

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.

DECLARATION OF EMERGENCY

** Brins Wildfire Emergency **

[M06-297]

WHEREAS, on June 18, 2006, a fire ignited in the Coconino National Forest near the communities of Sedona and Oak Creek Canyon; and

WHEREAS, federal, state and local fire suppression resources have responded; and

WHEREAS, numerous homes and public infrastructures are threatened and over 3000 acres have already burned; and

WHEREAS, it is now necessary and appropriate to activate the AZ 2-1-1 Call Center; and

WHEREAS, all fire fighting and related fire suppression costs are expected to be covered by the Fire Management Assistance Grant; and

WHEREAS, the Governor is authorized to declare an emergency pursuant to A.R.S. § 26-303(D); and

WHEREAS, the Legislature has authorized the expenditure of funds in an event of an emergency pursuant to A.R.S. § 35-192, as amended;

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 determine that the destruction and the threat of destruction of the Brins Fire in Coconino and Yavapai Counties justifies a declaration of a State of Emergency, pursuant to A.R.S. § 26-303(D), and further:

- a. Declare that a State of Emergency exists in Coconino and Yavapai Counties due to the Brins Fire, effective June 18, 2006 and continuing; and
- b. Direct that the sum of \$25,000 from the General Fund be made available to the Director of the Arizona Division of Emergency Management to be expended if necessary in accordance with A.R.S. § 35-192, A.A.C. R8-2-301 to 321, Executive Order 79-4; and
- c. Direct that the State of Arizona Emergency Response and Recovery Plan be used to direct and control state and other assets; and further direct that the Director of the Arizona Division of Emergency Management is authorized to coordinate state assets; and
- d. Authorize the Adjutant General to mobilize and call to activate all or such part of the Arizona National Guard as is determined necessary to assist in the protection of life and property 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

Janet Napolitano
GOVERNOR

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

DONE at the Capitol in Phoenix on this nineteenth day of June in the Year Two Thousand Six and of the independence of the United States of America the Two Hundred and Thirtieth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

*** DECLARATION OF EMERGENCY Glassy-Winged Sharpshooter***

[M06-298]

WHEREAS, the Glassy-Winged Sharpshooter is a known vector of *Xyella fastidiosa*, a bacteria that causes plant diseases such as Pierce's disease of grapes, almond leaf scorch, alfalfa dwarf, oleander leaf scorch, and citrus verigated chlorosis, that threaten the viability of wine, citrus, and other agricultural and horticultural industries as well as public landscapes; and

WHEREAS, the Glassy-Winged Sharpshooter has been detected in Arizona in a small, isolated location in the city of Sierra Vista, Cochise County; and

WHEREAS, it is therefore necessary to begin a comprehensive eradication strategy within the affected area of Sierra Vista, Cochise County, as well as to confirm the absence of the Glassy-Winged Sharpshooter in other parts of Arizona through an extensive survey and detection monitoring program; and

WHEREAS, it is vital to the agricultural economy of Arizona to take emergency protective measures to monitor for, eradicate, and prevent the spread of the Glassy-Winged Sharpshooter; and

WHEREAS, the Governor is authorized to declare an emergency pursuant to A.R.S. § 26-303(D); and

WHEREAS, the Legislature has authorized the expenditure of funds in an event of an emergency pursuant to A.R.S. § 35-192;

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 determine that the detection of the Glassy-Winged Sharpshooter in Sierra Vista, Arizona justifies a declaration of a State of Emergency, pursuant to A.R.S. § 26-303(D), and I do hereby:

- a. Declare that a State of Emergency exists in Cochise County effective June 23, 2006 and continuing due to the detection of the Glassy-Winged Sharpshooter in Sierra Vista; and
- b. Direct that the sum of \$200,000 from the general fund be made available to the Director of the Arizona Division of Emergency Management to be expended in accordance with A.R.S. § 35-192, A.A.C. R8-2-301 to 321, and Executive Order 79-4; and
- c. Direct that the Arizona Department of Agriculture request any and all available federal assistance from the United States Department of Agriculture; and
- d. Direct the State of Arizona Emergency Response and Recovery Plan be used to direct and control state and other assets and authorize the Director of the Arizona Division of Emergency Management to coordinate state assets.

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

Governor's Executive Orders/Proclamations

DONE at the Capitol in Phoenix on this 23rd day of June in the Year Two Thousand Six and of the independence of the United States of America the Two Hundred and Thirtieth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

TERMINATION OF EMERGENCY

** Clifton Flash Flood Emergency **

[M06-299]

WHEREAS, heavy rains and flash flooding caused significant damage to public infrastructure in the Town of Clifton in August, 2005; and

WHEREAS, a state of emergency was declared on August 26, 2005 to address health and safety concerns of the citizens as well as the repair of public infrastructure; and

WHEREAS, all of the eligible response and recovery work pertaining to the emergency has been completed, audited and reimbursed; and

WHEREAS, the Governor's Emergency Funds were expended pursuant to A.R.S. § 35-192, as amended; and

WHEREAS, pursuant to A.R.S. § 26-303(F), the Governor is authorized to proclaim the termination of a state of emergency;

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 terminate the declaration of the State of Emergency of August 26, 2005. All unexpended funds allocated to the emergency shall revert to the Governor's Emergency Fund.

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 23rd day of June in the Year Two Thousand Six and of the independence of the United States of America the Two Hundred and Thirtieth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

TERMINATION OF EMERGENCY

** Navajo County Severe Weather **

[M06-300]

WHEREAS, severe weather struck Navajo County bringing heavy precipitation in the area of Snowflake and the Little Colorado River near Winslow in April, 2005; and

WHEREAS, a state of emergency was declared on April 7, 2005 to address health and safety concerns of the citizens as well as the repair of public infrastructure; and

WHEREAS, all of the eligible response and recovery work pertaining to the emergency has been completed, audited and reimbursed; and

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WHEREAS, the Governor's Emergency Funds were expended pursuant to A.R.S. § 35-192, as amended; and

WHEREAS, pursuant to A.R.S. § 26-303(F), the Governor is authorized to proclaim the termination of a state of emergency;

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 terminate the declaration of the State of Emergency of April 7, 2005. All unexpended funds allocated to the emergency shall revert to the General Fund.

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 23rd day of June in the Year Two Thousand Six
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ATTEST:

Janice K. Brewer
SECRETARY OF STATE

TERMINATION OF EMERGENCY

** Nuttall Complex and Willow Fires **

[M06-301]

WHEREAS, the Nuttall Complex Fire ignited in the Coronado National Forest of Graham County on June 22, 2004 and the Willow Complex Fire ignited in the Tonto National Forest of Gila County on June 24, 2004; and

WHEREAS, a state of emergency was declared on July 15, 2004 to address the immediate emergency protective measures required to protect communities from the flash-flood threat that existed due to the extensive watershed damage; and

WHEREAS, all of the eligible response and recovery work pertaining to the emergency has been completed, audited and reimbursed; and

WHEREAS, the Governor's Emergency Funds were expended pursuant to A.R.S. § 35-192, as amended; and

WHEREAS, pursuant to A.R.S. § 26-303(F), the Governor is authorized to proclaim the termination of a state of emergency;

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 terminate the declaration of the State of Emergency of July 15, 2004. All unexpended funds allocated to the emergency shall revert to the General Fund.

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

Governor's Executive Orders/Proclamations

DONE at the Capitol in Phoenix on this 23rd day of June in the Year Two Thousand Six and of the independence of the United States of America the Two Hundred and Thirtieth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

TERMINATION OF EMERGENCY

*** *Queen Valley Flash Flood Emergency* ***

[M06-302]

WHEREAS, unusually heavy thunderstorms and flash flooding impacted the community of Queen Valley in September, 2004; and

WHEREAS, a state of emergency was declared on September 21, 2004 to address health and safety concerns of the citizens as well as the repair of public infrastructure; and

WHEREAS, all of the eligible response and recovery work pertaining to the emergency has been completed, audited and reimbursed; and

WHEREAS, the Governor's Emergency Funds were expended pursuant to A.R.S. § 35-192, as amended; and

WHEREAS, pursuant to A.R.S. § 26-303(F), the Governor is authorized to proclaim the termination of a state of emergency;

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 terminate the declaration of the State of Emergency of September 21, 2004. All unexpended funds allocated to the emergency shall revert to the General Fund.

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 23rd day of June in the Year Two Thousand Six and of the independence of the United States of America the Two Hundred and Thirtieth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE