

Governor's Executive Orders/Proclamations

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 2005-29

ESTABLISHING THE GOVERNOR'S COUNCIL ON 2-1-1
AND THE GOVERNOR'S 2-1-1 COMMUNITY ADVISORY COMMITTEE
(AMENDING EXECUTIVE ORDER 2004-03)

[M05-354]

WHEREAS, a fully-implemented 2-1-1 system combines information from a wide variety of health, human service and emergency resource providers via a single information network that can easily be accessed by caseworkers and the public at large on a daily basis and in emergencies; and

WHEREAS, pursuant to Executive Order 2004-03, the *Governor's Council on 2-1-1 and the 2-1-1 Community Advisory Committee* were created to oversee and advise, respectively, on the implementation of a statewide 2-1-1 system; and

WHEREAS, the Governor's Strategic Plan for Implementing 2-1-1 in Arizona calls for phased implementation of 2-1-1; and

WHEREAS, in Phase I, the State developed a statewide, web-enabled database system - Arizona 2-1-1 Online at www.az211.gov - as the foundation for 2-1-1; and

WHEREAS, in Phase II, call centers will be established to provide information and referrals to the public via telephone by dialing 2-1-1; and

WHEREAS, additional members are needed on the *Governor's Council on 2-1-1 and the 2-1-1 Community Advisory Committee* to ensure the success of the 2-1-1 Phase II efforts;

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 Council on 2-1-1* shall, at a minimum and from this date forward, be comprised of the following thirteen (13) members, each of whom shall be appointed by the Governor, and serve, without compensation, at the pleasure of the Governor:

- Director, Government Information Technology Agency;
- Director, Governor's Office of Homeland Security;
- Director, Department of Economic Security;
- Director, Department of Health Services;
- Director, Department of Environmental Quality;
- Director, Governor's Office for Children, Youth and Families;
- Director, Department of Public Safety;
- Director, Department of Transportation;
- Director, Arizona Health Care Cost Containment System;
- Director, Department of Emergency and Military Affairs;
- Director, Department of Housing;
- Director, Department of Administration; and
- Director, Commission on Indian Affairs.

2. Members of the Governor's Council on 2-1-1 may, with the Governor's permission, send designees to serve on the

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Council; provided, however, that such designees shall have been delegated by the member with full authority to vote and otherwise act on behalf of the member.

3. The *Community Advisory Committee* shall, at a minimum, be comprised of the following sixteen (16) members, each of whom shall be appointed by the Governor, and serve, without compensation, at the pleasure of the Governor:
- One representative from the City of Phoenix;
 - One representative from the City of Tucson;
 - One representative from a county government with a large urban population;
 - One representative from a recognized tribal sovereign nation or an organization representing tribal governments in the State of Arizona;
 - Two representatives from rural city or county governments;
 - Two representatives from nonprofit organizations that coordinate disaster relief delivery;
 - One representative from an organization that currently funds Information and Referral/2-1-1 systems;
 - One representative from an existing Information and Referral provider;
 - One representative from a nonprofit organization that coordinates service providers;
 - One representative from the business community;
 - One representative from the philanthropic community; and
 - Three at large members.
4. All other provisions of Executive Order 2004-03 not consistent with the foregoing shall remain in full force and affect as set forth therein

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

Janet Napolitano
G O V E R N O R

DONE at the Capitol in Phoenix on this 20th day of October in the Year Two Thousand and Five and of the Independence of the United States of America the Two Hundred and Thirtieth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

EXECUTIVE ORDER 2005- 30
ENSURING COMPLIANCE WITH FEDERAL IMMIGRATION LAWS
BY STATE EMPLOYERS AND CONTRACTORS

[M05-355]

WHEREAS, for the first time in Arizona's history, federal documentation confirms that more immigrants are entering the state illegally than legally; and

WHEREAS, although most illegal immigrants enter the state for peaceful purposes, seeking jobs and a better way of life, illegal immigration comes with many negative consequences to Arizona's citizens as well as the illegal entrants themselves, including deaths in our desert, criminal activity associated with illegal human trafficking, unexpected financial burdens on emergency health services, and trespasses to real and personal property in our border counties; and

WHEREAS, the unlawful employment of undocumented immigrants is a significant cause of illegal immigration; and

WHEREAS, the State of Arizona is committed to deterring unlawful employment practices; and

WHEREAS, the federal government, operating through Congress and the Department of Homeland Security, is exclusively empowered to pass United States immigration laws and has had primary responsibility for enforcing them; and

WHEREAS, Arizona has cooperated with the federal government to assist in that enforcement to the extent allowed by law,

including declaring a state of emergency in Arizona's borderland counties, assigning Department of Public Safety personnel to combat crimes associated with illegal immigration, and forging cooperative working arrangements with the Immigration and Customs Enforcement division of the Department of Homeland Security; and

WHEREAS, the Immigration & Nationality Act provides a comprehensive scheme for employers to easily verify the immigration status of all job applicants without engaging in unlawful discrimination; and

WHEREAS, those provisions have been ignored by federal enforcement agencies over the last several years to the detriment of the businesses and citizens of Arizona;

NOW THEREFORE I, Janet Napolitano, Governor of the State of Arizona, by virtue of the powers conferred upon me by the Constitution and laws of the State, hereby order as follows:

1. All State agencies shall review and, if necessary, revise their own hiring practices to ensure compliance with all State and federal laws applicable to immigration, including, but not limited to, the Arizona Department of Administration General Accounting Office Technical Bulletin 05-14, issued October 20, 2005 (or such subsequent policy publications that may supersede this technical bulletin).
2. All State agencies shall endeavor to ensure compliance by state contractors with federal law and regulations related to the immigration status of their employees. In particular, state agencies shall insist in all applicable state contracts that: 1) each state contractor warrant that it is in compliance with all federal immigration laws and regulations; 2) all subcontractors to the contractor execute similar warranties; 3) the breach of any such warranty shall be deemed a material breach of the applicable contract, subject to monetary penalties or other penalties up to and including termination of the contract; and 4) the state agency shall retain the legal right to inspect the papers of any employee who works on the contract to ensure that the employer is in compliance with its warranties.
3. Each state agency that enters into a state contract shall establish procedures to conduct random checks of the employment records of state contractors to ensure that their contractors are in compliance with their warranties.
4. Notwithstanding paragraph two (2) above, no state agency shall deem a contractor in material breach of its contract if the contractor can establish that it has followed the employment verification provisions of the Federal Immigration & Nationality Act as set forth in Sections 274A and 274B of that Act, including implementing regulations and agreements between the Department of Homeland Security and the Social Security Administration's Verification Service.

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

Janet Napolitano
G O V E R N O R

DONE at the Capitol in Phoenix on this 20th day of October in the Year Two Thousand and Five and of the Independence of the United States of America the Two Hundred and Thirtieth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

*** AMERICAN EDUCATION WEEK ***

[M05-356]

WHEREAS, public schools are the backbone of our democracy, providing young people with the tools they need to maintain our nation's precious values of freedom, civility and equality; and

WHEREAS, by equipping young Americans with both practical skills and broader intellectual abilities, schools give them hope for, and access to, a productive future; and

WHEREAS, employees involved with education -- be they custodians or teachers, bus drivers or librarians -- work tire-

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lessly to serve our children and communities with care and professionalism; and

WHEREAS, schools are the heart of communities, bringing together adults and children, educators and volunteers, business leaders, and elected officials in a common enterprise;

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, do hereby proclaim November 13-19 as the 84th annual observance of

*** AMERICAN EDUCATION WEEK ***

in Arizona.

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

Janet Napolitano
G O V E R N O R

DONE at the Capitol in Phoenix on this twelfth day of October in the year Two Thousand and Five and of the Independence of the United States of America the Two Hundred and Thirtieth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

*** CENTRAL ARIZONA PROJECT DAY ***

WHEREAS, the Central Arizona Project (CAP) traces its beginnings back to 1919 when Colorado River Basin States organized the League of the Southwest to promote river development and were authorized by Congress to enter into a Colorado River Compact two years later; and [M05-359]

WHEREAS, in 1947 Senator Ernest McFarland first introduced legislation to authorize CAP and after a Supreme Court ruling formally ended 12 years of court litigation over CAP water rights, Senators Carl Hayden and Paul Fannin introduced a new bill in 1967 that was signed by President Johnson in 1968; and

WHEREAS, from the creation of the Central Arizona Water Conservation District in 1971 to the creation of the restructured Central Arizona Groundwater Replenishment District in 1993, the Central Arizona Project has worked to deliver water in a reliable, cost effective and environmentally sound method with respect for employees, the public and customers; and

WHEREAS, as a collaborative and innovative leader in the management and delivery of water to Central Arizona, CAP promotes responsible water use and effectively manages resources to enhance the state's economy and ensure sustainable growth for future generations; and

WHEREAS, the Central Arizona Project manages Arizona's single largest renewable water supply and has delivered water to Central and Southern Arizona, including agricultural lands, tribal lands and municipalities for 20 years;

NOW, THEREFORE, I Janet Napolitano, Governor of the State of Arizona, do hereby declare October 20, 2005 as

*** CENTRAL ARIZONA PROJECT DAY ***

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

Janet Napolitano
G O V E R N O R

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DONE at the Capitol in Phoenix on this nineteenth day of October in the year Two Thousand and Five and of the Independence of the United States of America the Two Hundred and Thirty.

ATTEST:

Janice K. Brewer
Secretary of State

*** VETERANS' RECOGNITION DAY ***

[M05-357]

WHEREAS, the fundamentals of freedom, honesty and integrity are exemplified by our members of the American Armed Services; and

WHEREAS, the importance of veterans and active duty military in Arizona is evident in the patriotism they encompass and in the reverence they evoke from present and future generations; and

WHEREAS, the welfare of the active duty military service member, the veteran and their families is the responsibility of all Americans, who value democracy, and all people, who value freedom; and

WHEREAS, specifically Arizonans would like to honor military retirees, one-hundred percent service connected disabled veterans, their families and widows; and

WHEREAS, military retirees, one hundred percent service connected disabled veterans, their families and widows have sacrificed greatly in the name of freedom and democracy;

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona do hereby proclaim October 30, 2005 as

*** VETERANS' RECOGNITION DAY ***

in the State of Arizona and encourage all citizens of the Grand Canyon State to demonstrate their appreciation for the honor that these selfless men and women give to our nation.

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

Janet Napolitano
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-first day of October in the year Two Thousand and Five and of the Independence of the United States of America the Two Hundred and Thirtieth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE