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IN THE SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

ARIZONA STATE SENATE, a constitutional body; and WARREN PETERSEN, in his official capacity as the President of the Arizona State Senate,

Plaintiffs,

v.

KATIE HOBBS, in her official capacity as the Governor of Arizona,

Defendant.

No. _____

VERIFIED SPECIAL ACTION COMPLAINT

Plaintiffs bring this action for a writ of mandamus or, alternatively, declaratory and injunctive relief pursuant to A.R.S. § 12-2021, A.R.S. § 12-1801, and A.R.S. § 12-1831, *et seq.*, and hereby allege as follows:

SUMMARY OF THE CASE

1. Since the inception of Arizona statehood, the Legislature has conditioned the Governor’s power to nominate the directors of key state agencies on the Arizona Senate’s advice and consent. *See* A.R.S. § 38-211; *see also* Rev. Stat. of 1913, Civil Code, §§ 129, 4367, 4452, 4473, 4554, 5119.

PARTIES

1
2 9. Plaintiff Arizona State Senate is a constitutional body established by Article
3 IV, Part 2 of the Arizona Constitution, and is charged by law with the right and
4 responsibility of providing or withholding confirmation of the Governor’s nominees for
5 certain state offices. *See generally* A.R.S. § 38-211.

6 10. Plaintiff Warren Petersen is the President of the Arizona State Senate and in
7 that capacity is the chamber’s presiding officer. *See* A.R.S. § 41-1102(A).

8 11. Senate Rule 2(N), which was adopted by a vote of the Arizona State Senate,
9 authorizes the President of the Senate to “bring or assert in any forum on behalf of the
10 Senate any claim or right arising out of any injury to the Senate’s powers or duties under
11 the constitution or laws of this state.”

12 12. Pursuant to Senate Rule 2(N), President Petersen has, on behalf of the Arizona
13 State Senate, authorized and directed the commencement of this action, which seeks to
14 vindicate the Senate’s powers and duties under A.R.S. § 38-211.

15 13. Defendant Katie Hobbs is the Governor of Arizona and is named in this action
16 in her official capacity only.

GENERAL ALLEGATIONS

17
18 14. Most administrative agencies in Arizona state government must be led by a
19 director. These individuals are validly appointed if—and only if—they are nominated by
20 the Governor and confirmed by the Senate. *See* A.R.S. § 38-211.

21 15. When a directorship becomes vacant during the legislative session, the
22 Governor “shall during such session nominate a person who meets the requirements of law
23 for such office and shall promptly transmit the nomination to the president of the senate.”
24 A.R.S. § 38-211(B). If the Senate does not act on a nomination or if a nomination is not
25 received before the Legislature adjourns *sine die*, the Governor may appoint the nominee
26 to serve on an interim basis, “subject to confirmation in the next legislative session.” *Id.*

27 16. When a directorship becomes vacant when the Legislature is not in regular
28 session, “the Governor shall nominate a person who meets the requirements of law for such

1 office and shall transmit the nomination to the president of the senate during the first week
2 of the next regular session.” A.R.S. § 38-211(C).

3 17. “In no event shall a nominee service longer than one year after nomination
4 without senate consent.” A.R.S. § 38-211(E).

5 18. The Governor assumed office on January 2, 2023.

6 19. The first regular session of the Fifty-Sixth Arizona Legislature convened on
7 January 9, 2023 and adjourned *sine die* on July 31, 2023.

8 20. The second regular session of the Fifty-Sixth Arizona Legislature will
9 convene on January 8, 2024.

10 21. During the legislative session, the Governor transmitted to the Senate
11 nominations for numerous state offices, including the directorships of the following thirteen
12 agencies (collectively, the “Agencies”): the Department of Administration, the Department
13 of Economic Security, the Department of Environmental Quality, the Arizona Health Care
14 Cost Containment System, the Department of Child Safety, the Department of Gaming, the
15 Department of Housing, the Department of Insurance and Financial Institutions, the
16 Department of Veterans’ Services, the State Lottery, the Residential Utility Consumer
17 Office, the Office of Tourism, and the State Land Department.

18 22. The Senate constituted the standing committee on Director Nominations (the
19 “DINO Committee”) to assess and make recommendations concerning the Governor’s
20 nominees to public offices requiring Senate confirmation.

21 23. The President of the Senate may call meetings of standing committees during
22 periods when the Senate is not in session. *See* A.R.S. § 41-1132(A); Ariz. Senate R. 2(M).
23 The DINO Committee has continued to meet subsequent to the Legislature’s adjournment
24 on July 31.

25 24. Between approximately January 9, 2023 and September 25, 2023, the DINO
26 Committee held votes with respect to ten of the Governor’s nominees, and recommended
27 seven of these individuals for confirmation by the Senate.

1 25. Among the nominees who did not receive a confirmation recommendation
2 from the DINO Committee were individuals who were credibly alleged to have engaged in
3 plagiarism and individuals who openly espouse extreme and polarizing ideological
4 positions, which some DINO Committee members concluded would detract from these
5 nominees’ ability to effectively lead their respective agencies.

6 26. Disgruntled by the Senate’s refusal to rubber stamp all of her nominations,
7 the Governor informed President Petersen on September 25, 2023 that she was immediately
8 withdrawing then-pending nominations for 13 agency directorships, and announced that she
9 would “resume sending nominations for the Senate’s review” only if the Senate adopted
10 confirmation procedures and protocols to her liking.

11 27. A true and correct copy of the Governor’s letter to President Petersen is
12 attached hereto as Exhibit A.

13 28. Upon information and belief, and as detailed below, the Governor thereupon
14 appointed a single individual, Ben Henderson, to a rapid succession of putative “interim”
15 directorships of the Agencies over the course of one day. During his hours-long tenure in
16 each position, Henderson purported to install the withdrawn nominees as “Executive
17 Deputy Directors” of the Agencies.

18 29. The Governor never notified the Senate or President Petersen of her putative
19 appointments of Henderson.

20 30. During his one-day tenure as purported interim director of thirteen different
21 agencies, Henderson sent, on behalf of the Governor's Office, an email to all the “Executive
22 Deputy Directors” stating that “we have moved all of you whom the Senate has failed to
23 properly consider into an Executive Deputy Director position, in order to ensure leadership
24 continuity at your agency and give you the ability to move forward in the important work
25 of your agency. Should the Senate resume a good faith process of reviewing and confirming
26 nominees as contemplated by law, the Governor will consider resending her nominees to
27 the Senate for confirmation.” *See* Exhibit B.

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1 31. On the same day, the Governor also purported to elevate all the “Executive
2 Deputy Directors” to her “Cabinet.” *See* Ex. B.

3 32. Upon information and belief, the “Executive Deputy Directors” are
4 purporting to exercise all rights and duties that applicable law vests in their respective
5 Agency’s director.

6 33. On October 6, 2023, Senate leadership transmitted a letter to each of the
7 “Executive Deputy Directors” expressing the Senate’s concerns over the Governor’s
8 transparent circumvention of A.R.S. § 38-211 and requesting the production of documents
9 and communications evidencing the genesis of that scheme. A true and correct copy of the
10 letter sent to the “Executive Deputy Director” of the Arizona Department of Administration
11 is attached hereto as Exhibit C. Substantively identical letters were addressed to the other
12 twelve “Executive Deputy Directors.”

13 34. For more than two months, the Senate has attempted repeatedly and in good
14 faith to resolve this inter-branch dispute without judicial intervention. The Governor
15 continues to maintain, however, that she will not comply with A.R.S. § 38-211 unless the
16 Senate commits itself to the Governor’s preferred confirmation procedures and criteria.

17 35. To date, the directorships of all the Agencies remain vacant and there
18 currently are no pending nominations to fill any of the vacancies.

19 36. Upon information and belief, the Governor refuses to nominate any
20 individuals to fill any of the vacancies or to transmit such nominees to the Senate during
21 the first week of the next regular legislative session.

22 **Arizona Department of Administration**

23 37. The Arizona Department of Administration is responsible for managing
24 numerous financial and operational facets of state government, including procurement
25 processes, the maintenance of state office facilities, and state employee personnel matters.
26 *See, e.g.,* A.R.S. §§ 41-743, 41-791, 41-2511.

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1 38. “The direction operation and control of the department is the responsibility of
2 the director,” who “shall be appointed by the governor with the advice and consent of the
3 senate.” A.R.S. § 41-701(B), (C).

4 39. The Governor nominated Elizabeth Thorson to be the director of the
5 Department of Administration on or around January 9, 2023, and notified President Petersen
6 of the nomination.

7 40. The Governor withdrew Thorson’s nomination on September 25, 2023,
8 before the Senate held a vote on it.

9 41. Upon information and belief, the Governor appointed Henderson to act as
10 “interim” director of the Department of Administration for a single day on or around
11 September 25, 2023. Upon information and belief, Henderson thereupon designated
12 Thorson as “Executive Deputy Director” before resigning.

13 42. As of the date of this Complaint, the directorship of the Arizona Department
14 of Administration is vacant, and the Governor has not nominated any individual to that
15 position.

16 43. Upon information and belief, Thorson is purporting to exercise all powers and
17 duties of the director of the Department of Administration.

18 **Arizona Department of Economic Security**

19 44. The Arizona Department of Economic Security administers various social
20 services, including certain welfare programs, rehabilitation services, and assistance for
21 disabled individuals. *See* A.R.S. § 41-1954.

22 45. “The direction, operation and control of the department are the responsibility
23 of the director,” who “shall be appointed by the governor pursuant to section 38-211,”
24 which, in turn, requires Senate confirmation. *See* A.R.S. § 41-1952(B), (C).

25 46. The Governor nominated Angie Rogers to be the director of the Department
26 of Economic Security on or around January 2023, and notified President Petersen of the
27 nomination.

1 47. The Governor withdrew Rogers’ nomination on September 25, 2023, before
2 the Senate held a vote on it.

3 48. Upon information and belief, the Governor appointed Henderson to act as
4 “interim” director of the Department of Economic Security for a single day on or around
5 September 25, 2023. Upon information and belief, Henderson thereupon designated Rogers
6 as “Executive Deputy Director” before resigning.

7 49. As of the date of this Complaint, the directorship of the Arizona Department
8 of Economic Security is vacant, and the Governor has not nominated any individual to that
9 position.

10 50. Upon information and belief, Rogers is purporting to exercise all powers and
11 duties of the director of the Department of Economic Security.

Arizona Department of Environmental Quality

12 51. The Arizona Department of Environmental Quality is responsible for
13 administering policies and programs to protect the environment. *See* A.R.S. § 49-104.

14 52. The Department of Environmental Quality is led by a director appointed by
15 the Governor “pursuant to section 38-211,” which, in turn, requires Senate confirmation.
16 *See* A.R.S. § 49-102(B).

17 53. The Governor nominated Karen Peters to be the director of the Department
18 of Environmental Quality on or around February 21, 2023, and notified President Petersen
19 of the nomination.

20 54. The Governor withdrew Rogers’ nomination on September 25, 2023, before
21 the Senate held a vote on it.

22 55. Upon information and belief, the Governor appointed Henderson to act as
23 “interim” director of the Department of Environmental Quality for a single day on or around
24 September 25, 2023. Upon information and belief, Henderson thereupon designated Peters
25 as “Executive Deputy Director” before resigning.
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1 56. In an email to Department of Environmental Quality employees on September
2 25, 2023, Peters announced that she would “lead” the department and is “not subject to
3 Senate confirmation.” *See Exhibit D.*

4 57. As of the date of this Complaint, the directorship of the Arizona Department
5 of Environmental Quality is vacant, and the Governor has not nominated any individual to
6 that position.

7 58. Upon information and belief, Peters is purporting to exercise all powers and
8 duties of the director of the Department of Environmental Quality.

9 **Arizona Health Care Cost Containment System**

10 59. The Arizona Health Care Cost Containment System (“AHCCCS”) is
11 Arizona’s Medicaid program. *See A.R.S. § 36-2903.*

12 60. AHCCCS “shall be administered by a director appointed by the governor and
13 confirmed by the senate.” A.R.S. § 36-2902(B).

14 61. The Governor nominated Carmen Heredia to be the director of AHCCCS on
15 or around January 23, 2023, and notified President Petersen of the nomination.

16 62. The Governor withdrew Heredia’s nomination on September 25, 2023, before
17 the Senate held a vote on it.

18 63. Upon information and belief, the Governor appointed Henderson to act as
19 “interim” director of AHCCCS for a single day on or around September 25, 2023. Upon
20 information and belief, Henderson thereupon designated Heredia as “Executive Deputy
21 Director” before resigning.

22 64. As of the date of this Complaint, the directorship of AHCCCS is vacant, and
23 the Governor has not nominated any individual to that position.

24 65. Upon information and belief, Heredia is purporting to exercise all powers and
25 duties of the director of AHCCCS.

26 **Arizona Department of Child Safety**

27 66. The Arizona Department of Child Safety is responsible for protecting children
28 from abuse and neglect. *See A.R.S. § 8-451(B).*

1 67. The Department of Child Safety must be led by a director appointed by the
2 Governor “pursuant to section 38-211,” which, in turn, requires Senate confirmation. *See*
3 A.R.S. § 8-452(A).

4 68. The Governor nominated David Lujan to be the director of the Department of
5 Child Safety on or around April 3, 2023, and notified President Petersen of the nomination.

6 69. The Governor withdrew Lujan’s nomination on September 25, 2023, before
7 the Senate held a vote on it.

8 70. Upon information and belief, the Governor appointed Henderson to act as
9 “interim” director of the Department of Child Safety for a single day on or around
10 September 25, 2023. Upon information and belief, Henderson thereupon designated Lujan
11 as “Executive Deputy Director” before resigning.

12 71. In an email sent to agency staff on September 25, Lujan stated that he would
13 continue to lead the agency “without having to be concerned about the uncertainty which
14 has been created by the Senate confirmation process.”

15 72. As of the date of this Complaint, the directorship of the Arizona Department
16 of Child Safety is vacant, and the Governor has not nominated any individual to that
17 position.

18 73. Upon information and belief, Lujan is purporting to exercise all powers and
19 duties of the director of the Department of Child Safety.

20 **Arizona Department of Gaming**

21 74. The Arizona Department of Gaming is responsible for regulating various
22 gaming and wagering activities in Arizona. *See generally* A.R.S. title 5.

23 75. The Department of Gaming must be led by a director who is appointed by the
24 governor “pursuant to section 38-211,” which, in turn, requires Senate confirmation. *See*
25 A.R.S. § 5-604(B).

26 76. The Governor nominated Jackie Johnson to be the director of the Department
27 of Gaming on or around February 21, 2023, and notified President Petersen of the
28 nomination.

1 77. The Governor withdrew Johnson’s nomination on September 25, 2023, before
2 the Senate held a vote on it.

3 78. Upon information and belief, the Governor appointed Henderson to act as
4 “interim” director of the Department of Gaming for a single day on or around September
5 25, 2023. Upon information and belief, Henderson thereupon designated Johnson as
6 “Executive Deputy Director” before resigning.

7 79. As of the date of this Complaint, the directorship of the Arizona Department
8 of Gaming is vacant, and the Governor has not nominated any individual to that position.

9 80. Upon information and belief, Johnson is purporting to exercise all powers and
10 duties of the director of the Department of Gaming.

11 **Arizona Department of Housing**

12 81. The Arizona Department of Housing is responsible for administering
13 policies concerning access to affordable housing. *See* A.R.S. § 41-3953.

14 82. The Department of Housing must be led by a director who is appointed by the
15 Governor “pursuant to section 38-211,” which, in turn, requires Senate confirmation. *See*
16 A.R.S. § 41-3952(B).

17 83. The Governor nominated Joan Serviss to be the director of the Department of
18 Housing on or around January 27, 2023, and notified President Petersen of the nomination.

19 84. The Governor withdrew Serviss’ nomination on September 25, 2023, before
20 the Senate held a vote on it.

21 85. Upon information and belief, the Governor appointed Henderson to act as
22 “interim” director of the Department of Housing for a single day on or around September
23 25, 2023. Upon information and belief, Henderson thereupon designated Serviss as
24 “Executive Deputy Director” before resigning.

25 86. As of the date of this Complaint, the directorship of the Arizona Department
26 of Housing is vacant, and the Governor has not nominated any individual to that position.

27 87. Upon information and belief, Serviss is purporting to exercise all powers and
28 duties of the director of the Department of Housing.

1 **Arizona Department of Insurance and Financial Institutions**

2 88. The Arizona Department of Insurance and Financial Institutions is
3 responsible for regulating insurance providers and certain financial institutions in Arizona.
4 *See generally* A.R.S. title 20.

5 89. The Department of Insurance and Financial Institutions must be led by a
6 director who is nominated by the Governor “pursuant to section 38-211,” which, in turn,
7 requires Senate confirmation. *See* A.R.S. § 20-141(A).

8 90. The Governor nominated Barbara Richardson to be the director of the
9 Department of Insurance and Financial Institutions on or around March 6, 2023, and
10 notified President Petersen of the nomination.

11 91. The Governor withdrew Richardson’s nomination on September 25, 2023,
12 before the Senate held a vote on it.

13 92. Upon information and belief, the Governor appointed Henderson to act as
14 “interim” director of the Department of Insurance and Financial Institutions for a single day
15 on or around September 25, 2023. Upon information and belief, Henderson thereupon
16 designated Richardson as “Executive Deputy Director” before resigning.

17 93. As of the date of this Complaint, the directorship of the Arizona Department
18 of Insurance and Financial Institutions is vacant, and the Governor has not nominated any
19 individual to that position.

20 94. Upon information and belief, Richardson is purporting to exercise all powers
21 and duties of the director of the Department of Insurance and Financial Institutions.

22 **Arizona Department of Veterans’ Services**

23 95. The Arizona Department of Veterans’ Services is responsible for providing
24 services and resources to Arizona veterans and their families. *See* A.R.S. § 41-603.

25 96. The Department of Veterans’ Services must be led by a director who is
26 nominated by the Governor “pursuant to section 38-211,” which, in turn, requires Senate
27 confirmation. *See* A.R.S. § 41-604(A).

1 97. The Governor nominated Dana Allmond to be the director of the Department
2 of Veterans’ Services on or around February 6, 2023, and notified President Petersen of the
3 nomination.

4 98. The Governor withdrew Allmond’s nomination on September 25, 2023,
5 before the Senate held a vote on it.

6 99. Upon information and belief, the Governor appointed Henderson to act as
7 “interim” director of the Department of Veterans’ Services for a single day on or around
8 September 25, 2023. Upon information and belief, Henderson thereupon designated
9 Allmond as “Executive Deputy Director” before resigning.

10 100. As of the date of this Complaint, the directorship of the Arizona Department
11 of Veterans’ Services is vacant, and the Governor has not nominated any individual to that
12 position.

13 101. Upon information and belief, Allmond is purporting to exercise all powers
14 and duties of the director of the Department of Veterans’ Services.

Arizona State Lottery

15 102. The Arizona State Lottery is an agency responsible for overseeing certain
16 lottery gaming activities. The leadership of the State Lottery includes an executive director
17 “appointed by the governor pursuant to section 38-211,” which, in turn, requires Senate
18 confirmation. *See* A.R.S. §§ 5-553(A), 5-556.

19 103. The Governor nominated Alec Esteban Thomson to be the director of the
20 State Lottery on or around April 17, 2023, and notified President Petersen of the
21 nomination.
22

23 104. The Governor withdrew Esteban Thomson’s nomination on September 25,
24 2023, before the Senate held a vote on it.

25 105. Upon information and belief, the Governor appointed Henderson to act as
26 “interim” director of the State Lottery for a single day on or around September 25, 2023.
27 Upon information and belief, Henderson thereupon designated Esteban Thomson as
28 “Executive Deputy Director” before resigning.

1 106. As of the date of this Complaint, the directorship of the Arizona State Lottery
2 is vacant, and the Governor has not nominated any individual to that position.

3 107. Upon information and belief, Esteban Thomson is purporting to exercise all
4 powers and duties of the director of the State Lottery.

5 **Residential Utility Consumer Office**

6 108. The Residential Utility Consumer Office is responsible for representing the
7 interests of residential utility ratepayers in certain rate-related regulatory proceedings. *See*
8 A.R.S. §§ 40-462, 40-464.

9 109. The Residential Utility Consumer Office must be led by a director appointed
10 by the governor “pursuant to section 38-211,” which, in turn, requires Senate confirmation.
11 *See* A.R.S. 40-462(B).

12 110. The Governor nominated Cynthia Zwick to be the director of the Residential
13 Utility Consumer Office on or around February 6, 2023, and notified President Petersen of
14 the nomination.

15 111. The Governor withdrew Zwick’s nomination on September 25, 2023, before
16 the Senate held a vote on it.

17 112. Upon information and belief, the Governor appointed Henderson to act as
18 “interim” director of the Residential Utility Consumer Office for a single day on or around
19 September 25, 2023. Upon information and belief, Henderson thereupon designated Zwick
20 as “Executive Deputy Director” before resigning.

21 113. As of the date of this Complaint, the directorship of the Residential Utility
22 Consumer Office is vacant, and the Governor has not nominated any individual to that
23 position.

24 114. Upon information and belief, Zwick is purporting to exercise all powers and
25 duties of the director of the Residential Utility Consumer Office.

26 **Arizona Office of Tourism**

27 115. The Arizona Office of Tourism is responsible for studying, developing and
28 advancing policies to promote tourism in Arizona. *See* A.R.S. § 41-2305.

1 116. The Office of Tourism must be led by a director who is “appointed by the
2 governor pursuant to section 38-211,” which, in turn, requires Senate confirmation. *See*
3 A.R.S. § 41-2302(C).

4 117. The Governor nominated Lisa Urias to be the director of the Office of
5 Tourism on or around February 21, 2023, and notified President Petersen of the nomination.

6 118. The Governor withdrew Urias’ nomination on September 25, 2023, before
7 the Senate held a vote on it.

8 119. Upon information and belief, the Governor appointed Henderson to act as
9 “interim” director of the Office of Tourism for a single day on or around September 25,
10 2023. Upon information and belief, Henderson thereupon designated Urias as “Executive
11 Deputy Director” before resigning.

12 120. As of the date of this Complaint, the directorship of the Office of Tourism is
13 vacant, and the Governor has not nominated any individual to that position.

14 121. Upon information and belief, Urias is purporting to exercise all powers and
15 duties of the director of the Office of Tourism.

16 **Arizona State Land Department**

17 122. The Arizona State Land Department is responsible for administering laws
18 governing lands owned and controlled by the State. *See* A.R.S. § 37-102.

19 123. The State Land Department must be led by a commissioner who is “appointed
20 by the governor pursuant to section 38-211,” which, in turn, requires Senate confirmation.
21 *See* A.R.S. § 37-131(B).

22 124. The Governor nominated Robyn Sahid to be the State Land Commissioner on
23 or around March 13, 2023, and notified President Petersen of the nomination.

24 125. The Governor withdrew Sahid’s nomination on September 25, 2023, before
25 the Senate held a vote on it.

26 126. Upon information and belief, the Governor appointed Henderson to act as
27 “interim” State Land Commissioner for a single day on or around September 25, 2023.
28

1 Upon information and belief, Henderson thereupon designated Sahid as “Executive Deputy
2 Commissioner” before resigning.

3 127. As of the date of this Complaint, the office of State Land Commissioner is
4 vacant, and the Governor has not nominated any individual to that position.

5 128. Upon information and belief, Sahid is purporting to exercise all powers and
6 duties of the State Land Commissioner.

7 **COUNT I**

8 **Declaratory Judgment (A.R.S. §§ 12-1831, *et seq.*)**

9 129. Plaintiffs incorporate by reference the allegations contained in the foregoing
10 paragraphs as if fully set forth herein.

11 130. Each of the Agencies must be administered by a director who is nominated
12 by the Governor and confirmed by the Senate.

13 131. If a directorship becomes vacant during a regular legislative session, the
14 Governor must nominate a qualified individual and “promptly transmit the nomination to
15 the president of the senate.” A.R.S. § 38-211(B). If a vacancy occurs after the Legislature
16 has adjourned, the Governor must appoint her nominee to the directorship on an interim
17 basis, “subject to confirmation during the next legislative session.” *Id.* § 38-211(B), (C).

18 132. In exercising its advice and consent responsibilities, the Senate may, in
19 addition to considering any qualifications prescribed by statute, employ any standards,
20 processes, protocols, or conditions that are not prohibited by the federal or Arizona
21 constitutions.

22 133. The Senate may, in its discretion, decline to hold a vote on a nominee, and
23 such inaction does not constitute a confirmation of the nomination. If the Senate chooses
24 not to act on a nomination, the Governor may appoint such nominee to serve as an interim
25 director for a period not to exceed one year. *See* A.R.S. § 38-211(B), (C), (E).

26 134. The directorship positions in all the Agencies are vacant, and there currently
27 are no nominations pending to fill those vacancies.

1 135. Upon information and belief, the Governor refuses to nominate any
2 individuals to fill any of the vacancies or to transmit such nominees to the Senate during
3 the first week of the next regular legislative session.

4 136. Upon information and belief, the Governor appointed Henderson to a
5 consecutive series of interim directorships, with a cumulative tenure of approximately one
6 day, for the sole purpose of installing “Executive Deputy Directors,” who are exercising the
7 statutory powers of their respective Agency’s director.

8 137. Every “deputy” director of an Agency must be, by law, “subordinate” to a
9 Senate-confirmed director. *See* A.R.S. § 38-461(B).

10 138. Upon information and belief, the Governor will allow the putative “Executive
11 Deputy Directors” to govern the Agencies indefinitely and will not nominate individuals to
12 fill the vacant directorships unless and until the Senate accedes to her preferred confirmation
13 protocols and criteria.

14 139. By refusing to nominate individuals to the Agency directorships and then
15 transmitting such nominations to the Senate for its advice and consent, the Governor has
16 violated A.R.S. § 38-211.

17 140. By vesting in the Senate a prerogative to confirm or reject gubernatorial
18 nominees for Agency directorships, A.R.S. § 38-211 affects the rights and status of the
19 Senate as a constitutional body.

20 141. An actual and justiciable controversy exists concerning the Governor’s
21 refusal to comply with A.R.S. § 38-211, and a judgment of this Court will end the
22 controversy.

23 142. Accordingly, the Plaintiffs are entitled to a declaration pursuant to A.R.S. §
24 12-1831, *et seq.*, that the Governor has violated A.R.S. § 38-211 by (a) refusing to nominate
25 individuals to fill the Agency directorships, (b) conditioning the transmittal of future
26 nominations on changes to the Senate’s confirmation protocols and criteria, and/or (c)
27 effectuating the installation of “Executive Deputy Directors” to exercise the statutory
28 powers of the director without Senate confirmation for an indefinite period.

1 COUNT II

2 **Writ of Mandamus (A.R.S. § 12-2021, et seq., Ariz. R. P. Special Action 3)**

3 143. Plaintiffs incorporate by reference the allegations contained in the foregoing
4 paragraphs as if fully set forth herein.

5 144. Each of the Agencies must be administered by a director who is nominated
6 by the Governor and confirmed by the Senate.

7 145. If a directorship becomes vacant during a regular legislative session, the
8 Governor has a non-discretionary duty to nominate a qualified individual and “promptly
9 transmit the nomination to the president of the senate.” A.R.S. § 38-211(B). If a vacancy
10 occurs after the Legislature has adjourned, the Governor may appoint her nominee to the
11 directorship on an interim basis, “subject to confirmation during the next legislative
12 session.” *Id.* § 38-211(B), (C).

13 146. In exercising its advice and consent responsibilities, the Senate may, in
14 addition to considering any qualifications prescribed by statute, employ any standards,
15 processes, protocols, or conditions of its choosing that are not prohibited by the federal or
16 Arizona constitutions.

17 147. The Senate may, in its discretion, decline to hold a vote on a nominee, and
18 such inaction does not constitute a confirmation of the nomination. If the Senate chooses
19 not to act on a nomination, the Governor may appoint such nominee to serve as an interim
20 director for a period not to exceed one year. *See* A.R.S. § 38-211(B), (C), (E).

21 148. When the directorships in each of the Agencies became vacant, the Governor
22 had a non-discretionary statutory duty to “promptly transmit” the nomination of a qualified
23 individual “to the president of the senate.” A.R.S. § 38-211(B).

24 149. The directorship positions in all the Agencies are vacant, and there currently
25 are no nominations pending to fill those vacancies.

26 150. Upon information and belief, the Governor refuses to nominate any
27 individuals to fill any of the vacancies or to transmit such nominees to the Senate during
28 the first week of the next regular legislative session.



1 151. While the Governor has discretion to select a nominee of her choosing, her
2 statutory duty to promptly make a nomination and transmit such nomination to the President
3 of the Senate is mandatory and non-discretionary.

4 152. If and to the extent that A.R.S. § 38-211 affords to the Governor any
5 discretion concerning the timing or manner of nominations, she has abused that discretion
6 by (a) refusing to nominate individuals to fill the Agency directorships, (b) conditioning the
7 transmittal of future nominations on changes to the Senate’s confirmation protocols and
8 criteria, and/or (c) effectuating the installation of “Executive Deputy Directors” to exercise
9 the statutory powers of the director without Senate confirmation for an indefinite period.

10 153. The Plaintiffs lack a plain, adequate and speedy remedy at law to compel the
11 Governor to discharge the non-discretionary duties imposed on her by A.R.S. § 38-211.

12 154. Accordingly, the Plaintiffs are entitled to a writ of mandamus pursuant to
13 A.R.S. § 12-2021 and/or Arizona Rule of Procedure for Special Action 3 requiring the
14 Governor to promptly (a) nominate individuals for the directorships of each of the Agencies,
15 and (b) transmit such nominations to the President of the Senate no later than the first week
16 of the next regular session of the Legislature.

17 **COUNT III**

18 **Injunctive Relief (A.R.S. § 12-1801, et seq., Ariz. R. Civ. P. 65)**

19 155. Plaintiffs incorporate by reference the allegations contained in the foregoing
20 paragraphs as if fully set forth herein.

21 156. Each of the Agencies must be administered by a director who is nominated
22 by the Governor and confirmed by the Senate.

23 157. If a directorship becomes vacant during a regular legislative session, the
24 Governor must nominate a qualified individual and “promptly transmit the nomination to
25 the president of the senate.” A.R.S. § 38-211(B). If a vacancy occurs after the Legislature
26 has adjourned, the Governor must appoint her nominee to the directorship on an interim
27 basis, “subject to confirmation during the next legislative session.” *Id.* § 38-211(B), (C).
28

1 158. In exercising its advice and consent responsibilities, the Senate may, in
2 addition to considering any qualifications prescribed by statute, employ any standards,
3 processes, protocols, or conditions that are not prohibited by the federal or Arizona
4 constitutions.

5 159. The Senate may, in its discretion, decline to hold a vote on a nominee, and
6 such inaction does not constitute a confirmation of the nomination. If the Senate chooses
7 not to act on a nomination, the Governor may appoint such nominee to serve as an interim
8 director for a period not to exceed one year. *See* A.R.S. § 38-211(B), (C), (E).

9 160. The directorship positions in all the Agencies are vacant, and there currently
10 are no nominations pending to fill those vacancies.

11 161. Upon information and belief, the Governor refuses to nominate any
12 individuals to fill any of the vacancies or to transmit such nominees to the Senate during
13 the first week of the next regular legislative session.

14 162. Upon information and belief, the Governor appointed Henderson to a
15 consecutive series of interim directorships, with a cumulative tenure of approximately one
16 day, for the sole purpose of installing “Executive Deputy Directors,” who are exercising the
17 statutory powers of their respective Agency’s director.

18 163. Every “deputy” director of an Agency must be, by law, “subordinate” to a
19 Senate-confirmed director. *See* A.R.S. § 38-461(B).

20 164. Upon information and belief, the Governor will allow the putative “Executive
21 Deputy Directors” to govern the Agencies indefinitely and will not nominate individuals to
22 fill the vacant directorships unless and until the Senate accedes to her preferred confirmation
23 protocols and criteria.

24 165. By refusing to nominate individuals to the Agency directorships and then
25 transmitting such nominations to the Senate for its advice and consent, the Governor has
26 violated A.R.S. § 38-211.

1 166. Because the Senate is entitled by law to confirm or reject gubernatorial
2 nominees for Agency directorships, the Governor’s refusal to transmit nominations
3 irreparably injures the Senate as a constitutional body.

4 167. The balance of equities and considerations of public policy favor an
5 injunction requiring the Governor to comply with A.R.S. § 38-211.

6 168. Accordingly, the Plaintiffs are entitled to an injunction pursuant to A.R.S. §
7 12-1801 and/or Arizona Rule of Civil Procedure 65 requiring the Governor to promptly (a)
8 nominate individuals for the directorships of each of the Agencies, and (b) transmit such
9 nominations to the President of the Senate no later than the first week of the next regular
10 session of the Legislature.

11 **DEMAND FOR RELIEF**

12 WHEREFORE, the Plaintiffs demand relief in the following forms:

- 13 A. A declaration that the Governor has violated A.R.S. § 38-211 by (a)
14 refusing to nominate individuals to fill the Agency directorships, (b)
15 conditioning future nominations on changes to the Senate’s
16 confirmation protocols and criteria, and/or (c) effectuating the
17 installation of “Executive Deputy Directors” to exercise the statutory
18 powers of the director without Senate confirmation for an indefinite
19 period.
- 20 B. A writ of mandamus requiring the Governor to promptly (a) nominate
21 individuals for the directorships of each of the Agencies, and (b)
22 transmit such nominations to the President of the Senate no later than
23 the first week of the next regular session of the Legislature;
- 24 C. An injunction requiring the Governor to promptly (a) nominate
25 individuals for the directorships of each of the Agencies, and (b)
26 transmit such nominations to the President of the Senate no later than
27 the first week of the next regular session of the Legislature;
- 28

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- D. An award of reasonable costs and attorneys' fees pursuant to A.R.S. § 12-341, 12-2030, the private attorney general doctrine, and other applicable law; and
- E. Such other relief as the Court deems necessary, equitable, proper, or just.

DATED this 19th day of December, 2023.

STATECRAFT PLLC

By: /s/Thomas Basile
 Kory Langhofer
 Thomas Basile
 649 North Fourth Avenue, First Floor
 Phoenix, Arizona 85003

Attorneys for Plaintiffs



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Verification

I, Warren Petersen, affirm that I have read the foregoing Verified Complaint and know the contents thereof by personal knowledge. I know the allegations of the Verified Complaint to be true, except the matters stated therein on information and belief, which I believe to be true.

Signed under penalty of perjury on this 19th day of December, 2023.



Warren Petersen

Exhibit A



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

KATIE HOBBS
GOVERNOR

EXECUTIVE OFFICE

September 25, 2023

The Honorable Warren Petersen
President of the Senate
1700 W. Washington St.
Phoenix, Arizona 85007
wpetersen@azleg.gov

Re: Withdrawal of Agency Director Nominations

President Petersen,

It has become apparent over the past nine months that the Senate's process for reviewing and confirming agency director nominees has devolved into a sad display of partisan obstructionism. Instead of fulfilling your statutory obligations in good faith, you and the Committee on Director Nominations (the "Committee") that you enabled have proven yourselves unable or unwilling to carry out a valid process.

In January, you and your members expressed frustration at the speed at which my Office was submitting our official nomination packets for your review. We responded by submitting all of the paperwork within a matter of days. You have reciprocated with a process designed to slow walk nominees and create a political circus that is beneath the dignity of the Arizona State Senate. There are nearly three times as many nominees waiting for your review than have been considered to date. At this rate, I will be well into my second term before your political circus completes its job.

Not only is this process holding agencies that serve the people of Arizona hostage, it is wasting taxpayer dollars and all of our time. Our job is to serve the people of this State, and your abuse of the confirmation process will prevent that from getting done. If you have concerns about individuals' qualifications, simply say so. But it is clear the Senate's vetting process is not functioning as intended by law or tradition. For example, there have been instances where nominees have been scheduled to appear before a hearing that ends up never being held. There

have been instances where the Committee has approved nominees who then never get brought to the Senate floor for a vote. Legal and traditional vetting processes don't function in this way. Instead, it is clear that this Committee is being used as a weapon, wielded for the personal whim of a few legislators. This Committee, although ostensibly intended to evaluate the fitness for office of my nominees, is instead revealing the complete lack of fitness of the Committee Chair, Senator Jake Hoffman.

In addition to the disrespectful behavior that Senator Hoffman has regularly displayed during Committee hearings, he has repeatedly tried to leverage the confirmation of qualified nominees for the implementation of his policy preferences within the Executive Branch. For example, he publicly stated that he would not hold Committee hearings until I rescind various Executive Orders with which he personally disagrees. He has contacted nominees to imply that their confirmation hinged on the rescission of long-standing agency policies over which he has no authority. He has held up the confirmation of a nominee simply for identifying as pro-choice.

The people of Arizona elected me to get things done. It is my responsibility to run State government to realize a vision that delivers results and creates an Arizona for everyone. I have fulfilled my responsibility of nominating eminently qualified directors who meet the requirements of law. It is clear that this committee has taken upon itself to impose some other, impossible standard—or perhaps no standard at all beyond the whims of Senator Hoffman—for evaluating nominees. This is not the lawful role of the Senate, and is not a process in which I or my nominees will continue to participate.

To ensure that I am upholding my constitutional and statutory duties to effectively oversee and manage State government, you have left me no choice but to withdraw all director nominations that remain pending before the Senate and pursue other lawful avenues of ensuring State government can continue to function for Arizonans.

Should the Senate return to the regular order of confirming nominees as contemplated by law, or if I am able to find qualified candidates who might satisfy the shifting, amorphous, and partisan standard for confirmation that the Senate appears to have adopted, I will resume sending nominations for the Senate's review.

Sincerely,

Katie Hobbs
Governor
State of Arizona

cc:

Chad Campbell, Chief of Staff, Office of Governor Katie Hobbs, ccampbell@az.gov

Bo Dul, General Counsel, Office of Governor Katie Hobbs, bdul@az.gov

Ben Henderson, Director of Operations, Office of Governor Katie Hobbs, bhenderson@az.gov

Elizabeth Thorson, Arizona Department of Administration, peters.karen@azdeq.gov
Angie Rodgers, Arizona Department of Economic Security, angierodgers@azdes.gov
Karen Peters, Arizona Department of Environmental Quality, peters.karen@azdeq.gov
Carmen Heredia, Arizona Health Care Cost Containment System, carmen.heredia@azahcccs.gov
David Lujan, Arizona Department of Child Safety, david.Lujan@azdcs.gov
Jackie Johnson, Arizona Department of Gaming, jjohnson@azgaming.gov
Joan Serviss, Arizona Department of Housing, joan.serviss@azhousing.gov
Barbara Richardson, Arizona Department of Insurance and Financial Institutions, barbara.richardson@difi.az.gov
Lt. Col Dana Allmond, Arizona Department of Veterans Services, dallmond@azdvs.gov
Alec Esteban Thomson, Arizona State Lottery, athomson@azlottery.gov
Cynthia Zwick, Residential Utility Consumer Office, cswick@azruco.gov
Lisa Urias, Arizona Office of Tourism, lurias@tourism.az.gov
Robyn Sahid, Arizona State Land Department, rsahid@azland.gov

WITHDRAWAL OF NOMINATIONS

I, Katie Hobbs, Governor of the State of Arizona, hereby withdraw the following nominations:

1. Lt. Col. Dana Allmond, for Director of the Arizona Department of Veterans Services
2. Alec Esteban Thomson, for Executive Director of the Arizona State Lottery Commission
3. Elizabeth Thorson, for Director of the Arizona Department of Administration
4. Angie Rodgers, for Director of the Arizona Department of Economic Security
5. Karen Peters, for Director of the Arizona Department of Environmental Quality
6. Carmen Heredia, for Director of the Arizona Health Care Cost Containment System
7. David Lujan, for Director of the Arizona Department of Child Safety
8. Jackie Johnson, for Director of the Arizona Department of Gaming
9. Joan Serviss, for Director of the Arizona Department of Housing
10. Barbara Richardson, for Director of the Arizona Department of Insurance and Financial Institutions
11. Cynthia Zwick, for Director of the Residential Utility Consumer Office
12. Lisa Urias, for Director of the Arizona Office of Tourism
13. Robyn Sahid, for Commissioner of the Arizona State Land Department

IN WITNESS WHEREOF I have hereunto set my hand and caused to be affixed the Great Seal of Arizona done at the Capitol in the City of Phoenix, this 25th day of September in the year Two Thousand Twenty Three.



GOVERNOR

Attest:

Secretary of State

Exhibit B

From: [Lujan, David](#)
To: [Vanasse, Gillian, F](#); [Machiche, Pauline](#); [Ong, Alexander](#); [Ptak, Kathryn](#); [Steiner, Emily](#); [Guffey, Katherine, S](#); [Ballard, Curtis, T](#); [Hintze, Steven, J](#); [Essayli, Alicia, B \(Brooke\)](#); [Yerger, John C](#); [Saenz, Reynaldo](#); [Abdellatif, Tanya](#); [Marion, Tene, D](#); [Wangler, Edwin](#); [Guillen, Barbara, A](#); [Gustafson, Christopher \(Chris\)](#); [Ewy, Mark, S](#); [Krumm, Rebecca \(Becky\)](#); [Mouw, Karla, B](#); [Weiss, Cynthia](#); [Miranda Bocardo, Alicia](#); [Pedregon, Janelle](#); [Compian, Melissa](#)
Subject: New job title
Date: Monday, September 25, 2023 7:48:43 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[Norms for CEOs\[4\].pdf](#)
[DCS-2492 Central Office Org Chart 9 23.pdf](#)

Hello executive leadership team,

As you may have heard, the Governor took action today to address the Senate's failure to move forward the confirmation of her agency director nominees. In that regard, she has withdrawn her agency director nominations, including mine, and has created new positions at each of those agencies which will be referred to as both Cabinet Executive Officer (CEO) and Executive Deputy Director. This action will ensure leadership continuity at DCS and gives me the ability to move forward with all of the important work we have to do at DCS. Below is an email from Ben Henderson, the Governor's Director of Operations, providing additional details of the action taken today. In addition, I have attached a document produced by the Governor's Office setting forth the norms for addressing my new position title as well as our new agency org chart reflecting this change. I am excited by the actions taken today as we can now focus on getting the important work of child and family wellbeing without having to be concerned about the uncertainty which had been created by the Senate confirmation process. Please let me know if you have any questions. Have a good night!

David



David Lujan
CEO and EDD
Arizona Department of Child Safety
3003 N Central Ave
Phoenix, AZ 85012
602-255-2713
David.Lujan@azdcs.gov
[AZDCS Website](#) | [Twitter](#) | [Facebook](#) | [LinkedIn](#) | [IG](#)
To report child abuse or neglect: 1-888-SOS-CHILD



Dear Directors,

The people of Arizona elected Governor Hobbs to lead the state and one of her responsibilities is to

ensure that agencies have steady leadership in order to deliver the services and duties of government for the people of Arizona.

As you know, we have submitted our Director nominees to the Senate for confirmation and in turn, the Senate has acted in bad faith, delaying hearings, politicizing the process and refusing to confirm or vote on most nominees. We fulfilled our statutory authority to submit your nominations, and the Senate has failed to act and chosen instead to play political games, leaving leadership at your agencies in legislative limbo.

In light of this, we have moved all of you whom the Senate has failed to properly consider into an Executive Deputy Director position, in order to ensure leadership continuity at your agency and give you the ability to move forward in the important work of your agency. Should the Senate resume a good faith process of reviewing and confirming nominees as contemplated by law, the Governor will consider resending her nominees to the Senate for confirmation.

In the meantime, you remain leaders of your agencies and members of the Governor's Cabinet and have the full confidence of Governor Hobbs and the Governor's Office. I, for one, am proud to stand by your side, committed to the Governor and her vision of an Arizona for everyone.

I hope you are as excited as I am to focus on the work we have in front of us. Thank you for all that you do for the people of Arizona.

Sincerely,
Ben Henderson

--



Ben Henderson (He/Him)

Director of Operations

bhenderson@az.gov

(480) 326-6799

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Exhibit C



Arizona State Senate

October 6, 2023

Elizabeth Thorson
Deputy Director, Arizona Department of Administration
100 N 15th Avenue
Phoenix, AZ 85007

Dear Deputy Director Thorson:

Consistent with the United States Constitution and the laws of states across this nation, Arizona requires its agencies to be led by Senate-confirmed directors. Ariz. Rev. Stat. § 38-211. The ubiquity of this requirement is a testament to its wisdom. Just as the executive veto serves as a check on legislative power, Senate confirmation of agency directors serves as a necessary check on executive power.

The leadership of the Arizona State Senate is highly troubled by Governor Hobbs' unprecedented attempt to bypass the safeguards provided through the Senate confirmation process. On September 25th, Governor Hobbs announced that she was withdrawing the nomination of thirteen agency directors who had not been confirmed. While the details of the ensuing events remain unclear, it then appears that Governor Hobbs appointed a single individual, Ben Henderson, to a rapid succession of "interim" directorships in at least a dozen agencies over the course of approximately two days. During his hours-long tenure in each position, Mr. Henderson purported to install the withdrawn nominees as "Executive Deputy Directors" of their respective agencies. Notably, the Governor never actually nominated Mr. Henderson to any agency directorship or notified the Senate of any such purported nomination.

The confirmation safeguards—which have existed since the territorial days of Arizona—cannot be so easily circumvented. The apparent premise of Hobbs' scheme—*i.e.*, that unconfirmed appointees can control state agencies indefinitely under the artifice of a "deputy" title—is textually and conceptually untenable. While Arizona law allows a director's deputy to carry out certain day-to-day functions, a deputy's power is entirely derivative of, and dependent on, the powers of the Senate-confirmed director. See, e.g., Ariz. Rev. Stat. §§ 38-211, -461, -462.

Simply stated, deputy directors are not and cannot be an independent source of authority to run State agencies. The bizarre interpretative theory that put you in your current position would

effectively nullify both the express terms and obvious intent of Arizona law. See *Ariz. Rev. Stat. § 38-211*; see also *Guedes v. Bureau of Alcohol, Tobacco, Firearms, and Explosives*, 356 F. Supp. 3d 109, 153 (D.D.C. 2019) (warning against “the pretextual use of the ‘temporary’ label to circumvent the Senate’s advice and consent role”). That you would be complicit in such a scheme calls into question your fitness to serve as the head of a state agency.

As bad as it is to subvert constitutional protections designed to protect individual liberty, this is not the end of the troubles caused by this latest example of executive overreach. Your precarious claim to authority is creating significant and pervasive practical dilemmas for your agency, the other branches of state government, and the general public. For example, as you know, agency directors must submit to the Governor budget requests for the ensuing fiscal year. See *Ariz. Rev. Stat. § 35-113*. It is doubtful that the Legislature can lawfully accept or consider an executive budget premised on submissions by invalidly appointed agency heads who cannot lawfully exercise the powers of the office. More broadly, all rulemaking, adjudicatory or other official acts performed by an agency acting under the auspices of an improperly appointed “Executive Deputy Director” are vulnerable to credible judicial challenges by interested parties.

The Governor’s unlawful arrogation of authority has, in short, spawned a legal and logistical mess that others are left to clean up.

We demand that you give an accounting of the agency that was left to your charge. To that end, we request that you provide to the Senate, no later than October 20, 2023, the following materials and information in your or your agency’s actual or constructive possession, custody, or control:

1. All documents and communications reflecting or relating to the Governor’s withdrawal of your prior nomination for an agency directorship (including but not limited to communications with the Governor or any of her staff or agents concerning the same).
2. All documents and communications reflecting or relating to the appointment of Ben Henderson as a putative acting or interim agency director (including but not limited to communications with the Governor or any of her staff or agents concerning the same).
3. All documents and communications reflecting or relating to your appointment to your current position (including but not limited to communications with the Governor or any of her staff or agents concerning the same).
4. All documents and communications that reflect or relate to the existence, nature, and scope of what you believe to be your putative official authority over the actions and activities of your agency.

The Arizona State Senate stands ready to fulfill its duty to hold hearings to vet gubernatorial directorship nominees and to confirm those who are fit to serve in that role. Indeed, despite having a full year to consider nominees, the Senate DINO Committee has already recommended confirmation of seven of the ten nominees it has considered. But we cannot and will not tolerate lawlessness. Unless immediate corrective actions are taken, you can expect litigation between the Arizona State Senate and the agency you once headed.

Thank you for your prompt attention to this critical matter.


Respectfully



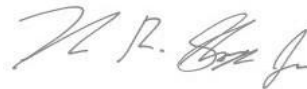
Warren Petersen,
President of the Arizona Senate



Sonny Borrelli,
Senate Majority Leader



Sine Kerr,
Senate Majority Whip



T.J. Shope,
Senate President Pro Tempore

cc:

Jennifer Loredo, Director of Policy, Legislative, & Intergovernmental Affairs, Office of Governor Katie Hobbs jloredo@az.gov

Lourdes Pena, Deputy Chief of Staff of Policy & External Affairs, Office of Governor Katie Hobbs lpna@az.gov

Exhibit D

From: [Karen Peters](#) on behalf of [Karen Peters <peters.karen@azdeq.gov>](#)
To: [ALL ADEQ FTEs - ADEQ](#)
Subject: A Message from the CEO: Cabinet Confirmation Update
Date: Monday, September 25, 2023 1:54:54 PM

ADEQ logo - Clean Air, Safe Water, Healthy Land for Everyone



A Message from the CEO: Cabinet Confirmation Update

Good afternoon All!

Governor Hobbs is taking actions today to keep her chosen agency leaders in place, as the state Senate has not acted on many of her cabinet appointments. As of this morning, I am reassigned into an Executive Deputy Director position, not subject to Senate confirmation, and serve as the Cabinet Executive Officer (CEO) to lead the Arizona Department of Environmental Quality.

It goes without saying that I'm grateful and deeply honored to lead ADEQ and for the Governor's strong support. Most importantly, I will continue to work with and support all of you to accomplish our critical mission of protecting and enhancing public health and the environment in Arizona.

Please feel free to reach out with any questions or concerns, but be assured that this change does not compromise my or ADEQ's authority to do that work. Thank you for the support you have offered to me – let's keep moving ahead for the residents of our State.

Best regards,
Karen Peters