

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.

**\* AFRICAN IMMIGRANT HEALTH AND HERITAGE MONTH \***

[M13-230]

**WHEREAS**, African immigrants are proud of their heritage, and each September they celebrate their heritage and culture, as well as raise awareness about African immigrant health issues; and

**WHEREAS**, the month of September was chosen because African Union Day is on September 9<sup>th</sup>; and

**WHEREAS**, in 2013 the United States Congress commemorated the 50<sup>th</sup> Anniversary of the creation of the Organization of African Unity, now known as African Union; and

**WHEREAS**, per the United States Census 2010, African immigrants are overwhelmingly represented in healthcare professions, thus, the 2013 theme recognizes the contributions of African immigrant healthcare workers, healthcare business owners and healthcare students across our state; and

**WHEREAS**, recent African immigrants have made significant contributions to American culture such as having high educational and income levels, as well as contributing to many areas of American life such as the arts, health, education, military, community service and public policy; and

**WHEREAS**, raising awareness about African immigrant health is crucial to effectively fight health disparities and essential to build a network of African immigrants and refugee health advocates who disseminate culturally sensitive information to the community; and

**WHEREAS**, a healthy and vibrant African immigrant community will continue to enhance American society with its rich heritage and culture.

**NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 2013 as**

**\* AFRICAN IMMIGRANT HEALTH AND HERITAGE 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 fifteenth day of July in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

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

**\* AUSTRIAN-AMERICAN DAY \***

[M13-229]

**WHEREAS**, 2013 marks the commemoration of the 66<sup>th</sup> Anniversary of the Marshall Plan, which greatly assisted in turning Austria from a war-ravage ruin into a prosperous democracy; and

**WHEREAS**, the Austrian Society of Arizona, Austrian-American Councils and Austrian-American friendship group of the United States will celebrate the 17<sup>th</sup> official "Austrian-American Day" on September 26, 2013, as a solemn reminder of the

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establishment of the first provisional Austrian post-war government on September 26, 1945; and

**WHEREAS**, the people of America and Austria are united in friendship and exhibit a camaraderie that transcends physical distance, facilitated by shared goals and interests; and

**WHEREAS**, the cultural, intellectual, economic, political, scientific, and social contributions of the Austrian people have become a necessary and integral part of American society.

**NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 26, 2013 as**

**\* AUSTRIAN-AMERICAN 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 fifteenth day of July in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

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

**\* COMMUNITY HEALTH CENTER WEEK \***

[M13-231]

**WHEREAS**, community health centers are at the core of our health care system and the nation's safety net, delivering high quality, cost effective, and accessible primary and preventative care to all individuals regardless of their ability to pay; and

**WHEREAS**, health centers are located in medically underserved areas and locally-controlled by patient-majority boards, making each health center responsive to the needs of the individual community it serves; and

**WHEREAS**, this health home model that health centers are at the fore of pioneering goes beyond primary medical care, providing behavioral health and dental services, along with case management and enabling services that ensure that care is provided in an efficient and timely manner; and

**WHEREAS**, the health center model has been proven to be an effective means of overcoming barriers to access for the medically underserved and in doing so, improving health care outcomes and reducing health care costs; and

**WHEREAS**, as locally owned and operated small businesses, health centers serve as critical economic engines helping to power local economies. In these difficult economic times, health centers are economic drivers in their communities; and

**WHEREAS**, health centers are committed to expanding to meet the needs of the communities they serve and to grow their reach to serve every individual who currently lacks regular access to a health care home; and

**WHEREAS**, National Health Center Week offers the opportunity to recognize Arizona's health centers, their staff, board members, and all those responsible for the continued success and growth of the program since its creation almost 50 years ago. During this National Health Center Week, we recognize the multitude of ways in which Arizona's health centers are transforming care in local communities by delivering comprehensive, high quality, cost effective, and accessible health care; and

**NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim August 11 – 17, 2013 as**

**\* COMMUNITY HEALTH CENTER WEEK \***

and encourage all citizens to visit their local health center and celebrate the important partnership between Arizona's health centers and the communities they serve.

**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-third day of July in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

**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 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**