

Governor's Executive Orders/Proclamations

**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.

*** PARALEGAL DAY ***

[M11-273]

WHEREAS, it is estimated that there are approximately 224,000 paralegals employed in the paralegal profession nationwide, with an estimated 3,400 paralegals employed in the State of Arizona; and

WHEREAS, paralegals have contributed significantly to legal communities throughout Arizona; and

WHEREAS, paralegals have successfully lowered the cost of legal services provided to law firm clients by their participation in the cases taken on by their employing law firms; and

WHEREAS, legal services organizations are better able to deliver legal services to populations most in need through the use of paralegals; and

WHEREAS, the cost of legal services provided by state government is reduced through the effective use of paralegals; and

WHEREAS, paralegals continue to establish their vital role of expanding the range of access to legal services available to the people of this State; and

WHEREAS, excellence, dedication, and integrity are the unmistakable characteristics of paralegals and the services they provide to their attorney-employers; and

WHEREAS, in cooperation with the Maricopa County Bar Association's Paralegal Division, dedicated to the advancement and continued education of paralegals throughout the State of Arizona, a day shall be set aside to honor those who practice this distinguished profession.

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

*** PARALEGAL 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
GOVERNOR**

DONE at the Capitol in Phoenix on this twenty-second day of August in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:
Ken Bennett
Secretary of State**

*** PUBLIC LANDS DAY ***

[M11-277]

WHEREAS, America's system of public lands includes parks, unique landscapes, forests, wildlife refuges, historic trails, natural streams and wetlands, nature centers, gardens and other landmark areas throughout the nation that individually and collectively represent irreplaceable national resources; and

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WHEREAS, public lands provide locally accessible natural and cultural resources for environmental learning, wildlife appreciation and recreation; and

WHEREAS, public lands promote civic ideals that include shared stewardship and recognition of public ownership; and

WHEREAS, shared stewardship requires the goodwill, cooperation and active support of citizens, community, city and state officials, business leaders, children and adults; and

WHEREAS, land conservation builds awareness among urban dwellers with concerns about planned development, shared land use, preservation of wild areas and natural habitats, and the benefits realized by diligent restoration and enhancement efforts; and

WHEREAS, an alliance between private citizens, land managers and community leaders improves the condition of publicly held lands for the greater enjoyment and enrichment of all Americans; and

WHEREAS, National Public Lands Day, co-sponsored by the National Environmental Education & Training Foundation, the Bureau of Land Management, the Bureau of Reclamation, the Department of Defense, the National Park Service, U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, and the U.S.D.A. Forest Service, and has become an annually anticipated event for local participation on publicly held lands in Arizona.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona do hereby proclaim September 24, 2011 as

*** PUBLIC LANDS DAY ***

and call upon the citizens of Arizona to recognize and participate in this special observance.

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 twenty-second day of August in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** SURGICAL TECHNOLOGISTS WEEK ***

[M11-275]

WHEREAS, the profession of surgical technology was developed during World War II, when there arose a critical and defined need for assistance in the performing of surgical procedures during war and battle situations; and

WHEREAS, from this need sprang forth the profession of surgical technology, which has grown meeting the continued demand for well educated, highly skilled, versatile and professional individuals to assist in the delivery of the highest quality of patient care; and

WHEREAS, the Association of Surgical Technologists was officially incorporated as a nonprofit, educational association in 1969; and

WHEREAS, the Association's foremost goal centers around ensuring that surgical technologists, through accredited surgical technology programs, certification and continuing education requirements, continue to administer the highest quality care to the surgical patient; and

WHEREAS, surgical technologists are now recognized as integral members of the surgical team, working closely with the surgeon, and in alliance with the registered nurse, delivering direct patient care and ensuring patient safety before and during the operative procedure; and

WHEREAS, the field of surgical technology will continue to grow, producing individuals recognized for their dedication and performance in a rapidly evolving and highly technical career.

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NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 18-24, 2011 as

*** SURGICAL TECHNOLOGISTS 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
GOVERNOR**

DONE at the Capitol in Phoenix on this twenty-second day of August in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:
Ken Bennett
Secretary of State**

*** ARIZONA STEEL DAY ***

[M11-293]

WHEREAS, the structural steel industry annually provides structural steel framing systems for more than one billion square feet of new building construction throughout Arizona and other states; and

WHEREAS, the structural steel industry provides employment for more than 185,000 workers in Arizona and other states; and

WHEREAS, the structural steel industry has demonstrated a significant commitment to sustainable construction through the use of structural steel products made from 93 percent recycled materials from old cars, appliances, stoves, manufacturing waste, curb-side recycling and deconstructed buildings; and

WHEREAS, 98 percent of the structural steel in a building is recycled at the end of the building's life; and

WHEREAS, structural steel's high strength-to-weight ratio and low carbon footprint help to minimize environmental impacts; and

WHEREAS, the American Institute of Steel Construction has declared Friday, September 23, 2011, as Steel Day throughout the United States with more than 150 events nationwide.

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

*** ARIZONA STEEL DAY ***

in recognition of the contribution of the Arizona structural steel industry to the economy and infrastructure of the State of Arizona.

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
GOVERNOR**

DONE at the Capitol in Phoenix on this twenty-fifth day of August in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:
Ken Bennett
Secretary of State**

*** CAMPUS FIRE SAFETY MONTH ***

[M11-288]

WHEREAS, since January 2000, at least 143 people, including students, parents and children have lost their lives in student housing fires with over 85 percent of these deaths having occurred in off-campus occupancies and a majority of students

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across the nation live off-campus; and

WHEREAS, automatic fire alarm systems provide a necessary early warning of a fire to occupants and local fire departments so that appropriate action can be taken; and

WHEREAS, automatic fire sprinkler systems are a highly effective method of controlling or extinguishing a fire in its early stages, protecting the lives of the building's occupants; and

WHEREAS, many students are living in off-campus occupancies, Greek housing, and residence halls that are not adequately protected with automatic fire sprinkler systems and automatic fire alarm systems; and

WHEREAS, fire safety education is an effective method of reducing the occurrence of fires and reducing the resulting loss of life and property; and

WHEREAS, it is vital to educate Arizona about the importance of fire safety, in order to ensure the well-being of students for the college years and beyond.

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

*** CAMPUS FIRE SAFETY MONTH ***

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 twenty-fifth day of August in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** CHILDHOOD CANCER AWARENESS MONTH ***

[M11-290]

WHEREAS, each September is officially recognized as Childhood Cancer Awareness Month throughout the nation; and

WHEREAS, childhood cancer is the number one cause of death from disease for children, killing more every year than asthma, diabetes, cystic fibrosis, congenital anomalies and pediatric AIDS combined; and

WHEREAS, each year in the United States, over 12,600 children, including approximately 235 Arizona children, are diagnosed with cancer, which takes the life of one to two children out of every five; and

WHEREAS, the late effects of childhood cancer treatments are common among the more than 270,000 childhood cancer survivors in the United States and include serious side effects that may last a lifetime, such as secondary cancers, major organ problems, and developmental and cognitive diminishment; and

WHEREAS, research on the emotional impact of childhood cancer finds that parents and siblings report even greater long-term emotional impacts than the diagnosed child; and

WHEREAS, various dedicated organizations remain deeply committed to educate, support, serve and advocate for children with cancer, their families, bereaved families, survivors of childhood cancer, and the professionals who care for them.

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

*** CHILDHOOD CANCER AWARENESS MONTH ***

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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 twenty-fifth day of August in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** CONSTITUTION WEEK ***

[M11-292]

WHEREAS, September 17, 2011 marks the two hundred and twenty-fourth anniversary of the drafting of the Constitution of the United States of America which has proven to be an enduring guide that has secured the blessings of liberty for every generation of Americans; and

WHEREAS, the Constitution's framework for establishing and preserving liberty, justice, and opportunity has enabled us to prosper as a Nation and thrive as a people; and

WHEREAS, our Constitution is a living document that defends the principles of democracy and freedom and allows our Nation to shine as a beacon of democracy, tolerance, compassion and generosity; and

WHEREAS, educating our citizens about the principles of the Constitution allows us to reflect on the rights and privileges of citizenship and to work to ensure that the blessings of life, liberty and the pursuit of happiness endure and extend for generations to come.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 17-23, 2011 as

*** CONSTITUTION 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 twenty-fifth day of August in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** HEROES DAY ***

[M11-287]

WHEREAS, Heroes Day provides an opportunity to recognize and thank the men and women serving our communities known as "first responders"; and

WHEREAS, these special individuals include all law enforcement officers, firefighters, EMTs, Border Patrol agents, U.S. Forest Service personnel, among many others in Arizona; and

WHEREAS, these every-day heroes put their lives on the line each time they put on their uniform to keep our communities safe and help others in times of crisis; and

WHEREAS, this recognition began in 2008 as a way to honor fallen Tucson Police Officer Erik Hite and provide support for Tucson law enforcement, but has now expanded to include all first responders; and

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WHEREAS, the importance of teamwork within each specific unit and department, as well as the partnership all first responders have with each other is crucial to their rescue and recovery efforts; and

WHEREAS, the local business community and the public have come together to join in this noble effort to honor and support these heroes by providing goods, services, and dollars; and

WHEREAS, on this day, M&I Bank and University Medical Center (UMC) Foundation, along with other partners, have chosen to show their appreciation to these individuals by working with local businesses to provide a free breakfast and lunch to any first responder who comes to a M&I branch, and raise funds for the University Medical Center Foundation, which provides critical care in tragic situations.

NOW, THEREFORE, I, Janice Brewer, Governor of the State of Arizona, do hereby proclaim September 14, 2011 as

*** HEROES DAY ***

and commend the efforts of those men and women who contribute so much to the health, safety, and quality of life of the people of Arizona.

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 twenty-fifth day of August in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** IDENTITY THEFT AWARENESS MONTH ***

[M11-286]

WHEREAS, identity theft continues to be one of the fastest growing crimes in the United States, with an estimated 8.1 million victims last year; and

WHEREAS, identity theft is a serious crime that occurs when someone uses your personally identifiable information without your permission to commit fraud or other crimes; and

WHEREAS, in 2010, the Federal Trade Commission received 23,999 complaints of identity theft and identity fraud in Arizona, with nearly 30% contributing to employment related identity theft; and

WHEREAS, in 2010, Arizona had the second highest per capita rate of reported identity theft complaints; and

WHEREAS, FBI Law Enforcement Executive Development Association serves to educate law enforcement on the growing threats of identity theft and identity fraud through events such as the advanced FBI-LEEDA Identity Theft Summit on October 4, 2011 in Mesa, Arizona; and

WHEREAS, strengthened efforts of federal, state and local law enforcement agencies will help educate consumers and businesses on helping protect against identity theft.

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

*** IDENTITY THEFT AWARENESS MONTH ***

and encourage citizens to become educated about identity theft and the various means to help protect their personally identifiable information.

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

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

DONE at the Capitol in Phoenix on this twenty-fifth day of August in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** MASSING OF THE COLORS DAY ***

[M11-291]

WHEREAS, it is fitting that we honor those American patriots who made the supreme sacrifice in the wars and conflicts in which our country has engaged and to the heroes of 9/11; and

WHEREAS, it is most appropriate that a period of time be set aside and consecrated during which we may revere and honor the memory of these honored dead, pay due homage to their valor, deeds, and sacrifice, and reflect upon their high service to our community and our nation; and

WHEREAS, it is for us, the living, to rededicate ourselves to the preservation of the heritage, traditions, and ideals for which these patriots gave their lives that our flag may forever wave in freedom and our people never suffer the burden of oppression; and

WHEREAS, the 47th Annual Massing of the Colors and Service of Remembrance is made possible by the Phoenix Chapter of the Military Order of the World Wars.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 11, 2011 as

*** MASSING OF THE COLORS DAY ***

and urge all Arizonans to honor and revere the memory of all those who have died on the battlefield in defense of our beloved land, in the preservations of the ideals on which our Nation was founded, and upon which it has endured.

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 twenty-fifth day of August in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** SENIOR CORPS WEEK ***

[M11-289]

WHEREAS, older Americans bring a lifetime of skills and experience as parents, grandparents, workers, and citizens that can be tapped to meet challenges in our communities; and

WHEREAS, for more than four decades, the three programs of Senior Corps – RSVP, Senior Companions, and Foster Grandparents – have proven to be a highly effective way to engage Americans ages 55 and over in meeting national and community needs; and

WHEREAS, Senior Corps volunteers last year provided more than 98 million hours of service worth more than \$2 billion, helping to improve the lives of our most vulnerable citizens, strengthen our educational system; protect our environment, provide independent living services, and contribute to our public safety, and build capacity of organizations and communities by serving through more than 65,000 nonprofit, community, educational, and faith-based community groups nationwide; and

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WHEREAS, at a time of mounting social needs and growing interest in service by older Americans, there is an unprecedented opportunity to harness the talents of 55-plus volunteers to address community challenges; and helps volunteers by keeping them active, healthy, and engaged; helps our communities by solving local problems, and helps our nation by saving taxpayer dollars, reducing healthcare costs, and strengthening our democracy; and

WHEREAS, Senior Corps Week, taking place September 19-23, 2011, is an opportunity to thank Senior Corps volunteers for their service and recognize their impact and value to our communities and nation.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby recognize all Retired and Senior Volunteer Programs throughout the State of Arizona and proclaim September 19-23, 2011 as

SENIOR CORPS WEEK

and urge all citizens to appreciate Senior Corps volunteers for touching the lives of others by making a difference in the community through their commitment to civic participation.

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 twenty-fifth day of August in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

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

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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.
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