

THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona

February 28, 2008

9:30 a.m.

Reported By:

Sabre D. Deterding, RPR

1 A PUBLIC MEETING, BEFORE THE CITIZENS
2 CLEAN ELECTIONS COMMISSION, convened at 9:30 a.m.,
3 on February 28, 2008, at the State of Arizona,
4 Clean Elections Commission, 1616 West Adams, Suite
5 110, Conference Room, Phoenix, Arizona, in the
6 presence of the following Board members:

7
8 Mr. Gary Scaramazzo, Chairperson
9 Mr. Jeff Fairman
10 Mr. Donald W. Lindholm
11 Ms. Royann Jordan Parker, telephonically
12 Ms. Lori S. Daniels

13 OTHERS PRESENT:

14 Todd Lang, Executive Director
15 Colleen McGee, Deputy director
16 Paula Ortiz, Executive Assistant
17 Rita Azcona, Administrative Assistant III
18 Michael Becker, Voter Education Manager
19 Daniel Ruiz II, Campaign Finance Manager
20 Tanja Shipman, Attorney General's Office
21 Eric Ehst, Clean Elections Institute
22 Rhonda L. Barnes, Perkins Coie Brown & Bain
23 Kevin Tyne, Deputy Secretary of State

1 P R O C E E D I N G

2
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4 CHAIRPERSON SCARAMAZZO: I'd like to
5 call to order this meeting of the Citizens Clean
6 Elections Commission for Thursday, February 28th
7 of 2008. The time is 9:30 a.m.

8 Welcome everyone. Thanks for the
9 beautiful weather down here.

10 MR. LANG: You're welcome.

11 CHAIRPERSON SCARAMAZZO: Very much
12 appreciate it.

13 With that, let's move on to Item Number
14 II, which is seeking approval for the
15 January 17th, 2008 Commission Meeting Minutes.

16 I might mention also that Commissioner
17 Parker is in Tucson today. She tried to make it
18 up.

19 Her mom sustained a hip injury, is in
20 the hospital, and we're wishing her all the best,
21 Royann.

22 COMMISSIONER PARKER: Thank you very
23 much. I appreciate that.

24 MR. LANG: Mr. Chair, given that a
25 representative of the Secretary of the State's

1 office is here, a technical typo on page 19, line
2 15. The word "State" should be capitalized in her
3 title.

4 CHAIRPERSON SCARAMAZZO: Page 19 --

5 MR. LANG: Line 15.

6 CHAIRPERSON SCARAMAZZO: Oh, okay.

7 We'll capitalize Secretary of the State. Okay.

8 MR. LANG: That's all I have.

9 COMMISSIONER LINDHOLM: Chair ready for
10 a motion?

11 CHAIRPERSON SCARAMAZZO: Yes, sir.

12 COMMISSIONER LINDHOLM: I move approval
13 of the minutes of the January 17th, 2008 meeting.

14 CHAIRPERSON SCARAMAZZO: Okay.

15 COMMISSIONER PARKER: I'll second.

16 CHAIRPERSON SCARAMAZZO: It's been moved
17 by Commissioner Lindholm, seconded by Commissioner
18 Parker to approve the January 17th, 2008
19 Commission Meeting Minutes with the noted
20 capitalization.

21 Any discussion on this item?

22 All those in favor say "aye."

23 (Chorus of ayes.)

24 CHAIRPERSON SCARAMAZZO: Opposed?

25 Motion carries.

1 Item Number III, the Executive Director
2 Report.

3 Todd?

4 MR. LANG: Thank you, Mr. Chair. Good
5 morning, Commissioners.

6 I won't reread my report, but I do have
7 four items I'd like to mention to you right now.

8 First, our staff is meeting with the
9 Secretary of State's office staff as they have
10 been in an ongoing fashion regarding the new
11 software. And it's all going well.

12 In fact, they met earlier this week and
13 came back to me and I went over a number of legal
14 questions that came up regarding -- because when
15 you're implementing the software, it actually
16 raises questions, well, what does this particular
17 part of the statute mean.

18 And -- so, we had a couple of those
19 issues which we were able to resolve and instruct
20 the software folks at the Secretary of State's
21 office how we view things.

22 I've actually asked for legal advice on
23 one of the issues. I have a view and I want to
24 make sure that our able AG agrees.

25 So that's going quite well, and we're

1 still on track for that March deadline regarding
2 matching funds.

3 And, again, our team is meeting with the
4 Secretary of State's team on Friday. So that's
5 going quite well.

6 You may have seen in your e-mails this
7 morning that our first participating candidate
8 check has been issued to candidate Al Melvin in
9 District 26, so he's our first this year. So
10 congratulations to him.

11 And, obviously, we anticipate many, many
12 more folks.

13 Mike's working on getting sponsors for
14 the debates. You see the -- in under Voter
15 Education Debates where we're going to be working
16 again with ASU who did an outstanding job last
17 time on several. We'd love to see them do a few
18 more.

19 And we'd like to get U of A involved,
20 but we haven't been able to do that. So that's
21 something -- that's an initiative Mike's going to
22 work on.

23 So if you have any suggestions,
24 especially Commissioner Parker, you're down
25 there --

1 COMMISSIONER PARKER: Yes, sir.

2 MR. LANG: And then finally --

3 CHAIRPERSON SCARAMAZZO: One question,
4 I -- since we're talking about U of A and ASU, how
5 about NAU?

6 MR. LANG: We'd love to have them. They
7 don't currently do it.

8 MR. BECKER: Right.

9 We've tried in the past to get them
10 involved and -- I'm going to continue to try.
11 I've got calls and letters into their PR office.
12 We'll see what the --

13 MR. LANG: They respectfully declined.

14 COMMISSIONER DANIELS: Mr. Chairman,
15 have we ever gotten the community colleges
16 involved?

17 MR. LANG: We have.

18 COMMISSIONER DANIELS: Seems like before
19 a match.

20 MR. LANG: It goes well.

21 I think this year they've -- several of
22 them have decided not to do it.

23 Yeah, so -- it's a big project and --
24 you know, and they did a good job, but I think
25 they felt like they didn't want to take it on

1 again.

2 But if they've changed their mind, if
3 you have some ins with any of the community
4 colleges, we'd love to have them.

5 And if you know someone at NAU, we'd
6 love to have them, Mr. Chair.

7 CHAIRPERSON SCARAMAZZO: Okay.

8 MR. LANG: And then finally, I noted
9 that the governor's office, the budget folks at
10 the governor's office and leadership in the
11 legislature has asked us to reevaluate the
12 transfer of funds issue given their view that we
13 can give more and given the budget crisis.

14 As you know, the Commission voted to
15 give another 15 million last meeting, which was
16 based on our recommendations, and based on our
17 view that, you know, our first priority is to make
18 sure the clean election system is fully funded.

19 And then, of course, being as strict as
20 we can and as tight as we can give as much as we
21 can to the state.

22 We are going to put it back on the
23 agenda for you for either March or April,
24 depending on how much information, we -- we would
25 prefer to do it in March, so that you can

1 reevaluate it and decide if you think it would be
2 appropriate to give more money.

3 We're not there yet.

4 For instance, in our budget, we project
5 income over this -- this fiscal -- over this
6 calendar year of 2008 of \$15.8 million, which is
7 about \$1.3 million a month. Our income for
8 January was only \$880,000.

9 And so, you know, one of the ways we
10 will be able to justify giving more money is if we
11 see our income is what we expected or higher.

12 Right now it is not. And so right
13 now -- and of course it's only one month, so it
14 would be premature anyway.

15 But I would also say that January is
16 often a little lower, and I think we'll have a
17 much better picture after February or March when
18 the tax -- the contribution -- the tax donations
19 and write-offs and the other sources of income
20 start coming in.

21 So I'm not concerned, but I wanted to
22 let you know we are looking at it. We are taking
23 it very seriously.

24 And if we think we can recommend giving
25 you -- even if we think it's a bad idea, if we

1 think it's something that you should consider, we
2 will certainly bring it up before you.

3 CHAIRPERSON SCARAMAZZO: Commissioner
4 Daniels.

5 COMMISSIONER DANIELS: That's one of the
6 questions I had was how have we historically been
7 in January?

8 Are we about where we normally are?

9 MR. LANG: We're a little light, but
10 January is historic -- to go to your question,
11 we -- January is often a little bit lighter than
12 the other months, but we're a little more light
13 than even that.

14 COMMISSIONER DANIELS: And I just have
15 one other question, and probably it's to our legal
16 counsel, where is it that allows us in the statute
17 to give this money to the state?

18 I mean, I know that the clean elections
19 money is our money, and I just want to make sure
20 that we have the legal ability to do it.

21 I mean, I know the state needs help
22 right now and I'm not trying to knock that at all.
23 I just want to make sure we're on real strong
24 legal ground.

25 MR. LANG: Well, she can point out the

1 statute to you, but basically what it says is --
2 and maybe you can look for it while -- the number.

3 But basically what it says is that we
4 have to project our income and our expenses, and
5 once a year, we have to give back -- not give
6 back, poor choice of words.

7 We have to transfer any money that we
8 don't think we'll need to the general funds.

9 COMMISSIONER DANIELS: Okay.

10 MR. LANG: So we're required to do it.
11 And she'll get you the cite.

12 MS. SHIPMAN: Yeah, it's 16-954.

13 COMMISSIONER DANIELS: Thank you.

14 MR. LANG: And that concludes my ED
15 report.

16 CHAIRPERSON SCARAMAZZO: Okay.

17 MR. LANG: The rest of the information
18 speaks for itself.

19 CHAIRPERSON SCARAMAZZO: Great.

20 Any further questions for Todd?

21 COMMISSIONER PARKER: Todd, I do have a
22 question.

23 On your report, you said you planned to
24 testify regarding HCR 1021?

25 MR. LANG: Uh-huh.

1 COMMISSIONER PARKER: And I wanted to
2 know what you testified regarding that bill.

3 MR. LANG: Yeah. Thank you Commissioner
4 Parker.

5 I meant to point out that there's
6 actually a discussion item on legislation on the
7 agenda, and I thought I would talk about that.

8 I did testify. I can address it now if
9 you'd like, but it is an agenda item and I should
10 have mentioned that I planned to bring that up for
11 you when we get to it in the agenda.

12 COMMISSIONER PARKER: Okay. That's
13 fine.

14 CHAIRPERSON SCARAMAZZO: Okay. Anything
15 else?

16 Okay. Then we'll move on to Item Number
17 IV, Consideration and Possible Action on a
18 Preliminary Audit for Todd -- excuse me, Tom
19 Prezelski?

20 MR. LANG: Thank you, Mr. Chair,
21 Commissioners.

22 The good news is that Representative --
23 the audit of Representative Prezelski's campaign
24 is the last of the 2006 audits.

25 CHAIRPERSON SCARAMAZZO: Great.

1 MR. LANG: None too soon.

2 And you -- as you read through it, you
3 see a number of issues raised by the auditors
4 regarding the timeliness of his reports.

5 Basically, he was quite slow to report
6 some income and to report expenditures. And so
7 that raises some concerns regarding possible
8 violations of Article I.

9 But what's relevant for Clean Elections
10 purposes and for our purposes is that he never
11 reached a triggering report threshold.

12 And so, although, in a general -- he had
13 a participating candidate opponent, Bruce
14 Murchison, Mr. Murchison wasn't -- was not harmed
15 by these delays because he never passed the
16 triggering thresholds. So we do not plan to bring
17 an enforcement action against him.

18 I mean, obviously, we'd be happy to
19 discuss it with you if you have any concerns.

20 But because of that, we don't -- because
21 there were never triggering report thresholds
22 passed and there was no harm to the Murchison
23 campaign, we don't plan to bring the violations to
24 an enforcement level.

25 Some of the issues were a \$7.40

1 expenditure for water for staff that wasn't
2 properly supported or documented.

3 There was a withdrawal of \$345 that
4 wasn't documented or reported at all. My guess is
5 he was reimbursing himself for some expenditures
6 since it was, you know, an odd dollar amount.

7 He never -- and one of the things we'll
8 do in our scope of work -- as you know, there's
9 some changes we're going to make in our scope of
10 work for this cycle with the auditors in regard to
11 the issues they have with cancelled checks and the
12 like.

13 Another one we're going to have is when
14 there's something like this, this \$345
15 expenditure, we're going to ask you for a
16 follow-up and find out, well, what was it for.

17 That wasn't part of their scope of work,
18 and so they didn't ask that question.

19 (Commissioner Fairman enters meeting
20 room.)

21 MR. LANG: I think just -- I think the
22 public would be interested in knowing since it was
23 something he was obligated to report.

24 And he didn't document a \$100 PAC
25 contribution that he accepted from the Arizona

1 Medical Association.

2 So we have a typical problem with
3 timeliness of bank reports and state -- reporting
4 regarding his expenditures. But these are all low
5 dollar amounts and it didn't effect the triggering
6 reports so we don't plan to bring an action.

7 Given all that, I'd ask you to approve
8 this draft so that we can bring it before you next
9 month as a final.

10 And also, of course, he'll have his
11 opportunity to respond. My guess is that if he
12 responds, he'll be explaining what these
13 expenditures were for.

14 CHAIRPERSON SCARAMAZZO: Okay. Lori?

15 COMMISSIONER DANIELS: Mr. Chairman.

16 I don't want to ask too many questions,
17 Todd, but I want --

18 CHAIRPERSON SCARAMAZZO: No, please.

19 COMMISSIONER DANIELS: -- to get up to
20 speed.

21 Historically, is this what we've done
22 with other candidates when we've gotten -- when
23 they've gone through audits if there was never a
24 triggering measure or have we fined people in the
25 past or --

1 MR. LANG: Right. If there's not a
2 Clean Election's issue, we'll generally referred
3 it to the Secretary of State's office. And we'll
4 do that here as well.

5 It's relativity low dollar amounts and
6 it didn't harm the Murchison campaign, so I would
7 be surprised if the Secretary of State's office
8 took further action.

9 But, ultimately, what they would do is
10 review it and then determine whether or not they
11 think it should be referred to the Attorney
12 General's office for enforcement.

13 COMMISSIONER DANIELS: And,
14 Mr. Chairman, I have one other follow-up question.

15 Do we find this happening with a lot of
16 candidates when we do audits that they're missing
17 things like this?

18 Is the system easy enough for them to
19 keep up with, or are they having problems
20 generally as a rule of thumb in a number?

21 MR. LANG: I would say that it happens
22 on occasion, but the average audit finds no
23 violations of this sort. I think it's fairly
24 easy.

25 I mean, these kind of violations were

1 just a matter of just being diligent, and I think
2 you'll find that most candidates are diligent and
3 these kind of problems don't arise.

4 COMMISSIONER DANIELS: Okay.

5 MR. LANG: That said, these are not
6 major problems, at least they don't appear to be.

7 COMMISSIONER DANIELS: Thank you.

8 COMMISSIONER LINDHOLM: Chair ready for
9 a motion?

10 CHAIRPERSON SCARAMAZZO: Certainly.

11 COMMISSIONER LINDHOLM: I move the
12 substance of the preliminary audit for Tom
13 Prezelski.

14 COMMISSIONER PARKER: I couldn't hear
15 what he said. I'm sorry.

16 COMMISSIONER LINDHOLM: Oh, I'm sorry.

17 CHAIRPERSON SCARAMAZZO: That's okay.
18 Don has moved for approval of the
19 preliminary audit on Item Number IV.

20 COMMISSIONER PARKER: Okay. I can
21 second that.

22 CHAIRPERSON SCARAMAZZO: Okay. Thank
23 you.

24 It's been moved by Commissioner
25 Lindholm, seconded by Commissioner Parker to

1 approve the preliminary audit for Tom Prezelski.

2 Any discussion on this item?

3 All those in favor say "aye."

4 (Chorus of ayes.)

5 CHAIRPERSON SCARAMAZZO: Opposed?

6 Motion carries.

7 That brings us on to Item Number V,
8 Discussion and Possible Action on the following
9 Enforcement Matter; A is MUR 06-0047, Wesley
10 Edmonds, a Reason to Believe Recommendation.

11 Todd?

12 MR. LANG: Thank you, Mr. Chair and
13 Commissioners.

14 I also bring to your attention that we
15 have a proposed conciliation agreement which would
16 resolve this case for your separate consideration
17 after you consider the statement of reasons.

18 I also -- I was -- it was negligent of
19 me not to thank Daniel Ruiz, our fiscal services
20 manager -- I mean our campaign finance manager for
21 all his diligent work in the Prezelski matter.

22 That -- that took a lot more work than
23 it should have, and he worked closely with both
24 the campaign and with the auditors to get that
25 done, so I thank him for that.

1 CHAIRPERSON SCARAMAZZO: Great.

2 MR. LANG: Moving on.

3 This is -- you've already approved the
4 audit so I won't go into the details of the
5 problems here.

6 The overall theme here is that, while
7 there are a number of violations by Mr. Edmonds,
8 you'll see that they're all quite minor involving
9 expenditures for food.

10 Basically, he exceeded the daily limits
11 for food on one occasion, and he didn't properly
12 report four expenditures for lunches on a timely
13 basis.

14 He -- he included them in his campaign
15 finance reports after he amended them, but they
16 were after the deadline.

17 So he violated some requirements there,
18 and accordingly, we came up with this reason to
19 believe finding that there was, in fact,
20 violations of the Clean Elections Act, rules and
21 statutes.

22 I'd ask you to approve this reason to
23 believe -- and actually find reason to believe as
24 the Commission.

25 CHAIRPERSON SCARAMAZZO: Okay.

1 MR. LANG: Also I should mention,
2 Mr. Chair, and Commissioners, that Rhonda Barnes,
3 the attorney for Mr. Edmonds is here today.

4 CHAIRPERSON SCARAMAZZO: Okay. Welcome.

5 MS. BARNES: Thanks.

6 CHAIRPERSON SCARAMAZZO: Jeff.

7 COMMISSIONER FAIRMAN: Mr. Chair, would
8 our -- would our -- would our -- we are just
9 accepting this reason to believe, is that what
10 you're asking for?

11 MR. LANG: If you accept it, I would ask
12 you to find reason to believe.

13 COMMISSIONER FAIRMAN: Right. Okay.
14 Then I would like to make that motion, please.

15 COMMISSIONER DANIELS: I'll second it,
16 Mr. Chairman.

17 CHAIRPERSON SCARAMAZZO: All right. It
18 moved by Commissioner Fairman, seconded by
19 Commissioner Daniels, to find reason to believe in
20 MUR 06-0047, Mr. Wesley Edmonds.

21 Any discussion on this item?

22 Hearing none, all those in favor say
23 "aye."

24 (Chorus of ayes.)

25 CHAIRPERSON SCARAMAZZO: Opposed?

1 Motion carries.

2 That will moves us to B, MUR 06-0047
3 with a Proposed Conciliation Agreement.

4 MR. LANG: Thank you, Mr. Chair and
5 Commissioners.

6 As you can see, the respondent has
7 worked closely with Mr. Ruiz of our staff, and
8 with -- his lawyers worked closely with Mr. Ruiz
9 to work out a proposed settlement.

10 He failed to report almost \$80 regarding
11 the expenditures for the food, which of course,
12 under 16-942.B, results in a penalty of twice the
13 amount not reported.

14 And also, he exceeded the state limits
15 on how much he expended for food by \$38.83.

16 He's agreed to repay the \$38 as a
17 penalty, and he's agreed to a settlement of the --
18 of the twice the amount penalty of a hundred
19 dollars, which we think is fair.

20 This is all very low dollar amounts, and
21 settlement, I believe, is proper in this case
22 given the clear and no intent to violate, given
23 the fact that the public was in no way harmed and
24 there were no shenanigans basically in this
25 situation.

1 So I'd ask you to approve this
2 settlement.

3 CHAIRPERSON SCARAMAZZO: Jeff.

4 COMMISSIONER FAIRMAN: Mr. Chair, I
5 would like to make a motion to approve this
6 conciliation agreement, the settlement.

7 It -- again, it's very good work by the
8 staff. I appreciate it, and I appreciate us not
9 having to worry about it any more than we already
10 do. With that, I'd make that motion.

11 CHAIRPERSON SCARAMAZZO: Okay.

12 COMMISSIONER DANIELS: I'll second.

13 CHAIRPERSON SCARAMAZZO: All right.
14 It's been moved by Commissioner Fairman, seconded
15 by Commissioner Daniels to approve the Proposed
16 Conciliation Agreement, MUR 06-0047.

17 Any discussion on this item?

18 All those in favor say "aye."

19 (Chorus of ayes.)

20 CHAIRPERSON SCARAMAZZO: Opposed?

21 Motion carries.

22 And we might just add that here's a
23 hundred bucks we can ship over for the general
24 fund.

25 COMMISSIONER DANIELS: Mr. Chairman, I'm

1 not sure that's going to be enough.

2 CHAIRPERSON SCARAMAZZO: Item Number VI,
3 Discussion of the 2008 Statewide Voters Survey as
4 Performed by Behavior Research Center.

5 MR. LANG: Mr. Chairman, Mike Becker,
6 our Voter Education Manager will be making this
7 presentation.

8 CHAIRPERSON SCARAMAZZO: Okay. Welcome.

9 MR. BECKER: Thank you.

10 Chairman, Commissioners, you have the
11 2007 survey. You had it your packets -- so I
12 don't want to take too much of your time.

13 I do what to point out a few of the
14 highlights from the survey.

15 Overall, again, the numbers are very
16 strong, much like they were in '06.

17 We had 8 in 10 voters believe the Act is
18 important to Arizona. In '06 it was 83 percent,
19 this time it's 81 percent, so we're doing very
20 well there.

21 If you want to look at Table 2, once
22 again, the familiarity with the Act --

23 CHAIRPERSON SCARAMAZZO: Royann, can you
24 hear okay?

25 COMMISSIONER PARKER: Yes.

1 CHAIRPERSON SCARAMAZZO: Okay.

2 MR. BECKER: Once again the familiarity
3 with the Act continues to stay strong. It's down
4 a little bit from '06.

5 In '06 it was 78 percent, now it's
6 73 percent. Still, once again, very good for the
7 amount of turnover we have in population for
8 Arizona.

9 The Act among men, familiarity among men
10 has risen up from 72 to 74. Again, the
11 familiarity with the Act has also increased in
12 counties other than Maricopa and Pima.

13 CHAIRPERSON SCARAMAZZO: Yeah for the
14 rural counties. Okay.

15 MR. BECKER: We did a lot of work with
16 the rural counties.

17 We did a lot of placement of ads in the
18 papers. We did a lot of work with their radio
19 stations. And so we're very please with that.
20 We're excited to see those numbers jumping.

21 Again, table 3 shows its number one
22 source for information about Clean Elections is
23 newspapers.

24 Again, 35 percent. 32 percent was in
25 '06; 35 percent in '07, so we're still -- we're

1 still strong there.

2 We are working to get more information
3 out through radio and TV, but newspapers are still
4 our number one source.

5 In table 4, you'll see that -- when
6 asked what does Clean Elections actually do, you
7 see 26 percent said police and oversee the
8 electoral process, which is a lot better than
9 what we had in '06. It's up from 15 percent.

10 So the message is getting out that we're
11 involved in creating a level playing field when it
12 comes to elections.

13 THE COURT REPORTER: I didn't hear you.

14 MR. LANG: I'm sorry. I just pointed
15 out that that question was asked of folks who were
16 not familiar with Clean Elections. And so, the
17 fact that they're starting to understand at least
18 a little bit is a good sign.

19 Is that fair to say?

20 MR. BECKER: Mm-hmm.

21 Table 5 shows us that the impressions of
22 Clean Elections are staying strong once again with
23 70 percent saying they had a very favorable or --
24 very favorable and favorable impression; 71
25 percent in 2006.

1 Strong again in Pima County; 79 percent
2 see us as very favorable.

3 And the rural counties, again, stay
4 strong 78 percent.

5 So our message is getting out to people
6 and we're excited to see the numbers staying
7 strong.

8 One area that we do continue to struggle
9 is understanding where our funding comes from.

10 As you can see in table 9, 24 percent
11 believe that we get money from the general fund or
12 we're appropriated by the legislature, which we
13 are not. And so, that's an area we're working on,
14 and we're going to work on as I'll present the
15 education plan as the next item.

16 But it's an area we've been trying to
17 work on since day one, and we continue to push
18 forward to get that information out.

19 And with that, I'll answer any
20 questions.

21 CHAIRPERSON SCARAMAZZO: Todd.

22 MR. LANG: Commissioners, I would just
23 point out two things.

24 One is that table 9 shows another -- we
25 haven't emphasized the source of our revenue in

1 the past because, of course, what's more important
2 is what we do and how it works.

3 But given our budget crisis, we think
4 it's important, and I know Mike's working on this,
5 that the voters understand that we're not a drain
6 on the state's financial resources.

7 And particularly, in table 9, only, what
8 is it, 3 percent think that our money comes from
9 surcharge on fines. And, of course, that's where
10 most of our money comes from. So clearly we need
11 to get that message out. That's one that's
12 missing.

13 The other thing I point out on table 5,
14 and this is my only other comment, is look at the
15 favorable rating based on party, 61 percent of
16 Democrats have a favorable impression of clean
17 elections, 61 percent of Republicans have a
18 favorable impression of clean elections.

19 So that's, I think, a change, if you
20 look at the old surveys. You'll see that the
21 Republican impression of clean elections has
22 improved, and I think that's a -- I think that's a
23 wonderful trend, so?

24 COMMISSIONER LINDHOLM: How about
25 independents?

1 MR. LANG: 61 percent. Very consistent,
2 yeah.

3 That's odd, but, yeah, that's how it
4 came out.

5 CHAIRPERSON SCARAMAZZO: Jeff.

6 COMMISSIONER FAIRMAN: Todd, one of the
7 things that I kind of find interesting in this is
8 that the rural areas seem to have even a greater
9 awareness overall by percentage than they do in
10 the metro area, and I think -- I think that bodes
11 very well for what we're trying to do.

12 However, I think then we also need to
13 come back to the metro areas because this is where
14 the population base is going to be.

15 And I agree with you a hundred percent.
16 I just came from another meeting that was related
17 to the state's budget. And making sure that
18 people understand where this money comes from and
19 that it's not a pot that we simply grab when the
20 times are tough, I think is going to be very
21 important in the next go-around of whatever public
22 relations or whatever advertising we do.

23 And the last ads were absolutely
24 wonderful. I loved them and I saw them and they
25 caught my eye. And I think refocusing the effort

1 a little bit probably makes sense at this -- at
2 this point.

3 MR. LANG: To address your points,
4 the -- everybody wins, I think, works for this
5 issue of where the money comes from. If everybody
6 wins, then it doesn't cost us.

7 COMMISSIONER FAIRMAN: Mm-hmm, yeah.

8 MR. LANG: It doesn't hurt us. It costs
9 money obviously.

10 COMMISSIONER FAIRMAN: Right.

11 MR. LANG: It is money, but it doesn't
12 hurt the budget. I know that's something we'll
13 do.

14 As for the rural education, I think
15 that's a reflection of Mike's program, because it
16 was -- those numbers were lower a couple of years
17 ago. So I think it simply reflects that our
18 effort have worked.

19 And so, yeah, we need to -- obviously,
20 it's much more expensive and much more difficult
21 in Maricopa County to reach everyone because the
22 population is so enormous. And that's something
23 re-double our efforts towards. But we -- I guess
24 we can consider the rural efforts have been a
25 success.

1 COMMISSIONER FAIRMAN: The only thing
2 that I would add to that I think part of that
3 success has been your willingness to go out and
4 make presentations and be out there. I think
5 that's very much appreciated in rural areas. And
6 so, I think that's been a big part of it this --

7 MR. LANG: Yeah. Mike and Daniel do a
8 great job in our education department.

9 COMMISSIONER FAIRMAN: Yeah.

10 COMMISSIONER LINDHOLM: I wonder what
11 percentage of tax returns are prepared by tax
12 preparers, because if that's a large percentage,
13 and I sort of suspect it is, but I don't know,
14 then maybe some kind of a mass mailing to tax
15 preparers would be helpful.

16 Because most people who rely on tax
17 preparers rely on the advice from the tax
18 preparers, and if it was pointed out to them in
19 every case, then the tax check off wouldn't cost
20 them anything at all. I wonder if more people
21 would then like to take that option.

22 MR. LANG: We have reached out to tax
23 preparers in the past and it could be part of our
24 plan.

25 MR. BECKER: Commissioners, we actually

1 do two mass mailings to tax preparers.

2 We have a list of roughly 1,100 to 1,500
3 somewhere. It's in there. It changes all the
4 time. But we do two mass mailings every year, one
5 before the deadline of December 31st and another
6 we will be doing in the next week or two.

7 So that there are -- again that there's
8 a \$5 checkoff donation and things like that --

9 THE COURT REPORTER: I'm sorry. I
10 didn't hear you.

11 COMMISSIONER LINDHOLM: You're way ahead
12 of me.

13 MR. LANG: Commissioners, the other
14 point, of course, is we use this survey to gauge
15 how our education efforts are working and to gauge
16 where we need to reach out and try to get more
17 information to folks.

18 CHAIRPERSON SCARAMAZZO: Okay. Anything
19 else?

20 Thank you for that, Michael.

21 MR. BECKER: You're welcome.

22 CHAIRPERSON SCARAMAZZO: We'll move on
23 then to Item Number VII, Discussion and Possible
24 Action on the 2008 Voter Education Plan.

25 MR. BECKER: Thank you, Mr. Chairman,

1 Commissioners.

2 Before you is the education plan that I
3 have proposed. It doesn't change a whole lot from
4 2007 because we did very well according to our
5 survey. It does tweak some things.

6 I just want to point out a few areas
7 where it does make some changes.

8 If you look at paid media, we're going
9 to continue going down the path of developing ads
10 promoting clean elections, promoting involvement
11 in the process whether it's donations or running
12 as an elected official.

13 One area which we're looking at is to
14 develop the radio ads, print ads and possibly TV
15 ads to emphasize the upcoming candidate debates.
16 We've never done that in the past. We've only
17 done simple print ads.

18 We're thinking about doing radio ads and
19 possibly TV ads this time to see if we can
20 generate more interest.

21 We had a great turnout in '06. We want
22 to have an even better turnout in '08.

23 Another area we're looking at is also
24 promoting our statement pamphlets that we've never
25 done before.

1 Again, we did some print ads in the
2 past. We're looking at possibly doing radio ads
3 for this -- for 2008 to make sure people are aware
4 that these pamphlets are going to be coming to
5 your door to use them to help you decide who you
6 want as your representatives.

7 In addition, we're looking to develop
8 banner ads to support these same statement
9 pamphlets as well as the debates. Something we
10 haven't done in the past as well.

11 Focusing on our website, in 2007 we went
12 through the website and changed a lot of it.

13 We changed the color scheme, we changed
14 how you find things. We've done a lot of work.

15 Daniel Ruiz is the one that should take
16 the credit for this. He did the yeoman work on
17 this, and we really appreciate what he's done.

18 The only change we were thinking about
19 doing is developing some sort of countdown
20 calendar, so then candidates can go onto our
21 website and see, Oh, I've got 37 days until I have
22 to get -- on pamphlet or -- or debates begin in
23 two months or something to that effect so that
24 they're aware of things that are going on without
25 having to dig deep into the website or make calls

1 or whatever. It's right there for them to find
2 easily.

3 COMMISSIONER DANIELS: Mr. Chairman, I
4 just have one question.

5 Do we -- do we do all of this in-house
6 for the most part? I mean, I know the survey is a
7 different company, but is all of this in-house?

8 MR. BECKER: Yes.

9 MR. LANG: And that's a change from past
10 practice and we saved a lot of money in our budget
11 by doing that.

12 We use the outside consultants as a
13 resource, but Mike does most of the work in-house
14 and farms out what he has to.

15 COMMISSIONER DANIELS: Okay.

16 CHAIRPERSON SCARAMAZZO: Michael, are we
17 having any success with Native American
18 populations?

19 MR. BECKER: That's another area we're
20 looking at. You had mentioned it last year in
21 2007. That's something we're looking at this time
22 to do more.

23 We did some outreach to them in '07.
24 We're looking to do more. We're going to do more
25 advertisements with them, more involvement in some

1 speaking engagements if they would like us to.

2 Just more -- just reaching out to them
3 and saying we're available for you if you'd like
4 us to come in.

5 So, yeah, as you'll see in outreach,
6 that is -- we're looking to develop that whole
7 program around the Native Americans to get them
8 more involved.

9 CHAIRPERSON SCARAMAZZO: Okay. Thank
10 you.

11 Jeff.

12 COMMISSIONER FAIRMAN: Oh, I'm sorry.
13 I'll wait until you're finished.

14 MR. BECKER: All right. Just to jump
15 back real quick to the candidate statement
16 pamphlet. I just want to touch on it real fast.

17 We're looking at developing a newer --
18 or a more up-to-date candidate statement pamphlet.

19 The one we did in '06 was nice, but the
20 paper wasn't as good as it could be, the ink was a
21 little bit iffy, and so we're looking at better
22 paper, larger print, more -- bring it in more in
23 today's world and see if we can get a better usage
24 of it than we have in the past. So that's one
25 area we're trying to get information out to.

1 MR. LANG: The problem with the old
2 pamphlet, the reason it was the way it was is
3 because it's incredibly expensive.

4 I mean, we spent millions on that
5 pamphlet. And so, obviously, the cheap paper with
6 the ink that sticks to your fingers a little bit,
7 we didn't obviously intend to buy that, but that's
8 what it ended up being. And so, Mike's working on
9 ways to improve it and still keep it in a
10 budgetarily reasonable fashion.

11 Unfortunately, the technology is not
12 there yet where we can send out different
13 pamphlets to different parts of the state.
14 Because, obviously, that would save a lot of money
15 because it would be a much smaller pamphlet.

16 But the technology -- the printing
17 technology doesn't allow us to do that in an
18 economically viable way yet, but some day it will
19 be there.

20 MR. BECKER: And as I mentioned, we are
21 looking to develop a whole program for the Native
22 Americans to get them more involved.

23 And the last area I want to mention in
24 the plan is, under the survey research, number 8.

25 Every year at the end of the year we do

1 a survey to see how well we did, how well the
2 message was received by the population.

3 I am looking to do a midterm, basically,
4 survey to see if our message is actually working
5 or if we need to tweak it before we continue on
6 down the path of spending more money on the
7 message. So that's an area that we're going to be
8 changing, if it's approved by the Commission for
9 2008.

10 And, with that, I'll answer any
11 questions.

12 CHAIRPERSON SCARAMAZZO: Jeff.

13 COMMISSIONER FAIRMAN: Two questions.
14 They're not really questions, but you might be
15 able to help me.

16 We have a conference coming up. And I
17 don't know, is it this year or the following year
18 that Arizona is hosting the Clean Elections
19 Commission?

20 MR. LANG: It's next year.

21 COMMISSIONER FAIRMAN: It's next year.

22 MR. LANG: It's the COGEL Conference.

23 COMMISSIONER FAIRMAN: Thank you.

24 Would this be a place where we could
25 start to discuss some of the run-up to that?

1 I mean, there's some public relations or
2 other things that could occur as a result of that,
3 and that conference might, in some circles, bring
4 additional visibility. Maybe it needs to be
5 addressed in here.

6 MR. BECKER: We can certainly look into
7 addressing it --

8 COMMISSIONER FAIRMAN: Just a thought.

9 MR. BECKER: -- this year. And
10 definitely next year, we'll definitely get the
11 information out of that question.

12 MR. LANG: I think that would be
13 something that we'd do next year. I don't think
14 we'd --

15 COMMISSIONER FAIRMAN: Okay.

16 MR. LANG: -- do it this year. But if
17 you'd like, we --

18 COMMISSIONER FAIRMAN: No, it's just --
19 I'm just -- I know that's coming forward and it's
20 going to be a wonderful opportunity, I think, for
21 us.

22 And the second, I -- in all of this,
23 most of it's paid. There's not -- I didn't see a
24 lot of opportunities for public relations, unpaid
25 kinds of things or speaking opportunities.

1 And I know that's something that you
2 already do, and you -- I think there -- I was
3 thinking there might be a place in this to talk
4 about that outreach that you already have. That's
5 truly education. It's something you do, and is a
6 component of the overall education plan. And I
7 would -- it's probably in there, but I didn't see
8 it addressed.

9 MR. BECKER: It's not in there because
10 it's something that continues all the time.

11 I can actually -- I can put that in.
12 It's not problem. But it's -- the outreach
13 program that we have we continue to try and speak
14 to groups on a weekly basis whenever we can.

15 COMMISSIONER FAIRMAN: Well, the reason
16 I would see it in here is because then that is an
17 opportunity to be measured as well. And because
18 it's in the plan and because you're doing it is a
19 wonderful thing to keep in front of all of us I
20 think.

21 MR. LANG: I did the Kiwanis club last
22 week, just so you know, we're doing it all the
23 time.

24 COMMISSIONER FAIRMAN: Let's take the
25 things that we do and do well, and we obviously do

1 them and maybe wrap them into this just a little
2 bit. Just a thought.

3 MR. LANG: Okay.

4 COMMISSIONER PARKER: Mr. Chairman?

5 CHAIRPERSON SCARAMAZZO: Yes, Royann.

6 COMMISSIONER PARKER: I do have a
7 question also of Mike.

8 Mike, do we currently have a handout
9 that we can provide to the -- I guess it would be
10 to the county when they send out the voter I.D.
11 cards, that we could give them a pamphlet to
12 include with the voter I.D. cards so that when
13 people get their voter I.D. card, they also get a
14 pamphlet saying what Clean Elections is all about,
15 how we get our funding, and kind of have that be
16 the first thing that they get, kind of let them
17 know what's going on.

18 Or if we can't do it that way, can we
19 get a list of new voters from the county so that
20 we could do that kind of mailing in-house and
21 congratulate them on exercising their right to
22 citizenship and registering to vote and here's
23 what Clean Elections is all about, and kind of
24 take a proactive step in educating the new voters?

25 MR. BECKER: Commissioner Parker, we

1 currently do not have a pamphlet or anything to
2 hand out.

3 We definitely can design one and we can
4 definitely work with the counties to begin -- and
5 include it into the mailing, or as you recommend
6 it, doing -- just doing our own mailing, which I
7 think would be much easier for us, and we can
8 work -- definitely work with the counties to see
9 if we can get the information. That's a very good
10 idea.

11 COMMISSIONER PARKER: Okay.

12 CHAIRPERSON SCARAMAZZO: Just a thought
13 also. Have we made any overtures -- I think it's
14 APS that sponsors the kids voting program. And a
15 lot of those materials go home, and it's amazing
16 how many parents, you know, utilize those
17 materials.

18 COMMISSIONER PARKER: That's true.

19 CHAIRPERSON SCARAMAZZO: And just
20 wondering if we could somehow get with APS and see
21 if we can dovetail Clean Elections with the kid's
22 voting program and get some use out of that.

23 MR. BECKER: Well, we certainly
24 can contact kids voting and see what we can do to
25 get involved and get the information to them.

1 MR. LANG: I'm on the board of the
2 Arizona Bar Foundation for Education and Kid's
3 Voting is one of their big projects, so I'll
4 certainly mention it to them.

5 CHAIRPERSON SCARAMAZZO: Okay.

6 MR. LANG: And Mike will have APS.

7 CHAIRPERSON SCARAMAZZO: Any other
8 questions or comments relating to Item Number VII,
9 the Voter Education Plan?

10 I guess you're seeking approval of this
11 plan?

12 MR. LANG: I am.

13 CHAIRPERSON SCARAMAZZO: Okay.

14 COMMISSIONER DANIELS: You go ahead.

15 COMMISSIONER FAIRMAN: Mr. Chair, I make
16 a motion that we approve the new 2008 Education
17 Plan and instruct staff to go forward.

18 CHAIRPERSON SCARAMAZZO: Okay.

19 COMMISSIONER PARKER: I'll second that.

20 CHAIRPERSON SCARAMAZZO: It's been moved
21 by Commissioner Fairman, seconded by Commissioner
22 Parker to approve the 2008 Voter Education Plan
23 and move it forward with staff.

24 Any discussion on this item?

25 All those in favor say "aye."

1 (Chorus of ayes.)

2 CHAIRPERSON SCARAMAZZO: Opposed?

3 Motion carries.

4 Item Number VIII, Discussion of Possible
5 Action on 2008 Calendar Year Budget.

6 Todd.

7 MR. LANG: Thank you, Mr. Chair.

8 Our deputy director Colleen McGee worked
9 with all of us, myself and all the rest of the
10 staff, to come up with this budget based on their
11 various needs and viewpoints.

12 And you already got a preview of this
13 budget because of our need to transfer money -- or
14 our desire to transfer money to the state fund.
15 So you already knew the general numbers, and then
16 this just does the math for you.

17 You see how the numbers come out. I
18 point out for our candidate funding, the number is
19 high for an off year, it's \$8.5 million. And as I
20 told you last month, the reason for that is we
21 anticipate -- because of all of the open seats, we
22 anticipate much higher participation.

23 In fact, I would guess it's going to hit
24 the 70 percent mark, which is -- I think is as
25 high as it can get really in Arizona. Because I

1 think you'll have a solid group of folks who just
2 run traditionally for whatever -- for a number of
3 reasons. And so, I think we're going to see a
4 real high participation level. You see the
5 numbers there.

6 Right now, we have 95 participating
7 candidates. And as you know, it's still February.
8 We're going to have a number of more.

9 Of course, only one is qualified for
10 funding, but, you know, we anticipate many of
11 those folks will qualify.

12 In 2004, which I think is the more
13 relevant year because it's the same kind of off
14 year, we had 118 participating candidates total
15 throughout the cycle who participated, who
16 actually stayed in the program. And we're already
17 at 95, so I think we're going to easily surpass
18 that number.

19 We'll see, but that's my prediction, and
20 that's where the numbers are coming from.

21 As for Administration and Enforcement,
22 you see the breakdown there. This is on page 3 of
23 your -- of the proposed budget.

24 I'll not repeat what it says there,
25 except to point out that we are paying for one

1 Secretary of State's employee who works with a lot
2 of Clean Elections issues over there, and that
3 number will -- will -- that -- that budget source
4 will stay.

5 The Secretary of State's office has
6 asked for additional funding, which I think
7 they're certainly entitled to.

8 Whether we can give them what they want
9 remains to be seen, and it depends on our income,
10 it depends on the state's needs for us to transfer
11 money. So that's something we're working on.

12 Capital equipment, this year we do have
13 a new photocopier. Our old one, we had budgeted
14 it for two years now and not done it because of
15 other fiscal needs and we finally had to do it
16 because the old one -- we were spending so much on
17 service that it wasn't -- that it wasn't
18 economically feasible.

19 We are keeping the old one, though, to
20 do our administrative copying and that sort of
21 thing.

22 We needed a new copier because, going to
23 Commissioner Daniel's point, we do so much more of
24 our education efforts in-house, and so we are
25 publishing most of our materials in house and so

1 we needed the new copier.

2 So that's in -- the voter -- that part
3 of the voter education budget.

4 Going to candidate funding -- I mean
5 total projected expenditures on page 5, you see
6 two big numbers there, professional outside
7 services and other operating expenditures, both
8 around \$4 million. And those are largely because
9 of our voter education needs.

10 Much of that is going to the publication
11 of the pamphlets. It's funny, they're called
12 pamphlets, but they are not pamphlets, they are a
13 book. And -- but that's what they're called. And
14 our various ads and outreach, efforts through the
15 radio and television.

16 Then you have on page 6 our actual
17 expenditures. And if you have any questions about
18 those, please, she and I are here to answer your
19 questions.

20 The other thing I can point out is we
21 tried to keep this budget as lean as possible, not
22 only because we want to be able to transfer money
23 to the state and we did so last month, but also
24 because we need to save as much money as we can
25 and as much spending room as we can for 2010,

1 because that will give us a statewide race in
2 which we anticipate many open seats for the
3 statewide offices and we anticipate higher than
4 ever matching funds. And so we need to keep as
5 much cap room as we can for 2010.

6 CHAIRPERSON SCARAMAZZO: Okay.

7 COMMISSIONER DANIELS: Do you want a
8 motion to approve?

9 Mr. Chairman, I make a motion that we
10 approve the Proposed 2008 Budget.

11 COMMISSIONER PARKER: And I'll second.

12 CHAIRPERSON SCARAMAZZO: It's been moved
13 by Commissioner Daniels, seconded by Commissioner
14 Parker to approve the 2008 Calendar Year Budget.

15 Any discussion on this item?

16 All those in favor say "aye."

17 (Chorus of ayes.)

18 CHAIRPERSON SCARAMAZZO: Opposed?

19 Motion carries.

20 Thanks, Colleen.

21 MS. MCGEE: Thank you, Commissioners. I
22 appreciate that.

23 CHAIRPERSON SCARAMAZZO: Item Number IX,
24 Discussion and Possible Action on the 2007 Annual
25 Report.

1 MR. LANG: Thank you, Mr. Chair,
2 Commissioners.

3 You have before you our annual report
4 which we do -- which we provide for the governor
5 every year.

6 Basically, it just gives a little
7 background on what we do. It's a little glossy
8 printout that Mike printed out for us.

9 The entire staff participated in putting
10 it together.

11 You can see the various summaries of our
12 activity over the year, quite brief. There's
13 reflections of litigation. And of course we had a
14 number of rule changes.

15 We didn't -- in the report, we didn't
16 get into the substance of the rule changes because
17 we just felt the public wouldn't be interested
18 generally. And if they were interested, they can
19 certainly come to us and we'll be happy to help
20 them with anything if they wanted to do more
21 serious research.

22 And really, also, that's it.

23 We'd ask that you approve this report.
24 You see we've already got the letter from the
25 Chair signed, and we ask that you approve it so

1 that we can go ahead and forward this to the
2 governor.

3 COMMISSIONER PARKER: Mr. Chair, I'm
4 going to make a motion we approve the 2007 Annual
5 Report.

6 COMMISSIONER FAIRMAN: I'll second it.

7 CHAIRPERSON SCARAMAZZO: It's been moved
8 by Commissioner Parker, seconded by Commissioner
9 Fairman to approve the 2007 Annual Report.

10 Any discussion on this item?

11 THE COURT REPORTER: I didn't hear you.

12 COMMISSIONER LINDHOLM: My middle
13 initial is W.

14 MR. LANG: Thank you. We will correct
15 that in the annual report, Commissioner Lindholm.
16 I apologize for the mistake.

17 COMMISSIONER LINDHOLM: No problem.

18 CHAIRPERSON SCARAMAZZO: Jeff?

19 COMMISSIONER FAIRMAN: I would only
20 add -- I think you guys did a great job.

21 I like the format of the annual report.
22 I find it very easy to read. It gets to the
23 point. It talks about the things that I think
24 people are most interested in.

25 You could have used this for a lot of

1 things, but you used it just to tell the story and
2 I appreciate that. I think it's very
3 straightforward, and good job.

4 CHAIRPERSON SCARAMAZZO: Further
5 discussion? Otherwise, all those in favor say
6 "aye."

7 (Chorus of ayes.)

8 CHAIRPERSON SCARAMAZZO: Opposed?

9 The motion carries.

10 And Item Number X is Discussion on the
11 Monthly Legislative Status Report.

12 Todd.

13 MR. LANG: Mr. Chair, this is a
14 placekeeper so that the Commission can discuss or
15 instruct staff regarding pending litigation -- I
16 mean pending legislation. And so I think there is
17 one bill worth discussing.

18 I'd point out that the other -- well,
19 let me just say, 2146, which would increase
20 matching funds, so far it hasn't received a
21 hearing. I don't anticipate that it will. If it
22 does, we'll certainly let you know.

23 As you know, Mike puts together the
24 summaries. In it, there's a recommendation on
25 what we think the Commission should do in terms of

1 taking positions on these bills.

2 Obviously, if you ever have a concern,
3 please call me right away. If you think we're not
4 taking the correct position so that, if need be,
5 we can do an emergency meeting with the
6 Commission. But at the very least, so that we can
7 discuss it.

8 So we take no position on House Bill
9 2146, and as I said, I do not anticipate that it
10 will move forward.

11 House Bill 2105 is simply a change
12 requested by the tax folks regarding the format.

13 I'm not thrilled about what they did
14 because they took us off the first page, our
15 checkoff. But we deferred to their wisdom.

16 They felt that it would be a better
17 structure, it would be easier for taxpayers to
18 read and to use. And so, staff got together and
19 we agreed to defer to their recommendation.

20 And so, we're neutral on the bill but we
21 don't have any problems with it, and it looks like
22 it's going to become a law. It's already passed
23 out of the house.

24 It's not -- it's a not -- it's
25 noncontroversial. There is really no one that is

1 concerned about it that I know.

2 Mike, do you know of any concerns?

3 MR. BECKER: No.

4 MR. LANG: And then the big bill that
5 I've been involved with is SCR 1021, which is a
6 resolution as you know. Commissioner Daniels
7 knows all about this.

8 It would refer to the voters the issue
9 of whether or not judges should be appointed as
10 they are now in our two largest counties, or be
11 elected. And we're talking about in the superior
12 court position, which is our court of general
13 jurisdiction.

14 We took -- and, you know, obviously,
15 I -- we let you know -- Mike let you know for our
16 newsletter, but we took no position on the merits,
17 that is whether or not judges should be elected.
18 We just felt it wasn't appropriate for a state
19 agency to get involved in that sort of thing.

20 But the reason it's of great important
21 to us is because these judges would run clean.

22 They would have the opportunity to run
23 as participating candidates, and given that, we
24 certainly had to let the legislature know our
25 concerns about some technical issues regarding how

1 the information is reported, whether it goes to
2 the Secretary of State or the county, and we did
3 that -- I testified to that.

4 In fact, my testimony is available on
5 line if you go to the hearings. You can see the
6 hearings for Monday if you want to check it out
7 and see what I said.

8 But basically that's what I said, we had
9 a concern about some technical issues and we had
10 a -- we also pointed out that we estimated \$17
11 million in cost per election, which is a lot.

12 We had that money, we just gave it to
13 the state. And that's basically what I told
14 Chairman Gray that, you know, it's a zero sum
15 game, Senator, we'll do whatever you instruct, but
16 we can't give you money and fund the judges, so
17 just let us know.

18 It wasn't the -- and, you know, lots of
19 party folks both for and against the bill
20 testified, but ultimately it wasn't -- it was
21 held.

22 So, right now, it's not moving forward.
23 But my understanding -- staff hears through the
24 grapevine that it may come back as a change to
25 striker. So it may still be considered.

1 It would certainly be a challenge for
2 us, but, you know, in my humble opinion, coming
3 from a state -- before I practiced in Arizona, I
4 practiced in a state with elected judges, and I
5 think that Clean Elections is a good idea when you
6 have judges.

7 Regardless of how you feel about Clean
8 Elections, if you're going to have it anywhere,
9 judges are the one area which it should be.

10 But it would certainly be a challenge
11 for us given the financial constraints we have and
12 other issues. It would -- that's 200 seats right
13 there so, that's a lot of judges.

14 That's all the information I have for
15 you.

16 If you have instruction or questions,
17 please let me know.

18 COMMISSIONER PARKER: Mr. Chairman?

19 CHAIRPERSON SCARAMAZZO: Royann.

20 COMMISSIONER PARKER: Todd, I do have a
21 question for you.

22 When you were talking about -- for the
23 reports filed with candidates would be done.
24 And -- is there -- can we research to find out if
25 we could use the same software that Secretary of

1 State uses and put a terminal that either they
2 could access the Secretary of State's software or
3 give them their own copy with the various county
4 voter's offices so that we don't have to reinvent
5 a wheel and we could just piggyback onto that
6 software that's being currently used?

7 MR. LANG: Commissioner Parker,
8 Commissioners, that's something we can -- we will
9 certainly discuss with the Secretary of State's
10 office if it moves forward.

11 Remember, all reporting that goes to the
12 Secretary of State is all done on-line now, so --

13 COMMISSIONER PARKER: Right.

14 MR. LANG: -- the remote terminals
15 aren't as important now that you no longer have to
16 have the proprietary software downloaded. So the
17 new system is a huge improvement.

18 And, again, we congratulate the
19 Secretary of State's office on that.

20 The issue of how and where to report it,
21 whether it's the Secretary of State or the county
22 recorders is more complicated than I thought.

23 There are concerns amongst both the
24 recorders and the Secretary of State's office
25 regarding those issues.

1 You know, from our perspective, we like
2 it the way it works now, it works great for us
3 with the Secretary of State's office, and so we
4 just want it to work that way. But, apparently,
5 there's some complicated issues.

6 So if the bill does moves forward,
7 that's something we'll have to negotiate and work
8 on.

9 And we'll most certainly keep you
10 abreast of what's going on, Commissioner Parker,
11 and the rest of the Commissioners.

12 COMMISSIONER PARKER: Okay. I
13 appreciate that.

14 Mr. Chairman, I need to leave the
15 meeting, if I could, please.

16 CHAIRPERSON SCARAMAZZO: You bet. Good
17 luck.

18 COMMISSIONER PARKER: Okay. Thank you.

19 CHAIRPERSON SCARAMAZZO: All the best to
20 your mom.

21 COMMISSIONER PARKER: Thank you. I
22 appreciate it.

23 CHAIRPERSON SCARAMAZZO: Thank you.

24 COMMISSIONER PARKER: Bye-bye.

25 CHAIRPERSON SCARAMAZZO: Bye-bye.

1 Any other discussion for Todd on the
2 legislative update? Otherwise, we'll move on.

3 Don't see any action there. So we'll
4 move on and go to the public comment period of the
5 agenda where anyone in the audience who has
6 anything to bring to the attention of the
7 Commission, we'd certainly invite you to do so at
8 this time.

9 Please come forward.

10 Welcome.

11 MR. TYNE: Thank you.

12 Mr. Chairman, my name is Kevin Tyne, and
13 I'm the Deputy Secretary of State. And on behalf
14 of the Secretary of State Brewer sent me here
15 today and wanted to welcome Commissioner Daniels
16 and we are thrilled that she agreed to be on the
17 Commission and we look forward to a long and
18 prosperous relationship between our two offices.

19 CHAIRPERSON SCARAMAZZO: Good deal. We
20 appreciate that.

21 Send our best to the Secretary of State.
22 Okay?

23 MR. TYNE: Very good. Thanks.

24 MR. LANG: Thanks.

25 CHAIRPERSON SCARAMAZZO: Anything else?

1 Otherwise that brings us to one of our favorite
2 part of the agenda, the adjournment.

3 COMMISSIONER FAIRMAN: I'd like to make
4 a motion to adjourn.

5 COMMISSIONER DANIELS: Second.

6 CHAIRPERSON SCARAMAZZO: Moved and
7 seconded. And all those in favor say "aye."

8 (Chorus of ayes.)

9 CHAIRPERSON SCARAMAZZO: Opposed?

10 Motion carries.

11 Thank you everyone for your help and
12 attendance and see you next month.

13
14 (Whereupon the proceeding concludes at
15 10:30 a.m.)
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REPORTER'S CERTIFICATE

I, SABRE DETERDING, RPR, a certified court reporter, Certificate Number 50492, in the State of Arizona do hereby certify that the foregoing pages constitute a full, accurate transcription record of my stenographic notes, taken at said time and place, all done to the best of my skill and ability.

SIGNED and dated this 3rd day of March, 2008.

Sabre D. Deterding, RPR
Certified Court Reporter
Certificate No. 50492