

EXECUTIVE ORDER 94-7
(Supersedes Executive Order 93-25)

ESTABLISHING THE CONSTITUTIONAL DEFENSE COUNCIL

WHEREAS, the Constitution of the United States of America envisions sovereign states and guarantees the states a republican form of government in which decisions are made by the elected representatives of the people; and

WHEREAS, the state and local governments in Arizona are losing their power to better the lives of their citizens; and

WHEREAS, with increasing and alarming frequency important decisions affecting our lives are being made by the federal government in Washington; and

WHEREAS, federal mandates are being imposed on the states without accompanying tax dollars necessary to implement the mandated programs; and

WHEREAS, the impact of federal mandates threatens the fiscal integrity of our State as well as our right of self-determination;

NOW, THEREFORE, I, Fife Symington, Governor of the State of Arizona, do hereby create the **Constitutional Defense Council** and delineate herein its structure and duties.

1. The Council shall consist of a designee of the Governor of the State of Arizona, a person appointed by the Speaker of the Arizona House of Representatives, and a person appointed by the President of the Arizona State Senate.
2. The purpose of the Council is restoring, maintaining and advancing the State's sovereignty and authority over issues that affect the State and the well-being of its citizens by taking any action it deems appropriate.
3. Meetings of the Council may be called by any member and decisions shall be based upon a majority vote of the members.
4. The Council shall:
 - a. Prudently use the legislative appropriation of \$1,000,000 to fund the Council.
 - b. Hire legal counsel with expertise in Constitutional law and the specific area under consideration for legal action.
 - c. Utilize staff and resources within state agencies as designated by the Council.
 - d. Except as hereafter may be provided by the Governor, the State Department of Administration shall serve as administrative agent for the Council and the Governor's Office of Communications shall be responsible for public information and general press responsibilities.
5. The functions and purpose of the Council shall be:
 - a. Examine the constitutionality of unfunded federal mandates and mandates in general.

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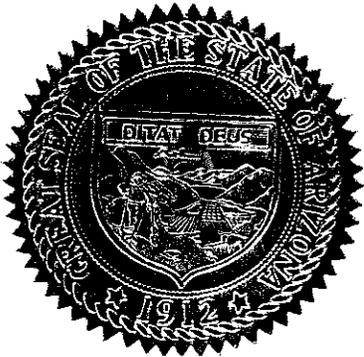
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- b. Challenge federal court rulings that hinder the management of Arizona's prison system and place undue financial hardship on Arizona's taxpayers.
 - c. Examine the authority of the Environmental Protection Agency and Congress to mandate air quality standards and penalties.
 - d. Consider availability of legal action against the federal government challenging laws or regulations which reduce or negate water rights or the rights of owners of private property.
 - e. Evaluate and consider legal action on conflicting federal regulations or policies in land management on federal lands
 - f. Oppose federal intervention which would damage Arizona's mining, timber and ranching industries.
 - g. Engage in such other activities as may be consistent with the purpose of the Council
6. This Order shall become effective immediately.

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



Fife Romo
GOVERNOR

DONE at the Capitol in Phoenix this first day of June in the Year of Our Lord One Thousand Nine Hundred and Ninety-Four and of the Independence of the United States of America the Two Hundred and Eighteenth.

ATTEST: *Richard H. Hannon*
Secretary of State