; audits | Sen. Mesnard (R) | Senate: Government, Rules, House: Government & Elections, Rules. | The number of precincts in each county that must be randomly selected for a hand count after each election is changed to five percent of the precincts in the county or the number of precincts as determined by the vote count verification committee that is required to achieve a statistical significance of a 99 percent confidence level with a margin of error of 1 percent based on the total number of ballots cast in that county on election day, whichever is greater, from two percent or two precincts. Voting centers are deemed to be a precinct for the purposes of the hand counts. For a county with a population of 800,000 persons or more (Maricopa and Pima), the chairmen of the political parties entitled to continued representation on the ballot or the chairmen's designees are required to randomly select for a manual audit either 10,000 early ballots or the number of early ballots required to achieve a statistical significance of a 99 percent confidence level with a margin of error of 2 percent based on the total number of early ballots cast in that county. Within 5 days after completion of the canvass, for any election that does not require an automatic recount, the Attorney General, the Secretary of State, or the Legislative Council is authorized to request a recount of the total number of votes cast in the election or at any precinct, voting center, jurisdiction, or any combination of those portions of an election. The expenses of the requested recount will be a state charge. Within 5 days after completion of the canvass, for any election that does not require an automatic recount, any person is authorized to file an action for a recount in any election that is not subject to an automatic recount if the person files a bond with the superior court in an amount determined by the court to be sufficient to fully reimburse the costs of conducting the recount. Recount request or filing provisions do not apply to elections for precinct committeemen, school boards, fire district boards or other special district boards | None | Passed Senate Government 5-3. Passed Rules. Passed Senate 16-14. Transmitted to House on 3/4. Passed Government & Elections 7-6. Passed Rules 8-0. | We may want to lobby to add some limitations as to avoid lengthy elections. |
| SB1020: voting locations; electioneering | Sen. Ugenti-Rita (R) | Senate: Government, Rules | Counties are no longer allowed to restrict electioneering outside of a vote center or polling location based on emergency designation. | None | Passed Government 5-3. Passed Rules. Retained on House COW. | |
| SB1023: elections; county supervisors; ballots; markers | Sen. Townsend (R) | Senate: Government, Rules | Counties can not provide a marking pen that can damage, and/or bleed through. No specific pen may be required either. | Could require voter education efforts to inform voters that bringing their own pen will likely require it going straight to the duplication board. | | Depending on interpretation, could cause a lot of issues with vote machines not being able to read certain pens. |
| SB1025: elections; polls; override notification | Sen. Townsend (R) | Senate: Government, Rules, House: Government & Elections, Rules. | If a ballot is rejected due to an overvote or irregularity, election board official is required to advise the voter that if the voter chooses to override the overvoted office or measure, the voter's vote for that office or measure will not be tallied. | None. | Passed Senate Government 4-3-1. Passed Rules. Passed Senate 16-14. Transmitted to House on 2/24. | |
| SB1036: voting systems technology study committee | Sen. Townsend (R) | Senate: Government, Rules | Forms a committee to study Election Integrity, voting system technologies, and form best practices. | None | Passed Government 5-3. Passed Rules. | Worrisome clause: On request of the committee, an agency of this state or a political subdivision of this state shall provide the committee with access to its equipment, documents, personnel and facilities to the extent possible and without cost to the committee. |
| SB1068: elections manual; legislative council; GRRC | Sen. Ugenti-Rita (R) | Senate: Government, Rules, House: Government & Elections, Rules. | The official election instructions and procedures manual prepared by the Secretary of State is required to be approved by the Legislative Council and the Governor's Regulatory Review Council, instead of the Governor and the Attorney General. | None | Passed Senate Government 5-3. Passed Rules. Passed Senate 16-14. Transmitted to House on 3/4. Passed Government & Elections 7-6. Held in House Rules on 3/31. | |
| SB1069: permanent early voting list; eligibility | Sen. Ugenti-Rita (R) | Senate: Government, Rules | If a voter fails to vote an early ballot in both the primary election and the general election for two consecutive primary and general elections for which there was a federal, statewide or legislative race on the ballot, the county recorder is required to remove the voter from the permanent early voting list and the voter will no longer be sent an early ballot by mail automatically. By December 1 of each even-numbered year, the county recorder or other officer in charge of elections is required to send a notice to each voter who is removed under this provision informing the voter that if the voter wishes to remain on the permanent early voting list, the voter must confirm that in writing, sign the notice, and return the completed notice within 30 days after the notice is sent. | We would need to make adjustments to voter education and stress the importance of voting/returning the notice to the county. | Passed Government 5-3. Passed Rules. Failed Senate 15-15. | |
| SB1071: voting irregularities; report; legislative review | Sen. Townsend (R) | Senate: Government, Rules | The county recorder or other officer in charge of elections is required to maintain a record of all voting irregularities that occur during early voting, emergency voting and election day voting. Information that must be described in the record is listed. Within 30 days after election day, the county recorder or other officer in charge of elections is required to provide the record to the Legislature. | None. | | |

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| SB1072: election contests; filing deadline | Sen. Townsend (R) | Senate: Government, Rules | The deadline for a voter to contest an election is moved from 5 days after the certification of the canvass to 30 days. | None. | | |
| SB1083: elections; recount margin | Sen. Ugenti-Rita (R) | Senate: Government, Rules. House: Government & Elections, Rules. | Would change the margin of recount from 1/10 of 1% to half of 1% and strikes the criteria for a recount on specific offices. | None | Passed Senate Government 5-3. Passed Rules. Passed Senate 16-14. Transmitted to House on 3/4. Passed House Government & Elections 7-6. Passed House Rules 8-0. | |
| SB1103: lieutenant governor; duties; ballot | Sen. Mesnard (R) | Senate: Government, Appropriations, Rules | No later than 60 days before the date of the general election, a candidate for Governor is required to submit to the Secretary of State the name of a person who will be the joint candidate for Lieutenant Governor with that gubernatorial candidate and whose name will appear on the general election ballot jointly with that candidate. Applies beginning with elections for the term of office that starts in 2027 | Refer to SCR1004 | Passed Appropriations 10-0. | |
| SB1104: campaign finance; contributions; disclosures; itemization | Sen. Mesnard (R) | Senate: Government, Rules. House: Government & Elections, Rules. | The information that must be included in campaign finance reports is expanded to include contributions from out-of-state individuals, including identification of the contributor's occupation and employer. Aggregate contributions are increased from a \$50 threshold to \$100. | Would effect reporting for out of state contributions to Clean Candidates | Passed Government 7-1. Passed Rules. Passed Senate 16-14. Transmitted to House on 2/18. Passed House Government & Elections 7-6. Passed House Rules 7-0-1. Amended on House Floor. Passed House Floor 31-29. Transmitted to Senate on 3/18. Passed Senate Floor 16/14. Signed by Governor on 3/30. | |
| SB1106: voting residency; intent to remain | Sen. Mesnard (R) | Senate: Government, Rules. House: Government & Elections, Rules. | A person who knowingly causes or allows himself to be registered as a voter in Arizona solely for the purpose of voting in an election in Arizona without the intent to remain as prescribed in statute is guilty of a class 6 (lowest) felony. | None. | Passed Senate Government 5-3. Passed Rules. Passed Senate 16-14. Transmitted to House on 3/4. Passed Government & Elections 7-6. Passed Rules 5-3. | |
| SB1107: redistricting; petition signatures; 2022 candidates | Sen. Mesnard (R) | Senate: Government, Rules. House: Government & Elections, Rules. | If a candidate for the legislature or congressional race's districts are changed per the 2021 redistricting panel, their nomination petition and nomination paper will still be valid. | None. | Passed Senate Government 7-0-1. Passed Rules. Passed Senate 29-0-1. Transmitted to House on 2/22. Passed House Government & Elections 13-0. Passed House Rules 8-0. Amended on House Floor. Passed House Floor 60-0. Transmitted to Senate on 3/18. Passed Senate Floor 30-0 with Emergency Clause. Signed by Governor on 3/30. | |
| SB1203: presidential candidates; electors; tax returns | Sen. Mendez (D) | Senate: Government, Rules | A candidate for President of the U.S. is required to submit to the Secretary of State a copy of the candidate's federal and state income tax returns for the immediately preceding five years. A candidate who fails to provide the copies by September 15 immediately preceding the general election is ineligible to appear on the general election ballot and the candidates for presidential elector for that candidate's political party are ineligible to appear on the general election ballot. | None. | | |
| SB1240: hand counts; precincts; procedures manual | Sen. Townsend (R) | Senate: Government, Rules | States if a provision in the instructions of the Election Manual conflict with state statute, the state statute prevails. For a county that uses voting centers, ballots shall be separated by precinct for the random selection. A vote center is not deemed a precinct for the random audit. | None. | Passed Government 5-3. Passed Rules. Passed Senate Floor 16-14. Transmitted to House 3/4. | |
| SB1241: voting equipment; ballots; receipt | Sen. Townsend (R) | Senate: Government, Rules. House: Government & Elections, Rules. | Voter shall receive a receipt upon voting stating whether their ballot was tabulated or rejected. Does not apply to early ballots. | None. | Passed Government 5-2-1. Passed Rules. Passed Senate Floor 16-14. Transmitted to House 3/4. Passed Government & Elections 7-6. Passed Rules 8-0. | |
| SB1242: election equipment; security; legislative review | Sen. Townsend (R) | Senate: Government, Rules | Beginning in 2021 and every two years thereafter, the committee appointed by the Secretary of State to investigate and test the various types of vote recording or tabulating machines or devices is required to provide for a detailed review of election equipment security for counties with a population of more than 500,000 persons that focuses on the actual equipment, software and other systems used in the most recent general election. An additional person who is an expert in election equipment security must assist with the review. On completion, the review must be presented to the standing committees of the Legislature with jurisdiction over election issues at a public meeting that is held by August 1 following the general election. | None. | | |
| SB1304: state elections; contest; technical correction S/E: relating to engineers; regulation | Sen. Ugenti-Rita (R) | Senate: Commerce, Rules | Technical change. Apparent striker. | None. | Passed Commerce 6-3. | |
| SB1313: countywide elections; vote by mail | Sen. Bowie (D) | Senate: Government, Rules | If a county has at least 60% of its registered voters on the PEVL and the Board of Supervisors votes to approve, a county can host an all mail election for elections hosted by the county including state and federal races. Counties would also be required to report to the Legislature January 1 following the election(16-409,C). | None | | |
| SB1358: recorders; voter registrations; public buildings | Sen. Ugenti-Rita (R) | Senate: Government, Rules | A county recorder may only conduct a voter registration drive at a government owned building. | None. | Passed Government 5-3. Passed Rules. | |
| SB1427: voter fraud unit; auditor general | Sen. Townsend (R) | Senate: Government, Rules | The auditor general now shall supervise and support the voter fraud unit. | None. | | |

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| SB1432: political signs; removal date | Sen. Ugenti-Rita (R) | Senate: Government, Rules. House: Government & Elections, Rules. | Changes the number of days allowed to remove a sign from 7 to 15 days post election. | None. | Passed Government 4-2-2. Passed Rules. Passed Senate 17-13. Transmitted to House on 2/18. Passed Government & Elections 8-5. Passed Rules 8-0. Failed House Floor 30-30. Reconsideration: Passed House 31-29. Transmitted to Governor on 4/20. | |
| SB1437: registration; voting jails; confinement | Sen. Quezada (D) | Senate: Government, Rules | Every person who is eligible to register to vote may who is in custody of the state or county jail shall be provided the opportunity to register upon release from confinement. A county with more than 300,000 persons shall provide a vote center at the county jail. The county recorder must also provide early ballot request form. | Possible coordination with counties to inform voters who are temporarily incarcerated or their voting rights. | | |
| SB1439: voting rights; felonies; automatic restoration | Sen. Quezada (D) | Senate: Government, Rules | Voters rights automatically restored upon person's absolute discharge from imprisonment. | None. | | |
| SB1444: election data; legislative review authority | Sen. Borelli (R) | Senate: Government, Rules | After tabulation but before the official canvass, the county recorder and county board of supervisors shall provide to designated representatives of the legislature access to or copies of election data, including results and other election records, equipment, systems and facilities. On written request, the Speaker of the House or the Senate President shall receive access as described above whether in session or not. | None. | | Copy of HB2616. |
| SB1485: elections; voting-center-tabulation S/E: early voting list, eligibility | Sen. Ugenti-Rita (R) | Senate: Government, Appropriations, Rules. House: Government & Elections, Rules. | Vote centers to tabulate on site. S/E: Renames the permanent early voting list (PEVL) as the active early voting list (AEVL). Removes a voter from the AEVL if the voter fails to vote by early ballot in all regular primary or regular general elections and all city or town candidate primary or first elections or city or town candidate second, general or runoff elections for two consecutive election cycles. Requires counties to notify a voter prior to removing that voter from the AEVL. | Voter Education changes regarding PEVL. | Passed Appropriations 6-4. Passed Rules. Passed Senate 16-14. Transmitted to House on 3/3. Passed House Government & Elections 7-6. Passed House Rules 8-0. Retained on House COW 4/1. Passed House Floor 31-29. Transmitted to Senate on 4/20. Failed Senate Floor 14-16. Motion to reconsider. | |
| SB1490: election and ethics; commission; duties | Sen. Quezada (D) | Senate: Government, Rules | Establishes the Arizona Election and Ethics Commission consisting of six members who are appointed by the Governor and other specified elected officials and who meet specified requirements. Beginning in 2022, the Commission succeeds to the duties of the Secretary of State with respect to acting as the investigatory, compliance and enforcement officer for political committees supporting or opposing candidates for state offices and members of the Legislature and statewide initiative or referendum measures appearing on a state general election ballot. Powers and duties of the Commission are established, including receiving any ethics complaint filed against candidates or elected officials of state government. The Commission terminates on July 1, 2031. | None. | | |
| SB1492: election law amendments | Sen. Shope (R) | Senate: Government, Rules. House: Government & Elections, Rules. | Various changes relating to election law. A petition for a new political party to be represented by an official party ballot is required to contain the signatures of qualified electors in at least 1/4 of the election precincts of the county or municipality. The county recorder or the city or town clerk is required to review the petitions, select a random sample of 20 percent of the total signatures, individually verify and certify those signatures, and calculate and project the total number of valid signatures to determine whether the party will be recognized. The requirement for candidates to file a statement of interest with the appropriate filing officer no later than the date of the first petition signature on a nomination petition does not apply to candidates for elected office for school districts, community college districts or career technical education districts. A candidate's name printed on the ballot is prohibited from including a slogan, promotional word or phrase, or any word that does not actually constitute a nickname. The maximum number of days before an election that a county board of supervisors is permitted to cancel the election if only one person files a nominating petition to fill certain offices is increased to 105 days, from 75 days, if there is not a sufficient number of persons available to appoint precinct workers who are qualified voters of that precinct, the inspector, marshal, judges and clerks must be qualified voters of Arizona. The required test of election equipment is no longer required to be observed by at least two election inspectors, and is instead required to be observed by at least one representative of the two largest political parties based on statewide voter registration totals. County boards of supervisors are required to deliver the canvass to the Secretary of State within 14 days after the primary election, increased from 10 days, and the Secretary of State is required to canvass the return by the third Monday following the primary election, instead of the second Monday following. More. Emergency clause. | Updates to dates for candidates and some updates to detail pages on website regarding testing equipment and canvass. | Passed Government 8-0. Passed Rules. Passed Senate 29-0-1. Transmitted to House on 3/1. Passed House Government & Elections 13-0. Passed House Rules 7-0. Passed House Floor 58-0-2. Transmitted to Governor 4/8. Signed by the Governor on 4/14. | |
| SB1497: ballot measures; proposition 105; disclosure | Sen. Ugenti-Rita (R) | Senate: Government, Rules. House: Government & Elections, Rules. | For any statutory measure, include the Prop 105 clause and description that it cannot be changed unless there is a 3/4 vote by the Legislature and that it must further the purpose of the measure. To be included on the publicity pamphlet as well. | None. | Passed Government 4-2. Passed Rules. Passed Senate 16-14. Transmitted to House on 3/4. Passed House Government & Elections 7-6. Passed Rules 5-3. Passed House Floor 31-27-2. Signed by the Governor on 4/14. | |

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| SB1503: early ballots; mail return prohibited | Sen. Townsend (R) | Senate: Government, Rules | Voters must return a mailed ballot by hand. Early ballots received in the mail are deemed invalid. | Update to voter education. | | |
| SB1530: early ballots; undeliverable; instructions. S/E NOW: early ballots; instructions; undeliverable | Sen. Mesnard (R) | Senate: Government, Rules, House: Government & Elections, Rules. | The ballot envelope must state that if the voter does not reside at this address to mark it and return to sender. To include, "If the addressee does not reside at this address, mark the unopened envelope 'return to sender' and deposit it in the U.S. mail." | None. | Passed Government 8-0. Passed Senate Rules. Passed Senate Floor 29-1. Transmitted to House on 3/4. Passed Government & Elections 8-5. Passed Rules 8-0. | |
| SB1531: petition signatures; description; invalidity | Sen. Mesnard (R) | Senate: Government, Rules, House: Government & Elections, Rules. | A circulator of an initiative or referendum petition is required to either read the initiative or referendum description aloud to each person signing before that person signs or to allow the person sufficient time to read the description before the person signs. The circulator must inform the person that reading the description is required so that the person can understand the petition. Each person signing must affirm that the person has heard and understood or read and understood the description before signing the petition. For any person who signs without either hearing or reading the description, the circulator is required to draw a line through the person's signature and the signature is void and cannot be counted. | None. | Passed Government 4-3-1. Passed Rules. Passed Senate 16-14. Transmitted to House on 3/8. Passed Government & Elections 7-6. Passed Rules 8-0. | |
| SB1593: early voting; time limits; envelope | Sen. Gowan (R) | Senate: Government, Appropriations, Rules | Early ballots go out 22 days before the election and not later than 19 days before the election. Changed from 27 days and 24 days before. The officer charged by law with the duty of preparing ballots is required to provide a second internal envelope that bears the ballot affidavit and that is designed to contain the voted ballot and be placed inside the ballot return envelope. If a voter mails the voted ballot and affidavit to the county recorder or other officer in charge of elections, the ballot is valid only if it is postmarked on or before the Thursday before election day and received no later than 7PM on election day. | Update to voter information. | Passed Senate Appropriations 5-4-1. | |
| SB1594: ballots; delivery receipts; custody | Sen. Gowan (R) | Senate: Government, Rules | Every person delivering the official returns and the voted ballots and every person receiving the official returns and the voted ballots is required to sign the person's name on a receipt and tracking document to substantiate the chain of custody of the returns and ballots. The tracking document with the official returns and the voted ballots must be delivered to and retained at the central counting center. | None. | | |
| SB1595: elections; ballot adjudication; observers | Sen. Gowan (R) | Senate: Government, Rules | If any ballot is damaged or defective so that it cannot be counted by the automatic tabulating equipment, a true duplicate copy of the damaged or defective ballot must be made by hand in the presence of statutorily authorized observers. Observers must be allowed to view and be physically present at the duplication and adjudication of ballots within a distance that allows actual observation of the markings and the determinations of the vote adjudication board. The use of electronic vote adjudication features on automatic tabulating equipment is no longer authorized. | None. | | |
| SB1596: write-in candidates; signatures; filing deadline | Sen. Gowan (R) | Senate: Government, Rules | The deadline for filing a nomination paper to be a write-in candidate is moved to 5PM on the 120th day before the election, from 5PM on the 40th day before the election. | Candidate process change. | | |
| SB1597: early voting; county recorder authority | Sen. Gowan (R) | Senate: Government, Rules | The county recorder is the county official that has jurisdiction and authority over early voting in the county unless the county recorder declines to retain that jurisdiction and authority. If the county recorder declines, the county officer in charge of elections has jurisdiction and authority over early voting in the county. | None. | | |
| SB1613: election data; results; election equipment | Sen. Townsend (R) | Senate: Government, Rules | All election data and results are required to remain in this country and cannot be transferred, transmitted or stored in any other country. All election equipment, including computers, paper and other supplies, is required to be made in America. | None. | Passed Government 4-3-1. Passed Rules. Passed Senate Floor 16-14. Transmitted to House on 3/4. | |
| SB1614: elections; adjudicated ballots; categories | Sen. Townsend (R) | Senate: Government, Rules | For any ballots that are required to be duplicated and adjudicated, whether electronically or manually, the county recorder or other officer in charge of elections is required to separate the ballots by type of defect or damage and type of ballot, maintain that separation and post on the county's website the number, type and category of defective or damaged ballots processed by the county. | None. | | |
| SB1615: elections; hand count; legislative auditor | Sen. Townsend (R) | Senate: Government, Rules | For the regular primary and regular general election, at any time after completion of the unofficial returns and before the county canvass, the Legislature is authorized to require that a complete hand count be conducted by an independent auditor selected by the Legislature. The Legislature is authorized to require the hand count for up to three contested races. The county board of supervisors and the county recorder must cooperate with and provide access to the Legislature to ballots and related materials and to county facilities for the use of the auditor. | None. | | |

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| SB1616: election equipment; security; results; tabulation | Sen. Townsend (R) | Senate: Government, Rules | Any voting equipment that is used in a polling place or voting center and any tabulation equipment that is used in a central counting center or other tabulation center is prohibited from having internet access or any accessible port, and is required to prohibit access by any means to any data or results, except by authorized election personnel. The delivery, use and return of the equipment is required to be logged on a chain of custody document so that the name and signature of every person who delivers, receives, uses and returns that equipment is recorded and retained as an official election record. | None. | | |
| SB1638: voting equipment; requirements; records; origin | Sen. Rogers (R) | Senate: Government, Rules | Vote machines must meet new requirements such as; being made in the US, maintain internal records, printed record of voters choices, and scanning of ballots. | None. | | |
| SB1652: appropriations; attorney general; investigation; litigation | Sen. Livingston (R) | Senate: Judiciary, Appropriations; Rules. House: Government & Elections, Appropriations, Rules. | Appropriates \$1 million from the general fund in each of FY2021-22 and FY2022-23 to the Attorney General for investigation and litigation related to antitrust and voting integrity issues. | None. | Passed Judiciary 5-3. Passed Rules. Passed Senate Floor 16-14. Transmitted to House on 3/8. Passed Appropriations 8-5. | |
| SB1654: observers; hand counts; recounts; margins | Sen. Rogers (R) | Senate: Government, Rules | Modifies the margin between the two candidates receiving the greatest number of votes for a particular office or for and against a ballot measure that triggers an automatic recount. A recount is required when the margin is less than or equal to 0.5 percent of the number of votes cast for both candidates or on the measure, or 0.75 percent of the number of votes cast for both candidates or on the measure if requested by one of the candidates or an authorized representative of a political committee that supports or opposes the measure within two days after the release of unofficial results, or if a second hand count is conducted and the margin is 0.25 percent or less, with some exceptions. If the recount is requested by a candidate or a representative of a political committee when the margin is more than 0.5 percent and less than or equal to 0.75 percent of the number of votes cast, the expenses of a recount must be charged to the candidate or political committee that requested the recount unless the candidate or requesting political committee prevails in the recount. Hand count is now subject to live video requirements, and the party representatives may bring their own camera to record the hand count and strikes language that allows the officer in charge to prohibit using recording or remove the observer. | None. | | |
| SB1667: election law revisions | Sen. Quezada (D) | Senate: Government, Rules | Various election law changes; Automatic restoration of rights, allow for international observers, updating standards for e-pollbook, may skip signature verification if elector gets ballot at early voting location, county recorder shall register to vote someone who votes a provisional and is not registered, provisional ballots to have all the information required to register. | Updates to voter information on website. | | |
| SB1668: presidential preference caucuses; independent voters | Sen. Quezada (D) | Senate: Government, Rules | Changes the PPE to a Caucus election and includes independent voters. | Change to voter education and information on website. | | |
| SB1669: voter registration; youth pre-registration | Sen. Quezada (D) | Senate: Government, Rules | Allows youth voters to register at 16 to be eligible once they turn 18. | Update to voter information. | | |
| SB1670: automatic voter registration; same day | Sen. Quezada (D) | Senate: Government, Rules | Allows for same day voter registration. Effective Dec. 31, 2021. | Update to voter information and education. | | |
| SB1671: early ballot collection; limitations; repeal. | Sen. Quezada (D) | Senate: Government, Rules | Strikes line restricting people to collect ballots for others. | None. | | |
| SB1672: early voting locations | Sen. Quezada (D) | Senate: Government, Rules | Allows early voting locations to be run during the 3 day period between early voting and election day, however on-site voting would still end to allow for precinct registration and to verify voting accuracy. | None. | | |
| SB1673: polling places; drop boxes; campuses | Sen. Quezada (D) | Senate: Government, Rules | Polling location or vote center to be established on each of the main campus of each state university and provide an early drop box at each campus and community college campuses. | Update to drop box map. | | |
| SB1678: early voting list; renewal | Sen. Rogers (R) | Senate: Government, Rules | Changes PEVL to a 2 year early voting list and would require voters to rerequest mail-in ballots. | Update to voter information and education. | | |
| SB1689: campaign finance; public service corporations | Sen. Mendez (D) | Senate: Government, Rules | Prohibits a public service corporation or any entity of that corporation to contribute any donation or in-kind donation to a candidate for the office of Corporation Commission. | None. | | |
| SB1698: voting; ranking; ballot format | Sen. Mendez (D) | Senate: Government, Rules | Elections to accommodate for ranked choice voting when possible. Lays out guidelines for ranked choice voting. | Update to voter education and information. | | |
| SB1709: elections; polling places; standards | Sen. Mendez (D) | Senate: Government, Rules | SoS and County to meet annually to optimize voting in person to meet standards laid out in this bill. | None. | | |
| SB1713: early ballots; identification; mailing | Sen. Mesnard (R) | Senate: Government, Rules | Amended: Voter registration cards to be mailed out every two years to voters. Allows an exemption for special districts. Affidavit on envelope will also need to include either Drivers License number or the voters registration number and a secondary ID to be sent in with the early ballot. | Update to voter information. | Passed Government 4-3-1. Passed Rules. Passed Senate Floor 16-14. Transmitted to House on 3/8. Passed Government and Elections 7-6. Passed Rules 5-3. | |

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| SB1714: campaign expenditures; out-of-state; disclosure | Sen. Mesnard (R) | Senate: Government, Rules. House: Government & Elections, Rules. | A political action committee that makes an expenditure for an advertisement is required to include a disclosure stating the aggregate percentage of out-of-state contributors as calculated at the time the advertisement was distributed for publication, display, delivery or broadcast. The disclosure must be displayed in a height that is at least ten percent of the vertical height of the advertisement, sign or billboard, or must be clearly readable if the advertisement is delivered electronically. | Add to enforcement. | Passed Government 4-3-1. Passed Rules. Passed Senate Floor 16-14. Transmitted to House on 3/4. Passed Government & Elections 7-6. Passed Rules 8-0. | |
| SB1741: campaign finance; repeal; reenactment. | Sen. Navarrete (D) | Senate: Government, Rules | Completely repeals and reenacts campaign finance laws. Would have to do a line by line comparison. | Would have to do a line by line comparison to understand every change. | | |
| SB1744: restoration; voting rights; website notification | Sen. Navarrete (D) | Senate: Judiciary, Rules | For a person who has been convicted of two or more felonies, the person's right to vote is automatically restored on completion of probation or absolute discharge from imprisonment. The Secretary of State is required to establish and maintain on the Secretary of State's website a hyperlink to a website with information regarding voting rights for a person who has a criminal history and the automatic restoration of the right to vote on completion of probation or absolute discharge from imprisonment. In each county with a chief adult probation officer, that officer is required to establish and maintain on the probation department's website a hyperlink to the Secretary of State's website regarding voting rights for a person who has a criminal history, and to conspicuously post in each probation office where probationers are seen a sign that contains the probation department's website address. | Update to voter information. | | |
| SB1791: elections; JLAC recount, audit authority | Sen. Gowan (R) | Senate: Government, Rules | On a majority vote of its members, the Joint Legislative Audit Committee (JLAC) is authorized to order an audit or a recount of a legislative or statewide election, including for presidential electors and congressional offices. On receipt of a certified copy of the JLAC's order for a recount, the Secretary of State is required to certify to the superior court the facts requiring the recount, and the recount must proceed as otherwise prescribed by statute. On receipt of a certified copy of the JLAC's order for an audit, the custodian of the items requested in the audit is required to make those items available to the JLAC. | None. | | |
| SB1793: voter registration databases; death records | Sen. Gowan (R) | Senate: Government, Rules. House: Government & Elections, Rules. | The Secretary of State is required to use the records of deaths transmitted by the Department of Health Services to establish a nonpublic database for use by county recorders to cancel the names of deceased persons from county voter registration databases. | None. | Passed Government 5-3. Passed Rules. Passed Senate Floor 16-14. Transmitted to House on 3/4. Passed House Government & Elections 8-5. Passed House Rules 7-0-1. | |
| SB1814: elections; auditor general; voter registration | Sen. Townsend (R) | Senate: Government, Rules | Beginning on April 15 each year, the Auditor General is required to audit the processes, equipment and systems used to maintain county voter registration databases and the statewide voter registration database. The Auditor General is required to conduct the audit on the two counties with the largest voter registration databases and is authorized to audit an additional county. By September 30, the Auditor General is required to submit a report on its findings to the Legislature. | None. | | |
| SB1815: write-in candidates; residency requirements; petitions | Sen. Townsend (R) | Senate: Government, Rules | For legislative offices, the filing officer is prohibited from accepting the nomination petition of a candidate if the candidate's residence as shown on the nomination petition is not located in the legislative district for which the candidate seeks election. A write-in candidate for any elective office is required to be a resident of the electoral district for the office the candidate seeks for at least 120 days before the date of the election. | None. | | |
| SB1817: voter registration rolls; irregularity; report | Sen. Townsend (R) | Senate: Government, Rules | On any complaint of an error or irregularity in county or state voter registration records, the county recorder and Secretary of State are required to investigate the complaint and correct any error within two weeks after receipt of the complaint. The county recorder and the Secretary of State are required to report quarterly to the Legislature on the results of their investigations. | None. | | |
| SB1818: candidate's residence address; nondisclosure | Sen. Townsend (R) | Senate: Government, Rules | At the request of a candidate, the filing officer is prohibited from publicly disclosing the candidate's residence address, and the candidate's residence address is not a public record. | None. | | |
| SCR1004: lieutenant governor; joint ticket | Sen. Mesnard (R) | Senate: Government, Rules | Forms the office of Lieutenant Governor for 2027. | Could be another office to fund, however it would be a joint ticket with the Governor. | | |
| SCR1005: legislature; ninety house districts | Sen. Mesnard (R) | Senate: Appropriations, Government, Rules | The 2022 general election ballot is to carry the question of whether to amend the state Constitution to require one member of the House of Representatives to be elected from each of 90 House districts, 3 of which must be contained within the boundaries of each of the 30 Senate districts. Applies to legislative terms of office that begin in 2033 and later. | Would require CCEC to provide funding to 30 more legislative districts in 2033. | Passed Government 5-2-1. | |

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| SCR1034: voter protection act; court determinations | Sen. Leach (R) | Senate: Government, Rules, House: Government & Elections, Rules. | The 2022 general election ballot is to carry the question of whether to amend the state Constitution to exempt a measure that is found to contain illegal or unconstitutional language by the Arizona Supreme Court or the U.S. Supreme Court from the requirements of the Voter Protection Act, where any amendments to voter passed initiative or referendum measures require the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage and must further the purpose of the original measure. | If a provision in the Act were to be found unconstitutional, the Legislature would be able to superse, amend, or divert funds from the Act. | Passed Government 5-3, Passed Rules, Passed Senate Floor 16-14. Transmitted to House on 3/10. Passed Government & Elections 7-6. | | |
| SCR1042: conduct of elections; voters' rights | Sen. Quezada (D) | Senate: Government, Rules | The 2022 general election ballot is to carry the question of whether to amend state statute to enact a voters' bill of rights, declaring that Arizona voters have a right to register to vote without facing unnecessary barriers, participate in fair elections in which elected officials are not choosing their own voters, vote by mail or in person and know that their votes will count, have equal access to the ballot no matter where in Arizona they live, what language they speak or what physical abilities they possess, propose and enact laws when elected officials fail to act, and know that when they elect someone, the elected official will work for the voters, not donors or lobbyists. | TBD. | | | |
| Signed into law. | | | | | | | |
| High interest. | | | | | | | |

Memorandum

To: Clean Elections Commissioners
From: Tom Collins
Re: Complaint in Starzyk 2
Date: April 27, 2021

Following the Commission's last meeting, I re-reviewed the Complaint and Starzyk's Campaign Finance reports. After this re-review of the Administratively closed complaint, I am firmly convinced that my conclusion of last month is correct.

The Complaint alleges that Starzyk not only overspent but knowingly overspent campaign spending limits to which he agreed as a participating candidate.

The Complaint asserts that Starzyk spent more than he was permitted to spend by underreporting social media spending. This spending was on Facebook advertisements. The Complaint asserts "there is no reported expenditure for any Facebook ads in [Starzyk's] campaign finance reports." However, Starzyk's campaign finance reports do support these assertions and indeed provide substantial evidence to the contrary.

First, contrary to the statement in the Complaint, Starzyk reported \$2,000 specifically for internet advertising beginning June 17, 2020. See Starzyk Q2 report at 7, Starzyk Pre-primary report at 4.

Second, the Complaint uses different dates than the exhibits. Thus, while the complaint identifies Facebook spending beginning in February 2020, the attached chart shows spending beginning in 2019. See Complaint at Exhibit B. The discrepancy is critical because in November of 2019, Starzyk reported a \$1,000 expenditure to a Phoenix social media marketing company in November 2019. See Starzyk January, 2020 cumulative report at 12, *see also* Bright Local Directory Entry for FG marketing.

Consequently, I conclude that the Complaint should be closed.

Heather Mrowiec
1729 N. 75th Street
Scottsdale, AZ 85257

20 OCT 28 PM 12:07 CCEC

October 27, 2020

Citizens Clean Elections Commission
1616 W. Adams, Suite 110
Phoenix, AZ 85007
Attn: Executive Director

Re: Campaign Finance allegations against Committee #202000001, Ryan for Arizona. Ryan Starzyk, Democratic candidate for State Senate for Legislative District 24 participating as a Clean Elections candidate, Ryan Starzyk, Treasurer

According information reported by Facebook, between the dates of February 6, 2020 and September 27, 2020, Ryan Starzyk, on behalf of Ryan for Arizona, spent \$2,546 on Facebook ads (see Appendix A). While individual ad costs are not publicly available, it is likely that approximately \$748 of this total (see Appendix B for estimating algorithm) was spent prior to the candidate applying for Clean Election funding in early June, 2020. There is no reported expenditure for any Facebook ads in the campaign finance reports filed by the committee with the AZ Secretary of State, either as a direct expense or an in-kind donation (see attached reports).

It is alleged that the following laws have been broken:

AZ Rev Stat 16-941-A-2 "Notwithstanding any law to the contrary, a participating candidate... shall not make expenditures of more than a total of [five hundred] dollars of the candidate's personal monies for a candidate for the legislature..."

On January 1, 2019, the candidate made a deposit of \$770 to his campaign account (consistent with the limit for the 2019-2020 campaign cycle). The spending of additional personal monies on Facebook ads (from a personal account which should be recorded as an in-kind donation) would constitute a campaign contribution in excess of the \$770 personal contribution limit for a candidate participating in Clean Elections funding.

AZ Rev Stat 16-941-A-3 "Shall not make expenditures in the primary election period in excess of the adjusted primary election spending limit."

Between January 1, 2019 and June 1, 2020, reported campaign expenses totaled \$3717.08. Based on generalized estimates based on data provided by Facebook, spending on ads by the candidate during this period was approximately \$748.01. If actual Facebook spending for this time (based on a review of the candidate's actual Facebook invoices) was > \$812.92, then the total campaign spending prior to Clean Election funding would exceed the limit of \$4530.

AZ Rev Stat 16-948-A "A participating candidate shall conduct all financial activity through a single campaign account of the candidate's campaign committee."

Candidate appears to have paid for the Facebook ads from an account other than his primary campaign account, since otherwise the primary campaign bank account would need to have other inputs/deposits in order to reconcile with the reported balance of \$0.00 as of August 25, 2020, according to the Q3 finance report filed with the Secretary of State (see attached campaign finance reports).

AZ Rev Stat 16-947-B "The application ... shall contain the candidate's signature, under oath, certifying that

- 1. The candidate has complied with the restrictions of section 16-941, subsection A during the election cycle to date.**
- 2. The candidates's campaign committee and exploratory committee have filed all campaign finance reports required under article 1 of this chapter during the election cycle to date and that they are complete and accurate."**

At the time of his application for clean funding, the candidate's reports did not contain any payment for Facebook ads. Acting as treasurer as well as candidate, the candidate certified the accuracy of all of his campaign finance reports at the time of submission, none of which contain any expenses for Facebook advertising.

AZ Rev Stat 16-942-D "Any participating candidate adjudged to have committed a knowing violation of section 16-941, subsection A or subsection C, paragraph 1 shall repay from the candidate's personal monies to the fund all monies expended from the candidate's campaign account and shall turn over the candidate's campaign account to the fund."

The candidate appears to have violated the cited section.

Please do not hesitate to contact me with any questions, or for electronic versions of these documents.



Heather Mrowiec

480-313-6802

heathermrowiec@gmail.com

State of Arizona

County of Maricopa

Subscribed and sworn before me this 26th day of October, 2020, by Heather Mrowiec.

My commission expires NOV. 26, 2021



Notary Public 10/27/2020



Campaign Finance Report

Treasurer: Starzyk, Ryan
1718 W Colter St, Unit 206, Phoenix, AZ 85015
Phone: (480) 516-1922
Email: info@ryanforarizona.org
Candidate Name: Starzyk, Ryan
Office Sought: State Senator - District No. 24

Ryan for Arizona
Committee #: 202000001

2020 Pre-Primary Report

Election Cycle: 2020

Date Filed: July 27, 2020

Reporting Period: July 1, 2020-July 18, 2020

Summary of Finances

| | |
|---|-------------|
| Cash Balance at Beginning of Reporting Period: | \$16,045.00 |
| Total Cash Receipts this Reporting Period: | \$0.00 |
| Total Cash Disbursements this Reporting Period: | \$15,553.27 |
| Cash Balance at End of Reporting Period: | \$491.73 |

Report ID: 210965

Summary of Activity

| Income | Schedule | This Period | | | Total to Date |
|--|----------|-------------|--------|--------|---------------|
| | | Cash | Other | Total | |
| Personal and Family Contributions | C1 | \$0.00 | \$0.00 | \$0.00 | \$770.00 |
| Individual Contributions | C2 | \$0.00 | \$0.00 | \$0.00 | \$3,760.00 |
| Contributions from Political Committees | C3a,b,c | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Business Contributions | C4a,b,c | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Small Contributions | C5 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| CCEC Funding and Matching | C6 | \$0.00 | \$0.00 | \$0.00 | \$27,182.00 |
| Qualifying Contributions | C7 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Loans Made to this Committee | L1 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Other Receipts, including Interest and Dividends | R1 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Transfers from Other Committees | T1 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Cash Surplus from Previous Committee | S1 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Total Income | | \$0.00 | \$0.00 | \$0.00 | \$31,712.00 |

| Expenditures | Schedule | This Period | | | Total to Date |
|---|----------|-------------|--------|-------------|---------------|
| | | Cash | Other | Total | |
| Operating Expenses | E1 | \$15,524.17 | \$0.00 | \$15,524.17 | \$30,389.05 |
| Independent & Ballot Measure Expenditures | E2a,b,c | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Contributions to Committees/Businesses | E3a -E3f | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Small Expenses | E4 | \$29.10 | \$0.00 | \$29.10 | \$831.22 |
| Transfers to Other Committees | T1 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Loans Made by This Committee | L2 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Disposal of Surplus Cash | S1 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Total Expenditures | | \$15,553.27 | \$0.00 | \$15,553.27 | \$31,220.27 |
| Bill Payments for Previous Expenditures | D1 | \$0.00 | | \$0.00 | \$0.00 |
| Total Cash Disbursed | | \$15,553.27 | | \$0.00 | \$0.00 |

Schedule E1 - Operating expenses

| Name: | Date | Amount | Cycle To Date |
|--|------------|-------------|---------------|
| Joe's Diner | 07/06/2020 | \$40.00 | \$40.00 |
| Address: 4515 N 7th Ave, Phoenix, AZ 85013 | | Cash | |
| Category: Travel - Meals | | | |
| Name: Phoenix Jewish News | 07/06/2020 | \$793.96 | \$793.96 |
| Address: 1625 E Northern Ave, Ste 106, Phoenix, AZ 85020 | | Cash | |
| Category: Communications - Advertising | | | |
| Name: DS Political | 07/08/2020 | \$1,500.00 | \$2,000.00 |
| Address: 1250 H St NW, Ste 200, Washington, DC 20005 | | Cash | |
| Category: Communications - Advertising | | | |
| Memo: Cross-platform digital advertising. | | | |
| Name: Quicktrip #00440 | 07/08/2020 | \$28.56 | \$28.56 |
| Address: 321 W Indian School Rd, Phoenix, AZ 85013 | | Cash | |
| Category: Travel - Fuel | | | |
| Name: REALTY SIGN CO | 07/08/2020 | \$6,304.45 | \$6,304.45 |
| Address: 2629 E McDowell Rd, , Phoenix, AZ 85008 | | Cash | |
| Category: Communications - Postcards | | | |
| Name: KFNX | 07/10/2020 | \$552.75 | \$552.75 |
| Address: 4527 N 16th St, Ste 101, Phoenix, AZ 85016 | | Cash | |
| Category: Communications - Radio | | | |
| Name: Realty Sign Company | 07/15/2020 | \$6,304.45 | \$16,616.24 |
| Address: 2629 E McDowell Rd, Phoenix, AZ 85008 | | Cash | |
| Category: Communications - Postcards | | | |
| Total of Operating Expenses | | \$15,524.17 | |
| Total of Refunds, Rebates, and Credits Received | | \$0.00 | |
| Net Total of Operating Expenses | | \$15,524.17 | |

Schedule E4 - Aggregate Small Expenses

| | | | | |
|--|--|------------|-----------------|---------------|
| Name: Multiple Contributors | | Date | Amount | Cycle To Date |
| Address: | | 07/06/2020 | \$29.10 Cash | \$831.22 |
| Trans. Type: Aggregate Expenses less than \$250 (Cash) | | | | |
| Memo: Mailchimp - May/June/July | | | | |
| Total of Aggregate Small Expenses | | | \$29.10 | |
| Total of Refunds, Rebates, and Credits Received | | | \$0.00 | |
| Net Total of Aggregate Small Expenses | | | \$29.10 | |
| | | | | |



Campaign Finance Report

Treasurer: Starzyk, Ryan
1718 W Colter St, Unit 206, Phoenix, AZ 85015
Phone: (480) 516-1922
Email: info@ryanforarizona.org
Candidate Name: Starzyk, Ryan
Office Sought: State Senator - District No. 24

Ryan for Arizona
Committee #: 202000001

2020 Q2 Report

Election Cycle: 2020
Date Filed: July 14, 2020
Reporting Period: April 1, 2020-June 30, 2020

Summary of Finances

| | |
|---|-------------|
| Cash Balance at Beginning of Reporting Period: | \$842.92 |
| Total Cash Receipts this Reporting Period: | \$27,152.00 |
| Total Cash Disbursements this Reporting Period: | \$11,949.92 |
| Cash Balance at End of Reporting Period: | \$16,045.00 |

Report ID: 208264

Schedule E1 - Operating expenses

| Name: | | Date | Amount | Cycle To Date |
|---|--|------------|--------------------|---------------|
| Realty Sign Company | | 06/05/2020 | \$4,007.34 Cash | \$10,311.79 |
| Address: 2629 E McDowell Rd, Phoenix, AZ 85008 | | | | |
| Category: Communications - Signs | | | | |
| Memo: Campaign yard signs | | | | |
| Name: 5th Avenue Cafe | | 06/17/2020 | \$40.00 Cash | \$40.00 |
| Address: 501 W Thomas Rd, Phoenix, AZ 85013 | | | | |
| Category: Travel - Meals | | | | |
| Name: Circle K | | 06/17/2020 | \$24.40 Cash | \$24.40 |
| Address: 3404 N 19th Ave, Phoenix, AZ 85015 | | | | |
| Category: Travel - Fuel | | | | |
| Name: DS Political | | 06/17/2020 | \$500.00 Cash | \$500.00 |
| Address: 1250 H St NW, Ste 200, Washington, DC 20005 | | | | |
| Category: Communications - Advertising | | | | |
| Memo: Cross-platform digital advertising. | | | | |
| Name: Miracle Mile | | 06/19/2020 | \$34.21 Cash | \$34.21 |
| Address: 4433 N 16th St, Phoenix, AZ 85016 | | | | |
| Category: Travel - Meals | | | | |
| Name: Press at The Muse | | 06/20/2020 | \$10.42 Cash | \$10.42 |
| Address: 1616 N Central Ave, Ste 102, Phoenix, AZ 85004 | | | | |
| Category: Travel - Meals | | | | |
| Name: Saguaro Strategies | | 06/24/2020 | \$1,000.00 Cash | \$1,000.00 |
| Address: 2120 University Ave, Berkeley, CA 94704 | | | | |
| Category: Professional Services - Voter list | | | | |
| Memo: NGPVAN Service Fee | | | | |
| Name: Realty Sign Company | | 06/25/2020 | \$6,304.45 Cash | \$10,311.79 |
| Address: 2629 E McDowell Rd, Phoenix, AZ 85008 | | | | |
| Category: Communications - Postcards | | | | |
| Total of Operating Expenses | | | \$11,920.82 | |
| Total of Refunds, Rebates, and Credits Received | | | \$0.00 | |
| Net Total of Operating Expenses | | | \$11,920.82 | |



Campaign Finance Report

Treasurer: Starzyk, Ryan Alexander
1718 W Colter St, Unit 206, Phoenix, AZ 85015
Phone: (480) 516-1922
Email: info@ryanforarizona.org
Candidate Name: Starzyk, Ryan Alexander
Office Sought: State Senator - District No. 24

Ryan for Arizona
Committee #: 202000001

Amended 2020 Annual Report

Election Cycle:

2019

Date Filed:

March 8, 2020

Reporting Period:

January 1, 2019-December 31, 2019

Summary of Finances

| | |
|---|------------|
| Cash Balance at Beginning of Reporting Period: | \$0.00 |
| Total Cash Receipts this Reporting Period: | \$3,925.00 |
| Total Cash Disbursements this Reporting Period: | \$2,116.62 |
| Cash Balance at End of Reporting Period: | \$1,808.38 |

Report ID: 207428

Schedule E1 - Operating expenses

| | | | | | | | |
|---|---|------|------------|--------|------------|---------------|------------|
| Name: | J&R Graphics and Printing | Date | 07/16/2019 | Amount | \$343.60 | Cycle To Date | \$343.60 |
| Address: | 638 W Indian School Rd, Phoenix, AZ 85013 | | | | Cash | | |
| Category: | Communications - Flyers/handouts/door hangers | | | | | | |
| Name: | FG Marketing Co. | | 11/21/2019 | | \$1,000.00 | | \$1,000.00 |
| Address: | 2390 E Camelback Rd, Ste 130, Phoenix, AZ 85016 | | | | Cash | | |
| Category: | Professional Services - Consultants | | | | | | |
| Total of Operating Expenses | | | | | \$1,343.60 | | |
| Total of Refunds, Rebates, and Credits Received | | | | | \$0.00 | | |
| Net Total of Operating Expenses | | | | | \$1,343.60 | | |
| | | | | | | | |

FG Marketing Co.

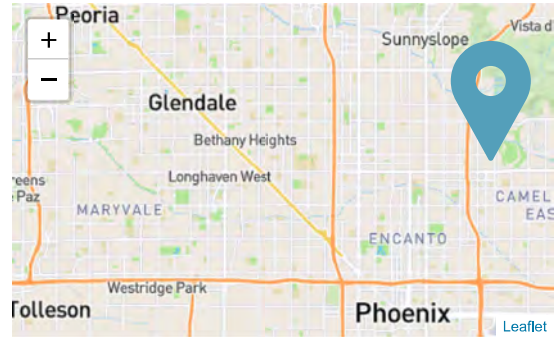
Phoenix, , Arizona,
85018

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Categories & Services

Digital Marketing

PPC



Contact Details

Founded: 2017

No. of Employees:

 Phone: 7155588306

Contact Name:

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| Ad ID | Ad Dates | Ad/Days | Estimated Spend | FB Actual Spend |
|----------------------|------------------------------------|---------|-----------------|-----------------|
| ID: 2170058759718604 | Feb 6, 2019 - Feb 9, 2019 | 4 | \$ 18.02 | < \$100 |
| ID: 616783975431770 | Feb 9, 2019 - Feb 20, 2019 | 12 | \$ 54.07 | < \$100 |
| ID: 294029371292553 | Mar 10, 2019 - Mar 24, 2019 | 15 | \$ 67.59 | < \$100 |
| ID: 869391500078134 | Apr 3, 2019 - Apr 3, 2019 | 1 | \$ 4.51 | < \$100 |
| ID: 362667457792189 | Apr 3, 2019 - Apr 3, 2019 | 1 | \$ 4.51 | < \$100 |
| ID: 345513762743596 | Apr 3, 2019 - Apr 3, 2019 | 1 | \$ 4.51 | < \$100 |
| ID: 273400410238040 | Apr 3, 2019 - Apr 3, 2019 | 1 | \$ 4.51 | < \$100 |
| ID: 827508887612754 | Apr 3, 2019 - Apr 4, 2019 | 2 | \$ 9.01 | < \$100 |
| ID: 446141519475347 | Apr 3, 2019 - Apr 4, 2019 | 2 | \$ 9.01 | < \$100 |
| ID: 189872958562907 | Apr 6, 2019 - Apr 11, 2019 | 6 | \$ 27.04 | < \$100 |
| ID: 498000357610285 | May 31, 2019 - May 31, 2019 | 1 | \$ 4.51 | < \$100 |
| ID: 621546368326495 | Jun 1, 2019 - Jun 4, 2019 | 4 | \$ 18.02 | < \$100 |
| ID: 631288583948791 | Jun 4, 2019 - Jun 9, 2019 | 6 | \$ 27.04 | < \$100 |
| ID: 2309485332454373 | Jun 4, 2019 - Jun 14, 2019 | 11 | \$ 49.57 | < \$100 |
| ID: 302971180589589 | Jun 9, 2019 - Jun 14, 2019 | 6 | \$ 27.04 | < \$100 |
| ID: 450728058837826 | Jun 26, 2019 - Jun 27, 2019 | 2 | \$ 9.01 | < \$100 |
| ID: 369558447082723 | Jun 27, 2019 - Jul 2, 2019 | 6 | \$ 27.04 | < \$100 |
| ID: 352686235421913 | Jul 2, 2019 - Jul 5, 2019 | 4 | \$ 18.02 | < \$100 |
| ID: 456243868503152 | Jul 2, 2019 - Jul 5, 2019 | 4 | \$ 18.02 | < \$100 |
| ID: 2453171591403231 | Jul 8, 2019 - Jul 14, 2019 | 7 | \$ 31.54 | < \$100 |
| ID: 491098931462234 | Jul 22, 2019 - Jul 25, 2019 | 4 | \$ 18.02 | < \$100 |
| ID: 2197593523703492 | Jul 22, 2019 - Jul 25, 2019 | 4 | \$ 18.02 | < \$100 |
| ID: 2425349334413618 | Sep 2, 2019 - Sep 11, 2019 | 10 | \$ 45.06 | < \$100 |
| ID: 2443004709316727 | Sep 11, 2019 - Sep 21, 2019 | 11 | \$ 49.57 | \$100-\$199 |
| ID: 682307128846537 | Sep 27, 2019 - Sep 28, 2019 | 2 | \$ 9.01 | < \$100 |
| ID: 661453737715896 | Nov 25, 2019 - Dec 11, 2019 | 17 | \$ 76.61 | < \$100 |
| ID: 657705935056298 | Feb 24, 2020 - Feb 27, 2020 | 4 | \$ 18.02 | < \$100 |
| ID: 238782960511334 | Apr 8, 2020 - Apr 9, 2020 | 2 | \$ 9.01 | < \$100 |
| ID: 687526008702446 | Apr 9, 2020 - Apr 12, 2020 | 4 | \$ 18.02 | < \$100 |
| ID: 636612550231668 | Apr 9, 2020 - Apr 14, 2020 | 6 | \$ 27.04 | < \$100 |
| ID: 584026582457944 | Apr 13, 2020 - Apr 18, 2020 | 6 | \$ 27.04 | < \$100 |
| ID: 908072606359509 | Jun 17, 2020 - Jun 18, 2020 | 2 | \$ 9.01 | < \$100 |
| ID: 670995513750244 | Jun 18, 2020 - Jul 18, 2020 | 1 | \$ 4.51 | < \$100 |
| ID: 2622084481452682 | Jun 18, 2020 - Jul 18, 2020 | 31 | \$ 139.69 | < \$100 |
| ID: 824280744809962 | Jun 18, 2020 - Jun 18, 2020 | 1 | \$ 4.51 | < \$100 |
| ID: 265887588064770 | Jun 18, 2020 - Jul 1, 2020 | 14 | \$ 63.09 | < \$100 |
| ID: 2663949407206623 | Jun 18, 2020 - Jul 2, 2020 | 15 | \$ 67.59 | < \$100 |
| ID: 300160134487059 | Jun 19, 2020 - Jul 2, 2020 | 14 | \$ 63.09 | < \$100 |
| ID: 608392873117064 | Jun 30, 2020 - Jul 1, 2020 | 2 | \$ 9.01 | < \$100 |
| ID: 671189630126432 | Jun 30, 2020 - Jul 1, 2020 | 2 | \$ 9.01 | < \$100 |
| ID: 2634619843468327 | Jun 30, 2020 - Jul 1, 2020 | 2 | \$ 9.01 | < \$100 |
| ID: 192834615480415 | Jun 30, 2020 - Jul 1, 2020 | 2 | \$ 9.01 | < \$100 |
| ID: 320743419324738 | Jun 30, 2020 - Jul 1, 2020 | 2 | \$ 9.01 | < \$100 |
| ID: 580236766230803 | Jun 30, 2020 - Jul 1, 2020 | 2 | \$ 9.01 | < \$100 |
| ID: 596469974621044 | Jul 1, 2020 - Jul 31, 2020 | 31 | \$ 139.69 | \$200-\$299 |
| ID: 933491353789405 | Jul 1, 2020 - Jul 3, 2020 | 3 | \$ 13.52 | < \$100 |
| ID: 4476720902345784 | Jul 2, 2020 - Jul 29, 2020 | 28 | \$ 126.17 | \$100-\$199 |
| ID: 612271516075143 | Jul 2, 2020 - Jul 29, 2020 | 28 | \$ 126.17 | \$100-\$199 |
| ID: 1181678405507015 | Jul 2, 2020 - Jul 29, 2020 | 28 | \$ 126.17 | \$100-\$199 |
| ID: 667140730810936 | Jul 3, 2020 - Jul 31, 2020 | 29 | \$ 130.68 | \$100-\$199 |
| ID: 611549579476242 | Jul 4, 2020 - Jul 29, 2020 | 26 | \$ 117.16 | < \$100 |
| ID: 1363065087216947 | Jul 4, 2020 - Aug 3, 2020 | 31 | \$ 139.69 | \$100-\$199 |
| ID: 639134990037036 | Jul 4, 2020 - Aug 3, 2020 | 31 | \$ 139.69 | < \$100 |
| ID: 753086095521108 | Jul 4, 2020 - Aug 3, 2020 | 31 | \$ 139.69 | < \$100 |
| ID: 698561900924486 | Jul 4, 2020 - Aug 3, 2020 | 31 | \$ 139.69 | < \$100 |
| ID: 731389560776491 | Sep 23, 2020 - Sep 28, 2020 | 6 | \$ 27.04 | < \$100 |
| ID: 1720775844751721 | Sep 22, 2020 - Sep 27, 2020 | 6 | \$ 27.04 | < \$100 |
| | | 565 | \$ 2,545.96 | \$ 2,546.00 |
| | Avg spend per ad/day - \$2,456/565 | \$ 4.51 | | |
| | Est. spend 2/2019 through 4/2020 | | \$ 748.01 | |

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Eric Sloan
Participating Candidate for
Corporation Commissioner
General Election 2020**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Eric Sloan's (the Candidate)'s Campaign finance reports between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The summary of procedures and associated findings are presented on the subsequent pages.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Eric Sloan. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

March 25, 2021

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:
 - (i) Determine whether the candidate accepted contributions only from individuals.

Finding

The contributions received during the reporting period appeared to be only from individuals.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

Contributions received from individuals during the reporting period did not exceed the \$170 early contribution limit.

- (iii) Check compliance with the maximum early contribution limits.

Finding

Early contributions received during the reporting period did not exceed the \$29,004 limit for a Corporation Commission candidate.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

Personal contributions received during the reporting period did not exceed the \$1,520 limit for a Corporation Commission candidate.

- c). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
- Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected five deposits and five withdrawals from the bank statements for the reporting period and determined that they appeared to be properly recorded in the Candidate's Campaign finance reports.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period with the following exceptions: (a) a check dated 8/3/2020 for \$67,730.94 had not cleared the bank as of the date of testing, March 4, 2021; (b) the ending balance in the Candidate's Campaign finance report was a \$27,085.45, while the bank statement balance was \$94,590.79. The net effect of these differences was an unreconciled variance of \$825.60.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

We reviewed the supporting documentation for five early contributions reported in the Candidate's Campaign finance report, and determined the name of the contributors for the contributions was included on the support. For individuals who contributed over \$50, we determined that the contributor's address, occupation, and employer were also included on the support.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's Campaign finance reports during the reporting period.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the reporting period.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation to the Candidate's Campaign finance report.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address, and nature of goods or services provided in the Candidate's Campaign finance report.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the Campaign account bank statements with the following exception: a check dated 8/3/2020 for \$67,730.94 had not cleared the bank as of the date of testing, March 4, 2021.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,520.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- (i) If applicable, judgmentally select a sample of expenditures made from the candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$170 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- g) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Anna Tovar
Participating Candidate for
Corporation Commissioner
General Election 2020**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Anna Tovar's (the Candidate)'s Campaign finance reports between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The summary of procedures and associated findings are presented on the subsequent pages.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Anna Tovar. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

March 22, 2021

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:
 - (i) Determine whether the candidate accepted contributions only from individuals.

Finding

The contributions received during the reporting period appeared to be only from individuals.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

Contributions received from individuals during the reporting period did not exceed the \$170 early contribution limit.

- (iii) Check compliance with the maximum early contribution limits.

Finding

Early contributions received during the reporting period did not exceed the \$29,004 limit for a Corporation Commission candidate.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

Personal contributions received during the reporting period did not exceed the \$1,520 limit for a Corporation Commission candidate.

- c). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
 - Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected four deposits (entire population) and five withdrawals from the bank statements for the reporting period and determined that they appeared to be properly recorded in the Candidate's Campaign finance reports.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period and no exceptions were noted.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

We reviewed the supporting documentation for three early contributions reported in the Candidate's Campaign finance report, and determined the name of the contributors for the contributions was included on the support.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's Campaign finance reports during the reporting period.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the reporting period.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation to the Candidate's Campaign finance report.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address, and nature of goods or services provided in the Candidate's Campaign finance report.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the Campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,520.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- (i) If applicable, judgmentally select a sample of expenditures made from the candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$170 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- g) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Lea Marquez Peterson
Participating Candidate for
Corporation Commissioner
General Election 2020**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Lea Marquez Peterson's (the Candidate)'s Campaign finance reports between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The summary of procedures and associated findings are presented on the subsequent pages.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Lea Marquez Peterson. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

March 22, 2021

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:

- (i) Determine whether the candidate accepted contributions only from individuals.

Finding

The contributions received during the reporting period appeared to be only from individuals.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

Contributions received from individuals during the reporting period did not exceed the \$170 early contribution limit.

- (iii) Check compliance with the maximum early contribution limits.

Finding

Early contributions received during the reporting period did not exceed the \$29,004 limit for a Corporation Commission candidate.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

Personal contributions received during the reporting period did not exceed the \$1,520 limit for a Corporation Commission candidate.

- c). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:

- Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected five deposits and five withdrawals from the bank statements for the reporting period and determined that they appeared to be properly recorded in the Candidate's Campaign finance reports.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period and no exceptions were noted.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

We reviewed the supporting documentation for one early contribution reported in the Candidate's Campaign finance report, and determined the name of the contributors for the contributions was included on the support and no exceptions were noted.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's Campaign finance reports during the reporting period.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the reporting period.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation to the Candidate's Campaign finance report.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address, and nature of goods or services provided in the Candidate's Campaign finance report.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the Campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,520.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- (i) If applicable, judgmentally select a sample of expenditures made from the candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$170 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- g) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Travis Angry
Participating Candidate for
State Representative - District 5
General Election 2020**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Travis Angry's (the Candidate)'s Campaign finance reports between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The summary of procedures and associated findings are presented on the subsequent pages.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Travis Angry. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

March 26, 2021

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:
 - (i) Determine whether the candidate accepted contributions only from individuals.

Finding

The contributions received during the reporting period appeared to be only from individuals.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

Contributions received from individuals during the reporting period did not exceed the \$170 early contribution limit.

- (iii) Check compliance with the maximum early contribution limits.

Finding

Early contributions received during the reporting period did not exceed the \$4,530 limit for a legislative candidate.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

Personal contributions received during the reporting period did not exceed the \$770 limit for a legislative candidate.

- c). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
 - Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected five deposits and five withdrawals from the bank statements for the reporting period and determined that they appeared to be properly recorded with the following exceptions: two deposits totaling \$33.19 and one withdrawal of \$113.00 were not recorded on the Candidate's Campaign finance reports.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period with the following exception: the ending balance in the Candidate's Campaign finance report was a \$0, while the bank statement balance was negative (\$254.45). The net effect of these differences was an unreconciled variance of \$254.45 between the bank balance and the Candidate's Campaign finance report.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

We reviewed the supporting documentation for two early contributions reported in the Candidate's Campaign finance report, and determined the name of the contributors for the contributions was included on the support.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's Campaign finance reports during the reporting period.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the reporting period.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation to the Candidate's Campaign finance report.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address, and nature of goods or services provided in the Candidate's Campaign finance report.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the Campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,520.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- (i) If applicable, judgmentally select a sample of expenditures made from the candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$170 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- g) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Mary Kathleen Honne
Participating Candidate for
State Representative - District 22
General Election 2020**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Mary Kathleen Honne's (the Candidate)'s Campaign finance reports between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The summary of procedures and associated findings are presented on the subsequent pages.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Mary Kathleen Honne. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

March 26, 2021

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:
 - (i) Determine whether the candidate accepted contributions only from individuals.

Finding

The contributions received during the reporting period appeared to be only from individuals.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

Contributions received from individuals during the reporting period did not exceed the \$170 early contribution limit.

- (iii) Check compliance with the maximum early contribution limits.

Finding

Early contributions received during the reporting period did not exceed the \$4,530 limit for a legislative candidate.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

Personal contributions received during the reporting period did not exceed the \$770 limit for a legislative candidate.

- c). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
- Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected five deposits and five withdrawals from the bank statements for the reporting period and determined that they appeared to be properly recorded in the Candidate's Campaign finance reports.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period and no exceptions were noted.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

We reviewed the supporting documentation for five early contributions reported in the Candidate's Campaign finance report, and determined the name of the contributors for the contributions was included on the support.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's Campaign finance reports during the reporting period.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the reporting period.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation to the Candidate's Campaign finance report.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address, and nature of goods or services provided in the Candidate's Campaign finance report.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the Campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,520.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- (i) If applicable, judgmentally select a sample of expenditures made from the candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$170 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- g) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Deborah Ann McEwen
Participating Candidate for
State Representative - District 2
Primary Election 2020**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Deborah Ann McEwen's (the Candidate)'s Campaign finance reports between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The summary of procedures and associated findings are presented on the subsequent pages.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Deborah Ann McEwen. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

March 26, 2021

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:
 - (i) Determine whether the candidate accepted contributions only from individuals.

Finding

No contributions were received during the reporting period.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

No contributions were received during the reporting period.

- (iii) Check compliance with the maximum early contribution limits.

Finding

No contributions were received during the reporting period.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

No contributions were received during the reporting period.

- c). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
 - Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected four deposits (entire population) and five withdrawals from the bank statements for the reporting period with following exceptions: two deposits totaling \$330.00 and one withdrawal of \$112.09 were not recorded in the Candidate's Campaign finance reports.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period with the following exceptions: (a) Candidate's Campaign bank statements listed three withdrawals and three monthly charges totaling \$216.09 which were not included on the Campaign finance reports; (b) Candidate's finance report lists one expenditure for \$79.11 which was not included on the bank statements; (c) Candidate's Campaign bank statements listed two deposits totaling \$330.00 which were not included on the Campaign finance reports; (d) Check #1007 was written for \$15,805.71 and correctly reported on the Campaign finance reports; however, the check cleared the bank for \$15,775.71 resulting in a \$30 variance (e) the ending balance in the Candidate's Campaign finance report was a \$2.12 while the bank statement ending balance was \$10.14. The net effect of all of these differences was an unreconciled variance of (\$215.00) between the bank balance and the Candidate's Campaign finance report.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

No contributions were received during the reporting period.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's Campaign finance reports during the reporting period.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the reporting period.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation to the Candidate's Campaign finance report.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address, and nature of goods or services provided in the Candidate's Campaign finance report.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the Campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,520.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- (i) If applicable, judgmentally select a sample of expenditures made from the candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$170 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- g) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Mark Workman
Participating Candidate for
State Senator - District 2
General Election 2020**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Mark Workman's (the Candidate)'s Campaign finance reports between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The summary of procedures and associated findings are presented on the subsequent pages.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Mark Workman. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

April 5, 2021

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:
 - (i) Determine whether the candidate accepted contributions only from individuals.

Finding

The contributions received during the reporting period appeared to be only from individuals.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

Contributions received from individuals during the reporting period did not exceed the \$170 early contribution limit.

- (iii) Check compliance with the maximum early contribution limits.

Finding

Early contributions received during the reporting period did not exceed the \$4,530 limit for a legislative candidate.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

Personal contributions received during the reporting period did not exceed the \$770 limit for a legislative candidate.

- c). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
 - Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected five deposits and five withdrawals from the bank statements for the reporting period and determined that they appeared to be properly recorded in the Candidate's Campaign finance reports, with the following exception: one deposit for \$100 was recorded as an \$80 deposit in the Candidate's Campaign finance reports, for a net \$20 variance.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period and no exceptions were noted.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

We requested supporting documentation for four contributions reported in the Candidate's Campaign finance reports on Schedule C5 - Contributions of \$50 or less; however, per the Arizona Citizens Clean Elections Guide, no support was required to be maintained, and no support was provided. No exceptions noted.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's Campaign finance reports during the reporting period.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the reporting period.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation to the Candidate's Campaign finance report.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address, and nature of goods or services provided in the Candidate's Campaign finance report.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the Campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,520.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- (i) If applicable, judgmentally select a sample of expenditures made from the candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$170 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- g) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Melody Savannah Hernandez
Participating Candidate for
State Representative - District 26
General Election 2020**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Melody Savannah Hernandez's (the Candidate)'s Campaign finance reports between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The summary of procedures and associated findings are presented on the subsequent pages.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Melody Savannah Hernandez. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

April 7, 2021

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:
 - (i) Determine whether the candidate accepted contributions only from individuals.

Finding

No contributions were received during the reporting period.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

No contributions were received during the reporting period.

- (iii) Check compliance with the maximum early contribution limits.

Finding

No contributions were received during the reporting period.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

No contributions were received during the reporting period.

- c). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
 - Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected two deposits (entire population) and five withdrawals from the bank statements for the reporting period and determined that they appeared to be properly recorded in the Candidate's Campaign finance reports with one exception: Check #136 cleared the bank on 8/4/2020 for \$1,543.78 but is not recorded on the Candidate's Finance Report.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period with the following exceptions: (a) Candidate's Campaign bank statements listed eight withdrawals totaling \$2,393.47 which were not included on the Campaign finance reports; (b) Candidate's finance report lists one item for \$351.86 which was not included on the bank statements; (c) ending balance in the Candidate's Campaign finance report was a \$6,616.12, while the bank statement balance was \$4,779.82. The net effect of these differences was an unreconciled variance of \$205.31 between the bank balance and the Candidate's final Campaign finance report.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

No contributions were received during the reporting period.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's Campaign finance reports during the reporting period.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the reporting period.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation to the Candidate's Campaign finance report.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address, and nature of goods or services provided in the Candidate's Campaign finance report.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the Campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,520.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- (i) If applicable, judgmentally select a sample of expenditures made from the candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$170 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- g) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Paul Weigel
Participating Candidate for
State Senator - District 25
General Election 2020**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Paul Weigel's (the Candidate)'s Campaign finance reports between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The summary of procedures and associated findings are presented on the subsequent pages.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Paul Weigel. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

April 15, 2021

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:
 - (i) Determine whether the candidate accepted contributions only from individuals.

Finding

No contributions were received during the reporting period.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

No contributions were received during the reporting period.

- (iii) Check compliance with the maximum early contribution limits.

Finding

No contributions were received during the reporting period.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

No contributions were received during the reporting period.

- c). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
- Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected five deposits and five withdrawals from the bank statements for the reporting period and determined that they appeared to be properly recorded in the Candidate's Campaign finance reports with the following exceptions: (a) one deposit for \$1,200 on October 26 was not reported on the Candidate's Campaign finance reports, and (b) one withdrawal for \$38.27 on November 2 was not reported on the Candidate's Campaign finance reports.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period with the following exceptions: (a) Candidate's Campaign bank statements listed eight withdrawals and two deposits totaling \$1,863.54 and \$1,233.01, respectively, which were not included on the Campaign finance reports; (b) Candidate's finance report listed one expenditure totaling \$1,512.69 which was not included on the bank statements; (c) ending balance in the Candidate's Campaign finance report was a \$5.00, while the bank statement balance was \$0.00. The net effect of these differences was an unreconciled variance of \$887.16 between the bank balance and the Candidate's final Campaign finance report.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

No contributions were received during the reporting period.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's Campaign finance reports during the reporting period.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the reporting period.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation to the Candidate's Campaign finance report.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address, and nature of goods or services provided in the Candidate's Campaign finance report.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the Campaign account bank statements with one exception, a disbursement for \$1,512.69 was not reported on the Campaign account bank statements.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,520.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- (i) If applicable, judgmentally select a sample of expenditures made from the candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$170 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- g) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Wendy Garcia
Participating Candidate for
State Representative - District 22
General Election 2020**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Wendy Garcia's (the Candidate)'s Campaign finance reports between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The summary of procedures and associated findings are presented on the subsequent pages.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Wendy Garcia. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

April 15, 2021

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:
 - (i) Determine whether the candidate accepted contributions only from individuals.

Finding

The contributions received during the reporting period appeared to be only from individuals.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

Contributions received from individuals during the reporting period did not exceed the \$170 early contribution limit.

- (iii) Check compliance with the maximum early contribution limits.

Finding

Early contributions received during the reporting period did not exceed the \$4,530 limit for a legislative candidate.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

Personal contributions received during the reporting period did not exceed the \$770 limit for a legislative candidate.

- c). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
 - Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected two deposits (entire population) and five withdrawals from the bank statements for the reporting period and determined that they appeared to be properly recorded in the Candidate's Campaign finance reports with the exception of two withdrawals: (a) Check #1004 paid to Mercados for \$251.94 was reported on the Candidate's Campaign finance report as \$251.94, but cleared the bank as \$257.94, resulting in a \$6 variance; (b) an expenditure at Circle K for \$37.09 was reported on the Candidate's Campaign finance report as \$37.09, but cleared the bank as \$34.09, resulting in a \$3 variance.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period with the exceptions noted in previous step 2c(ii).

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

We reviewed the supporting documentation for two early contributions reported in the Candidate's Campaign finance report, and determined the name of the contributors for the contributions was included on the support without exception.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's Campaign finance reports during the reporting period.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the reporting period.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation to the Candidate's Campaign finance report, with the exception of the findings noted in previous step 2c(ii).

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address, and nature of goods or services provided in the Candidate's Campaign finance report.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the Campaign account bank statements with the exception of the findings noted in previous step 2c(ii).

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,520.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- (i) If applicable, judgmentally select a sample of expenditures made from the candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$170 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- g) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Mabelle Gummere
Participating Candidate for
State Representative - District 10
General Election 2020**



Independent Accountants' Report on
Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We (the Contractor) have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Mabelle Gummere's (the Candidate)'s Campaign finance reports between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020 (the reporting period) were prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The summary of procedures and associated findings are presented on the subsequent pages.

This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Mabelle Gummere. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

April 16, 2021

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Commission Staff will obtain a copy of the candidate's campaign finance report for the reporting period and provide the records to the Contractor.

Finding

We obtained the Campaign finance reports from the Arizona Secretary of State's Website for the reporting period between the 2020 Q3 Report, starting July 19, 2020, through the 2020 General Recap Report, which ended November 3, 2020.

- b) Perform a desk review of the receipts reported in the candidate's campaign finance report as follows:
 - (i) Determine whether the candidate accepted contributions only from individuals.

Finding

No contributions were received during the reporting period.

- (ii) Determine whether any contributions received from individuals exceed the early contribution limit.

Finding

No contributions were received during the reporting period.

- (iii) Check compliance with the maximum early contribution limits.

Finding

No contributions were received during the reporting period.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

No contributions were received during the reporting period.

- c). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We noted no unusual disbursements during our review.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We contacted the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed.

2. Fieldwork Procedures

- a) Commission staff will contact the candidate to request the records for agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 3rd Quarter Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate in a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

- b) Commission staff will provide the records to the Contractor upon receipt. The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

The Candidate provided a description of bookkeeping policies and procedures utilized by the Campaign Committee.

- (i) Review the names of the candidate's family members. Family members include parents, grandparents, aunt, uncle, child or sibling of the candidate or the candidate's spouse, including the spouse of any of the listed family members regardless of whether the relation is established by marriage or adoption.

Finding

We obtained and reviewed the names of the Candidate's family members.

- (ii) Review bank statements for each of the months in the reporting period and perform the following:
- Select a sample of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We selected one deposit (entire population) and five withdrawals from the bank statements for the reporting period and determined that they appeared to be properly recorded in the Candidate's Campaign finance reports.

- Perform a proof of receipts and disbursements for the reporting period.

Finding

Proof of receipts and disbursements was performed for the reporting period with the following exceptions: (a) Candidate's Campaign bank statements listed nine withdrawals and one deposit totaling \$3,780.59 and \$145.00, respectively, which were not included on the Campaign finance reports; (b) Candidate's finance report listed thirteen expenditures totaling \$2,577.34 which was not included on the bank statements; (c) the ending balance in the Candidate's Campaign finance report was a \$895.34, while the bank statement balance was negative (\$55.00). The net effect of these differences was an unreconciled variance of \$107.91 between the bank balance and the Candidate's final Campaign finance report.

- d) Judgmentally select a sample of early contributions reported in the candidate's campaign finance report and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$50, which reflects the contributor's address, occupation and employer.

Finding

No contributions were received during the reporting period.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

No other types of cash receipts were reported in the Candidate's Campaign finance reports during the reporting period.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

No in-kind contributions were reported in the Candidate's Campaign finance reports during the reporting period.

- e) Judgmentally select a sample of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We reviewed five expenditures and agreed amounts to supporting invoices or other documentation to the Candidate's Campaign finance report.

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We reviewed five expenditures and agreed the name, address, and nature of goods or services provided in the Candidate's Campaign finance report.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We reviewed five expenditures and agreed amounts to the Campaign account bank statements without exception.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We reviewed five expenditures and determined that all appeared to have been made for direct campaign purposes.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

None of the expenditures we tested appeared to be for joint expenditures.

- f) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,520.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- (i) If applicable, judgmentally select a sample of expenditures made from the candidate's petty cash fund(s) and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$170 limit on petty cash expenditures.

Finding

Based on inquiry of the Candidate, the Candidate did not establish a petty cash fund during the reporting period.

- g) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We discussed our findings with the Candidate and the Candidate did not provide responses to our findings.

STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

In the Matter of:

Eric Sloan, Respondent

MUR No. 20-04

[Proposed] Repayment Order

Pursuant to ARS § 16-956(A)(7) and Ariz. Admin. Code R2-20-702, R2-20-703 and R2-20-704, the Citizens Clean Elections Commission (the "Commission"), hereby orders Eric Sloan ("Respondent"), a participating candidate for the Arizona Corporation Commission in 2020, to repay the amount of \$116,016.00. This order is effective upon approval of the Commission on ____ and is based on the following legal and factual reasons:

- A. Respondent received \$290,040.00 from the Clean Elections Fund for his campaign in 2020, including \$116,016.00 for the primary election and an additional \$174,024.00 for the general election.
- B. A Complaint was filed with the Commission on October 23, 2020, alleging that Respondent violated the Clean Elections Act by, among other things, exceeding the campaign spending limits to which Respondent had agreed to adhere as a Clean Elections candidate. Exhibit 1, Branch Complaint at CEC0003-04.
- C. The Commission determined that there was reason to believe violations of the Clean Elections Act and Rules had occurred, and ordered the Commission's Executive Director to carry out an investigation into the matter. This investigation is active and on-going.

- 1 D. In response to a subpoena from the Executive Director, Respondent provided
2 documentation related to the campaign, including documentation submitted by
3 Respondent in an arbitration proceeding related to a contract dispute. Among these
4 documents was a Service Agreement, which Respondent has acknowledged as being
5 a contract between Respondent and The Power of Fives, LLC ("TPOF"). This Service
6 Agreement, per its terms, was entered into and effective on January 1, 2020. Exhibit 1,
7 CEC006.
- 8 E. Under the Service Agreement, TPOF would provide services related to aiding
9 Respondent's campaign efforts. *Id.* at CEC006. In terms of compensation,
10 Respondent was to "pay all undisputed amounts on an invoice within thirty (30) days of
11 the earlier of: (a) the termination of this Agreement, or (b) *once the [Respondent]*
12 *qualifies for public financing for the Primary Election.*" *Id.* (emphasis added).
13 Additionally, "Exhibit A" of the Service Agreement states that Phase I of TPOF's
14 provided services was to begin "on the effective date of this Agreement and will end
15 once the [Respondent] qualifies for public financing under the [Clean Elections Act] for
16 the Primary Election." *Id.* at CEC012. Compensation for Phase I, as well as for
17 Phases II and III, respectively, was listed as "40% of the Primary Fund Distribution,"
18 "60% of the Primary Fund Distribution," and "100% of the General Election Fund
19 Distribution." *Id.*
- 20 F. Under A.R.S. § 16-951(A)(1) & (C), a candidate who qualifies for Clean Elections
21 Funding for the primary and general elections shall receive from the fund "an amount
22 equal to the original primary election spending limit" for the primary election, and "an
23 amount equal to the original general election spending limit" for the general election.
- 24 G. For the first campaign cycle after the Clean Elections Act became law, Arizona
25 Corporation Commission candidates had a primary election spending limit of
26 \$82,680.00, A.R.S. § 16-961(G)(3), and a general election spending limit "fifty per cent
greater than" the \$82,860.00, A.R.S. § 16-961(H). These spending limits in A.R.S. §

1 16-961(G)-(H) are modified every two years by the Secretary of State to account for
2 inflation. A.R.S. § 16-959(A).

3 H. The 2019-2020 expenditure limits for a candidate receiving Clean Elections funding—
4 i.e., the amount of funding they would receive—were \$116,016.00 for the primary
5 election and \$174,024.00 for the general election. Exhibit 2, Arizona Clean Elections
6 Candidate Guide 2020 at CEC028.

7 I. The January 1, 2020 Service Agreement promised TPOF compensation of
8 \$116,016.00 for Phases I and II of services rendered to the Sloan campaign, and
9 \$174,024.00 for Phase III of services rendered to the Sloan campaign.

10 J. “Prior to qualifying for Clean Elections funding, a candidate shall not incur debt, or
11 make an expenditure in excess of the amount of cash on hand. Upon approval for
12 funding by the Secretary of State, a candidate may incur debt, or make expenditures,
13 not to exceed the sum of the cash on hand and the applicable spending limit.” A.A.C.
14 R2-20-104(D)(6).

15 K. Per Sloan’s Campaign Finance Report for the reporting period of January 1, 2020,
16 through January 14, 2020, the campaign’s cash balance at the beginning of the
17 reporting period was \$3,754.12.

18 L. Respondent qualified for Clean Election Funding on July 17, 2020.

19 M. A candidate “shall be deemed to have made an expenditure as of the date upon which
20 the candidate or campaign promises, agrees, contracts or otherwise incurs an
21 obligation to pay for goods or services.” A.A.C. R2-20-110(A)(5).

22 N. In addition to filing a Complaint in this matter, TPOF sought payment from Respondent
23 pursuant to the Service Agreement through an independent arbitration. Respondent’s
24 primary defense and counterclaim in the arbitration has been consistent: the
25 Respondent believes that the payment is illegal.

26 O. Respondent’s Counterclaim in the arbitration proceeding states that “[u]nbeknownst to
Sloan, the Compensation under the Agreement was illegal under Arizona law because

1 it envisioned an upfront allocation of 100% of the Primary Fund Distribution under
2 Clean Elections Act.” Exhibit 3 at CEC069.

3 P. Respondent’s Post-Arbitration Summation states that “the contract committed Sloan’s
4 campaign to spend money before the campaign had been approved for Clean
5 Election’s funding,” and that “when the contract was signed, the committed contract
6 amount was more than four times the maximum amount of seed money allowable by
7 law.” Exhibit 4 at CEC203.

8 Q. Respondent further states “the Sloan campaign incurred a campaign expenditure or
9 debt, at the latest, when it contracted with TPOF on January 1, 2020 for campaign
10 consulting services. This was well before the campaign qualified for Clean Elections
11 funding and the amount of the expenditure (\$116,016) far exceeded the campaign’s
12 cash on hand at the time....Thus, the contract, from the moment it was entered into,
13 created an illegal campaign debt or expenditure for the Sloan campaign.” *Id.* at
14 CEC209.

15 R. The Commission has already found reason to believe a violation of A.A.C. R2-20-
16 104(D)(6) may have occurred.

17 S. Candidates who qualify for Clean Elections funding may not incur debt or make
18 expenditures that are in excess of the amount of money on hand. A.A.C. R2-20-
19 104(D)(6).

20 T. Respondent agreed to these conditions in his sworn application for certification to the
21 Arizona Clean Elections Commission. A.R.S. § 16-947; A.A.C. R2-20-104(C).

22 U. Respondent has acknowledged that he incurred debts which were in excess of the
23 money on the hand. While he explicitly recognizes that he incurred a debt of
24 \$116,016.00 when he signed the Service Agreement, the fact that the Service
25 Agreement also provided for payment of services to TPOF via the general election
26 funding (\$174,024.00) means that he also incurred a debt of \$174,024.00 when he
signed the Services Agreement. This \$174,024.00 was in excess of the money on

1 hand. However, because both Sloan and TPOF agree that the Service Agreement was
2 terminated before the general election period, that amount is not currently subject to
3 this Repayment Order.

4 WHEREFORE, the Commission enters the following orders in addition to any other action regarding
5 this matter:

- 6 1. The Commission has jurisdiction over Respondent pursuant to A.R.S. § 16-956(A)(7)
7 and the Arizona Administrative Code.
- 8 2. The Commission orders Respondent repay \$116,016.00 immediately.
- 9 3. All payments shall be made from Respondent's personal funds and/or the
10 Respondent's campaign account that were withheld by Respondent via check or
11 money order payable to the Citizens Clean Elections Fund and delivered to the Citizens
12 Clean Elections Commission, 1616 West Adams, Suite 110, Phoenix, Arizona, 85007.
- 13 4. Interest shall accrue on the unpaid balance from the date that the payments become
14 due and payable. Interest shall accrue at the statutory rate of ten percent (10%)
15 pursuant to A.R.S. § 44-1201(A).
- 16 5. This Order constitutes a fine, penalty, or forfeiture payable to and for the benefit of a
17 governmental unit, and not compensation for actual pecuniary loss; and pursuant to 11
18 USC § 523 such obligations are not subject to discharge in bankruptcy.
- 19 6. In the event legal action is necessary to enforce collection hereunder, Respondent shall
20 additionally pay all costs and expenses of collection, including without limitation,
21 reasonable attorneys' fees in an amount equal to thirty-five percent (35%) of monies
22 recovered.
- 23 7. In the event that any paragraph or provision of this Order shall be ruled unenforceable,
24 all other provisions hereof shall be unaffected thereby.
- 25 8. This Order does not prevent the Commission from seeking additional penalties and
26 repayments from Respondent.

9. This Order does not affect or impair any investigatory activities undertaken by the Commission staff pursuant to prior Commission authorizations in this matter.

10. No delay, omission or failure by the Commission to exercise any right or power hereunder shall be construed to be a waiver or consent of any breach of any of the terms of this Order by the Respondent.

11. The Commission authorizes the Executive Director to sign this order making it effective upon the Executive Director's signature.

12. If Respondent disputes the Commission repayment determination, he may request an administrative appeal of the determination in accordance with A.R.S. § 41-1092, et. seq. A.A.C. R2-20-704(C)(2).

Dated this ____ day ____, 2021.

By: _____
Thomas M. Collins, Executive Director
Citizens Clean Elections Commission

Doug Ducey
Governor

Thomas M. Collins
Executive Director



State of Arizona
Citizens Clean Elections Commission

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April 22, 2021

Anni Foster
General Counsel

Nicole Ong Colyer
Deputy General Counsel
Office of the Governor
1700 W. Washington
Phoenix, AZ 85007

Via Email

Dear General Counsel Foster and Deputy General Counsel Ong:

I am writing to you in my capacity as the Executive Director of the Arizona Citizens Clean Elections Commission to formally request that the Governor consider a veto of HB2110 (civil penalties; traffic; mitigation; restitution). *Available at* <https://www.azleg.gov/legtext/55leg/1R/bills/HB2110S.pdf>.

The bill allows a judge to sentence a civil traffic defendant to “community restitution” against financial charges associated with these civil complaints. However, there are several constitutional and policy issues that we have identified with this bill that would warrant a veto. Given your time constraints, I will focus on two: the measure is a per se violation of the Voter Protection Act as applied to the Citizens Clean Elections Act (A.R.S. §§ 16-901.01, 16-940 to 961) and is written in direct contradiction of the legislature’s own bill drafting guidance.

The Clean Elections Act provides that “an additional surcharge of ten per cent shall be imposed on all civil and criminal fines and penalties collected pursuant to § 12-116.01 and shall be deposited into the fund.” The bill amends and supersedes that section (and diverts the funding stream) when it states that “[n]otwithstanding any other law, if a monetary obligation is imposed on a person at sentencing, on the person's request the court may order the person to perform community restitution in lieu of the payment of the monetary obligation.”

Whatever merit there is to letting persons work off civil fines and penalties with community restitution, that work cannot be deposited as money into the Clean Elections Fund. *See Cave Creek Unified School Dist. v. Ducey*, 233 Ariz. 1, 7-8 ¶ 25 (2013) (finding VPA violation when legislative act could not be harmonized with the VPA-protected statute).

Analysis

There can be no doubt that the bill's "notwithstanding" language amends, supersedes, or diverts from the Act. It includes the Clean Elections Act surcharge among those that would be defined as "monetary obligations" that are notwithstanding by the measure. In other words, the Clean Elections Act is "any other law" that is notwithstanding by HB2110. *See* Senate Engrossed Version at p. 8, lines 18-28 (defining monetary obligation as CIVIL PENALTY, A SURCHARGE, AN ASSESSMENT OR A FEE.").

The language itself shows an intent to amend, supersede or divert from the Act. A "notwithstanding" clause is used to propose an exception to existing law. Legislative Bill Drafting Manual at 49 ("To state an exception to existing law, the drafter may introduce language with "NOTWITHSTANDING ANY OTHER LAW," "NOTWITHSTANDING ANY LAW TO THE CONTRARY," "NOTWITHSTANDING ANY STATUTE TO THE CONTRARY," or "NOTWITHSTANDING ANY OTHER STATUTE," . . ."). Thus, by its terms, the Bill seeks to amend, supersede or divert the surcharge by creating an exception to the Clean Elections Act itself.

Beyond the VPA, the Legislative Bill Drafting Manual discourages the use of such notwithstanding clauses. Manual at 49. The bill drafting manual states explicit guidance on two issues regarding notwithstanding clauses:

[1] Whenever possible the drafter should find those statutes that conflict with the new provision and refer to them specifically or conform them with the new provision. An accumulation of "notwithstanding" clauses can result in a series of overlapping laws superseding each other. [2] To avoid confusion, do not include an "except as provided" clause that refers back to the "notwithstanding" clause.

Id. (emphasis original).

The proposed measure both notwithstands any law and uses an except for clause to hold harmless the Administrative Office of Courts' time payment fee (which, ironically, will be applied even if a person is "working off" their financial obligations). The measure states:

A. *NOTWITHSTANDING ANY OTHER LAW*, IF A MONETARY OBLIGATION IS IMPOSED ON A PERSON AT SENTENCING, ON THE PERSON'S REQUEST THE COURT MAY ORDER THE PERSON TO PERFORM COMMUNITY RESTITUTION IN LIEU OF THE PAYMENT OF THE MONETARY OBLIGATION. THE COURT SHALL DETERMINE THE LOCATION WHERE THE COMMUNITY RESTITUTION IS PERFORMED. THE COURT SHALL CREDIT ANY COMMUNITY RESTITUTION PERFORMED AT A RATE THAT IS EQUAL TO THE MINIMUM WAGE PRESCRIBED BY SECTION 23-363, SUBSECTIONS A AND B, ROUNDED UP TO THE NEAREST DOLLAR.

B. FOR THE PURPOSES OF THIS SECTION, "MONETARY OBLIGATION" MEANS A CIVIL PENALTY, A SURCHARGE, AN ASSESSMENT OR A FEE *EXCEPT FOR A FEE IMPOSED PURSUANT TO SECTION 12-116*.

HB2110, Senate Engrossed Version at p.8 lines 18-28 (emphasis mine).

The manual's guidance is well taken. "Notwithstanding" clauses are inherently amendatory, superseding or diverting (and cannot, by their terms, advance the purpose of the underlying law). Moreover they serve to protect against other constitutional issues such as the single subject clauses and the bar on legislation by reference. I have raised my concerns with notwithstanding clauses to Legislative Council, the legislative rules attorneys, and other agencies throughout the years.

Accordingly, the bill is unconstitutional as applied to the Clean Elections Act. Because this is true, I would urge the Governor to veto this measure. The Legislature could easily fix this particular constitutional problem by exempting the Clean Elections Act from the reach of this statute.

Thank you for your consideration.

Sincerely,

S/Thomas M. Collins
Executive Director