

**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.

**\* GASTROSCHISIS AWARENESS DAY \***

[M12-216]

**WHEREAS**, Gastroschisis is a rare abdominal defect occurring in infants, and is generally detected by ultrasound or amniocentesis around 18 weeks gestation; and

**WHEREAS**, one in 2,229 individuals is born with Gastroschisis in the United States; and

**WHEREAS**, in Arizona, one in 1,887 babies is born with Gastroschisis; and

**WHEREAS**, most commonly, infants with Gastroschisis complications are born with their intestines outside of their abdomen, requiring immediate attention and surgery; and

**WHEREAS**, 10 percent of infants born with Gastroschisis are unable to survive due to complications, related defects or infections; and

**WHEREAS**, many Americans living with Gastroschisis have serious and debilitating conditions that have a significant impact on their lives and the lives of their families, including failure to thrive or slow growth; short bowel syndrome; multiple organ transplants; and long-term feeding issues; and

**WHEREAS**, individuals and families affected by Gastroschisis often experience problems such as a sense of isolation, difficulty in obtaining an accurate and timely diagnosis, few treatment options, and problems related to accessing treatment; and

**WHEREAS**, the cause of Gastroschisis is relatively unknown, and patients and their families must bear a large share of the burden for things such as raising funds for research.

**NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim July 30, 2012 as**

**\* GASTROSCHISIS 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-first day of June 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 YOUTH LEADERSHIP CONFERENCE WEEK \***

[M12-300]

**WHEREAS**, it is important that we prepare our youth to be informed citizens who understand and respect the principles that have sustained this Nation for over 235 years; and

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**WHEREAS**, it is most appropriate to set aside a period of time to devote preparing our youth for leadership roles in our State and Nation; and

**WHEREAS**, it is essential that our youth are given the opportunities to prepare themselves to meet our Nation's challenges through studies that emphasize individual responsibility, patriotism, leadership, American history, the United States Constitution, the free enterprise system and good citizenship; and

**WHEREAS**, the 22nd Annual Arizona Youth Leadership Conference is made possible by Arizona Youth Leadership, Inc. and the members of the Military Order of World Wars.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim July 17 – 21, 2012 as

**\* ARIZONA YOUTH LEADERSHIP CONFERENCE WEEK \***

and urge all Arizonans to honor those preparing the youth and the youth who are committed to preparing themselves to understand and respect the principles that have sustained this Nation.

**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-seventh day of June 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 AMERICAN INDIAN RIGHT TO VOTE DAY \***

[M12-241]

**WHEREAS**, American Indian people have lived in what is now Arizona since time immemorial and today, 22 federally recognized Tribes, Nations, Communities and Pueblo call Arizona home; and

**WHEREAS**, although today we recognize that the members of these tribes are citizens of their respective tribal nations, citizens of Arizona, and citizens of the United States of America, such was not always the case; and

**WHEREAS**, despite the fact that before World War I, American Indians who lived on reservations in Arizona were not considered citizens of the United States and were thus exempt from the draft, more than 8,000 American Indians served in the United States armed forces during World War I; and

**WHEREAS**, in response to these valuable contributions, and with the advocacy of American Indian leaders, Congress passed the Indian Citizenship Act in 1924, which guaranteed certain citizenship rights to American Indians; and

**WHEREAS**, in World War II, Code talkers used their Native languages to help win victory in the Pacific theatre; and

**WHEREAS**, Congress passed the Nationality Act of 1940, reaffirming the citizenship of American Indians; and

**WHEREAS**, together, American Indian leaders and Congressmen worked together to confirm the rights of American Indians to vote; and

**WHEREAS**, Arizona law now recognizes the right of American Indian citizens to vote in state elections.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim July 15, 2012 as

**\* ARIZONA AMERICAN INDIAN RIGHT TO VOTE DAY \***

**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 ninth day of July in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

\* **ARIZONA LEAFY GREENS WEEK** \*

[M12-262]

**WHEREAS**, Arizona ranks second in the United States in leafy greens production and is the winter lettuce capital of the United States; and

**WHEREAS**, the continued viability of this industry is essential to Arizona's future and to citizens across the country who consume Arizona's leafy greens products; and

**WHEREAS**, Arizona leafy greens represents a \$1 billion industry in Arizona, providing an estimated 20,000 jobs state-wide; and

**WHEREAS**, Arizona's shippers, farmers and others came together to establish an integrated food safety program as a demonstration of their industry-wide commitment to ensuring Arizona's leafy greens are safe; and

**WHEREAS**, Arizona leafy greens consistently produces an abundance of nutritious and safe produce; and

**WHEREAS**, this safe stream of produce, from farm to fork, ensures the viability of Arizona's leafy greens industry.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 11-18, 2012 as

\* **ARIZONA LEAFY GREENS WEEK** \*

and call upon all citizens to reflect upon and recognize the Arizona leafy green industry during this 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-fourth day of July in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

\* **BULK FOODS WEEK** \*

[M12-259]

**WHEREAS**, the Bulk is Green (BIG) Council is a leading organization dedicated to increasing awareness of the environmental and economic benefits of shopping in the bulk aisle; and

**WHEREAS**, shopping in bulk offers consumers the opportunity to reduce waste by purchasing only the amount needed and decrease carbon footprints by using limited packaging; and

**WHEREAS**, shopping in bulk offers the consumer the opportunity to save money, anywhere from 30 to 75 percent; and

**WHEREAS**, the BIG Council has a goal of educating consumers about the eco-friendly and affordable nature of buying in bulk; and

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**WHEREAS**, the Bulk is Green Council is partnering with retailers nationwide to offer National Bulk Foods Week; and

**WHEREAS**, National Bulk Foods Week is a time to celebrate the environmental and economical benefits of buying in bulk and reach out to consumers who have never shopped in the bulk aisle to begin experiencing the fun and savings of buying in bulk.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 14 – 20, 2012 as

**\* BULK FOODS 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-fourth day of July in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* CONSTITUTION WEEK \***

[M12-260]

**WHEREAS**, September 17, 2012 marks the two hundred and twenty-fifth 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, 2012 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-fourth day of July in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* PARALEGAL DAY \***

[M12-261]

**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

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**WHEREAS**, paralegals have contributed significantly to legal communities throughout the State of 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**, 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 28, 2012 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**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this twenty-fourth day of July in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**EXECUTIVE ORDER 2012-03**

**State Regulatory Review, Moratorium and Streamlining 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 December 31, 2014 as a notice to the public regarding state agencies' rulemaking activities.*

[M12-226]

**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 any additional burdens on Arizona's private sector employers and political subdivisions; and

**WHEREAS**, this rule making review and moratorium process has continued by session law or executive order to this day; and

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

**WHEREAS**, Arizona's efforts are being rewarded, such as being ranked as one of the top ten best states for business in a survey of chief executive officers this year, the eighth best for job growth in the last year, and the top state for innovators starting new business; and

**WHEREAS**, last January, I determined that State agencies needed to quicken the pace on streamlining existing rules and reducing wasted time in regulatory processes to increase Arizona's economic competitiveness and job creation, while still protecting public health, safety and the environment; and

**WHEREAS**, the 50th Legislature passed and I signed into law House Bill 2744 (2012 Arizona Laws, Chapter 352) which permits a state agency to conduct expedited rulemaking to streamline existing rules; and

**WHEREAS**, this expedited rulemaking authority will be used, in part, by State agencies to implement the "lean" waste reduction initiative I announced last January to increase the efficiency and service quality of State agencies; and

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**WHEREAS**, I encourage the general public and regulated community to bring forward ideas to State agencies and the Governor's Regulatory Review Council on what rules need to be streamlined and how that can be best achieved while still protecting public health, safety and the environment; and

**WHEREAS**, the current regulatory review and moratorium expires on June 30, 2012.

**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 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 to 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 rulemaking 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, 2014 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 process.
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 the Governor by July 31, 2012 all pending and anticipated rule making requests. Beginning fiscal year 2013 all state agencies shall submit to the Office of the Governor by the end of each fiscal year an annual report of all pending and anticipated rule making to Office of the Governor.
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.
9. This Executive Order expires on December 31, 2014.

**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 26th day of June in the year Two Thousand Twelve and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**