

**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.

*** SOCIAL MEDIA DAY ***

[M11-222]

WHEREAS, social media has changed the way we communicate with our friends and family on a daily basis; and

WHEREAS, social media has become a growing, interactive technology that connects and supports Arizonans in their interests, passions, and beliefs; and

WHEREAS, social media has empowered consumers to locate, engage, and support local businesses by coupling technology and community; and

WHEREAS, social media has allowed people to connect one-on-one with brands, organizations, and charities worldwide; and

WHEREAS, June 30, 2011 is being celebrated by over 1,238 communities globally as Social Media Day.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim June 30, 2011 as

*** SOCIAL MEDIA 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 sixth day of June in the year Two Thousand and Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

ATTEST:
Ken Bennett
Secretary of State

*** LOWER SANTA CRUZ RIVER FLOOD PROTECTION DAY ***

[M11-220]

WHEREAS, the Lower Santa Cruz River has a long history of frequent and severe flooding; and

WHEREAS, such severe flooding causes widespread damage across central Arizona to cities, towns, transportation systems, infrastructure, farms, businesses and Native American communities, impacting thousands of Arizona citizens throughout Pinal County and the state; and

WHEREAS, Pinal County was the second fastest growing county in the United States during the past decade, with a projected population of more than one million people by 2030; and

WHEREAS, six of the seven most damaging floods have occurred in the past 50 years and a major flood today or in the future would potentially devastate the entire region; and

WHEREAS, federal involvement is necessary to protect the region as there are substantial federal interests and jurisdiction throughout the watershed; and

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WHEREAS, support for a federal flood control project from the Arizona Congressional Delegation, United States Congress, and the Federal Executive Branch is essential to securing flood protection for Arizona citizens; and

WHEREAS, local communities and Arizona stakeholders are prepared to assist in this effort and meet their obligations under any such project; and

WHEREAS, local communities and Arizona stakeholders have formed an organization call the Lower Santa Cruz River Alliance to support the effort.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim June 22, 2011 as

*** LOWER SANTA CRUZ RIVER FLOOD PROTECTION 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 ninth day of June in the year Two Thousand and Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA STATE CHAMPIONSHIP FIDDLERS' CONTEST DAYS ***

[M11-228]

WHEREAS, the strength of our Nation and the great State of Arizona is in its people, whose present and future are built upon the past; and

WHEREAS, our heritage is displayed through the songs that people sang, and the tunes they played, presenting us with vignettes of our history; and

WHEREAS, it is fitting and proper that perpetuate the fiddle music of years gone by, and encourage its authentic presentation to this and succeeding generations; and

WHEREAS, the Payson Old Time Fiddlers' Contest and Acoustic Celebration, now in its 41st year, achieves these goals and is one of the oldest events of its kind in the State of Arizona and is recognized as an official Arizona Centennial event.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 23 - 25, 2011 as

*** ARIZONA STATE CHAMPIONSHIP FIDDLERS' CONTEST DAYS ***

and encourage Arizonans to attend and enjoy the 41st Annual Fiddlers' Contest in Payson.

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 seventeenth day of June in the year Two Thousand and Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

ATTEST:
Ken Bennett
Secretary of State

EXECUTIVE ORDER 2011-05

State Regulatory Rule Making Review and Moratorium To Promote Job Creation and Retention

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on June 30, 2012 as a notice to the public regarding state agencies' rulemaking activities.

[M11-234]

WHEREAS, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent additional and unnecessary burdens on our private sector employers and political subdivisions; and

WHEREAS, other states have since implemented regulatory reviews and moratoriums; and

WHEREAS, the economic climate in Arizona continues to challenge both those seeking employment and our employers, who are the key to increasing job opportunities in this State; and

WHEREAS, a predictable regulatory climate in this State will promote job creation and retention; and

WHEREAS, the Legislature enacted the regulatory review and moratorium for fiscal year 2009 - 2010 by passing House Bill 2008 in the 2009 Third Special Session; and

WHEREAS, the Legislature continued the regulatory review and moratorium for fiscal year 2010 - 2011 by passing House Bill 2260 in the 2010 Second Regular Session; and

WHEREAS, the current regulatory review and moratorium expires on June 30, 2011; and

WHEREAS, the expiration of the current regulatory review and moratorium could result in a regulatory explosion detrimental to job creation and retention in this State; and

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, hereby declare that for fiscal year 2011-2012 ending June 30, 2012, the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
 - a. To fulfill an objective related to job creation in this State.
 - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rule making action.
 - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2012 or is necessary under subparagraph (c) of this Paragraph.
 - f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - g. To promulgate a rule or other item that is exempt from title 41, chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
4. This Order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the corporation commission, or (c) any state agency whose agency head is not appointed by the Governor.
5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making processes.

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6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the Office of Governor by July 29, 2011 all pending rule makings and any pending requests to the Office of Governor for rule making.
7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
8. For the purposes of this executive order, "person", "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

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 30th day of June in the year Two Thousand Eleven and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

ATTEST:
Ken Bennett
Secretary of State