

## **GOVERNOR'S EXECUTIVE ORDERS AND PROCLAMATIONS**

Governor's Executive Orders and Proclamations of general applicability are on file with the Office of the Secretary of State and are available for public viewing from the Public Services Division between 8:00 a.m. and 5:00 p.m., Monday through Friday (except state holidays) at 14 N. 18th Avenue in Phoenix. Call (602) 542-4086.

### **EXECUTIVE ORDERS (FILED FROM JANUARY THROUGH JUNE 2002)**

<b>Number</b>	<b>Subject</b>	<b>Issue Date</b>
2002-1	Receipt of Criminal History Record Information Camp Verde Fire District	January 8, 2002
2002-2	To Allocate Funds to Ensure Continuation of the Non-Renal Transplant Medication Program	January 18, 2002
2002-3	Establishing a Governor's Advisory Council on Aviation	January 13, 2002
2002-4	Establishing a Governor's Nursing Shortage Task Force	February 19, 2002
2002-5	Establishing the Growing Smarter Oversight Council	March 4, 2002
2002-6	Receipt of Criminal History Record Information Verde Valley Fire District	March 21, 2002
2002-7	To Require Coordination Among Various State Agencies to Fight Homelessness	March 27, 2002
2002-8	The State of Arizona Telework Program	May 13, 2002
2002-9	Establishing an Agricultural Water Conservation Best Management Practices Advisory Committee	May 15, 2002
2002-10	Arizona Smart Energy Usage - Phase II	June 4, 2002
2002-11	Terminating the Board of Directors of the Governor's Alliances Against Drugs	June 11, 2002
2002-12	To Allocate Funds to the Arizona Pioneers' Home	June 27, 2002
2002-13	To Allocate Funds to Provide for Reimbursement of Kidney Dialysis and Chemotherapy Services Provided to Undocumented Persons Pursuant to A.R.S. § 36-2901.06	June 25, 2002
2002-14	To Allocate Funds to Ensure the Continuation of Sexual Abuse Crisis Lines and Services for Central, Southern and Northern Arizona	June 27, 2002

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*Because the following Executive Orders were not published in the weekly edition of the Arizona Administrative Register upon submission to the Office of the Secretary of State, they have been included in this publication to comply with the Administrative Procedure Act.*

**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 requires the text of all Executive Orders and Proclamations of General Applicability issued by the Governor to be published in the *Arizona Administrative Register*. 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. Spelling, grammar, and punctuation of these orders has been reproduced as submitted.

**EXECUTIVE ORDER 2002-1  
RECEIPT OF CRIMINAL HISTORY RECORD INFORMATION  
CAMP VERDE FIRE DISTRICT**

**WHEREAS**, the Camp Verde 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 noncriminal justice agencies of the State for the purpose of evaluating the fitness of prospective and current employees and volunteers; and

**WHEREAS**, the Camp Verde Fire District is considered a noncriminal justice agency of the State; and

**WHEREAS**, noncriminal 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 Camp Verde Fire District to receive, criminal history record information for the purpose of evaluating the fitness of prospective, current and reserve 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 Eighth day of January Two Thousand Two and of the Independence of the United State of America the Two Hundred and Twenty-Sixth.

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**ATTEST:**

**Betsey Bayless**  
Secretary of State

**EXECUTIVE ORDER 2002-2**  
**TO ALLOCATE FUNDS TO ENSURE CONTINUATION OF THE**  
**NON-RENAL TRANSPLANT MEDICATION PROGRAM**

**WHEREAS**, patients who receive an organ transplant are required to take various forms of transplant related medication, usually for the remainder of their lives; and

**WHEREAS**, in 1998 the Arizona Legislature allocated \$200,000 per year, subject to the availability of monies in the Medically Needy Account of the Tobacco Tax Fund, to make post-surgical prescription medications available to non-renal transplant recipients for whom no other coverage was available; and

**WHEREAS**, the Arizona Department of Health Services contracts with the University Medical Center (UMC) to administer this statewide program; and

**WHEREAS**, all funding is used to procure medication, with UMC providing overhead and administrative costs on an in-kind basis; and

**WHEREAS**, the number of persons needing this assistance increased from 7 people at a cost of \$11,500 in 1997 to 27 people at a cost of \$147,100 in 2001; and

**WHEREAS**, the Arizona Legislature reduced the appropriation for 2002 to \$70,000 based only on 1998, 1999, and 2000 data, because the 2001 costs were not yet finalized; and

**WHEREAS**, the total estimated cost for providing these medications for the full fiscal year 2002 is \$150,000, and the \$70,000 has already been spent during the first six months of fiscal year 2002, leaving an \$80,000 shortfall; and

**WHEREAS**, this shortfall will leave some 22 people without continued access to these critical medications; 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,

1. Allocate, such funds as necessary, not to exceed \$80,000, 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, for the continuation of the Non-renal Transplant Medication Program.
2. Direct the Department of Health Services to report the expenditures of these funds 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 Eighteenth day of January Two Thousand Two and of the Independence of the United State of America the Two Hundred and Twenty-Sixth.

**ATTEST:**

**Betsey Bayless**  
**Secretary of State**

**EXECUTIVE ORDER 2002-3**

**ESTABLISHING A GOVERNOR'S ADVISORY COUNCIL ON AVIATION**

**WHEREAS**, an efficient and reliable aviation system is a critical element of Arizona's overall transportation system and the vitality of our state's economy; and

**WHEREAS**, aviation's primary impact on Arizona's economy was \$15.1 billion in 1998 and supported over 167,000 jobs with a payroll of \$4.3 billion; and

**WHEREAS**, air travelers and tourists spent \$4.5 billion in Arizona in 1998, creating over 77,000 jobs in lodging, retailing and the service sector; and

**WHEREAS**, over the next 20 years the total number of passengers boarding commercial aircraft at Sky Harbor International and Tucson International is expected to increase by 79 percent.

**WHEREAS**, the total number of general aviation aircraft based in Arizona is expected to increase by more than 30 percent over the next 20 years; and

**WHEREAS**, the amount of cargo passing through Sky Harbor International and Tucson International and other major airport facilities throughout Arizona is expected to more than double over the next 20 years; and

**WHEREAS**, there is a lack of communication or coordination between state and local entities with federal agencies that regulate airspace and other aspects of aviation in our state; and

**WHEREAS**, there is a distinct need to improve coordination and the compatibility between land use planning and airport facilities;

**NOW, THEREFORE**, I, Jane Dee Hull, by virtue of the authority vested in me as Governor by the Arizona Constitution and the laws of the State, do hereby establish the **Governor's Advisory Council on Aviation** to serve the purpose of developing strategies for improving the efficiency of Arizona's aviation system, enhancing land use and aviation planning and improving the working relationship and communication between state and local aviation entities and the federal agencies that have the primary responsibility for regulating aviation in this state.

1. The members of the Task Force shall be appointed by the Governor and will serve at the pleasure of the Governor for up to two years.
  - a. The Task Force membership will include a chairperson to be named by the Governor.
  - b. The Task Force will include the Director of the Arizona Department of Transportation or designee and at least seven at-large members with expertise or experience in aviation. At-large members shall not advocate for or represent any special or corporate interest when performing their duties on the Advisory Council. The Advisory Council, during the course of its deliberations, should take testimony from all aviation interests including corporations, aviation businesses, military, special interest groups and the general public.
  - c. The Governor may appoint representatives from other state, regional or federal agencies, such as the Federal Aviation Administration and the U.S. Department of Defense to serve as Ex-Officio members of the Advisory Council.
  - d. The Arizona Department of Transportation shall serve as staff to the Advisory Council.
2. The Advisory Council, in consultation with state, regional and local transportation entities, shall establish mechanisms or procedures for improving the communication, dialogue and working relations with federal agencies that have jurisdiction over aviation issues in Arizona.

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3. The Advisory Council shall work with the State Transportation Board and other appropriate aviation officials to establish a process for defining future aviation needs and a strategy for addressing these needs.
4. The Advisory Council shall study and issue "consensus" findings and recommendations that specifically address the following issues:
  - a. Airspace utilization and airport capacity
  - b. Environmental issues
  - c. Land use compatibility
  - d. Connectivity to surface transportation
  - e. Facility utilization
  - f. Federal funding for aviation in Arizona
  - g. Other federal aviation programs
  - h. Criteria for evaluating aviation facilities and systems.
  - i. Future aviation needs assessments and funding strategies
5. The Advisory Council shall issue a preliminary report on or before December 31, 2002 and a final report on or before December 31, 2003 to the Governor, the President of the Arizona State Senate and the Speaker of the Arizona House of Representatives.

**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 Thirtieth Day of January Two Thousand Two and of the Independence of the United States of America the Two Hundred and Twenty-Sixth.

**ATTEST:**

**Betsey Bayless**  
Secretary of State

**EXECUTIVE ORDER 2002-4**  
**ESTABLISHING A GOVERNOR'S NURSING SHORTAGE TASK FORCE**

**WHEREAS**, an educated, well-developed, reliable supply of professional nurses is acknowledged to be crucial to the health and well-being of Arizonans; and

**WHEREAS**, national and state data indicate the potential for a future health crisis due to a lack of nurses; and

**WHEREAS**, the 2000 census reported that the population of Arizona had grown by 30% during the past decade while the number of new registered nursing graduates in Arizona has remained relatively unchanged for the same period; and

**WHEREAS**, Arizona has fewer registered nurses per 100,000 residents than the national average, and the annual turnover rate for nurses in Arizona is higher than the national average; and

**WHEREAS**, there are independent efforts underway among various stakeholders to address the nursing shortage, which, the stakeholders agree, would benefit from a comprehensive statewide approach;

**NOW, THEREFORE**, I, Jane Dee Hull, by virtue of the authority vested in me as Governor by the Arizona Constitution and the laws of the State, do hereby establish the **Governor's Nursing Shortage Task Force**, whose purpose shall be to evaluate the unique issues facing Arizona and make recommendations that will help ensure an adequate supply of professional nurses in Arizona for the 21<sup>st</sup> century.

1. The Task Force shall consist of a maximum of 35 members.

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2. The members of the Task Force shall be appointed by the Governor and shall serve at the pleasure of the Governor for up to two years.
  - a. The Task Force membership shall include two Co-chairs to be named by the Governor.
  - b. The Task Force shall include representation from the nursing community, hospitals, long term care institutions, the universities, community colleges and public health.
3. The Task Force shall review critical, short and long-range nursing needs in both rural and urban areas of this state.
4. The Task Force shall identify and recommend approaches, strategies and actions to address the education, recruitment and retention of nurses.
5. The Task Force shall submit an interim report on or before December 15, 2002 and a final report to the Governor on or before December 31, 2003. Both reports shall contain consensus findings and recommendations of the Task Force. The reports shall be made available to the President of the Senate, the Speaker of the House of Representatives, the members of the Arizona State Legislature and the private sector, including community and citizens groups.

**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 Nineteenth Day of February Two Thousand Two and of the Independence of the United States of America the Two Hundred and Twenty-Sixth.

**ATTEST:**

**Betsey Bayless**  
Secretary of State

**EXECUTIVE ORDER 2002-5**  
**ESTABLISHING THE GROWING SMARTER OVERSIGHT COUNCIL**  
**(Amending Executive Order 2001-2)**

**WHEREAS**, Arizona's quality of life and vibrant economy have made it one of the fastest growing states in the nation; and

**WHEREAS**, to sustain this economic prosperity without irreparably damaging the State's natural resources, growth must be well planned and managed in the 21<sup>st</sup> Century; and

**WHEREAS**, through a partnership among the Legislature, interested citizens, and this Office, a comprehensive effort was undertaken to address growth related issues which resulted in passage of the Growing Smarter and Growing Smarter Plus Acts; and

**WHEREAS**, the Growing Smarter Act of 1998 and the Growing Smarter Plus Act of 2000 consist of comprehensive municipal, county and state land department land use planning and zoning reforms and provide for the acquisition and preservation of open spaces, all in order to further the best interests of the citizens of Arizona by protecting Arizona's natural heritage and wisely managing the growth of our communities; and

**WHEREAS**, the Growing Smarter Commission, which was created in the Growing Smarter Act of 1998 to study and consider issues relating to land use policies, recommended in its final report that a process be established through this Office to systematically monitor and evaluate the effectiveness of the Growing Smarter and Growing Smarter Plus Acts and that part of that process include an annual report to the legislature and the citizens of Arizona evaluating the effectiveness of the Acts and recommending changes that would better achieve the goals of the Acts; and

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**WHEREAS**, the 2001 State of the State Address included an announcement of the creation of the Growing Smarter Oversight Council, a public/private partnership, for the purposes of monitoring the implementation of the Growing Smarter and Growing Smarter Plus Acts, identifying obstacles to implementation and suggesting refinements, developing a method of measuring the effectiveness of Growing Smarter, and determining how compliance with the Acts should be addressed;

**NOW, THEREFORE**, I, Jane Dee Hull, do create the Growing Smarter Oversight Council.

The Oversight Council shall: monitor the implementation of the Growing Smarter and Growing Smarter Plus Acts; identify obstacles to implementation; suggest refinements to facilitate implementation; develop a method of measuring the effectiveness of the Acts; measure the effectiveness of the Acts; determine how compliance with the Acts should be addressed; suggest improvements to the Acts; and annually report the Legislature, the Citizens of Arizona, and this Office on the aforementioned; and

The primary phase of the Oversight Council shall be to identify obstacles to implementation of the Acts and suggest refinements to facilitate implementation; and

The Oversight Council shall include in its discussions the recommendations of and legislation resulting from other groups convened to discuss growth related issues, including but not limited to: the Groundwater Management Commission; the Brown Cloud Summit; the Vision 21 Transportation Task Force and the Arizona Partnership for the New Economy; and

The Council shall be made up of at least 17 individuals, including the directors of the Arizona Departments of Commerce, Environmental Quality, Game and Fish, State Land, Transportation and Water Resources, or their designees, as well as representatives of other subdivisions of governments, individuals from conservation and/or environmental groups, agricultural groups, businesses, and planning organizations;

Members other than state agency directors shall serve at the pleasure of the Governor and shall serve five year terms, and initial terms for initial members shall be staggered to prevent simultaneous expiration of all terms; and

The Governor shall appoint a chair and a vice chair for the Council; and

The Council shall meet at least quarterly; and

The Council shall have the authority to appoint advisory committees.

**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 Fourth Day of March Two Thousand Two and of the Independence of the United States of America the Two Hundred and Twenty-sixth.

**ATTEST:**

**Betsey Bayless**  
Secretary of State

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**EXECUTIVE ORDER 2002-06  
RECEIPT OF CRIMINAL HISTORY RECORD INFORMATION  
VERDE VALLEY FIRE DISTRICT  
(Terminating Executive Order 95-19)**

**WHEREAS**, the Verde Rural Fire Department and the Cornville Page Springs Fire Department merged as of January 1, 2002, and the new entity will be know as Verde Valley Fire District, necessitating termination of Executive Order 95-19; and

**WHEREAS**, the Verde Valley 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 prospective 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 noncriminal justice agencies of the State for the purpose of evaluating the fitness of prospective employees; and

**WHEREAS**, the Verde Valley Fire District is considered a noncriminal justice agency of the State; and

**WHEREAS**, noncriminal 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 terminate Executive Order 95-19 and authorize the Central State Repository of the Arizona Department of Public Safety to provide, upon receipt of applicant fingerprint card, and the chief officer of the Verde Valley 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 March Two Thousand Two and of the Independence of the United States of America the Two Hundred and Twenty-sixth.

**ATTEST:**

**Betsey Bayless**  
Secretary of State

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**EXECUTIVE ORDER 2002-07  
TO REQUIRE COORDINATION AMONG VARIOUS STATE AGENCIES  
TO FIGHT HOMELESSNESS**

**WHEREAS**, Arizona has a strong commitment to alleviate homelessness in the State; and

**WHEREAS**, Arizona affirms that homelessness is a threat to the well- being of communities everywhere in Arizona; and

**WHEREAS**, the Joint Legislative Committee on Homelessness and the Department of Economic Security's Homeless Coordination Office continue to document the magnitude of the state homeless problem; and

**WHEREAS**, a coordinated effort by various state agencies is essential to address the issues associated with homelessness.

**NOW, THEREFORE**, I Jane Dee Hull, Governor of the State of Arizona, do hereby direct the following state agencies to work with each other and with the community to achieve a coordinated approach to address homelessness in Arizona: the Department of Economic Security, Arizona Health Care Cost Containment System (AHCCCS), Governor's Office of Housing Development, Department of Corrections, Department of Education, and the Department of Health Services. Specific activities of the state agencies shall include but not be limited to:

1. Department of Economic Security shall be the entity responsible for coordinating and facilitating the State Planning to Address Homelessness working group meetings and to provide leadership for the plans and activities to address the issues of homelessness.
2. Arizona Health Care Cost Containment System (AHCCCS) shall provide a representative to the State Planning to Address Homelessness working group to identify and address system issues faced by homeless persons throughout the state.
3. The Governor's Office of Housing Development shall provide a representative to the State Planning to Address Homelessness working group to identify and address homeless shelter and housing issues throughout the state.
4. Department of Corrections shall provide a representative to the State Planning to Address Homelessness working group to identify and address shelter/housing and supportive service needs of inmates upon release from correctional institutions throughout the state.
5. Department of Education may provide a representative to the State Planning to Address Homelessness working group to identify and address education issues faced by homeless children and families throughout the state.
6. Department of Health Services shall provide a representative to the State Planning to Address Homelessness working group to identify and address health issues faced by homeless persons throughout the state.

**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 Seventh day of March Two Thousand Two and of the Independence of the United State of America the Two Hundred and Twenty-Sixth.

**ATTEST:**

**Betsey Bayless**  
Secretary of State

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**EXECUTIVE ORDER 2002-08  
THE STATE OF ARIZONA TELEWORK PROGRAM  
(Supersedes Executive Order 93-16)**

**WHEREAS**, the State of Arizona, as a large employer, is required to reduce employee work trips in order to decrease air pollution; and

**WHEREAS**, the State of Arizona Telework Program was established by Executive Order 93-16 after the State of Arizona successfully demonstrated that telework is a viable management option and trip reduction strategy; and

**WHEREAS**, the State of Arizona Telework Program has been recognized internationally as a model program and resource for other employers by demonstrating that telework reduces air pollution and gasoline consumption, increases employee productivity and morale due to an improved working environment, reduces employee turnover and attracts qualified new employees to State service; and

**WHEREAS**, the State of Arizona Telework Program has achieved the goal set by Operation Ozone that mandated all State agencies, boards and commissions to implement the State of Arizona Telework Program with the goal of having fifteen percent of State employees in Maricopa County actively participate.

**NOW, THEREFORE**, I, Jane Dee Hull, Governor of the State of Arizona, by virtue of the Constitution and the laws of the State of Arizona, and because of the outstanding environmental and business benefits of telework, do hereby advance the State's telework mandate that every State agency, board and commission implement the State of Arizona Telework Program with the goal of achieving a twenty percent active participation rate among State employees in Maricopa County. Additionally, all State telecommuters will be asked to work from home or a remote location close to home during all High Pollution Advisories to reduce the number of State employees commuting on these days.

**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 this Thirteenth day of May Two Thousand and Two and of the Independence of the United States of America the Two Hundred and Twenty Sixth.

**ATTEST:**

**Betsey Bayless**  
Secretary of State

**EXECUTIVE ORDER 2002-9  
ESTABLISHING AN AGRICULTURAL WATER CONSERVATION BEST  
MANAGEMENT PRACTICES ADVISORY COMMITTEE**

**WHEREAS**, the 1980 Groundwater Code requires the Director of the Department of Water Resources to adopt a series of five groundwater management plans for areas of the state known as active management areas, and to include in each plan a Base Agricultural Conservation Program that requires persons using groundwater for irrigation purposes to comply with irrigation water duties and maximum annual groundwater allotments; and

**WHEREAS**, the Director of the Department of Water Resources has delayed adoption of the Base Agricultural Conservation Program in the management plans for the third management period, 2000 to 2010, due to issues raised by agricultural interests to the seasonal irrigation efficiency assumed in the proposed irrigation water duties included in the draft management plans for the third management period; and

**WHEREAS**, on September 18, 2001, the Director of the Department of Water Resources and various agricultural interests entered into a written agreement to support legislation prescribing the seasonal irrigation efficiency to be used in calculating

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the irrigation water duties for most farms in the third, fourth and fifth management plans, requiring the Director to include a Best Management Practices Program in the third management plan as an alternative to the Base Agricultural Conservation Program, and providing that the Director may include a Best Management Practices Program in the fourth and fifth management plans; and

**WHEREAS**, the agreement further provides that upon enactment of the legislation, the Director of the Department of Water Resources agrees to establish an Agricultural Water Conservation Best Management Practices Advisory Committee to advise the Director on the development of an interim Best Management Practices Program for inclusion in the third management plan and the development of an Agricultural Best Management Practices Program for the fourth and fifth management plans; and

**WHEREAS**, the legislation was passed by the Legislature on March 25, 2002 as House Bill 2022 and was signed by the Governor on March 28, 2002;

**NOW, THEREFORE**, I, Jane Dee Hull, Governor of the State of Arizona, by virtue of the authority vested in me as Governor by the Arizona Constitution and laws of the State, do hereby order an Agricultural Water Conservation Best Management Practices Advisory Committee to be established for the purpose of advising the Director of the Department of Water Resources on the development of an interim Best Management Practices Program for inclusion in the third management plan and the development of an Agricultural Best Management Practices Program for consideration by the Director for inclusion in the fourth and fifth management plans.

1. The Advisory Committee shall consist of:
  - a. The Director of the Department of Water Resources or the Director's designee.
  - b. The Director of the Department of Agriculture or the Director's designee.
  - c. The Director of the United States Department of Agriculture, Water Conservation Laboratory, or the Director's designee.
  - d. Four persons actively engaged in agricultural production in an active management area, of which two have expressed an interest in participating in or are currently participants in a best management practices program.
  - e. Two persons representing irrigation districts established pursuant to Title 48, Chapter 19, Arizona Revised Statutes, in an active management area.
  - f. A representative of an agricultural improvement district established pursuant to Title 48, Chapter 17, Arizona Revised Statutes.
  - g. A representative of a municipality in an active management area.
2. The Governor shall appoint the members designated pursuant to paragraph 1, subparagraphs d through g above.
3. Members appointed by the Governor pursuant to paragraph 1, subparagraphs d and g shall serve an initial two year term. Members appointed by the Governor pursuant to paragraph 1, subparagraphs e and f shall serve an initial four year term. Members are eligible for reappointment, and all subsequent terms shall be for four years. A member may continue to serve beyond the expiration of the member's term until a successor is appointed. The Governor shall fill a vacancy for a remaining unexpired term following the same criteria as the initial committee membership.
4. The Advisory Committee shall elect a Chairperson from the appointed members.
5. The Advisory Committee shall establish procedures to guide its operations. These procedures shall include participation requirements and criteria for removing inactive members.
6. The Advisory Committee shall meet at the call of the Director of the Department of Water Resources or the Chairperson, or at the request of a majority of the members.
7. The role of the Advisory Committee is to advise the Director of the Department of Water Resources on the development of an interim Agricultural Best Management Practices Program to be included in the third management plan, and the creation of an Agricultural Best Management Practices Program for consideration by the Director for inclusion in the man-

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agement plans for the fourth and fifth management periods pursuant to Title 45, Chapter 2, Article 9, Arizona Revised Statutes. In fulfilling this responsibility the Advisory Committee shall:

- a. Recommend, in consultation with the agricultural community and the Department of Water Resources, a Best Management Practices Program that can be applied to the majority of farm units within the active management areas. In preparing its recommendations on the structure of the Best Management Practices Program the Advisory Committee shall:
    - i. Consider information developed pursuant to subparagraphs b through f of this paragraph.
    - ii. Recommend a Best Management Practices Program that will achieve conservation savings that are at least equivalent to that required in the Base Agricultural Conservation Program required by A.R.S. §§ 45-567 and 45-568.
  - b. Recommend detailed criteria for evaluating agricultural water management practices including any best management practices as they pertain to the development of an Agricultural Best Management Practices Program. These criteria shall include:
    - i. Level of utilization of the practices and participation in the interim Best Management Practices Program and the factors affecting participation.
    - ii. Agricultural water use and its impact on the achievement of the management goal of the active management area.
    - iii. Administrative burden associated with implementing the Best Management Practices Program.
    - iv. Quality of best management practices education and research programs.
    - v. Identification of appropriate methods of analysis and facilitation of appropriate collection and utilization of data.
  - c. Review and evaluate research projects, both in Arizona and elsewhere if appropriate, undertaken to evaluate current management practices and any comprehensive best management practices programs.
  - d. Evaluate the relationship between the Best Management Practices Program and the Base Agricultural Conservation Program required by A.R.S. §§ 45-567 and 45-568.
  - e. Review and evaluate proposed best management practices, recommend any changes in any Best Management Practices Program included in the management plans for the third management period, consider what research or educational resources are necessary to develop new best management practices, and make recommendations on any new best management practices to be developed or implemented.
  - f. Make recommendations to develop an educational program concerning adoption of best management practices and participation in a best management practices program.
8. The Advisory Committee may recommend to the Director of the Department of Water Resources, at any time after the fourth full year of the Best Management Practices Program operation, that the Best Management Practices Program should be terminated. Accompanying any such recommendation shall be evidence as to why such a recommendation is being made.
  9. The Advisory Committee shall terminate when the Director of the Department of Water Resources adopts the management plans for the fourth management period pursuant to Title 45, Chapter 2, Article 9, Arizona Revised Statutes.

**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 Sixteenth day of May Two Thousand Two and of the Independence of the United State of America the Two Hundred and Twenty-Sixth.

**ATTEST:**

**Betsey Bayless**  
Secretary of State

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**EXECUTIVE ORDER 2002-10  
ARIZONA SMART ENERGY USAGE - PHASE II  
(Superceding 2001-8)**

**WHEREAS**, although Arizona's energy supplies are expected to be adequate in the Summer of 2002, Arizona energy users, including State of Arizona facilities managers and other employees, can and should take reasonable steps to reduce electricity demand and usage, and thereby increase reserve margins; and

**WHEREAS**, because of the current Arizona budget shortfall it is also prudent to reduce the amount of State funds spent on energy; and

**WHEREAS**, because of Arizona's current drought emergency, it is also prudent to reduce energy usage to conserve water otherwise consumed in the production of electricity or used for cooling; and

**WHEREAS**, Executive Order 2001-8, issued May 15, 2001, directed that all agencies and other bodies under my jurisdiction immediately take steps to reduce electricity demand and usage, and thereby increase reserve margins; and

**WHEREAS**, in compliance with that Order, State agencies successfully implemented electricity demand and usage reduction measures; and

**WHEREAS**, maintaining the requirements of Executive Order 2001-8 should continue to reduce State energy usage and expense; and

**WHEREAS**, in compliance with Executive Order 2001-8, State facility managers, in cooperation with the State Energy Office, have prepared and delivered a report to the Governor's Office, entitled "Report to the Governor, Recommended Energy-Saving and Demand-Reduction Measures for Arizona State Facilities" ("Smart Energy Report"), which specifies additional energy-saving and demand-reduction measures for further implementation in State-controlled facilities; and

**WHEREAS**, implementation of the Smart Energy Report's recommendations should further reduce the State of Arizona's energy consumption and costs of energy; and

**NOW, THEREFORE**, I, Jane Dee Hull, by virtue of the authority vested in me as Governor by the Arizona Constitution and the laws of the State, do hereby direct all agencies and other bodies under my jurisdiction to support the efforts of, and to join with the Arizona Department of Administration and the Arizona Department of Commerce's Energy Office to implement the Smart Energy Report, including taking the following actions:

1. Each facility's Information Technology department will optimize the use of Energy Star and similar power management tools that allow computers, monitors and other devices to enter stand-by mode when not in use.
2. Employees will turn off lights and office equipment, to the maximum extent practicable, when they expect to be out of the office for more than one hour.
3. Agencies will reduce all lighting that does not affect productivity, health or safety.
4. Thermostats in all State-controlled facilities will be increased during the months of June through September by two degrees or brought within the 76-79 degree range, whichever is greater.
5. To minimize the effect of raising thermostat settings, agencies will implement a professional, casual-dress policy during the months of June through September that is consistent with the type of work that is being performed.

**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 Fourth day of June Two Thousand Two and of the Independence of the United States of America the Two Hundred and Twenty-sixth.

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**ATTEST:**

**Betsey Bayless**  
Secretary of State

**EXECUTIVE ORDER 2002-11**  
**TERMINATING THE BOARD OF DIRECTORS OF THE GOVERNOR'S**  
**ALLIANCES AGAINST DRUGS**

**WHEREAS**, the Governor established in Executive Order 2000-5 the Board of Directors of the Governor's Alliances Against Drugs to serve the purpose of advising the Governor's Division of Drug Policy on programs funded through the Safe and Drug Free Schools and Communities grant program; and

**WHEREAS**, the Safe and Drug Free Schools and Communities grant over which the Board was to have advisement was reauthorized by the No Child Left Behind Act of 2001 (NCLB), Title IX, Part C, Sections 9301-9306, Title IV – 21<sup>st</sup> Century Schools, Part A; and

**WHEREAS**, the purpose and priorities of this grant program are clearly stated in the law, thereby eliminating the need for the advisement of the Board in defining programming priorities;

**NOW, THEREFORE**, I, Governor Jane Dee Hull, do hereby terminate the Board of Directors of the Governor's Alliances Against Drugs for the reasons described herein.

**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 Eleventh day of June Two Thousand Two and of the Independence of the United State of America the Two Hundred and Twenty-Sixth.

**ATTEST:**

**Betsey Bayless**  
Secretary of State

**EXECUTIVE ORDER 2002-12**  
**TO ALLOCATE FUNDS TO THE ARIZONA PIONEERS' HOME**

**WHEREAS**, the Arizona Pioneers' Home was established by Arizona Revised Statutes §41-921 to house aged and infirm Arizona pioneers; and

**WHEREAS**, the Arizona Pioneers' Home does not have sufficient funding to ensure the continuation of operations and fulfillment of statutory obligations without intervening measures; and

**WHEREAS**, the fiscal deficiency of the Arizona Pioneers' Home is not an emergency or a contingency because it neither requires state-municipal coordination nor the Department of Emergency and Military Affairs assistance; 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 a health crisis or a significant 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, declare a significant potential for a health crisis in this State and hereby,

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1. Grant \$100,000 from the Health Crisis Fund, as established pursuant to Arizona Revised Statutes §36-797, to the Arizona Pioneers' Home to be used for the continued operations of the Home in accordance with Statutory obligations.

**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 Eleventh day of July Two Thousand Two and of the Independence of the United States of America the Two Hundred and Twenty-Sixth.

**ATTEST:**

**Betsey Bayless**  
Secretary of State

**EXECUTIVE ORDER 2002-13**

**TO ALLOCATE FUNDS TO PROVIDE FOR REIMBURSEMENT OF KIDNEY DIALYSIS AND CHEMOTHERAPY SERVICES PROVIDED TO UNDOCUMENTED PERSONS PURSUANT TO A.R.S. §36-2901.06 (C)**

**WHEREAS**, the Arizona Health Care Cost Containment System has been providing kidney dialysis and chemotherapy services to undocumented persons pursuant to ARS §36-2901.06 (C); and

**WHEREAS**, the Legislature only appropriated funding for those services through June 30, 2002; and

**WHEREAS**, the Legislature did not authorize funding for those services in fiscal year 2003; and

**WHEREAS**, there may be a disruption of both care to those individuals and reimbursement to providers while alternatives are sought for the care or movement of these individuals; 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, \$90,000 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 (AHCCS) for the provision of kidney dialysis and chemotherapy services as determined and authorized by AHCCS for undocumented persons eligible pursuant to A.R.S. §36-2901.06 (C).
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

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

**ATTEST:**

**Betsey Bayless**  
**Secretary of State**

**EXECUTIVE ORDER 2002-14**

**TO ALLOCATE FUNDS TO ENSURE THE CONTINUATION OF SEXUAL ABUSE CRISIS LINES AND SERVICES FOR CENTRAL, SOUTHERN AND NORTHERN ARIZONA**

**WHEREAS**, rape and other forms of sexual abuse are a significant threat to the health and well-being of Arizonans; and

**WHEREAS**, victims of sexual abuse experience trauma that can have both short-term and long-term medical and psychological impact on them and their families; and

**WHEREAS**, victims of sexual abuse need a place to call for confidential crisis intervention services with confidence that the person on the other end of the line is well-trained, empathetic, and knowledgeable about the victim's rights and responsibilities; and

**WHEREAS**, victims who choose to seek medical care and/or report the crime to the police need advocates to guide them through the process and ensure their medical and psychological needs are met in addition to gathering evidence and testimony necessary for a successful prosecution; and

**WHEREAS**, the sexual abuse hotline in Maricopa County ceased operations March 31, 2002 resulting in calls from victims in central and northern Arizona being routed to Southern Arizona Center Against Sexual Abuse, thereby placing great financial strain on them and causing them to face cutting services to victims as of June 30, 2002; and

**WHEREAS**, EMPACT, Suicide Prevention has agreed to provide hotline services to victims in central and northern Arizona and advocacy services to victims in central Arizona, thereby ensuring their medical and psychological needs will be met during this time of trauma; and

**WHEREAS**, other funds are not available to address this crisis and 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 the Laws of the State, do hereby declare a health crisis or a significant potential for a health crisis in this State and hereby,

1. Allocate such funds as necessary not to exceed \$300,000 from the Health Crisis Fund as established pursuant to A.R.S. §36-797 to the Department of Health Services, to be distributed on an as-needed basis to the Governor's Community Policy Office, Division for Prevention of Family Violence, which will distribute the funds following contractual terms for the continuation of Sexual Abuse Hotline and Advocacy services in central, northern and southern Arizona.
2. Direct the Department of Health Services to report the expenditures of these funds made by the Division for Prevention of Family Violence to the Joint Legislative Oversight Committee on Tobacco Tax and Health Care Fund pursuant to A.R.S. §36-797.
3. Direct that any monies in the account that are unspent within twelve 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.

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**Jane Dee Hull**

**Governor**

**DONE** at the Capitol in Phoenix on this Twenty Seventh day of June Two Thousand Two and of the Independence of the United States of America the Two Hundred and Twenty-Sixth.

**ATTEST:**

**Betsey Bayless**

**Secretary of State**