

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.

*** FIX A LEAK WEEK ***

[M12-73]

WHEREAS, Arizona is located in the Sonoran Desert, making water supplies an important resource to our economy, quality of life, and future; and

WHEREAS, fixing common household leaks, which include leaking toilet flappers, dripping faucets, or other leaking valves, can save homeowners 10 percent or more on their monthly utility bills; and

WHEREAS, it is estimated that homes in the United States leak over one trillion gallons of water per year, averaging 10,000 gallons of water per house, and 10 percent of homes that leak an average of 90 gallons of water or more per day; and

WHEREAS, WaterSense is a partnership program sponsored by the United States Environmental Protection Agency (EPA) to protect the future of our nation's water supply by promoting and enhancing the market for water-efficient products and services; and

WHEREAS, the Arizona Municipal Water Users Association (AMWUA) and its member cities; Avondale, Chandler, Gilbert, Glendale, Goodyear, Mesa, Peoria, Phoenix, Scottsdale, and Tempe are championing the cause for finding and fixing leaks; and

WHEREAS, AMWUA, municipalities, private utilities, state agencies, organizations, businesses, and residents throughout Arizona work to eliminate leaks and to use water efficiently in order to ensure water supplies for future generations.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 10-17, 2012 as

*** FIX A LEAK WEEK ***

and encourage all citizens of Arizona to pledge to find and repair leaks and to use water efficiently.

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 February in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** LYNCH SYNDROME HEREDITARY CANCER AWARENESS DAY ***

[M12-75]

WHEREAS, lynch syndrome is an hereditary predisposition to a litany of cancers at a high lifetime risk, including an 85% lifetime risk of colon cancer, up to a 65% lifetime risk of endometrial cancer, and above average risks of contracting ovarian cancer, gastric tract cancers, hepatobiliary cancers, renal pelvic cancers, pancreatic cancer, prostate cancer, skin cancer, and brain cancer, often at an early age; and

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

WHEREAS, over 600,000 persons in the United States have lynch syndrome, but less than 5% of those persons are currently diagnosed; and

WHEREAS, knowing one's family medical history of cancers may prompt genetic testing; and

WHEREAS, a positive genetic test of lynch syndrome increases cancer screening, which in turn allows for early detection of cancers that can be treated or removed often before becoming life threatening; and

WHEREAS, thousands of lives will be saved as the result of public awareness and an early diagnosis of lynch syndrome.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 22, 2012 as

*** LYNCH SYNDROME HEREDITARY CANCER AWARENESS 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 twenty-second day of February in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** TEE IT UP FOR THE TROOPS DAY ***

[M12-74]

WHEREAS, wars are being conducted overseas by courageous men and women in our Armed Forces, who have unselfishly put the defense of the United States of America before their own personal safety and comfort; and

WHEREAS, it is vital to the success of our troops that we show support for their service and display our pride in their accomplishments; and

WHEREAS, Tee it up for the Troops was created to help support the fallen and disabled members of our Armed Forces and their families, to honor veterans of all wars, and to acknowledge their sacrifice; and

WHEREAS, Tee it up for the Troops provides scholarships, lodging, travel, clothing, athletic programs, counseling, care packages, entertainment, and other programs that support those who serve on our behalf; and

WHEREAS, Tee it up for the Troops has the strong support of America Supports You, a nationwide program launched by the U.S. Department of Defense to recognize citizen support for our military men and women, and communicate that support to members of the Armed Forces at home and abroad.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby recognize March 14, 2012 as

*** TEE IT UP FOR THE TROOPS 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 twenty-second day of February in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

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

*** BUFFALO SOLDIERS DAY ***

[M12-77]

WHEREAS, African-Americans have fought with distinction in all of this country's military engagements; and

WHEREAS, on July 28, 1866, Congress established a peacetime army founding six new African-American units, the 9th and 10th Cavalry, and the 38th, 39th, 40th and 41st Infantry. Later on, the 38th and 41st reorganized as the 25th Infantry, and the 39th and 40th reorganized as the 24th Infantry; and

WHEREAS, these soldiers were nicknamed Buffalo Soldiers by the Native Americans because of their reputation for fighting ferociously to the end in battle; and

WHEREAS, Buffalo Soldiers were responsible for escorting settlers, cattle herds and railroad crews, exploring and mapping vast areas of the Southwest, stringing hundreds of miles of telegraph lines, and helping in the expansion of the West; and

WHEREAS, throughout the era of the Indian Wars, Buffalo Soldiers were posted from Montana in the Northwest to Texas, New Mexico, and Arizona in the Southwest making up approximately 20 percent of the U.S. Cavalry troopers; and

WHEREAS, it is important for the citizens of Arizona to preserve the history of the Buffalo Soldiers and commemorate the sacrifices they have made to the State and to this Nation.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim June 19, 2012 as

*** BUFFALO SOLDIERS 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 twenty-eighth day of February in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** COLON CANCER AWARENESS MONTH ***

[M12-78]

WHEREAS, colorectal cancer is the second leading cause of cancer deaths in the United States and the third leading cause of cancer deaths in Arizona; and

WHEREAS, there were 2,459 Arizonans diagnosed with colorectal cancer in 2009, comprising nine percent of all new cancer cases; and

WHEREAS, the Colon Cancer Alliance – Central Arizona Chapter is a non-profit, non-partisan advocacy group working to reduce the impact of colorectal cancer in Arizona by providing current information and support to patients, survivors, supporters, and caregivers, and working to promote general community awareness and education to aid in the prevention and early detection of colorectal cancer; and

WHEREAS, colorectal cancer often has no symptoms in the earliest and most beatable stages, and often does not show symptoms until the disease is in advanced stages; and

WHEREAS, colorectal cancer can be prevented or cured through early detection; and

WHEREAS, Arizona will observe Colon Cancer Awareness Month with events taking place throughout the State, including activities to educate colorectal cancer patients, survivors, the medical community, and the public, and to raise awareness of colorectal cancer.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby March 2012 as

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

*** COLON CANCER AWARENESS MONTH ***

and encourage all citizens to learn about the signs and symptoms of this disease, and discuss preventative testing with your medical team.

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-eighth day of February in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** COUNTY GOVERNMENT MONTH ***

[M12-79]

WHEREAS, counties take a leadership role to protect and enhance the health, welfare, and safety of its citizens in a sensible and cost-effective way, including their essential healthcare services, and healthy living and recreation programs; and

WHEREAS, county governments are essential to Arizona's healthcare systems and are unique in their responsibility to both finance and deliver health services through public hospitals and clinics, local health departments, long-term facilities, mental health services, and substance abuse treatment centers; and

WHEREAS, counties provide the tools to deliver more effective and higher quality services while containing costs, with the goal to strengthen the Arizona economy; and

WHEREAS, counties are committed to enhancing a strong partnership among all levels of government and the private sector in order to address the nation's challenges to help move toward healthy families; and

WHEREAS, there are 15 counties in the State of Arizona collectively responsible for and serving the needs of every resident of the State; and

WHEREAS, counties pursue key initiatives to raise public confidence and increase understanding about the roles and responsibilities of counties; and

WHEREAS, Arizona counties reflect the wide diversity of people, culture, and landscape in our State.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim April 2012 as

*** COUNTY GOVERNMENT MONTH ***

in recognition of the leadership, innovation and valuable service provided by the State's counties, especially in the health-care field.

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-eighth day of February in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

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

*** GIRL SCOUT MONTH ***

[M12-80]

WHEREAS, March 12, 2012 marks the 100th anniversary of Girl Scouts of the United States of America, which was founded by Juliette Gordon Low in 1912 in the State of Georgia; and

WHEREAS, Girl Scouting's core values of high ideals, patriotism, respect for self and others, and community service permeate its traditional innovative programs; and

WHEREAS, throughout its distinguished history, Girl Scouting has welcomed girls and women from every background to join and has inspired them with courage, confidence, and character to make the world a better place; and

WHEREAS, Girl Scouting helps girls achieve their potential by increasing awareness of opportunities in math, science, sports, technology, and other professional pursuits; and

WHEREAS, through the Girl Scout Leadership Experience, girls develop the skill and lessons that will serve them throughout their lives so that they may contribute to their communities and to our great State of Arizona; and

WHEREAS, more than 50,000 current Girl Scouts, alumni, and volunteers in Arizona, and millions nationwide will be celebrating this American tradition.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 2012 as

*** GIRL SCOUT MONTH ***

and applaud the commitment the Girl Scouts of Arizona Cactus – Pine Council and Girl Scouts of Southern Arizona – Sahuaro Council have made to support the development of Arizona's youth.

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-eighth day of February in the year Two Thousand and Twelve, 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

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

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.
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