

**EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed.

EXECUTIVE ORDER 2001-7

**TO ALLOCATE FUNDS TO ENSURE CONTINUATION OF HOSPITAL SERVICES FOR PERSONS SERVED
BY THE SOUTHEAST ARIZONA MEDICAL CENTER IN DOUGLAS, ARIZONA**

WHEREAS, the Southeast Arizona Medical Center in Douglas, a nonprofit, community-controlled entity, has been providing hospital services to residents of Cochise County for over ninety years; and

WHEREAS, the Southeast Arizona Medical Center in Douglas is an acute care general hospital that provides routine, urgent and emergency medical services to patients with private health insurance, public sponsored health insurance, and the working poor; and

WHEREAS, the Southeast Arizona Medical Center in Douglas and its medical staff provided services to over 15,000 children and adults in the year 2000; and

WHEREAS, the nearest comparable medical facility is over 20 miles from Douglas; and

WHEREAS, circumstances not under the hospital's control occurred in 1999 and 2000 that placed the hospital in financial peril and threatened to result in the closing of the hospital, thereby jeopardizing the health and well-being of residents in the area; and

WHEREAS, Community Healthcare of Douglas, Inc., which operates the Medical Center, has called upon other public and private resources to maintain its viability to this point, and has a viable plan to return to financial solvency within the next six months; and

WHEREAS, Community Healthcare of Douglas, Inc. is seeking a one-time grant to serve as a "bridge" to stabilize a short-term cash flow crisis as they move to permanent stability; and

WHEREAS, during the 1997 First Regular Session of the Forty-third Legislature, the Health Crisis Fund was established, authorizing the Governor to expend funds in order to respond to an existing health crisis;

NOW, THEREFORE, I, Jane Dee Hull, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and Laws of the State, do hereby declare a health crisis or a significant potential for a health crisis in this State and hereby,

Allocate on a one-time basis, such funds as necessary, not to exceed \$250,000, from the Health Crisis Fund as established pursuant to A.R.S.36-797 to the Department of Health Services, to be distributed as needed to Community Healthcare of Douglas, Inc. for the continuation of the Southeast Arizona Medical Center.

Direct the Department of Health Services to report the expenditures of these funds made by Community Healthcare of Douglas, Inc. to the Joint Legislative Oversight Committee on the Tobacco Tax and Health Care Fund pursuant to A.R.S. 36-797.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Jane Dee Hull

Governor

DONE at the Capitol in Phoenix on this First Day of May Two Thousand One and of the Independence of the United States of America the Two Hundred and Twenty Fifth.

ATTEST:

Betsey Bayless

Secretary of State

EXECUTIVE ORDER 2001-10

RECEIPT OF CRIMINAL HISTORY RECORD INFORMATION

LINDEN FIRE DISTRICT

WHEREAS, the Linden Fire District is responsible under Section 48-805, Arizona Revised Statutes (A.R.S.), to employ any personnel deemed necessary for fire protection and preservation of life, and it would be in the best interests of the state to inquire into the character and past criminal conduct of employees and volunteers; and

WHEREAS, the Arizona Department of Public Safety maintains a Central State Repository pursuant to A.R.S. § 41-1750 for the purpose of procuring and maintaining information concerning arrests and convictions of persons for public offenses in Arizona; and

WHEREAS, the Central State Repository is authorized pursuant to A.R.S. § 41-1750 to provide criminal history record information to non-criminal justice agencies of the State for the purpose of evaluating the fitness of prospective and current employees and volunteers; and

WHEREAS, the Linden Fire District is considered a non-criminal justice agency of the State; and

WHEREAS, non-criminal justice agencies of the State may receive criminal history record information from the Arizona Department of Public Safety pursuant to A.R.S. § 41-1750 only by specific authority granted to that agency by statute, ordinance or executive order, and subject to rules of the Arizona Department of Public Safety.

NOW, THEREFORE, I, Jane Dee Hull, Governor of the State of Arizona, under authority provided by A.R.S. § 41-1750, hereby authorize the Central State Repository of the Arizona Department of Public Safety to provide, upon receipt of applicant fingerprint cards, and the chief officer of the Linden Fire District to receive, criminal history record information for the purpose of evaluating the fitness of prospective employees and volunteers in accordance with those rules issued by the Arizona Department of Public Safety.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Jane Dee Hull

Governor

DONE at the Capitol in Phoenix on this Twenty First Day of June Two Thousand One and of the Independence of the United States of America the Two Hundred and Twenty Fifth.

ATTEST:

Betsey Bayless

Secretary of State

EXECUTIVE ORDER 2001-11
RECEIPT OF CRIMINAL HISTORY RECORD INFORMATION
FOUNTAIN HILLS FIRE DEPARTMENT

WHEREAS, the Fountain Hills Fire Department is responsible under Section 48-805, Arizona Revised Statutes (A.R.S.), to employ any personnel deemed necessary for fire protection and preservation of life, and it would be in the best interests of the state to inquire into the character and past criminal conduct of employees and volunteers; and

WHEREAS, the Arizona Department of Public Safety maintains a Central State Repository pursuant to A.R.S. § 41-1750 for the purpose of procuring and maintaining information concerning arrests and convictions of persons for public offenses in Arizona; and

WHEREAS, the Central State Repository is authorized pursuant to A.R.S. § 41-1750 to provide criminal history record information to non-criminal justice agencies of the State for the purpose of evaluating the fitness of prospective and current employees and volunteers; and

WHEREAS, the Fountain Hills Fire Department is considered a non-criminal justice agency of the State; and

WHEREAS, non-criminal justice agencies of the State may receive criminal history record information from the Arizona Department of Public Safety pursuant to A.R.S. § 41-1750 only by specific authority granted to that agency by statute, ordinance or executive order, and subject to rules of the Arizona Department of Public Safety.

NOW, THEREFORE, I, Jane Dee Hull, Governor of the State of Arizona, under authority provided by A.R.S. § 41-1750, hereby authorize the Central State Repository of the Arizona Department of Public Safety to provide, upon receipt of applicant fingerprint cards, and the chief officer of the Fountain Hills Fire Department to receive, criminal history record information for the purpose of evaluating the fitness of prospective and current employees and volunteers in accordance with those rules issued by the Arizona Department of Public Safety.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Jane Dee Hull
Governor

DONE at the Capitol in Phoenix on this Twenty First Day of June Two Thousand One and of the Independence of the United States of America the Two Hundred and Twenty Fifth.

ATTEST:

Betsey Bayless
Secretary of State

EXECUTIVE ORDER 2001-12

**TO ALLOCATE FUNDS TO PROVIDE FOR REIMBURSEMENT OF EMERGENCY-RELATED SERVICES
PROVIDED TO UNDOCUMENTED PERSONS**

WHEREAS, for the past eight years the Arizona Health Care Cost Containment System (AHCCCS), in compliance with A.R.S. § 36-2905.05 and A.R.S. § 11-297, has provided emergency services to undocumented persons who do not qualify for Medicaid or state-only AHCCCS programs under the Federal Emergency Services (FES) and State Emergency Services (SES) programs; and

WHEREAS, with the implementation of Proposition 204 as prescribed in Laws 2001, Chapter 344, the SES Program will be absorbed by the new 100 percent of Federal Poverty Level eligibility expansion, and the SES program will be repealed on October 1, 2001; and

WHEREAS, some of the services, such as chronic outpatient kidney dialysis for End Stage Renal Disease or rehabilitation services following an emergency episode, have not been determined by AHCCCS to constitute emergency services under the federal definition, and have been reimbursed with state-only funds under the SES program; and

WHEREAS, AHCCCS has written to the Federal Center for Medicare and Medicaid Services (CMS) requesting guidance whether services historically reimbursed under the SES Program can now be reimbursed as an emergency service under the FES Program; and

WHEREAS, AHCCCS has not been appropriated state funds in fiscal year 2001-2002 to pay for services provided to undocumented persons that are not reimbursable under the FES Program; and

WHEREAS, CMS may advise the state that federal funds are not available for certain services currently covered under the SES program, and the legislature will need to make a decision whether to continue providing these services with 100 percent state funds; and

WHEREAS, during the 1997 First Regular Session of the Forty-third Legislature, the Health Crisis Funds was established, authorizing the Governor to expend funds in order to respond to an existing health crisis;

NOW, THEREFORE, I, Jane Dee Hull, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and Laws of the State, do hereby declare a health crisis or a significant potential for health crisis in this State and hereby,

1. Allocate, on a one-time basis, \$500,000 from the Health Crisis Fund as established pursuant to A.R.S. § 36-797 to the Department of Health Services, to be distributed to the Arizona Health Care Cost Containment Administration (AHCCCS) for reimbursement of emergency services as determined and prior authorized by AHCCCS for undocumented persons who are not eligible for reimbursement by Medicaid.
2. Direct the Department of Health Services to report the expenditures of these funds made by the Arizona Health Care Cost Containment Administration to the Joint Legislative Oversight Committee on Tobacco Tax and Health Care Fund pursuant to A.R.S. § 36-797.
3. Any monies in the account that are unspent within eighteen months of the date of this Executive Order shall be returned to the state to be deposited in the Medically Needy Account of the Tobacco Tax and Health Care Fund account established pursuant to A.R.S. § 36-774.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Jane Dee Hull
Governor

DONE at the Capitol in Phoenix on this Twenty First Day of June Two Thousand One and of the Independence of the United States of America the Two Hundred and Twenty Fifth.

ATTEST:

Betsey Bayless
Secretary of State

EXECUTIVE ORDER 2001-13
(Amending Executive Order 2001-9)

CREATING THE GOVERNOR'S TRAFFIC SAFETY ADVISORY COUNCIL

WHEREAS, traffic and motor vehicle crashes cause numerous personal injuries and fatalities, as well as extensive property damage; and

WHEREAS, improving traffic safety must involve the "3 E's": *engineering*, or design elements that make roadways safer; *enforcement*, namely the role local and state officers play in serving and protecting users of the road; and *education*, informing drivers about new traffic laws and techniques to better protect themselves and others; and

WHEREAS, there exists a high level of public interest in highway and traffic safety issues and the need to develop more effective strategies to reduce the costs in lives, human suffering and property damage associated with motor vehicle crashes in Arizona; and

WHEREAS, the existing ad hoc Highway Safety Team has done an excellent job over the last eighteen months to identify numerous strategies for improving traffic safety and supporting historic legislation to toughen Arizona's laws dealing with impaired driving, red light running and the use of passenger safety restraints;

NOW, THEREFORE, I, Jane Dee Hull, by virtue of the authority vested in me as Governor by the Constitution and the Laws of the State, do hereby establish the Governor's Traffic Safety Advisory Council.

- 1). The Governor shall appoint members to the Advisory Council. Members shall serve at the pleasure of the Governor.
 - a. The Advisory Council will include the directors of the Department of Transportation (ADOT) and the Department of Public Safety (DPS) and the Governor's Office of Highway Safety (GOHS), who shall serve as co-chairs. The directors may establish committees to deal with specific traffic safety issues and they may designate staff within their respective agencies to assist with or serve on the committees.
 - b. The Advisory Council will include the Governor's Executive Assistants for Criminal Justice and Transportation.
 - c. The Advisory Council will include the Chairs of the Transportation Committees of the Arizona State House of Representatives and the Arizona State Senate.
 - d. The Advisory Council will include representatives from the Federal Highway Administration and the Federal Motor Carrier Safety Administration.
 - e. The Advisory Council will include one representative from each of the following organizations or governmental entities:
 - AAA of Arizona
 - Arizona Driver & Safety Education Association
 - Arizona County Sheriffs Association
 - Arizona Police Chiefs Association
 - Arizona Safe Kids Coalition
 - Mothers Against Drunk Drivers (MADD)
 - Students Against Destructive Decisions (SADD)
 - Red Means Stop Coalition
 - National Safety Council
 - Professional Fire Fighters of Arizona
 - An urban regional planning agency
 - An urban street transportation department

2). Members may send alternates to represent them at Advisory Council meetings.

3). The Advisory Council shall:

Governor's Executive Orders/Proclamations

- (a). Develop strategies for improving traffic safety on our federal, state, county and local roads through better engineering, enforcement and education.
 - (b). Identify "best practices" for improving traffic safety, including but not limited to, programs or laws that have been proven effective to reduce the incidents of red light running and impaired driving and increase the use of passenger safety restraints.
 - (c). Recommend specific traffic safety legislation for possible consideration during the following regular session of the Arizona Legislature.
 - (d). Review and recommend specific educational materials that could be incorporated into existing or new driver training and high school driver education classes or courses.
 - (e). Analyze current state and federal laws and programs governing motor carrier safety and recommend any changes that would enhance the effectiveness of these laws or programs.
 - (f). Establish a matrix of indicators that objectively measure or report our state's progress in reducing serious injuries and fatalities due to vehicular crashes on state and local roads.
- 5). The Advisory Council shall submit its recommendations to the Governor, the President of the Senate and the Speaker of the Arizona House of Representatives by December 31 of each year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Jane Dee Hull
Governor

DONE at the Capitol in Phoenix on this Twenty Sixth Day of June Two Thousand One and of the Independence of the United States of America the Two Hundred and Twenty Fifth.

ATTEST:

Betsey Bayless
Secretary of State