

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. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

EXECUTIVE ORDER 2005-01
STATE OF ARIZONA VALUE IN PROCUREMENT (VIP) PROGRAM

[M05-128]

WHEREAS, Executive Order 2003-14 established the Governor's Efficiency Review (ER) to find practical ways to reduce costs, improve customer service, and eliminate duplication in Arizona State Government; and

WHEREAS, the ER initiative has determined that better leveraging of the State's purchasing power can improve efficiency and save tens of millions of dollars; and

WHEREAS, State contracting and purchasing professionals need and want new tools and strategies – such as strategic sourcing, spend management and reverse auctions – for cost-effective procurement of goods and services;

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, hereby order and direct as follows:

1. The *Governor's Value in Procurement (VIP) Program* is created within the Arizona Department of Administration (ADOA) to develop new procurement business practices and relationships among State agencies to more effectively leverage the State's purchasing power. All Executive Branch agencies, boards and commissions shall participate in the VIP Program for procurement of all contracts, except those exempt from the Arizona Procurement Code. The VIP program shall identify and document sustainable savings for taxpayers over the next three years.
 - a. The Director of ADOA shall coordinate and monitor the activities of the VIP Program with the full cooperation and support of each agency.
 - b. The Director of ADOA shall immediately coordinate the training and implementation of strategic sourcing and spend management methodologies for all State contracting to achieve VIP savings.
 - c. The Director of ADOA shall report at least quarterly to the Governor's ER Steering Committee on VIP activities.
 - d. The Director of ADOA may form advisory groups within and outside of State government to implement the VIP program.
2. A Chief Procurement Officers (CPO) Council is created to assist in the implementation of VIP within Executive Branch agencies. Among other things, the CPO shall:
 - a. Advise and recommend to the Governor and Director of ADOA action to be taken with specific agencies in terms of State purchasing and procurement activity for VIP;
 - b. Provide information on any relevant impediments to gaining VIP savings;
 - c. Coordinate procurement information technology systems (SPIRIT and a new Enterprise Purchasing System);
 - d. Advise ADOA on enterprise procurement training initiatives, to include strategic sourcing and spend management, and facilitate the use of small, women- or minority-owned businesses in State contracting;
 - e. Encourage the use of "environmentally friendly" and recycled products in State contracting and purchasing; and
 - f. Enforce the provisions of A.R.S. § 41-2636 relating to procurement from the Arizona Industries for the Blind, certified nonprofit agencies for disabled individuals, and Arizona Correctional Industries.

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

3. The CPO Council shall meet at least monthly and consist of the CPOs of the following agencies:

- | | |
|--------------------------|-----------------------------|
| 1. Administration | 12. Health Services |
| 2. AHCCCS | 13. Juvenile Corrections |
| 3. Commerce | 14. Lottery |
| 4. Corrections | 15. Public Safety |
| 5. Economic Security | 16. Retirement |
| 6. Education | 17. Revenue |
| 7. DEMA | 18. School Facilities Board |
| 8. Environmental Quality | 19. State Parks |
| 9. Game and Fish | 20. Transportation |
| 10. Gaming | 21. Veterans Services |
| 11. GITA | |

In addition, the CPO Council shall include Three Representatives from the Department of Administration's Enterprise Procurement Services (formerly known as the State Procurement Office).

The CPO Council shall be chaired by the Director of ADOA, or in his/her absence, by the Assistant Director for Enterprise Procurement Services.

4. Strategic Contracting Centers (SCCs) shall be created within each of the Executive Branch agencies identified in the preceding paragraph. Each such SCC shall be headed by an agency CPO who participates as a member of the CPO Council. Each SCC shall be delegated authority from ADOA to carry out the procurement and contract management activities for specific State contracts in accordance with VIP initiatives.
5. ADOA shall implement a certification program for Arizona government cooperative purchasing as defined in A.R.S. § 41-2631. In order to receive certification from ADOA, other government entities must substantially follow the same or similar procurement standards and policies as the State of Arizona. Upon certification, such entities may become SCCs for the State as well as for themselves.
6. The ADOA shall create a statewide procurement personnel classification and compensation structure. Any agency maintaining a personnel system exempt from State service may institute a substantially similar structure for procurement staff.
7. The ADOA, with recommendations from the CPO Council, shall design, develop, and maintain a statewide procurement system for the State of Arizona following the recommendations contained in the December 2003 ER Report. The system should include, where practicable, Public/Private partnerships and gain sharing with an e-procurement system software integration partner.
8. When advantageous to the State, the ADOA may direct the Purchasing Card (P-card) as the means of payment for certain supplier transactions. Any agency, through VIP, may use the P-card for small dollar transactions or as a more efficient payment mechanism for State contractors and suppliers.

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

Janet Napolitano
GOVERNOR

DONE at the Capitol in Phoenix, Arizona, this the 24th day of January, Two Thousand Five and of the Independence of the United States the Two Hundred and Twenty-Ninth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

EXECUTIVE ORDER 2005-02

CLIMATE CHANGE ADVISORY GROUP

[M05-129]

WHEREAS, the Western Governors Association has recognized that, "Climate variability has impacted the West in recent years, including very significant droughts across much of the region;" and

WHEREAS, Arizona and other Western States have particular concerns about the impacts of climate change and climate variability on our environment, including the potential for prolonged drought, severe forest fires, warmer temperatures, increased snowmelt, reduced snow pack and other effects; and

WHEREAS, the Western Governors Association has recognized that, "The failure to take appropriate actions to address global climate change risks economic, environmental and societal damage;" and

WHEREAS, scientific consensus has developed that increasing emissions of carbon dioxide (CO₂), methane and other greenhouse gases released to the atmosphere are affecting the Earth's climate; and

WHEREAS, there is growing interest in the United States in state-level actions to address the effects of climate change and greenhouse gas emissions; and

WHEREAS, a number of states are addressing climate change and greenhouse gas emissions on an individual and/or regional basis, including through the West Coast Governor's Climate Change Initiative, the Regional Greenhouse Gas Initiative and other collaborations; and

WHEREAS, actions to reduce greenhouse gas emissions, including increasing energy efficiency, conserving natural resources and developing renewable energy sources, may have multiple benefits including economic development, job creation, cost savings, and improved air quality; and

WHEREAS, a stakeholder process to address climate change and greenhouse gas emissions in Arizona can build upon the work of, and further address issues raised by, the Energy Efficiency/Renewable Energy Working Group, the Essential Services Task Force, the Forest Health Advisory and Forest Health Oversight Councils, the Drought Task Force, the Governor's Efficiency Review and other efforts of the State;

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, by virtue of the powers vested in me by the Constitution and laws of this State, do hereby order the following actions to address climate change and greenhouse gas emissions in Arizona:

1. The Climate Change Advisory Group is established and charged with the development of recommendations to the Governor to reduce greenhouse gas emissions in Arizona, recognizing Arizona's interests in continued growth, economic development and energy security.
2. The Climate Change Advisory Group shall be organized and coordinated by the Arizona Department of Environmental Quality.
3. The Climate Change Advisory Group shall not exceed 36 members each of whom shall be appointed by, and serve at the pleasure of the Governor. Commission members should represent the scope and diversity that this issue holds for Arizona. They should include representatives from some or all of the following sectors:
 - A. Electric Power Generation
 - B. Fossil Fuel Industry
 - C. Manufacturing/Mining
 - D. Agriculture/Forestry
 - E. Construction/Building
 - F. Tourism/Recreation
 - G. Health Care
 - H. Non-Governmental Organizations
 - I. Indian Tribes
 - J. State and Local Government
 - K. General Public

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

4. The Climate Change Advisory Group shall produce an inventory of greenhouse gas emissions in Arizona and their sources by June 30, 2005.
5. The Climate Change Advisory Group shall produce a Climate Change Action Plan with recommendations for reducing greenhouse gas emissions in Arizona, to be submitted to the Governor by June 30, 2006.

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

Janet Napolitano
GOVERNOR

DONE at the Capitol in Phoenix on this 2nd day of February in the Year Two Thousand Five and of the independence of the United States of America the Two Hundred Twenty-Ninth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

EXECUTIVE ORDER 2005-03

(SUPERSEDES EXECUTIVE ORDERS 76-11, 77-1, 85-10 AND 95-1)

CREATING THE ARIZONA GOVERNOR'S FILM AND TELEVISION COMMISSION

[M05-130]

WHEREAS, there is both private and public interest in film and television production as industries presenting great potential for economic growth in Arizona; and

WHEREAS, both sectors wish to participate in a cooperative effort to channel these interests in a productive and effective manner; and

WHEREAS, it is desirable to establish an official procedure and formal organization within state government to advise the state on policy related to these industries;

NOW THEREFORE, I Janet Napolitano, 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 create the **Arizona Governor's Film and Television Commission** (the "Commission"), and order as follows:

1. The functions and purpose of the Board shall be:
 - a. To advise the Governor, the Legislature and other agencies of state government on suggested policy relating to the State's development, coordination, and implementation of programs to attract and embrace film and television production of both indigenous and imported genres.
 - b. To support the Arizona Department of Commerce and its Film Office, the Arizona Office of Tourism in its marketing and promotion efforts, as well as local film offices in efforts to market Arizona as a location destination and production center, as well as to facilitate and support all film and television production throughout the State for the express purpose of the economic growth.
 - c. To recommend both long range and short-term programs, working in concert with all state agencies that will result in greater economic development for the State.
 - d. To support and assist educational efforts for state, local and private officials and organizations regarding the positive benefits resulting from increased film and television production and production businesses.
 - e. To propose public policies that will advance Arizona to the forefront of competition for increased production business within the international marketplace.
2. The Commission shall consist of not more than 31 members who shall be appointed by, and serve at the pleasure of, the Governor. The Governor shall appoint the Commission Chairman and Board Vice-Chair.
3. The Commission shall meet at the call of the commission Chairman at such places within the State as the Chairman designates. The Commission shall meet no fewer than two times per year.
4. The Directors of the Department of Commerce or designee, and the Director of the Arizona Office of Tourism or designee shall serve as the ex-officio members. Other ex-officio members shall be appointed to represent other film offices, or organizations within the State of Arizona.
5. The Department of Commerce shall provide such staff services for the Commission as are required to carry out the purposes and functions of this Order.

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

Janet Napolitano
GOVERNOR

DONE at the Capitol in Phoenix this 2nd day of February in the Year of Our Lord Two Thousand and Five and of the Inde-

pendence of the United States the Two Hundred and Twenty-Ninth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

EXECUTIVE ORDER 2005-04

STATE EMPLOYEE WELLNESS ADVISORY COUNCIL

[M05-131]

WHEREAS, the overall health and fitness of Arizona citizens, including State employees, is important to the State's productivity, collective happiness and quality of life; and

WHEREAS, studies have shown that Americans are experiencing higher rates of obesity and that overall levels of fitness have declined in recent years; and

WHEREAS, my Administration is launching "Take the Pledge for Fitness," a healthy employee, healthy family, statewide initiative to improve the health and fitness of Arizonans; and

WHEREAS, promoting healthy lifestyles, wellness, and better physical fitness for State employees will improve not only their health but their service to the citizens of our State;

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of the State, do hereby order the following:

1. The Arizona State Employees Wellness Advisory Council (the "Council"), is hereby created, consisting of the Directors of the following state agencies or their designee:
 - Department of Revenue
 - Arizona Health Care Cost Containment System
 - Department of Economic Security
 - Department of Corrections
 - Department of Health Services
 - Department of Administration
 - Department of Environmental Quality
 - Department of Transportation
 - Department of Juvenile Corrections
2. The Council shall be chaired by the Director of the Department of Administration.
3. The Council shall identify community partnerships and State agency resources that can:
 - a. create or improve wellness programs for State employees and their families;
 - b. provide consensus on measurements to gauge the effectiveness of wellness initiatives;
 - c. identify models and opportunities for on-site wellness programs; and
 - d. provide feedback for state agency health and fitness programs.
4. The Council shall communicate and promote wellness initiatives and programs to State employees by providing website links to the State Wellness programs, offering recognition for employee participation, and supporting preventative measures such as on-site health screenings and wellness materials.
5. The Council shall develop criteria for agencies to be awarded, on an annual basis, Bronze, Silver, or Gold levels of recognition by the Governor for their participation in Wellness initiatives and promotion of programs that focus on the health of their employees.
6. The Department of Health Services' Wellness initiatives may serve as a model for the Council and State Agencies in promoting a health conscious workforce.
7. Each Agency Director shall identify an individual Wellness Coordinator to spearhead that agency's efforts and to serve as the agency's liaison to the Department of Administration's Wellness program. Each agency shall offer its expertise and cooperation to educate all State employees on healthy life and fitness models.

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

8. Each agency shall participate annually in the National Employee Health and Fitness Week by promoting and offering employee health and fitness activities and recognizing throughout the week individuals or groups that exhibit healthy lifestyles.
9. All State employees and all other Arizonans are further encouraged to "Take the Pledge for Fitness," participate in a personal health care assessment, and track their individual progress.
10. The Department of Administration shall support this initiative by promoting wellness education to all state employees. The Department of Administration shall be responsible for conducting wellness fairs and health screenings for State employees at appropriate times and locations throughout the State, to include, but not be limited to, such things as blood pressure screenings, cholesterol checks, smoking cessation, weight management, and diabetes screenings.

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

Janet Napolitano
GOVERNOR

DONE at the Capitol in Phoenix this 7th day of February in the year Two Thousand and Five and of the Independence of the United States the Two Hundred and Twenty-Ninth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

EXECUTIVE ORDER 2005-05
IMPLEMENTING RENEWABLE ENERGY AND ENERGY
EFFICIENCY IN NEW STATE BUILDINGS

[M05-132]

WHEREAS, development of renewable energy and promotion of energy efficiency can significantly improve Arizona's energy reliability and security, economic development, and environment; and

WHEREAS, as a state with abundant sunshine, Arizona has the opportunity to achieve national and global leadership in research, design, construction, manufacturing and development of renewable energy; and

WHEREAS, Arizona's dense forests pose both a fire hazard and an economic opportunity to develop thermal energy using forest biomass; and

WHEREAS, developing thermal energy using forest biomass also creates economic incentives for responsible and necessary commercial thinning of our forests; and

WHEREAS, supporting responsible use of Arizona's naturally renewable energy resources and increasing energy efficiency is important to the State, and the national economy;

NOW, THEREFORE, I, Janet Napolitano, Governor of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, hereby order as follows:

1. All Executive Branch agencies shall implement to the extent practicable the following standards in all new state-funded facilities:
 - A. Renewable Energy** – All new state-funded buildings constructed after the date of this Executive Order shall be designed and constructed to derive at least 10 percent (10%) of their energy from a renewable resource. A renewable resource may include: solar, wind, or the use of thermal energy from biomass fuels for heating and or cooling. This goal may also be met through the purchase of renewable energy credits (as defined by the Department of Commerce Energy Office) from an energy producer.
 - B. Energy Efficiency** – The design for all state-funded buildings constructed after the date of this Executive Order shall include energy efficiency standards consistent with Arizona Revised Statutes § 34-451 and Executive Order 2003-14.
 - C. LEED Standard** – All state-funded buildings constructed after the date of this Executive Order shall meet at least the "silver" Leadership in Energy & Environmental Design (LEED) standard.
2. The Arizona Department of Administration, Arizona Department of Transportation and Arizona School Facilities Board, shall submit a report to me (as well as to the Director of the Department of Administration) in writing via electronic submission, by August 1, 2005, and annually thereafter, summarizing: a) actions taken to achieve the renewable and energy efficiency goals of this Order; b) the extent to which the goal has been achieved; and c) if the goal was not achieved, an explanation why it was not achieved and an assessment of what can be done to achieve the goal.
3. All other branches of state government are also encouraged to review and comply with the design standards set forth in this Executive Order.

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

Janet Napolitano
GOVERNOR

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

Signed at the Capitol in Phoenix this 11th day of February Two Thousand Five and of the Independence of the United States of America the Two Hundred and Twenty-Ninth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

EXECUTIVE ORDER 2005-06
ESTABLISHING AN AZGU GOVERNING BOARD

[M05-133]

WHEREAS, state employee professional growth and development are beneficial to the individual employee and the State; and

WHEREAS, employee professional development can improve employee retention and competence; and

WHEREAS, Arizona Government University (AzGU) is a public learning entity, committed to effective, efficient and excellent training of public employees through common core courses that cross agency lines and enable agencies to meet their employee and business needs; and

WHEREAS, the Governor's Efficiency Review initiative has recommended agency coordination of core training through AzGU as a means to improve the performance of state government and save money; and

WHEREAS, an AzGU Governing Board could help better ensure compliance with the statutory training requirements of A.R.S. §§ 38-591, 38-592, and 41-763, and better promote professional development for all state employees;

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, do hereby order the following:

1. The Arizona Government University Governing Board (the "Board") is hereby established, consisting of the Directors (or their designees) from the following agencies:

Arizona Health Care Cost Containment System
Arizona Department of Juvenile Corrections
Arizona Department of Administration
Arizona Department of Corrections
Arizona Department of Transportation
Arizona Department of Economic Security
Arizona Department of Health Services
Arizona Department of Public Safety
Arizona Department of Revenue
Arizona Schools Facility Board

In addition, one representative from a 90/10 Board and Commission and one representative from the Governor's Office (each of whom shall be appointed by, and serve at the pleasure of, the Governor) shall serve on the Board. Additional members of the Board may be added by the Governor if required to achieve the state's employee training goals.

2. The Board shall be chaired by the Director of the Department of Administration.
3. The Board shall be responsible for:
 - a. Establishing and implementing an AzGU business model and business plan;
 - b. Making state-wide decisions regarding state employee training and development;
 - c. Overseeing AzGU's operating budget, financial management, and rate setting;
 - d. Collecting input from all Executive Branch agencies on AzGU's training procedures and outcomes;
 - e. Fostering participation of all Executive Branch agencies in training efficiencies; and
 - f. Submitting to the Governor an annual report of activities and a budget plan.
4. All Executive Branch agencies shall support and implement the training decisions of the Board.

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

Janet Napolitano
GOVERNOR

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

DONE at the Capitol in Phoenix on this 16th day of February in the Year Two Thousand Five and of the independence of the United States of America the Two Hundred Twenty-Ninth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

EXECUTIVE ORDER 2005-07
(SUPERSEDES EXECUTIVE ORDER 94-4)
ARIZONA BASEBALL AND SOFTBALL COMMISSION

[M05-134]

WHEREAS, baseball and softball offer tremendous economic and recreational opportunities for the people of Arizona and tourists who visit our state; and

WHEREAS, the State of Arizona has initiated efforts to increase opportunities for professional baseball; and

WHEREAS, tremendous strides have been made to strengthen Cactus League Baseball with significant support of the teams, booster groups, city officials, stadium owners and operations, and the business community; and

WHEREAS, additional effort remains necessary to ensure with confidence that Major League Baseball spring training will be a major component of the Arizona professional sports scene through the next decade; and

WHEREAS, other opportunities exist to attract additional tourist revenue and increase recreational options for Arizonans by promoting professional, amateur and international baseball and softball events within Arizona;

NOW THEREFORE, I, Janet Napolitano, governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of the State, hereby establish the **Arizona Baseball and Softball Commission** (the "Commission") and order as follows:

- 1) The Commission shall:
 - a. Provide the Governor with recommendations for expansion and maintenance of the Cactus League;
 - b. Work with Major League Baseball, its teams, local and regional governments and organizations to implement the recommendations; and
 - c. Make recommendations relating to the promotion and acquisition of other professional, amateur and international baseball and softball events within the state of Arizona.
- 2) The Commission shall consist of no more than 25 members, who shall be appointed by and serve without compensation at the pleasure of, the Governor.
The members shall include at a minimum:
 - a. One representative from the Tourism and Sports Authority (currently d/b/a the Arizona Sports and Tourism Authority);
 - b. Two representatives from Cactus League booster groups.
- 3) The Director of the Department of Commerce or designee, the Director of the Arizona Office of Tourism or designee, and the Director of the State Land Department or designee shall serve as ex-officio members of the Commission.
- 4) The Governor shall designate a Chairperson from among the membership.
- 5) The Chairperson shall appoint an Executive Committee to direct the day-to-day affairs of the Commission.
- 6) The Chairperson may appoint from the membership or from outside the membership special sub-committees, as the need arises, to complete a special baseball or softball-related task.
- 7) The Commission shall submit periodic status reports on its progress to the Governor.

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

Janet Napolitano
GOVERNOR

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

DONE at the capitol in Phoenix this 23rd day of February in the Year Two Thousand and Five and of the Independence of the United States of America the Two Hundred and Twenty-ninth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

EXECUTIVE ORDER 2005-08

**DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE BASIS FOR
ALL INCIDENT MANAGEMENT IN ARIZONA**

[M05-135]

WHEREAS, in Homeland Security Presidential Directive, the President of the United States directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS) that would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents of any cause, size, or complexity; and

WHEREAS, it is necessary and desirable that all Federal, State, local, and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the desired levels of incident management, it is critical that Federal, State, local, and tribal organizations use standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercises, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the State's opportunities for federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, federal guidelines for homeland security grant funding for federal fiscal year 2006 and beyond require NIMS compliance as a condition of eligibility; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, hereby order and direct as follows:

1. The National Incident Management System (NIMS) shall be the State standard for incident management.
2. The Arizona Office of Homeland Security (AOHS) and the Arizona Division of Emergency Management (ADEM) shall lead NIMS implementation throughout Arizona.
3. AOHS shall be charged with:
 - a. Incorporating NIMS into existing statewide training programs and exercises;
 - b. Seeking federal preparedness funding sufficient to support NIMS implementation;
 - c. Incorporating NIMS into emergency operations plans;
 - d. Promoting intrastate mutual aid agreements;
 - e. Providing and coordinating technical assistance to local entities regarding NIMS to ensure statewide compliance;
 - f. Institutionalizing the use of NIMS; and
 - g. Leading the effort to achieve statewide NIMS compliance to ensure continued eligibility for federal homeland security grant funds.

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

Janet Napolitano
GOVERNOR

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

DONE in Phoenix, Arizona this 29th day of March Two Thousand Five and of the Independence of the United States the Two Hundred and Twenty-Ninth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

EXECUTIVE ORDER 2005-09

INVASIVE SPECIES ADVISORY COUNCIL

[M05-136]

WHEREAS, Arizona's land, water, and other resources face severe impacts from harmful, unwanted non-native ("invasive") plant and animal species that are increasing yearly in number and area in Arizona and throughout the Southwest; and

WHEREAS, these impacts result in ecological damage to Arizona's natural environments, economy and human health including by: (1) decreasing land productivity; (2) impairing water quality and reducing water yield; (3) increasing instances of livestock poisoning; (4) degrading fish and wildlife habitat; (5) impairing forest and rangeland health by altering natural or desired fire regimes; (6) creating disease vectors; (7) increasing allergens; (8) increasing erosion and watershed degradation; (9) altering landscapes that affect visual aesthetics; and (10) destroying agricultural crops, wetlands, waterways, and recreational areas; and

WHEREAS, Arizona lacks coherent organization of its invasive species policies and would benefit from a comprehensive review of existing policies across and within agencies to ensure they are up-to-date, consistent, coordinated, and targeted appropriately; and

WHEREAS, prevention, early detection, rapid response, and eradication are the most effective and least costly strategies to combat new biological invaders before they expand beyond control; and

WHEREAS, implementation of the above strategies requires leadership by the state of Arizona and coordination with federal, tribal, international, and local partners and other stakeholders;

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, do hereby order as follows:

1. The Arizona Invasive Species Advisory Council ("Advisory Council") is hereby established under the joint leadership of the Arizona Game and Fish Department and Arizona Department of Agriculture.
2. The Governor shall appoint members of the Advisory Council who shall serve at the pleasure of the Governor.
3. The Advisory Council shall not exceed 27 members, and members shall have experience in invasive species management.
4. The Advisory Council shall include representation from each of the following:
 - Native American community
 - Agricultural interests
 - Conservation community
 - Forest health management interests
 - Ranching industry
 - Nursing and landscape industry
 - Pet industry
 - Mining industry
 - Cooperative Weed Management Areas, invasive species council, or vegetation management association
 - Federal agencies with an interest in invasive species management
 - Academic community
 - Arizona Game and Fish Department
 - Arizona Department of Agriculture
 - Arizona Department of Transportation
 - Arizona Department of Water Resources
 - Arizona State Land Department
 - Arizona State Parks
 - Office of the Governor

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

5. Each state agency and department identified as a participant on the Advisory Council is directed to conduct an evaluation of its current statutory authorities, rules and programs relevant to invasive species management and submit the results thereof to the Advisory Council by December 31, 2005. This evaluation shall include, but is not limited, to the following:
 - a. Current invasive species management activities;
 - b. Current statutory authorities;
 - c. Opportunities to create efficiencies and improve coordination among and between agencies;
 - d. Amount of funds spend annually on invasive species management activities in the three fiscal years immediately preceding the adoption of this Executive Order.

6. The Advisory Council shall:
 - a. Develop a consensus vision for a coordinated, multi-stakeholder approach to invasive species management in Arizona and develop recommendations on how to coordinate between private, local, tribal, state and federal entities on invasive species management efforts and issues;
 - b. Make recommendations for the definition of "invasive species" for Arizona;
 - c. Identify duplications and inconsistencies among and within agencies;
 - d. Identify gaps in state invasive species programs
 - e. Develop recommendations for a statewide invasive species management plan to guide state actions in addressing the invasive species issue. The Advisory Council shall consider the following components in developing such recommendations:
 - Current invasive species management situation and capabilities within Arizona;
 - Goals and objectives for invasive species management, including the areas of early detection, rapid response, prevention, control and restoration;
 - Relationship and definitions of invasive species categories, including regulated and non-regulated species;
 - Organization and steps necessary to position Arizona as a leader in invasive species management;
 - Funding and resources needed to conduct management activities;
 - Role of Cooperative Weed Management Areas and other types of volunteer groups focused on invasive species;
 - Inventory, monitoring, mapping and data management;
 - Awareness, education and outreach;
 - Compliance and enforcement;
 - Integrated invasive species management principles; and
 - Actions for implementation, evaluation and adaptive management.

7. The Advisory Council shall submit recommendations to the Governor for a statewide invasive species strategic plan by June 30, 2006.

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

Janet Napolitano
GOVERNOR

DONE at the Capitol in Phoenix, Arizona this the 1st day of April, Two Thousand Five and of the Independence of the United States the Two Hundred and Twenty-Ninth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE