

Report of Special August 9, 2016 Citizens Clean Elections
Commission (CCEC) Meeting by Rivko Knox for LWVAZ

1. Four of the five Commissioners participated, but all by teleconference, i.e., Chairman Laird, Commissioners Kimble, Meyer and Titla:

2. The focus of this meeting was the issue of the recent Governor's Executive Order banning the hiring of lobbyists by state agencies etc., and the Commission's position that as it was created by an Initiative, it's authority comes from the initiative/law and cannot be impacted by Executive Orders.

In reality this is part of an almost year long intense disagreement between the CCEC and the Executive Branch, i.e., the Governor, his Regulatory Review Commission (GRRC) and the Secretary of State's (SOS) Office over the Commission's authority, which is, I think (editorial here) really a philosophical/political disagreement about Clean Elections per se, with the Executive Branch using any tool it can find to challenge the CCEC.

The best summary of the situation is an article in the August 5, 2016 Capitol Times, page 9 by Jeremy Duda. (Gini I believe you subscribe and thus can easily find the link and send it.)

Specifically, DOA, acting on behalf of the Governor and his Ex. Order, sent out a form to all agencies that hire lobbyists asking them to sign it, but according to Tom Collins, it's not clear what that form really means. Thus he was authorized by the Commission as its last meeting to not sign the form but send back a letter saying why it was not signed.

At this meeting, Collins requested that the CCEC authorize him to

submit a request for an exemption, which must be granted by DOA, although the Governor's Ex. Order stated that such should be 'rare' etc.

Collins further stated that so far, to the best of his knowledge, one other state agency has filed for an exemption with DOA; 14 have not returned the form; and several others have asked for the Exemption Form. He also said that shortly before this meeting, he got a call from DOA asking for a meeting toward the end of next week, which he plans to attend.

The CCEC AUTHORIZED COLLINS TO SEND THE EXEMPTION REQUEST RE LOBBYISTS TO THE DOA.

3) The final item on the agenda dealt with a request by Collins to send a letter to all entities required by law to either submit election related expenditure reports or request an exemption (clearly 'exemption' was the 'word' of the day at this meeting) saying they are not subject to the law. As both SOS and the CCRC have some overlapping authority and both require some reports to be filed, Collins created a form by which an entity can state they are exempt and/or already filed with the SOS. Collins said that this year there have been fewer requests for exemptions currently but that he planned, with the CCEC's authorization, to send reminder notices to all those he thinks might fall into this category (e.g., corporations, limited liability corporations, unions etc. as well as the attorneys who specialize in these issues) reminding them that they should submit this exemption form. Collins said he thought most would comply and that he wanted to make sure they were aware that the CCEC had the authority to request such.

THE CCEC AUTHORIZED COLLINS TO SEND A LETTER RE
REPORTING EXEMPTIONS AND THE EXEMPTION FORM TO
POTENTIALLY COVERED ENTITIES.