

**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 2010-10 \***

**Establishing the Commission on Privatization and Efficiency  
(Amending and Superseding Executive Order 2010-04)**

[M10-202]

**WHEREAS**, the citizens of Arizona deserve the best and most effective State government their tax dollars can provide;

**WHEREAS**, Arizona taxpayers should be confident that State government is providing only necessary services, functions, and goods and is doing so in the most cost-effective manner;

**WHEREAS**, government should focus on performing inherently government functions with full transparency and accountability;

**WHEREAS**, the private sector often provides benefits and solutions not always available or considered by government agencies;

**WHEREAS**, input from public and private sector leaders can assist in identifying state services and agencies whose functions can be eliminated, consolidated, streamlined or outsourced to achieve greater operational efficiency in meeting the needs of the citizens;

**WHEREAS**, Governor Brewer signed into law House Bill 2396, which expands the authority of the Arizona Department of Transportation to use public-private partnerships and has been recognized nationally;

**WHEREAS**, during the last year, Governor Brewer and the Arizona Legislature imposed the largest spending reductions – \$1.09 billion – in Arizona's history, streamlined government operations, eliminated State services and programs, and reduced the State workforce by almost 10%;

**WHEREAS**, a more formal and systematic review of government services, programs, and functions is required to ensure State government is operating in the most efficient manner and to purge unnecessary expenditures;

**NOW THEREFORE, I, JANICE K. BREWER**, Governor of the State of Arizona, by virtue of the authority vested by the Constitution and the laws of the State of Arizona, do hereby order and direct as follows:

- 1) The Commission on Privatization and Efficiency (hereafter COPE) is hereby established. Its mission is to examine each state agency, department, board, commission, and entity's constitutional, statutory and practical functions, to determine which powers, duties and responsibilities can be (1) eliminated, (2) streamlined, (3) consolidated or (4) outsourced to reduce the size and cost of state government.
- 2) The Governor will appoint the Chairperson of COPE and it shall consist of a total of eleven (11) members, six (6) of which shall form a quorum. COPE shall consist of the following members:
  - The Chairperson appointed by the Governor;
  - The President of the Senate;
  - The Speaker of the House of Representatives;
  - The Director of the Office of Strategic Planning and Budget;
  - The Director of the Government Information Technology Agency;
  - The Director of the Department of Administration;
  - The Director of the Department of Transportation;
  - One individual engaged or employed in the private sector, appointed by the Governor;

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

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- One individual with expertise in public-private partnerships, appointed by the Governor;
  - One individual engaged or employed in the private sector or expertise in public-private partnerships, appointed by the President of the Senate;
  - One individual engaged or employed in the private sector or expertise in public-private partnerships, appointed by the Speaker of the House of Representatives.
- 3) The duties of COPE shall include, but are not limited to, the following:
- A. Review whether a state agency, department, board, commission, entity, or function is essential to the operation of government, and if it is, whether it should be streamlined, consolidated, or outsourced to maintain quality of service while achieving greater efficiency.
  - B. Recommend elimination, consolidation, or outsourcing of a state agency, department, board, commission, entity, or function if a proposed change can provide a more cost effective manner of providing a governmental service.
  - C. Review activities, functions, programs, and services of state agencies, departments, boards, commissions, and entities to ensure they are necessary, not duplicative and are meeting the needs of Arizona citizens.
  - D. Evaluate the operation of public institutions and services to determine if, given the evolution of available alternative resources, these services may be provided in a more cost-effective manner without diminishing their quality or availability.
  - E. Recommend standards, processes, and guidelines for COPE and state agencies to use in evaluating government activities to eliminate, streamline, consolidate or outsource.
- 4) COPE may hold public hearings as part of its evaluation process, and the Chairperson may appoint advisory groups to conduct studies, research or analyses, and make reports and recommendations with respect to a matter within the jurisdiction of COPE.
- 5) Members may send designees to represent them at COPE meetings.
- 6) COPE shall submit a report to the Governor by July 30, 2010. The report shall focus on recommendations that could be implemented during fiscal year 2011. A final report shall be prepared and submitted to the Governor no later than December 31, 2010.
- 7) All departments, commissions, boards, offices, entities, agencies, and officers of the State of Arizona, or any political subdivision thereof, are authorized and directed to cooperate with COPE in implementing the provisions of this Order.
- 8) The Office of Strategic Planning and Budgeting (OSPB) shall provide administrative support to COPE as directed by the Governor.

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

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix, Arizona this 25th day of May in the year Two Thousand and Ten and of the Independence of the United States of America the Two Hundred and Thirty-fourth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* EXECUTIVE ORDER 2010-11 \***

**Establishing Governor's Border Security & Immigration Legal Defense Fund**

[M10-203]

**WHEREAS**, Section 41-1105, Arizona Revised Statutes, authorizes the Governor to "accept and expend private gifts, grants, donations or monies for the purpose of promoting the interests of the state"; and

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

---

**WHEREAS**, federal border security failures resulting in high incidences of drug trafficking, human smuggling, kidnappings, attacks on law enforcement and other crimes threaten the interests of the state and the security of its citizens; and

**WHEREAS**, Senate Bill 1070 was signed into law on April 23, 2010, and establishes a statewide policy to discourage and deter the unlawful entry and presence of aliens and economic activity by persons unlawfully present in the United States; and

**WHEREAS**, House Bill 2162, an amendment to Senate Bill 1070, was signed into law on April 30, 2010 (collectively, "Senate Bill 1070"); and

**WHEREAS**, certain parties from within and outside of Arizona have filed lawsuits against the Governor challenging certain provisions of Senate Bill 1070 and the state's right to enforce the law; and

**WHEREAS**, the State Attorney General, Terry Goddard, has informed the Governor that he will not defend her against these lawsuits; and

**WHEREAS**, Senate Bill 1070 authorizes the Governor to "direct counsel other than the attorney general to appear on behalf of this state to defend any challenge" relating to Senate Bill 1070; and

**WHEREAS**, the Governor has received unsolicited donations from Arizona citizens and others throughout the United States to assist with the costs of defending such lawsuits on behalf of the Governor and to assist the state with other costs pertaining to border security and illegal immigration; and

**WHEREAS**, A.R.S. § 41-1105 permits the approval of the expenditure of private monies consistent with any terms and conditions under which the monies are received and for a purpose authorized by this section without regard to any other restrictions or limits placed on expenditures of public monies by any other provisions of law;

**NOW, THEREFORE**, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, do hereby establish the **Governor's Border Security and Immigration Legal Defense Fund** ("Border Security Fund") to be maintained in compliance with the provisions of A.R.S. § 41-1105; Title 35, Chapter 2, Article 1 and as follows:

1. Only private gifts, grants, donations or monies shall be deposited in the Border Security Fund.
2. Donations to the Border Security Fund may be accepted under terms or conditions restricting their use to the promotion of border security interests, the legal defense of the Governor related to Senate Bill 1070, and other interests of the state.
3. All donations to the Border Security Fund shall be promptly remitted to the State Treasurer together with the information required by A.R.S. § 35-149 and shall be placed and retained in a separate account bearing the title of this fund indicating its source and purpose.
4. Disbursements from the Border Security Fund account shall be made in accordance with the procedures set forth in A.R.S. § 41-1105.
5. Interest earned on deposits to the Border Security Fund shall accrue to the Fund and be disbursed in the same manner as the principal.
6. The Border Security Fund shall be monitored and administered by three Trustees to be named by the Governor. At least two of the Trustees shall approve any expenditures from the Border Security Fund. Expenditures shall be approved only if they are made in accordance with the provisions of this Executive Order.
7. In order to maintain the integrity of the Border Security Fund, disbursements to businesses or organizations in which a trustee, a member of the Governor's staff, the Governor, or any of their relatives as defined in A.R.S. § 38-502(9), has a direct or indirect pecuniary or proprietary interest shall not be approved. This policy shall not preclude disbursements to reimburse any of these individuals for amounts they advanced to other businesses or organizations for approved expenditures.

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

**Janice K. Brewer**  
**G O V E R N O R**

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

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**DONE** at the Capitol in Phoenix, Arizona this 26th day of May in the year Two Thousand and Ten and of the Independence of the United States of America the Two Hundred and Thirty-fourth.

**ATTEST:**  
**Ken Bennett**  
Secretary of State

\* **ARIZONA HUNGER AWARENESS DAYS** \*

[M10-195]

**WHEREAS**, 938,000 Arizonans, or one in every seven, live in poverty and at-risk for going without food; and

**WHEREAS**, the number of Arizonans living in poverty is expected to exceed one million by 2011; and

**WHEREAS**, more than one in five children in Arizona, 21 percent, live in poverty and do not know where their next meal will come from; and

**WHEREAS**, St. Mary's Food Bank Alliance, the world's first food bank and the largest food bank in the country, has made its mission and vision to create a hunger-free Arizona and distributed more than 67 million pounds of food to 13 of Arizona's 15 counties in 2009-2010; and

**WHEREAS**, St. Mary's Food Bank Alliance, its donors and volunteers work toward achieving this vision by providing food to more than 500 partner agencies throughout the state through multiple programs, meeting the needs of the hundreds of thousands of Arizonans who seek assistance for themselves and for their families; and

**WHEREAS**, due to the economic and continuing unemployment and underemployment, St. Mary's Food Bank Alliance's distribution of food has nearly doubled in the last two years.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim June 3-4, 2010 as

\* **ARIZONA HUNGER AWARENESS DAYS** \*

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

**Janice K. Brewer**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this nineteenth day of May in the year Two Thousand and Ten, and of the Independence of the United States of America the Two Hundred and Thirty-fourth.

**ATTEST:**  
**Ken Bennett**  
Secretary of State

\* **ROSIE THE RIVETER DAY** \*

[M10-197]

**WHEREAS**, approximately six million women helped build planes, bombs, tanks and other weapons that were used in World War II; and

**WHEREAS**, about 18 million women worked in some other way or volunteered in support of the war effort by way of the American Red Cross or the local USO; and

**WHEREAS**, these women came forward and took over jobs that men were doing prior to the war. They drove streetcars, operated heavy machinery, worked in lumber mills, steel mills, defense plants and much more; and

**WHEREAS**, every day women—young and old from every walk of life—would punch in to begin work across America; and

**WHEREAS**, these women were referred to as "Rosie the Riveter," and in 1999 "Rosie the Riveter Clubs" were formed all over the United States in honor of these women and their service to the United States.

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

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**NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 29, 2010 as**

**\* ROSIE THE RIVETER DAY \***

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

**Janice K. Brewer  
G O V E R N O R**

**DONE at the Capitol in Phoenix on this nineteenth day of May in the year Two Thousand and Ten, and of the Independence of the United States of America the Two Hundred and Thirty-fourth.**

**ATTEST:  
Ken Bennett  
Secretary of State**

**\* PUBLIC WORKS WEEK \***

[M10-200]

**WHEREAS, public works infrastructure, facilities and services are of vital importance to the health, safety and well-being of the people of Arizona; and,**

**WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers and administrators, representing State and local units of Government, who are responsible for and must design, build, operate, and maintain the transportation, water supply, sewage and refuse disposal systems, public buildings, and other structures and facilities essential to serve our citizens; and,**

**WHEREAS, it is in the public interest for the citizens and civic leaders of this country to gain knowledge of and to maintain a progressive interest in the public works needs and programs of their respective communities; and**

**WHEREAS, Arizonans should join with representatives of governmental agencies and the American Public Works Association in paying tribute to our public works employees and to recognize the substantial contributions they have made to our national health and welfare.**

**NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 16-22, 2010 as**

**\* PUBLIC WORKS WEEK \***

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

**Janice K. Brewer  
G O V E R N O R**

**DONE at the Capitol in Phoenix on this twentieth day of May in the year Two Thousand and Ten, and of the Independence of the United States of America the Two Hundred and Thirty-fourth.**

**ATTEST:  
Ken Bennett  
Secretary of State**