

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.

\* ARIZONA ADOPTION MONTH \*

[M12-432]

**WHEREAS**, there were 12,453 children in foster care as of March 31, 2012, and 796 of these children had a case plan goal of adoption but did not have an identified adoptive placement; and

**WHEREAS**, adoptive parents have a special calling – sharing a loving home with children in need, offering them hope for a brighter future; and

**WHEREAS**, the family, serving as the primary source of love, identity, self-esteem, and support, is the very foundation of our communities and State; and

**WHEREAS**, over the course of four years between April 1, 2008, and March 31, 2012, more than 7,500 Arizona children in foster care have found permanent loving homes in adoptive families; and

**WHEREAS**, Arizona is a national leader in recognizing the importance post-adoptive services have in facilitating successful adoptions.

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

\* ARIZONA ADOPTION 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-fourth day of October in the year Two Thousand Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

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

\* MARINE CORPS MONTH \*

[M12-437]

**WHEREAS**, on November 10, 1775, a Corps of Marines was created by a resolution of the Continental Congress and since that date, many thousands of men and women have borne the name “Marine”; and

**WHEREAS**, these brave men and women have served the people of the United States of America during times of peace and war; and

**WHEREAS**, their steadfast allegiance to their duties and core values of Honor, Courage and Commitment are in keeping with the highest standards set by the people of this great nation; and

**WHEREAS**, under their watchful eye, no enemy has ever conquered the resolve and spirit of the Corps and subsequently, the will of the people of the United States; and

**WHEREAS**, the people of the State of Arizona commemorate the brave deeds and continued legacy of all Marines who

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have and who continue to proudly serve as the nation's "Force in Readiness."

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

**\* MARINE CORPS MONTH \***

in honor of the birth of the illustrious United States Marine Corps.

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

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

**\* VETERANS DAY \***

[M12-440]

**WHEREAS**, Arizona is home to over half a million military veterans who have helped shape the American character by giving us an extraordinary legacy of patriotism and honor, and representing the highest form of civic virtue; and

**WHEREAS**, in observance of Veterans Day, we recognize and pay tribute to the heroic men and women of our armed forces who have valiantly defended the values of liberty, opportunity, and justice for all by answering the call of duty and risking their lives to protect their fellow citizens; and

**WHEREAS**, November 11, 1918 marked the cessation of hostilities during World War I, "The Great War," when the armistice went into effect on the eleventh hour of the eleventh day of the eleventh month; and

**WHEREAS**, with respect for and in recognition of the contributions our servicemen and women have made to the cause of peace and freedom around the world, Congress has officially designated November 11 of each year as a legal public holiday to honor all who have served in America's Armed Forces; and

**WHEREAS**, the fighting spirit of the American military permeates the history of our nation, and even though our world has changed over time and our Armed Forces have changed with it, the valor, strength, and courage of the men and women in uniform remain the same.

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

**\* VETERANS DAY \***

and call upon all Arizona citizens to remember our civil obligations to our veterans, and uphold our commitment to the lasting principles defining our country, the principles for which our fellow citizens fought and died.

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

**ATTEST:**  
**Ken Bennett**

**Secretary of State**

**\* VIETNAM COMMEMORATION DAY \***

[M12-427]

**WHEREAS**, the 2008 National Defense Authorization Act authorized the Secretary of Defense to conduct a program to commemorate the 50<sup>th</sup> Anniversary of the Vietnam War, and the Vietnam War Commemoration was established to honor and pay tribute to the Vietnam Veterans and their families; and

**WHEREAS**, United States military personnel of the Army, Marine Corps, Navy, Air force and Coast Guard endured a long and difficult mission which officially began on August 5, 1964 and ended on May 7, 1975, and during that period, 2.5 million members of our Armed Forces participated in the Vietnam War sustaining a high degree of permanent injuries and loss of life, including 613 casualties from the State of Arizona; and

**WHEREAS**, proudly serving with allegiance, the sacrifices of Vietnam Veterans have been essential to preserving the principles that define our great country and they continue to inspire us; and

**WHEREAS**, our citizens have the utmost respect for the Vietnam Veterans, and those who lost their lives are likewise commemorated as they gave themselves in the name of freedom and the rights of all Americans; and

**WHEREAS**, we pay tribute to them for their valiant efforts, reflective of the strength and character they demonstrate, and welcome the opportunity to acknowledge and thank them for their defense of freedom and democracy, extending our admiration and heartfelt gratitude for such meaningful contributions to our Nation, this State, and their home communities.

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

**\* VIETNAM COMMEMORATION DAY \***

and call upon all Arizonans to remember the sacrifice, deeds, courage, and commitment of Arizona's Vietnam Veterans.

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

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

**\* RURAL HEALTH WEEK \***

[M12-433]

**WHEREAS**, Arizona's rural population is steadily growing, and rural communities serve as important engines that help to drive Arizona's economy; and

**WHEREAS**, meeting the unique healthcare needs of rural citizens is constantly evolving as rural communities face accessibility issues, a lack of healthcare providers, an aging population suffering from a greater number of chronic conditions, and larger percentages of uninsured and underinsured citizens; and

**WHEREAS**, ambulatory and emergency medical services are especially critical in rural Arizona; and

**WHEREAS**, in 2011 there were 20,559 rural vehicle crashes in Arizona of which 384 were rural fatal crashes resulting in 436 persons killed and 39,874 persons injured compared to 389 persons killed in urban areas; and

**WHEREAS**, rural accident victims are largely dependent on Arizona's excellent emergency response system, rural hospitals, and affiliated trauma care centers for life-saving interventions; and

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**WHEREAS**, in addition to being sources of innovation and resourcefulness that reach beyond geographical boundaries to deliver quality care, the state's rural hospitals contribute to the economic foundation of Arizona's small communities; and

**WHEREAS**, rural healthcare systems create valuable opportunities that offer comprehensive, compassionate, patient-centered and holistic care to patients; and

**WHEREAS**, the Arizona Rural Health Association plays a distinct and critical role by leading community and statewide efforts to address the unique healthcare needs of our rural citizens.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 12 – 16, 2012, as

**\* RURAL HEALTH 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 October in the year Two Thousand 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

**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

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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**